

# NATIONAL FOREIGN TRADE COUNCIL, INC.

1625 K STREET, NW, WASHINGTON, DC 20006-1604

TEL: (202) 887-0278



FAX: (202) 452-8160

June 9, 2009

The Honorable Kevin De Leon  
Chairman  
Assembly Appropriations Committee  
State Capitol  
P.O. Box 942849  
Sacramento, California 94249-0045

Dear Assemblyman De Leon:

On behalf of the members of the National Foreign Trade Council (NFTC) and USA\*ENGAGE, we want to commend your decision to hold AB 961, the "Justice for Genocide Victims Bill." We believe such state legislation is unconstitutional, contrary to proper conduct of U.S. foreign policy, and counter to the future health of the Nation's economy.

As the Committee counsel noted, the bill would invite constitutional challenge. In fact, the counsel's report cited the Illinois case, *NFTC vs. Giannoulis*, which upheld the traditional primacy of the federal government in matters of foreign policy. As the current administration's policy initiatives in the Middle East demonstrate, such legislation is simply counter to the proper conduct of diplomacy.

Finally, punishing corporations for imputed commercial actions retroactively would only serve to weaken further the position of both the U.S. economy generally and that of California.

All good wishes with respect California's fiscal circumstances.

Yours truly,

William A. Reinsch

President

National Foreign Trade Council

Richard N.Sawaya

Director

USA\*ENGAGE