

AFFIRMATION OF THE UNITED STATES RECORD ON THE
ARMENIAN GENOCIDE RESOLUTION

OCTOBER 4, 2000.—Referred to the House Calendar and ordered to be printed

Mr. GILMAN, from the Committee on International Relations,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H. Res. 596]

The Committee on International Relations, to whom was referred the resolution (H. Res. 596) calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the resolution be agreed to.

The amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. SHORT TITLE.

This resolution may be cited as the “Affirmation of the United States Record on the Armenian Genocide Resolution”.

SEC. 2. FINDINGS.

The House of Representatives finds the following:

(1) The Armenian Genocide was conceived and carried out by the Ottoman Empire from 1915 to 1923, resulting in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000 men, women, and children were killed, 500,000 survivors were expelled from their homes, and which succeeded in the elimination of the over 2,500-year presence of Armenians in their historic homeland.

(2) On May 24, 1915, the Allied Powers, England, France, and Russia, jointly issued a statement explicitly charging for the first time ever another government of committing “a crime against humanity”.

(3) This joint statement stated “[i]n view of these new crimes of Turkey against humanity and civilization, the Allied Governments announce publicly to the Sublime Porte that they will hold personally responsible for these crimes all members of the Ottoman Government, as well as those of their agents who are implicated in such massacres”.

(4) The post-World War I Turkish Government indicted the top leaders involved in the “organization and execution” of the Armenian Genocide and in the “massacre and destruction of the Armenians”.

(5) In a series of courts-martial, officials of the Young Turk Regime were tried and convicted, as charged, for organizing and executing massacres against the Armenian people.

(6) The chief organizers of the Armenian Genocide, Minister of War Enver, Minister of the Interior Talaat, and Minister of the Navy Jemal were all condemned to death for their crimes, however, the verdicts of the courts were not enforced.

(7) The Armenian Genocide and these domestic judicial failures are documented with overwhelming evidence in the national archives of Austria, France, Germany, Great Britain, Russia, the United States, the Vatican and many other countries, and this vast body of evidence attests to the same facts, the same events, and the same consequences.

(8) The United States National Archives and Record Administration holds extensive and thorough documentation on the Armenian Genocide, especially in its holdings under Record Group 59 of the United States Department of State, files 867.00 and 867.40, which are open and widely available to the public and interested institutions.

(9) The national archives of Turkey should also include all of the records pertaining to the indictment, trial, and conviction of the Ottoman authorities responsible for the Armenian Genocide.

(10) The Honorable Henry Morgenthau, United States Ambassador to the Ottoman Empire from 1913 to 1916, organized and led protests by officials of many countries, among them the allies of the Ottoman Empire, against the Armenian Genocide.

(11) Ambassador Morgenthau explicitly described to the United States Department of State the policy of the Government of the Ottoman Empire as “a campaign of race extermination”, and was instructed on July 16, 1915, by United States Secretary of State Robert Lansing that the “Department approves your procedure . . . to stop Armenian persecution”.

(12) Senate Concurrent Resolution 12 of February 9, 1916, resolved that “the President of the United States be respectfully asked to designate a day on which the citizens of this country may give expression to their sympathy by contributing funds now being raised for the relief of the Armenians”, who at the time were enduring “starvation, disease, and untold suffering”.

(13) President Wilson concurred and also encouraged the formation of the organization known as Near East Relief, chartered by an Act of Congress, which contributed some \$116,000,000 from 1915 to 1930 to aid the Armenian Genocide survivors, including 132,000 orphans who became foster children of the American people.

(14) Senate Resolution 359, dated May 11, 1920, stated in part, “the testimony adduced at the hearings conducted by the sub-committee of the Senate Committee on Foreign Relations have clearly established the truth of the reported massacres and other atrocities from which the Armenian people have suffered”.

(15) The resolution followed the April 13, 1920, report to the Senate of the American Military Mission to Armenia led by General James Harbord, that stated “[m]utilation, violation, torture, and death have left their haunting memories in a hundred beautiful Armenian valleys, and the traveler in that region is seldom free from the evidence of this most colossal crime of all the ages”.

(16) Setting the stage for the Holocaust, Adolf Hitler, on ordering his military commanders to attack Poland without provocation in 1939, dismissed objections by saying “[w]ho, after all, speaks today of the annihilation of the Armenians?”.

(17) Raphael Lemkin, who coined the term “genocide” in 1944, and who was the earliest proponent of the Genocide Convention, invoked the Armenian case as a definitive example of genocide in the 20th century.

(18) Raphael Lemkin described the crime as “the systematic destruction of whole national, racial or religious groups. The sort of thing Hitler did to the Jews and the Turks did to the Armenians”.

(19) The first resolution on genocide adopted by the United Nations at Lemkin’s urging, the December 11, 1946, United Nations General Assembly Resolution 96(1) and the United Nations Genocide Convention itself recognized the Armenian Genocide as the type of crime the United Nations intended to prevent by codifying existing standards.

(20) In 1948 the United Nations War Crimes Commission invoked the Armenian Genocide “precisely . . . one of the types of acts which the modern term

‘crimes against humanity’ is intended to cover” as a precedent for the Nuremberg tribunals.

(21) The Commission stated that “[t]he provisions of Article 230 of the Peace Treaty of Sevres were obviously intended to cover, in conformity with the Allied note of 1915 . . . , offenses which had been committed on Turkish territory against persons of Turkish citizenship, though of Armenian or Greek race. This article constitutes therefore a precedent for Article 6c and 5c of the Nuremberg and Tokyo Charters, and offers an example of one of the categories of ‘crimes against humanity’ as understood by these enactments”.

