

Executive Office of The President
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Subject/Description: MORE IMPORTANT MAIL ADDRESSED TO THE
PRESIDENT SENT TO IGA - AUG 16 11 THE HONORABLE
JOHN P. DE JONGH, JR. - VIRGIN ISLAND - JUL 13 11
KURT BROWING - TALLAHASSEE, FLORIDA - JUN 20 11
KURT BROWNING - TALLAHASSEE, FLORIDA - JUN 21 11
KURT BROWNING - TALLAHASSEE, FLORIDA - JUN 21 11
KURT BROWING- TALLAHASSEE,FLORIDA- JUN 21 11
BONNIE YEARSLEY - DOROTHY, NJ - JUN 20 11
GREGORY SCHMIDT - SACRAMENTO CALIFORNIA - JUL
12 11 UTAH LEGISLATIVE BILLROOM - SALT LAKE CITY,
UTAH - MAY 10 11

THE WHITE HOUSE
OFFICE OF RECORDS MANAGEMENT

MEMORANDUM TO: Valence JARREPP IGA

FROM: **FRANCES CAMPBELL**
DOCUMENT TRACKING UNIT

SUBJECT: **MORE IMPORTANT MAIL ADDRESSED**
TO THE PRESIDENT

BATCH NUMBER: 1062 386

DATE: 8/16/11

FG006-01

FOR YOUR INFORMATION
DOCUMENT(S) NOT TRACKED

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THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR
GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802
340-774-0001

July 13, 2011

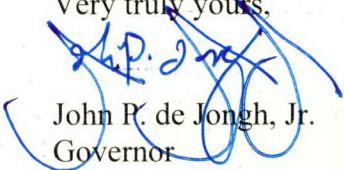
The Honorable Barack H. Obama
President of the United States of America
Executive Office of the President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

**RE: Appointment of Natural Resources Trustee for
the United States Virgin Islands**

Dear President Obama:

Please be advised that, pursuant to Section 107(f)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), 42 U.S.C. § 9607(f)(2), Section 1006(b) of the Oil Pollution Act of 1990 ("OPA"), 33 U.S.C. § 2706(b), and Executive Order 12580, I have designated the Honorable Alicia V. Barnes, Commissioner of the Virgin Islands Department of Planning and Natural Resources, as Trustee for Natural Resources for the Territory of the United States Virgin Islands, in substitution for Robert Mathes, effective as of July 08, 2011. As the newly designated Trustee, on behalf of the Territory of the United States Virgin Islands, Ms. Barnes shall exercise all authority and perform all duties of a Trustee set forth in CERCLA, OPA, the Federal Water Pollution Control Act (a/k/a the "Clean Water Act"), 33 U.S.C. §§ 1251-1387, and any and all other federal and/or territorial statutory and/or common laws.

Very truly yours,


John P. de Jongh, Jr.
Governor

pc: Lisa P. Jackson, EPA Administrator

THE UNITED STATES VIRGIN ISLANDS

OFFICE OF THE GOVERNOR

GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802



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The Honorable Barack H. Obama
President of the United States of America
Executive Office of the President
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

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FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KURT S. BROWNING
Secretary of State

June 20, 2011

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

Dear Mr. President:

As directed by the Legislature of the State of Florida, the Florida Department of State is pleased to enclose a copy of Senate Memorial 1654, adopted during Regular Session of the Florida Legislature. This memorial notifies the Federal Government of colleges and universities in Florida which are authorized to operate educational programs beyond the secondary level.

Liz Cloud, Program Administrator of the Florida Department of State, Division of Library and Information Services' Laws, Code, and Weekly section, will be happy to answer any questions you may have or provide additional information on Memorials adopted by the Florida Legislature. She can be contacted at 850.245.6270.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt S. Browning".

Kurt S. Browning
Secretary of State

KSB/jw

Enclosure

ENROLLED



589-03792-11

Committee Substitute for

20111654c1

Senate Memorial 1654

A memorial to notify the Federal Government of colleges and universities in this state which are authorized to operate educational programs beyond the secondary level.

WHEREAS, On October 29, 2010, the United States Department of Education issued its Final Rule on Program Integrity Issues, 75 Federal Register 66832 et seq., which includes amendments to regulations at 34 Code of Federal Regulations s.

600.9(a)(1)(i)(A) requiring that educational institutions not created by the state be "established by name as an educational institution by a State through a charter, statute, constitutional provision, or other action..." and be "authorized to operate educational programs beyond secondary level, including programs leading to a degree or certificate," and

WHEREAS, the Legislature chose to exempt from the jurisdiction or purview of the Commission for Independent Education "any institution that is under the jurisdiction of the Department of Education, eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees," pursuant to s. 1005.06(1)(c), Florida Statutes, and

WHEREAS, all institutions exempted from the jurisdiction or purview of the Commission for Independent Education through accreditation by the Commission on Colleges of the Southern



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30 Association of Colleges and Schools must meet state requirements
31 regarding fair consumer practices under s. 1005.04, Florida
32 Statutes, meet annual reporting requirements with respect to
33 crime statistics and physical plant safety under ss.

34 1005.04(1)(g) and 1013.11, Florida Statutes, and adopt hazing
35 policies and rules under s. 1006.63, Florida Statutes, and

36 WHEREAS, all institutions that are exempt from the
37 jurisdiction or purview of the Commission for Independent
38 Education under s. 1005.06(1)(c), Florida Statutes, may
39 participate in one or more state-funded student financial aid
40 programs subject to audit by the Florida Department of
41 Education, including, but not limited to, the Florida Private
42 Student Assistance Grant Program pursuant to s. 1009.51, Florida
43 Statutes, the Florida Bright Futures Scholarship Program
44 pursuant to s. 1009.53, Florida Statutes, and the William L.
45 Boyd, IV, Florida Resident Access Grant Program pursuant to s.
46 1009.89, Florida Statutes, and

47 WHEREAS, the institutions that are eligible to participate
48 in Florida's student financial aid programs include: Ave Maria
49 University, Barry University, Beacon College, Bethune-Cookman
50 University, Clearwater Christian College, Eckerd College, Edward
51 Waters College, Embry-Riddle Aeronautical University, Flagler
52 College, Florida College, Florida Hospital College of Health
53 Sciences, Florida Institute of Technology, Florida Memorial
54 University, Florida Southern College, Hodges University,
55 Jacksonville University, Lynn University, Nova Southeastern
56 University, Palm Beach Atlantic University, Ringling College of
57 Art and Design, Rollins College, Saint Leo University,
58 Southeastern University, St. Thomas University, Stetson



589-03792-11

20111654c1

University, University of Miami, University of Tampa, Warner
University, Webber International University, Keiser University,
and Everglades University, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the 2011 Florida Legislature respectfully informs the
United States Department of Education that the colleges and
universities named in this memorial are authorized to operate
educational programs beyond the secondary level.

BE IT FURTHER RESOLVED that copies of this memorial be
dispatched to each college and university named in this
memorial, to the United States Secretary of Education, to the
President of the United States, to the President of the United
States Senate, to the Speaker of the United States House of
Representatives, and to each member of the Florida delegation to
the United States Congress.

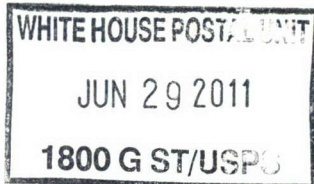
Filed in Office of the Secretary of State June 13, 2011.



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning
Secretary of State

R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250



The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

FIRST CLASS



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FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KURT S. BROWNING
Secretary of State

June 21, 2011

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

Dear Mr. President:

As directed by the Legislature of the State of Florida, the Florida Department of State is pleased to enclose a copy of Senate Memorial 218, adopted during Regular Session of the Florida Legislature. This memorial urges Congress to dedicate penalties collected from parties responsible for the Deepwater Horizon oil disaster to repairing the environmental and economic damage caused by the disaster.

Liz Cloud, Program Administrator of the Florida Department of State, Division of Library and Information Services' Laws, Code, and Weekly section, will be happy to answer any questions you may have or provide additional information on Memorials adopted by the Florida Legislature. She can be contacted at 850.245.6270.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt S. Browning", written over a circular stamp.

Kurt S. Browning
Secretary of State

KSB/jw

Enclosure

ENROLLED



4-00270-11

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Senate Memorial 218

A memorial to the Congress of the United States,
urging Congress to dedicate penalties collected from
parties responsible for the Deepwater Horizon oil
disaster to repairing the environmental and economic
damage caused by the disaster.

