

SECTION I

DOCKETED Motions

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Docketed Motions for Presbytery Action

I A Finance Property Oversight Committee (FPOC)

Motion for Approval of the following:

MOTION:

FPOC recommends to Presbytery that Tim Cahn, Lynn Hughes, and Leonard Neilson, members of FPOC, be empowered to review and accept, on behalf of Presbytery, any conventional property sale agreement for South Hayward Parish (SHP) at, above or very close to market rate. But for an offer to First Presbyterian Church, Hayward (FPC), such an offer must be brought to a Presbytery meeting for a floor vote. ---

Note: the uses for sale proceeds by New Bridges Presbyterian Church (NBPC) still need the approval of Presbytery at a future vote. The net proceeds will be placed in a Synod account which requires the signature of both Presbytery and NBPC to make a withdrawal. Funds already advanced to NBPC by Presbytery of San Francisco (PSF), including appraisal, assessment, management and maintenance costs to be distributed at escrow to PSF, and the balance to be placed in the Synod account. MSC

The Presbytery motion to allow the sale requires that Presbytery affirm any offer that NBC wants to accept, including a less-than-market price offer to an entity that provides a community mission plan. NBPC session is meeting next week to vote on offers. The enabling motion allows for delegating the pre-approval process for accepting an offer. One offer expected will be a delayed or deferred sale from FPC Hayward to purchase the site, at a discount, with a non-refundable down payment of about \$25k, but using a denominational mortgage with no added down payment, for a sale which would close in Spring 2021 after about 10-12 months of the missional income strategy being in place. This is risky in that FPCH has their own site in a similar deal with development, and has purchased the Chabot theater in a similar deal, and does not have the financial wherewithal to assume either of the loans should they get in trouble. Nor would they for this site. So accepting that offer basically also assume that we will guarantee a third loan to the church. The property equity is good on all of these, but the crisis plan is less strong. The other offers are at or above market rate.

Background: At the May 2019 Presbytery meeting the following motion was approved.

Sale of South Hayward Parish Property (Formerly Westminster Hills Pres. Church)

The Finance and Property Oversight Committee (FPOC) of the Presbytery of San Francisco (PSF) recommends to the Presbytery of San Francisco the following motion:

Motion: That PSF grant permission for the sale of the Westminster Hills Presbyterian Church (now called South Hayward Parish) by New Bridges Presbyterian Church (NBPC), according to the following process. FPOC would work with the Session of NBPC to select a broker, set a sales price target, make a listing strategy, and evaluate the various purchase proposals. The final sales contract would be approved by a vote of Presbytery based on approval from the Session of NBPC and a favorable recommendation from FPOC. The present appraisal is \$1.6M "as is". After initial conversations and strategies are outlined with NBPC, NBPC may, with concurrence from the NBPC Session and FPOC, ask PSF for pre-approval of a sales price

or price-range in order to expedite the sale. Both the Session of NBPC and the Congregation of NBPC have voted, at respectively duly called meetings, to approve this sale, with the stipulation that the site be sold to a buyer or developer who would keep the same or similar community- based and social service-based ministries operating, even if that results in a reduced selling price. As a condition of this sale, all net proceeds of the sale would be placed in an escrow account for which the Presbytery retains the right to approve any fund distributions on behalf of NBPC.

Background: Tim Cahn, Tom Davids and Leonard Nielson have been working with NBPC around strategizing the church's ability to manage the South Hayward Parish (SHP) site, formerly Westminster Hills Presbyterian Church (WHPC). WHPC and Mt. Eden Presbyterian Church merged some years ago and renamed themselves as New Bridges Presbyterian Church (NBPC). The expectation was that they would likely sell one site to improve the other, but that was not done. Instead, the community services at WHPC, now called SHP, continued. After a year or so of consultation with the FPOC team, the Session of NBPC voted to call a congregational meeting for the purpose of proposing a sale of the site, with certain stipulations on the sale. The congregation met at a duly called meeting and voted to approve the sale of the SHP with the stipulation that the site be sold to a buyer or developer who would keep the same or similar community based and social services based ministries operating, even if that results in a reduced selling price. If the sale is approved by the Presbytery, FPOC would work with the Session of NBPC to find a suitable broker, determine appropriate pricing, and bring proposals to the NBPC Session for approval. A property condition assessment has been done by FPOC internally and also by an outside company hired by FPOC. A full appraisal of the property was recently completed. Both report costs have been paid by Presbytery but will be reimbursed by NBPC from sale proceeds.

I B The Nominating Committee (NOM) motion for Approval of the following:

MOTION: *The Nomination Committee motions for the approval of the following:*

Personnel WG

- Monte McClain, minister, College Ave, 2022,
- Sarah Reyes-Chow, minister HR, New Bridges, 2022
- Johanna Wagner, minister, Concord, First, 2022

I C COMMITTEE ON MINISTRY (COM) -

Motion for Approval of the following:

MOTION: The Committee on Ministry recommends and moves that the Presbytery of San Francisco change the following member to the status of Honorably Retired (HR):

- **Jeff Chiefetz** effective January 31, 2020
- **Kathryn Pyke** effective January 31, 2020

ID OVERTURES

ID 1 Stand Against Racism and Xenophobia for Political Gain (Recommended from Montclair PC)

Recommendation:

The Presbytery of San Francisco overtures the 224th General Assembly (2020) to declare the use of that appealing to racism and xenophobia by politicians to energize their base to be

1. Contrary to the Word of God,
2. Condemned by the confessions of the Church, and
3. A violation of the proper role of the civil authority and therefore a challenge to the Presbyterian Church's mission and polity.

The Presbytery of San Francisco/San José/Redwoods overtures the 224th General Assembly (2020) further to commit the Presbyterian Church (USA) to stand against the use of appealing to racism and xenophobia for political gain by

1. Calling upon Presbyterians to vote for candidates for every office and in every jurisdiction—including and especially candidates for the office of President of the United States—who do not use disavow appealing to xenophobia and racism to stir up political support;
2. Directing the Presbyterian Publishing house--through its regularly published periodicals-- to name and celebrate those in the Church who are taking a stand against politicized racism and xenophobia in the United States;
3. Directing the Presbyterian Publishing house--through its regularly published periodicals-- to recognize and celebrate the many ways that the PCUSA as a denomination, and members in particular, have broken down barriers and divisions among all those whom God has declared God's loving kindness to all people historically divided due to racial and cultural prejudice and religious exclusivism;
4. Encouraging the Stated Clerk to continue in the work of speaking out publicly to denounce the use of racism and xenophobia to stir up political support; and
5. Instructing Encouraging congregations to include anti-racism training in Christian education programs for Presbyterians of all ages.

Rationale:

When future generations remember, in years to come, historians write books about the era through which we are now living, they almost certainly will comment on the ways human society became increasingly divided in the second decade of the twenty-first century. In democracies, a certain amount of division can be healthy and even necessary, but we are living in times when healthy divisions around issues of politics and public policy have given way to societies split by wedges of racism and xenophobia. In several countries, such as Developments in the following countries are examples:

6. In the United States, where the President Donald Trump (among other things), has praised white nationalists as “good people”, has demonized immigrants and Muslims, has used derogatory and scatological language to speak about countries in Latin America and Africa, has suggested four sitting congresswomen of color “go back” to where they came from, and has cheered an attempted robbery at the home of an African American congressman, after calling his predominantly African American district “rat-infested”;

7. In the United Kingdom, where pro-Brexit politicians used misleading information to stoke anti-immigrant hysteria as a way of building support for Brexit;
8. In Hungary, where President Victor Orbán has used anti-immigrant rhetoric to create a society that is hostile to refugees;
9. In Russia, where Vladimir Putin has leveraged the use of racist and xenophobic disinformation on social media for political advantage;
10. In the Philippines, where Rodrigo Duterte, has used Islamophobia to strengthen political support for his imposition of martial law on the island of Mindanao;
11. In Brazil, where Jair Bolsonaro, rode to power on a wave of anti-indigenous and anti-black sentiment.