(22) The United Nations Commission on Human Rights adopted in 1985 a report entitled “Study of the Question of the Prevention and Punishment of the Crime of Genocide”, which stated “[t]he Nazi aberration has unfortunately not been the only case of genocide in the twentieth century. Among other examples which can be cited as qualifying are . . . the Ottoman massacre of Armenians in 1915–1916”.

(23) This report also explained that “[a]t least 1 million, and possibly well over half of the Armenian population, are reliably estimated to have been killed or death marched by independent authorities and eye-witnesses. This is corroborated by reports in United States, German and British archives and of contemporary diplomats in the Ottoman Empire, including those of its ally Germany”.

(24) The tragedy of the Armenian Genocide has been acknowledged by countries and international bodies such as Argentina, Belgium, Canada, the Council of Europe, Cyprus, the European Parliament, France, Great Britain, Greece, Lebanon, Russia, the United Nations, the United States, and Uruguay.

(25) The United States Holocaust Memorial Council, an independent Federal agency, unanimously resolved on April 30, 1981, that the United States Holocaust Memorial Museum would include the Armenian Genocide in the Museum and has since done so.

(26) President Reagan in proclamation number 4838, dated April 22, 1981, stated in part “like the genocide of the Armenians before it, and the genocide of the Cambodians, which followed it—and like too many other persecutions of too many other people—the lessons of the holocaust must never be forgotten”.

(27) President Bush, in 1988, speaking of the Armenian Genocide, stated “we must consciously and conscientiously recognize the genocides of the past—the enormous tragedies that have darkened this century and that haunt us still. We must not only commemorate the courage of the victims and of their survivors, but we must also remind ourselves that civilization cannot be taken for granted. . . . We must all be vigilant against this most heinous crime against humanity”.

(28) President Bush, in 1988, stated further “[t]he United States must acknowledge the attempted genocide of the Armenian people in the last years of the Ottoman Empire, based on the testimony of survivors, scholars, and indeed our own representatives at the time, if we are to insure that such horrors are not repeated”.

(29) President Clinton, on August 13, 1992, stated “[t]he Genocide of 1915, years of communist dictatorship, and the devastating earthquake of 1988 have caused great suffering in Armenia during this century”.

(30) Reviewing an aberrant 1982 expression (later retracted) by the United States Department of State asserting that the facts of the Armenian Genocide may be ambiguous, the United States Court of Appeals for the District of Columbia in 1993, after a review of documents pertaining to the policy record of the United States, noted that the assertion on ambiguity in the United States record about the Armenian Genocide “contradicted longstanding United States policy and was eventually retracted”.

(31) Despite the international recognition and affirmation of the Armenian Genocide, the failure of the domestic and international authorities to punish those responsible for the Armenian Genocide is a reason why similar genocides have recurred and may recur in the future, and that a proper judicial and firm response, holding the guilty accountable and requiring the prompt enforcement of verdicts would have spared humanity needless suffering.

(32) In a commendable letter on April 9, 1999, Ambassador Stuart Eizenstat, then Under Secretary of State for Economic, Business, and Agricultural Affairs, pledged that the administration would raise with the Republic of Turkey the issue of the recovery of Armenian assets from the genocide period held by the Imperial Ottoman Bank.

(33) It is important that the President ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide and the con-

sequences of the failure to enforce the judgments of the Turkish courts against the responsible officials.

SEC. 3. DECLARATION OF POLICY.

The House of Representatives—

(1) calls upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide and the consequences of the failure to enforce the judgments of the Turkish courts against the responsible officials;

(2) calls upon the President in the President's annual message commemorating the Armenian Genocide issued on or about April 24 to characterize the systematic and deliberate annihilation of 1,500,000 Armenians as genocide and to recall the proud history of United States intervention in opposition to the Armenian Genocide; and

(3) calls upon the President in the President's annual message commemorating the Armenian Genocide to state that the modern day Republic of Turkey did not conduct the Armenian Genocide, which was perpetrated by the Ottoman Empire.

BACKGROUND AND PURPOSE

H. Res. 596, the "Affirmation of the United States Record on the Armenian Genocide Resolution," was introduced on September 27, 2000 by Mr. Radanovich (for himself and Mr. Bonior). The resolution calls upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide. It relates facts and statements that would serve to support the conclusion that the deaths of hundreds of thousands of ethnic Armenians over a period of several years starting in 1915 in regions controlled by the former Ottoman Empire were the result of a purposeful campaign of genocide against the Armenian nation. It declares that the United States House of Representatives calls on the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide and the consequences of the failure to enforce the judgments of the Turkish courts against the responsible officials; calls on the President to characterize the systematic and deliberate annihilation of one and one-half million Armenians as genocide and to recall the proud history of United States intervention in opposition to the Armenian Genocide in an annual message commemorating the Armenian Genocide; and calls on the President, in his annual message concerning the Armenian Genocide, to state that the modern-day Republic of Turkey did not conduct the Armenian Genocide, which was perpetrated by the former Ottoman Empire.

