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THE WHITE HOUSE

WASHINGTON

September 15, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS

SUBJECT: Mary Beth Lederer

Mary Beth Lederer, daughter of convicted Abscam defendant Raymond F. Lederer, wrote the President, praising her father and asking "are there going to be any investigations into this matter?" Congressional committees have of course reviewed Abscam, despite the obvious conflict of interest, and various federal courts have as well, but I assume Ms. Lederer is referring to executive branch investigations. The best response to her inquiry would, I think, be to send her a copy of Judge Webster's testimony on FBI undercover operations, and to quote from the Attorney General's speech on the subject. A draft is attached.

Attachment

THE WHITE HOUSE

WASHINGTON

September 16, 1983

Dear Ms. Lederer:

Thank you for your letter to the President concerning the Abscam convictions, which has come to my attention.

In that letter you inquired if there were going to be any investigations into the investigatory practices employed in Abscam. As I am sure you are aware, the practices in question have been thoroughly scrutinized by the federal courts during the various Abscam trials and all variety of legal challenges. I have enclosed, for your information, testimony delivered last year by the Director of the Federal Bureau of Investigation, Judge William H. Webster, concerning FBI Undercover Operations. This testimony reviews the Attorney General's Guidelines on Undercover Operations, which protect against abuses in the course of undercover investigations, and also discusses some of the specifics of Abscam.

This Administration's position was succinctly stated by the Attorney General in his address on June 23, 1982, before The Association of the Bar of the City of New York: "Although the Abscam investigations were not undertaken or completed during this Administration, we are committed to the use of effective law enforcement techniques of the kind Abscam employed. We will work to make them more effective and to ensure that they -- like all law enforcement procedures -- are fairly employed. We will also resist any effort to weaken effective federal law enforcement efforts aimed at detecting and deterring drug, organized, or white-collar crime -- including public corruption."

I realize that this period of life has been one of disappointment to you personally, as well as others. For this, you have my sympathy, but I'm sure your father would join me in urging that you look forward, to better and brighter days.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Ms. Mary Beth Lederer
1231 Shackamaxon Street
Philadelphia, PA 19125

Enclosure
FFF:JGR:aea 9/16/83
bcc: FFFielding/JGRoberts/Subj./Chron

SEP 19 1983

THE WHITE HOUSE

WASHINGTON

September 15, 1983

Dear Ms. Lederer:

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The practices in question have of course been thoroughly scrutinized by the federal courts during the various Abscam trials and have withstood all variety of legal challenges. I have enclosed, for your information, testimony delivered last year by the Director of the Federal Bureau of Investigation, Judge William H. Webster, concerning FBI Undercover Operations. This testimony reviews the Attorney General's Guidelines on Undercover Operations, which protect against abuses in the course of undercover investigations, and also discusses some of the specifics of Abscam.

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Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Mary Beth Lederer
1231 Shackamaxon Street
Philadelphia, PA 19125
Enclosure

FFF:JGR:aea 9/15/83

cc: FFF:fielding/ICDehants/Cubi /Chnan

TL003

Jan

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING
Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: Mary Beth Lederer

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Inquires whether investigations will be made into Abscam, - specifically regarding her father, Raymond F. Lederer

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Code	Completion Date YY/MM/DD
<u>CUSO11</u>	<u>ORIGINATOR</u>	<u>83108105</u>			<u>1/1</u>
	Referral Note:				
<u>CUAT 18</u>	<u>D</u>	<u>83108106</u>		<u>S</u>	<u>83108115</u>
	Referral Note:				
		<u>1/1</u>			<u>1/1</u>
	Referral Note:				
		<u>1/1</u>			<u>1/1</u>
	Referral Note:				
		<u>1/1</u>			<u>1/1</u>
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32
Fred Fielding

102-6-7-00

Ms. Mary Beth Lederer
1231 Shackamaxon Street
Phila., PA 19125

June 9, 1983

President Ronald Reagan
1600 Pennsylvania Avenue
North West Washington, DC

Dear President Reagan,

This letter is in reference to the Supreme Court ruling on the Abscam convictions. I have always been proud to say that I was an American. This was due to all the influence my father Raymond F. Lederer had on me while I was growing up. He has always told my brothers, sisters, and myself that we are from the greatest country in the world. And to this day I am sure that he would still say the same thing. But now, I feel very sad!

As the President of the United States, I am sure you are well informed about Abscam, and the little schemes they used to entrap people like my father. I cannot believe they wasted all those tax dollars on something so petty. With all the starving children in the United States. This makes me feel bitter towards the government.

The whole time my father served in public office, he was always looking out for the best of his constituents and the people loved him for that. Out of all the people involved in Abscam, he was the only one to win re-election, even with the indictment hanging over his head. Maybe I am prejudice but this says something to me.

I do not know the purpose of me writing this letter. But,
N I guess I just want to know are there going to be any investigations into this matter?

Thank you, for taking the time out of your busy day to read my letter. And your response will be deeply appreciated.

Sincerely,

Mary Beth Lederer
Mary Beth Lederer

CC: Mr. and Mrs. Raymond F. Lederer

THE WHITE HOUSE

WASHINGTON

September 15, 1983

WHP
Dear Ms. Lederer:

which has come to my attention

Thank you for your letter to the President concerning the Abscam convictions. In that letter you inquired if there were going to be any investigations into the investigatory practices employed in Abscam.

I am sure you are aware
The practices in question have of course been thoroughly scrutinized by the federal courts during the various Abscam trials and have withstood all variety of legal challenges. I have enclosed, for your information, testimony delivered last year by the Director of the Federal Bureau of Investigation, Judge William H. Webster, concerning FBI Undercover Operations. This testimony reviews the Attorney General's Guidelines on Undercover Operations, which protect against abuses in the course of undercover investigations, and also discusses some of the specifics of Abscam.

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Sincerely,

I realize that this period of life has been one of disappointment to you personally, as well as others. For this, you have my sympathy, but I'm sure your father would join me in wishing that you look forward to better and brighter days.

Fred F. Fielding
Counsel to the President

Ms. Mary Beth Lederer
1231 Shackamaxon Street
Philadelphia, PA 19125

THE WHITE HOUSE
WASHINGTON

September 16, 1983

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Sincerely,

Fred F. Fielding
Counsel to the President

Ms. Mary Beth Lederer
1231 Shackamaxon Street
Philadelphia, PA 19125

Enclosure
FFF:JGR:aea 9/16/83
bcc: FFFielding/JGRoberts/Subj./Chron

THE WHITE HOUSE

WASHINGTON

September 15, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Criticism of the Pre-Trial Resource
Center at the Department of Justice

The President of the Professional Bondsmen of the United States has written the President to object to public testimony by a representative of the federally-funded Pre-Trial Release Center. The testimony supports alternatives to the bail bond system. The Center is apparently funded by but not actually part of the Department of Justice. Nonetheless, the substance of President Monks' concern is within the area of expertise of the Department, and accordingly I recommend a referral.

Attachment

THE WHITE HOUSE

WASHINGTON

September 15, 1983

MEMORANDUM FOR EDWARD C. SCHMULTS
DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Criticism of the Pre-Trial Resource
Center at the Department of Justice

The attached correspondence is submitted for whatever review
and direct reply, if any, you consider appropriate.

