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Assembly
California Legislature
Committee on Rules

RICHARD S. GORDON
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PATTY LOPEZ (D-ALT.)
JAY OBERNOLTE (R-ALT.)

Thursday, April 16, 2015
8:50 AM
State Capitol, Room 3162

CONSENT AGENDA

Bill Referrals

1. Consent Bill Referrals

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2. Bill Re-referrals

[Page 9](#)

Resolutions

3. ACR 55 (Irwin) Relative to Crime Victims' Rights Week.

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4. SCR 21 (Jackson) Relative to Single Parent Day.

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5. SCR 26 (Beall) Relative to Pancreatic Cancer Awareness Month.

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REGULAR AGENDA

6. AJR 2 (Nazarian) Relative to Armenian Genocide.

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REFERRAL OF BILLS TO COMMITTEE

04/16/2015

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Bill No.

[AB 1114](#)

[AJR 13](#)

Committee:

HEALTH

E. & R.



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Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 4/15/15
Re: Consent Bill Referrals

Since you received the preliminary there have been no changes.



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AMENDMENTS TO ASSEMBLY BILL NO. 1114

Amendment 1

In the title, in line 1, strike out "46116 of the Education" and insert:

15926 of the Welfare and Institutions

Amendment 2

In the title, in line 2, strike out "kindergarten" and insert:

public health

Amendment 3

On page 1, before line 1, insert:

SECTION 1. Section 15926 of the Welfare and Institutions Code is amended to read:

15926. (a) The following definitions apply for purposes of this part:

(1) "Accessible" means in compliance with Section 11135 of the Government Code, Section 1557 of the PPACA, and regulations or guidance adopted pursuant to these statutes.

(2) "Forms, letters, and notices" means application, renewal, and other forms and letters needed to obtain or retain eligibility, benefits, or services from an insurance affordability program, and all notices affecting the legal rights of applicants, beneficiaries, and enrollees.

(2)

(3) "Limited-English-proficient" means not speaking English as one's primary language and having a limited ability to read, speak, write, or understand English.

(3)

(4) "Insurance affordability program" means a program that is one of the following:

(A) The Medi-Cal program under Title XIX of the federal Social Security Act (42 U.S.C. Sec. 1396 et seq.).

(B) The state's children's health insurance program (CHIP) under Title XXI of the federal Social Security Act (42 U.S.C. Sec. 1397aa et seq.).

(C) A program that makes available to qualified individuals coverage in a qualified health plan through the California Health Benefit Exchange established pursuant to Title 22 (commencing with Section 100500) of the Government Code with advance payment of the premium tax credit established under Section 36B of the Internal Revenue Code.

(4)

(D) A program that makes available coverage in a qualified health plan through the California Health Benefit Exchange established pursuant to Title 22 (commencing



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with Section 100500) of the Government Code with cost-sharing reductions established under Section 1402 of PPACA and any subsequent amendments to that act.

(b) An individual shall have the option to apply for insurance affordability programs in person, by mail, online, by telephone, or by other commonly available electronic means.

(c) (1) A single, accessible, standardized paper, electronic, and telephone application for insurance affordability programs shall be developed by the department in consultation with MRMIB and the board governing the Exchange as part of the stakeholder process described in subdivision (b) of Section 15925. The application shall be used by all entities authorized to make an eligibility determination for any of the insurance affordability programs and by their agents.

(2) The department may develop and require the use of supplemental forms to collect additional information needed to determine eligibility on a basis other than the financial methodologies described in Section 1396a(e)(14) of Title 42 of the United States Code, as added by the federal Patient Protection and Affordable Care Act (Public Law 111-148), and as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) and any subsequent amendments, as provided under Section 435.907(c) of Title 42 of the Code of Federal Regulations.

(3) The application shall be tested and operational by the date as required by the federal Secretary of Health and Human Services.

(4) The application form shall, to the extent not inconsistent with federal statutes, regulations, and guidance, satisfy all of the following criteria:

(A) The form shall include simple, user-friendly language and instructions.

(B) The form may not ask for information related to a nonapplicant that is not necessary to determine eligibility in the applicant's particular circumstances.

(C) The form may require only information necessary to support the eligibility and enrollment processes for insurance affordability programs.

(D) The form may be used for, but shall not be limited to, screening.

(E) The form may ask, or be used otherwise to identify, if the mother of an infant applicant under one year of age had coverage through an insurance affordability program for the infant's birth, for the purpose of automatically enrolling the infant into the applicable program without the family having to complete the application process for the infant.

(F) The form may include questions that are voluntary for applicants to answer regarding demographic data categories, including race, ethnicity, primary language, disability status, and other categories recognized by the federal Secretary of Health and Human Services under Section 4302 of the PPACA.

(G) Until January 1, 2016, the department shall instruct counties to not reject an application that was in existence prior to January 1, 2014, but to accept the application and request any additional information needed from the applicant in order to complete the eligibility determination process. The department shall work with counties and consumer advocates to develop the supplemental questions.

(d) Nothing in this section shall preclude the use of a provider-based application form or enrollment procedures for insurance affordability programs or other health programs that differs from the application form described in subdivision (c), and related enrollment procedures. Nothing in this section shall preclude the use of a joint application, developed by the department and the State Department of Social Services,

that allows for an application to be made for multiple programs, including, but not limited to, CalWORKs, CalFresh, and insurance affordability programs.

(e) The entity making the eligibility determination shall grant eligibility immediately whenever possible and with the consent of the applicant in accordance with the state and federal rules governing insurance affordability programs.

(f) (1) If the eligibility, enrollment, and retention system has the ability to prepopulate an application form for insurance affordability programs with personal information from available electronic databases, an applicant shall be given the option, with his or her informed consent, to have the application form prepopulated. Before a prepopulated application is submitted to the entity authorized to make eligibility determinations, the individual shall be given the opportunity to provide additional eligibility information and to correct any information retrieved from a database.

(2) All insurance affordability programs may accept self-attestation, instead of requiring an individual to produce a document, for age, date of birth, family size, household income, state residence, pregnancy, and any other applicable criteria needed to determine the eligibility of an applicant or recipient, to the extent permitted by state and federal law.

(3) An applicant or recipient shall have his or her information electronically verified in the manner required by the PPACA and implementing federal regulations and guidance and state law.

(4) Before an eligibility determination is made, the individual shall be given the opportunity to provide additional eligibility information and to correct information.

(5) The eligibility of an applicant shall not be delayed beyond the timeliness standards as provided in Section 435.912 of Title 42 of the Code of Federal Regulations or denied for any insurance affordability program unless the applicant is given a reasonable opportunity, of at least the kind provided for under the Medi-Cal program pursuant to Section 14007.5 and paragraph (7) of subdivision (e) of Section 14011.2, to resolve discrepancies concerning any information provided by a verifying entity.

(6) To the extent federal financial participation is available, an applicant shall be provided benefits in accordance with the rules of the insurance affordability program, as implemented in federal regulations and guidance, for which he or she otherwise qualifies until a determination is made that he or she is not eligible and all applicable notices have been provided. Nothing in this section shall be interpreted to grant presumptive eligibility if it is not otherwise required by state law, and, if so required, then only to the extent permitted by federal law.

(g) The eligibility, enrollment, and retention system shall offer an applicant and recipient assistance with his or her application or renewal for an insurance affordability program in person, over the telephone, by mail, online, or through other commonly available electronic means and in a manner that is accessible to individuals with disabilities and those who are limited-English proficient.

(h) (1) During the processing of an application, renewal, or a transition due to a change in circumstances, an entity making eligibility determinations for an insurance affordability program shall ensure that an eligible applicant and recipient of insurance affordability programs that meets all program eligibility requirements and complies with all necessary requests for information moves between programs without any breaks in coverage and without being required to provide any forms, documents, or other information or undergo verification that is duplicative or otherwise unnecessary.

The individual shall be informed about how to obtain information about the status of his or her application, renewal, or transfer to another program at any time, and the information shall be promptly provided when requested.

(2) The application or case of an individual screened as not eligible for Medi-Cal on the basis of Modified Adjusted Gross Income (MAGI) household income but who may be eligible on the basis of being 65 years of age or older, or on the basis of blindness or disability, shall be forwarded to the Medi-Cal program for an eligibility determination. During the period this application or case is processed for a non-MAGI Medi-Cal eligibility determination, if the applicant or recipient is otherwise eligible for an insurance affordability program, he or she shall be determined eligible for that program.

(3) Renewal procedures shall include all available methods for reporting renewal information, including, but not limited to, face-to-face, telephone, mail, and online renewal or renewal through other commonly available electronic means.

(4) An applicant who is not eligible for an insurance affordability program for a reason other than income eligibility, or for any reason in the case of applicants and recipients residing in a county that offers a health coverage program for individuals with income above the maximum allowed for the Exchange premium tax credits, shall be referred to the county health coverage program in his or her county of residence.

(i) Notwithstanding subdivisions (e), (f), and (j), before an online applicant who appears to be eligible for the Exchange with a premium tax credit or reduction in cost sharing, or both, may be enrolled in the Exchange, both of the following shall occur:

(1) The applicant shall be informed of the overpayment penalties under the federal Comprehensive 1099 Taxpayer Protection and Repayment of Exchange Subsidy Overpayments Act of 2011 (Public Law 112-9), if the individual's annual family income increases by a specified amount or more, calculated on the basis of the individual's current family size and current income, and that penalties are avoided by prompt reporting of income increases throughout the year.