THE FORMER OTTOMAN GOVERNMENT AND THE GROWING ARMENIAN NATIONALIST MOVEMENT

As the 19th Century drew to a close, ethnic Armenian citizens of the Ottoman and Russian Empires became increasingly interested in creating a new, independent, Armenian state, at a time when other ethnic groups across Eurasia sought to create or resurrect their own nation-states. The hoped-for Armenian state would, by necessity, consist of territory then held by the Russian Empire

in the Caucasus region and of territory then held by the Ottoman Empire in the eastern portion of Anatolia. The ruling authorities of the Ottoman Empire and of the “Young Turk” government that came to power both viewed such Armenian nationalism with concern, in light of the contraction of the Empire’s borders as territories that had long been ruled by the Empire successfully rebelled against it, particularly in the Balkans region.

OTTOMAN GOVERNMENT MEASURES AIMED AT ETHNIC ARMENIANS

The advent of the First World War in late 1914 proved the spark that touched off a cycle of violence between the Ottoman authorities and the ethnic Armenian minority. The “Young Turk” Ottoman government entered World War I on the side of the former Prussian and Austro-Hungarian Empires against Britain, France and the former Russian Empire. Emergency requisitions (confiscations) of civilian possessions to support the war effort led to clashes between Armenian citizens and the Ottoman police and military forces. The Ottoman authorities also ordered the deportation of ethnic Armenians from the eastern and southeastern provinces (the eastern Anatolia region) early in the war, out of concern that Armenians might engage in separatism and collaboration with Russian forces in support of an Armenian nation-state. As additional measures, ethnic Armenian soldiers were demobilized, arrested, or sent on work details, and, in April 1915, the Ottoman Interior Ministry authorized the arrest of any Armenian community and political leaders suspected of nationalist sentiments. In late May of 1915, a Temporary Law on Deportations authorized the Ottoman army to deport all populations (without specifying ethnic Armenians or any other group) that were suspected of espionage or treason or if such deportation was a military necessity. Laws enacted in June and September of 1915 expropriated (confiscated) the goods and assets left behind by such deported populations (again, not specifically naming ethnic Armenians or any other group).

THE DEATHS OF ETHNIC ARMENIANS

The deportations of ethnic Armenians from the eastern and southeastern Ottoman provinces (the eastern Anatolia region) that began in 1914 soon led to massacres of ethnic Armenians and the deaths of Armenians from starvation and other privations as they were sent on forced marches. The fate of many of those ethnic Armenian soldiers demobilized, arrested, or sent on work details has never been discovered and the arrests of Armenian community and political leaders in mid-1915 were followed by the execution of most of those arrested, even though no official charges had been brought against them. The 1915 Temporary Law on Deportations led to the deportation of most Armenian citizens from what is today modern-day Turkey. Many of those Armenians deported never, in fact, reached the region of the lower Euphrates River to the south of Turkey (the area of present day Iraq and Kuwait), which was the official destination of their resettlement. The United States Ambassador to the Ottoman Empire at the time, Mr. Henry Morgenthau, later wrote that: “When the Turkish authorities gave the orders for these deportations, they were merely giving the death warrant to a whole race.” While there is no definitive estimate of those ethnic Armenian citizens of the Ottoman Empire who died as a result of

the forced marches, executions, and battles, Armenians around the world believe that the total number of such victims ranges from 800,000 to 1.5 million.

H. RES. 596 AND U.S.-TURKISH RELATIONS

The Committee considered public testimony and private correspondence offered by representatives of the United States Department of State, Members of Congress, and former United States foreign policymakers, who have argued that it is important to United States national interests that the United States respect the Turkish government's assertions that, although many ethnic Armenians died during World War I, no genocide took place. Such witnesses, Members of Congress and retired policymakers point to various aspects of U.S.-Turkish relations in making that argument, including the following. Turkey is a member of the U.S.-led NATO alliance. Turkey borders on several Middle Eastern states of importance to the United States in its efforts to support the state of Israel and bring peace to the Middle East (Iraq, Iran and Syria). Turkey enforces United Nations sanctions on the Iraqi regime of Saddam Hussein and allows U.S. and NATO aircraft to patrol Northern Iraq from its bases. Turkey also plays a key role in international and NATO-led efforts to address instability in the nearby regions of the Balkans and the Caucasus, and has deployed peacekeeping forces in the Balkans. Turkey's trade with the United States has grown considerably, and it is recognized by the U.S. as an emerging, major market for U.S. exports. The United States and Turkey have worked closely over the past few years to arrange construction of oil and gas pipelines out of the Caucasus and Central Asia to ports on Turkey's coast, thereby expanding access to the two regions' vast energy reserves while avoiding Russian or Iranian control, and possible manipulation, of such pipelines. Turkey has also signed and implemented a military cooperation agreement with Israel, unprecedented for a Muslim state.

U.S. policymakers have also pointed out the increasing instability of the Turkish government in recent years, caused, in part, by the growing strength of Islamic fundamentalist and Turkish nationalist political movements in Turkey. Such policymakers fear that official U.S. recognition or determination of the events in the former Ottoman Empire in and after 1915 to have been a genocide could undermine pro-American elements in Turkey and provide Turkish nationalist and fundamentalist Islamic movements greater political influence within Turkey, to the ultimate detriment of both the U.S. and Armenia.

In the final instance, the majority of the Committee's Members came to a decision to support passage of the resolution with certain amendments intended to make it clear that the present-day Republic of Turkey did not carry out the genocidal actions conducted by its predecessor, the former Ottoman Empire.

History of recent congressional consideration of resolutions related to the "Armenian Genocide"

[94th Congress (1975-76)—The House passed H.J. Res. 148, commemorating the "Armenian Genocide," on April 8, 1975.]