This use of Appealing to racism and xenophobia for political gain runs contrary to the spirit and letter of scripture, which teaches us, among other things,

12. that *all* humanity is created in the image of God (Genesis 1:26-27),
13. that immigrants are to be treated with dignity and afforded legal rights (Leviticus 19:33-34),
14. that our neighbor just might be someone who worships differently than we do (Luke 10:25-37),
15. that the Gospel is for *all* nations (Matthew 28:18-20),
16. that in Christ “there is no longer Jew or Greek, slave or free, male and female ” (Galatians 3:28), and that,
17. in the fullness of time, God will draw all people from every place into the City of God where everyone will live as an immigrant (Isaiah 2:1-4, Revelation. 21).

The use of racism and xenophobia to energize a political base is condemned in the confessions of the Church, which tell us:

18. that civil magistrates must “preserve peace and public tranquility” (Second Helvetic Confession, 5.254), and
19. “ought especially to maintain piety, justice and peace according to the wholesome laws of each commonwealth” (Westminster Confession of Faith 6.128).
20. The Confession of 1967 reminds us that “God has created the people of the world to be one universal family. In [God’s] reconciling love, [God] overcomes the barriers between brothers [and sisters] and breaks down every form of discrimination based on racial or ethnic differences, real or imaginary” (The Confession of 1977, 9.44).
21. That our unity in Christ “must become visible so that the world may believe that separation, enmity, and hatred between people and groups is a sin which Christ has already conquered, and accordingly that anything which threatens this unity may have no place in the church and must be resisted” (Confession of Belhar, 10.3).
22. To “reject the false doctrine, as though the church were permitted to abandon the form of its message and order to its own pleasure or the changes in prevailing ideological and political convictions.” (The Theological Declaration of Barmen, 8.18).

It would be a dereliction of our duty if the Presbyterian Church (USA) were to remain silent when politicians use appeal to racism and xenophobia to energize their political bases, for such appeals to human sinfulness are contrary to the precepts of our polity.

23. The *Book of Order* reminds us that among the chief ends of the church are the proclamation of the gospel for the salvation of humankind, the shelter, nurture, and spiritual fellowship of the children of God, the maintenance of divine worship, the preservation of the truth, the promotion of social righteousness and the exhibition of the Kingdom of Heaven to the world (Book of Order F-1.0301). It is worth noting that no subgroup of humanity is excluded in the Great Ends of the Church.
24. The *Book of Order* admonishes us further when it says, “The unity of believers in Christ is reflected in the rich diversity of the Church’s membership. In Christ, by the power of the Spirit, God unites persons through baptism “regardless of race, ethnicity, age, sex, disability, geography, or theological conviction. There is therefore no place in the life of the Church for discrimination against any person” (F-1.0403).

In recent actions the General Assembly of the Presbyterian Church has called our denomination to the work of racial justice. For example,

25. The 222nd General Assembly (2016) of the Presbyterian Church (U.S.A.) issued a call for the denomination to apologize to the descendants of native people who were taken to boarding schools.
26. The 221st General Assembly (2014) directed agencies of the PC(USA) to bolster the church’s commitment to antiracism training and “an understanding of systemic racism, including white privilege, power, and prejudice in relation to race.”
27. The 214th General Assembly (1999) approved a comprehensive policy document, “Facing Racism: A Vision of the Beloved Community” which among other things, affirmed that “diversity as God-given assets of the human family”, committed the denomination to “spiritually confronting the idolatry and ideology of White supremacy and White privilege,” and confessed the PC(USA)’s complicity in the creation and maintenance of racist structures and systems in all parts of our nation’s life, including the church itself.

We understand and bear witness to the fact that the use of appealing to racism and xenophobia for political gain has an adverse impact on communities where it occurs. Politicians employ racism and xenophobia. For example,

28. According to the Southern Poverty Law Center, in the Donald Trump Era membership in white supremacist hate groups has risen by 30 percent and hate crimes are up seventeen percent (<https://www.npr.org/2019/02/20/696217158/u-s-hate-groups-rose-sharply-in-recent-years-watchdog-group-reports>).
29. According to the ACLU, under the Trump Administration’s immigration policies, thousands of children have been separated from their parents at the US/Mexico border (<https://www.aclu.org/issues/immigrants-rights/immigrants-rights-and-detention/family-separation>), at least seven of whom have died in ICE detention (<https://www.aclu.org/blog/immigrants-rights/immigrants-rights-and-detention/immigrant-kids-keep-dying-cbp-detention>).
30. According to the ACLU the Trump Administration’s ban on travelers from certain Muslim-majority countries has had a devastating affect on families whose members have been prevented by the ban from seeing each other (<https://www.aclu.org/issues/immigrants-rights/living-muslim-ban>).

In fidelity to God’s Word, under the guidance of the Confessions, in keeping with the church’s mission in the world as directed by Christ’s calling as expressed in our polity, consistent with actions of recent General Assemblies, and in prophetic response to the ways in which our sisters and brothers are harmed by the use of racism and xenophobia for political gain, we urge the passage of this overture.

ID 2 Divestment from Fossil Fuels (Recommended from Montclair PC)

Recommendation:

The Presbytery of _____ overtures the 224th General Assembly to:

1. Recognize that fossil fuels have been used by humans to create a better world for many people and that the time of their usefulness is now over.
2. Recognize that divestment from fossil fuels is a viable approach to the climate emergency, which thousands of other institutions have used to hold the fossil fuel industry accountable for their inadequate responses to this emergency.
3. Commend Mission Responsibility Through Investment (MRTI) for their ongoing work with shareholder engagement to hold these industries accountable to the just and equitable values that Presbyterians seek to uphold.
4. Call on the PC(USA), The Presbyterian Foundation, the Board of Pensions, and Presbyterian Investment and Loan Program to divest from the fossil fuel industry, using the Carbon Underground 200 and the S&P Global Industry Classification Standard's list of publicly-traded companies engaged in coal, oil and gas exploration, extraction, and production as the criteria to identify which companies are considered to be fossil fuel companies.
5. Proscribe (stop) any new investments in fossil fuel industry securities.
6. Instruct MRTI to correspond through form letter to all fossil fuel companies and presbyteries in which they are headquartered of the action and the theological and moral rationale for this decision.
7. Encourage the Board of Pensions and the Presbyterian Church (U.S.A.) Foundation to actively seek out and invest in securities of companies whose predominant focus is in renewable and/or energy efficiency.
8. Direct MRTI to monitor the Board of Pensions and Presbyterian Foundation on actions to divest/invest and to report to the 225th General Assembly on their progress in implementing recommendations 4-7.

Rationale:

Presbyterians, and all people of faith, are always called to serve the earth. This is God's call for all humanity from the very beginning (Genesis 2:15). While fossil fuels have allowed us to create a better world for many, we now know its impact on creation and future generations is threatening the life we know and cherish. As we confess that failure, we must listen to and engage with the people in frontline communities who are already experiencing climate change, to better understand the human toll climate change has taken and will continue to take on God's children.

Here are just a couple of their voices:

"Every time there's an investment in fossil fuels, we in Africa have never been the winners of that investment. So yes this fight is about climate change but it's about decolonization and survival too." - Coumba Toure of Trust Africa

"There's 5.9 hours of sunlight on average every day in Puerto Rico [which is a lot]. But there's no [infrastructure for] solar or wind. Fossil fuel companies want to make money from oil here—and that's colonialism." - Dr. Ediberto Lopez of el Seminario Evangélico de Puerto Rico

Everything else we do as people of faith to rationalize the need for immediate and categorical divestment takes root in this context and the way our church already acts in the rest of the world. To that end, we

offer the below rationale for divestment from fossil fuels from frontline communities, according to the science, and in line with previous Presbyterian policy.

We cannot continue to invest in the past while at the same time investing in the future.

Moral Rationale

Then the LORD said to Cain, "Where is your brother Abel?" "I don't know," he replied. "Am I my brother's keeper?" Genesis 4:9

'Truly I tell you, just as you did it to one of the least of these who are members of my family,¹ you did it to me.' Matthew 25:40

"The moral rationale that undergirds the divestment movement is driven by this logic: climate change is harming our planet and many who inhabit it; fossil fuels are a large driver of the climate problem; and alternatives to fossil fuels exist that can provide the core energy requirements of modern societies. Therefore, profiting from products that drive this damage is morally wrong, and divesting from these products is a moral obligation."¹

This quotation is from a 2019 statement in favor of divestment by GreenFaith, an international and interfaith environmental nonprofit that has been the lead on faith-based divestment movements. This is the moral foundation of the movement to divest from fossil fuels that has been present in the PCUSA since 2013. This morality is guided by the biblical call that we humans are created by God to serve the earth and other people as a way to love God. We are called to love God with our whole hearts. Where our treasure is there our heart will be also (Matthew 6:21).

