

Sons of Union Veterans of the Civil War

National Committee on Legislation

Daniel R. Earl, Chairman



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12 April 2005

Mr. Stephen A. Michaels
Commander-in-Chief
Sons of Union Veterans of the Civil War
6623 S. North Cape Road
Franklin, WI 53132-1227

Dear CinC Michaels:

This report focuses entirely on federal legislation applicable to the Order, Patriotism, and Veterans.

In January the U.S. Senate and House of Representatives embarked on the first session of the 109th Congress. There are several pieces of legislation that might be considered of interest to our Order. That legislation is listed in the attached appendix. This report includes legislation pending before Congress which has been introduced since the start of the 109th Congress, current through date. It also includes relevant public laws signed by the President during the same time.

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At the 2004 National Encampment a resolution calling for the return of Memorial Day to the traditional day of observance was introduced to the Delegates by Brother Al Peterson (PDC) of Nevada. It was then referred to this Committee for analysis and action. In this resolution there was a call for support of "S 189". Upon analysis by the Committee, it was discovered that this reference does not exist as a proposed piece of legislation in Congress (there was, at the time this

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Resolution was introduced, corresponding legislation introduced by Sen. Inouye pending in the U.S. Senate). Since this Committee's last report, Senator Inouye of Hawaii, as expected, introduced S. 80, calling for the restoration of the traditional day of observance of Memorial Day, and for other purposes. The text of the Bill is as follows:

A BILL

To restore the traditional day of observance of Memorial Day, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. RESTORATION OF TRADITIONAL DAY OF OBSERVANCE OF MEMORIAL DAY.

- (a) DESIGNATION OF LEGAL PUBLIC HOLIDAY- Section 6103(a) of title 5, United States Code, is amended by striking `Memorial Day, the last Monday in May.' and inserting the following:
`Memorial Day, May 30.'
- (b) OBSERVANCES AND CEREMONIES- Section 116 of title 36, United States Code, is amended--
 - (1) in subsection (a), by striking `The last Monday in May' and inserting `May 30'; and
 - (2) in subsection (b)--
 - (A) by striking `and' at the end of paragraph (3);
 - (B) by redesignating paragraph (4) as paragraph (5); and
 - (C) by inserting after paragraph (3) the following new paragraph (4):
`4) calling on the people of the United States to observe Memorial Day as a day of ceremonies for showing respect for American veterans of wars and other military conflicts; and'.
- (c) DISPLAY OF FLAG- Section 6(d) of title 4, United States Code, is amended by striking `the last Monday in May;' and inserting `May 30;'

This bill was introduced on January 24th, just days after the 109th Congress convened. It was promptly referred to the Senate Committee on the Judiciary, where it remains today. There are no co-sponsors for the Bill and no action has been taken or is scheduled by the Committee. Sen. Inouye has introduced similar, if not identical, legislation in Congress over the past several sessions. Each time there have been no co-sponsors and no committee action taken. This is indicative of a "private request" Bill.

Generally this indicates that the sponsor of the legislation has no particular interest in supporting it himself, however, has introduced it at the request of constituents who DO support it. If this is

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the case, as it appears it is, since there are no co-sponsors and no action pending, the Bill will likely die at the close of the 1st session in December, as it has in the past.

Regardless of the probable future of this legislation, it is the recommendation of the National Committee on Legislation that the Resolution introduced by Brother Al Peterson (PDC) be adopted as amended herein:

A
Resolution

Sons Union Veterans of the Civil War
_____ August 2005

*A Resolution providing for the Restoration of Memorial Day
to the traditional date of May 30th, by way of signing petitions.*

Whereas, in observance with General Order # 11 issued by General John Logan in 1868 the 30th day of May was designated for the purpose of strewing with flowers of otherwise decorating the graves of comrades who died in defense of their country; and,

Whereas, all Americans are encouraged to aid and assist those whom they have left among us as sacred charges upon the Nation's gratitude - the widows and orphans of the soldiers and sailors who fought to save the Union; and,

Whereas, the purpose of Memorial Day is to honor Union veterans, and is set aside originally by the Grand Army of the Republic as the 30th day of May; and,

Whereas, we as Americans should pay homage not only to those who served during the Civil War, but all wars and conflicts combined; therefore,

Be it Resolved, that the Sons of Union Veterans of the Civil War shall take the initiative to persuade and encourage all Americans young and old alike to lead the nation in obtaining as many signatures as possible in the form of petitioning their elected representatives; and be it

Further Resolved, THE TIME IS NOW to move ahead to persuade those in the United States Congress and the President to pass and sign into law legislation pending in the U.S. Senate (S. 80), restoring Memorial Day to the traditional day of May 30th; and be it

Finally Resolved. that these petitions shall be presented to the Congress of the United States for consideration and action.

Adopted this _____ day of August in the year of our Lord, two thousand five, and of the Independence of the United States of America the two hundred thirtieth, in the City of Nashua, County of Hillsborough, State of New Hampshire, by the Sons of Union Veterans of the Civil War Delegates to the 124th Annual National Encampment.

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As indicated above, applicable legislation is sorted in to three separate categories, to wit:

- 1) legislation having a direct impact on the purpose, goals, and objectives of the Order;
- 2) general legislation associated with patriotism and pro-American activities; and,
- 3) legislation impacting U.S. Veterans.

As with any similar report compiled and submitted by this Committee, there are likely to be oversights and unintentional omissions. This specific report is focused on legislation relative to Memorial Day observances, thus other areas of interest have been left out to save space. If you, members of the CofA or others become aware of pertinent legislation that is not included in this report, please notify me or any member of the Committee so it can be researched in future reports.

Respectfully submitted in Fraternity, Charity, and Loyalty,

A handwritten signature in black ink that reads "Daniel R. Earl". The signature is written in a cursive, flowing style.