(2) The applicant shall be informed of the penalty for failure to have minimum essential health coverage.

(j) The department shall, in coordination with MRMIB and the Exchange board, streamline and coordinate all eligibility rules and requirements among insurance affordability programs using the least restrictive rules and requirements permitted by federal and state law. This process shall include the consideration of methodologies for determining income levels, assets, rules for household size, citizenship and immigration status, and self-attestation and verification requirements.

(k) (1) Forms, letters, and notices developed pursuant to this section shall be accessible and standardized, as appropriate, and shall comply with federal and state laws, regulations, and guidance prohibiting discrimination.

(2) Forms, letters, and notices developed pursuant to this section shall be developed using plain language and shall be provided in a manner that affords meaningful access to limited-English-proficient individuals, in accordance with applicable state and federal law, and at a minimum, provided in the same threshold languages as required for Medi-Cal managed care plans.

(l) The department, the California Health and Human Services Agency, MRMIB, and the Exchange board shall establish a process for receiving and acting on stakeholder suggestions regarding the functionality of the eligibility systems supporting the

Exchange, including the activities of all entities providing eligibility screening to ensure the correct eligibility rules and requirements are being used. This process shall include consumers and their advocates, be conducted no less than quarterly, and include the recording, review, and analysis of potential defects or enhancements of the eligibility systems. The process shall also include regular updates on the work to analyze, prioritize, and implement corrections to confirmed defects and proposed enhancements, and to monitor screening.

(m) In designing and implementing the eligibility, enrollment, and retention system, the department, MRMIB, and the Exchange board shall ensure that all privacy and confidentiality rights under the PPACA and other federal and state laws are incorporated and followed, including responses to security breaches.

(n) Except as otherwise specified, this section shall be operative on January 1, 2014.

Amendment 4

On page 1, strike out lines 1 to 5, inclusive, and strike out page 2

- 0 -

RE-REFERRAL OF BILLS

04/16/2015

RE-REFERRAL OF BILLS

Assembly Bill No.	Committee:
<u>*AB 1203</u>	GOVERNMENTAL ORGANIZATION
<u>**AB 1203</u>	INSURANCE
<u>AB 1205</u>	NATURAL RESOURCES
<u>AB 1211</u>	HEALTH
<u>*AB 1229</u>	HOUSING AND COMMUNITY DEVELOPMENT
<u>**AB 1229</u>	REVENUE AND TAXATION



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JAY OBERNOLTE (R-ALT.)

Memo

To: Rules Committee Members
From: Mukhtar Ali, Bill Referral Consultant
Date: 4/15/15
Re: Consent Bill Re-referrals

Since you received the preliminary there have been no changes.

Assembly Concurrent Resolution

No. 55

Introduced by Assembly Member Irwin

April 9, 2015

Assembly Concurrent Resolution No. 55—Relative to Crime Victims’ Rights Week.

LEGISLATIVE COUNSEL’S DIGEST

ACR 55, as introduced, Irwin. Crime Victims’ Rights Week.

This measure would recognize the week of April 19 to April 25, 2015, inclusive, as Crime Victims’ Rights Week in California.

Fiscal committee: no.

- 1 WHEREAS, Violent crime continues to exist in California, and
2 crime in one part of the state, or crime against one person, affects
3 our entire sense of well-being; and
4 WHEREAS, All Californians are affected by crime, not just the
5 victims of violent crime; and
6 WHEREAS, The most effective aid that can be provided to
7 victims of crime is to prevent crime from happening in the first
8 place; and
9 WHEREAS, Since 1981, National Crime Victims’ Rights Week
10 has raised awareness of the special needs of crime victims; and
11 WHEREAS, This year, the theme for this week is “Engaging
12 Communities. Empowering Victims”; and
13 WHEREAS, 2015 is a landmark year for crime victims and
14 survivors, as well as those who serve them; and

1 WHEREAS, The respect for and protection of victims' rights
2 within the legal process is one of the most critical components of
3 an effective criminal justice system; and

4 WHEREAS, Victims and witnesses of crime require special
5 attention to ensure that they are thoroughly informed about, and
6 effectively participate in, the criminal justice system; and

7 WHEREAS, To the maximum extent allowed by law, victims
8 of violent crime should receive compensation for their losses; and

9 WHEREAS, Each day thousands of victims and witnesses
10 receive assistance from victim support organizations,
11 victim-witness assistance centers, private service providers, and
12 state and local governments; and

13 WHEREAS, The criminal justice system in this state must persist
14 in its effort to better coordinate and improve the quality of services
15 provided to victims and witnesses; and

16 WHEREAS, California has been an innovator in the victims'
17 rights movement, establishing the first crime victim compensation
18 program in the nation in 1965; Women's Advocates and Haven
19 House in Pasadena established the first shelters for battered women
20 in the nation in 1976; and Mothers Against Drunk Driving was
21 founded in 1980 with the establishment of a chapter in Sacramento;
22 and

23 WHEREAS, California citizens enshrined victims' rights in the
24 California Constitution in 1982 through the passage of Proposition
25 8, the Crime Victims' Bill of Rights; and

26 WHEREAS, California citizens reaffirmed and afforded
27 additional rights to victims in the California Constitution and in
28 California law in 2008 through the passage of Proposition 9, the
29 Victims' Bill of Rights Act of 2008: Marsy's Law; and

30 WHEREAS, Each year, the observance of National Crime
31 Victims' Rights Week focuses on the problems confronting victims
32 of crime and the services available to support these victims; and

33 WHEREAS, The remembrances observed during National Crime
34 Victims' Rights Week promote awareness of victims' issues and
35 acknowledge the combined efforts of citizens, the government,
36 and the criminal justice system to improve victims' services in
37 California; now, therefore, be it

38 *Resolved by the Assembly of the State of California, the Senate*
39 *thereof concurring, That the Legislature hereby recognizes the*

1 week of April 19, 2015, through April 25, 2015, inclusive, as Crime
2 Victims' Rights Week in California; and be it further
3 *Resolved*, That the Chief Clerk of the Assembly transmit copies
4 of this resolution to the author for appropriate distribution.

O

Date of Hearing: April 16, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
ACR 55 (Irwin) – As Introduced April 9, 2015

SUBJECT: Crime Victims' Rights Week.

SUMMARY: Recognizes the week of April 19 to April 25, 2015, inclusive, as Crime Victims' Rights Week in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Since 1981, National Crime Victims' Rights Week has raised awareness of the special needs of crime victims and the services available to support these victims; and this year, the theme is "Engaging Communities. Empowering Victims."
- 2) California has been an innovator in the victims' rights movement, establishing the first crime victim compensation program in the nation in 1965; Women's Advocates and Haven House in Pasadena established the first shelters for battered women in the nation in 1976; and Mothers Against Drunk Driving was founded in 1980 with the establishment of a chapter in Sacramento.
- 3) California citizens protected victims' rights in 1982 through the passage of Proposition 8, the Crime Victims' Bill of Rights; and California citizens reaffirmed and afforded additional rights to victims in 2008 through the passage of Proposition 9, the Victims' Bill of Rights Act of 2008: Marsy's Law.
- 4) The respect and protection of victims' rights within the legal process is one of the most critical components of an effective criminal justice system; and the criminal justice system in this state must persist in its effort to better coordinate and improve the quality of services provided to victims and witnesses.
- 5) To the maximum extent allowed by law, victims of violent crime should receive compensation for their losses; and each day thousands of victims and witnesses receive assistance from victim support organizations, victim-witness assistance centers, private service providers, and state and local governments.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

Introduced by Senator Jackson

February 24, 2015

Senate Concurrent Resolution No. 21—Relative to Single Parent Day.

LEGISLATIVE COUNSEL’S DIGEST

SCR 21, as introduced, Jackson. Single Parent Day.
This measure would proclaim March 21, 2015, as Single Parent Day.
Fiscal committee: no.

