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January 12, 2017

Dear Member of the 115th Congress,

On behalf of the Union for Reform Judaism, whose 900 congregations encompass more than 1.5 million Reform Jews across North America, and the Central Conference of American Rabbis, which represents over 2,000 Reform rabbis, we write to congratulate you on the occasion of your swearing in as a member of the 115<sup>th</sup> Congress, and to share with you our mission and our policy priorities.

For more than 50 years, the Religious Action Center of Reform Judaism (or "the RAC") has been the hub of Jewish social justice and legislative activity in Washington, DC. In fact, the Religious Action Center was founded during the height of the Civil Rights Movement to "[apply] the sharp ethical insights of the prophets to the specific social problems of our time, as well as to our daily lives."<sup>1</sup> Our dedication to civil rights and social justice has been unwavering for more than five decades and remains so today.

As the social justice arm of the Reform Movement, the RAC educates, organizes and mobilizes the Reform Jewish community on legislative and social concerns, advocating on more than 70 different issues. As a 501(c)3 nonprofit organization, the RAC's advocacy work is completely nonpartisan and pursues public policies that reflect the Jewish values of social justice that form the core of our mandate. The Reform Movement has worked with administrations, congresses and elected officials of both parties, knowing that our success as a nation is inextricable from our ability to work together for the common good. The result has been the bipartisan achievement of landmark laws including the Civil and Voting Rights Acts, the Violence Against Women Act, the Religious Land Use and Institutionalized Persons Act, the Trafficking Victims Protection Act, the Americans with Disabilities Act, the end of Don't Ask Don't Tell, and more.

We are inspired by the teachings of our tradition in our pursuit of justice: in Deuteronomy 16:20, we read, "tzedek, tzedek tirdof/justice, justice shall you pursue." We are not only committed to creating a more just, equal, compassionate, repaired world, but to doing so in a righteous manner. This model of justice guides our advocacy at all levels and branches of government, as do the words of the prophet Micah that inspire us to, "do justice; love mercy, and walk humbly with your God" (6:8).

### *Racial Justice*

The Reform Movement is committed to advancing racial justice in the United States and stands firm in the belief that Americans of all races have the right to equal treatment under the law. We seek to heal wounds caused by centuries of prejudice, discrimination and mistrust by working across lines of race, faith and class to free our country from systemic racism. We advocate for policies at the local, state and national levels that

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<sup>1</sup> ["The Religious Action Center and Its Operation,"](#) Union for Reform Judaism (1961)



*The Religious Action Center pursues social justice and religious liberty by mobilizing the Reform Jewish community and serving as its advocate in Washington, D.C. The Center is led by the Commission on Social Action of the Central Conference of American Rabbis and the Union for Reform Judaism (and its affiliates) and is supported by the congregations of the Union.*



protect the equal right of all American citizens to vote and that meaningfully reform our broken criminal justice system.

Our criminal justice system is broken. Largely because of tough-on-crime legislation at the federal and state levels, particularly for drug offenses, America's incarcerated population has grown to over two million people. Mass incarceration has too often strained families who struggle to get by with one parent in prison and left low-level offenders without the opportunities they need to re-enter society. These policies do not affect all Americans equally. One in three black men can expect to go to prison at some point in their lives, compared to one in 17 white men.

As we work for a criminal justice system that is truly just, the Reform Movement draws guidance from the prophet Ezekiel, who said "I have no pleasure in the death of the wicked, but that the wicked turn away from his life and live" (33:11). The Reform Movement has joined with advocates for criminal justice reform from across the faith and political spectrum to push for passage of bipartisan reforms to our criminal justice system that would reduce mandatory minimums for non-violent offenders, expand judicial discretion in sentencing and increase opportunities for anti-recidivism and re-entry programs.