We have watched as MRTI has faithfully sat at the table of fossil fuel companies, speaking boldly to companies that have lied to the world about climate change and fossil fuels. Still, their faithful witness has garnered slow promises that do not yet address the suffering and injustice implicit in climate change.

And so, it is our unequivocal commissioning to leave the table and divest from the fossil fuel industry, allowing us to reinvest in renewable energy and climate solutions. In doing so, we live out our chief end "to glorify God and enjoy God forever."²

Scientific Rationale

Human use of fossil fuels has spurred economic and social growth, literally fueling the industrial revolution. However, burning fossil fuels has already raised the average temperature of the earth by 1°C (1.8°F). The latest report from the Intergovernmental Panel on Climate Change³ (IPCC) shows the extent of the damage we will cause to creation if we allow the earth's temperature to rise by 1.5-2°C, the targets agreed to by all nations of the world under the Paris Agreement of the United Nations Framework Convention on Climate Change⁴. Even at 1.5°C of warming, we can expect to see the extinction of over 300,000 species of animals,

¹ Gary Gardner, for GreenFaith, 2019.

² Westminster Catechism, question 1

³ IPCC, 2018: *Summary for Policymakers. In: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty* [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf

⁴ United Nations Framework Convention on Climate Change 2015. *Report of the Conference of the Parties on its twenty-first session, held in Paris from 30 November to 13 December 2015.*

have an ice-free Arctic in most summers, expose 14% of people to extreme heat waves (especially in the Global South), expose 250 million people to severe drought, and raise sea levels by at least 1.3 feet.

The increase in global temperature is already causing more frequent heat waves, higher sea levels, more severe droughts, and more frequent heavy rainfall events, resulting in billions of dollars in damage through flooding, wildfires, intense hurricanes, and droughts. These climate disasters have also impacted organisms and ecosystems while reducing crop yields and quality, increasing undernourishment, and damaging human health. Climate change migration is presently a fact of life for people of the Carteret Islands of Papua New Guinea, Shismaref, Alaska, and Isle de Jean Charles, Louisiana—all of whom are preparing to relocate due to the above-mentioned climate change impacts. Sea level rise is projected to reach at least 0.8 feet by the end of 2100 and as much as 6 feet if we do not take significant measures to reduce climate warming.⁵

Knowing we must keep climate to 1.5°- 2°C of warming sets limits to how much fossil fuel can be burned. We have about 10 years after GA 224 to stay within these warming limits. However, the fossil fuel industry's own estimates⁶ show that burning the proved reserves of fossil fuels will release almost three times the carbon budget at 2°C⁷ and an astounding five times the 1.5°C budget – CO₂ that will remain in the atmosphere for hundreds of years. Despite these dire realities, oil and gas production is increasing, and PC(USA)'s money has helped allowed oil and gas companies to spend over \$114 Billion in 2017⁸ to acquire new deposits of oil and gas that we can't afford to burn.

The fossil fuel industry often places new refineries and petrochemical plants in poor communities of color who lack the resources to stand in the way. This form of environmental racism drives some of the highest rates of cancer and disease in the country. A predominantly African-American South Philadelphia community, for example, surrounds the Philadelphia Energy Solutions (PES) refinery. That plant was already Philadelphia's biggest single air polluter before it recently exploded, sending toxic fumes into the surrounding community of people who cannot afford to move away from them. A 2017 report⁹ said the PES complex was responsible for 72 percent of the toxic air emissions in Philadelphia, a major factor in the city's childhood asthma rate, which is more than double the national average, as well as causing a range of other health effects including headaches and cancer.¹⁰ Marathon Oil (one of PCUSA's GA9 investments¹¹), which recently spent \$1.9 billion to expand their refinery in a Detroit suburb, purchased property from nearby white neighbors in the path of the refinery's pollution clouds, leaving communities of color to suffer.¹²

<https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

⁵ L. Bamber, Jonathan; Oppenheimer, Michael; E. Kopp, Robert; P. Aspinall, Willy; M. Cooke, Roger 2019. *Proceedings of the National Academy of Sciences*. Ice sheet contributions to future sea-level rise from structured expert judgment. doi:10.1073/pnas.1817205116.

⁶ BP Statistical Review of World Energy 2019. 68th edition. <https://www.bp.com/content/dam/bp/business-sites/en/global/corporate/pdfs/energy-economics/statistical-review/bp-stats-review-2019-full-report.pdf>

⁷ Richard Heede and Naomi Oreskes 2016. *Global Environmental Change*. Potential emissions of CO₂ and methane from proved reserves of fossil fuels: An alternative analysis. doi: 10.1016/j.gloenvcha.2015.10.005

⁸ Robert Rapier 2018. *Forbes*. Oil Company Spending And Oil Reserves Are On The Rise. <https://www.forbes.com/sites/rrapier/2018/07/27/oil-company-spending-and-oil-reserves-are-on-the-rise/#207559c54a31>

⁹ Lesley Fleischman and Marcus Franklin 2017. *Fumes Across the Fence-Line: The Health Impacts of Air Pollution from oil & Gas Facilities on African American Communities*. http://www.catf.us/wp-content/uploads/2017/11/CATF_Pub_FumesAcrossTheFenceLine.pdf

¹⁰ Frank Kummer 2019. *The Philadelphia Inquirer*. Philadelphia refinery that caught fire is city's biggest single polluter. <https://www.inquirer.com/science/climate/philadelphia-refinery-fire-pollution-history-20190624.html>

¹¹ Ibid

¹² Rich Copely 2019. *Presbyterian News Service*. Investment group meets Detroit residents living in refinery's toxic shadow. <https://www.presbyterianmission.org/story/investment-group-meets-detroit-residents-living-in-refinerys-toxic-shadow/>

While we sit at the table trying to convince these companies to change their ways, they continue to perpetuate sins against humans and all creation. We currently profit from these scientific realities and sins against our neighbor. In the face of this climate emergency, we must stand firm in a bold witness with people who have been hurt by the fossil fuel industry--we must divest.

Criteria Rationale

The criteria this overture calls upon the denomination to use to define which companies are fossil fuel companies, and thereby, which will go on the divestment and proscription list, are of vital importance. The first criterion, the Carbon Underground 200¹³, compiled and maintained by Fossil Free IndexesSM, identifies the top 100 coal and the top 100 oil and gas publicly-traded reserve holders globally, ranked by the potential carbon emissions content of their reported reserves. This is the approach that has been most commonly used by institutions seeking to divest. By identifying the publicly-traded companies with the largest reserves, divesting from these companies has the most immediate impact.

The second criterion is the S&P Global Industry Classification Standard (GICS®)¹⁴ listing of publicly-traded companies engaged in coal, oil and gas exploration, extraction, and production. The GICS was designed in response to the global financial community's need for accurate, complete and standard industry definitions. The GICS structure consists of 11 Sectors, 24 Industry groups, 69 Industries and 158 sub-industries. Used for financial indices such as the S&P Oil & Gas Exploration & Production Select Industry Index, the GICS Industry categories Oil, Gas & Consumable Fuels (101020) and Energy Equipment & Services (101010) capture the entire industry. Using this criterion prevents proscribing investment in companies selling petroleum products while still profiting from companies engaged in exploration, extraction, and production, such as oil rig producers and independent fracking companies.

