

## **Resolutions from March 2014 Global Meeting**

### **Resolution Honoring Mr Thomas Fina**

The Resolution Honoring Mr Thomas Fina was adopted, by voice vote, as proposed by the Resolutions Committee on behalf of its original submitters.

### **Resolution Honoring David Froehlich**

The Resolution Honoring David Froehlich was adopted, by voice vote, as proposed by the Resolutions Committee on behalf of its original submitters.

### **Resolution on FATCA**

The original text of this resolution was substituted by a new text composed by the original submitters. The body agreed, without objection, to postpone the resolution to a later time so that the authors could consider a friendly amendment. At that later time the same day, the authors presented a further revised version. The revised resolution was adopted by a voice vote.

### **Resolution on HR597**

The original text of this resolution was amended by the author, Maureen Harwood, and then amended again by unanimous consent. The revised text was adopted by a voice vote.

### **Resolution to Enact... Americans Living Abroad Act**

This resolution was tabled by a voice vote. The reason cited was that it duplicates the Resolution on HR597.

### **Resolution to simplify the US Federal tax system**

This resolution was tabled by a voice vote. The reason cited was that it duplicates the Resolution on HR597.

### **Resolution on Nuclear Energy**

The resolution was presented with one friendly amendment: to strike the words "Three Mile Island" from the second Whereas clause. A motion passed to restrict debate to 12 minutes, with time divided for and against the resolution. After debate, the Chair asked unanimous consent to conduct the vote by finger-counting (a means of estimating the weighted vote). The finger-count vote was determined to be 80.5 for the resolution, 106 against. The resolution was not adopted.

### **Resolution to improve health care services for US veterans abroad**

This resolution was amended, by voice vote, to include the phrase "and their dependents" wherever "veterans" occurred in the text. The revised resolution was adopted by a voice vote.

### **Resolution in support of the Respect for Marriage Act**

The resolution was adopted by a voice vote, with the Chair noting that it passed unanimously and enthusiastically.

### **Resolution to establish a Travel Stipend**

During debate on this resolution, several friendly amendments were accepted by the author, and a few were refused. The debate was suspended during consideration of a motion to refer the resolution to a committee. That subsidiary motion was withdrawn after a demand for a roll call vote. After a successful motion to call the question, the revised resolution was adopted by a voice vote.

### **Resolution on an objective system of nonpartisan redistricting**

A motion passed to restrict debate to 10 minutes, with 3 speakers for the resolution and 3 against. A number of friendly amendments were accepted by Quaide Williams on behalf of the resolution's author. The revised resolution was adopted by a voice vote.

### **Resolution on the UN Small Arms Trade Treaty**

The Resolution on the UN Small Arms Trade Treaty was adopted, by voice vote, as proposed by the Resolutions Committee on behalf of its original submitters. {check}

### **Resolution on Whistleblowers**

The resolution was tabled by a voice vote.

### **No Other Resolutions for Consideration**

The meeting considered all resolutions put forward by the Resolutions Committee. No other resolutions were introduced during the meeting.

## Resolutions from March 2014 Global Meeting

*Texts as adopted (draft as of March 26, 2014)*

### Resolution Honoring Mr. Thomas Fina, Executive Director Emeritus, Democrats Abroad, for His 90th Birthday

WHEREAS, Tom Fina served as a full-time VOLUNTARY Executive Director of Democrats Abroad from 1986 to 2001 providing a much-needed Washington presence for our organization; providing advice and counsel to the elected leaders of Democrats Abroad in their relations with the Democratic National Committee, Democratic leadership in the House and Senate and, during those years that a Democrat was President, with the White House staff, and arranging the logistical support for meetings in Washington;

WHEREAS, Tom Fina and his wife Eleanor traveled throughout the world, meeting with country committees, local chapters and at International meetings, providing the view from Washington on the key issues and controversies at the center of our democracy, which at the time of these travels, before widespread internet news availability, was a unique source of information for Americans abroad, and at International meetings, advised our leadership on and initiated systematic efforts to raise funds, develop effective membership record keeping and properly comply with Federal Election Commission requirements and regulations, and;