Attachment

FFF:JGR:aea 9/15/83

cc: FFFielding
JGRoberts
Subj.
Chron

SEP 19 1983

THE WHITE HOUSE

WASHINGTON

September 15, 1983

Dear Mr. Monks:

Thank you for your letter to the President of August 11, 1983, concerning the Pre-Trial Resource Center. I have forwarded your letter to the Department of Justice in order that your views may be considered by the officials most involved in the area of your concern. Thank you for sharing your views with us.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Gerald P. Monks
4189 Bellaire Boulevard
Suite 242
Houston, Texas 77025

FFF:JGR:aea 9/15/83

bcc: FFFielding/JGRoberts/Subj./Chron

SEP 18 1983

FG017

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
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Date Correspondence Received (YY/MM/DD) 1/1

JBR

Name of Correspondent: Gerald P. Monks

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Criticism of the Pre-Trial Resource Center at the Department of Justice

ROUTE TO:		ACTION	DISPOSITION		
Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>CULLOII</u>		<u>ORIGINATOR</u>	<u>83108123</u>		<u>1/1</u>
<u>WAT 18</u>		<u>D</u>	<u>83108123</u>		<u>583109103</u>
		Referral Note:			
			<u>1/1</u>		<u>1/1</u>
		Referral Note:			
			<u>1/1</u>		<u>1/1</u>
		Referral Note:			
			<u>1/1</u>		<u>1/1</u>
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PROFESSIONAL BONDSMEN OF THE UNITED STATES

An Association "Out to Save the Taxpayers 40 Billion Dollars Each Year and Give the Appearance Bail Bondsmen a Better Name"

4189 BELLAIRE BLVD., SUITE 242, HOUSTON, TEXAS 77025 (713) 661-7472

- President
GERALD P. MONKS Ph.D.
Houston, Texas
- Executive Vice-President
CELES KING III
Los Angeles, California
- Vice-President
ARMANDO ROCHE
Tampa, Florida
- Vice-President
International Bonding
FLOYD MINCEY
Ft. Lauderdale, Florida
- Secretary
LUCILLE FISHER
Seattle, Washington
- Treasurer
ESTHER GREEN
San Francisco, California
- Director
JERRY CHARLES
Indianapolis, Indiana
- Director
GARY WILLIAMS
Davenport, Iowa
- President, Midwest Division
KEN BOYER
Oklahoma City, Oklahoma
- Vice-President, Midwest Division
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- President-West Coast
MARVIN BYRON
Los Angeles, California
- Vice-President, West Coast
ART LEE
Honolulu, Hawaii
- President, East Coast
GEORGE HITT
Jackson, Mississippi
- Vice-President, East Coast
LINDA CHILDS
Washington, D.C.
- SUTTON TAYLOR - Texas
Jail Reduction Committee
- HUGH MCGUFFIE - Kentucky
N.A.I.C. Liaison
- BOB GIRDLEY - Texas
National Sheriffs' Association
- CARROLL STEWART - Georgia
Public Relations
- CLEMENT ROMEO - Texas
National Convention
- 50 State Coordinators
- General Counsel
HAROLD KLEIN, Attorney-Forfeitures
Houston, Texas
- J. MICHAEL MONKS, Attorney-Research
Houston, Texas
- International
ED MARGER, Attorney
Atlanta, Georgia

Hand Filing

165438

August 11, 1983

President Ronald Reagan
White House
Washington, D.C. 20001

Re: Pre-Trial Resource Center
Department of Justice

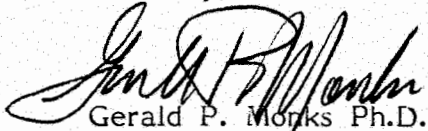
Dear President Reagan:

The outrageous answer given by a director of the Federally funded Pre-Trial Release Center is a most egregious act by a self perpetuating, uncontrolled bureaucrat.

Your fellow Californian, Celes King III, would set these people straight on how the Berman bill is not working. Yet, Walt Smith is testifying how well it is working. He proposes to be an expert while using secondary research. This agency, supported by our tax dollars, is a most liberal bureaucracy dedicated to putting 20,000 people out of work and fueling crime.

Unfortunately, some people believe what he is saying. This bureaucracy needs to be eliminated from the Federal budget. Enclosed is an example of the trite they are spreading.

Sincerely,


Gerald P. Monks Ph.D.,
President

GPM:sj
Enclosure

CC: Celes King III
1530 Santa Barbara Ave.
Los Angeles, California 90062

CC: Board of Trustees, P.B.U.S.

*P.S. John Allen is advocating elimination
Honesty, Integrity, Safety through Full Responsibility Appearance Bonds
from enterprise Barker*

1 MR. AYALA: I wouldn't tell them a figure.

2 CHAIRMAN: I think you ought to approach them on
3 a basis of what we generally need and let them give us a
4 number and we will whittle them down from there.

5 MR. AYALA: All right, but does the Committee
6 want us to go out based on our own good judgment and if we
7 think it's a reasonable figure to go ahead and tell the guy:
8 You're hired; or, do you want us to come back with the figures
9 at the next meeting?

10 CHAIRMAN: You have to bring it back here. And
11 really, the Governor's Office, as I understand the statute,
12 would have to approve the expenditure of any money like that.
13 Limited budget, and I would approach them in that way and
14 outline for them the kind of data we're going to need and
15 see what they come up with.

16 Okay. Let's go on to the speakers then. First
17 one I have is Mr. Walt Smith from Pretrial Services Resource
18 Center in Washington.

19 MR. SMITH: First of all, I do have a handout.
20 The handout is a publication of the Pretrial Services
21 Resource Center, which is the organization I work for,
22 published in 1980.

23 Basically a status report on the effects and the
24 operation of deposit bond legislation around the country.
25 The Pretrial Services Resource Center is a national

1 clearinghouse on pre-trial alternatives, which was
2 established in 1976 with Department of Justice funds,
3 remains federally funded today. *Terminis*

4 Our role is to provide information to legisla-
5 tive processes, practitioners, the public, media, et
6 cetera, on the effects of pre-trial reform and pre-trial
7 operations around the country.

8 We have tracked to a certain extent the effects
9 of deposit bonds. And also made some value judgments
10 concerning the role of bail bonding for profit in the
11 Criminal Justice system.

12 We agree with all the national Standards
13 Commissions, the American Bar Association, the National
14 District Attorneys Association, the National Association of
15 Pretrial Services agencies and other commissions that --
16 the Presidential Commission in 1967 -- who have advocated the
17 elimination of bail bonding for profit. *Garbage!*

18 Not necessarily the elimination of the use of
19 money bail and some of these national Standards Commissions
20 differ on this point. But that bail bonding for profit be
21 eliminated. I think it was also a recommendation or, at
22 least, a suggestion that that might occur in the Task --
23 Florida Governor's Task Force report on the Criminal Justice
24 System.

25 Now, the question is why have all these

1 organizations advocated the elimination of bail bonding for
2 profit. The major reason is that it -- the indication was
3 that it shifted the release or detention decisions, which is
4 basically what we're talking about in the bail decisions, to
5 a private individual or private agent, rather than a judicial
6 officer who is more accountable and is an officer of the court.

7 Another reason is that there were documentation
8 of abuses. There were a number of articles on the abuses of
9 bail bondsmen, discussing bribery, corruption, fraud and
10 things like that.

11 There were also indications that defendants with
12 low bond amounts were being detained because they were
13 considered poor risk by bail bondsmen. There was also indica-
14 tion that bondsmen were not performing the services that were
15 talked about in terms of returning defendants and/or paying
16 forfeitures when defendants didn't return.

17 Okay. That's basically the reasons why most of
18 these standards-setting bodies have advocated the elimination
19 of bail bonding for profit. Bail reform efforts in terms of
20 the goal of reducing reliance on bail bonding for profit have
21 taken the form of generally the deposit bonds system similar
22 to what's in the Legislature here.

23 Twenty-five states, at this point, have some form
24 of deposit bonds in operation. May other states are con-
25 sidering legislation in this area. Eighteen states use a

1 That the clerk of the courts all reported an
2 increase on -- in their staff duties. In other words, their
3 staff were doing more than they had been doing previously
4 but that there weren't any reports of new staff hired.

5 So, in terms of overall costs, there weren't any
6 additional costs to local governments. That's about all I
7 have for an overview, unless there are --

8 MR. BRINKLEY: Backing up a little bit, didn't
9 you indicate that that was not used exclusively, that there
10 might be a lack of utilization of this deposit in California?

11 MR. SMITH: I didn't understand the question.
12 Right. In other words, that there were not -- deposit bond
13 system was not used for all misdemeanor money bond cases. So,
14 in effect, if you're saying that there is a low number of
15 people who actually had to go to the Clerk's Office to put
16 their money bond down, that could be, yes.

17 That may be the reason that no new staff were
18 hired.

19 MR. BRINKLEY: If you're working a small per-
20 centage of your total work using this procedure, it's
21 conceivable that you would not have to have new staff. You
22 could take it in with existing staff; yet, if it was applied
23 on a larger basis, it would require additional staff.