The third criterion calls for divestment. The Board of Pensions has consistently argued that they cannot divest without undermining their fiduciary responsibility to pension holders. However, over 1000 institutions – who must also uphold fiduciary responsibility – have already divested, representing over \$11 trillion worldwide.¹⁵ *Clearly it is possible (and one might argue necessary) to divest from fossil fuels and still be responsible for the investments of pensioners.*

in 2017 the IPCC reported we have about 10 years after GA 224 to make major changes, including a 45% reduction in CO₂ emissions by 2030 and reaching net-zero emissions by 2050 to stay within 1.5°C of warming¹⁶. PC(USA)'s Mission Responsibility Through Investment (MRTI) committee currently uses a set of criteria that fail to respond prophetically to the urgency of climate change. MRTI's methodical approach is unnecessarily time consuming when there is little time left to act. MRTI has carefully constructed an evaluation rubric consisting of 20 environmental metrics, 12 social metrics, and 12 governance metrics (with several subcategories in some of these). Such an environmental, social, and governance (ESG) evaluation is the cornerstone of modern socially-responsible investing. GA222 charged MRTI with identifying these metrics in 2016. GA223 approved the metrics and identified an initial list of nine companies to consider, of which only six are oil and gas companies¹⁷. MRTI *may* deliver a list of proposed divestments to GA224 – six years since GA221 first considered divestment. There is no certainty that MRTI will consider any additional companies post 2020 because such a move would require a mandate from General Assembly. In fact, current MRTI efforts will not even provide a clear idea which of these companies are moving towards a low-carbon

¹³ <https://fossilfreefunds.org/carbon-underground-200>

¹⁴ S&P Global 2018. *Global Industry Classification Standard*.

https://www.spglobal.com/marketintelligence/en/documents/112727-gics-mapbook_2018_v3_letter_digitalspreads.pdf

¹⁵ <https://gofossilfree.org/divestment/commitments/>

¹⁶ Ibid

¹⁷ Ibid

future and which are not until 2023, making further significant action unlikely before the 2024 GA226 meeting¹⁸. Additionally, the MRTI approach includes no proscription of investment in other fossil fuel companies, so PC(USA) funds divested from one oil company could be reinvested into another. Finally, The MRTI process is too slow to make the changes we need now to protect creation.

PCUSA Policy Rationale

*He has told you, O mortal, what is good; and what does the Lord require of you
but to do justice, and to love kindness, and to walk humbly with your God? Micah 6:8*

The PC(USA) has a long history of divestment and, in particular, of categorical divestment. The church has divested from five industrial categories – military-related products, tobacco companies, alcohol corporations, gambling businesses, and for-profit prisons. The church has also divested from particular corporations that have contributed to human rights abuses in specific times and places.

In 1984 when the PC(USA) adopted its policy on divestment¹⁹ it provided for “divestment of holdings in a particular firm or class of firms is both part of the normal management of funds and potentially an occasion for Christian witness to God's call for justice and the renewal of society”. However, in its implementation of this policy, PC(USA)’s committee on Mission Responsibility Through Investment (MRTI) has developed a policy for divestment from an entire industrial category (class of firms). The paths to categorical divestment and the forms it has taken have thus diverged in each case. Such flexibility has allowed the church to appropriately respond to different industries and the various social and environmental problems each creates.

The 194th General Assembly of the United Presbyterian Church in the USA, for example, instructed the church to divest from corporations involved in military activities. Between 1982 and 1998, the General Assembly refined this industrial category to include (1) the five biggest military contractors to the US government, (2) companies that receive at least 50 percent of their sales from military contracts and are among the 100 highest-earning military contractors, (3) the top five earning companies engaged in foreign military sales, and (4) corporations that produce weapons that can lead to mass civilian casualties. MRTI began recommending these measures after ten years of shareholder engagement.

The General Assembly instructed the church to divest from all tobacco companies in 1990. The overture to divest called upon MRTI to “develop annually a list of corporations ‘whose primary business is tobacco and are known as such.’” In 1996, GA directed MRTI to use the Investor Responsibility Research Center, the American Lung Association, and Corporate Campaign, Inc. to define what qualifies as a tobacco company. From these guidelines, 21 corporations were identified. MRTI did not conduct any shareholder engagement prior to the GA’s decision to divest.

Neither the General Assembly nor MRTI has ever called for divestment from alcohol or gambling corporations. However, the Board of Pensions and the Presbyterian Church (USA) Foundation have their own policies, which govern divesting/proscribing investments in all domestic and international alcohol and gambling corporations.

The GA voted in 2003 to call for the abolition of all for-profit prisons, jails, and detention centers. In 2012, the GA instructed MRTI to “report on the feasibility of affecting the corporate practices of Corrections Corporation of America (CCA), the GEO Group, and any other publicly traded corporation that directly

¹⁸https://www.presbyterianmission.org/story/mrti-shares-first-round-of-general-assembly-environmental-compliance-scores/?utm_source=ActiveCampaign&utm_medium=email&utm_content=Presbyterian+Church+USA+Weekly+News&utm_campaign=Presbyterian+Church+USA+Weekly+News+%7C+Sep+04-10+2019&fbclid=IwAR1GsHB6vEJUlhx_9gGqcWN9Tkрма2U8uBhF410dLP71kt6ly-xnBB3XZqc

¹⁹ Office of General Assembly 1984. The Divestment Strategy: Principles and Criteria. 196th General Assembly Journal, 193-207.

manages or operates for-profit prisons and/or detention centers.” MRTI determined, “while efforts could be made through shareholder advocacy (where stock is owned in a publicly traded company), such efforts might improve some prison conditions, but would not address the fundamental contradictions identified by the 215th General Assembly (2003).” The GA therefore voted to divest from all publicly traded for-profit prison companies.

The denomination has chosen to divest from each of these entire industrial categories in the first place because the very nature of these industries has been seen as harmful to the spiritual and biological life of God’s creation.

This overture to categorically divest from the fossil fuel industry would take a prophetic stance to protect God’s creation and ensure a sustainable energy future for the church and God’s world.

Notes:

ID 3 Election 2020 - Values We Live By (Proposed by Montclair PC)

RECOMMENDATION

The Presbyteries of San Francisco/San Jose/Redwoods Overture the 224th General Assembly (2020) to declare that we in the United States are at a critical point in our history. At this time values that we strive to live by, many of them based in Christian teaching, are at risk. These values include, but are not limited to:

1. Protecting the earth and all the myriad plants and animals that inhabit the earth
2. Working to overcome the scourge of racism
3. Caring for the needs of the poor
4. Welcoming the stranger and the immigrant
5. Protecting and strengthening our democracy

The Presbyteries of San Francisco/San Jose/Redwoods Overture the 224th General Assembly (2020) further to commit the Presbyterian Church (USA) to take the following actions:

- Call upon all Presbyterians to vote for candidates for every office and in every jurisdiction — including and especially candidates for the office of President of the United States — who by their words and actions have demonstrated that they support and embrace the above stated values.
- Encourage congregations to emphasize these values and priorities as members consider their votes in the upcoming November 2020 elections.
- Request that congregations highlight these values in their ongoing efforts for social justice and human rights.

RATIONALE

Under the current national administration, efforts which are consistent with these values have eroded. This development is alarming to us, since adherence to these values has always made us stronger as a people and more ethical as a society. The pursuit of these values also serves as an example for the global community, since many countries view the United States as a democratic nation worthy of emulation.

We are well aware that often in the past the church has failed to stand up for these values. For example, during World War II the German Protestant and Catholic Churches were neutral toward or even aligned themselves with the evil regime of Adolf Hitler. Also, during much of this country’s history many churches failed to confront the evils of slavery and segregation.

At the same time, we know that the church, as well as individuals within the church, have at times acted in concert with these values. In Germany, Reverend Dietrich Bonhoeffer, seeing the immense evil of the Hitler regime and risking his own life to oppose it, gathered a group of Christians to oppose and overthrow the regime. In our own country, the African-American churches of the South, under the leadership of Martin Luther King Jr., played a central role in the civil rights movement of the 1960s. We have all been learning from these and other instances to stand up and speak out for justice and human rights.