- 1 WHEREAS, On March 21, 1984, President Ronald Reagan
2 proclaimed the first “National Single Parent Day” and the Congress
3 has designated each March 21st thereafter in commemoration of
4 single parents; and
5 WHEREAS, President Reagan, in his proclamation, recognized
6 that single parents can and do provide children with the financial,
7 physical, emotional, and social support they need to take their
8 places as productive and mature citizens. He further noted, that
9 with the active support of friends, relatives, and local communities,
10 they can do even more to raise their children in the best possible
11 environment; and
12 WHEREAS, Single parenthood is very common in the United
13 States. At a given time in 2013, 28 percent of children were living
14 with a single parent. One-half or more of today’s children will
15 likely spend at least part of their childhood in a single-parent
16 family; and
17 WHEREAS, Most single parents are single mothers. In 2013,
18 77 percent of single parents were single mothers, and 85 percent

1 of the children living with a single parent were living with their
2 mother; and

3 WHEREAS, The majority of single parents have been married
4 or are married but separated. In 2013, 55 percent of the children
5 in single-parent families were living with a parent who was
6 separated, divorced, or widowed, and 45 percent with a
7 never-married parent; and

8 WHEREAS, Most single parents have no more than two
9 children. In 2013, 56 percent of single parents had one child and
10 30 percent had two children; and

11 WHEREAS, Low wages are very common for United States
12 single parents, and much more common for single parents than for
13 other United States workers. In 2009, 39 percent of employed
14 single mothers were in low-wage employment, with low wage
15 defined as an hourly wage less than two-thirds of the median hourly
16 wage; and

17 WHEREAS, Single parents struggle to pay for child care. In
18 many cases, the average cost of child care is out of reach for a
19 single parent, especially for those with two or more children; and

20 WHEREAS, The poverty rate for children in single-parent
21 families is triple the rate for children in two-parent families. In
22 2012, 42 percent of children in single-parent families were poor,
23 compared to 13 percent of children in two-parent families; and

24 WHEREAS, Child poverty is linked to poor health and school
25 dropout; to negative adult outcomes including joblessness, and to
26 reduced economic output estimated to be about 4 percent of the
27 Gross Domestic Product; and

28 WHEREAS, The employment rate for single parents in the
29 United States is above the average single-parent employment rate
30 in comparison to high income countries. Despite the above average
31 employment rate, the poverty rate for single-parent families in the
32 United States is far above the average poverty rate for single-parent
33 families in comparison to high income countries; and

34 WHEREAS, National Single Parent Day was created to honor
35 and recognize the hard work, devotion, and sacrifices of single
36 parenting; now, therefore, be it

37 *Resolved by the Senate of the State of California, the Assembly*
38 *thereof concurring, That Saturday, March 21, 2015, be observed*
39 *as Single Parent Day; and be it further*

- 1 *Resolved*, That the California Legislature encourages all
- 2 Californians to recognize the value and contributions provided by
- 3 single parents; and be it further
- 4 *Resolved*, That the Secretary of the Senate transmit copies of
- 5 this resolution to the author for appropriate distribution.

O

Date of Hearing: April 16, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 21 (Jackson) – As Introduced February 24, 2015

SENATE VOTE: 35-0

SUBJECT: Single Parent Day.

SUMMARY: Proclaims March 21, 2015, as Single Parent Day. Specifically, **this resolution** makes the following legislative findings:

- 1) On March 21, 1984, President Ronald Reagan proclaimed the first "National Single Parent Day" and the Congress has designated each March 21st thereafter in commemoration of single parents.
- 2) President Reagan, in his proclamation, recognized that single parents can and do provide children with the financial, physical, emotional, and social support they need to take their places as productive and mature citizens. He further noted that with the active support of friends, relatives, and local communities, they can do even more to raise their children in the best possible environment.
- 3) Low wages are very common for United States single parents, and much more common for single parents than for other United States workers. Single parents struggle to pay for child care. In many cases, the average cost of child care is out of reach for a single parent, especially for those with two or more children.
- 4) The employment rate for single parents in the United States is above the average single-parent employment rate in comparison to high income countries. Despite the above average employment rate, the poverty rate for single-parent families in the United States is far above the average poverty rate for single-parent families in comparison to high income countries.
- 5) The poverty rate for children in single-parent families is triple the rate for children in two-parent families. In 2012, 42 percent of children in single-parent families were poor, compared to 13 percent of children in two-parent families. Child poverty is linked to poor health and school dropout; to negative adult outcomes including joblessness; which leads to reduced economic output.
- 6) National Single Parent Day was created to honor and recognize the hard work, devotion, and sacrifices of single parenting.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

National Coalition of 100 Black Women, Inc., Sacramento Chapter (SacNCBW)

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800

NATIONAL COALITION OF 100 BLACK WOMEN, INC.
SACRAMENTO CHAPTER



March 10, 2015

Honorable Richard S. Gordon
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, CA 95814

Dear Assemblyman Gordon:

The National Coalition of 100 Black Women Incorporated, Sacramento Chapter (SacNCBW) is writing in support of SCR-21, resolution to proclaim March 21, 2015 as Single Parent Day.

We are an organization of progressive women of African descent whose voice and force for gender equity and socio-political advancements drives meaningful change to benefit women of color. SacNCBW advocates on behalf of women and girls of color in the areas of health, education, and economic development.

The growing number of single-parent families has become the subject of increasing political and academic debate and in recent years, research has found significant differences in levels of academic achievement, employment, teenage pregnancy and criminal behavior between children reared in single-parent families and those reared in two-parent families. SacNCBW strives to carry out our mission with programming that focuses on changing these statistics (literacy; mentoring for girls in foster care; health awareness; advocacy; and teen pregnancy prevention). A good number of the lives that we touch are these female-headed families.

SacNCBW believes that recognition of single parents in the state of California is a notable cause. It isn't that single parents are inferior parents; we would like to give confidence to the acknowledgement of the strength, courage, and determination that it takes for a single parent to lead the home.

We urge the Senate and Assembly to support this concurrent resolution.

Thank you for your consideration of our viewpoint on this matter.

Sincerely,

Evelyn Frazier,
President

CC: Senate Rules, Senator Kevin de León, Chair

Introduced by Senator Beall

March 5, 2015

Senate Concurrent Resolution No. 26—Relative to Pancreatic Cancer Awareness Month.

LEGISLATIVE COUNSEL’S DIGEST

SCR 26, as introduced, Beall. Pancreatic Cancer Awareness Month.

This measure would recognize that pancreatic cancer statistics call for aggressive measures now to develop early detection and treatment tools before the incidence dramatically increases, and would proclaim November 2015 as Pancreatic Cancer Awareness Month in California.

Fiscal committee: no.

1 WHEREAS, In 2015, an estimated 48,960 people will be
2 diagnosed with pancreatic cancer and 40,560 people will die from
3 the disease in the United States; and

4 WHEREAS, Pancreatic cancer is one of the deadliest cancers,
5 is the fourth leading cause of cancer death in the United States,
6 and is the only major cancer with a five-year relative survival rate
7 in the single digits at just 7 percent; and

8 WHEREAS, Symptoms of pancreatic cancer usually first present
9 themselves in its late stage, and 72 percent of pancreatic cancer
10 patients die within the first year of their diagnosis, while 93 percent
11 of pancreatic cancer patients die within the first five years; and

12 WHEREAS, Approximately 4,300 deaths from pancreatic cancer
13 will occur in California in 2015; and

14 WHEREAS, The incidence and death rate for pancreatic cancer
15 are increasing, pancreatic cancer is anticipated to move from the
16 fourth to the second leading cause of cancer death in the United

1 States by 2020, and the number of deaths from the disease will
2 increase 2.4 fold by 2030; and

3 WHEREAS, The federal government invests significantly less
4 money in pancreatic cancer research than it does in research of
5 any other leading deadly cancer, constituting only approximately
6 2 percent of the National Cancer Institute's research funding, a
7 figure far too low given the severity of the disease, its mortality
8 rate, and how little is known about how to arrest it; and

9 WHEREAS, The Recalcitrant Cancer Research Act of 2012,
10 formerly the Pancreatic Cancer Research and Education Act,
11 requires that the National Cancer Institute develop a scientific
12 framework for combating pancreatic cancer and other recalcitrant
13 cancers; and

14 WHEREAS, The Pancreatic Cancer Action Network is a national
15 organization serving the pancreatic cancer community in California,
16 where it is headquartered, and nationwide through a comprehensive
17 approach, which includes public policy, research funding, patient
18 services, and public awareness and education related to developing
19 effective treatments and a cure for pancreatic cancer; and

20 WHEREAS, The Pancreatic Cancer Action Network and its
21 affiliates in California support those patients and families currently
22 battling pancreatic cancer, as well as the friends and families of
23 those who have lost their lives to the disease, and are committed
24 to nothing less than a cure; and

25 WHEREAS, The good health and well-being of the residents
26 of California are enhanced as a direct result of increased awareness
27 about pancreatic cancer and research into early detection, causes,
28 and effective treatments; now, therefore, be it

29 *Resolved by the Senate of the State of California, the Assembly*
30 *thereof concurring*, That the Legislature hereby recognizes that
31 pancreatic cancer statistics call for aggressive measures now to
32 develop early detection and treatment tools before the incidence
33 dramatically increases, in light of the fact that National Cancer
34 Institute funding is falling dangerously behind; and be it further

35 *Resolved*, That the Legislature hereby proclaims November
36 2015 as Pancreatic Cancer Awareness Month in California and
37 urges all California citizens to wage hope to end pancreatic cancer;
38 and be it further.

- 1 *Resolved*, That the Secretary of the Senate transmit copies of
- 2 this resolution to the author for appropriate distribution.

O

Date of Hearing: April 16, 2015

ASSEMBLY COMMITTEE ON RULES
Richard Gordon, Chair
SCR 26 (Beall) – As Introduced March 5, 2015

SENATE VOTE: 32-0

SUBJECT: Pancreatic Cancer Awareness Month.