24 MR. SMITH: Right. May generate more money
25 through freeze and forfeitures and that sort of thing.

1 same thing, trying to keep the guy out of trouble and trying
2 to get him back for all his court appearances. So the
3 literature has suggested that people with low bonds are poorer
4 risks to bondmen, than people with higher bonds.

5 Mary Topal found that in jurisdictions that
6 had intensive regulations of bondmen activities that they
7 were less likely to write the low bonds. In other words,
8 they couldn't -- she speculated that they couldn't make up
9 the risk of writing the low bonds because of the regulations
10 on returning forfeitures.

11 In jurisdictions that did not regulate bondsmen
12 very well were not stringent upon collecting forfeitures,
13 that bondsmen did a very good job of getting the low risks
14 or low money bonds defendants down, figuring that they could
15 take the risk since they weren't, in effect, losing some of
16 the higher cases through forfeitures.

17 The other question that's usually brought up is
18 costs. And I gave you some money figures from Philadelphia.
19 The -- it's generally thought that implementing a deposit
20 bond system has costs associated with it in terms of who
21 collects the money and what that whole process is.

22 Does the clerk of the court have to hire addi-
23 tional people to be able to take the deposit bond and work
24 that system out. California study again found that the
25 additional costs to local governments didn't occur.

1 7.3 percent for people released on own recognizance or
2 signature bonds; 6.8 percent of those released under
3 citation release; and 2.7 percent of those who put up their
4 entire bail, what they call self bail, didn't utilize the
5 court option, didn't utilize the service of a bail bondsman.

6 MR. AYALA: Thank you very much. I think that's
7 a helpful figure to me.

8 MR. SMITH: Sure. Again, if I can answer any
9 more specific questions or get some more data for anybody,
10 I would be happy to do it.

11 The other area that people are generally
12 concerned with, with the implementation of a deposit bond
13 system is what effect it will have on jail populations.

14 In the California study, the jail population was
15 not really affected by the passage of the ten percent
16 legislation. Again, the researchers speculated, and I
17 underline speculated, that it could be that it wasn't
18 utilized very much, and that the reduction of time for the
19 lower bail defendants was minimal. It was reduced from
20 about one day to about six hours' time, and just didn't have
21 much effect on the jail population.

22 I think -- it's been our experience at the
23 Resource Center that jail populations are affected by so
24 many different types of processes from the State Attorney's
25 felony review to the legislation on sentences.

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS

SUBJECT: Medal of Honor

Scheduling walked this in to me a short time ago, asking if a response from our office would be appropriate in light of the legal requirements surrounding any award of the Medal of Honor. We can easily respond, and probably should rather than have Scheduling discussing the law in this area. I've looked into it briefly and will be happy to draft the response, but wanted to send it to you for appropriate staffing.

Attachment

5-B
scheduling

Reg. Pres to personally award Josephine Baker

Free
10/2/83

CHIROPRACTIC ASSOCIATION
OF NEVADA, INC.



FROM THE OFFICE OF PRESIDENT

June 21, 1983

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

For the past many months I have been taxing my brain on how I could put together an event which would be something so very special it would be one of those once in a life time projects. There were many factors which lead to what I believe would be my own once in a life time event, where I could make my mark in history.

I am the Executive Administrator of the Nevada Chiropractic Association. Chiropractic physicians have been discriminated against since the inception of Chiropractics, mainly because the M.D.'s were able to muster such powerful types of organizations such as the A.M.A. The Chiropractic and M.D. principles of health care and schools of thought are miles apart.

For the 1983 session of the Nevada Legislature I was the director of a lobbyist team which achieved for the first time in the history of America the elimination of discrimination against chiropractic physicians, giving them total parity with the M.D.'s and D.O.'s in the State of Nevada. Knowing what one form of discrimination was like is what triggered my idea for that once in a life time event.

During the early days of Las Vegas at the old El Rancho Hotel and Casino, America's first truly great black super star performed. This black lady from St. Louis, Missouri went on to become the toast of the world, the star of such famous shows in France as the Lido, Folies Bergere, and many, many others. She and Princess Grace Kelly were the closest of friends. As I am sure you well know, Miss Josephine Baker was drummed out of America by Mr. Walter Winchell. She had been labeled a spy. Later, after World War II, it was proven that Miss Baker was indeed a spy, but for the Allied forces. She was posthumously awarded by the country of France their highest honor. Some of the children Miss Baker adopted from around the world are alive and living in America today.

Mr. President, here is my proposal:

The Chiropractic Association of Nevada would like to sponsor a gala event inviting the people of the world who knew Miss Josephine Baker. At a party in her honor I would like to see our President personally award posthumously to Josephine Baker the United States' highest award: The Medal of Honor. This to the first black female and super star in the world who played such a key part in saving America and the free world during World War II. I would hope that you, Mr. President, would be the one person in history who would want to right a terrible wrong.

Not only do I find this idea to be politically expedient in these trying times, but also a sincere and most worthwhile tribute to a truly great humanitarian and entertainer.

The occasion, sponsored by the Chiropractic Association of Nevada would be genuinely befitting of the President of the United States. First class all the way.

The honor to remain most respectfully yours,



Tom Preston
Executive Administrator
Chiropractic Association of Nevada
1500 E. Sahara Avenue
Las Vegas, Nevada 89104
(702) 737-1771

Home: 4614 San Circle
Las Vegas, Nevada 89120
(702) 456-6196

United States. Senate. Committee on
Veterans' Affairs. Committee Print
No. 3, 96th. Congress, 1st session.
MEDAL OF HONOR RECIPIENTS, 1863-1978
February 14, 1979.

PREFACE

MEDAL OF HONOR RECIPIENTS 1863-1978

~~The Medal of Honor takes its place in our country's heritage as the highest award for military valor.~~

~~"It is a privilege to be recognized for one's service to the Nation."~~

The history of this medal, the deeds for which it has been awarded, and the men who have earned it are of great interest to the Nation these men have served. While war is ugly and tragic, there is no question that many individuals display outstanding courage and valor and willingness to make sacrifice when called to battle. The most supreme acts of heroism are recognized by the Medal of Honor.

Since the formation of the Senate Committee on Veterans' Affairs, there has been considerable interest in the Medal of Honor and the people to whom it has been awarded. This publication, prepared by the Committee on Veterans' Affairs, records the names and deeds of the outstanding and brave individuals who have been recognized for their acts of heroism. This revision adds the names and other appropriate information concerning individuals who have received the Medal since 1863 and is complete through 1976. The content of this book has been revised and brought up to date from earlier additions.

This document includes all recipients in all branches of the service—Army, Navy, Marine Corps, Air Force, and Coast Guard. The term "recipients" covers those awardees of the Medal of Honor who are now recognized as lawful holders of the Medal by order of the President. It does not include the 910 names that were stricken from the Medal of Honor Roll by the Army Medal of Honor Board on February 15, 1917, under authority of section 122 of the Army Reorganization Act of June 3, 1916. The Board ruled that these 910 individuals had not performed acts of sufficient merit to earn the award.

A number of people have assisted in the preparation of this document. The committee wishes to express its thanks to: Sister Maria Veronica, IHM, Medal of Honor archivist, Freedoms Foundation at Valley Forge, Pa.; the members of the Medal of Honor History Roundtable and, in particular, Gerard F. White, national director, and Rudolph J. Frederick, editor-in-chief, both of the Medal of Honor History Roundtable; and GySgt. James McGinn and GySgt. David Kennedy, both of the ODASD(A) OSD(C), White House Correspondents.

Our Nation is founded upon the proud heritage of individual heroism, large and small, public and private. This publication records the names and deeds of those who have continued this tradition in military service, and who for their gallantry and courage have earned the highest military accolade: the Medal of Honor.

ALAN CRANSTON,
*Chairman, Committee on Veterans' Affairs,
United States Senate.*

PART I.—HISTORICAL BACKGROUND

THE MEDAL OF HONOR

The Medal of Honor is the highest military award that can be given to any individual in the United States of America. Conceived in the early 1860's and first presented in 1863, the medal has a colorful and inspiring history which has culminated in the standards applied today for awarding this respected honor.