SPECIFIC ACTIONS:

We strongly encourage our members to support candidates in 2020 who align with the above values and are committed to take some, if not all, of the following actions:

1. Climate change is the existential crisis of our time. Today we are seeing the early signs of an impending global calamity — rising seas, record breaking heat waves, devastating storms and major habitat loss. Increasingly, millions of people, especially poor people in the developing world, are losing their homes, their incomes and even their lives. We need to support candidates who acknowledge the reality of climate change, candidates who will pledge to rejoin the Paris Climate Accord of 2015, and who will lead a nationwide campaign to combat this worldwide threat and build an economy powered by renewable energy.
2. We must address the reality of racism and the many ways in which it continues to undermine our life as a nation. We need to advocate for racial justice and equality. We must pursue policies that reflect these ideals.
3. We must also recognize the reality of poverty in our country. The fact that extreme income inequality, homelessness and economic deprivation exist in a country as rich as ours constitutes a moral outrage. We will embrace policies that promote the goals of universal healthcare, an end to homelessness, and a truly progressive tax code.
4. We must welcome the immigrant. From the very beginning our country has opened its arms to people from other lands — people who were fleeing religious prejudice, economic hardship and violence. Today, across the world, the numbers of these people, especially people seeking asylum, grow exponentially. As a country blessed with immense resources and much good will, we need to play our part in welcoming these immigrants. And we need to remove the recently imposed obstacles to their seeking asylum in our country.
5. Our country was founded on the principles of democracy. But we need to be continually nurturing that democracy — by removing the obstacles to voter registration, making it easier and not harder for people to vote, resisting the gerrymandering of legislative districts, and enacting effective campaign finance reform. Candidates who subscribe to these policies deserve our active support.

In this extraordinary historical moment we ask you to call upon all Presbyterians to align with these values and become actively involved in the 2020 presidential, congressional and local elections so that we may establish our country more firmly on the ground of these important values.

Submitted by Art Paull
November 1, 2019

ID 4 Laying on of Hands at an Installation (Concurrence with West Virginia Presbytery)

Overture to General Assembly re Laying on of Hands at an Installation (W-4.0403)

The Presbytery of West Virginia overtures the 224th General Assembly to strike these words from W-4.0403 “Because ordination only takes place once for each office, the laying on of hands is not repeated,” and replace them with the following: *The moderator may invite the commission and all members of the*

congregation to participate in the laying on of hands for commissioning and blessing the newly installed minister of Word and Sacrament, ruling elders, or deacons.

RATIONALE

The laying on of hands is not a sacrament but an act of diverse meanings as witnessed in Scripture and the Reformed tradition. It is affirmed by the Book of Order/Directory for Worship as an act which is appropriate to various situations in the worship of life of Presbyterians, an act which conveys the “gracious action of God and communicates our grateful response.” (W-1.0303, W-2.0202, W-3.0407, W-4.0401-.0403, W-5.0204)

Ordination is not a sacrament in the Reformed tradition either, but an action by which the institutional church sets apart “those who have been called by God through the voice of the church to serve as deacons, ruling elders, and ministers of the Word and Sacrament” (W-4.0401). The Reformed tradition recognizes the priesthood of all believers, that “in baptism each Christian is called to ministry in Christ’s name” (W-04.0401), and that no special grace or power is conferred through the laying on of hands to an individual at ordination.ⁱ

There is no clear example of ordination in scripture, nor is there any word in either biblical Hebrew or Greek that bears the full connotations of our understanding of ordination. Examples of laying on of hands in Hebrew scripture include blessing others (Genesis 48:14; Leviticus 9:22); the transfer of human guilt to sacrificial animals by the priest (Leviticus 4:4); the consecration of the Levites as the priestly tribe – a once-for-all-generations event (Numbers 8:10); and the commissioning Joshua by Moses as the next leader of the nation of Israel (Numbers 27:23).

In the New Testament the phrase ‘laying on of hands’ occurs 25 times and is most often associated with healing and blessing (for example, Mark 10:13-16; Luke 4:40, and Acts 28:8). Several times the laying on of hands occurs in association with the reception of the Holy Spirit following baptism (Acts 8:17, 19:5-6, Hebrews 6:2). 1 Tim 4:14 may also be included in that list, as it refers to the laying of hands on Timothy by the elders in a context which suggests it was following Timothy’s baptism. The laying on of hands is clearly associated with endorsement of Christian servants in only two accounts, i.e., the setting apart of the seven to wait tables (Acts 6) and the commissioning of Paul and Barnabas in Acts 13 for missionary work. It is impossible to ascertain the occasion that called for the laying of Paul’s hands upon Timothy recounted in 2 Timothy 1:6.ⁱⁱ Finally, 1 Timothy 5:22 simply states that the laying on of hands should not be done hastily, and recent scholarship suggests this is to be interpreted as a caution against hastily accusing an elder of wrongdoing.ⁱⁱⁱ

The semantics of Christian ordination can be traced back to Tertullian (ca. 160-ca. 220 AD). Tertullian was the first to use the Latin terms *ordo* and *ordinatio* for Christian ministry. In Tertullian’s time these terms were used for secular positions that not only separated the ordained from ordinary people but allowed them to exercise governmental, jurisdictional, or cultic authority that demanded submission of

others. The shift to the hierarchical view of Christian ministry after these terms were adopted contributed to the eventual limiting of the laying on of hands to ministerial ordination: since the laying on of hands elevated one's status, it could only be appropriately used for a certain class of people. Thus Tertullian's writings helped create a status and ranking that did not appear to exist among New Testament Christians.^{iv}

The Reformers chose not to adopt the Catholic Church's theology and practice of ordination as a sacrament because it violated their understanding of the priesthood of all believers: through baptism all are received as equal members of the family of God and given the gift of the Holy Spirit which includes gifts for ministry. Ordination is mentioned substantively only three times in the Book of Confessions. It is mentioned twice in the Second Helvetic Confession, first in the section on the process of ordination (5.151), then as clarification that ordination is not a sacrament, but a "profitable ordinance" (5.171). The Confession of 1967 includes these words in 9.39-9.40:

In recognition of special gifts of the Spirit and for the ordering of its life as a community, the church calls, trains, and authorizes certain members for leadership and oversight. The persons qualified for these duties in accordance with the polity of the church are set apart by ordination or other appropriate act and thus made responsible for their special ministries.

The church thus orders its life as an institution with a constitution, government, officers, finances, and administrative rules. These are instruments of mission, not ends in themselves.

Our denomination, the Presbyterian Church (U.S.A.) is an institution, albeit one created to bring glory to God, to bring the "gospel into all the world," and to bear "witness to Christ's saving love to the ends of the earth."^v Ordination is an act of the institution, one of the ways we order our life for mission. Candidates are ordained to a particular service, a call, emphasizing the pragmatic, functional nature of ordained ministry. As the Book of Order says,

In Baptism each Christian is called to ministry in Christ's name. God calls some persons from the midst of congregations *to fulfill particular functions*, so that the ministry of the whole people of God may flourish. (W-4.0401 *emphasis added*)

Because the ordered ministries are not the call of all believers but limited to those with the spiritual, mental, emotional, intellectual, and physical abilities to serve in particular capacities, every effort should be made to avoid the literal or figurative elevation of the ordained above those who are gifted in other ways. The ordained are "*set into* a disciplined and purposeful activity in the life of the church"^{vi} not *set above*. To mystify and sacramentalize the act of ordination, and the laying on of hands as practiced on that occasion, undermines the doctrine of the priesthood of all believers.

The Reformed tradition does not allow for the belief that any spiritual power or grace is literally transferred from one person to another through the laying on of hands. Calvin and many other Reformers took the position that avoiding it altogether might be the safest way to curtail the superstitious belief in such

magical powers.^{vii} Limiting its use to an ordination and prohibiting its use at an installation is imbuing it with an authority and mystique that is unjustified.

There are equally valid reasons to include the laying on of hands at an installation as there are reasons against prohibiting it. As stated above, in W-1.0303 the laying on of hands is included in a list of “symbolic actions” with “strong ties to... biblical practices” that convey the “gracious action of God and communicate our grateful response.” Later in the Directory for Worship, the laying on of hands is mentioned in W-2.0202, the section on Prayerful Participation. Prayer is here defined as “the primary way in which we participate in worship.” Various methods of prayer are listed: “Prayer may be spoken, silent, sung, or enacted in physical ways.” This section is closed with the following paragraph:

The gifts of the Spirit are for building up the Church. Every action in worship is to glorify God and contribute to the good of the people. Worshipers and worship leaders must avoid actions that only call attention to themselves and fail to serve the needs of the whole congregation.