98th Congress (1983-84)—The House passed H.J. Res. 247, commemorating the "Armenian Genocide," on September 10, 1984.

99th Congress (1985–86)—On December 12, 1985, the House adopted a rule for consideration of H.J. Res. 328 to direct the President to proclaim April 24, 1986 as a national day of remembrance of “man’s inhumanity to man,” especially the genocide said to have been committed against Armenians between 1915 and 1923. The House rejected an amendment to specify that the genocide said to have been committed against Armenians occurred before the establishment of the present Republic of Turkey. The House did not act further on the resolution, however, leaving it as “unfinished business.”

100th Congress (1987–88)—On August 7, 1987, the House failed to adopt a rule to consider H.J. Res. 132, a resolution to designate April 24, 1987 as “National Day of Remembrance of the Armenian Genocide of 1915–23.”

101st Congress (1989–90)—No action was taken by the House on H.J. Res. 417, a resolution introduced to designate April 24, 1990 as the “National Day of Remembrance of the 75th Anniversary of the Armenian Genocide.” [A February 1990 effort to pass through the Senate S.J. Res. 212, a resolution entitled the “National Day of Remembrance of the 75th Anniversary of the Armenian Genocide of 1915–23,” failed in the face of a filibuster.]

102nd Congress (1991–92)—No resolution introduced on the issue of the “Armenian Genocide.”

103rd Congress (1993–94)—No resolution introduced on the issue of the “Armenian Genocide.”

104th Congress (1995–96)—No action taken on H. Con. Res. 47, a resolution to recognize the “Armenian Genocide.” On June 5, 1996, the House adopted an amendment to the Fiscal Year 1997 Foreign Operations Appropriation Act to reduce aid to Turkey by \$3 million (an estimate of its payment of lobbying fees in the U.S.) until the Turkish government acknowledged the Armenian genocide and took steps to honor the memory of its victims.

105th Congress (1997–98)—No action taken on H. Con. Res. 55, a resolution to recognize the “Armenian Genocide.”

106th Congress (1999–2000)—H. Res. 398, a resolution calling on the President to provide training on genocide to all U.S. Foreign Service officers by familiarizing them with U.S. records related to the Armenian Genocide and calling on the President to commemorate the Armenian Genocide, was introduced and subsequently the subject of a hearing and approved by the International Relations Committee’s Subcommittee on International Operations and Human Rights on September 14, 2000. H. Res. 596, a slightly modified version of H. Res. 398, was adopted by the International Relations Committee on October 3, 2000.

Jurisdiction of the International Relations Committee

Prior to the 104th Congress, “Armenian Genocide” resolutions were considered “commemorative” measures within the jurisdiction of the former House of Representatives’ Post Office and Civil Service Committee. In the 104th Congress, that Committee was disbanded and such “commemoratives” were also prohibited under the Rules of the House of Representatives. Appropriately-worded measures “noting” certain occasions may still be introduced, however, despite the Rules of the House. Resolutions noting or recognizing the “Armenian Genocide,” worded in an appropriate fashion, are

therefore now routinely referred to the International Relations Committee.

COMMITTEE ACTION

H. Res. 596 was introduced by Representative Radanovich on September 27, 2000, and referred by the Speaker to the Committee on International Relations.

A similar resolution, H. Res. 398, was introduced by Representative Radanovich on November 18, 1999 and referred to the Subcommittee on International Operations and Human Rights on February 15, 2000. The Subcommittee on International Operations and Human Rights held a hearing on H. Res. 398 on September 14, 2000. Witnesses: Amb. Marc Grossman, Director General of the Foreign Service, Department of State; Dr. Justin McCarthy, Professor of History, University of Louisville; Dr. Robert F. Melson, Professor of Political Science, Purdue University; Dr. Roger W. Smith, Professor of Government, College of William and Mary; and Amb. Gunduz Suphi Aktan, Former Ambassador of the Republic of Turkey. The Subcommittee on International Operations and Human Rights held a markup of H. Res. 398 on September 21, 2000, forwarding the measure to the Full Committee by voice vote.

On September 28 and October 3, 2000, the International Relations Committee marked up H. Res. 596, pursuant to notice, in open session.

On September 28, 2000, the Committee adopted by voice vote an amendment by Mr. Tancredo that calls upon the President in the President's annual message commemorating the Armenian Genocide to state that the modern day Republic of Turkey did not conduct the Armenian Genocide, which was perpetrated by the Ottoman Empire.

An amendment offered by Mr. Lantos providing a complete substitute for the resolution was ruled out of order as non-germane and Mr. Lantos' appeal of the ruling of the Chair on the point of order was tabled (on motion of Mr. Radanovich) by voice vote (a recorded vote on the tabling motion, demanded by Mr. Lantos, having been refused).

On October 3, 2000, the Committee received testimony during the markup from Representative Porter Goss, Chairman of the House Permanent Select Committee on Intelligence; and Mr. Mehmet Ali Irtemcelik, Spokesman for the Turkish Parliamentary Delegation.

An amendment offered by Mr. Burton that would have added language stating that U.S. national security interests are likely to be negated without the establishment of peace and reconciliation between the several successor states who comprised portions of the Ottoman Empire, but not necessarily limited to Republic of Turkey and the Republic of Armenia, and calls upon the President to initiate a policy of active engagement to promote peace and reconciliation in the region, was not agreed to by a rollcall vote of 15 to 19.

An amendment offered by Mr. Rohrabacher to substitute a reference to "Young Turk Government" for a reference to the "government of the Ottoman Empire" at one point in the resolution was agreed to by a rollcall vote of 34 to 0.