The Medal of Honor, each of the two types, is awarded only to those who have performed such heroic deeds that the deed must be proved by incontrovertible evidence of at least one instance of gallantry in action. The deed must be so outstanding that it is clearly distinguished from the ordinary call of duty, and beyond the call of duty, for lesser forms of heroism, such as the risk of his life, and it must be such a deed that if he had not done it would not subject him to any justified criticism.

A recommendation for the Army Medal of Honor must be made within 2 years from the date of the deed upon which it is based. A recommendation for the Navy Medal of Honor must be made within 3 years after the date of the deed. The recommendation for a Navy Medal of Honor must be made within 5 years and awarded within 5 years.

Apart from the great honor which it conveys, there are certain small privileges which accompany the Medal of Honor. Its recipients can, under certain conditions, obtain free air transportation on military aircraft within the continental United States on a "space available" basis. A veteran who has been awarded the medal for combat in any war is eligible for a special pension of \$200 per month, starting from the date he applies for the pension.

The Medal of Honor is presented to its recipients by a high official "in the name of the Congress of the United States." For this reason it is sometimes called the Congressional Medal of Honor.

As a general rule, the Medal of Honor may be awarded for a deed of personal bravery or self-sacrifice above and beyond the call of duty only while the person is a member of the Armed Forces of the United States in action against an enemy of the United States, or while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in armed conflict against an opposing armed force in which the United States is not a belligerent party. However, until passage of Public Law 88-77, the Navy could and did award Medals of Honor for bravery in the line of the naval profession. Such awards recognized bravery in saving life, and deeds of valor performed in submarine rescues, boiler explosions, turret fires, and other types of disaster unique to the naval profession.

Congress has often voted special medals for important victories and other contributions to the Nation, the first having been awarded to General Washington for his success at Boston in 1776. These are truly Congressional medals to honor individuals and events. By Congressional action, and signed by the President, the Medal of Honor was awarded to the following Unknown Soldiers: Britain and France, on March 4, 1921; United States—World War I, on August 24, 1921; Italy, on October 12, 1921; Belgium, on December 1, 1922; and Rumania, on June 6, 1923. On two occasions the Army Medal of Honor has been awarded by separate acts of Congress—the first being the act of December 1927 honoring Captain Charles A. Lindbergh; the second being the act of 21 March 1935 honoring Major General Adolphus W. Greely. In each case, the medal presented was the Army Medal of Honor in use at the time, not a special medal struck for the purpose expressed in each act of Congress. In addition, five members of the Navy—Machinist Floyd Bennett, Commander Richard E. Byrd, Jr., Boatswain's Mate George R. Cholister, Ensign Henry C. Drexler, and Lieutenant Richmond P. Hobson, each received the Navy Medal of Honor by acts of Congress. By Congressional approval the Medal of Honor was also awarded to the American Unknown Soldier of World War II, on March 9, 1948; and to the American Unknown Soldier of the Korean conflict on August 31, 1957. In peace or war, this medal is the highest decoration which can be given in any of the Armed Forces—Army, Navy, Marine Corps, Air Force, or Coast Guard.

"IN THE NAME OF THE CONGRESS OF THE UNITED STATES"

The Medal of Honor was not the idea of any one American. Like most of the ideas which have flowered into institutions and practices in our Nation, it was the result of group thought and action and evolved in response to a need of the times.

In the winter of 1861-62, following the beginning of hostilities in the Civil War, there was much thought in Washington concerning the necessity for recognizing the deeds of the American soldiers, sailors, and marines who were distinguishing themselves in the fighting.

The American Nation, which had given little thought to its Armed Forces during times of peace, now found them to be the focal point of attention. The serviceman, unpublicized and isolated during the preceding years, many of which were spent guarding the national frontiers against Indian raids and the coastline against smugglers, now became a great looming figure in the fight to preserve the Union. Overnight, he ceased to be a man plying some remote and mysterious trade out on the plains of Kansas or North Dakota, or on some ship at sea. He was the boy next door, or indeed the son of the household, sent out to fight for a cause that, in a very real sense, lay close to home.

His contribution was not just in fighting, but in fighting gallantly, sometimes displaying a sheer heroism which, when looked upon by the Nation in whose name it was called forth, quite naturally caused that Nation to seek some means of rewarding him.

But the thought did not stop there. For the first time since the Revolution, Americans realized not only what important citizens its soldiers, sailors, and marines were, but how important they had always been. They realized that the far-off lonely trooper, walking his post on the frontier, or the equally lonely sailor or marine standing watch from the bridge of his ship at sea along the coast, during the years of "peace," had been doing the same essential work as that of the soldier, sailor, or marine of the Civil War—protecting the Nation. And they realized that in doing this work they had very often displayed a little-known and unrecognized heroism which, by its nature, rendered them capable of being killed in action in their posts of duty, just as they could have been during the winter of 1861-62.

In looking back for a precedent for honoring our servicemen, Americans could note the "Certificate of Merit," which had been authorized for soldiers in 1847. Originally this award did not provide a medal, but rather a certificate signed by the President. Later, in 1905, a medal and ribbon bar for wear on the uniform were authorized. Congress also passed a provision that holders of the certificate who were still in the service should have extra pay of \$2 per month. But money alone could not honor the servicemen for his deed.

There also had been a method of honoring officers by means of the "brevet" system of promotions, whereby an officer mentioned for gallantry in dispatches could be granted a "brevet rank" higher than that of his actual rank, and be entitled to wear the insignia which went with the brevet. But this system had fallen victim to a series of political abuses, and by 1861 much of its honor had grown meaningless.

The best precedent for honoring servicemen—and the only precedent in our Nation's history which had involved the award of decorations—went back to 1782. On August 7 of that year, in Newburg, N.Y., George Washington had created the Purple Heart as a decoration for "singular meritorious action." Three men had received the award in 1783. The records show no others.

The philosophy behind the Purple Heart had been that since his honor is something which no true soldier, sailor or marine likes to talk about, those who sought to honor him should give him a token of that honor which he could wear without words.

A similar philosophy and purpose characterized the American people and the Congress of the United States in 1861. Senator James W. Grimes, of Iowa, took the lead as chairman of the Senate Naval Committee. He introduced a bill to create a Navy medal. It was passed by both Houses of Congress and approved by President Abraham Lincoln on December 21, 1861. It established a Medal of Honor for enlisted men of the Navy and Marine Corps—the first decoration formally authorized by the American Government to be worn as a badge of honor.

Action on the Army medal was started 2 months later, when, on February 17, 1862, Senator Henry Wilson, of Massachusetts, introduced a Senate resolution providing for presentation of "medals of honor" to enlisted men of the Army and Voluntary Forces who "shall most distinguish themselves by their gallantry in action, and other soldierlike qualities."

President Lincoln's approval made the resolution law on July 12, 1862. It was amended by an act approved on March 3, 1863, which extended its provision to include officers as well as enlisted men, and made the provisions retroactive to the beginning of the Civil War.

This legislation was to stand as the basis upon which the Army Medal of Honor could be awarded until July 9, 1918, when it was superseded by a completely revised statute.

As soon as the Navy Medal of Honor had been authorized, Secretary of the Navy Gideon Welles wrote to James Pollock, Director of the U.S. Mint at Philadelphia, asking for his assistance in obtaining a design for the medal. Pollock had submitted five designs to the Navy by the time the Army bill had been introduced in the Senate. When he heard that a similar medal was being considered for the Army, Pollock wrote to Secretary of War Edwin M. Stanton, enclosing one of the designs prepared for the Navy, and pointing out that it would be appropriate for use by the Army as well. Two more designs were submitted to the Navy on May 6, 1862, and on May 9, the Navy approved one of them.

In bas-relief, on the star, the Union held a shield in her right hand against an attacker, who crouched to the left, holding forked-tongued serpents which struck at the shield. In the left hand of the Union was held the fasces, the ancient Roman symbol of unified authority, an ax bound in staves of wood—still a common symbol on many of our 10-cent pieces. The 34 stars which encircle these figures represent the number of States at the time the medal was designed. The reverse of the medal bore a blank for the name of the awardee and the date and place of his deed.