WHEREAS, on the night of April 20, 2010, there was an
explosion at the Deepwater Horizon oil rig which caused at least
170 million gallons of oil to spill into the Gulf of Mexico over
the course of several months and wash up onto the coastlines of
the five Gulf states, and

WHEREAS, this man-made disaster spoiled portions of
Florida's coastline and waterways and devastated its fishing and
tourism industries, and

WHEREAS, this man-made disaster has directly resulted in
the loss of jobs and business for Floridians, and

WHEREAS, a preliminary study by the University of Central
Florida predicted job losses of 195,000 and spending losses of
\$10.9 billion if Florida's 23 counties along the Gulf Coast lose
50 percent of their tourism and leisure jobs and spending, and

WHEREAS, that preliminary study also predicted job losses
of 39,000 and spending losses of \$2 billion if those same
counties lose 10 percent of their tourism and leisure jobs and
spending, and

WHEREAS, despite clean-up efforts, oil remains buried in
the sand on the Gulf states' coastlines and in the waters
offshore, and

WHEREAS, the amount of oil remaining in the Gulf waters is



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2011218__

30 still unknown and some researchers have discovered oil below the
31 sea's surface, including on the ocean floor, and

32 WHEREAS, although seafood caught off of Florida's coast is
33 safe to eat and approximately 90 percent of the fishing closures
34 in federal waters have been lifted, the long-term effect on the
35 Gulf's sea life is still unknown, and

36 WHEREAS, under current law, any civil penalties recovered
37 pursuant to the Clean Water Act must be deposited into the Oil
38 Spill Liability Trust Fund to be used for clean-up and response
39 efforts for future oil spills, and

40 WHEREAS, United States Secretary of the Navy, Ray Mabus,
41 recommended that Congress dedicate a significant portion of any
42 civil penalties recovered under the Clean Water Act to providing
43 assistance for the region where the damage from the disaster
44 occurred, NOW, THEREFORE,

45
46 Be It Resolved by the Legislature of the State of Florida:

47
48 That the Legislature requests the United States Congress to
49 enact legislation that permits any civil penalties recovered
50 under the Clean Water Act due to the Deepwater Horizon oil
51 disaster to be distributed in the following manner:

52 (1) Deposited into a newly created Gulf Coast Recovery
53 Fund, which is managed by a Gulf Coast Recovery Council and used
54 to provide assistance for long-term environmental and economic
55 recovery in the Gulf;

56 (2) Directed to the five Gulf states to enable each state
57 to pursue its own recovery efforts; and

58 (3) Deposited into the Oil Spill Liability Trust Fund for



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59 future recovery efforts.

60 BE IT FURTHER RESOLVED that copies of this memorial be
61 dispatched to the President of the United States, to the
62 President of the United States Senate, to the Speaker of the
63 United States House of Representatives, and to each member of
64 the Florida delegation to the United States Congress.

Filed in Office of the Secretary of State June 13, 2011.



FLORIDA DEPARTMENT OF STATE

Kurt S. Browning
Secretary of State

R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

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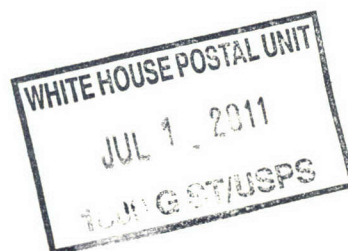
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JUN 22 2011

MAILED FROM ZIP CODE 32317



The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

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JUN 28 2011



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KURT S. BROWNING
Secretary of State

June 21, 2011

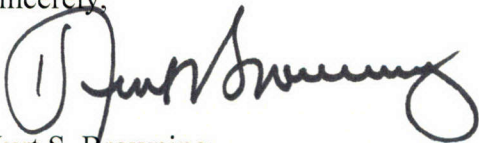
The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

Dear Mr. President:

As directed by the Legislature of the State of Florida, the Florida Department of State is pleased to enclose a copy of House Memorial 9, adopted during Regular Session of the Florida Legislature. This memorial urges Congress to support the marketing of Florida seafood.

Liz Cloud, Program Administrator of the Florida Department of State, Division of Library and Information Services' Laws, Code, and Weekly section, will be happy to answer any questions you may have or provide additional information on Memorials adopted by the Florida Legislature. She can be contacted at 850.245.6270.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kurt S. Browning", written over a circular embossed seal.

Kurt S. Browning
Secretary of State

KSB/jw

Enclosure



HM 9

2011

House Memorial 9

A memorial to the Congress of the United States, urging Congress to support the marketing of Florida seafood.

WHEREAS, Florida seafood products face constantly increasing domestic competition from imported seafood products, with more than 80 percent of the total seafood consumed in the United States currently originating in foreign countries, and

WHEREAS, effective domestic marketing of Florida seafood in the face of aggressive competition from foreign products requires innovative, forceful, and consistent promotion, and

WHEREAS, current annual funding for the domestic promotion of Florida seafood is insufficient to effectively develop the thriving markets that sustainable Florida seafood products merit, especially when competing with nationally supported promotional programs aimed at United States consumers by rival seafood-producing countries, and

WHEREAS, duties and tariffs on imported seafood products generate approximately \$280,000,000 annually for the United States Treasury, and

WHEREAS, revenue from anti-dumping and countervailing duties on imported seafood products collected by the Federal Government total hundreds of millions of dollars annually, and

WHEREAS, federal revenue derived from the importation of competing seafood products is not presently made available for the marketing of seafood harvested and produced domestically, and



HM9

2011

28 WHEREAS, using a portion of the revenue collected on the
29 importation of foreign seafood products to promote United States
30 seafood to domestic consumers will secure United States
31 fisheries and seafood processing jobs, create robust and
32 enduring domestic markets, and greatly enhance the nutritional
33 value of national diets, and

34 WHEREAS, throughout recent history each spill or leak
35 associated with the transportation or production of oil
36 negatively affects the seafood industry through the closure of
37 commercial and recreational fishing operations, the destruction
38 of wildlife and natural habitat, or loss of market share, and

39 WHEREAS, in a recent survey conducted by the University of
40 Minnesota, 54 percent of respondents said the Deepwater Horizon
41 oil spill has affected their seafood consumption habits
42 somewhat, 44 percent said they will not eat seafood from the
43 Gulf of Mexico, and 31 percent said they will eat less seafood
44 regardless of its origin, and

45 WHEREAS, a new National Seafood Marketing Fund designed to
46 promote and develop United States produced seafood would help
47 the United States seafood industry now and in the future recoup
48 damages related to oil spills that result in decreased market
49 demand for seafood, and

50 WHEREAS, a small portion of oil revenues are a logical
51 source of funding for a National Seafood Marketing Fund as
52 mitigation for real damages incurred by the seafood industry and
53 coastal communities, NOW, THEREFORE,

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55 Be It Resolved by the Legislature of the State of Florida:



HM 9

2011

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That the Congress of the United States is requested to allocate moneys generated from federal marine and fishery product import tariffs for the domestic marketing of Florida seafood.

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BE IT FURTHER RESOLVED that the Congress of the United States is urged to pass legislation dedicating a significant portion of marine and fishery product import tariffs to a national seafood marketing fund to promote domestic seafood products that face competition from foreign imports.

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BE IT FURTHER RESOLVED that the Florida Congressional Delegation is urged to work with representatives of other seafood-producing states to secure adequate funding for effective and sustained domestic marketing of United States seafood.

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BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

Filed in the Office of the Secretary of State on June 9, 2011.



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State

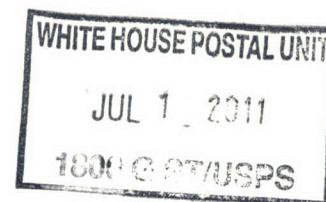
R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

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JUN 28 2011





FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KURT S. BROWNING
Secretary of State

June 21, 2011

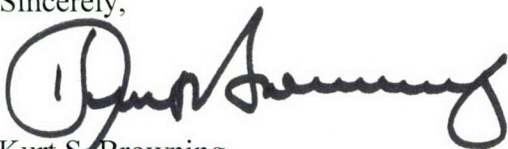
The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

Dear Mr. President:

As directed by the Legislature of the State of Florida, the Florida Department of State is pleased to enclose a copy of House Memorial 1047, adopted during Regular Session of the Florida Legislature. This memorial urges the United States Department of the Treasury to withdraw a proposed rule on nonresident alien accounts and Congress to hold certain hearings on the proposed rule.

Liz Cloud, Program Administrator of the Florida Department of State, Division of Library and Information Services' Laws, Code, and Weekly section, will be happy to answer any questions you may have or provide additional information on Memorials adopted by the Florida Legislature. She can be contacted at 850.245.6270.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt S. Browning".

Kurt S. Browning
Secretary of State

KSB/jw

Enclosure



HM 1047

2011

House Memorial 1047

A memorial urging the United States Department of the Treasury to withdraw a proposed rule on nonresident alien accounts and Congress to hold certain hearings on the proposed rule.

WHEREAS, Florida is the gateway to the Americas and, as such, has promoted international trade and finance, and

WHEREAS, the United States has had a long policy to encourage nonresident aliens to deposit their funds into financial institutions in the United States so that these funds can be used to foster growth, encourage economic development, and create jobs in Florida and the United States, and,

WHEREAS, the federal law does not permit the taxation of the deposit account of a nonresident alien, and

WHEREAS, the United States Commerce Department has stated that foreigners have deposited nearly \$3 trillion in United States banks and with securities brokers, and

WHEREAS, this policy has led to the influx of tens of billions of nonresident alien dollars being deposited in Florida banks, and

WHEREAS, the Treasury Department has issued proposed Internal Revenue Service regulation REG-146097-09 that will require United States and Florida financial institutions to report interest earned on the nonresident alien deposits so that this information can be reported to the nonresident alien's home country, and



HM 1047

2011

28 WHEREAS, many nonresident alien accounts were established
29 in Florida by individuals from Latin America because many
30 nonresident aliens do not trust the privacy of the financial
31 institutions in their home countries, fear kidnappings and
32 extortion when such financial information is revealed, and are
33 concerned about the viability of their home country's economy
34 and thus have transferred their money to the safety and
35 soundness of the United States' financial system, and

36 WHEREAS, the adoption of the rule will place United States'
37 and Florida's financial institutions at a competitive
38 disadvantage relative to the banks of foreign countries and will
39 result in significant withdrawals of foreign deposits from our
40 financial institutions, and

41 WHEREAS, the withdrawal of these nonresident alien deposits
42 from Florida's financial institutions will drive job-creating
43 capital out of Florida and cause a further, deepening banking
44 and economic crisis in Florida and the United States, NOW,
45 THEREFORE,

46
47 Be It Resolved by the Legislature of the State of Florida:

48
49 That the Legislature requests that the United States
50 Treasury Department withdraw proposed Internal Revenue Service
51 regulation REG-146097-09.