SUMMARY: Proclaims November 2015 as Pancreatic Cancer Awareness Month in California. Specifically, **this resolution** makes the following legislative findings:

- 1) Pancreatic cancer is one of the deadliest cancers, is the fourth leading cause of cancer death in the United States, and is the only major cancer with a five-year relative survival rate in the single digits at just 7 percent.
- 2) Symptoms of pancreatic cancer usually first present themselves in its late stage, and 72 percent of pancreatic cancer patients die within the first year of their diagnosis, while 93 percent of pancreatic cancer patients die within the first five years.
- 3) In 2015, an estimated 48,960 people will be diagnosed with pancreatic cancer and 40,560 people will die from the disease in the United States. The incidence and death rate for pancreatic cancer are increasing, pancreatic cancer is anticipated to move from the fourth to the second leading cause of cancer death in the United States by 2020, and the number of deaths from the disease will increase 2.4 fold by 2030.
- 4) The federal government invests significantly less money in pancreatic cancer research than it does in research of any other leading deadly cancer, constituting only approximately 2 percent of the National Cancer Institute's research funding, a figure far too low given the severity of the disease, its mortality rate, and how little is known about how to arrest it.
- 5) The Pancreatic Cancer Action Network is a national organization serving the pancreatic cancer community in California, where it is headquartered, and nationwide through a comprehensive approach, which includes public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Pancreatic Cancer Action Network

Opposition

None on file

Analysis Prepared by: Nicole Willis / RLS. / (916) 319-2800



March 23, 2015

Assembly Member Richard Gordon
Chairman, CA Assembly Rules Committee

RE: SCR 26 Pancreatic Cancer Awareness

Dear Chairman Gordon,

I am writing to you on behalf of the Silicon Valley Affiliate and the San Francisco Affiliate of the Pancreatic Cancer Action Network, a national organization funding research, increasing awareness and providing hope to those fighting pancreatic cancer.

Pancreatic cancer will strike more than 48,960 people this year. An estimated 72% will die within the first year of diagnosis. It is the most deadly of the major cancer killers and is expected to become the second most common cause of cancer death by 2020. There are no screening methods, no consistently effective treatments, and no cure. Our nationwide volunteers, supported by our staff partners in Southern California, stand in support of SCR 26 declaring November 2015 to be Pancreatic Cancer Awareness month in California.

Thank you, Chairman Gordon, for your efforts in raising awareness of this deadly cancer and providing hope to California patients and their families who are fighting it.

Yours truly,

Diane Borrison
Volunteer Advocacy Coordinator, Silicon Valley Affiliate
Pancreatic Cancer Action Network
8 year survivor



National Office
1500 Rosecrans Ave., Ste. 200
Manhattan Beach, CA 90266
Main 877 272 6226 | Fax 310 725 0029

Government Affairs & Advocacy Office
1050 Connecticut Ave. NW, 10th Floor
Washington, DC 20036
Main 202 742 6776 | Fax 202 742 6518

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AMENDED IN ASSEMBLY APRIL 14, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

Assembly Joint Resolution

No. 2

Introduced by Assembly Members Nazarian, Achadjian, Alejo, Atkins, Baker, Bigelow, Bloom, Bonta, Brown, Burke, Calderon, Chang, Chávez, Chiu, Chu, Cooper, Dababneh, Dahle, Eggman, Cristina Garcia, Eduardo Garcia, Gatto, Gipson, Gomez, Gray, Hadley, Holden, Irwin, Jones-Sawyer, Kim, Lackey, Levine, Low, Maienschein, Mayes, McCarty, Medina, Mullin, Obernolte, O'Donnell, Olson, Olsen, Perea, Rendon, Ridley-Thomas, Salas, Santiago, Mark Stone, Ting, Waldron, Weber, Wilk, and Williams
(Principal coauthors: Senators *Berryhill*, Cannella, Hall, Lara, Liu, Mendoza, and Runner)

December 1, 2014

Assembly Joint Resolution No. 2—Relative to the Armenian Genocide.

LEGISLATIVE COUNSEL'S DIGEST

AJR 2, as amended, Nazarian. Armenian Genocide.

This measure would, among other things, designate the year of 2015 as “State of California Year of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915–1923,” designate April 24, 2015, as “State of California Day of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915–1923,” ~~urge the Republic of Turkey to acknowledge the facts of the Armenian Genocide and to work toward a just resolution,~~ and would call upon the President of the United States and the United States Congress to

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formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide.

Fiscal committee: no.

1 WHEREAS, Armenians have resided in Asia Minor and the
2 Caucasus for approximately four millennia, and have a long and
3 rich history in the region, including the establishment of many
4 kingdoms, and despite Armenians' historic presence, stewardship,
5 and autonomy in the region, Turkish rulers of the Ottoman Empire
6 and the Republic of Turkey subjected Armenians to severe and
7 unjust persecution and brutality, including wholesale massacres
8 beginning in the 1890s; and

9 WHEREAS, The Armenian nation was subjected to a systematic
10 and premeditated genocide officially beginning on April 24, 1915,
11 at the hands of the Young Turk Government of the Ottoman Empire
12 from 1915–1919 and continued at the hands of the Kemalist
13 Movement of Turkey from 1920–1923 whereby over 1.5 million
14 Armenian men, women, and children were slaughtered or marched
15 to their deaths in an effort to annihilate the Armenian nation in the
16 first genocide of modern times, while thousands of surviving
17 Armenian women and children were forcibly converted and
18 Islamized, and hundreds of thousands more were subjected to
19 ethnic cleansing during the period of the modern Republic of
20 Turkey from 1924–1937; and

21 WHEREAS, During the genocides of the Christians living in
22 the Ottoman Empire and surrounding regions, which occurred
23 during the first one-half of the 20th century, 1.5 million men,
24 women, and children of Armenian descent, and hundreds of
25 thousands of Assyrians, Greeks, and other Christians, lost their
26 lives at the hands of the Ottoman Turkish Empire and the Republic
27 of Turkey, constituting one of the most atrocious violations of
28 human rights in the history of the world; and

29 WHEREAS, These crimes against humanity also had the
30 consequence of permanently removing all traces of the Armenians
31 and other targeted people from their historic homelands of more
32 than four millennia, and enriching the perpetrators with the lands
33 and other property of the victims of these crimes, including the
34 usurpation of several thousand churches; and

35 WHEREAS, In response to the genocide and at the behest of
36 President Woodrow Wilson and the United States State

1 Department, the Near East Relief organization was founded, and
2 became the first congressionally sanctioned American philanthropic
3 effort created exclusively to provide humanitarian assistance and
4 rescue to the Armenian nation and other Christian minorities from
5 annihilation, who went on to survive and thrive outside of their
6 ancestral homeland all over the world and specifically in this state;
7 and

8 WHEREAS, Near East Relief succeeded, with the active
9 participation of the citizens from this state, in delivering \$117
10 million of *in* assistance, and saving more than one million refugees,
11 including 132,000 orphans, between 1915 and 1930, by delivering
12 food, clothing, and materials for shelter, setting up refugee camps,
13 clinics, hospitals, and orphanages; and

14 WHEREAS, The Armenian nation survived the genocide despite
15 the attempt by the Ottoman Empire and the modern Republic of
16 Turkey to exterminate it; and

17 WHEREAS, Adolf Hitler, in persuading his army commanders
18 that the merciless persecution and killing of Jews, Poles, and other
19 people would bring no retribution, declared, “Who, after all, speaks
20 today of the annihilation of the Armenians?”; and

21 ~~WHEREAS, The planning and implementation of genocide is~~
22 ~~indisputably recognized in international law as a crime against~~
23 ~~humanity and is punishable as such, yet has remained unpunished~~
24 ~~for nearly 100 years, as the government of Turkey is allowed with~~
25 ~~impunity to distort history and to deny the genocide and its~~
26 ~~consequences perpetrated both by its Ottoman predecessor and its~~
27 ~~own predecessor regimes despite international recognition of the~~
28 ~~Armenian Genocide by 23 countries, including the United States~~
29 ~~of America; and~~

30 WHEREAS, On November 4, 1918, immediately after the
31 collapse of the Young Turk regime and before the founding of the
32 Republic of Turkey by Mustafa Kemal Ataturk in 1923, the
33 Ottoman Parliament considered a motion on the crimes committed
34 by the Committee of Union and Progress (CUP): “A population
35 of one million people guilty of nothing except belonging to the
36 Armenian nation were massacred and exterminated, including even
37 women and children.” The Minister of Interior at the time, Fethi
38 Bey, responded by telling the Parliament: “It is the intention of
39 the government to cure every single injustice done up until now,
40 as far as the means allow, to make possible the return to their

1 homes of those sent into exile, and to compensate for their material
2 loss as far as possible”; and

3 WHEREAS, Mustafa Kemal Ataturk made a historic admission
4 in an interview published in the Los Angeles Examiner on August
5 1, 1926: “These leftovers from the former Young Turk Party, who
6 should have been made accountable for the lives of millions of
7 our Christian subjects who were ruthlessly driven, en masse, from
8 their homes and massacred”; and

9 WHEREAS, The Parliamentary Investigative Committee
10 proceeded to collect relevant documents describing the actions of
11 those responsible for the Armenian mass killings and turned them
12 over to the Turkish Military Tribunal. CUP’s leading figures were
13 found guilty of massacring Armenians and hanged or given lengthy
14 prison sentences. The Turkish Military Tribunal requested that
15 Germany extradite to Turkey the masterminds of the massacres
16 who had fled the country. After German refusal, they were tried
17 in absentia and sentenced to death; and