WHEREAS, Tom Fina, after the disastrous outcome of the 2000 election, was appointed to lead the DPCA Task Force to reform overseas voting laws, presenting the results of the review to the Congress and to the American public via a live appearance on “Larry King Live”, all of which resulted in much needed improvement to our right to vote and have our votes counted from abroad, and:

WHEREAS, Tom Fina wrote and STILL WRITES, a monthly “Letter from Washington” to the membership of Democrats Abroad, providing from his broad knowledge of American politics, his deep experience as a diplomat and his insightful perspective as a modern Democrat, a superb analysis and highly literate review of the latest developments and actions of both parties and the prospects for our party’s elective, and legislative priorities,

THEREFORE, let it be resolved and known, that the officers, DNC members, elected leaders and members residing in 192 countries around the world, congratulate Mr. Thomas Fina on his upcoming 90<sup>th</sup> birthday and thank him for the generous donation of his time, his talents and his thoughtful writings for nearly 30 years to our benefit and on our behalf.

### Resolution Honoring David Froehlich

WHEREAS: David Froehlich was a founding member of Democrat Abroad Israel, and an early member of the Democrats Abroad, and was instrumental in advancing the goals of the Democratic Party in Israel and around the world, and

WHEREAS: David Froehlich, on his own initiative, carried out a personal door-knock campaign with members of Congress to facilitate voting procedures for Americans residing overseas, which resulted in bills that would penalize states that failed to send

out absentee ballots on time, and which provided for the Federal Write-In Ballot that allows voters to write in their votes on a special federal ballot in the event the locally printed absentee ballot did not reach the overseas voter in time, and

WHEREAS: David Froehlich displayed leadership roles on a variety of issues important to overseas Americans, including Social Security, Medicare and WEP, and

WHEREAS: We note with sadness the recent decease of this important pioneer.

NOW THEREFORE Democrats Abroad, on the occasion of its 50th anniversary, remembers with gratitude the many years of devoted service by David Froehlich to Democrats Abroad and the Democratic Party, and awards its Certificate of Commendation and Appreciation to David Froehlich, and resolves that this Certificate be delivered to his widow, Carole Froehlich, with appropriate ceremony.

### **DPCA 2012/2014 Resolution on FATCA and FBAR**

Whereas a U.S. citizen living outside the U.S. must, under severe penalties for under-reporting, file the FATCA Form 8938 if he or she holds or has signatory control over funds in Foreign Financial Institutions totaling \$200,000 in aggregate at the end of the year or \$300,000 in aggregate at any time during the year, with the thresholds for couples filing jointly are \$400,000 and \$600,000, respectively.

Whereas U.S. Citizens with signatory power over company accounts has to include the funds in the accounts in calculating his or her aggregate even when he or she cannot make personal use of the funds

Whereas the FATCA requires most Foreign Financial Institutions, under a penalty for non-compliance of 30% withholding of any gross payments from any US financial institution, to enter into an agreement with the IRS to identify their U.S. account holders, disclosing their names, addresses and account details, and

Whereas the requirement above applies even when the U.S. account holder has signatory rights over but not personal rights to company funds;

WHEREAS these onerous requirements have had serious consequences for Americans residing overseas, including but not limited to the closure or denial of bank accounts, loss or mitigation of employment opportunities, destruction of investment value through untimely divestment and possibly the loss of tax-free status for lawfully held pension and savings accounts, and

WHEREAS an American living overseas has a legitimate need for local banking services within his or her own country of residence, and

WHEREAS Americans living in the US have no FATCA-equivalent reporting requirement for their local US bank accounts, and

WHEREAS the Report of Foreign Bank and Financial Accounts (FBAR) must be submitted if a US taxpayer has a financial interest in or signature authority over a foreign financial account with a balance in excess of US\$10,000 at any time during the tax year (Form 90-22-1), and

WHEREAS this FBAR threshold was first established in the 1970's and US\$10,000 can no longer be considered to be a meaningful figure, and

WHEREAS the failure to file the FBAR can result in a fine of US\$10,000 or more for each year of non-filing, and

WHEREAS the FBAR duplicates FATCA's reporting requirements and penalties for failure to file, except for the significant difference in their thresholds, \$10,000 and \$200,000, respectively,

WHEREAS the Democratic Party Committee Abroad fully supports the IRS in its ongoing attempts to prevent money laundering and tax evasion, and

WHEREAS the overwhelming majority of the more than 6.3 million Americans residing overseas are honest working and middle-class and law-abiding citizens who do not earn enough to engage in the costly and complicated procedures used to engage in tax cheating, and

WHEREAS the Democratic Party has a commitment to working and middle-class Americans wherever they live.