52 BE IT FURTHER RESOLVED that the United States Congress hold
53 hearings to examine the negative effects of the proposed rule on
54 the economies of the United States and Florida and the expense
55 to financial institutions.



HM 1047

2011

56 BE IT FURTHER RESOLVED that copies of this memorial be
57 dispatched to the President of the United States, to the
58 President of the Senate, to the Speaker of the United States
59 House of Representatives, to each member of the Florida
60 delegation to the United States Congress, and to the United
61 States Secretary of the Treasury.

Filed in the Office of the Secretary of State on June 9, 2011.



FLORIDA DEPARTMENT OF STATE
Kurt S. Browning
Secretary of State

R. A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399-0250

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue Northwest
Washington, DC 20500

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JUN 28 2011

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Weymouth Township

Atlantic County

DOROTHY, NEW JERSEY 08317

THE ATTACHED
~~ORDINANCE~~/RESOLUTION
WAS ADOPTED BY
THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WEYMOUTH
AT A MEETING HELD ON

THE 1st DAY OF June, 2011

Bonnie S. Yearsley
Bonnie S. Yearsley, CMC
Township Clerk.

**WEYMOUTH TOWNSHIP
ATLANTIC COUNTY
NEW JERSEY**

RESOLUTION NO. 57-2011

**A RESOLUTION REGARDING THE REWARD FOR THE APPREHENSION OR
CONVICTION OF Usama Bin Laden**

WHEREAS, Usama Bin Laden was responsible for the planning and execution of terrorist attacks on United States Embassies throughout the world and for the attack on the World Trade Center here in the United States on September 11, 2001, and

WHEREAS, These attacks killed thousands of American citizens, and

WHEREAS, The Federal Bureau of Investigation within the United States of America offered a reward of up to \$25 million for information leading directly to the apprehension or conviction of Usama Bin Laden, and

WHEREAS, On May 1, 2011, Navy Seal Team 6 did execute a raid on a compound in Pakistan which resulted in the death of Usama Bin Laden,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of Weymouth Township that they do urge the Federal Government of the United States of America to award the \$25 million reward money posted by the FBI to United States Military Aid Organizations to benefit veterans injured in fighting currently ongoing in Afghanistan and Iraq.

BE IT ALSO RESOLVED, That copies of this Resolution be directed to the President of the United States, Barack Obama, United States Senators, Frank Lautenberg and Robert Menendez, United States Congressman, Frank LoBiondo and New Jersey Governor, Chris Christie.

WEYMOUTH TOWNSHIP

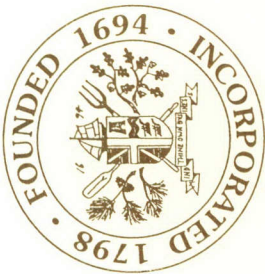
BY _____

Frank C. Craig, Mayor

This is to certify that the foregoing Resolution is an exact copy of a Resolution which was duly adopted by the Township Committee of Weymouth Township at a Regular Meeting of that body which was held on June 1, 2011.

Attest: _____

Bonnie S. Yearsley
Bonnie S. Yearsley, CMC
Weymouth Township Clerk



WEYMOUTH TOWNSHIP
45 SOUTH JERSEY AVENUE
DOROTHY, NJ 08317



President of the United States
Barack Obama
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

"MIND THINE OWN BUSINESS"



485

JUN 29 2011 485

JUN 29 2011

✓#033





Secretary of the Senate

GREGORY SCHMIDT

ROOM 3044, STATE CAPITOL
SACRAMENTO, CA 95814

(916) 651-4171

July 12, 2011

The Honorable Barack H. Obama
President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear President Obama:

I am hereby transmitting to you a copy of the following Senate
Joint Resolution which was recently adopted by the California
State Senate:

SJR 6 – Relative to survivors of torture

Sincerely,


GREGORY P. SCHMIDT
Secretary of the Senate

Senate Joint Resolution No. 6

RESOLUTION CHAPTER 45

Senate Joint Resolution No. 6—Relative to survivors of torture.

[Filed with Secretary of State July 7, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 6, Kehoe. Survivors of torture.

This measure would declare June 26, 2011, a Day in Support of Victims of Torture in California, and would urge the Office of Refugee Resettlement to direct torture treatment funding through the Torture Victims Relief Act of 1998 so as to reflect California's role as the nation's largest resettlement destination for torture survivors.

WHEREAS, Approximately 100,000 residents of the State of California have found refuge here after enduring politically motivated torture in their home countries; and

WHEREAS, These survivors of torture bring their remarkable fortitude, resiliency, and powerful personal histories to their new state; and

WHEREAS, Many of these survivors have contributed greatly to California's communities, economy, cultural vibrancy, and understanding of the importance of human rights through opening businesses, performing professional services, founding charitable organizations, speaking out about their experiences, and volunteering on behalf of others; and

WHEREAS, These contributions come in spite of the lingering physical, emotional, and social impacts of enduring torture; and

WHEREAS, Studies and clinical reports on the consequences of torture have been found to include, but are not limited to, scarring, disfiguration, chronic pain, nightmares, insomnia, flashbacks, hypervigilance, difficulty forming relationships of trust, depression, panic attacks, and startle responses; and

WHEREAS, Absent access to appropriate care, these ongoing effects of torture can prevent or undermine the ability and desire of torture survivors to restore their dignity and thrive as productive members of their new California communities; and

WHEREAS, Treating the unique impact of torture on survivors requires highly specialized, holistic treatment; and

WHEREAS, California played a key role in the development of the torture treatment field in the late 1970s and early 1980s under the leadership of Dr. Jose Quiroga and Ana Deutsch, themselves refugees who fled from incidents of torture in Chile and Argentina, respectively, came to Los Angeles, and there went on to found the Program for Torture Victims (PTV) in order to

attend to the unique panoply of physical, emotional, and legal challenges faced by their fellow survivors; and

WHEREAS, California today is home to the largest number of torture treatment centers in the United States, including, but not limited to, the affiliates of the California Consortium of Torture Treatment Centers—the Center for Justice and Accountability in San Francisco; the Center for Survivors of Torture, Asian Americans for Community Involvement in San Jose; the Institute for Redress and Recovery at Santa Clara University; the Institute for the Study of Psychosocial Trauma in Palo Alto; Program for Torture Victims in Los Angeles; the Torture Survivors Project at the Legal Aid Foundation of Los Angeles; Survivors International in San Francisco; and Survivors of Torture, International in San Diego; and

WHEREAS, These centers collectively serve around 1,000 torture survivors annually; and

WHEREAS, These torture treatment programs rely heavily on the volunteerism of local professionals—among them doctors, psychologists, psychiatrists, dentists, physical therapists, interpreters, lawyers, masseurs, plastic surgeons, and others—to provide holistic treatment far beyond the capacities of the centers' limited staffs and budgets; and

WHEREAS, Each year hundreds of California professionals donate thousands of hours of their time to acquire the necessary specialized training and assist torture survivors to heal; and

WHEREAS, Each year hundreds of Californians make charitable financial contributions to help make the services of these nonprofit centers possible at no charge to the survivors; and

WHEREAS, The Mental Health Services Oversight and Accountability Commission (MHSOAC) could use state-level public sector avenues to improve regional services for torture survivors by working with counties to include torture treatment in county mental health plans; and

WHEREAS, Data from the federal Office of Refugee Resettlement (ORR) demonstrates that California has been the top destination in the country for humanitarian immigrants (25 percent of all refugees since 1975, and 28 percent of all asylees in the federal fiscal year 2009, according to ORR and the California Refugee Programs Bureau), many of whom are torture survivors, but funding to provide adequate services for those refugees has been insufficient because the federal Torture Victims Relief Act of 1998 has not been fully funded by Congress and ORR has not distributed domestic torture treatment under the Torture Victims Relief Act of 1998 formulas to provide adequate funding to areas that serve disproportionate populations of formerly tortured refugees; and

WHEREAS, On June 26, 1997, the United Nations General Assembly marked the 10th anniversary of its adoption of the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by establishing that date, annually, as International Day in Support of Victims of Torture; and

WHEREAS, The Legislature hereby acknowledges the widespread presence of survivors of torture residing throughout the State of California; and

WHEREAS, The Legislature welcomes and commends the contributions survivors of torture make to California's communities, economy, and cultural vibrancy; and

WHEREAS, The Legislature expresses its pride in California's emerging legacy as a place of refuge and healing for those who have endured torture; and

WHEREAS, The Legislature undertakes to encourage the further development of torture treatment services throughout the state by honoring professionals and volunteers who have dedicated their time to the treatment of torture survivors; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges ORR to direct torture treatment funding through the Torture Victims Relief Act of 1998 so as to reflect California's role as the nation's largest resettlement destination for torture survivors; and be it further

Resolved, That June 26, 2011, be declared a Day in Support of Victims of Torture in California; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the author for appropriate distribution.

