

RPTR BRYANT

EDTR HOFSTAD

MARKUP OF S. 305, THE VIETNAM WAR VETERANS RECOGNITION

ACT OF 2017

Thursday, March 16, 2017

House of Representatives,
Committee on the Judiciary,
Washington, D.C.

The committee met, pursuant to call, at 10:24 a.m., in Room 2141, Rayburn House Office Building, Hon. Bob Goodlatte [chairman of the committee] presiding.

Present: Representatives Goodlatte, Chabot, Issa, King, Franks, Gohmert, Jordan, Poe, Chaffetz, Farenthold, Collins, DeSantis, Roby, Johnson of Louisiana, Biggs, Conyers, Nadler, Lofgren, Richmond, Lieu, and Schneider.

Staff Present: Shelley Husband, Staff Director; Branden Ritchie, Deputy Staff Director; Zach Somers, Parliamentarian and General Counsel; John Coleman, Counsel, Subcommittee on the

Constitution and Civil Justice; Alley Adcock, Clerk; Danielle Brown, Minority Chief Legislative Counsel and Parliamentarian; Matthew Morgan, Minority Counsel; Jason Everett, Minority Chief Counsel, Subcommittee on Courts, Intellectual Property, and the Internet; Joseph Ehrenkrantz, Minority Professional Staff Member; and Veronica Eligan, Minority Professional Staff Member.

Chairman Goodlatte. Good morning. The Judiciary Committee will come to order.

And, without objection, the chair is authorized to declare a recess at any time.

Pursuant to notice, I now call up S. 305 for purposes of markup and move that the committee report the bill favorably to the House.

The clerk will report the bill.

Ms. Adcock. S. 305, to amend title 4, United States Code, to encourage the display of the flag of the United States on National Vietnam War Veterans Day.

Chairman Goodlatte. Without objection, the bill is considered as read and open for amendment at any time.

[The bill follows:]

***** INSERT 1-1 *****

Chairman Goodlatte. And I will begin by recognizing myself for an opening statement.

On March 29, 1973, the last combat troops were withdrawn from Vietnam. Tragically, when they returned to the United States, these veterans, like many who returned earlier in the war, were greeted with a cold and at times hostile reception.

Looking back more than 50 years at his experience during the Vietnam War and his return home, Billy Two Feathers, who served with the U.S. Army, wrote: "My return to the States was typical of several people I have talked to. Family and friends would say, 'Been a while,' and leave it at that. Others would call me names that I won't repeat."

Kenneth Bisbee, who also served with the U.S. Army in Vietnam, wrote: "When I got back to my hometown, no one seemed to notice that I had been away, nor did they care."

These accounts and others, some of which recall worse treatment, record the national sentiment on a personal level. Their stories remind us that most returning veterans were not even acknowledged for their sacrifice and that many suffered because of it. While the Nation has worked to correct this terrible mistake over the last few decades, there is more Congress can do to honor our Vietnam veterans while they still have an opportunity.

Today, the committee has a chance to recognize, honor, and thank the servicemembers of the Vietnam War and their sacrifice by supporting S. 305, the Vietnam War Veterans Recognition Act of 2017. This bill would amend section 6(d) of title 4, United States Code, to encourage

the display of the U.S. flag on National Vietnam War Veterans Day, which is honored each year on March 29. Introduced by Senator Toomey, S. 305 passed the Senate by unanimous consent last month.

Any recognition these veterans receive now is an insufficient substitute for the recognition they should have received when they first arrived back in the United States. And while nothing can remove the pain surrounding the hollow reception these veterans received, one can hope that their sacrifice, which continued well after the war, will help ensure that this Nation never again abandons a generation of veterans.

I urge the members of this committee to support S. 305.

And it is now my pleasure to recognize the ranking member of the Judiciary Committee, the gentleman from Michigan, Mr. Conyers, for his opening statement.

Mr. Conyers. Thank you, Chairman Goodlatte, for bringing up this timely legislation, and I urge its swift passage.

S. 305 would amend current law with respect to the display of the American flag by encouraging the display of the flag on March 29 in recognition of National Vietnam War Veterans Day.