18 WHEREAS, Unlike other people and governments that have
19 admitted and denounced the abuses and crimes of predecessor
20 regimes, and despite the Turkish government’s earlier admissions
21 and the overwhelming proof of genocidal intent, the Republic of
22 Turkey inexplicably and adamantly has denied the occurrence of
23 the crimes against humanity committed by the Ottoman and Young
24 Turk rulers for many years, and continues to do so a full century
25 since the first crimes constituting genocide occurred; and

26 WHEREAS, Those denials compound the grief of the few
27 remaining survivors of the atrocities, desecrate the memory of the
28 victims, cause continuing pain to the descendants of the victims,
29 and deprive the surviving Armenian nation, both on individual and
30 collective levels, of their ancestral land, property, culture, heritage,
31 financial assets, and population growth; and

32 WHEREAS, The Republic of Turkey has escalated its
33 international campaign of Armenian Genocide denial, maintained
34 its blockade of Armenia, and increased its pressure on the small
35 but growing movement in Turkey acknowledging the Armenian
36 Genocide and seeking justice for this systematic campaign of
37 destruction of millions of Armenians, Greeks, Assyrians, and other
38 Christians upon their biblical-era homelands; and

39 WHEREAS, Those citizens of Turkey, both Armenian and
40 non-Armenian, who continue to speak the truth about the Armenian

1 Genocide, such as human rights activist and journalist Hrant Dink,
2 continue to be silenced by violent means; and

3 ~~WHEREAS, Leaders of nations with strategic, commercial, and~~
4 ~~cultural ties to the Republic of Turkey should be reminded of their~~
5 ~~duty to encourage Turkish officials to cease efforts to distort facts~~
6 ~~and deny the history of events surrounding the Armenian Genocide;~~
7 ~~and~~

8 ~~WHEREAS, The failure of the international community to hold~~
9 ~~responsible nations accountable for crimes against humanity results~~
10 ~~in a travesty of justice and sets a negative precedent; and~~

11 WHEREAS, There is continued concern about the welfare of
12 Christians in the Republic of Turkey, their right to worship and
13 practice freely, and the legal status and condition of thousands of
14 ancient Armenian churches, monasteries, cemeteries, and other
15 historical and cultural structures, sites, and antiquities in the
16 Republic of Turkey; and

17 WHEREAS, The United States is on record as having officially
18 recognized the Armenian Genocide in the United States
19 government’s May 28, 1951, written statement to the International
20 Court of Justice regarding the Reservations to the Convention on
21 the Prevention and Punishment of the Crime of Genocide, through
22 President Ronald Reagan’s April 22, 1981, Proclamation No. 4838,
23 and by congressional legislation including House Joint Resolution
24 148 adopted on April 9, 1975, and House Joint Resolution 247
25 adopted on September 12, 1984; and

26 WHEREAS, Even prior to the Convention on the Prevention
27 and Punishment of the Crime of Genocide, the United States has
28 a record of having sought to justly and constructively address the
29 consequences of the Ottoman Empire’s intentional destruction of
30 the Armenian people, including through United States Senate
31 Concurrent Resolution 12 adopted on February 9, 1916, United
32 States Senate Resolution 359 adopted on May 11, 1920, and
33 President Woodrow Wilson’s November 22, 1920, decision
34 entitled, “The Frontier between Armenia and Turkey,” which was
35 issued as a binding arbitral award, yet has not been enforced to
36 this date despite its legally binding status; and

37 WHEREAS, President Barack Obama entered office “calling
38 for Turkey’s acknowledgment of the Armenian Genocide” and on
39 April 24, 2013, and similarly on April 24, 2014, he further stated,
40 “A full, frank, and just acknowledgment of the facts is in all of

1 our interests. Peoples and nations grow stronger, and build a more
2 just and tolerant future, by acknowledging and reckoning with
3 painful elements of the past”; and

4 WHEREAS, California is home to the largest
5 Armenian-American population in the United States, and
6 Armenians living in California have enriched our state through
7 their leadership and contribution in business, agriculture, academia,
8 government, and the arts, many of whom have family members
9 who experienced firsthand the horror and evil of the Armenian
10 Genocide and its ongoing denial; and

11 WHEREAS, Every person should be made aware and educated
12 about the Armenian Genocide and other crimes against humanity,
13 and this state has been at the forefront of encouraging and
14 promoting a curriculum relating to human rights and genocide in
15 order to empower future generations to prevent the recurrence of
16 genocide; and

17 WHEREAS, April 24, 1915, is globally observed and recognized
18 as the commencement of the Armenian Genocide and April 24,
19 2015, will mark the centennial anniversary since the
20 commencement of the Armenian Genocide; and

21 WHEREAS, Armenians in this state and throughout the world,
22 have not been provided with justice for the crimes perpetrated
23 against the Armenian nation despite the fact that a century has
24 passed since the crimes were first committed; and

25 WHEREAS, The Armenian people, in this state and elsewhere,
26 remain resolved and their spirit continues to thrive a century after
27 their near annihilation; now, therefore, be it

28 *Resolved by the Assembly and the Senate of the State of*
29 *California, jointly*, That the Legislature hereby designates the year
30 of 2015 as “State of California Year of Commemoration of the
31 Centennial Anniversary of the Armenian Genocide of 1915–1923”
32 and in doing so, intends, through the enactment of legislation, that
33 the Armenian Genocide is properly commemorated and taught to
34 its citizens and visitors through statewide educational and cultural
35 events; and be it further

36 *Resolved*, That the Legislature hereby designates April 24, 2015,
37 as “State of California Day of Commemoration of the Centennial
38 Anniversary of the Armenian Genocide of 1915–1923”; and be it
39 further

1 *Resolved*, That the Legislature commends its conscientious
2 educators who teach about human rights and genocide, and intends
3 for them, through the enactment of legislation, to continue to
4 enhance their efforts to educate students at all levels about the
5 experience of the Armenians and other crimes against humanity;
6 and be it further

7 *Resolved*, That the Legislature hereby commends the
8 extraordinary service which was delivered by Near East Relief to
9 the survivors of the Armenian Genocide and the Assyrian
10 Genocide, including thousands of direct beneficiaries of American
11 philanthropy who are the parents, grandparents, and
12 great-grandparents of many Californian Armenians and Assyrians,
13 and pledges its intent, through the enactment of legislation, to
14 working with community groups, nonprofit organizations, citizens,
15 state personnel, and the community at large to host statewide
16 educational and cultural events; and be it further

17 *Resolved*, That the Legislature deplores the persistent, ongoing
18 efforts by any person, in this country or abroad, to deny the
19 historical fact of the Armenian Genocide; and be it further

20 ~~*Resolved*, That the Legislature urges the Republic of Turkey to
21 acknowledge the facts of the Armenian Genocide and to work
22 toward a just resolution, to honor its obligations under international
23 treaties and human rights laws, to end all forms of religious
24 discrimination and persecution, to return Christian church
25 properties to their rightful owners, and to allow the owners and
26 congregants of all churches to conduct their religious activities
27 unhindered, including, but not limited to, prayer services and
28 religious observances, education and training, community
29 gatherings, and social services; and be it further~~

30 ~~*Resolved*, That the Legislature respectfully calls upon the
31 President of the United States and the United States Congress to
32 act likewise and to formally and consistently reaffirm the historical
33 truth that the atrocities committed against the Armenian people
34 constituted genocide; and be it further~~

35 ~~*Resolved*, That the Legislature calls on the President of the
36 United States to work toward equitable, constructive, stable, and
37 durable Armenian-Turkish relations based upon the Republic of
38 Turkey's full acknowledgment of the facts and ongoing
39 consequences of the Armenian Genocide, and a fair, just, and~~

1 ~~comprehensive international resolution of this crime against~~
2 ~~humanity; relations; and be it further~~
3 *Resolved*, That the Chief Clerk of the Assembly transmit copies
4 of this resolution to the President and Vice President of the United
5 States, to the Speaker of the House of Representatives, to the
6 Majority Leader of the Senate, to each Senator and Representative
7 from California in the Congress of the United States, to the
8 Governor of California, *to every member of the California State*
9 *Legislature, and to the Superintendent of Public Instruction, and*
10 ~~to the Turkish Ambassador to the United States.~~ *Instruction.*

O

Date of Hearing: April 16, 2015

ASSEMBLY COMMITTEE ON RULES
Gordon, Chair
AJR 2 (Nazarian) – As Amended April 14, 2015

SUBJECT: Armenian Genocide.

SUMMARY: Would, among other things, designate the year of 2015 as "State of California Year of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915-1923," designate April 24, 2015, as "State of California Day of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915-1923," and would call upon the President of the United States and the United States Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide. Specifically, **this resolution** makes the following legislative findings:

- 1) Armenians have resided in Asia Minor and the Caucasus for approximately four millennia, and have a long and rich history in the region, including the establishment of many kingdoms, and despite Armenians' historic presence, stewardship, and autonomy in the region, Turkish rulers of the Ottoman Empire and the Republic of Turkey subjected Armenians to severe and unjust persecution and brutality, including wholesale massacres beginning in the 1890s.
- 2) The Armenian nation was subjected to a systematic and premeditated genocide officially beginning on April 24, 1915, at the hands of the Young Turk Government of the Ottoman Empire from 1915–1919 and continued at the hands of the Kemalist Movement of Turkey from 1920–1923 whereby over 1.5 million Armenian men, women, and children were slaughtered or marched to their deaths in an effort to annihilate the Armenian nation in the first genocide of modern times, while thousands of surviving Armenian women and children were forcibly converted and Islamized, and hundreds of thousands more were subjected to ethnic cleansing during the period of the modern Republic of Turkey from 1924–1937.
- 3) California is home to the largest Armenian-American population in the United States, and Armenians living in California have enriched our state through their leadership and contribution in business, agriculture, academia, government, and the arts, many of whom have family members who experienced firsthand the horror and evil of the Armenian Genocide and its ongoing denial.
- 4) The Armenian people, in this state and elsewhere, remain resolved and their spirit continues to thrive a century after their near annihilation.