Secretary of the Senate
STATE CAPITOL
SACRAMENTO, CA 95814



The Honorable Barack H. Obama
President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

20500+0001



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NOT SURE IF
ENVELOPE IS
ASSOCIATED
w/ CORRESPONDENCE

May 10, 2011

As instructed, we are sending an enrolled copy of a Legislative Resolution from the
State of Utah's 2011 General Legislative Session.

If you have any questions regarding this bill, please feel free to call

Legislative Printing: (801) 538-1103 or

Legislative Research: (801) 538-1032.

W.B.
L. (signature)

1 **SELECTIONS OF UNAPPROPRIATED FEDERAL LANDS**

2 **JOINT RESOLUTION**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Roger E. Barrus**

6 Senate Sponsor: Scott K. Jenkins

7

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature urges Congress to adopt legislation authorizing
11 Western States to make selections of public land within their borders under certain
12 circumstances.

13 **Highlighted Provisions:**

14 This resolution urges Congress to adopt legislation authorizing Western States to make
15 selections of public land within their borders in lieu of receiving 5% of the proceeds of
16 the sale of public land lying within the state as provided by certain states' enabling acts.

17 **Special Clauses:**

18 None

19

20 *Be it resolved by the Legislature of the state of Utah:*

21 WHEREAS, for purposes of this resolution:

22 (1) "Federally owned land" means all land held in the name of the United States or any
23 agency of the United States, including land held in trust, United States military reservations,
24 Indian reservations, and any other land used for federal purposes.

25 (2) (a) "Unappropriated public lands" means all land under the management and
26 control of the Bureau of Land Management or United States Forest Service.

27 (b) "Unappropriated public lands" do not include lands which are:

28 (i) held in trust;

29 (ii) located within a United States military reservation;

- (iii) a unit of the National Park System;
- (iv) a Wildlife Refuge;
- (v) a Wilderness Area designated by Congress; or
- (vi) a National Historic Site.

(3) "Western States" means Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming.

WHEREAS, Western States, as a group, are falling behind in education funding as measured from 1979 to 2007 by growth of real per pupil expenditures of 56% compared to 92% in the remaining states;

WHEREAS, 11 of the 17 states with the lowest real growth in per pupil expenditures are Western States;

WHEREAS, one effect of less funding for public education in the West is higher pupil-per-teacher ratios;

WHEREAS, nine of the 12 states with the largest pupil-per-teacher ratios are Western States;

WHEREAS, on average, the 13 Western States have 3.7 more students per classroom than the remaining 37 states;

WHEREAS, between 2012 and 2018, the rate of enrollment growth in Western States is projected to increase 9%, while the rate of enrollment growth in other states is projected to increase by only 3.3%;

WHEREAS, state and local taxes of Western States, as a percentage of personal income, are as high as or higher than other states;

WHEREAS, despite the fact that Western States tax at a comparable rate and allocate nearly as much of their budgets to public education as other states, Western States have lower real growth in per pupil expenditures and have higher pupil-per-teacher ratios;

WHEREAS, the federal government is the source of and has the potential to solve the problem because of the enormous amount of federally owned land in Western States;

WHEREAS, all states east of an imaginary vertical line from Montana to New Mexico

58 have, on average, 4.1% of their land federally owned, while the Western States on average have
59 51.9% of their land federally owned;

60 WHEREAS, many of the Acts enabling the people of American West territories to form
61 their constitutions and state governments and providing for the admission of those states into
62 the Union on equal footing with the original states, included a common provision of which the
63 following example is typical: "That five per centum of the proceeds of the sales of public land
64 lying within said state, which shall be sold by the United States subsequent to the admission of
65 said State into the Union, after deducting all the expenses incident to the same, shall be paid to
66 the said state, to be used as a permanent fund, the interest of which only shall be expended for
67 the support of the common schools within said state.";

68 WHEREAS, the plain language of these enabling acts proclaims that the public land
69 shall be sold by the United States subsequent to the admission of the states into the Union;

70 WHEREAS, the United States honored this language by selling public land within the
71 Western States until the passage of the Federal Land Policy and Management Act of 1976,
72 wherein Congress declared that the policy of the United States was to retain public land in
73 federal ownership and management;

74 WHEREAS, the United States has broken its solemn compact with the Western States
75 and breached its fiduciary duty to the school children who are designated beneficiaries of the
76 sale of public land under the terms of the respective enabling Acts of many Western States;

77 WHEREAS, the current shortfall in funding public education in the Western States
78 requires immediate Congressional action to remedy this discriminatory federal land policy and
79 prevent the further disadvantaging of the school children of the Western States; and

80 WHEREAS, the most efficient and cost effective remedy now available to the United
81 States is to grant to the Western States 5% of the remaining federally owned land located
82 within each state and authorize each state to select land from the unappropriated public land of
83 the United States within the boundaries of each state to satisfy the grant:

84 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
85 urges Congress to adopt legislation that would include the following provisions:

86 (1) instead of receiving, for the support of the common schools, 5% of the proceeds of
87 the sales of federally owned land lying within the Western States which have not been sold by
88 the United States, grants of land will be made to each Western State in the amount of land
89 equal to 5% of the number of acres of federally owned land within the state;

90 (2) each Western State shall select from the unappropriated public lands within the
91 borders of the state in a manner determined by the legislature of the state, land equal in acreage
92 to 5% of the federally owned land in the state;

93 (3) selection and transfer of land to Western States shall not be considered a major
94 federal action for the purposes of section 102(2)(C) of the National Environmental Policy Act
95 of 1969;

96 (4) (a) all mineral, oil, and gas rights to the land selected by the Western States shall
97 become the property of that Western State unless the federal lessee of the selected land is
98 making royalty payments to the United States from production of minerals, oil, or gas, in which
99 case that leasehold interest shall remain in the ownership of the United States until the
100 leasehold interest terminates; and

101 (b) after the leasehold interest described in Subsection (4)(a) terminates, the mineral,
102 oil, and gas rights shall become the property of the respective Western State;

103 (5) all land selected by each of the Western States shall be held in trust by a state
104 educational agency empowered to sell or lease the land, the proceeds of which shall be used as
105 a permanent fund, the interest of which shall be expended only for the support of public
106 education; and

107 (6) Utah fully and unconditionally reserves all sovereign and constitutional claims to
108 its public lands.

109 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
110 leader of the United States Senate, the Speaker of the United States House of Representatives,
111 the President of the United States, and Utah's Congressional Delegation.

**JOINT RESOLUTION OPPOSING THE ENVIRONMENTAL
PROTECTION AGENCY'S REGULATION
OF GREENHOUSE GASES**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Roger E. Barrus

Senate Sponsor: Wayne L. Niederhauser

LONG TITLE

General Description:

This joint resolution of the Legislature expresses opposition to the Environmental Protection Agency's regulation of greenhouse gases without Congressional approval.

Highlighted Provisions:

This resolution:

- ▶ calls on Congress to adopt legislation prohibiting the Environmental Protection Agency (EPA) from regulating greenhouse gas (GHG) emissions without Congressional approval including, if necessary, not funding EPA greenhouse gas regulatory activities;
- ▶ calls on Congress to impose a moratorium on the promulgation of any new GHG regulation by the EPA for a period of at least two years, except to directly address an imminent health or environmental emergency;
- ▶ calls on Congress to require the current administration to carry out a study identifying all regulatory activity that the EPA intends to undertake in furtherance of its goal of "taking action on climate change and improving air quality" and provide an objective cost-benefit analysis and cumulative effect that the EPA's current and planned regulation will have on global climate, public health, the U.S. economy, jobs, and economic competitiveness in worldwide markets; and
- ▶ expresses support for continuing improvements to the quality of the nation's air and declares that such improvements can be made without damaging the economy as

long as there is a full understanding of the cost and benefit of the regulations at issue.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, concern is growing that with the failure of cap-and-trade legislation in Congress the United States Environmental Protection Agency (EPA) is attempting to reduce greenhouse gas (GHG) emissions through the adoption and implementation of regulations without Congressional approval;

WHEREAS, the EPA is proposing numerous new rules to regulate GHG emissions as pollutants through the Clean Air Act;

WHEREAS, the EPA has not performed any comprehensive study of the environmental benefits of its GHG regulation in terms of impacts on global climate;

WHEREAS, the EPA's regulatory activity of GHG has numerous and overlapping requirements that are likely to have major effects on the nation's economy, jobs, and U.S. competitiveness in worldwide markets;

WHEREAS, neither the EPA nor the current administration has undertaken any comprehensive study on the cumulative effect that regulating GHGs will have on the nation's economy, jobs, and U.S. competitiveness;

WHEREAS, state agencies are routinely required to identify the costs of their regulations and to justify those costs in light of the benefits;

WHEREAS, since the EPA has identified "taking action on climate change and improving air quality" as its first strategic goal for the time frame of 2011-15, it should be required to identify the specific actions it intends to take to achieve these goals and to assess the cumulative effect of these actions on public health, climate change, and on the U.S. economy;

WHEREAS, the primary goal of government at the present time must be to promote economic recovery and to foster a stable and predictable business environment that will lead to

58 the creation of new jobs; and

59 WHEREAS, the public's health and welfare will suffer without significant new job
60 creation and economic improvement since environmental improvement is most successful in a
61 society that generates wealth:

62 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah calls
63 on Congress to adopt legislation prohibiting the United States Environmental Protection
64 Agency (EPA) from regulating greenhouse gas (GHG) emissions without Congressional
65 approval, including, if necessary, not funding EPA greenhouse gas regulatory activities.

