

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HM 205 Vietnam Veterans

**SPONSOR(S):** Metz

**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Federal Affairs Subcommittee	12 Y, 0 N, As CS	Bennett	Camechis
2) State Affairs Committee	15 Y, 0 N	Bennett	Hamby

### SUMMARY ANALYSIS

Due to the controversy surrounding the Vietnam War, many veterans returned to the United States without formal recognition of their service. This memorial urges Congress to initiate and support a nationwide effort to commemorate, in 2013, the 40<sup>th</sup> anniversary of the end of the United States' involvement in the Vietnam War, and demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans. This memorial also asks Congress to authorize the minting of a commemorative anniversary medal to express the nation's appreciation for the honorable service of Vietnam veterans.

The United States Armed Forces began serving in an advisory role to South Vietnam in the mid-1950s, but became directly involved in the mid-1960s when troops were sent into Vietnam. United States ground troops were withdrawn from Vietnam on March 30, 1973, under the terms of the Paris Peace Accords. More than 58,000 United States service members lost their lives in the war, including 1,952 Floridians, and more than 153,000 were wounded and required hospital care. There are approximately 7.5 million living veterans of the Vietnam War, with approximately 454,000 living in Florida.

This memorial does not seek establishment of a legal holiday, and does not address the design, issuance, or sale of the commemorative medal.

The sponsor of this memorial, Representative Metz, sponsored a substantially similar memorial, CS/HM 845, during the 2011 regular session of the Florida Legislature. That memorial passed the House, but died in Senate messages.

This memorial has no fiscal impact on state or local government.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### ***Effects of Proposed Changes***

This memorial urges Congress to initiate and support the nationwide effort to commemorate, in 2013, the 40<sup>th</sup> anniversary of the end of the United States' involvement in the Vietnam War, and to demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans. The memorial does not, however, propose creation of a legal holiday.

This memorial also asks Congress to authorize the minting of a 40<sup>th</sup> anniversary commemorative medal, but does not address the design, issuance, or sale of the medal.

Copies of the memorial must be sent to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and to each member of the Florida delegation to the U.S. Congress.

##### ***Background***

The Geneva Accords were signed in July of 1954, dividing Vietnam into a communist north and democratic south. The rationale developed by the Eisenhower Administration to explain its economic and military support of South Vietnam became known as the "domino theory." Likening the countries of southeast Asia to a row of dominos, the President argued that if one country fell, it would trigger the fall of others.<sup>1</sup> Thus, the United States began to endorse and support South Vietnam's effort to defend against the communist North.

The U.S. initially supported South Vietnam in an advisory role but, by the mid-1960s, U.S. military forces were directly involved in combat operations against the North. More than 3 million Americans served in the Vietnam War, some 1.5 million of whom actually saw combat in Vietnam.<sup>2</sup> American involvement in the war began to decline after the Paris Peace Accords were signed on January 27, 1973. The U.S. completed withdrawal of its ground troops from Vietnam on March 30, 1973, but thousands of U.S. support personnel remained in Vietnam. All remaining U.S. personnel were evacuated when Saigon fell on April 30, 1975.<sup>3</sup>

Military involvement in Vietnam, and the neighboring countries of Laos and Cambodia, resulted in the deaths of 58,220 U.S. service members, 1,952 of whom were from Florida.<sup>4</sup> An additional 153,303 U.S. service members required hospital care as a result of wounds.<sup>5</sup> There are approximately 7.5 million surviving veterans of the Vietnam War<sup>6</sup>, with approximately 454,000 residing in Florida.<sup>7</sup>

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<sup>1</sup> *The War in Vietnam, 1954-1964*; <http://faculty.smu.edu/dsimon/Change-Viet.html>.

<sup>2</sup> *Echoes of Combat: The Vietnam War in American Memory*, Stanford University (June 2001).