Subsequently, the previous question was ordered by unanimous consent and, a quorum being present, the Committee agreed by record vote of 24 ayes to 11 noes, with 2 voting present, to a motion offered by Mr. Smith to favorably report the resolution, as amended, to the House of Representatives. A motion to reconsider was laid on the table.

ROLLCALL VOTES

Clause (3)(b) of rule XIII of the Rules of the House of Representatives requires that the results of each record vote on an amendment or motion to report, together with the names of those voting for or against, be printed in the committee report.

*Description of amendment, motion, order, or other proposition
(Votes during markup of H. Res. 596—September 28 and October 3, 2000)*

Vote No. 1 (11:40 a.m.).—The Burton amendment adding language stating that U.S. national security interests are likely to be negated without the establishment of peace and reconciliation between the several successor states who comprised portions of the Ottoman Empire, but not necessarily limited to Republic of Turkey and the Republic of Armenia, and calls upon the President to initiate a policy of active engagement to promote peace and reconciliation in the region.

Voting Yes: Bereuter, Burton, Ballenger, Sanford, Salmon, Houghton, Campbell, Brady, Burr, Gillmor, Cooksey, Tancredo, Lantos, Faleomavaega, and Pomeroy.

Voting No: Gilman, Smith, Gallegly, Rohrabacher, Royce, Chabot, Radanovich, Gejdenson, Berman, Ackerman, Payne, Menendez, McKinney, Sherman, Rothman, Davis, Lee, Crowley, and Hoeffel.
Ayes, 15. Noes, 19.

Vote No. 2 (12:06 p.m.).—Rohrabacher amendment that replaces “Young Turk Government” with “government of the Ottoman Empire” at one point in the resolution.

Voting Yes: Gilman, Bereuter, Smith, Burton, Gallegly, Ballenger, Rohrabacher, Royce, Chabot, Sanford, Salmon, Houghton, Campbell, McHugh, Brady, Burr, Gillmor, Radanovich, Cooksey, Tancredo, Gejdenson, Lantos, Berman, Ackerman, Faleomavaega, Menendez, McKinney, Hilliard, Sherman, Rothman, Davis, Lee, Crowley, and Hoeffel.

Voting No: none.

Ayes, 34. Noes, 0.

Vote No. 3 (12:10 p.m.).—Smith motion to favorably report to the House of Representatives H. Res. 596, as amended.

Voting Yes: Gilman, Smith, Gallegly, Ros-Lehtinen, Rohrabacher, Royce, Chabot, Campbell, McHugh, Radanovich, Tancredo, Gejdenson, Berman, Ackerman, Menendez, Brown, McKinney, Sherman, Rothman, Davis, Delahunt, Lee, Crowley, and Hoeffel.

Voting No: Bereuter, Burton, Ballenger, Salmon, Houghton, Brady, Burr, Lantos, Faleomavaega, Danner, and Hilliard.

Voting “Present”: Sanford and Cooksey.

Note.—The bill was ordered favorably reported, as amended, by a rollcall vote of 24 ayes to 11 noes, with 2 voting “present”.

OTHER MATTERS

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM FINDINGS

Clause 3(c)(4) of rule XIII of the Rules of the House of Representatives requires each committee report to contain a summary of the oversight findings and recommendations made by the Government Reform Committee pursuant to clause (4)(c)(2) of rule X of those rules. The Committee on International Relations has received no such findings or recommendations from the Committee on Government Reform.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

The bill may be cited as the “Affirmation of the United States Record on the Armenian Genocide.”

Section 2. Findings

States that a genocide was conceived and carried out by the Ottoman Empire against ethnic Armenians from 1915 to 1923, resulting in the deaths of one and one-half million Armenians and the deportation of one-half million more, eliminating Armenians from their homeland of 2,500 years;

States that in May 1915 the Allied Powers of World War I charged the government of that Empire with a “crime against humanity” for the first time in history and stated that they would hold personally responsible for that crime all members of the Ottoman Government;

States that the post-World War I Turkish Government itself indicted top leaders involved in the “organization and execution” of the Armenian Genocide and “in the massacre and destruction of the Armenians,” yet the verdicts won against those individuals in the courts, including death sentences, were not enforced;

States that the United States National Archives and the archives of Austria, France, Germany, Great Britain and Russia hold a vast body of evidence and extensive and thorough documentation on the

Armenian Genocide and that the national archives of Turkey should also include records related to those responsible for the Armenian Genocide;

States that U.S. Ambassador to the Ottoman Empire Henry Morgenthau led protests by various countries' officials against the Armenian Genocide and described to the State Department the policy of the government of the Ottoman Empire as a "campaign of race extermination";

Refers to a Senate Concurrent Resolution 12 of February 9, 1916 as resolving that the President should designate a day on which U.S. citizens might contribute funds for relief of the Armenians then experiencing untold suffering;

States that U.S. President Wilson encouraged creation of the Near East Relief organization which contributed \$116 million in aid to the survivors of the Armenian Genocide from 1915 to 1930;

Refers to a Senate Resolution 359 of May 11, 1920 as stating that the truth of the reported massacres of Armenians had been established;

States that Adolf Hitler had stated in 1939 in response to concerns over his pending invasion of Poland "[w]ho, after all, speaks today of the annihilation of the Armenians?";