FISCAL EFFECT: None

REGISTERED SUPPORT / OPPOSITION:

Support

Armenian National Committee of America – Western Region
American Hellenic Council

Opposition

Turkish Consulate General – Los Angeles
Turkish Peace and Justice Committee California

Analysis Prepared by: Mukhtar Ali / RLS. / (916) 319-2800



Armenian National Committee of America – Western Region

April 14, 2015

The Honorable Richard Gordon, Chairman
State Assembly Rules Committee
State Capitol, Room 3013
Sacramento, CA 94249

Re: AJR 2 – Armenian Genocide Resolution

Dear Chairman Gordon:

On behalf of the Armenian National Committee of America – Western Region, we request your support for the adoption of AJR 2 – the Armenian Genocide Resolution. The resolution would designate 2015 as “State of California Year of Commemoration of the Centennial Anniversary of the Armenian Genocide of 1915-1923,” urge the Republic of Turkey to acknowledge the facts of the Armenian Genocide and work toward a just resolution, and call upon the President of the United States and Congress to formally and consistently reaffirm the historical truth that the atrocities committed against the Armenian people constituted genocide.

The California State Legislature has a lengthy track record of having adopted similar measures. On the eve of the centennial of the Armenian Genocide which will be commemorated on April 24, 2015, it is particularly important for the Armenian American citizens of California that our government lend its voice in calling for recognition and a just resolution to the Armenian Genocide.

The plight of the Armenians at the hands of Ottoman Turkey was well known by Americans, and beginning in 1915, America responded to the Genocide with the most expansive humanitarian relief effort in modern times. The American Committee for Armenian and Assyrian Relief was formed and four years later, it was incorporated as Near East Relief, the first Congressionally-chartered such endeavor. Between 1915 and 1930, Near East Relief assisted more than 130,000 orphans of the Genocide, and delivered an unprecedented \$117 million in humanitarian aid to Armenians and Assyrians: the equivalent of \$2.8 billion today. This organization evolved into the Near East Foundation, which became a model for later American governmentally-sanctioned humanitarian aid projects such as USAID and the Peace Corps. The extraordinary contributions of Near East Relief have been appropriately acknowledged just recently as part of the “America We Thank You” campaign, and last year, the California State Legislature adopted a resolution recognizing their heroic efforts.

In the decades that followed, for a variety of reasons, the Armenian Genocide has fallen out of our collective memory. Since it was perpetrated, Armenians have been continuously subjected to the final stage of genocide by the perpetrators and their successors: denial. Despite overwhelming evidence, the Republic of Turkey has rationalized the Genocide by diminishing its breadth and death toll and falsely claiming that there was suffering by both sides during the First World War. Turkey further refutes the label of genocide because the term was not coined until the Second World War, even though the lawyer and scholar who coined the term, Raphael Lemkin, did so in response to the Armenian Genocide. Perhaps Turkey’s denial of the Genocide is best exemplified by Article 301 of the Turkish Penal Code which



Armenian National Committee of America – Western Region

renders those who “denigrate the Turkish nation” subject to prosecution and imprisonment, as was the case with Nobel Laureate Orhan Pamuk, journalist Hrant Dink (who was assassinated for being outspoken about the Genocide) and numerous other scholars, writers and political activists.

We need to preserve this chapter of history as part of our consciousness in order to prevent genocide deniers from succeeding in completing the full cycle of genocide. Towards that end, AB1915 was introduced by Assembly Members Nazarian and Achadjian and signed into law by Governor Brown, providing for the teaching of the Armenian Genocide in our public schools.

California is home to the largest concentration of Armenians outside of the former Soviet Union, and the Armenian American community in our state is approaching one million people. Every member of our community is here as a result of the Genocide, whether they immigrated immediately following the Genocide or more recently after their dispersion. It is vital for Californians to be familiar with the major events which brought so many of their friends, neighbors and colleagues to our state, and it is vital for history to be properly and accurately remembered in order for humankind to learn from its painful past.

Accordingly, we urge you once again to adopt the resolution and we thank you for your attention to this important issue.

Sincerely,

Nora Hovsepian, Chairperson
Armenian National Committee of America – Western Region

cc: Vice Chair Ling Ling Chang
Assembly Member Autumn R. Burke
Assembly Member Nora Campos
Assembly Member Ken Cooley
Assembly Member Bill Dodd
Assembly Member Brian W. Jones
Assembly Member Chad Mayes
Assembly Member Freddie Rodriguez
Assembly Member Marie Waldron
Assembly Member Jim Wood



AMERICAN HELLENIC COUNCIL

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April 10th, 2015

American Hellenic Council of California
3916 Sepulveda Blvd. #107
Culver City, CA 90230

Assemblyman Richard Gordon
Chairman of the Assembly Rules Committee
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0024

Dear Assemblyman Gordon:

The American Hellenic Council of California emphatically endorses Assembly Joint Resolution 2, introduced by Assemblyman Nazarian as a means of affirming the State of California's unequivocal rejection of Genocide denial.

Supporting this piece of legislation is of particular importance to the Greek community due to our community's remarkably similar accounts of tragedy and genocide.

Beginning in 1915 the Ottoman government decided to engage in a campaign of the premeditated slaughter of its Christian citizens. As they had done with the Armenians, Ottoman authorities were forced the Greek people onto a path of gradual deterioration. Documented historical evidence points to the fact that the Ottoman government had orchestrated the destruction of millions of Greeks living alongside the Black Sea coast. Thriving Pontian communities in places like Trebizond, Sinope, and Sampsounta (present-day Trabzon, Sinop, and Samsun) now bear little to no resemblance to the inhabitants of years past. The uprooting of these peoples would continue for some years and culminate in the final exchange of persons between Turkey and Greece in 1922. At this time, hundreds of thousands of Greeks were forcibly deported from their homes in Western Anatolia. By 1925, the Turkish authorities had mostly succeeded in continuing the destruction started by their Ottoman forefathers. From that point forward, the Republic of Turkey embarked on a campaign of forced assimilation, beginning the final stages of the process of genocide. At this time, many of the Greeks and Armenians who somehow managed to evade genocide were forced to embrace state-approved names and identities, often alienating these communities from their ancestors.

Naturally, the Republic of Turkey's modern-day attempt to finish what the Ottoman Empire started by virtue of cultural genocide and denial is a problematic source of tension. These social tensions often translate to political ones. For instance, Ankara has yet to establish relationships with Armenia and Cyprus. Additionally, it regularly continues to disregard Greece's territorial integrity and airspace. Within Turkey, Greek and Armenian religious and cultural institutions are often targets of bullying by Ankara, and ultranationalist entities. Even Turks who condemn their country's past and present injustices against these communities face ostracizing. Consequently, numerous Turkish human rights organizations have voiced their

Dino Andrianos

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concerns about the increasingly intolerant and hateful atmosphere being created by the dehumanization of Greeks and Armenians as a result of the state's official policy of genocide denial.

For this reason, it is important to set the record straight on Turkey's evasive approach to its past. We must publicly excuse ourselves as committed partners in Ankara's desperate attempts to revise history. We must recognize that for Greece, Cyprus and Armenia, no sustainable partnership with the Turks is possible without the acknowledgment of basic historical facts. While Turkey claims to engage in a policy of "zero problems with neighbors", it continues to poison the hearts and minds of citizens throughout the country by institutionalizing an interpretation of history that is fundamentally at odds with reality. Continued affirmation of the truth on the part of the international community is paramount to a long-term solution of interethnic harmony among Greeks, Armenians, and Turks.

Sacramento must continue to lead the way for the rest of the country in rejecting Turkey's disregard for history. Thus, we join with our Armenian friends in urging all officials in California to continue to emphasize the importance of genocide recognition and uphold all of the points in Assembly Joint Resolution 2.

Sincerely,

Menas Kafatos
Chairman of the Board of Directors
American Hellenic Council of California

Aris Anagnos
Vice President of Political Action
American Hellenic Council of California

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Honorable Richard Gordon
Assemblymember
California State Capitol, Room 3013
Sacramento, CA 94249

March 31, 2015

Dear Assembly Member,

I have learned that resolution AJR-2 was presented to the Rules Committee as regards the so-called Armenian Genocide.

I would like to take this opportunity to share with you some information that I believe will be essential in the decision you will be giving with regard to AJR-2.

First of all, I would like to make it clear that Turkey does not deny the suffering and the losses of Armenians during World War I. As you are well aware, World War I was one of the bloodiest wars in history. While it is true that hundreds of thousands of Ottoman Armenian citizens died or were relocated within the Ottoman territories, it is also true that hundreds of thousands of Ottoman Muslim citizens died and were relocated during the same period. The suffering under war conditions affected all of the Ottoman citizens. Therefore, the memory of all those who died during World War I should be respected. I am enclosing herewith a map of relocations during the period as well as brief information about the events of 1915 for you to better understand the complexity of the situation.