In the last four years, we have seen an unprecedented attack on voting rights protections across the country. In 2013, the Supreme Court ruled in *Shelby County v. Holder* to strike down Section 4(b) of the Voting Rights Act of 1965, thereby dismantling the preclearance system and opening the door for states and localities with a long history of voter disenfranchisement to more easily make changes to their election procedures. On Election Day 2016, 14 states had restrictions on the right to vote that did not exist in 2012. Every eligible voter, regardless of race, class, religion or political affiliation, should have access to the ballot. We are guided by the preeminent scholar Rabbi Yitzhak, who said: "A ruler is not to be appointed unless the community is first consulted" (Babylonian Talmud Berachot 55a). We urge you to act swiftly to update section 4(b) of the VRA and restore this landmark law to its full capacity. The Voting Rights Advancement Act (H.R. 2867/S. 1659) from the 114th Congress offers an important framework for ameliorating the challenges in achieving full voting rights for all Americans.

#### *Religious Freedom, Church-State Separation, anti-Semitism and anti-Muslim Hate*

The Reform Movement has long advocated for robust religious freedom rights and the separation of church and state, knowing one cannot exist without the other. These two principles are of profound importance to our Movement because the United States, through its Constitution and laws, has protected, ensured and enhanced religious freedom and religious diversity, allowing the Jewish people to flourish in this country nearly unmatched anywhere else in the world. We unequivocally oppose any measures that target people because of their religious beliefs – or lack of religious beliefs.

As Jews remain a religious minority in our country, we know the importance of maintaining a balance between religious freedom and the many other rights and freedoms that define who we are. We also know the dangers of anti-Semitism first hand. Our nation was founded as a haven by those fleeing religious persecution; to renege on this legacy would be to renege on the American promise.

We stand united with the Muslim community to combat and to extinguish hateful rhetoric and actions. Muslims are as much a part of the American community as Jews, Christians and any other person of faith or

no faith. Our country is stronger because of the religious diversity and freedom that has always been our hallmark. We call on you to reject all anti-Muslim, bigoted rhetoric and actions.

Together with religious freedom is the principle of church-state separation: we are deeply concerned about proposals to create federal school vouchers. A central principle of the First Amendment's Establishment Clause is that members of particular faiths, and not the government, should fund religious institutions. When vouchers are used towards expenses related to religious school education, they become an indirect government funding of sectarian institutions. Since the government has a right, in fact an obligation, to demand that the institutions which it funds meet certain requirements or standards, strings are attached to government money. Religious schools that accept taxpayer money stand to lose their autonomy in areas of single-sex education, hiring procedures, and curriculum decisions. Such control would not be beneficial for either religious organizations or the government.

### *Fixing our Broken Immigration System and Addressing the Global Refugee Crisis*

We read in Leviticus 24:22, "You shall have one standard for the stranger and the citizen alike: for I, the Eternal, am your God." The Jewish people, going back to the days of Moses, have a long history of living as strangers in strange lands. We are commanded to love the stranger as ourselves because of our time as slaves in Egypt (Leviticus 19:33-34). Together, these teachings help shape our support for robust immigration reform.

Major backlogs in the family-based immigration system force U.S. citizens and non-citizens to wait many years to reunite with family members who wish to come here. The number of employment-based visas available is far too small to meet employer demands for work. Partly as a result, around 11 million undocumented immigrants (people who have come here without proper visas or who have overstayed their visas) currently live in the United States.<sup>2</sup> In addition to the humanitarian issues these problems create, our nation's security is weaker when so many people live in the shadows of society and are reluctant to work with law enforcement agencies because of fear of deportation. Legislation that would punish cities for humane treatment of immigrants by stripping them of federal funds, such as the Stop Sanctuary Policies and Protect Americans Act (S. 2146) from the 114<sup>th</sup> Congress, would divide and exclude when we need cooperation and inclusion.

We remain committed to working to achieve bipartisan legislation that keeps our borders secure, expands the legal channels of immigration and provides a path to citizenship for those already living here. While U.S. law must be respected, deporting scores of immigrants, ripping families apart, and sending many people to countries where they might not have ties or might be facing danger flies in the face of America's highest values. We call for an immigration system that treats immigrants with dignity and respect.