States that Rafael Lemkin, the earliest proponent of the Genocide Convention, invoked the Armenian case as a definitive example of genocide in the 20th century and that he described genocide as the sort of thing "the Turks did to the Armenians";

States that the Armenian Genocide was identified as the kind of crime the United Nations wished to prevent when the U.N. adopted the first resolution on genocide on December 11, 1946;

States that the U.N. War Crimes Commission referred to the Armenian Genocide as the type of act the term "crimes against humanity" was intended to cover as a precedent for the Nuremberg tribunals;

States that the U.N. Commission on Human Rights adopted a report in 1985 that stated that the Ottoman massacre of Armenians in 1915-16 was a case of genocide during the 20th century and that possibly well over half of the Armenian population, at least one million people, had been killed or death-marched;

States that the Armenian Genocide has been acknowledged by countries and international bodies including the United States, Great Britain, the United Nations, the Council of Europe and others;

States that the United States Holocaust Memorial Council has included the Armenian Genocide in the U.S. Holocaust Memorial Museum;

Cites statements by Presidents Ronald Reagan, George Bush and Bill Clinton referring to the Armenian Genocide;

Cites a 1993 United States Court of Appeals ruling that an assertion of ambiguity regarding the facts of the Armenian Genocide would contradict longstanding U.S. policy;

States that United States Under Secretary of State Stuart Eizenstat pledged in April 1999 that the administration would raise with the Republic of Turkey the recovery of Armenian assets held by the Imperial Ottoman Bank at the time of the genocide period;

States that it is important that the President ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing and genocide documented in the United States record relating to the Armenian Genocide and the consequences of the failure to enforce the judgements of the Turkish courts against the responsible officials.

Section 3. Declaration of policy

Calls upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide and the consequences of the failure to enforce the judgements of the Turkish courts against the responsible officials;

Calls upon the President to characterize the systematic and deliberate annihilation of 1,500,000 Armenians as genocide in any annual message issued to commemorate that event and to use that annual message to recall the proud history of the United States intervention in opposition to the Armenian Genocide;

Calls upon the President to make it clear in his annual message commemorating the Armenian Genocide that the modern day Republic of Turkey did not conduct the Armenian Genocide, which was perpetrated by the Ottoman Empire.

DISSENTING VIEWS OF MR. LANTOS, MR. BURTON, AND MR.
FALEOMAVAEGA

We share the majority's concern for the atrocities committed against the Armenian people in the Ottoman Empire during the period 1915–1923 in which an estimated million and a half Armenians died. American Presidents have acknowledged this tragedy and have issued statements annually on April 24 on the Armenian Day of Remembrance. The Statement issued by President Clinton in April of this year is representative of the annual statements issued to commemorate that tragedy:

STATEMENT OF THE PRESIDENT—APRIL 24, 2000, ARMENIAN
DAY OF REMEMBRANCE

Today we remember a great tragedy of the twentieth century: the deportations and massacres of roughly one and a half million Armenians in the final years of the Ottoman Empire. I join Armenians around the world, including the Armenian-American community, in mourning the loss of those innocent lives. I also extend my sympathy to the survivors and their descendants for the hardships they suffered. I call upon all Americans to renew their commitment to build a world where such events are not allowed to happen again. The lesson we must learn from the stark annals of history is that we must forge a more humane future for the peoples of all nations.

We believe that statement reflects the sentiments of all Americans, and they are sentiments which I share.

At the same time, however, the statements in this resolution go beyond the factual evidence in terms of the role of the Ottoman government in perpetrating the atrocities that were committed. There has been a great deal said about “genocide” and the direct involvement and instigation of the Ottoman government in the atrocities. While we do not wish to minimize in any way the enormity of the atrocities committed against the Armenian people, the statements in the resolution do go beyond the historical evidence of Ottoman involvement. The Ottoman government was weak and ineffectual and in the process of collapse at the time of these tragic events, but there are clear indications that the government itself did not order or instigate them.

On July 13, 1921, the British Embassy in Washington sent a diplomatic message to the Secretary of State of the British Foreign Office in London. The British had detained Ottoman officials in Malta and were considering placing them on trial “in connection with the Armenian massacres.” The British government requested access to diplomatic reports from American consular officials in the Ottoman Empire at the time of the atrocities against Armenia. The U.S. De-

partment of State made available to the British government those reports which the Department judged the most useful in providing evidence of Ottoman officials inciting the violence against Armenians. After examining the most detailed and specific of the material in the State Department files, the British Embassy in Washington informed Lord Curzon, the British Secretary of State, that "there was nothing there which could be used as evidence against the Turks who are being detained for trial at Malta. The reports, seen, while furnishing full accounts of the atrocities committed, made mention, however, of only two names of the Turkish officials in question * * * and in these cases were confined to personal opinions of these officials on the part of the writer, not concrete facts being given which could constitute satisfactory incriminating evidence." (Dispatch Number 722, July 13, 1921, from R.C. Craigie, British Embassy at Washington, to the Earl Curzon of Kedleston, Secretary of State, Foreign Office, London.)

The most serious issue of concern to us is not the inaccuracies that are present in the text of this resolution, but much more importantly, the negative impact that adoption of this resolution will have not only upon United States relations with Turkey, but on a wide range of U.S. national interests in which Turkey is our active and necessary partner. These vital national interests include: continued strong, international efforts to contain Saddam Hussein, including the participation of the Turkish government in overflight of Northern Iraq; efforts to achieve peace and stability in Cyprus and in the Nagorno-Karabakh region; and Turkish engagement in the construction of a trans-Caucasus oil pipeline to provide energy security into the future. Our commercial relationship with Turkey also could be put at risk by this ill-considered measure.