Secondly, with time the allegations of the Armenians have changed. Today they not only blame the Ottoman Government but they have started to accuse the founder of Turkey and the father of all Turks Atatürk, who is respected worldwide as one of the visionary leaders of the 20th century, of continuing to commit crimes against the Armenians. They also accuse the Republic of Turkey for ethnic cleansing. These claims are neither historically correct nor acknowledged by any respectable historians around the world.

Thirdly, it is often forgotten that genocide is a specific crime defined by international law. The 1948 Convention tells us what genocide is and how it can be ascertained: a competent international tribunal can determine if an event is genocide. Such a court decision exists for the Holocaust, for Rwanda, Srebrenica, Darfur (Sudan). But no such decision exists for the events of 1915.

Moreover, The European Court of Human Rights (ECHR) in its judgment of December 17, 2013, Switzerland vs Perincek case underlined the fact that there is no consensus on the qualification of the events of 1915 as “genocide.” It also emphasized that the Holocaust and the tragic events of 1915 are quite different historically and legally.

This is why Turks are offended when their ancestors are being accused of a gravest crime of all times without any court ruling on the issue. I am sure you would be offended if someone accused you or your ancestors of committing murder without any court ruling and be hurt when they label you denier when you challenge that accusation

In fact, the word “denial” is often used intentionally to create mental images where Turks and others who challenge the Armenian national narrative are seen in the same category as those marginal individuals who deny the Holocaust. This is unfair to Turks. In fact many scholars are very much against the comparison of the Holocaust to the events of 1915. For instance, one of the world’s most respectable historians, Professor Bernard Lewis’ comments shed some light on the issue.

“The massacres (of 1915) were carried out by irregulars, by local villagers responding to what had been done to them and in number of other ways. But to make this, a parallel with the holocaust in Germany, you would have to assume the Jews of Germany had been engaged in an armed rebellion against the German state, collaborating with the allies against Germany. That in the deportation order the cities of Hamburg and Berlin were exempted, persons in the employment of state were exempted, and the deportation only applied to the Jews of Germany proper, so that when they got to Poland they were welcomed and sheltered by the Polish Jews. This seems to me a rather absurd parallel.”

Furthermore, while labeling the events as genocide may satisfy some Armenian groups, this approach does not help or even in some cases hurt the reconciliation process. The language of those genocide claims is most of the time derogatory which aims to defame Turkish nation and provoke hate for the Turks.

I am sure you are well aware of the price the Turkish community in Los Angeles had to pay for being a Turk in 70s to 90s. Their businesses were attacked, burned, bombed, physical and verbal assaults directed at them were part of their life in those times. Most tragically three Turkish diplomats were killed here in Los Angeles by Armenian terrorists.

Last but not least, I would also like you to take into consideration the Strategic Partnership between Turkey and the US. While Turkey has been a staunch ally of the US for decades, Armenia's strong ties with Russia and Iran are apparent.

Sincerely,



R. Gülru Gezer
Consul General

Q&A'S FOR ARMENIAN GENOCIDE CLAIMS

The events of 1915 has historical, psychological, political, and legal aspects. Some Armenians use political means (i.e. resolutions in Parliaments etc.) to achieve a legal outcome (genocide) with claims which are based on their ancestors' traumatic experiences 100 years ago rather than solid evidence.

Question: Does Turkey deny that mass number of Armenians suffered in the events of 1915?

No. It is true that a large number of the Armenian population suffered during and in the years leading to World War I. In his statement on April 24 2014, President of Turkish Republic Recep Tayyip Erdogan (then Prime Minister) acknowledged those sufferings and expressed feelings of sympathy and condolences for Armenians.

However, Turkey does not agree that the events were tantamount to genocide.

Question: Why does it matter if we use or not use the word "genocide" in describing the events of 1915?

Genocide is a legal term that describes the gravest crime against humanity. The term genocide cannot be used loosely to describe any incident in which there is a great number of casualties. Genocide implies that there is a perpetrator and a victim and the two are separated clearly in black and white manner. Such was the case in Holocaust. The same cannot be said for the events of 1915 as the Armenians in western Anatolia and İstanbul were not affected from the incidents. One of the world's most respectable historians, Professor Bernard Lewis' comments shed some light on the issue.

"The massacres (of 1915) were carried out by irregulars, by local villagers responding to what had been done to them and in number of other ways. But to make this, a parallel with the holocaust in Germany, you would have to assume the Jews of Germany had been engaged in an armed rebellion against the German state, collaborating with the allies against Germany. That in the deportation order the cities of Hamburg and Berlin were exempted, persons in the employment of state were exempted, and the deportation only applied to the Jews of Germany proper, so that when they got to Poland they were welcomed and sheltered by the Polish Jews. This seems to me a rather absurd parallel."

Question: How can genocide be proven?

The correct authority to raise genocide claims is an international tribunal. The International Criminal Court (ICC), governed by the Rome Statute, is the permanent, treaty based, international criminal court established to help end impunity for the perpetrators of the most serious crimes of concern to the international community including genocide.

Question: Did Armenians pursued genocide claims at ICC?

No. So far Armenians did not apply to the ICC or in any other international tribunal.

Question: Why didn't Armenians pursue legal means for their claims?

This question can be best answered by Armenians. However, we guess that they don't have solid evidence to support their claims. Armenians mostly put forward tragic personal stories of their families. These are sad stories that shall not be endured by anybody. But, these stories and other types of circumstantial evidence that Armenians use does not prove genocide.

According to the "Convention on the Prevention and Punishment of the Crime of Genocide" "genocide" means certain violent acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group.

To prove genocide one has to prove the existence of "intent" to destroy.

In a recent ICC ruling, Croatia and Serbia were cleared of genocide accusations which were raised by both parties against each other. Peter Tomka, the presiding judge from Slovakia who read out the verdicts, spoke of the killings of civilians and the widespread destruction committed by the forces from both sides. But he said the large-scale operations to displace people in the two countries did not meet the criteria for genocide. "Genocide requires the intent to destroy a group," he said, "not to inflict damage on it or to **remove the population.**"

Last year, European Court of Human Rights stated in its verdict on *Perinçek vs Switzerland* that there is no legal consensus on describing the 1915 events as genocide and the issue is open to debate.

Question: How does Turkey feel about discussing the issue before competent and impartial international authority?

In 2005 Turkey formally put forward the idea of forming a historical commission and proposed it to Armenia. The proposal foresaw the establishment of a joint commission to study the events of 1915, in the archives of Turkey and Armenia and all other relevant archives in the third countries and to share their findings with the international public.

Turkish archives are open to public research. However, the same cannot be said for the archives in Armenia or for the Armenian Revolutionary Federation's archives in Massachusetts.

Question: Did Unity and Progress Party (UPP) of Ottoman Empire (governing party at the time) intend to kill Armenian people because of their ethnicity?

The archival documents do not support such claim. The evidence suggests that by relocating Armenians from Eastern Anatolia to Southern provinces of the Ottoman Empire, UPP aimed at protecting the Empire from the existential threat of Russian invasion.

In 19th century, before WWI, Ottoman Empire lost most of its lands in nationalist minority rebellions. Though relatively small in scale Armenians too staged revolts in 19th century just like

Bulgarians, Greeks, Arabs and others. In WWI Ottoman Army was fighting in two fronts, namely the east and the west. Losing the battle in either of these fronts meant extinction for the Ottoman Empire. In the Eastern front Ottomans were fighting against Russians. Although majority of Armenians remained neutral some Armenian militia groups (like Armenian Revolutionary Federation) joined Russian ranks in fight against Ottomans, provided intelligence, attacked supply routes of the Ottoman army. Internal communications in the archives show UPP assessed that these attacks on supply routes and small revolts would cause the Ottoman Army to lose the battle in the Eastern front thus posed an existential threat to the Empire. Thus, UPP decided to remove the Armenian population from Eastern Anatolia to Southern provinces of the Empire (today's Syria and Lebanon) so that supply routes would be safe from Armenian militia attacks.

The Armenians who did not live in close proximity to supply routes (for instance the Armenian community in Istanbul) were exempt from the relocation order. It is true that the relocation was planned and executed poorly. Local gangs attacked convoys, locals sought revenge of Armenian attacks on their villages, famine and harsh winter conditions hurt the most vulnerable, women and children. All of these factors resulted in loss of life in great numbers.

Also, in 1916 the Ottoman government tried hundreds of locals, attacking Armenian convoys as well as army officers and government officials for their negligence or even participation in those attacks. Some of those who were tried received capital punishment. If the intention was to destroy why would the same government put people on trial for attacking Armenian convoys?

We may criticize the UPP for the relocation orders and find it inhumane today however, one should know that relocation of people was a tactic used before, during and after the WWI by many other countries (Japanese internment camps in US during WWII can be counted as an example for relocation). Moreover, as ICC judge Tomka stated, removing a population from a certain area is not genocide.

Question: Is it banned in Turkey to call 1915 events as genocide?