As ‘enacted prayer,’ the unrestricted laying on of hands by the whole congregation avoids calling particular attention to those who have been ordained to church office and gives each member of the community an equal role in the prayer of blessing and commissioning of those being installed. This truly ‘corporate’ experience not only offers the gathered community the opportunity to show their support of the one(s) being installed, it is a ‘corporal’ action, an outward physical expression of an internal attitude – something that is rare in our often mind-focused worship.

Furthermore, the act of laying on hands demonstrates the connectional nature of ministry in an unparalleled way. As hands are outstretched and rested on the shoulders of those whose hands are outstretched to other shoulders, everyone gathered around is woven together. While this action neither bestows magical power nor transmits special spiritual gifts, the connection experienced by participants is real. It communicates support, collegiality, and comradeship, and breaks down feelings of isolation and insufficiency. In this human touch we experience the love of God and each other beyond words. Such experiences should be recommended, not restricted.

If there is a concern laying on of hands at an installation might be interpreted as part of a ‘re-ordination’ it could be diffused in two simple ways: by creating a new order of worship for the installation service that is *not* identical to an ordination service in every respect except for the laying on of hands; and/or by educating worshipers verbally and/or in print at the service that the laying on of hands is an act of prayer, blessing and commissioning, not ordination.

The proposed change to the Directory of Worship is from language that is restrictive to language that is permissive: the laying on of hands would not be required at installations as there may be occasions when, because of ecumenical considerations or a candidate’s preferences regarding physical contact, it would not

be appropriate or edifying. In such a change we reaffirm Calvin's own guide for worship practices: "But love will best judge what may hurt or edify; and if we let love be our guide, all will be safe."^{viii}

¹ Joan S. Gray and Joyce C. Tucker, *Presbyterian Polity for Church Leaders*, 4th ed. (Louisville, KY: Geneva Press, 2012) p. 19.

¹ Darius Jankiewicz, "The Problem of Ordination: Lessons from Early Christian History," pp. 3-4.
<https://digitalcommons.andrews.edu/theology-christian-philosophy-pubs/78/>

¹ Brian P. Irwin, "The Laying on of Hands in 1 Timothy 5:22: A New Proposal." *Bulletin for Biblical Research* 18.1 (2008) 123-129.

¹ Jankiewicz, p. 5-7.

¹ <https://www.presbyterianmission.org/who-we-are/>

¹ "Ordination to the Ministry of the Word," (Atlanta: Office of the Stated Clerk, PCUS, 1976) p.6.

¹ Quoted by John M. Barkley, *Westminster Dictionary of Worship*, p. 296.

¹ *Institutes*, IV.x.30.

ID 5 A Call for Ending the Siege of Gaza and Collective Punishment of Innocent Palestinian and Israeli Citizens (Concurrence with New Castle Presbytery)

RECOMMENDATION

The New Castle Presbytery overtures the 224th General Assembly (2020) of the Presbyterian Church (U.S.A.) to:

1. Call for the United States government to:
 - A. Exhort the government of Israel immediately to cease and desist all hostile actions that are defined as "collective punishment" under International Law. This includes stopping military attacks by air, land, and sea on non-military targets in Gaza that have disproportionately killed thousands of Palestinian civilians and caused billions of dollars in property damage since 2008.
 - B. Exhort the government of Israel to end the siege of Gaza that restricts its access to adequate water and electricity and the entrance of food, medicine, and fuel to Palestinians in Gaza so as to alleviate and end the humanitarian and environmental crises caused by the siege and provide the material resources necessary for economic prosperity, human health and safety, and environmental protection.
 - C. Exhort the government of Gaza and all Palestinian militias within Gaza to cease and desist all hostile activities against Israel and its citizens that are defined as "collective punishment" under International Law. This includes the launching of unguided rockets into civilian areas of Israel.
2. Direct the Stated Clerk to communicate this action to all other PC(USA) councils, the U.S. Government and to the press and media.

RATIONALE

Purpose

This overture is pursued with the hope that:

- The cessation of the Israeli government's collective punishment of Palestinians (both Muslims and Christians) in Gaza will allow Palestinians to have the necessities for human life and will help lead to a peaceful and just end to the conflict.
- Likewise, the cessation of collective punishment of Israeli citizens by the government and Palestinian militias in Gaza will contribute to a peaceful reconciliation between the two peoples.

The situation in Israel/Palestine cannot and will not improve unless and until these actions perpetrated by each side on the other, and defined by the Geneva Conventions as collective punishment, end for good.

International Definition of Collective Punishment

Collective punishment is a form of retaliation whereby, if a person commits a crime, that person's family members, friends, acquaintances, sect, neighbors or entire ethnic group are targeted for retaliation. The punished group may often have no direct association with the person who perpetrated the crime or direct control over their actions.

Article 3 of the 1949 Geneva Convention states that communities and nation states are prohibited from taking actions where "persons may be punished for an offense he or she has not personally committed. Collective penalties and likewise all measures of intimidation or of terrorism are prohibited. Reprisals against persons and their property are prohibited." This includes actions against civilians or property in reprisal for actions taken by their government, over which they have no control.

The International Committee of the Red Cross commentary to the conventions states that parties to a conflict often would resort to "intimidating measures to terrorize the population" in hopes of preventing hostile acts, but such practices actually "strike at guilty and innocent alike." They are opposed to these inhumane and unjust actions.

Numerous examples since Roman times of communities or nation states using collective punishment in armed struggles or the occupation of conquered territories include:

- Military operations that disproportionately kill civilians based on their ethnicity or nationality
- Restricting food, or water, or medicine to people based on ethnicity or nationality
- Denying people the right to assembly or travel based on ethnicity or nationality
- Targeting an entire ethnic group or nationality for death or destruction of their homes, property, or economy in retaliation for actions taken by their government over which they have no control.
- Restricting fuel and electricity to people based on ethnicity or nationality

Actions by the Government of Israel that Meet the Definition of Collective Punishment

For thirteen years, the Israeli government has controlled the borders of Gaza, restricting or denying the movement of people, materials, fuel, food, and medicine by land, sea, or air, thus imprisoning 1.8 million Palestinians and creating a humanitarian disaster that is a direct result of the official Israeli policy. In early September 2015, the United Nations Conference on Trade and Development cautioned that without significant changes to Israel's policy, Gaza has no chance of recovery and will become unlivable by 2020. Since then, Israel has tightened restrictions and the situation has deteriorated.

Although the Israeli government declared an end to its military administration in Gaza in 2005, it continues to control all border crossings by land, sea and air, monitors all movement of people and goods in and out of Gaza and regulates that movement according to Israeli interests. This blockade has caused Gaza's economy to collapse. Before the blockade Gaza's unemployment rate was 19%. By 2017, it was 44% among men, 72% among women and for those under age 29, 62%. Some 80% of Gaza's residents depend on humanitarian aid. About 60% suffer from food insecurity.

This **collective punishment** has been carried out by:

- Israel's restricting fuel and electricity to Gaza Palestinians

For instance, in response to rocket attacks launched by the Palestinian militants, the Israeli Defense Ministry in August 2019 halved the amount of fuel allowed into Gaza from Israel. While Israel's airstrikes against the sites of rocket launches is not prohibited by international law, cutting needed fuel for the 1.8 million Gaza citizens is a clear example of collective punishment that is prohibited by international law.

Because of a fuel shortage and severe damage caused by the Israeli bombing of the power plant in Gaza in 2006, electricity from Israel is supplied for just a few hours every day. Water and sewage systems, which rely on a constant supply of power can barely function. Furthermore, the Israeli government restricts the entry of spare parts to maintain existing systems. The effects on daily life and the ability to do business are disastrous. Long, daily blackouts rob Gaza residents of their human rights and keep them from leading reasonable lives. All these restrictions are examples of collective punishment.

- **Israel's restricting food, or water, or medicine**

Infrastructure and public services in Gaza are in dire condition. 96% of Gaza's water is contaminated and unpotable. The sea water desalination plant is not in operation due to the lack of a constant supply of electricity. In retaliation for actions taken by the government of Gaza or militants over which the population has no control, Israel limits the amount of food, medicine, and materials that can enter Gaza. The distance from shore that Gaza Palestinians can fish is also limited, or fishing is prohibited altogether.