Importantly, a number of current and former United States government officials with long experience in defense and national security issues have expressed very serious concern about the consequences of the adoption of this resolution. These expressions of concern are of such importance that we include them in this statement of minority views. The resolution reported from the Committee in International Relations is H. Res. 596, but administration views were requested by the Committee on an earlier version of that resolution—H. Res. 398. The new resolution differs from the earlier version in only minor respects.

LETTER TO THE HONORABLE BENJAMIN A. GILMAN, CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS, FROM BIPARTISAN GROUP OF FORMER NATIONAL SECURITY AND MILITARY LEADERS, OCTOBER 2, 2000

Hon. BENJAMIN GILMAN,
Chairman, Committee on International Relations,
House of Representatives.

DEAR MR. CHAIRMAN: We urge opposition to House Resolution 596, recently passed by the Subcommittee on International Operations and Human Rights of the House International Relations Committee, concerning the attention which should be given by the President to the "Armenian Genocide" in American foreign policy.

Whatever you or others may feel about the merits of this resolution, it is important to understand the real world consequences of its adoption. The potential for damage to U.S. interests in a vital region dramatically outweighs, in our judgement, any acknowledgment of past atrocities during World War I and its aftermath.

Turkey's strategic location at the crossroads of Europe, the Middle East, the Caucasus, and the Balkans, as well as its unique position as the only Muslim democratic country with a vigorous market economy, places it at the center of U.S. short and long term strategic interests.

Now is not the time to test the will of an indispensable ally which, for over forty years, has proven its loyalty and strategic importance. A staunch ally during the Cold War, Turkey will be even more crucial to U.S. security interests in the 21st century in a region plagued by new security challenges, including political instability, Islamic extremism, proliferation of weapons of mass destruction, terrorism, and narcotics trafficking.

Turkey's cooperation is essential to promote U.S. strategic interests in the region. Yet with the adoption of this resolution, no Turkish government will be able to be as forthcoming as in the past, given its public's strong sensitivities to events clouded by history. Consider the consequences:

- Iraq—Amid recent fears of increased Iraqi pressures on Kuwait reminiscent of the Gulf crisis in 1990, Turkey remains central to U.S.-led efforts to contain Iraqi aggression. Turkey continues to host U.S. and British forces participating in Operation Northern Watch as they enforce the no-fly zone in northern Iraq and protect the people there from Saddam. And it is continuing to impose sanctions against Iraq despite the fact that it has cost the Turkish economy over \$35 billion.

- The Newly Independent States—Turkey is a geostrategic bridge between the newly independent states of the Caucasus and Central Asia and the West. An energy transportation corridor through Turkey will prevent Russia or Iran from monopolizing strategic gas and oil reserves in the region.

- Regional Cooperation—Turkey's great strides in combating indigenous terrorism continue to be a model for other countries. The U.S. State Department has consistently praised Turkey for significant contributions in the fight against terrorism.

- The Balkans—Integral to our efforts to end ethnic bloodshed in the Balkans, Turkey participated in the air war in Kosovo and housed thousands of fleeing refugees. Turkey continues to help NATO secure a lasting peace in Kosovo by maintaining a 1,000-man brigade there and is helping stabilize Bosnia with its 700-man policing force.

- Relations with Israel—Turkey was the first Muslim country to establish relations with Israel over 50 years ago. Over the past ten years, this relationship has matured into a full-blown "strategic partnership" that includes joint military exercises.

Passage of the resolution would strengthen the hand of those in Turkey who oppose Turkey's further integration into the West and would deliver a several blow to U.S. interests in the region. We urge you to carefully weigh the implications of this resolution and

vote against wherever it may be considered, either in committee or on the House floor.

Sincerely,

Frank Carlucci, Former Secretary of Defense; William J. Perry, Former Secretary of Defense; Admiral William J. Crowe, Jr., Former Chairman, Joint Chiefs of Staff; General Alexander Haig, Former Secretary of State and Former Supreme Allied Commander for Europe; General Wesley K. Clark, Former Supreme Allied Commander for Europe; General George Joulwan, Former Supreme Allied Commander for Europe; Richard Allen, Former National Security Advisor.

Richard Perle, Former Assistant Secretary of Defense; General John Shalikashvili, Former Chairman, Joint Chiefs of Staff and Former Supreme Allied Commander for Europe; General Brent Scowcroft, Former National Security Advisor; James Woolsey, Former Director of Central Intelligence; General James Jamerson, Former Deputy Commander-in-Chief, United States European Command; General John W. Vessey, Jr., Former Chairman, Joint Chiefs of Staff.

LETTER TO THE HONORABLE J. DENNIS HASTERT, SPEAKER, HOUSE OF REPRESENTATIVES, FROM SECRETARY OF DEFENSE BILL COHEN, SEPTEMBER 28, 2000

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives
Washington, DC.

DEAR MR. SPEAKER: I appreciated the opportunity to speak with you on H. Res. 398, the United States Training on and Commemoration of the Armenian Genocide Resolution. As we discussed, I am concerned with the unintended harm passage of this Resolution could have on our efforts to build peace and stability in the region.

In no way do I mean to downplay the Armenian tragedy. In recognition of that suffering, the U.S. Government has a tradition of commemorating Armenian Remembrance Day each April 24, mourning the loss of innumerable Armenian lives and challenging all Americans to recommit themselves to ensuring that such events never again happen.