On November 17, 1862, the War Department contracted with the firm of William Wilson & Son, Philadelphia, where the Navy medals were being made, for 2,000 of the same type of medals for the Army. The only difference between the Army medal and that of the Navy was that the Army medal, instead of being attached to its ribbon by an anchor, was attached by means of the American Eagle symbol, standing on crossed cannon and cannon balls.

And now the Navy and the Army had a Medal of Honor. Heroic deeds would entitle their authors to the decoration. On March 25, 1863, the first Army medals were awarded "in the name of the Congress of the United States." A few days later, on April 3, 1863, the first Navy medals were awarded sailors and marines.

PROTECTING THE MEDAL

There were some sincere men who believed that the idea of a Medal of Honor would not prove popular with Americans. By the end of the Civil War, and in succeeding years, this view was definitely proved to be incorrect. If anything, the medal was too popular, and the glory which it conferred upon its recipients had the effect of inspiring the human emotion of envy in many breasts. A flood of imitations sprang up following the Civil War, and had the effect of causing Congress, eventually, to take steps to protect the dignity of the original medal.

The abuses and confusion as to who earned and who did not earn the Medal of Honor were stated as early as 1869, when M. H. Beaumont, publisher of a magazine named *The Soldier's Friend*, wrote from New York to the War Department, indicating that he had been repeatedly requested to publish the names of all Medal of Honor recipients.

"There are some who are using medals for the purpose of soliciting charity," he wrote, "who obtained them surreptitiously."

Adjutant General Townsend agreed that the publication of a list would be a good idea. He pointed out that some of the awardees had never applied for their medals, and that publication might help lead to their delivery. A list was sent to Beaumont on September 29, 1869, and published in *The Soldier's Friend* shortly afterward.

The number of abuses rose—with increased applications by ex-soldiers, who, following the Civil War, began to present claims for the Medal of Honor without any sound documentation, and after passage of an inordinate amount of time from the dates upon which they alleged to have been earned. These events led to the creation of boards of review, not only of individual acts, but of the whole policy involved in the award to the Medal of Honor.

Public interest in the history of the medal was quickened. Four editions of a book edited by Brig. Gen. Theophilus F. Rodenbaugh, himself a medal recipient, were published in rapid succession. These were entitled "Uncle Sam's Medal of Honor Men" (1886), "The Bravest Five Hundred of '61" (1891), "Fighting for Honor" (1893), and "Sabre and Bayonet" (1897).

President Harry S. Truman, in 1946, ordered the Navy and the Army to publish information on the Medal of Honor recipients in their respective services. In July 1948, the United States Army published the information in a book entitled "The Medal of Honor of the United States Army." In 1949, the Navy published a book entitled "Medal of Honor, the Navy." In compiling this report, the committee is indebted to both of these publications and has used a great deal of material from each.

Interest in perpetuating the ideals of the medal was mounting on the part of medal recipients themselves. On April 23, 1890, the Medal of Honor Legion was organized at Washington as a local society. It was made a national organization during the grand encampment of the Grand Army of the Republic in Boston, on August 14, 1890, and was incorporated by Act of Congress on August 4, 1955. Today it is known as the Legion of Valor of the United States of America. The objectives of the Legion of Valor are—

To promote true fellowship among our members;

To advance the best interests of members of the Armed Forces of the United States and to enhance their prestige and understanding by example and personal activity;

To extend all possible relief to needy members, their widows, and children; and

To stimulate patriotism in the minds of our youth and to engender a national pride and interest in the Armed Forces of the United States.

The Congressional Medal of Honor Society of the United States, was chartered by the 85th Congress under a legislative act signed into law by President Eisenhower on August 14, 1958. The purposes of the society are—

“To form a bond of friendship and comradeship among all holders of the Medal of Honor.

“To protect, uphold, and preserve the dignity and honor of the medal at all times and on all occasions.

“To protect the name of the medal, and individual holders of the medal from exploitation.

“To provide appropriate aid to all persons to whom the medal has been awarded, their widows or their children.

“To serve our country in peace as we did in war.

“To inspire and stimulate our youth to become worthy citizens of our country.

“To foster and perpetuate Americanism.

“The Society will *not* participate in local or national politics, nor will the Society lend its support for the purpose of obtaining special legislative considerations.”

On June 26, 1897, the Secretary of War, R. A. Alger, announced that paragraph 177 of the Army regulations was revised, at the direction of President William McKinley, and that new regulations would henceforth define the award of the Medal of Honor.

The resulting regulations gave the War Department an authoritative and comprehensive system for dealing with award of the medal. Later, an act of Congress, approved on April 24, 1904, made it mandatory that all claims for the medal should be accompanied by official documents describing the deed involved.

At about the same time, the design of the Army Medal of Honor was changed. Initially, the Army and Navy Medal of Honor were the same design, except that the Navy medal was attached to its ribbon by an anchor while the Army medal was attached to its ribbon by means of the American Eagle, standing on crossed cannon and cannon balls.

Late in 1903, Brig. Gen. Horace Porter had several designs prepared by Messrs. Arthur, Bertrand & Berenger, of Paris, and sent them to the Adjutant General, recommending that one of them should be approved by the Medal of Honor Legion, which, at that time, was headed by Maj. Gen. Daniel E. Sickles. Following approval of this organization, the Secretary of War approved the new design and a rosette, fixing his signature to the plan on January 28, 1904.

Just 2 weeks earlier, Representative Cordell Hull, of Tennessee, had introduced the act of 1904, providing for the changes in issuance of the medal. It was approved on April 23, 1904, and it authorized “three thousand medals of honor prepared * * * upon a new design.”

It remained only to protect the new design from abuse. Early in 1904, a patent was applied for, and on November 22, 1904, Gen. G. L. Gillespie was awarded Patent Serial No. 197,369, covering the new Medal of Honor, specified as U.S. Patent Office Design No. 37,236. The final step for protection of the new design was taken on December 19, 1904, when General Gillespie transferred the Medal of Honor patent “to W. H. Taft and his successor or successors as Secretary of War of the United States of America.”

The medal as officially described is made of silver, heavily electroplated in gold. The chief feature of the old medal, the five-pointed star, has been retained, and in its center appears the head of the heroic Minerva, the highest symbol of wisdom and righteous war. Surrounding this central feature in circular form are the words "United States of America" representing nationality. An open laurel wreath, enameled in green, encircles the star, and the oak leaves at the bases of the prongs of the star are likewise enameled in green to give them prominence.

The medal is suspended by a blue silk ribbon, spangled with 13 white stars representing the original States, and this ribbon is attached to an eagle supported upon a horizontal bar. Upon the bar, which is attached to two points of the star, appears the word "Valor," indicative of the distinguished service represented by the medal.

The reverse of the medal is plain so that the name of the recipient may be engraved thereon. On the reverse of the bar are stamped the words "The Congress To."

The patent which had been taken out for protection of the design of the medal expired on November 21, 1918. When this situation was referred to the Judge Advocate General of the Army for an opinion, he stated that this method of protecting the design should be replaced by legislative action forbidding imitations on the part of Congress. A bill for this purpose was recommended by the War Department, passed Congress, and was approved by the President on February 24, 1923. Imitation of the design of the medal was now forbidden by law.

THE "PYRAMID OF HONOR"

The Medal of Honor, which had begun as an idea in the minds of a few people back in 1861, had become a reality occupying the attention and energies of many Americans by 1904. Not all of the extraordinary examples of courage or of service were of the type which would deserve the Medal of Honor. At the same time, all of them deserved recognition, and each degree of valor or service could be looked upon as a step in the direction of that extraordinary service of heroism above and beyond the call of duty which is rewarded, once it has been proved, by the award of the Medal of Honor.

The problem of recognition of these lesser deeds was solved by the creation of a system of decorations arranged in an ascending order, with the lowest awards being the most widely distributed—and the Medal of Honor as the final, supreme award, its distribution limited strictly to the handful of those meeting the most severe tests of heroism. Thus, between the medals most widely distributed—and the Medal of Honor, held by only a few, there came all the other awards of Americans in uniform—arranged as a "pyramid of honor," with the Medal of Honor being the highest point, at the very top.