Restricting adequate food, water, and medicine to the civilian population in retaliation for actions by a government or militant groups over which civilians have no control is a clear example of **collective punishment**.

- **Israeli denial of the right to assembly or travel**

The Israeli government controls the entry or exit from the Gaza strip by land, air and water. Few Gaza people are permitted to leave, forcing them to live in an open air prison from which they cannot escape. Since the protests along the Gaza perimeter fence began on March 30, 2018, Israeli security forces have fatally shot over 190 demonstrators – including 31 minors. According to figures by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the World Health Organization (WHO), over 12,700 casualties have been treated in Gaza hospitals. Over 5,800 of them suffered live gunshot wounds. 1,900 suffered teargas inhalation injuries, and some 480 were hit by rubber-coated metal bullets. Approximately 2,300 of the casualties were minors. Doctors have had to perform amputations, usually of a lower limb, on 90 protesters, including 17 minors and one woman. These are clear examples of **collective punishment**.

- **Israeli government actions causing civilian death, injury, and property damage**

Since 2008 there have been six major Israeli attacks on the Gaza strip that caused substantial death, injury and property damage to Palestinians and which constitute collective punishment.

- Operation Cast Lead: Dec. 2008 - Jan. 2009
- Operation Pillar of Defense: Nov. 2012
- Operation Protective Edge: July - Aug. 2014
- Border Open Fire Policy: 2008 -2018
- Right of Return Protest Killings: 2016 -2018
- Two days of air attacks on Gaza: November 2019

Israel's military actions against military targets, as part of armed conflict, are not prohibited under international law, but many of these actions resulted in death, injury, and property damage to Palestinian civilians not directly related to military targets. These actions, summarized in Table 1, show the disproportional harm perpetrated on Palestinians, which is collective punishment. (The source of this information is from the Israeli human rights organization, B'Tselem.)

Actions by the Government of Gaza that Meet the Definition of Collective Punishment

To be sure, the militants and the government of Gaza have been responsible for sending rockets, with no guidance systems, indiscriminately into Israel. Because they can fall in civilian areas and cause death, injury, or property damage, they too, constitute **collective punishment**, for their impact is on persons who are not responsible for the actions of their government. These actions are also summarized in the B'Tselem data in Table 1.

Why Presbyterians Must Speak Out Against Collective Punishment

As Presbyterians following the example of Jesus, we believe the prophetic mission of the church is to speak out courageously, honestly and lovingly **against the siege of Gaza and all forms of collective punishment** carried out in Israel/Palestine as well as the rest of the world. As the Body of Christ on earth, we are called to stand alongside the oppressed to help bring about justice for them, leading to peace and reconciliation with their oppressors.

In accordance with past policy statements and the theological-ethical bases of our confessions, the 219th General Assembly (2010) of the Presbyterian Church (U.S.A.) affirmed the following human rights, moral principles, and goals guiding its recommendations regarding the Israel-Palestine conflict:

- **The moral principle of applying humanitarian laws regarding warfare to all nations**
These laws, protecting civilians and nonmilitary facilities, prohibit such internationally recognized violations as the use of anti-personnel weapons and weapons of mass destruction, the assassination of political opponents, collective punishment, detention without due process, and the torture or abuse of prisoners.
- **The moral principle of applying these same humanitarian laws regarding warfare to nongovernmental combatants**
These laws prohibit such practices as suicide bombing, kidnapping, shelling civilian populations, and torturing or abusing prisoners.

The purpose of this overture is to name the acts of collective punishment that the governments of Israel and Gaza are perpetrating against each other and to call for an immediate end to these acts. By honestly recognizing these acts, the Presbyterian Church (USA) can add its voice to an international dialog to which we trust American, Israeli and Palestinian leaders will be compelled to listen and respond. We ask the church to join the witness of others.

Table 1: Impact of Collective Punishment Actions Taken by the Israeli and the Gaza Palestinian Governments 2008-2018	Israel Government Actions Against Palestinian Citizens	Gaza Government Actions Against Israeli Citizens
Civilians killed in Israeli and Gaza government attacks	2481	13
Minors under 18 years killed in Israeli government attacks	896	1
Homes destroyed/damaged by Israeli and Gaza government attacks	21,500	1
Property damage resulting from Israeli and Gaza government attacks	\$6.7 billion	\$0.02 billion
Civilians with restrictions of food, water and medicine	1,800,000	0
Civilians lives and businesses affected by restriction of fuel and electricity	1,800,000	0
Citizens subject to a siege on land, air and sea	1,800,000	0

Table 1 statistics on deaths and homes destroyed

B'Tselem, "The Gaza Strip," March 3, 2019,

www.btselem.org/gaza_strip/20190303_13000_gazans_homelless_since_2014_war

B'Tselem, "The Gaza Strip," November 11, 2017,

www.btselem.org/gaza_strip

B'Tselem, "Open Fire Policy," January 11, 2019

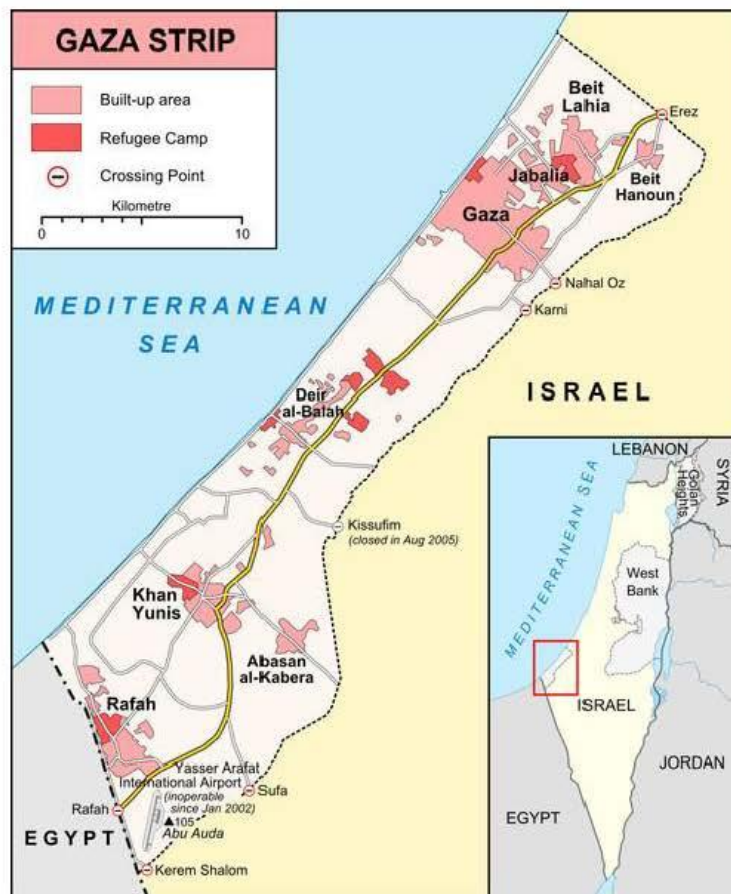
https://www.btselem.org/press_releases/20190117_2018_fatalities

Table 1 statistics on property damage

United Nations Conference on Trade and Development, "Report on UNCTAD assistance to the Palestinian people,"

https://unctad.org/en/PublicationsLibrary/tdb62d3_en.pdf

Global news , Nick Logan, "How much will it cost and how long will it take to rebuild Gaza?", July 28, 2014 (statistics from U.N. Conference on Trade and Development statics)
<http://globalnews.ca/news/1478589/how-much-will-it-cost-and-how-long-will-it-take-to-rebuild-gaza/>



IE Mission and Vision Leadership (MVL)

Motion for Approval of the following:

MOTION: MVL recommends the Presbytery of San Francisco vote NO regarding the current proposal to pursue a partnership with Oakland City Church.

MVL expressed a strong concern that this proposal is premature. MVL recommends that Presbytery develop a process for an inclusive wider conversation on the missional uses of property in general. Any partnerships with other congregations would come from those subsequent conversations.