66 BE IT FURTHER RESOLVED that the Legislature calls on Congress to impose a
67 moratorium on the promulgation of any new GHG regulation by the EPA for a period of at
68 least two years, except for the need to directly address an imminent health or environmental
69 emergency.

70 BE IT FURTHER RESOLVED that the Legislature calls on Congress to require the
71 Administration to carry out a study identifying all regulatory activity that the EPA intends to
72 undertake in furtherance of its goal of "taking action on climate change and improving air
73 quality" and provide an objective cost-benefit analysis and cumulative effect that EPA's current
74 and planned regulation will have on global climate, public health, the U.S. economy, jobs, and
75 economic competitiveness in worldwide markets.

76 BE IT FURTHER RESOLVED that the Legislature expresses its support for continuing
77 improvements to the quality of the nation's air and declares that such improvements can be
78 made without damaging the economy as long as there is a full understanding of the costs and
79 benefits of the regulations at issue.

80 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
81 Leader of the United States Senate, the Speaker of the United States House of Representatives,
82 the President of the United States, the governor of each state outside of Utah, the Senate
83 President or President pro tem and the Speaker of the House of each state legislature outside of
84 Utah, and to the members of Utah's Congressional Delegation.

1 **CONCURRENT RESOLUTION OPPOSING UNITED STATES**
2 **SECRETARY OF INTERIOR'S WILDERNESS**
3 **RE-INVENTORY**

4 2011 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Michael E. Noel**

7 Senate Sponsor: Dennis E. Stowell

9 **LONG TITLE**

10 **General Description:**

11 This concurrent resolution of the Legislature and the Governor urges the United States
12 Secretary of the Interior to honor the 2003 Settlement Agreement and abandon the
13 "Wild Lands" wilderness re-inventory, and urges Congress to honor longstanding
14 commitments to multiple use public lands management.

15 **Highlighted Provisions:**

16 This resolution:
17 ▶ urges the United States Secretary of the Interior to honor the 2003 Settlement
18 Agreement and abandon the "Wild Lands" wilderness re-inventory; and
19 ▶ urges the United States Congress to honor the longstanding commitment to multiple
20 use management of public lands in Utah and the Western United States.

21 **Special Clauses:**

22 None

24 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

25 WHEREAS, the wise multiple use of the public lands in Utah and in the Western
26 United States is necessary for economic stability, is critical to the state's future, and is an
27 important part of Utah's culture and heritage;

28 WHEREAS, prudent application of sustainable multiple use principles allows the state's
29 renewable and abundant natural resources to be of value to all Americans, while protecting the

30 many unique and sensitive parts of the state;

31 WHEREAS, the federal government controls two of every three acres of the state of
32 Utah, second only to Nevada among the contiguous 48 states;

33 WHEREAS, the multiple use management of the lands held in common in Utah has
34 contributed to the well being of the state and nation through energy development, mineral
35 development, production of food and fiber, and recreational opportunities;

36 WHEREAS, the creation of new wealth is tied directly to the land and the judicious
37 development of the state's natural resources;

38 WHEREAS, ownership and private property rights are the catalyst to increasing wealth
39 and improving society's standard of living, and is a belief central to capitalism and a successful
40 free enterprise system;

41 WHEREAS, risk and investment capital seek market opportunities that exhibit political
42 and policy stability, the hallmarks of Utah's business climate, but are adversely affected by the
43 political posturing and disregard for state input related to management of 23,000,000 acres of
44 land administered by the United States Department of Interior's Bureau of Land Management;

45 WHEREAS, Revised Statute 2477, effective for more than 100 years and purposely
46 protected in the Federal Land Policy Management Act of 1976, provided for the development
47 of Utah's natural resources;

48 WHEREAS, the Taylor Grazing Act of 1934 established the legal obligation and
49 responsibility of the federal government to safeguard livestock grazing rights as part of the
50 cultural and social fabric of the West, ultimately upheld as the "chiefly valuable for grazing
51 doctrine";

52 WHEREAS, generations of economically viable livestock grazing operations in Utah
53 have been forged to families combining private and public land resources that ultimately
54 contribute to local economies and are the catalyst for preserving open space in many rapidly
55 developing areas;

56 WHEREAS, management of the unreserved federal lands administered by the Interior
57 Department are obligated under the Federal Land Policy Management Act (FLPMA) to

58 incorporate into agency management plans "consistency" in partnership with state and local
59 planning;

60 WHEREAS, a fundamental principle espoused by the nation's Founders called for
61 equality among the states and is referred to as the "Equal Footing Doctrine," a principle that
62 calls for each state to enter the Union equal in their sovereign power;

63 WHEREAS, the Interior Department's "Treasured Landscapes" internal planning
64 document reveals an agency bias, and outside influences identified as much as 130,000,000
65 acres of Bureau of Land Management (BLM)-administered lands for special "Wild Lands"
66 designation;

67 WHEREAS, the "Treasured Landscapes" internal document also recommends that the
68 Secretary of the Interior circumvent congressional mandates related to wilderness designations,
69 calling for wilderness protection through Presidential Proclamations;

70 WHEREAS, on December 23, 2010, the Secretary of the Interior announced Secretarial
71 Order 3310, calling for a re-inventory of Bureau of Land Management lands with "wilderness
72 characteristics" under a new Secretarial definition of "Wild Lands" and diverting funds from
73 critical agency needs;

74 WHEREAS, the BLM has inventoried lands with wilderness characteristics, following
75 the National Environmental Policy Act requirements, as part of the agency's Resource
76 Management Planning process;

77 WHEREAS, Secretarial Order 3310 seeks to establish new wilderness study areas in
78 Utah and throughout the West based on the new wild lands definition and BLM inventory
79 guidance providing the BLM broader authority to stop energy development, livestock grazing,
80 mineral extraction, and recreational activities;

81 WHEREAS, jobs generated through multiple use activities on the public lands provide
82 family sustaining, well paying jobs to hundreds of thousands of Utahns and are the economic
83 backbone of Utah's rural communities;

84 WHEREAS, in recent testimony before Congress's House Natural Resources
85 Committee, the Director of the BLM indicated that he lacked the statutory authority to

86 implement the policies of Secretarial Order 3310; and

87 WHEREAS, the Secretary of the Interior's decision to withdraw from the 2003
88 Utah--Interior Settlement Agreement is an insult to Utahns, and Secretarial Order 3310 is a
89 violation of the spirit and the letter of the Wilderness Act of 1964, ultimately undermining the
90 goodwill and collaborative efforts currently underway in Utah to find mutually agreeable land
91 use solutions:

92 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
93 Governor concurring therein, urge the United States Secretary of the Interior to honor the 2003
94 Settlement Agreement and abandon the "Wild Lands" wilderness re-inventory.

95 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
96 States Congress to honor the longstanding commitment to multiple use management of public
97 lands in Utah and the Western United States.

98 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
99 Leader of the United States Senate, the Speaker of the United States House of Representatives,
100 the United States Secretary of the Interior, the President of the United States, and to the
101 members of Utah's congressional delegation.

1 **UTAH STATE FLAG CONCURRENT RESOLUTION**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Julie Fisher**

5 Senate Sponsor: Mark B. Madsen

6

7 **LONG TITLE**

8 **General Description:**

9 This concurrent resolution of the Legislature and the Governor recognizes that current
10 state law accurately reflects the 1913 design of the official state flag and urges that all
11 newly manufactured, official flags of the state of Utah accurately reflect the statutory
12 description of the state flag.

13 **Highlighted Provisions:**

14 This resolution:

- 15 ▸ recognizes that Utah Code Section 63G-1-501 accurately reflects the 1913
16 description of the official state flag of Utah; and
17 ▸ urges manufacturers of state flags to modify the current design of the official flag of
18 the state of Utah to accurately reflect the description of the flag as approved by the
19 Utah Legislature in 1913.