We also strongly urge you to support funding to continue and expand U.S. leadership in addressing the worst refugee crisis in recent history. More than 65 million people worldwide have been forced to flee their homes to escape conflict and persecution, surpassing the record of global refugees set by World War II. If the U.S. is to honor its history as a haven of refuge and religious freedom, it is of paramount importance that the U.S.

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<sup>2</sup> Jens Manuel Krogstad and Jeffrey S. Passel, "5 facts about illegal immigration in the U.S.," *Pew Research Center* (7/24/15), <http://www.pewresearch.org/fact-tank/2015/07/24/5-facts-about-illegal-immigration-in-the-u-s/>.

continue to welcome refugees of all faiths and national origins. As Jews, many of our ancestors came to this country fleeing religious persecution, and we understand too well the consequences of turning away those who seek refuge at our borders.

Refugees are the most heavily vetted people to enter the United States. To impose new limits on Syrian refugees, to impose a religious test on refugees, or to close our doors altogether ignores the reality that the lengthy and rigorous vetting of refugee applications helps ensure our national security while upholding our historic role as a place of refuge. We cannot allow the violence wrought by ISIS and its allies to overshadow our values as Americans and as Reform Jews. As Jewish tradition teaches, “and each shall sit under their vine and fig tree, and none shall make them afraid” (Micah 4:4). We can ensure our security and fulfill our highest aspirations as a nation rooted in compassion and commitment to religious liberty.

### *Women’s Equality*

The Reform Movement was the first Jewish denomination to prioritize and make real the full equality of women in Jewish life. We are proud to be the first movement to ordain women as rabbis and to have women serve as synagogue presidents. We similarly advocate for the full equality of women in society, as well as in the synagogue. The landmark *Roe v. Wade* Supreme Court decision codifies what we have long known to be true: women are their own moral decision makers, and when decisions about health and sexuality are abridged or denied, women’s self-determination and equality are abridged and denied.

We urge you to champion legislation to protect and promote women’s rights: ensuring true pay equity, combatting sexual assault, and providing full access to contraception and other preventive health care measures. Our nation cannot be truly free and equal when half of our population faces barriers that impede their ability to fully make their own reproductive health decisions or provide for themselves and their family.

### *Israel and Foreign Policy*

U.S. support is vital to Israel’s security and to regional stability. The American goal of realizing a safer, more secure world is strengthened through an ongoing and deep relationship with Israel, the United States’ premiere ally in the Middle East. The security of a Jewish state in Israel is also of paramount importance to Reform Jews worldwide, as the spiritual and ancestral home of the Jewish people. The U.S. and Israel are currently nearing the end of a \$30 billion, ten-year military assistance package for Israel. American and Israeli officials have negotiated a new agreement for \$38 billion to take effect once the current package expires at the end of 2018. We urge you to work with the Administration to honor the terms of this agreement and to continue to appropriate this money each year.

Additionally, U.S. leadership will be integral to any future attempts to broker a Middle East peace deal, including negotiations for a two-state solution. Two states for two peoples living side by side in peace and security remains essential to ensuring the Jewish, democratic nature of Israel and to achieving an independent Palestinian state. We strongly encourage members of Congress to support diplomatic initiatives toward this goal.

For decades, the United States has played a key role in the global community, as a leader in international coalitions and organizations aimed at promoting peace and prosperity for all people. The United States must not renege on this role: we know that our success and security is tied up with that of our allies.

The continuing Syrian Civil War is a stain on the global conscience. Jewish tradition teaches, “whoever is able to protest against the transgressions of the entire world and does not do so is punished for the transgressions of the entire world,” (Babylonian Talmud, Shabbat, 54b). If we are silent in the face of human suffering, we will be called to account for our inaction. Further, the indiscriminate killing of Syrian civilians in the fighting offends our central belief that all people are created in the image of God (Genesis 1:26). In the 114<sup>th</sup> Congress, the Reform Movement called on the Obama administration and House Leadership to bring the Caesar Syria Civilian Protection Act (H.R. 5732) to the House floor for an immediate vote. This legislation would provide for the investigation into possible war crimes and crimes against humanity committed by aggressors in the Syrian Civil War. If such crimes were found, the Caesar Act provides for the imposition of sanctions against actors and entities that enabled and committed those acts. We cannot stand idly by while people face such suffering.