WHEREAS the DPCA supports the continued application of FATCA as it applies to offshore accounts held by US taxpayers resident in the US; and

WHEREAS those with the means and determination to launder money or evade taxation are going to find it more difficult given moves by the OECD, G8 and G20 to use FATCA as the global model for deterring and catching money launderers and tax evaders; and

WHEREAS emerging campaigns calling for the full repeal of FATCA are unlikely to succeed and are likely devised for political gain rather than regulatory relief; and

WHEREAS consultation and advice suggests that the fastest way of effecting relief from the burdens the FATCA reporting requirements are placing on overseas Americans is through reform of the regulations rather than amendment of the Act;

THEREFORE be it resolved that the DPCA:

URGES the government to immediately change the FATCA definition of an offshore account to be one in a country other than the country in which the US citizen and taxpayer legally resides, therefore putting the focus of scrutiny on US citizens with accounts in non-US banks outside their country of residency.

### **Resolution on HR597**

WHEREAS THE US State Department currently estimates that over 6.3 million Americans live overseas (excluding government personnel). This is a considerable constituency; if considered as a 'state', it would be the 18<sup>th</sup> most populous in the Union;

WHEREAS the migration of US citizens overseas may be reasonably assumed a continuing trend, as the world becomes increasingly globalized;

WHEREAS this demographic may be expected to increase, perhaps exponentially, as US citizenship is passed on through succeeding generations;

WHEREAS US political, social and cultural values are disseminated through this migration, making overseas Americans arguably our nation's unpaid ambassadors;

WHEREAS these overseas Americans, as a demographic group, are without direct representation in Congress;

WHEREAS overseas Americans are impacted uniquely, publicly, unintentionally, and often negatively by US legislation in myriad areas, including Citizenship, Immigration, Taxation, Voting Access and Entitlement Programs;

WHEREAS the negative impacts of US legislation and regulation are disturbingly illustrated in the four-fold increase in US citizenship renunciations since 2009, propelled by concerns over legislation such as the Foreign Account Tax Compliance Act (FATCA);

WHEREAS Representative Carolyn Maloney, Chair of the Americans Abroad Caucus, has for the second time introduced a Bill to establish a bi-partisan commission to 1) formally study the impact of US legislation and regulations on overseas Americans, and 2) report its findings back to Congress and the Administration;

WHEREAS this Bill, now known as HR597, has been referred to seven separate House committees – Education and Workforce, Energy and Commerce (Health), Financial Services, Administration, Oversight and Government Reform, Judiciary, and Ways and Means – indicating the far-reaching extent of its potential impact;

WHEREAS the following overseas citizens groups have strongly endorsed HR597: American Citizens Abroad (ACA), Association of Americans Residing Overseas (AARO), Federation of American Women’s Club Overseas (FAWCO), and the Overseas Vote Foundation (OVF);

WHEREAS the issues and problems facing overseas Americans cross all categories of gender, age, income, race, ethnicity and sexual orientation, such that this Bill has the potential to positively impact all 6.32+ million overseas Americans;

WHEREAS the issues and problems facing overseas Americans are felt equally by those who identify as Democrats, Republicans or Independents, giving this Bill a reasonable potential to generate bi-partisan support despite the politically polarized state of the current Congress;

WHEREAS the costs associated with this short—term Commission may be considered reasonable in relation to its far-reaching impact;

BE IT RESOLVED that Democrats Abroad urges members of Congress to support HR597 and the formation of a Bi-Partisan Commission to study the impacts of US legislation and regulation on overseas Americans.