No absolutely not. People are free to discuss and describe 1915 events as they wish. There are books written in Turkish published in Turkey labeling the events as genocide (for instance journalist Hasan Cemal's book titled "1915: Armenian Genocide"). There are movies screened at Turkish theatres (for instance Fatih Akin's Cut), conferences and commemorations organized in Turkey that support Armenian genocide claims. Every individual is entitled to their opinion and express it freely on this issue. But the same cannot be said for Armenia.

Question: What is Turkey's position on reconciliation?

Turkey expressed its will to reconcile with Armenia and work towards establishing permanent peace in the Caucasus region. To this end, in 2009 Turkey signed the protocols that offer a framework to normalize the relations between Turkey and Armenia. Unfortunately, recently President Sargsyan withdrew the protocols from the consideration of the Armenian Parliament.

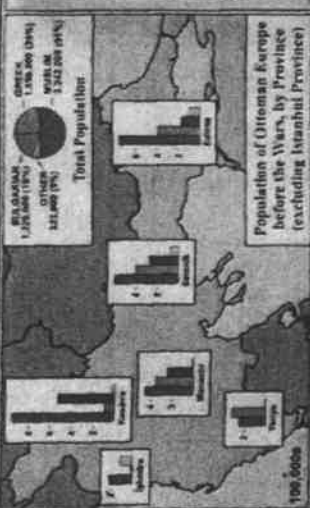
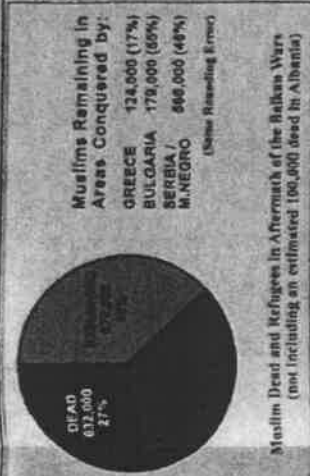
Question: How do genocide resolutions affect the reconciliation efforts?

The right authority to address genocide issue is an impartial international tribunal. While the resolutions in various Parliaments satisfy Armenian voters, they do not help or even in some cases hurt the reconciliation process. The language in most of these resolutions is derogatory which aims to defame Turkish nation. In those resolutions Turks, not a political party (UPP), not an ideology, but a nation is accused of being a genocide perpetuator. Unfortunately, some extreme Armenian groups use this rhetoric to defame Turkey and sustain hate for the Turkish nation.

In the Holocaust case, Jews and international community accurately blamed a political party, Nazis, and its leader for the crimes against humanity, not the German nation. This nuance prevented creating feeling of vendetta and hatred against Germans in the Jewish community.

In the state of California, three Turkish diplomats paid the price of being a Turk with their lives. Turkish businesses were bombed, people of Turkish descent have been subject to violent attacks or harassment.

By labeling 1915 events of genocide we disregard the suffering of Turks, Kurds and others at the hands of Armenian militia forces. The language of vendetta only produces a vicious cycle of hatred. If we were to build a common peaceful future we should not act on feelings of grudge and play a blame game.



1912-1913 Balkan Wars: Death and Forced Exile of More than 1.5 Million Muslims in Ottoman Europe

Legend:

- ↑↑↑ Bulgarian, Greek, Montenegrin, and Serbian Invasions
- ↑ Turkish and Albanian Refugees
- Representative Attacks on Turks and Albanians, according to British Consuls

Key Locations and Events:

- MONTE-NEGRO:** Great Moravia, Northern Albania Nearly Destroyed
- SERBIA:** Presevo 5,000 killed
- BULGARIA:**
 - Helinik Radovik: most Muslim villages plundered or destroyed
 - Kostanovo: 1,200 returning refugees killed or die of starvation and disease
 - Debar: 2,000 killed
 - Bitola: 80% of Muslim Villages Wholly or Partly Destroyed
 - Kumanovo-Skopje: 5,000 killed
 - Crimch-Patrich: 1,500 returning refugees killed
 - Drama: surrendered, wounded soldiers nearly all killed
 - Half of 1,500 refugees from Drama killed or died of disease and starvation
 - Same: 3,000 killed or died of disease and starvation
 - Kevala: 7,000 refugees killed
 - 3,000 killed
 - Edirne: 25,000 soldiers who surrendered killed or otherwise forced to death
 - Thrace Region: 200,000 killed or died of disease or starvation
- OTTOMAN EMPIRE:**
 - Refugees return to Western Thrace, 1913
 - Refugees Rescued by Ship
 - to Egypt
 - To Northwest Provinces
 - To Adgeon Province
 - To Mughlenian Provinces

TP&J COM. IN CALIFORNIA

Turkish Peace and Justice Committee California

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April 14, 2011

From: Turkish Peace and Justice Committee

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(530) 297-1655

To: Assembly Rules Committee.

Regarding :Oppose A.J.R. No. 2 "Armenian Genocide"

Honourable Chairman Richard Gordon

Every years every year this type of resolution is introduced. In the history of California legislation, there is no other genocide resolution that has been continuously introduced. This is nothing but hate propaganda to demonizing the Turkish nation and nationality. Procedural hearing held, committee member whom attending the meeting made up their mind before entering the room. This indicates that all those years Armenian Diaspora succeed in indoctrinating assembly members as well. Mentality is, if you are Turks, you must have done it. This is similar to "if you are black you must have done it, and you are criminals." Today one third of the black youngsters have been incarcerated. In statistic indicates that same crime white kids gets more lenient or no punishment.

Honorable chair, this is not an Armenian-Turkish conflict. We have no problems with Armenians or Armenian-Americans we have problems with a dysfunctional government that can be influenced and manipulated by the special interests like the Armenian Diaspora. Even though there are a few legislators who are exceptions, they are not effective against majority.

Over twelve years I am coming and testifying before the committee, introducing documents after documents that no one cares to read. The Turkish community believes

that CA legislators are unjust to us and they believe that legislators are self-centered therefore they have lost their confidence in the CA legislature.

We Turkish communities in California are a minority and have no political strength to fight against this accusation. And politicians who are supposed to support minority rights have not been carrying out their responsibility.

Lawmakers believe that in saying yes to the so-called Armenian genocide resolution they are sympathizing with Armenians that had a difficult time during World War 1. They do not know that they are propagating ancient hate from generation to generation. In addition, this falsified genocide is indoctrinated into CA school children. Unfortunately we are locked out of the system with no way to correct this misinformation and stop hate propaganda.

Due to the dysfunctional legislature in CA, we have been discriminated against everywhere, in every level of the public and private sector. I am not going to list hundreds of affidavits in here. I challenge you to get me into a conference room for a two-day conference during weekdays in UC LA for me to discuss so called Armenian Genocide. I will include any Armenian scholar willing to participate.

You might find some of these statements strong. It is not my intention to offend anybody. Unfortunately, facing the reality is sometimes difficult.

I will be testifying at the Assembly Rules committee hearing. Please give me proper time to response this allegations.

Respectfully yours,

Karahan Mete

Attached:

UN genocide convention

On December 11, 1946, the United Nations General Assembly voted unanimously to declare genocide as a crime under international law. Nearly a year later, on December 9, 1947, the same assembly unanimously adopted what is known as the "Genocide Treaty."

The Treaty (also called the “Genocide Convention”) was signed by President Reagan on November 1. On December 9, 1988, the treaty was ratified by the United States of America—and became an important law of the land.

Whatever California lawmaker’s personal beliefs might be but they have no right to call 1914 Armenian uprising as genocide and use genocide word officially. Someone cannot be called a murderer unless the person is found guilty in a court of law. Without judgment calling a person a murderer is slander and slander is a crime.

Genocide is a crime against humanity and punishable by The International Court of Justice (ICJ), which is the principal judicial organ of the United Nations (UN), functioning according to its statute, which forms an integral part of the UN Charter.

There is no judgment by the international court on the Armenian issue. Therefore, whatever California lawmakers’ personal beliefs is, the State of California and lawmakers have no right to officially declare the 1914 Armenian uprising a genocide.

Some of Armenian and US documents:

From former Armenian Prime Minister Katchaznuni when he addressed the Armenian assembly in Bucharest. July, 1923.

“In the Fall of 1914 Armenian volunteer bands organized themselves and fought against the Turks because they could not refrain themselves from organizing and refrain themselves from fighting. This was in an inevitable result of a psychology on which the Armenian people had nourished itself during an entire generation:

We had no doubt that the war would end with the complete victory of the Allies; Turkey would be defeated and dismembered, and its Armenian population would at last be liberated.

We had created a dense atmosphere of illusion in our minds. We had implanted our own desires into the minds of others; we had lost our sense of reality and were carried away with our dreams”.

If you are willing to learn about so called Armenian genocide the answer is in your archives. The next one is from the U.S. archives; Ambassador Morgenthau accused Ottoman Turks of massacring Armenians; the U.S. government was rightfully concerned and sent M.L. Bristol, Rear Admiral, US Navy, United States High Commissioner to the region to investigate these allegations.

This is what he reported back to the US.

“I see that reports are being freely circulated in the United States that the Turks massacred thousands of Armenians in the Caucasus. Such reports are repeated so many

times it makes my blood boil. The Near East reliefs have the reports from Yarrow and our own American people, which show that such Armenian reports are absolutely false. The circulation of such false reports in the United States, without refutation, is an outrage...”

Source: US Library of Congress: Bristol's Papers – General

Correspondence, Container #34, dated 28 March 1921.