<sup>3</sup> U.S. Congress, President, and Florida Legislature recognize May 7, 1975, as the end of the Vietnam War (for purpose of veteran affairs). Text at: <http://www.gpo.gov/fdsys/pkg/CFR-2005-title45-vol3/pdf/CFR-2005-title45-vol3-sec506-10.pdf>; 14 Fla. Prac., Elder Law § 14:5 (2010-11 ed.).

<sup>4</sup> <http://thewall-usa.com/summary.asp>.

<sup>5</sup> Anne Leland; Mari-Jana "M-J" Oboroceanu, *American War and Military Operations: Casualties: Lists and Statistics*, Congressional Research Service, <http://www.fas.org/sgp/crs/natsec/RL32492.pdf> (February 26, 2010); <http://siadapp.dmdc.osd.mil/personnel/CASUALTY/castop.htm>.

<sup>6</sup> *Statistics at a Glance*, Dep't of Veterans Affairs (as of 8/12/2011) and *America's Wars*, Dep't of Veterans Affairs (May 2010) available at [http://www1.va.gov/opa/publications/factsheets/fs\\_americas\\_wars.pdf](http://www1.va.gov/opa/publications/factsheets/fs_americas_wars.pdf).

<sup>7</sup> *Fast Facts*, Fl. Dep't of Veterans' Affairs, <http://www.floridavets.org/>.

The Vietnam War was a divisive issue in the U.S., and many veterans did not return to the acknowledgment and appreciation of their service traditionally afforded veterans of other military conflicts.

### ***Present Situation***

#### Congressional Action

The National Defense Authorization Act of 2008 authorizes the Secretary of Defense to commemorate the 50th anniversary of the Vietnam War.<sup>8</sup> In doing so, the Secretary “shall coordinate, support, and facilitate other programs of the Federal Government, State and local governments, and other persons or organizations in the commemoration of the Vietnam War.” The commemoration program consists of events and activities, held across the nation and over the course of several years, to thank, honor, and recognize the contributions and sacrifices made by veterans during the Vietnam War.<sup>9</sup>

On March 7, 2011, the U.S. Senate unanimously adopted a resolution that designated March 30, 2011, as “Welcome Home Vietnam Veterans Day.”<sup>10</sup> The resolution honors Vietnam veterans who, because of the divisiveness and controversy surrounding the war, were not properly acknowledged or honored upon return. The resolution encourages individual states to establish a “Welcome Home Vietnam Veterans Day” holiday as well.

#### Commemorative medals

The United States Mint produces a variety of national medals to commemorate significant historical events or sites and to honor those whose superior deeds and achievements have enriched U.S. history or the world.<sup>11</sup> Commemorative medals must be authorized by a public law enacted by Congress and signed by the President. Since 1991, thirty-seven commemorative medals have been authorized by public law and minted by the Department of the Treasury.<sup>12</sup> In contrast to commemorative coins, medals are not legal tender.

B. SECTION DIRECTORY: None

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: None
2. Expenditures: None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None
2. Expenditures: None

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<sup>8</sup> National Defense Authorization Act for Fiscal Year 2008, Pub. L. no. 110-181, 598, 122 Stat. 141 (2008).

<sup>9</sup> [http://www.vietnamwar50th.com/assets/1/7/Commemoration\\_Fact\\_Sheet\\_Sept\\_2010\\_v2.pdf](http://www.vietnamwar50th.com/assets/1/7/Commemoration_Fact_Sheet_Sept_2010_v2.pdf)

<sup>10</sup> S. RES 55, 112th CONGRESS, 1st Session.

<sup>11</sup> [http://www.usmint.gov/mint\\_programs/medals/](http://www.usmint.gov/mint_programs/medals/)

<sup>12</sup> <http://ccac.gov/legislation>

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: None

D. FISCAL COMMENTS: None

### **III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: Not Applicable

2. Other: None

B. RULE-MAKING AUTHORITY: Not Applicable

C. DRAFTING ISSUES OR OTHER COMMENTS:

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On November 16th, 2011, the Federal Affairs Subcommittee adopted one amendment that changed the number of estimated veterans living in Florida from 650,000 to approximately 454,000. The memorial was reported favorably as a Committee Substitute.