### **Resolution to improve health care services for US veterans abroad**

Whereas veterans and their dependents living abroad who do not travel to the USA are not eligible for coverage under the Affordable Care Act,

Whereas tens of thousands of veterans and their dependents living abroad, including about 25,000 veterans living in the Philippines, are unable to receive timely health services abroad because currently available Veterans Administration facilities lack a sufficient number of employees,

Whereas there are many highly qualified hospitals and medical centers located abroad capable of supplementing the services of VA health care facilities located abroad at a low rate of costs, and

Whereas veterans living abroad and their dependents often experience difficulties finding qualified consultants who can provide assistance in preparing requests for health services,

Whereas provision of services by qualified consultants hired by veterans living abroad and their dependents would thereby assist the Veterans Administration in processing requests for health care services by veterans,

Whereas the DA 2012 Platform favors providing easy access to affordable, quality medical care for our veterans living overseas and their dependents who do not have access to regular VA hospitals.

Therefore Democrats Abroad calls on the Veterans Administration, Congress, and Administration to:

- (A) improve significantly the provision of health care services in Veterans Administration facilities for US veterans living abroad and their dependents,
- (B) permit highly qualified hospitals and medical facilities located abroad to supplement the services provided by VA health care facilities at low cost, and
- (C) require each US embassy to assist US veterans and their dependents living abroad by posting a list of qualified consultants available in the embassy host country who can assist veterans in preparing their claims for health care benefits

### **Resolution in support of the Respect for Marriage Act**

WHEREAS, the right to form a family is a fundamental right recognized in the United Nations Declaration of Human Rights, and all families need and deserve the same legal rights and protections;

WHEREAS, we applaud the decision of the U.S. Supreme Court which in June 2013 struck down Section 3 of the so-called "Defense of Marriage Act" (DOMA), which Section effectively prohibited the Federal government from recognizing the right of same-sex couples to marry and form families;

WHEREAS, the Supreme Court found that Section 3 of DOMA "contrive[d] to deprive some couples married under the laws of their State, but not other couples, of both rights and responsibilities..." and "violate[d] basic due process and equal protection principles applicable to the Federal Government";

WHEREAS, Section 2 of DOMA remains in effect, which Section perpetuates this inequality and indignity in American law by continuing to deny many LGBT American citizens and their families *their rights to equal access to benefits and services intended to nurture and protect loving and committed spouses and their children*;

WHEREAS, Section 2 of DOMA enables States that deny marriage to same-sex couples to treat LGBT Americans legally married in other States and countries as second-class citizens;



WHEREAS, this creates a patchwork of inconsistent *federal and state* laws and policies that causes suffering and denies equal benefits and rights for all Americans and their families;

We call on Congress to:

PASS the Respect for Marriage Act, a bill with bi-partisan support that would repeal the discrimination currently enshrined in U.S. law through Section 2 of DOMA and establish a method for the federal government to determine whether a marriage is valid for federal purposes.

### **Resolution to establish a Travel Fund to Increase Diverse Participation at Global DPCA Meetings**

WHEREAS the interests of the Democrats Abroad organization are best served when guided by the diverse and representative voices of our membership;

WHEREAS in-person participation is critical to making one's voice heard;

WHEREAS many active members cannot participate in person due to the high cost of attending international meetings;

BE IT RESOLVED that the Democratic Party Committee Abroad (DPCA) set up an internal travel fund for those DPCA members with demonstrable need and proven commitment to the organization;

AND LET IT BE FURTHER RESOLVED that the International Chairperson, in consultation with the International Treasurer and the DPCA Executive Committee, will set the amount of such stipend;

AND LET IT BE FURTHER RESOLVED that the International Chairperson will appoint a committee to design and implement a transparent mechanism to request and accept applications for the stipend in a timely manner and with a preference for a registration contribution on a voluntary basis.