The legislation of 1904 gave the medal the maximum protection it had yet achieved. Now thought began to turn to the matter of presentation of the medal as a means through which it could be further dignified.

There had been a few scattered instances in which the medal was presented by the President or other high official. The six survivors of the Mitchell Raid through Georgia were awarded the first Army Medals of Honor on March 25, 1863, by Secretary of War Stanton. After presentation of the medals in his office, Secretary Stanton then took the six to the White House for a visit with President Lincoln. A few days later, on April 3, 1863, the first Navy Medals of Honor were awarded to a number of sailors taking part in the attacks on Forts Jackson, Fisher, and St. Philip, on April 24, 1862.

When Ulysses S. Grant became President, he presented the medal in the White House on two separate occasions. While in some cases soldiers and sailors of the Civil War had been given their medals at military formations and mentioned in the orders of the day, there is only one occasion recorded in which this custom was continued after the Civil War.

In some cases, the medals had been sent to awardees by registered mail. And, unfortunately, in some cases these medals had been returned to the War and Navy Departments because the recipients who had earned them had been discharged and their whereabouts were unknown.

On December 9, 1904, Maj. William E. Birkhimer, who had been a brigadier general of volunteers during the Spanish-American War and who was himself a medal recipient, suggested to the Military Secretary in Washington that "every possible attention should be paid to formality and solemnity of circumstance" whenever the medal was given to its recipients. His suggestion was passed up through channels to the Chief of Staff, and after extensive exchanges of correspondence, President Theodore Roosevelt, on September 20, 1905, signed an Executive order directing that ceremonies of award "will always be made with formal and impressive ceremonial," and that the recipient "will, when practicable, be ordered to Washington, D. C., and the presentation will be made by the President, as Commander in Chief, or by such representative as the President may designate." If it should be impracticable for the awardee to come to Washington, the order provided, the Chief of Staff would prescribe the time and place of the ceremony in each case.

The first White House presentation of the medal under the terms of this order was made by President Roosevelt on January 10, 1906.

On April 27, 1916, Congress approved an act which provided for the creation of a "Medal of Honor Roll," upon which honorably discharged medal recipients who earned the medal in combat and who had attained the age of 65 years were to be recorded, with each enrolled person to receive a special pension of \$10 per month for life. The primary purpose of this act was to give medal recipients the same special recognition shown to holders of similar British and French decorations for valor. Limiting the award to the nominal sum of \$10 monthly emphasized that it was not given as a pension, but to provide a small amount for personal comforts in the advanced years of life, at a time when needs are generally not very acute, especially in cases in which the veteran is in receipt of pension benefits. The amount was not made larger both because it was contrary to the policy of Congress to recognize distinguished service by pensions, and because to combine

an award for conspicuous gallantry with a pension would diminish the honor attached to the award of the medal.

The passage of this act marked the successful culmination of a 26-year effort by the Medal of Honor Legion—the organization of medal recipients which was formed back in 1890—to obtain, in the words of one of its first documents, “such legislation from Congress as will tend to give the Medal of Honor the same position among the military orders of the world which similar medals occupy.” Bills aimed at this type of legislation had been introduced into Congress recurrently following the organization of the Medal of Honor Legion—none of them meeting with success.

The successful bill was introduced by Representative Isaac R. Sherwood, of New York, who was a Civil War veteran, breveted brigadier general by Lincoln. He had fought in 43 battles, being under fire 123 days, and had been complimented in special orders for gallantry in action six times. He had led a full-dress congressional discussion of the Medal of Honor question on the floor of the House on July 6, 1914.

The Medal of Honor Roll, established by an Act of Congress, 27 April 1916, provided that upon attaining age 65 each recipient of the Medal of Honor who was honorably discharged from the service by muster-out, resignation, or otherwise, would have his name entered on the Roll and be eligible for a special pension of \$10 per month for life. The Act was amended 14 August 1961 to increase the amount of pension to \$100 per month, decrease the age to 50 and remove the requirement of separation from the service. It was further amended 13 October 1964 to decrease the age to 40, and on 31 October 1965 to delete the age of the awardee as a requirement and, most recently, on 18 October 1978, to raise the amount of the special pension to \$200 per month. In addition the act provided for enrollment “upon written application being made to the Secretary of the proper department”—War or Navy—“and subject to the conditions and requirements hereinafter contained,” of “the name of each surviving person who has served in the military or naval service of the United States in any war, who has attained or shall attain the age of 65 years * * *.” It then laid down the condition that the applicant’s Medal of Honor should have been earned by action involving actual conflict with an enemy, distinguished by conspicuous gallantry or intrepidity, at the risk of life, above and beyond the call of duty.

The act specified that the Secretary of War or of the Navy would be responsible to decide whether each applicant would be entitled to the benefits of the act.

If the official award as originally made appeared to the War Department to conform to the criteria established by the statute, this automatically entitled the applicant to the pension without further investigation. If, on the other hand, a doubt arose as to whether or not the applicant was entitled to entry on the roll, then, to quote the act further, “all official correspondence, orders, reports, recommendations, requests, and other evidence now on file in any public office or department shall be considered.”

What was to be done if, after the consideration of these documents, the War Department felt that the applicant was ineligible was defined on June 3, 1916, in section 122 of the Army reorganization bill. This

act provided for appointment by the Secretary of War of a board of five retired general officers for the purpose of "investigating and reporting upon past awards or issue of the so-called congressional medal of honor by or through the War Department; this with a view to ascertain what medals of honor, if any, have been awarded or issued for any cause other than distinguished conduct * * * involving actual conflict with an enemy * * *."

"And in any case," this act continued, "in which said board shall find and report that said medal was issued for any cause other than that hereinbefore specified, the name of the recipient of the medal so issued shall be stricken permanently from the official Medal of Honor list. It shall be a misdemeanor for him to wear or publicly display such medal, and, if he shall still be in the Army, he shall be required to return said medal to the War Department for cancellation."

By October 16, 1916, the Board created by this act had met, gathered all Medal of Honor records, prepared statistics, classified cases and organized evidence which might be needed in its deliberations. Between October 16, 1916, and January 17, 1917, all of the 2,625 Medals of Honor which had been awarded up to that time were considered by the Board, and on February 15, 1917, 910 names were stricken from the list.

Of these 910 names, 864 were involved in one group—a case in which the medal had been given to members of a single regiment. The regiment's (27th Maine Volunteer Infantry) enlistment was to have expired in June of 1863. As an inducement to keep the regiment on active duty during a critical period, President Lincoln authorized Medals of Honor for any of its members who volunteered for another tour of duty. The 309 men who volunteered for extended duty, in the face of more action and possible death, certainly were demonstrating "soldierlike" qualities, and as such were entitled to the Medal under one proviso of the original law. But their act in no way measured up to the 1916 standards. A clerical error compounded the abuse. Not only did the 309 volunteers receive the medal, but the balance of the regiment, which had gone home in spite of the President's offer, was awarded it also. In this group case as well as in the remaining 46 scattered cases, the Board felt that the medal had not been properly awarded for distinguished services, by the definition of the act of June 3, 1916. Among the 46 others who lost their medal was William F. Cody, better known as Buffalo Bill.

In its final report, the Board indicated that in the large majority of cases "the medals have been awarded for distinguished conduct in action, measuring that term by the highest standard, and there can be no question as to the propriety of the award."

In some cases, the Board reported, the rewards the men received were "greater than would now be given for the same acts," but in the absence of evidence to the contrary, "and because there has been no high judicial interpretation of the Medal of Honor laws" the Board found that there were "but few instances where the medal has not been awarded for distinguished services."

The 910 cases which did not pass the Board's investigation were turned over to the War Department, and against each of the names involved was stamped the inscription, "Stricken from the list February 15, 1917, Adverse Action Medal of Honor Board—A. G. 2411162."

There have been no instances of cancellation of Medal of Honor awards within the naval service.