Daniel R. Earl
Chair, National Committee on Legislation
Sons of Union Veterans of the Civil War

cc:

Mr. Donald D. Palmer, Jr., PDC, National Chief of Staff
Mr. Andrew M. Johnson (PCinC), Washington, D.C. Representative.
Mr. Tad D. Campbell, Commander, Department of California and Pacific
Mr. Jerry Sayre, Senior Vice Commander, Department of California and Pacific
Mr. Daniel M. Bunnell PDC, Department of California and Pacific
Mr. Bob Lowe PDC, Department of California and Pacific
Mr. Al Peterson, PDC, Department of California and Pacific
Mr. D. Brad Schall PDC, Department of California and Pacific
Mr. David C. Schleeter, Commander, Phil Sheridan Camp No. 4

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**APPENDIX TO REPORT OF THE
NATIONAL COMMITTEE ON LEGISLATION
11 April 2005**

**Significant Federal Legislation
Impacting the SUVCW
1st Session of the 109th Congress
(January 2005 – 11 April 2005)**

Type = **O**-Order; **C**-U.S. Constitution/Flag; **P**-Patriotism; **V**-Veterans.
Bill = Bill Number/Description
Sponsor = Legislator Introducing the Legislation
Date = Date Introduced
Status = Status and date of legislation (including updates)

Items of Special Interest are Highlighted

| <i>Type</i> | <i>Bill</i> | <i>Sponsor</i> | <i>Date</i> | <i>Status</i> |
|-------------|--|--|-----------------|---|
| P | H. R. 63 – Democracy Day Act of 2005 , To treat the Tuesday next after the first Monday in November in the same manner as any legal public holiday for purposes of Federal employment, and for other purposes. | Rep. John Conyers, Jr. [MI-14] | 1/4/2005 | 1/4/2005: Referred to the House Committee on Government Reform. |
| V | H. R. 156 – Fairness to All Vietnam Veterans Act , To require the Secretary of Defense to report to Congress regarding the requirements applicable to the inscription of veterans' names on the memorial wall of the Vietnam Veterans Memorial. | Rep. Juanita Millender-McDonald [CA-37] | 1/4/2005 | 1/4/2005: Referred to the House Committee on Armed Services. |
| O | H.R. 687 – Civil War Sesquicentennial Commission Act , To establish a commission to commemorate the sesquicentennial of the American Civil War. | Rep. Richard H. Baker [LA-6] | 2/9/2005 | 2/9/2005: Referred to the House Committee on Government Reform. |
| O | H.R. 698 – Citizenship Reform Act of 2005 , To amend the Immigration and Nationality Act to deny citizenship at birth to children born in the United States of parents who are not citizens or permanent resident aliens. | Rep. Nathan Deal [GA-10] | 2/9/2005 | 3/2/2005: Referred to House Judiciary Subcommittee on Immigration, Border Security, and Claims. |

*current as of 11 April 2005
(through HR 1539, HConRes 126, HJRes 40, HRes 933, inclusive; through S 875, SConRes 25, SJRes 11, SRes 101, inclusive)*

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|-------------|---|--------------------------------|-------------|---|
| P | H.R. 762 – Revolutionary War and War of 1812 Battlefields Commemorative Coin Act of 2005 , To direct the Secretary of the Treasury to mint coins in commemoration of the battlefields of the Revolutionary War and the War of 1812, and for other purposes. | Rep. Rush D. Holt [NJ-12] | 2/10/2005 | 3/18/2005: Referred to the House Committee on Financial Services Subcommittee on Domestic and International Monetary Policy Trade and Technology. |
| P | H.R. 763 – Revolutionary War and War of 1812 Battlefield Protection Act of 2005 , To amend the American Battlefield Protection Act of 1996 to establish a battlefield acquisition grant program for the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812, and for other purposes. | Rep. Rush D. Holt [NJ-12] | 2/10/2005 | 2/23/2005: Referred to the House Committee on Resources Subcommittee on National Parks. |
| O | H.R. 767 – Abraham Lincoln Bicentennial 1-Cent Coin Redesign Act , To provide for the redesign of the reverse of the Lincoln 1-cent coin in 2009 in commemoration of the 200th anniversary of the birth of President Abraham Lincoln. | Rep. Ray LaHood [IL-18] | 2/10/2005 | 2/10/2005: Referred to House Committee on Financial Services. |
| V | HR 805 – Veterans Burial Benefits Improvement Act of 2005 , To amend title 38, United States Code, to increase burial benefits for veterans, and for other purposes. | Rep. Shelley Berkley [NV-1] | 2/15/2005 | 2/15/2005: Referred to House Committee on Veterans' Affairs |
| O | HR 1084 -- To authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes. | Rep. Jeb Bradley [NH-1] | 3/3/2005 | 3/15/2005: Referred to the House Committee on Resources Subcommittee on National Parks |

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|-------------|--|--------------------------------|-------------|--|
| O | H.R. 1192 – Abraham Lincoln National Heritage Area Act , establishes the Abraham National Heritage Area in Illinois, etc. | Rep. Ray LaHood [IL-18] | 3/9/2005 | 3/17/2005: Referred to the House Committee on Resources Subcommittee on National Parks |
| P | H.Con.Res. 13 -- Expressing the sense of the Congress that Harriet Tubman should have been paid a pension for her service as a nurse and scout in the United States Army during the Civil War | Rep. Edolphus Towns [NY-10] | 1/4/2005 | 1/4/2005: Referred to the House Committee on Armed Services. |
| O | S. 80 – To restore the tradition day of observance of Memorial Day, and for other purposes. | Sen. Daniel K. Inouye [HI] | 1/24/2005 | 1/24/2005: Referred to the Senate Committee on Judiciary. |