ORIGINAL PROPOSAL (1 of 2)

Draft Date August 9, 2019 to FPOC

A Partnership for Mission between OCC & SF Presbytery

Oakland City Church (OCC) has a unique opportunity to partner with the Presbytery of San Francisco, the owners of the property on the corner of MacArthur and Coolidge. Their gracious welcome has made it possible for us to grow and serve like never before. This building is located in a perfect place for OCC's model of ministry - to serve in a 'boundary' neighborhood, where a diverse community can all gather in one place.

Recently, our church and the Presbytery began to talk about what it would look like for the church to stay in this building for the long term - 20 to 25 years. We knew that we wanted more than a tenant/landlord relationship. We wanted to use this building for worship, community and service. And the Presbytery wanted to do more than collect rent. They wanted to support mission in this historic neighborhood.

So, we developed the idea of a Mission Partnership. In this partnership, the Presbytery makes improvements to the building to bring it up to code and keep it safe and secure. The Presbytery will also work with OCC to make missional improvements to the site to make it more hospitable and useful for the work OCC is called to do in the neighborhood. And OCC will commit to long-term missional work in the Fruitvale/Dimond neighborhood in partnership with the Presbytery.

As a church, we will:

- Hire a site director who will develop partnerships, funding sources and volunteers.
- Use the Gym, Kitchen and Classroom space for partnerships with local organizations to serve:
 - Host Love Never Fails, reaching young people escaping sex-trafficking.
 - Host Larry Austin and Elevate Ministries, supporting the homeless population.
 - East Oakland Presbyterian Churches; Primera Iglesia and Elmwood Pres.
 - Other ministries that align with our shared vision and mission.
- Partner with Bret Harte Middle School to serve local students with after-school programs.
- Continue the Food Pantry and Senior Center; legacy ministries of Fruitvale Pres.
- Raise up church planters in the East Bay with shared resources from the Presbytery and OCC.

While OCC is not a Presbyterian church, we are excited about honoring the 130 year legacy of Fruitvale Presbyterian Church and partner in the East Bay with other churches and organizations with a similar kingdom-minded vision. It's all about serving the people in the Dimond, Fruitvale, Laurel corridor and sharing the message of Jesus through a diverse and gracious community of people. By their generosity, the Presbytery has encouraged OCC to continue boldly pursuing new mission opportunities.

A Vision for Meeting at the Boundary

OCC and Presbytery to Invest Needed Funds in the MacArthur Property

Upgrade the Building for Neighborhood Ministry Impact and Gospel Proclamation

- Update the kitchen, the gym and downstairs rooms to create safe, accessible spaces with showers, and safe classrooms for children, youth and the homeless population
- Make cosmetic improvements to beautify and welcome the neighborhood

Upgrade the Building for Gospel Proclamation and Sustained Ministry

- Make upgrades to the sanctuary, children's ministry and classroom spaces
- Tackle long-deferred maintenance in the building for safety and code compliance

A Vision for Serving at the Boundary

OCC to Raise \$350,000 for Neighborhood Missional Funding

Use the Building to Develop and Host Responsive Ministry Partnerships

Develop deep partnerships with existing ministries including:

- Love Never Fails serving at-risk youth
- Elevate Ministries serving the homeless
- LEAF serving students in afterschool programming
- Year Up providing training and internships for youth
- Food Pantry founded by Fruitvale Presbyterian Church
- Senior Center serving local older residents
- Primera Iglesia and Elmwood Presbyterian leading youth ministry

Staffing for Serving Our Community

- Hire a Site Coordinator who will manage the space and develop partnerships and funding
- Hire two interns to help support after-school programming

A Vision for Growing at the Boundary

OCC to Raise \$50,000 Annually for Church Planting & Partner with the Presbytery

Planting New Churches in the East Bay Corridor

- OCC to identify and coach new church planters for PC(USA) or RCA church planters
- Presbytery helps to fund approved church plants

About Oakland City Church

Oakland City Church is called to be a church of those who don't belong together, gathered around Jesus for the sake of those who don't belong. By this we mean;

Don't Belong Together - We're building a community that is grounded in a common call rather than agreement on every issue. We are anti-racist, multi-ethnic, cross-generational, and broad in our theological convictions. In our differences, we help each grow more and more in the likeness of Christ.

Gathered Around Jesus - Our common call comes from Jesus, who offers grace and the way of discipleship to all who respond in faith. There is no favoritism with Jesus - just an open door for poor, rich, strong and weak to follow him.

For the Sake of Those Who Don't Belong - We have always called ourselves a community that cares for the people on the margins. That's always been true for those on the spiritual margins - we have worked hard to help the unconvinced to feel at home and explore faith. However, when it comes to caring for those on the margins of society;

the homeless, the refugee and the immigrant, OCC has only made temporary steps. We have not built this work into our church's long-term plans.

As we look to the future, our church seeks to commit definitively to this final piece of our mission; making space for those who don't feel like they belong - the marginalized in our neighborhood.

Long-Term Roots in the Fruitvale Neighborhood

Our church began in a living room and quickly moved to sites all around the city of Oakland. Being on the move and taking risks is a part of our DNA.

But when we moved to the old site of Fruitvale Presbyterian Church just over four years ago, something special happened. We felt like we had come home to a place we could put down roots. Our church grew and our connection to the neighborhood deepened.

Now, when people come to our newcomers' brunch, they tell us:

- *"that coming to OCC feels like coming home, like a family".*
- *"that they walked or drove by the patio and saw the community gathered before the service and they just knew they had to come and try it out."*
- *"that the people here look just like our family."*
- *"that they're not sure about Jesus yet, but this is a place they could find out more."*

This is the kind of ministry we hope to continue here in the 2735 MacArthur Blvd facility.

ORIGINAL PROPOSAL (2 of 2)

Aug 2019 FPOC:

Fruitvale Lease/Mission Partnership

Motion: Authorize Leonard (and Tim) to propose final terms and agreement details under the guidelines and principles below. These are essential. Changes to those are not yet authorized MSC

From June FPOC Meeting: Leonard is meeting this month with the Oakland City Church Team in advance of a final version or near final version of a proposal to use the site for a joint ministry. Goal will be to get a handle on capital costs going forward as a basis for in-lieu-of rent, then craft a missional partnership, not just an empty building solution.

Proposed Basic Terms of the property side of the deal:

PSF puts up the money to pay for the capital upkeep of the building, essentially as a loan

Most if not all of the money is put up in the first 1-3 years. Amount would be max \$1.2M

Scope to be mutually determined, but includes life-safety, code compliance, and major capital work. Not sure how much accessibility and how much seismic can be done in that budget. PSF and OCC cooperate on getting the work done, with OCC being lead and PSF overseeing the Owner's oversight side

OCC pays \$4,000 per month "in-lieu-of-rent" which is actually repayment of the capital costs.

That means the net cost of the \$1.2M is "interest-only" on the capital money. But PSF retains the property and if OCC pulls PSF can sell, or rent at market rates to recoup. If OCC is successful then PSF determines the future disposition of the asset at the end of the agreement.

OCC Pays for insurance and property taxes in addition to the \$4k.

OCC can rent the facilities and keep the income, and pays for any increases in prop taxes due to any rentals.

Term of the agreement is proposed at 25 years. First three year are guaranteed by OCC like

A commercial lease. Remaining years OCC can opt out and PSF takes over the property.

FPOC to recommend approval of the property agreement, and PSF to vote for approval in

Nov.

In terms of Joint Mission,

Details to be finalized, will be set up under BoO.

OCC becomes a mission of Presbytery, and they operate in that area as one of our church presences.

OCC commits to raising \$350K for neighborhood mission

OCC commits to Raise \$50K for church planting.

Mission plan to be recommended by COM, Staff and FPOC, and sent to PSF to approve in Nov.

I F Committee on Preparation of Ministry (CPM)

The Committee on the Preparation for Ministry (CPM) approval of the following:

MOTION: That Calvin Sodestrom of First Presbyterian Church in Berkeley to be enrolled as Candidate for the Ministry of Word and Sacrament, effective November 7, 2019. (See Motive for seeking Ministry, Experience of Faith, Previous/Current Work in the Church- [MEW-](#))