Over the course of that long and difficult war, more than 3 million servicemen and -women served in Vietnam. While some may have disagreed with the direction and purpose of that war, no one would question the sacrifice and courage of these dedicated servicemembers.

Currently, we recognize for flag display purposes Veterans Day, National Korean War Veterans Armistice Day, among other days. It is

therefore a fitting tribute to those who served in Vietnam that we honor them by displaying the American flag on March 29, the day on which the last troops, United States troops, left Vietnam in 1973.

And I hope our commitment to these and all veterans includes ensuring that they have sufficient health care and benefits that they have earned through their service.

I again thank the chairman for bringing up this timely legislation and urge its swift passage.

I yield back.

Chairman Goodlatte. The chair thanks the gentleman.

Are there any amendments to S. 305?

For what purpose does the gentleman from New York seek recognition?

Mr. Nadler. To strike the last word.

Chairman Goodlatte. The gentleman is recognized.

Mr. Nadler. Thank you, Mr. Chairman.

Mr. Chairman, I rise in support of this legislation, and I think it is very important that we do this to honor the veterans of the Vietnam War and to acknowledge a terrible mistake that was made many years ago.

Some of us were very much in opposition -- I certainly was -- to the Vietnam War. We thought it was erroneous policy for a lot of different reasons. But that should never now and it should not then have been confused with respect and admiration and support for the valor of the American troops, those who were volunteers and those who were drafted, who fought in that war. They served valiantly.

And as veterans today, they deserve all our support and our honor, which has nothing to do with what we think of the policy decisions made by the people who were then in Congress or then in the Presidency. That is one discussion. But the troops who fought in that war, who served their country, who showed their patriotism, who sacrificed for our welfare, regardless of how intelligent or unintelligent the policies may have been that they didn't set, we must respect and celebrate their valor. We should have done it then. We should certainly do it now.

And I certainly support this legislation.

I yield back.

Ms. Lofgren. Mr. Chairman?

Chairman Goodlatte. For what purpose does the gentlewoman from California seek recognition?

Ms. Lofgren. I certainly don't want to make an amendment or change this, because this is an important recognition --

Chairman Goodlatte. The gentlewoman is recognized for 5 minutes.

Ms. Lofgren. I would note, however, that we had Marines helping in Saigon until April 30, when the Embassy fell and Saigon fell to the communists.

And this is the last markup. We don't want to send it back to the Senate. I don't know, the March 29 date may be the official last day for U.S. troops, but there were certainly Marines there on April 30. And I just wanted to note that at least as part of the hearing, because they also need to be honored.

And, with that, Mr. Chairman, I would yield back.

Chairman Goodlatte. The chair thanks the gentlewoman.

For what purpose does the gentleman from California seek recognition?

Mr. Issa. To strike the last word.

Chairman Goodlatte. The gentleman is recognized for 5 minutes.

Mr. Issa. I want to associate myself with the gentlelady from California, Ms. Lofgren. The fact is that there were people till the very last day, including helicopter pilots who ferried off the last of the people who had fought with us, that got out at that time and beyond.

So for those who served throughout the entire process in Indochina, as it was then known, I want to associate myself with that.

I also believe that -- in maybe a vaguely different way than the gentleman from New York -- we should always honor the service of the people who answer our Nation's calls, regardless of which multitude of Presidents and Congresses made decisions to send them there. That was true then; it is true today.

And I thank the chairman for bringing up this important bill in a timely fashion and yield back.

Chairman Goodlatte. The chair thanks the gentleman.

Are there any amendments to S. 305?

A reporting quorum being present, the question is on the motion to report the bill, S. 305, favorably to the House.

Those in favor will say aye.

Those opposed, no.

The ayes have it, and the bill is ordered reported favorably.

Members will have 2 days to submit views.

This concludes the business of the markup for today. Thanks to all our members for attending.

The markup is adjourned. However, we are going to move immediately into a hearing, so we hope you will all stay for that. And as soon as we can get our witnesses seated, we will begin that hearing.

[Whereupon, at 10:33 a.m., the committee was adjourned.]