This Board had few legal definitions to guide it in its work. It had to work with a quantity of regulations and precedents in making its decisions, and this mass of information was uncoordinated and even, in some cases, conflicting. For example, the act of April 27, 1916, provided for a "Medal of Honor Roll" for those who met the definition of valor above and beyond the call of duty; whereas the original act creating the Medal on July 12, 1862, specified only gallantry in action and "other soldierlike qualities" as the basis for award.

In 1918, Congress decided to clear away any inconsistencies of the legislation which had grown around the Army medal and make a set of perfectly clear rules for its award. On July 9, 1918, an act was approved which stated as follows:

"* * * the provisions of existing law relating to the award of Medals of Honor * * * are amended so that the ~~provisions of existing law relating to the award of Medals of Honor shall be amended so that the Medal of Honor shall be awarded to each person who, while in service or retired from the Army, shall have distinguished himself by gallantry and intrepidity at risk of his life above and beyond the call of duty.~~

At one stroke, by use of the word "hereafter," this legislation wiped out of existence the War Department's problem of acting on numerous ancient and complicated claims for medals originating as far back as the Civil War. At the same time, it clearly defined the type of deed which could earn a medal.

But these were not the only provisions of this 1918 act. It directed that enlisted men who were medal recipients should receive \$2 per month extra in their military pay. This matter of an extra \$2 per month was intertwined with the Certificate of Merit. The 1918 legislation abolished the Certificate of Merit and replaced it by a new medal—the Distinguished Service Medal—still retaining the extra pay feature.

The Distinguished Service Cross was brought into existence to more fully single out and honor combat gallantry. The committee on Military Affairs, which had prepared the bill, stated that, "It is believed that if a secondary medal * * * had been authorized in the past, the award of the * * * Medal of Honor would have been much more jealously guarded than it was for many years. And it is certain that the establishment of such a secondary medal now will go far toward removing the temptation to laxity with regard to future awards of the greater medal."

However, it would have been illogical to have a "secondary" medal which carried the old Certificate of Merit provision of \$2 extra pay per month, while the "greater medal"—the Medal of Honor—had no such provision attached to it. Therefore, the extra pay feature was added to the award of the Medal of Honor.

But possibly the most important and far-reaching effect of this 1918 legislation was the fact that for the first time in American history it was established by law that there were degrees of service to the country, each worthy of recognition, but only *one* of which could be accorded ~~to the recipient.~~ In addition to the Distinguished Service

Cross, the 1918 act also created the Army Distinguished Service Medal and the Army Silver Star Citation, each of them lower in precedence. The Silver Star became a formal decoration, with its own distinctive ribbon, in 1932.

This legislation also made it clear that recommendations for such Army awards had to be made within 2 years after the act involved, and laid down the time limit of 3 years as that in which the medals involved could be issued, following the date of the act meriting their award. It provided that not more than one medal should be issued to any one person, but that for each succeeding act justifying the award a suitable bar or other device could be awarded by the President. The President was authorized to delegate award of all four medals with which this 1918 act was concerned—the Medal of Honor, Distinguished Service Cross, Distinguished Service Medal, and Silver Star—to commanding generals of armies or higher units in the field.

The act of July 9, 1918, was the genesis of what has been called the "Pyramid of Honor," a hierarchy of military decorations awarded for combat valor and meritorious service at the top of which is placed the Medal of Honor.

~~The Medal of Honor is restricted to the few who qualify by the highest gallantry and valor in combat.~~

Next in order of precedence is the Distinguished Service Cross, with less rigid restrictions, allowing more to qualify for this award for combat valor. Beneath the Distinguished Service Cross is the Distinguished Service Medal, which can be awarded for exceptionally meritorious service. The complete hierarchy consists at present of 12 awards for valor and/or service, ranging from the Medal of Honor at the top to the Purple Heart at the base of the "Pyramid of Honor."

A second Medal of Honor, commonly referred to as the (new) Medal of Honor, was approved by act of Congress of February 4, 1919, for award to any person in the naval service of the United States who while in action involving "actual conflict" with the enemy distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty and without detriment to the mission. The old Medal of Honor was retained for noncombat service.

The new Navy Medal of Honor was designed by Tiffany & Company of New York—hence the reference to it as the "Tiffany Cross"—and is a gold cross pattee, 35 millimeters across, on a wreath of oak and laurel leaves. The center of the cross bears the eagle design from the United States seal within an octagon bearing the inscription, "United States Navy, 1917-1918." A plain anchor appears on each arm of the cross. Except for the embossed words, "Awarded to," the reverse is plain. The medal is suspended from a ribbon consisting of a triple chevron of 13 white stars on a light blue field, the star at the point of the chevron being uppermost. At the crest of the ribbon is a bar which bears the single word "Valour." It is worn at the neck as a pendant, suspended from the band by means of its ribbon. The ribbon bar worn in lieu of either the original Medal of Honor or the second Medal of Honor is light blue and is embroidered with 5 white stars.

The act of Congress, approved February 4, 1919, which established the new Navy Medal of Honor, also provided for the adoption of a Navy Distinguished Service Medal, a Navy Cross and a gold star to be awarded in lieu of a second or additional award of any Navy decoration.

The new Navy Medal of Honor was made obsolete by an act of Congress approved August 7, 1942. This act restored the dual status of the old Navy Medal of Honor, thereby authorizing its award for combat or noncombat service above and beyond the call of duty. It also reversed the relative position of the Distinguished Service Medal and Navy Cross and established the Silver Star, the Legion of Merit, and the Navy and Marine Corps Medal as Navy decorations. In addition, it also abolished duplication of awards.

In order to insure fairness to all, Gen. John J. Pershing issued instructions to various commanding officers of the American Expeditionary Forces to submit recommendations for award of the Medal of Honor, Distinguished Service Cross, and Distinguished Service Medal. Recommendations were to come from regimental commanders or, in the cases of ~~regimental commanders~~, from the commanding officer, reporting as nearly as possible to the heads of regimental commands. General Pershing also appointed a board of officers at his headquarters to consider recommendations for the decorations. The recommendations so screened were then passed on to the Commander in Chief.

From these procedures there evolved the methods of examining possible awards which were used throughout World War II. Among the major requirements established at Headquarters, AEF, was one which specified that ~~each recommendation for a Medal of Honor must cite a~~ ~~specific act of heroism~~, giving the place and details of the action and the numbers of troops involved. ~~Each recommendation must be accompanied by a list of the names of the troops who were~~ ~~recommended.~~

Five days after the Armistice, General Pershing not only directed that a careful review be made of each case which had been submitted for award of the Distinguished Service Cross, but he also sent to headquarters of each division an officer thoroughly familiar with the forms necessary to substantiate awards of the Medal of Honor. He ordered that these officers were to be given every possible assistance in obtaining necessary evidence for Medal of Honor award in these cases, so that the Distinguished Service Cross would not be given when a case merited the Medal of Honor.

Up to November 23, 1918, 24 Medal of Honor recommendations had been received in the Personnel Bureau, AEF, and 4 approved, as mentioned above. As of that date, the Personnel Bureau became the Personnel Division of The Adjutant General's Office, U.S. Army, and Lt. Col. J. A. Ulio continued as chief of the Decorations Section within this new Division.

Medal of Honor recommendations and those pertaining to other decorations were handled at General Pershing's headquarters at Chaumont, France, between November 1918 and July 1919. They were submitted to the War Department, and during this period 78 Medal of Honor awards were made.

General Pershing personally reviewed each recommendation and the supporting documents.

Until June 30, 1921, the Badge and Medal Section in The Adjutant General's Office functioned within very limited areas of administration. On that date, the Secretary of War directed The Adjutant General to

take over all operating functions connected with the award of Army medals and decorations.

The last Medal of Honor which could be awarded under the legislations of 1918—which specified that the award could be made not more than 3 years from the date of the act which won it—was presented to the American Unknown Soldier on Armistice Day of 1921. The bill which allowed it to be awarded to an unidentified soldier was signed by the President on August 24, 1921.