20 **Special Clauses:**

21 None

22

23 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

24 WHEREAS, the first Utah state flag was created in 1903 at the request of Governor
25 Heber M. Wells;

26 WHEREAS, the Governor's request came by way of an invitation from the President of
27 the St. Louis World's Fair to have a delegation from Utah travel to St. Louis and dedicate the
28 site of the Utah Exhibit and have the state flag flown in a parade of the 45 states at the World's
29 Fair;

30 WHEREAS, the Utah State Society of the Daughters of the Revolution responded to the
31 Governor's request to sponsor the manufacture of the flag;

32 WHEREAS, the flag was presented to the Governor by the Society on March 31, 1903;

33 WHEREAS, alterations were made to the flag so that its appearance more closely
34 reflected the official state seal from which the design was taken;

35 WHEREAS, the Society enlisted Utah artist H.L.A. Culmer to help seamstress and flag
36 maker Agnes Teudt Fernelius in finalizing the design of the flag;

37 WHEREAS, on May 1, 1903, the Utah delegation to the St. Louis World's Fair marched
38 proudly alongside the state's new flag in the Parade of States;

39 WHEREAS, the flag was formally referred to as the Governor's flag or the Governor's
40 regimental flag until 1911, when the Legislature formally adopted its design as the official state
41 flag;

42 WHEREAS, a second flag was finished in early 1913 and presented by the state to the
43 battleship U.S.S. Utah on June 25, 1913;

44 WHEREAS, that same year, Representative Annie Wells Cannon successfully
45 introduced House Joint Resolution 1, which established the current flag design reflected in
46 statute;

47 WHEREAS, Utah Code Section 63G-1-501 describes the flag as, "a flag of blue field,
48 fringed, with gold borders, with the following device worked in natural colors on the center of
49 the blue field:

50 The center a shield; above the shield and thereon an American eagle with outstretched
51 wings; the top of the shield pierced with six arrows arranged crosswise; upon the shield under
52 the arrows the word "Industry," and below the word "Industry" on the center of the shield, a
53 beehive; on each side of the beehive, growing sego lilies; below the beehive and near the
54 bottom of the shield, the word "Utah," and below the word "Utah" and on the bottom of the
55 shield, the figures "1847"; with the appearance of being back of the shield there shall be two
56 American flags on flagstuffs placed crosswise with the flag so draped that they will project
57 beyond each side of the shield, the heads of the flagstuffs appearing in front of the eagle's

58 wings and the bottom of each staff appearing over the face of the draped flag below the shield;
59 below the shield and flags and upon the blue field, the figures "1896"; around the entire design,
60 a narrow circle in gold";

61 WHEREAS, a third state flag was prepared in 1922 which mistakenly has the year 1847
62 beneath the shield instead of on the shield, and the error has been perpetuated to this day; and

63 WHEREAS, in the interest of accurately preserving a symbol of the state's rich history,
64 and to follow the wording of Utah Code Section 63G-1-501, all new flags should be made to
65 reflect the statutory flag description and all Utah flags currently in use or in stock should be
66 utilized until unserviceable:

67 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
68 Governor concurring therein, recognize that Utah Code Section 63G-1-501 accurately reflects
69 the 1913 description of the official state flag of Utah.

70 BE IT FURTHER RESOLVED that the Legislature and the Governor urge
71 manufacturers of the state flag to modify the current design of the official flag of the state of
72 Utah to accurately reflect the description of the flag as approved by the Utah Legislature in
73 1913.

74 BE IT FURTHER RESOLVED that the Legislature and the Governor urge that all Utah
75 flags be prepared in honor of past generations and for the benefit of present and future
76 generations.

77 BE IT FURTHER RESOLVED that a copy of this resolution be sent to Colonial Flag,
78 Annin & Company, C.F. Flag, J.C. Schultz Enterprises, Inc. / FlagSource, Valley Forge Flag,
79 Flag Zone, Quinn Flags, and to the Dixie Flag Manufacturing Company and North American
80 Vexillological Association.

1 **CONCURRENT RESOLUTION URGING CONGRESS TO**
2 **ADDRESS EMPLOYMENT RELATED CHILD IDENTITY**
3 **THEFT**

4 2011 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Susan Duckworth**

7 Senate Sponsor: Mark B. Madsen

9 **LONG TITLE**

10 **General Description:**

11 This concurrent resolution of the Legislature and the Governor urges Congress to
12 implement policies and programs to protect American children from employment
13 related identity theft.

14 **Highlighted Provisions:**

15 This resolution:

16 ▶ urges the United States Congress to require federal agencies to report the misuse of
17 Social Security numbers to the victims, the appropriate law enforcement agencies,
18 and the Department of Homeland Security;

19 ▶ urges the United States Congress to require federal agencies to assist the victims of
20 child identity theft in recovering their identities, including issuing new Social
21 Security numbers, when appropriate; and

22 ▶ urges the United States Congress to require federal agencies to stop issuing Social
23 Security numbers to children and other individuals when those numbers are already
24 being used unlawfully.

25 **Special Clauses:**

26 None

28 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

29 WHEREAS, according to the Chief Actuary of the Social Security Administration,

30 millions of people pay payroll taxes with fraudulent Social Security numbers;

31 WHEREAS, pedophiles, criminals, deadbeat parents, and many others obtain jobs by
32 using fraudulent documents to hide their true identities;

33 WHEREAS, according to the Federal Trade Commission, employment related identity
34 theft accounts for 13% of total identity theft cases in the United States;

35 WHEREAS, investigations by the Utah Department of Workforce Services, the Social
36 Security Administration, and the Utah Attorney General's Office have identified thousands of
37 Utah children under age 13 and on public assistance who have had their Social Security
38 numbers fraudulently used by others to obtain jobs;

39 WHEREAS, investigations by the Utah Department of Workforce Services, the Social
40 Security Administration, and the Utah Attorney General's Office have identified 1,626
41 employers paying wages to individuals with Social Security numbers of children who are under
42 12;

43 WHEREAS, these children suffer serious harm, including the destruction of their good
44 names and their credit histories;

45 WHEREAS, these children are saddled with arrest records, income tax liabilities on
46 income earned under their stolen Social Security numbers, and compromised medical records
47 with life threatening consequences;

48 WHEREAS, current federal laws and regulations prohibit the Department of Workforce
49 Services from sharing information with law enforcement and the Department of Homeland
50 Security about individuals wrongfully using Social Security numbers belonging to children and
51 other American citizens and legal residents;

52 WHEREAS, the Social Security Administration does not inform or assist Americans
53 whose Social Security numbers are being used unlawfully;

54 WHEREAS, the Social Security Administration assigns numbers being unlawfully used
55 to newborn infants and other new recipients of Social Security numbers; and

56 WHEREAS, the Internal Revenue Service does not inform Americans whose Social
57 Security numbers are being used unlawfully about this identity theft as long as taxes are paid

58 on the income earned under the fraudulently obtained numbers:

59 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
60 Governor concurring therein, urges the United States Congress to protect American children
61 from employment related identity theft by requiring federal agencies to report the fraudulent
62 use of these Social Security numbers to the victims, the appropriate law enforcement agencies,
63 and the Department of Homeland Security.

64 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
65 States Congress to require federal agencies to assist the victims of child identity theft in
66 recovering their identities, including issuing new Social Security numbers, when appropriate.

67 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
68 States Congress to require federal agencies to discontinue issuing Social Security numbers to
69 children and other individuals when those numbers are already being used unlawfully.

70 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
71 Leader of the United States Senate, the Speaker of the United States House of Representatives,
72 and to the members of Utah's congressional delegation.

JOINT RESOLUTION - IMMIGRATION

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stuart C. Reid

House Sponsor: Ryan D. Wilcox

LONG TITLE

General Description:

This joint resolution of the Legislature strongly urges Congress to resolve immigration policy issues or give states the authority to address these issues within their own borders.

Highlighted Provisions:

This resolution:

- ▶ recognizes that the United States Congress presently has assumed authority to make immigration policy;
- ▶ urges Utah's congressional delegation to sponsor and support legislation to resolve the immigration policy issues facing the nation;
- ▶ strongly urges the United States Congress to take swift and decisive action to resolve the many pressing immigration issues facing the nation and the states; and
- ▶ urges Congress to grant authority to the states to resolve the immigration policy challenges within their own borders if Congress does not have the collective will to resolve the immigration issues facing the nation and the states.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, the national debate over immigration is creating great controversy throughout the United States;

WHEREAS, measures addressing immigration are also being extensively debated in

state legislatures across the nation;

WHEREAS, since 1875, when the United States Supreme Court stated that "the passage of laws which concern the admission of citizens and subjects of foreign nations to our shores belongs to Congress, and not to the States" (Chy Lung v. Freeman, 92 U.S. 275), states have been severely restricted in their authority to pass legislation governing those individuals not lawfully present within their borders;

WHEREAS, the expectation of Utah's voters is that, on a subject like immigration, the state Legislature has front line responsibility, and Utah should have an impact on immigration policy within its own borders;

WHEREAS, in recent years, opportunities for the United States Congress to resolve many pressing immigration issues have failed and left states bearing the brunt of these problems as they impact the health, safety, and welfare of their citizens with little or no authority to act;

WHEREAS, Utah's congressional delegation should sponsor legislation to resolve the immigration policy stalemate; and

WHEREAS, if the United States Congress will not act decisively to address the nation's immigration policy challenges, it should grant the states the authority to resolve their unique immigration issues within their borders:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah recognizes that the United States Congress presently has assumed authority to make immigration policy in the United States.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges Utah's congressional delegation to sponsor and support legislation to resolve the immigration policy issues facing the nation.

BE IT FURTHER RESOLVED that the Legislature strongly urges the United States Congress to take swift and decisive action to resolve the many pressing immigration issues facing the nation and the states.

