

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HM 845 Commemoration of the 40th Anniversary of the End of the United States' Involvement in the Vietnam War

**SPONSOR(S):** Metz

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

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Federal Affairs Subcommittee	10 Y, 0 N	Cyphers	Cyphers
2) State Affairs Committee			

### SUMMARY ANALYSIS

March 29, 1973, marks the official end of the United States' military involvement in the Vietnam War. During the Vietnam War, 58,220 service members died and 153,303 were wounded.<sup>1</sup> Of the 58,220 dead, 1,952 were from the state of Florida.

This memorial urges Congress to support the efforts of Florida and other states in the commemoration of the 40<sup>th</sup> Anniversary of the end of the United States' involvement in Vietnam, and to demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans.

The House Memorial does not amend, create, or repeal any provisions of the Florida Statutes.

The House Memorial has no fiscal impact on state or local government.

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<sup>1</sup> <http://siadapp.dmdc.osd.mil/personnel/CASUALTY/castop.htm>

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Background

The United States began its direct involvement in the war between North and South Vietnam when France withdrew from the war in 1954 after their defeat at Dienbienphu. From 1954 until the war's end, the United States supported the efforts of South Vietnam (established as South of the 17<sup>th</sup> Parallel) to defend against the reunification efforts of communist insurgents in the South and the communist government of North Vietnam. The war also included the direct and indirect involvement of Laos and Cambodia, two countries situated to the West of North and South Vietnam.

On January 15, 1973, President Richard M. Nixon announced the ceasing of all offensive operations in North Vietnam. When the Paris Peace Accords were signed on January 27, 1973, the United State's participation in the Vietnam War was officially coming to an end. The first American prisoners of war were released on February 11, 1973, and all U.S. ground forces were to leave the country by March 29, 1973, thus marking the official end to the U.S. military's involvement in Vietnam. The United States, however, was still involved in the war through bombing support.

On January 26, 1973, Senators Clifford Case and Frank Church introduced a bill that barred any future use of American forces in Vietnam, Laos, and Cambodia without the authorization of the Congress. In June, 1973, a modified Case-Church amendment was passed which allowed military action to continue until August 15, 1973. After that date, all use of the American military was prohibited in Southeast Asia unless the president secured Congressional approval in advance.<sup>2</sup> Therefore, the Case-Church amendment and August 15, 1973, marked the end to direct military involvement in all Southeast Asia by the United States.

During the Vietnam War, 58,220 service members died and 153,303 were wounded.<sup>3</sup> Of the 58,220 dead, 1,952 were from the state of Florida.<sup>4</sup>

Proposed legislation, House Bill 829, related to this memorial, seeks to create "Vietnam Veterans' Day", in order to commemorate the end of the United States' involvement in the Vietnam War. The first commemoration of "Vietnam Veterans' Day", is to take place on March 25, 2013, in order to recognize the 40<sup>th</sup> anniversary of the end of the war. In the following year, the Governor is to proclaim March 29 of each year following, "Vietnam Veterans' Day", and the bill calls for observances throughout the state, including in schools.

Statewide celebrations of the 40<sup>th</sup> anniversary of the end of U.S. involvement in the Vietnam War are to include parades and ceremonies. The Florida Department of Veterans' Affairs is tasked with adopting rules to fund grants to counties, municipalities, and bona fide veterans' organizations that have commemorative activities. A special advisory board consisting of Vietnam veterans is to be established as well for the purpose of making recommendations regarding expenditures raised through private means to support the commemorations.

HB 829 also includes the creation of Vietnam veterans' license plate, with the revenue derived from the sale of the license plates to go toward funding a direct support organization created within the

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<sup>2</sup> [http://www.encyclopedia.com/topic/Case-Church\\_Amendment.aspx](http://www.encyclopedia.com/topic/Case-Church_Amendment.aspx)

<sup>3</sup> <http://siadapp.dmdc.osd.mil/personnel/CASUALTY/castop.htm>

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

Department of Veterans' Affairs with the task of funding grants for commemorations and marketing of the new license plate.

### Effects of Proposed Changes

This memorial urges Congress to support the efforts of Florida and other states in the commemoration of the 40<sup>th</sup> Anniversary of the end of the United States' involvement in Vietnam, and to demonstrate the nation's appreciation for the honorable service and sacrifice of Vietnam veterans.

Copies of the memorial are to 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 United States Congress.

The legislation also includes whereas clauses in order to support the memorial. The whereas clauses include:

WHEREAS, the Vietnam War was a Cold War military conflict that occurred in Vietnam, Laos, and Cambodia from November 1, 1955, until the United States Congress passed the Case-Church amendment in 1973 which prohibited the further use of American military forces in the conflict, and

WHEREAS, 2013 marks the 40th anniversary of the end of the United States' involvement in the Vietnam War, and

WHEREAS, there are an estimated 650,000 Vietnam veterans in the State of Florida, and

WHEREAS, because of the intense public opposition to the war that existed at the time, members of the United States Armed Services returned home to an unprecedented lack of formal positive recognition of the honorable service they had provided on behalf of their country and the tremendous sacrifices they had made, and

WHEREAS, the lack of formal "Welcome Home" parades and other traditional celebrations for returning soldiers that were common in previous military conflicts in which the United States was engaged, coupled with verbal and sometimes physical abuse, resulted in great disillusionment, undeserved indignity, and often great suffering and anguish among returning Vietnam veterans, and

WHEREAS, many of these brave men and women are now reaching an advanced age, and

WHEREAS, the importance of the commemoration of the 40th anniversary of the end of the United States' involvement in the Vietnam War and the opportunity that such an historical anniversary presents to attempt to rectify past injustices and ingratitude cannot be stressed strongly enough, and

WHEREAS, an attempt to express Florida's profound appreciation for the honorable service of Vietnam veterans is evidenced by House Bill 829, introduced during the 2011 Regular Session of the Florida Legislature, and

WHEREAS, the expressed intent of House Bill 829 is to provide legislative direction and support for recognition of the importance of the 40th anniversary of the end of the United States' involvement in the Vietnam War, and

WHEREAS, the legislation endeavors to ensure the appropriate commemoration of this anniversary and the proper demonstration of appreciation for the honorable service and tremendous sacrifices of veterans who served in the United States Armed Services during the Vietnam Era, and

WHEREAS, the legislation includes requirements for the Florida Department of Veterans' Affairs to administratively promote and support the efforts of counties, municipalities, and bona fide veterans' organizations that voluntarily hold special community events on March 25, 2013, commemorating the

40th anniversary of the end of the United States' involvement in the Vietnam War, and events commemorating Vietnam Veterans' Day in years subsequent to 2013, and

WHEREAS, the legislation provides for the solicitation of private donations to fund grants to counties, municipalities, and bona fide veterans' organizations that voluntarily hold commemorative activities, and

WHEREAS, the legislation also provides for the creation of a Vietnam Veterans specialty license plate, fees from the sale of which will be used to fund grants for activities related to the initial observance of "Vietnam Veterans' Day," on March 25, 2013, and for expenditures related to the annual observance of Vietnam Veterans' Day in years subsequent to 2013, and

WHEREAS, it is fitting and appropriate that the United States Congress initiate and support similar efforts at the national level to mark this historic anniversary and to attempt to redress the lack of appropriate recognition and undeserved ingratitude that so many of these brave servicemen and servicewomen received upon returning home, and

WHEREAS, as part of a national effort, it is also requested that the United States Congress authorize the minting of a 40th anniversary commemorative medal expressing the nation's appreciation for the honorable service of Vietnam veterans...

**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

**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:

None

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