However, passing judgment on this history through legislation could have a negative impact on Turkish-Armenian relations and on our security interests in the region, H. Res. 398 would complicate our efforts to protect our interests in the region and sustain our positive relationship with Turkey; a strong and strategic ally.

Again, I appreciated the opportunity to talk with you about this important issue. Please let me know if I can provide any further information to you on this manner.

Sincerely,

BILL COHEN.

LETTER TO THE HONORABLE BENJAMIN A. GILMAN, CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS, FROM ASSISTANT SECRETARY OF STATE BARBARA LARKIN, JULY 13, 2000

Hon. BENJAMIN A. GILMAN,
*Chairman, Committee on International Relations,
House of Representatives.*

DEAR MR. CHAIRMAN: This letter is to respond to your Committee's request for the Administration's views on H. Res. 398, the "United States Training on and Commemoration of the Armenian Genocide Resolution." Over the years, the Department of State has set forth its objections, in detail, to previous congressional resolutions on this issue. These objections remain no less valid today. In essence, the Administration believes that H. Res. 398 would complicate its efforts to build a peaceful, prosperous, and stable future for the people of the region.

The Administration opposes legislative measures to deal with the sensitive issue raised in H. Res. 398. That the Armenian people endured horrible massacres and suffering during the First World War is beyond doubt. That the peoples of Turkey and Armenia must find a way to come to terms with their shared history is a principle we strongly support. But we also agree with the position adopted by other friends of both Armenia and Turkey, including France and Israel, that the question of how these massacres are characterized is best left to historians, and cannot be legislated from outside.

The President and the Secretary of State ascribe great importance to the process of building peace, stability, and mutual confidence in the Caucasus region. Normalization of the Turkish-Armenian relationship is a vital element of any Nagorno-Karabakh settlement, and thus of Armenia's future. H. Res. 398 would be likely to have the unintended effect of injuring ongoing efforts to improve relations between Turkey and Armenia. It would thus deal a severe setback to prospects for a Nagorno-Karabakh settlement between Armenia and Azerbaijan at an especially sensitive moment in the Minsk Group-sponsored peace process. The U.S. has a crucial role to play in nurturing a positive political climate in the region.

The memory of the tragic massacres will be forever with us. President Clinton has preserved the tradition of commemorating Armenian Remembrance Day each April 24, issuing a solemn statement that mourns the loss of innocent Armenian lives and challenges all Americans to recommit themselves to ensuring that such events never occur again. We believe this is the most fitting and appropriate tribute to the victims of the massacres.

The Office of Management and Budget advises that from the standpoint of the Administration's program there is no objection to the submission of this letter.

Sincerely,

BARBARA LARKIN,
Assistant Secretary, Legislative Affairs.

LETTER TO THE HONORABLE BENJAMIN A. GILMAN, CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS, FROM UNDERSECRETARY OF DEFENSE WALTER B. SLOCOMBE, SEPTEMBER 20, 2000

Hon. BENJAMIN A. GILMAN,
Chairman, Committee on International Relations, House of Representatives, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to offer the views of the Department of Defense on H. Res. 398, the "United States Training on and Commemoration of the Armenian Genocide Resolution." The Department of State conveyed to you in June the Administration's objections to this and previous resolutions on this issue, and the Administration's continuing opposition to legislative measures to deal with the sensitive issues raised in H. Res. 398. Ambassador Grossman reiterated these objections in recent testimony before the subcommittee on International Operations and Human Rights. We continue to be concerned that passage of H. Res. 398 would have substantial negative effects on our strategic interests in the region, complicating our effort to build peace and stability.

There is no doubt that the Armenians suffered greatly during World War I. It is clearly in the interest of both the Turkish and Armenian peoples that they together come to terms with these events. President Clinton has continued the tradition of commemorating Armenian Remembrance Day each April 24, mourning the loss of innumerable Armenian lives and challenging all Americans to recommit themselves to ensuring that such events never happen again. This is a fitting and appropriate tribute to the victims and a means of fostering awareness of this historic tragedy.

However, passing judgment on this history through legislation could only have a negative impact on Turkish-Armenian relations and on our security interests in the region. Turkey is important to U.S. defense interests because it is at the epicenter of many crucial United States security concerns and has actively supported United States interests. Turkey has faithfully guarded the southeast flank of NATO for almost 50 years, and remains one of NATO's most steadfast members. Over 2000 Turkish soldiers are deployed in Bosnia, Kosovo, Albania and Macedonia. Ankara supports our Iraq policy, a stance which has resulted in substantial economic costs to Turkey in lost trade. Operation Northern Watch, the enforcement of the northern no-fly zone over Iraq, continues to operate from the Turkish base at Incirlik.

Further, as recent events have shown, it is difficult to overstate Turkey's strategic value. The Balkans, the Persian Gulf and much of the Middle East are within reach of Turkish bases. Syria, Iraq, Iran and the oil-rich but volatile Caucasus region lie along its borders. With key U.S. security interests implicated in each of these, our alliance and relationship with Turkey will only become more vital in the years ahead. H. Res. 398 would complicate our efforts to build relationships and protect our interests in the region and sustain our positive relationship with a key, strategically placed ally.

Thank you for considering our views in your deliberations on this legislation.

Sincerely yours,

WALTER B. SLOCOMBE.

TOM LANTOS.
DAN BURTON.
ENI FALEOMAVAEGA.
AMO HOUGHTON.
PAT DANNER.
KEVIN BRADY.

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