### **Resolution on an objective system of nonpartisan redistricting**

WHEREAS the members of Democrats Abroad, as a group, vote in all 50 states and are therefore all affected by the redistricting plans of their voting states;

WHEREAS Democrats Abroad is committed to vigorously defending the voting rights and equal representation of all Americans living abroad;

WHEREAS the effect of partisan legislative redistricting, popularly known as "gerrymandering", is particularly advantageous for incumbents, as they are far more likely to be reelected under conditions of gerrymandering;

WHEREAS incumbents whose seats are secured with the help of gerrymandering have less incentive to represent the interests of their constituents, even when those interests conform to majority support for an issue across the electorate as a whole;

WHEREAS the dominant parties use gerrymandering in legislative districts to preserve the status quo, ensuring the electoral safety of the politicians from unpredictable voting by the electorate;



WHEREAS some states, such as California and New Jersey, have a tradition of non-partisan redistricting procedures, thereby rendering the voting power of their citizens more equal and democratic than that of the voters in many other states where redistricting is carried out in a more partisan way;

WHEREAS the introduction of modern computers alongside the development of elaborate voter databases and special redistricting software has made gerrymandering a far more precise science;

WHEREAS newly developed software, such as the Columbia University Law School program, makes it possible to accomplish redistricting in an objective, non-partisan way;

BE IT RESOLVED that Democrats Abroad:

1. publicly declare, and include in its future platforms, that it support the principle that the responsibility for defining constituency boundaries should be held by neutral or cross-party bodies and commends those states that have moved to non-partisan methods;
2. address this appeal for the application of rational, non-partisan principles of redistricting to the leadership of both houses of the Congress of the United States as well as to the secretaries of state of all 50 states and send a copy to the President of the United States;
3. commend, in an open letter, Columbia University Law School for its work in developing software designed to make redistricting a more objective, democratic process.

### **Resolution on the UN Small Arms Trade Treaty**

WHEREAS, the UN Small Arms Trade Treaty 2013 (ATT), though entitled Small Arms, would also cover battle tanks, artillery, combat aircraft, warships and missiles;

WHEREAS, the Obama Administration has publicly supported the proposed UN Arms Trade Treaty of 2013 and we applaud this Administration for updating the US Conventional Arms Transfer Policy 2014,

WHEREAS, we disagree with the Administration's recent decision to shift arms export regulation from the State Department to the Commerce Department, which lacks the regulatory measures specifically inherent in the State Department's, thereby increasing exposure of arms exports to undue influence by the defense industry lobby.

WHEREAS, significant foreign policy actions are the purview of the State department and should not be transferred to the Commerce department.

WHEREAS, the U.S. is a participatory member of several arms trade and control treaties both regional and international, and the U.S. has also led the world in controlling proliferation of small arms through destruction and stockpile management programs through the U.S. State Department Office of Weapon Removal and Abatement;

WHEREAS, the high level of export standards the U.S. currently maintains through existing treaties and laws on conventional arms trade does not replace a UN Arms Trade Treaty, which would close loopholes from existing treaties;

WHEREAS, the U.S. is the world's leading arms exporter, with nearly 50% of all global arms trade, and whereas in 2011 the U.S sold a record \$60 billion in arms, mostly in military aircraft;

WHEREAS, the Obama Administration has called upon the Senate to ratify the Inter-American Convention against the Illicit Manufacturing and Trafficking in Firearms, Ammunitions, Explosives and other related materials (CIFTA);

WHEREAS, opponents of the Treaty distribute misinformation which would suggest the ATT would interfere with domestic gun laws in the U.S.

LET IT BE RESOLVED THAT Democrats Abroad

1. Applauds the Obama Administration for statements of support and participation in the final negotiation of the proposed UN Arms Trade Treaty Conference in 2013
2. Calls on the Obama Administration to reverse its shift of arms export control from the State to Commerce Department and demands a return of arms export control back to the State Department which has inherent stronger controls based on studied policy, and is less influenced by defense lobbyists.
3. Calls on the Democratic National Committee to encourage the support and funding of the UN Arms Trade Treaty of 2014.
4. Calls on the Democratic National Committee to support the U.S. Senate ratification of this universal, comprehensive UN Small Arms Trade Treaty, and to assist the international community's implementation of best practices in controlling arms exports.