### *Supreme Court*

Our democracy is at its strongest when all three branches of government are fully functioning. The Supreme Court has been without its full complement since Justice Antonin Scalia’s death in February, 2016 and this has had a profound impact upon the court’s ability to fulfill its responsibilities. At the start of its 2016 term, the Supreme Court agreed to hear less than 40 cases, making it the Court’s lightest workload in over 70 years.

As Jews, we are taught that in a judicial system, those appointed to the court must “...judge your kinsman fairly” (Leviticus 19:15). Unfortunately, the Senate reneged on its responsibility to provide “advice and consent” on President Obama’s nominee to the Supreme Court, leaving the Court without the ability to work to its full capacity. As you prepare to evaluate future nominees to fill the Supreme Court vacancy, and other vacancies in the federal judiciary, nominees must be committed to defending the Constitution, protecting civil rights and civil liberties, and acting within the framework of the precedents set by higher courts.

### *LGBT Equality*

Every person, regardless of their sexual orientation or gender identity, is created *b’tzelem Elohim*, in the image of God (Genesis 1:27), and deserves the full range of rights and opportunities promised by our Constitution. Despite the recent legislative and judicial successes that carry the U.S. closer to achieving full equality for members of the LGBT community, there remains a great deal of work to be done. In more than 25 states, LGBT Americans continue to face legal discrimination in the areas of employment, housing and public accommodations. More than 25 percent of transgender Americans report having been involved in a bias-driven assault, and many public and private schools continue to leave LGBT education out of their healthcare curricula. It is imperative that you prioritize comprehensive LGBT non-discrimination legislation, such as the Equality Act (H.R. 3185/S. 1858 in the 114<sup>th</sup> Congress). While hate and prejudice may continue to endure, strengthening and enforcing anti-discrimination laws protects LGBT Americans from those who wish to do them harm.

### *Climate Change*

As Reform Jews, we feel a particular urgency around issues of environmental justice. The Torah commands us to “till and tend to the earth,” and that includes both the planet and all its inhabitants. Our world is already experiencing the effects of climate change, which disproportionately impacts developing countries, poor

communities and communities of color. It is crucial that we take steps to adapt to and mitigate the effects of climate change. First, we must ensure that the United States meets our commitment to the Paris Climate Agreement. We must help developing nations adapt and reduce our own carbon emissions by 28% below 2005 levels by 2025. Funding for the Green Climate Fund and the implementation of the Clean Power Plan will e key to accomplishing these goals. Second, we support energy reform through implementing a price on carbon that moves us towards renewable energy sources in a just way.

We will advance the cause of social justice and never stand idly by when fundamental rights and American values are challenged or abridged. As we learn from the Talmud, “If one can protest the misdeeds of his or her household, yet does not, the person becomes guilty with them. If a person can protest the misdeeds of one’s townspeople and does not, the person is guilty with them. If one can protest the misdeeds of the entire world and does not, that person is guilty with them” (Shabbat 54b).

In the face of polarization, we will build bridges. We join across lines of difference, building coalitions across race, class and faith, in the pursuit of justice for everyone. We lift up all people: Jews and non-Jews, people of all races and religions, of all abilities, of all sexual orientations and gender identities and the immigrants among us. We are also a religious movement of resistance; we resist the politics of division, bigotry, and hate aimed at women, minorities, Muslims, Jews and others.

Additional information about our work is available at [www.RAC.org](http://www.RAC.org) . We look forward to being a resource to you and to working together to bring about a nation and a world of wholeness, justice and compassion for all people, ensuring that “justice rolls down like water, and righteousness like a mighty stream” (Amos 5:24).

Sincerely,

A handwritten signature in black ink, appearing to read "Jonah D. Pesner", with a long horizontal line extending to the right.

Rabbi Jonah Dov Pesner