BE IT FURTHER RESOLVED that the Legislature of the state of Utah urges that if the

58 United States Congress does not have the collective will to resolve the immigration issues
59 facing the nation and the states, that Congress should act to grant authority to the states to
60 resolve the immigration policy challenges within their own borders.

61 BE IT FURTHER RESOLVED that the Legislature of the state of Utah calls upon its
62 congressional delegation to advance legislation giving the state of Utah the authority to manage
63 immigration policy and actions within its borders.

64 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
65 Leader of the United States Senate, the Speaker of the United States House of Representatives,
66 to the members of Utah's congressional delegation, and all states.

**JOINT RESOLUTION URGING CONGRESS TO LIMIT THE
FREEZE ON LONGER COMBINATION VEHICLE USE IN
THE WESTERN STATES**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott K. Jenkins

House Sponsor: Don L. Ipson

LONG TITLE

General Description:

This joint resolution of the Legislature urges Congress to lift the freeze on longer combination vehicles, so that states may conduct test programs to evaluate routes, configurations, and operating conditions.

Highlighted Provisions:

This resolution:

► urges the United States Congress to lift the freeze on longer combination vehicles in Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming, giving these states the flexibility to establish and operate pilot test programs to evaluate longer combination vehicle routes, configurations, and operating conditions.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah:

WHEREAS, the American West encompasses a huge land mass of approximately 2.4 million square miles, or over two-thirds of the entire nation;

WHEREAS, the vast distances across the West clearly illustrate the need for efficient surface freight movement of goods throughout this area;

WHEREAS, one of the most significant ways to improve freight system performance is

30 through the use of more efficient truck and truck combinations;

31 WHEREAS, the efficiency of the United States' freight transportation has fallen far
32 behind other developed nations;

33 WHEREAS, Canada, Mexico, and the European Union have embraced up-to-date truck
34 configurations;

35 WHEREAS, operation of these more productive vehicles, more commonly known as
36 longer combination vehicles (LCVs), has been frozen in the United States by federal law since
37 1991;

38 WHEREAS, in a study requested by the Western Governor's Association, the Federal
39 Highway Administration found that limited increase in the use of LCVs in 13 western states
40 would reduce heavy truck vehicle miles traveled in 2010 by 25%, reduce fuel consumption and
41 emissions by 12%, save shippers \$2 billion a year, reduce pavement costs by as much as 4%
42 over 20 years, and reduce highway noise by 10%;

43 WHEREAS, a recent study in Ontario found the widespread use of LCVs there would
44 eliminate 750,000 truck trips per year, remove 2,800 trucks per day from the roads in and
45 around Toronto, and reduce greenhouse gases by 151 kilotons per year;

46 WHEREAS, a Canadian federal government study indicated that LCVs have 60% fewer
47 crashes than single trailer vehicles; and

48 WHEREAS, the Western States provide an excellent test case for size capacity
49 increases since LCVs are already in use on many western highways:

50 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
51 strongly urges the United States Congress to lift the freeze on longer combination vehicles in
52 the states of Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, North Dakota, Oklahoma,
53 Oregon, South Dakota, Utah, Washington, and Wyoming, giving these states the flexibility to
54 establish and operate pilot test programs to evaluate longer combination vehicle routes,
55 configurations, and operating conditions.

56 BE IT FURTHER RESOLVED that copies of this resolution be sent to the President of
57 the United States, the United States Secretary of Transportation, the United States Senate

58 Committee on Commerce, Science, and Transportation, the United States House Committee on
59 Transportation and Infrastructure, and to the members of Utah's congressional delegation.

BONDS OF FRIENDSHIP WITH IRAN CONCURRENT

RESOLUTION

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Peter C. Knudson

House Sponsor: Don L. Ipson

Cosponsor: Curtis S. Bramble

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor expresses support for the People of Iran's struggle for freedom.

Highlighted Provisions:

This resolution:

- declares that the people of Utah stand with the Iranian people in their struggle for freedom, justice, peace, and prosperity for Iran; and
- calls on the United States Government, the international community, and the Islamic world to support the Iranian people by defending their democratic rights.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, the American people recognize and support the Iranian people in their century-long struggle for democracy, freedom, justice, and human rights;

WHEREAS, the government of the Islamic Republic's crackdowns on democracy, support for terrorism, and pursuit of nuclear weapons pose a grave threat to the Iranian people as well as the security of the United States, Israel, and their allies in the Persian Gulf;

WHEREAS, since its establishment in 1979, the government of the Islamic Republic of

29 Iran has engaged in numerous criminal and terrorist acts, including the arbitrary and unlawful
30 judicial murder of thousands of Iranian political and religious dissidents as well as minors and
31 juveniles;

32 WHEREAS, the Islamic Republic has also established a system of religious apartheid in
33 which Iranian women are treated as second class citizens, and Iran's minorities are persecuted
34 for exercising their freedom of religion;

35 WHEREAS, in 2009, the government of the Islamic Republic of Iran staged a
36 presidential election that was marred by fraud and violence in which President Mahmoud
37 Ahmadinejad dismissed millions of Iranian voters demanding free and fair elections as "dust
38 and dirt";

39 WHEREAS, Iran's Supreme Leader, Ali Khamenei, sanctified the rigged election by
40 equating the fundamentals of religion with fraud, force, terrorism, and tyranny;

41 WHEREAS, since the fraudulent elections, grieving mothers and families searching for
42 missing relatives and demanding the release of political prisoners have been denied justice;

43 WHEREAS, there has been a dramatic surge in death sentences carried out by the
44 government of the Islamic Republic of Iran despite United Nations' calls for a moratorium on
45 executions;

46 WHEREAS, there has been a systematic crackdown on students, scholars, workers,
47 teachers, clerics, and journalists for exercising their freedoms of speech and assembly;

48 WHEREAS, the American and Iranian people have been and remain steadfast friends
49 and allies;

50 WHEREAS, over the past century, the American people's support for Iran's political
51 and economic independence enabled the Iranian government to end the Soviet occupation of
52 Northern Iran and led to the peaceful withdrawal of the Red Army from Iran in the aftermath of
53 the Second World War;

54 WHEREAS, the United States played a pivotal role in Iran's economic development
55 from 1946 to 1979, and American aid and assistance helped the Iranian people's efforts to
56 eradicate poverty, famine, disease, and illiteracy;

57 WHEREAS, Iranian-Americans have emerged as a vital and vibrant force in American
58 political, economic, and civic life;

59 WHEREAS, successive American presidents and statesmen have stood by the Iranian
60 people in their struggle for justice, democracy, peace, and prosperity;

61 WHEREAS, the Iranian people's call for democracy and freedom has helped to light the
62 torch of hope, liberty, dignity, and justice not only in Iran but throughout the Middle East and
63 the Islamic world; and

64 WHEREAS, the liberation of humankind from under the yoke of fascism, communism,
65 and other false ideologies that elevate the state above the individual depends on the moral
66 conviction of free people everywhere to reject oppression, slavery, tyranny, and terrorism:

67 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
68 Governor concurring therein, declare that the people of Utah stand with the people of Iran in
69 their struggle for freedom, justice, peace, and prosperity for Iran, and reaffirm the bonds of
70 friendship between the people of Utah and the people of Iran.

71 BE IT FURTHER RESOLVED that the Legislature and the Governor call on the
72 government of the United States, as well as the international community and the Islamic world,
73 to support the Iranian people by defending the democratic right of the Iranian people to choose
74 their own government through free and fair elections, demanding that Iran's supreme leader
75 recognize and respect the sovereignty of the Iranian people and that he cease abusing his
76 religious and political standing by rigging elections and equating fraud and force with the
77 fundamentals of religion and democracy, to protect Iran's civil society by demanding that the
78 Iranian judiciary end the arbitrary arrest, detention, torture, and execution of Iranian citizens for
79 defending the right to elect their own government, determine their own destiny, and exercise
80 their freedom of religion, to prevent Iran's leaders from using proceeds from the sale of oil to
81 arm and finance private militias, terrorist groups, and other extremists responsible for
82 committing acts of terrorism against the Iranian people as well as the United States and its
83 allies in the Middle East, to deny Iran's leaders the capacity to hold the Iranian people and the
84 rest of the world hostage by developing nuclear weapons and engaging in nuclear blackmail,

85 and to help facilitate the Iranian people's struggle to transform Iran into a bastion of democracy,
86 prosperity, and peace in the region.

87 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
88 the United States, the United States Secretary of State, the Secretary General of the United
89 Nations, the chairman of the United States Senate Committee on Foreign Relations, the
90 chairman of the United States House of Representatives Committee on Foreign Affairs, and to
91 the members of Utah's congressional delegation.

PHILO T. FARNSWORTH CONCURRENT RESOLUTION

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Dennis E. Stowell

House Sponsor: Michael E. Noel

LONG TITLE

General Description:

This concurrent resolution of the Legislature and the Governor recognizes Utah native Philo T. Farnsworth as the inventor of television.

Highlighted Provisions:

This resolution:

- ▶ recognizes Philo T. Farnsworth for his pioneering work in the invention of the television and for his many other inventions that have impacted the lives of millions of people around the world.

Special Clauses:

None

Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:

WHEREAS, few inventors have impacted the world as much as has Utah native Philo T. Farnsworth;

WHEREAS, Philo T. Farnsworth has deep roots in Beaver, Utah, where he was born August 19, 1906, in a log cabin;

WHEREAS, when he was 12, Philo T. Farnsworth's family moved to a farm in Rigby, Idaho, where he was fascinated by the electricity that powered his new home;

WHEREAS, Farnsworth was intrigued by mechanical and electrical technology and managed to convert his mother's hand-powered washing machine to an electric-powered appliance;

WHEREAS, as a youth living in Beaver, Utah, Farnsworth won a national contest for a

30 theft-proof car lock;

31 WHEREAS, at the age of 14, Philo T. Farnsworth startled one of his high school
32 teachers by sharing with him a diagram of an Electronic Image Dissector, a key component in
33 his eventual invention of television;

34 WHEREAS, at age 16, Farnsworth's father died of pneumonia and Farnsworth had to
35 care for his mother and four siblings;

36 WHEREAS, after spending a few years in the United States Navy, Farnsworth was
37 honorably discharged and once again pursued his interest in electronics;

38 WHEREAS, Farnsworth found investors who were not only willing to help him pursue
39 his work in electronics but also provided a laboratory in Los Angeles where Farnsworth was
40 able to conduct important experiments;

41 WHEREAS, before relocating to California, Farnsworth married Elma "Pem" Gardner,
42 the sister of a close friend of his;

43 WHEREAS, within a few months after arriving in California, Farnsworth's success led
44 him to apply for several patents for his designs and models;

45 WHEREAS, on September 7, 1927, at a laboratory in San Francisco, Farnsworth's
46 image dissector camera tube transmitted its first image, a straight line;

47 WHEREAS, in 1928, Farnsworth gave the first demonstration of his television system
48 to the press, and after several improvements, gave his first demonstration to the public in 1934;

49 WHEREAS, Farnsworth formed his own company, prevailed in key patent lawsuits
50 against competitors, and developed other important inventions, including a process for
51 sterilizing milk using radio waves and a fog-penetrating beam for ships and airplanes;

52 WHEREAS, in 1938, Farnsworth established the Farnsworth Television and Radio
53 Corporation, which was in turn purchased by International Telephone and Telegraph (ITT) in
54 1951;

55 WHEREAS, while in the employ of ITT, Farnsworth developed many more inventions,
56 including a defense early warning signal, submarine detection devices, radar calibration
57 equipment, an infrared telescope, and a PPI Projector, which allowed safe control of air traffic

58 from the ground and was a forerunner of today's air traffic control system;

59 WHEREAS, later in life, the Farnsworths relocated to Utah, where Philo passed away
60 in 1971;

61 WHEREAS, for many years after his death, Elma Farnsworth worked hard to help her
62 deceased husband retain his rightful place in history;

63 WHEREAS, crediting his wife's contribution to his life's work, Farnsworth once stated,
64 "My wife and I started this TV";

65 WHEREAS, in 1999, Time Magazine included Farnsworth in the "Time 100: The Most
66 Important People of the Century";

67 WHEREAS, the log cabin where Philo T. Farnsworth was born has been restored and
68 can be visited by the public; and

69 WHEREAS, a statue of Philo T. Farnsworth is one of two statues representing the state
70 of Utah in the National Statuary Hall Collection in the United States Capitol, a second statue of
71 Farnsworth stands in the Utah State Capitol, and a third statue stands in his hometown of
72 Beaver:

73 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
74 Governor concurring therein, recognize the life and contributions of Philo T. Farnsworth, Utah
75 native, the inventor of television and of many other inventions that have benefitted millions of
76 people around the world.

77 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
78 the United States, the members of Utah's congressional delegation, the Farnsworth family, the
79 Utah Travel Council, AAA, the tourism directors of each county in Utah, Beaver County, and
80 Beaver City.

1 **COMMUNICATIONS SPECTRUM TRANSLATOR SYSTEM**

2 **CONCURRENT RESOLUTION**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ralph Okerlund**

6 House Sponsor: Kay L. McIff

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor urges the federal
11 government to protect the communications spectrum that allows Utah's translator
12 system to provide free television access across the state.

13 **Highlighted Provisions:**

14 This resolution:

15 ▶ strongly urges the President of the United States and the Federal Communications
16 Commission (FCC) to not remove channels 32 to 51 from the current existing FCC
17 channels 14 to 51 Television Broadcast Authorization because of the significant
18 negative impact that action would have on off-air television reception in urban areas
19 and to off-air viewers nationwide, including rural viewers, who would be forced to
20 either pay for subscription television or go without television service.

21 **Special Clauses:**

22 None

24 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

25 WHEREAS, the President of the United States has directed the Chairman of the Federal
26 Communications Commission (FCC) to consider removing channels 32 to 51 from the current
27 FCC channels 14 to 51 Television Broadcast Authorization;

28 WHEREAS, this action would devastate off-air television reception to urban areas and
29 also cause disruption to off-air viewers nationwide;

WHEREAS, according to FCC records as listed in FCC MD Docket No. 03-185 (FCC 10-172), page 26, dated September 17, 2010, 4,518 television translator stations, 567 Class A LPTV stations, 2,227 LPTV stations, and 11 TV Booster stations are now on file;

WHEREAS, according to FCC records, over 4,500 television translator stations presently provide free over-the-air television to rural communities throughout the nation;

WHEREAS, if this channel repacking were to become a reality, many of these translator stations would no longer remain in operation, requiring viewers to subscribe to either cable or satellite programming;

WHEREAS, Utah has 649 of these television translator stations, and the state's rural viewers would be forced to either pay for subscription television or have no television reception;

WHEREAS, after 40 years of analog broadcasting, the United States Congress mandated the broadcasting industry to make a conversion from analog to digital operation;

WHEREAS, supplying the general public with free over-the-air digital television broadcast signals has been encouraged by elected officials and the FCC;

WHEREAS, since the mandate, all TV Translator and LPTV licensees in the state of Utah have planned, acquired necessary funding, provided engineering, labor, construction, travel, new and upgraded buildings, air-conditioning, new towers, crane services, and extensive FCC licensing to help make the DTV transition possible;

WHEREAS, through cooperation of the state's counties, the University of Utah, the state of Utah, and the Federal Communications Commission, the DTV transition has been made possible;

WHEREAS, the state of Utah has supported the DTV transition through four CIB grants since 2005 in the amount of nearly \$9,000,000;

WHEREAS, the University of Utah has supported the DTV transition with a recent federal grant of approximately \$2,000,000;

WHEREAS, Congress developed and funded the coupon program at \$1,500,000,000 for a digital to analog converter box program;

58 WHEREAS, the NTIA, a division of the federal government, currently offers all TV
59 translator and LPTV licensees a reimbursement program for the digital to analog conversion;

60 WHEREAS, small rural cable companies are beginning to use digital TV translator
61 signals for their systems free of charge instead of paying for satellite feeds;

62 WHEREAS, repacking would cause eight Salt Lake City primary television stations to
63 find new channels, causing unaffordable consequences to both urban and rural communities in
64 the state of Utah;

65 WHEREAS, it would be impossible to continue the "Utah Daisy Chain" rural digital
66 television translator services if the proposed block of television channels were reclaimed by the
67 FCC, and this action would have a negative local economic impact to the affected counties;

68 WHEREAS, broadcasters are required by the FCC to participate in the National
69 Emergency Alert System and are also required to make regular tests to assure their systems are
70 always ready to broadcast any local warnings, including flood conditions, high wind warnings,
71 and bad road conditions, and these warnings are automatically retransmitted through television
72 translator stations to also alert rural viewers;

73 WHEREAS, closed captioning for the deaf is also a mandatory requirement of primary
74 broadcast stations and automatically passes through television translators to rural viewers;

75 WHEREAS, if these viewers do not have access to any local free over-the-air broadcast
76 signals, they proceed without local warnings or closed captioning for the deaf;

77 WHEREAS, counties in Utah are presently licensed with the FCC for 649 digital
78 television translators, or 35%, of the nation's digital television translator licenses;

79 WHEREAS, an additional 173 applications are waiting for final approval at the FCC,
80 and when they are awarded, additional digital channels will be available to the remaining few
81 underserved rural Utah communities;

82 WHEREAS, the FCC recently passed a rule to allow anyone to operate unlicensed
83 signals on unused channels within the present television bands, while the FCC still requires
84 television translator stations to be licensed in these same bands;

85 WHEREAS, these unlicensed devices will cause interference to existing digital

86 television services nationwide, and many television translator viewers will possibly be
87 vulnerable with unacceptable interference because they receive their home signals far beyond
88 the FCC protected contours; and

89 WHEREAS, the federal government should ensure that rural communities in Utah and
90 throughout the nation are not forced to either pay for subscription television service or go
91 without television:

92 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
93 Governor concurring therein, strongly urge the President of the United States and the Federal
94 Communications Commission (FCC) to not remove channels 32 to 51 from the current existing
95 FCC channels 14 to 51 Television Broadcast Authorization because of its negative impact on
96 off-air television reception in urban areas and to off-air viewers nationwide, including rural
97 viewers, who would be forced to either pay for subscription television or go without television
98 service.

99 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
100 the United States, the Majority Leader of the United States Senate, the Speaker of the United
101 States House of Representatives, the Chairman of the Federal Communications Commission
102 and each commission member, and to the members of Utah's congressional delegation.

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