The medal was pinned on the flag draping the coffin of the Unknown Soldier at Arlington National Cemetery by President Warren G. Harding, at services in the amphitheater of the cemetery. At the same time, the President pinned to the flag high awards of Great Britain, France, Belgium, Italy, Rumania, Czechoslovakia, and Poland. All of these nations had authorized award of their highest decorations to the American Unknown Soldier, and the ceremony was attended by dignitaries of each of these countries.

During the post-World War I period special congressional action and Executive orders allowed the award of the Medal of Honor to Unknown Soldiers of nations which had been our allies in the conflict. On March 4, 1921, an act was approved awarding the medal to the Unknown British and French Soldiers, and on October 12, 1921, a similar act awarded it to the Italian Unknown Soldier.

Authorization to award the medal to the Belgian Unknown Soldier was given by Executive order of the President on December 1, 1922, and a similar authorization was given in the case of the Unknown Rumanian Soldier on June 6, 1923.

The Medal of Honor was also awarded to the Unknown American of World War II by act of Congress approved March 9, 1948, and to the Unknown American of the Korean conflict by act of Congress approved August 31, 1957.

In the winter of 1919-20, there was some discussion of changing the design of the Army medal once again, in order to beautify it, but the prevailing opinion was in favor of leaving it unchanged, and the design remained the same as it is today.

During the period of 1927-30, the Army War College, which has the mission of training selected officers for duty with the General Staff of the War Department and for high command, made studies of the principles and technical aspects of administration of Medal of Honor awards. Ten student officers had been assigned to make a study of the system of rewards in the Army as early as 1924. Three years later, in 1927, using the earlier study as a guide and source of material, a study of greater scope was finished at the War College.

A third study of the subject was made later.

When the time limitation on awards of the medal—contained in the 1918 legislation—expired for the second time, on April 7, 1923, many applications for War Department decorations which already had been filed with the Department during the first 4 postwar years still remained pending in the archives of The Adjutant General and the General Staff. On May 26, 1928, an extension was made part of an act of Congress in order to allow clearing up of these cases. It provided for consideration of recommendations pending at that date in the War and Navy Departments and the Marine Corps, with awards to be made in such cases as could be shown worthy.

On October 14, 1927, The Permanent Board of Awards was established by the Secretary of the Navy Curtis D. Wilbur to consider recommendations for awards of naval decorations to members of the military forces and to those attached to or serving with the Navy in any capacity. The Board was composed of two rear admirals of the line of the Navy and a brigadier general of the Marine Corps, with a lieutenant commander of the line of the Navy who served as recorder. The ranks and the number of members composing the Board have varied through the years, depending on conditions of world affairs, and the name of the Board was changed to Navy Department Board of Decorations and Medals.

During World War II and the Korean conflict, the Secretary of the Navy delegated authority to certain designated commands in the theaters of operations to award decorations without reference to the Secretary of the Navy (Navy Department Board of Decorations and Medals). Such authority excluded the Medal of Honor, the Distinguished Service Medal, all awards to flag officers, the Navy and Marine Corps Medal, and unit awards.

All of these procedures and policies, based upon congressional legislation, may seem dry and uninteresting. Legal terminology does not make for glamour. Records of proceedings of a board of review do not lend themselves to heroics. And the precise wording of regulations and bulletins, spelling out the law with care and repetition hardly constitutes the material of an adventure story. But it is precisely *because* of these legalistic safeguards that the Medal of Honor is a symbol of such glorious tradition today. The hours which were spent—thousands of them—from 1861 to the present day in the work of legislation, definition, administration, review of applications and recommendations, were unglamorous hours which painfully built the firm base for the pinnacle which bears the Medal of Honor. As a result of this painstaking work, the Nation was prepared, when World War II struck, to administer a swift and accurate reward for many provable cases of valor in action. Since World War II, through both the Korean conflict and the Vietnam era, these procedures have stood intact to continue to provide the Nation with an efficient manner of rewarding such conspicuous valor.

Through legislation, precedent, and procedure, America has built its "Pyramid of Honor." The Medal of Honor now stands where it has been intended all through its history that it should stand—at the top of that pyramid.

ORDER OF PRECEDENCE OF MILITARY DECORATIONS

The following is the order of precedence for military decorations of the United States, based on degrees of valor and meritorious achievement, and the date each medal was established:

U.S. ARMY AND U.S. AIR FORCE

1. Medal of Honor (1862)
2. Distinguished Service Cross (1918)/Air Force Cross (1960)
3. Defense Distinguished Service Medal (1970)
4. Distinguished Service Medal (1918)

5. Silver Star (1918)
6. Defense Superior Service Medal (1976)
7. Legion of Merit (1942)
8. Distinguished Flying Cross (1926)
9. Soldier's Medal (1926)/Airman's Medal (1960)
10. Bronze Star (1942)
11. Meritorious Service Medal (1969)
12. Air Medal (1942)
13. Joint Service Commendation Medal (1963)
14. Army Commendation Medal (formerly Commendation Ribbon) (1945)/Air Force Commendation Medal (1958)
15. Purple Heart (1782)

U.S. NAVY AND MARINE CORPS

1. Medal of Honor (1862)
2. Navy Cross (1919)
3. Defense Distinguished Service Medal (1970)
4. Distinguished Service Medal (1918)
5. Silver Star (1918)
6. Defense Superior Service Medal (1976)
7. Legion of Merit (1942)
8. Navy and Marine Corps Medal (1942)
9. Bronze Star (1942)
10. Meritorious Service Medal (1969)
11. Air Medal (1942)
12. Joint Service Commendation Medal (1967)
13. Navy Commendation Medal (formerly Navy Commendation Ribbon) (1944)
14. Purple Heart (1782)

MEDALS FOR CIVILIANS

1. Medal for Merit (1942)
2. Presidential Medal of Freedom (1963) (Supersedes Medal of Freedom)
3. Certain military medals may also be awarded to civilians under specified conditions.

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Correspondence from C.D. Brennan
Objecting to a Holiday in Honor
of Martin L. King, Jr.

On August 15, former FBI Assistant Director, Charles D. Brennan wrote the President to express opposition to a national holiday to honor Martin L. King, Jr. Brennan enclosed a summary paper reviewing King's expression of Marxist sentiments, his association with Communist Party figures, and the shadier aspects of his private life. Brennan concedes that the FBI's activities with respect to Dr. King did not represent its finest hour, but argues that the evidence that was gathered concerning Dr. King's character should not be ignored on that account.

I recommend sending a noncommittal letter thanking Brennan for his views, and referring the package to OPD, which will presumably be reviewing the policy questions of whether to support a King holiday.

Attachment

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR JACK SVAHN
ASSISTANT TO THE PRESIDENT
FOR POLICY DEVELOPMENT

FROM: FRED F. FIELDING
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence from C.D. Brennan
Objecting to a Holiday in Honor
of Martin L. King, Jr.

The attached correspondence is submitted for whatever consideration may be appropriate in connection with the policy decision on whether to support a national holiday to honor Dr. Martin Luther King, Jr.

Attachment

FFF:JGR:aea 9/16/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE
WASHINGTON

September 16, 1983

Dear Mr. Brennan:

Thank you for your letter of August 15 to the President. In that letter and the accompanying summary memorandum, you detailed the grounds for your opposition to a national holiday to honor Dr. Martin Luther King, Jr.

I have routed your letter to the appropriate office in the White House, which will give your views every appropriate consideration. Thank you for writing.

Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Charles D. Brennan
487 N. Owen Street
Alexandria, Virginia 22304

FFF:JGR:aea 9/16/83

bcc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE

WASHINGTON

September 16, 1983

MEMORANDUM FOR JACK SVAHN
ASSISTANT TO THE PRESIDENT
FOR POLICY DEVELOPMENT

FROM: FRED F. FIELDING Orig. signed by FFF
COUNSEL TO THE PRESIDENT

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SEP 19 1983

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Mr. Charles D. Brennan
487 N. Owen Street
Alexandria, Virginia 22304

FFF:JGR:aea 9/16/83

bcc: FFFielding
JGRoberts
Subj.
Chron

SEP 18 1983

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Correspondence from Wally Charleston
Concerning Corruption in Water District

Wally Charleston of Mammoth Lakes, California, an "investigative news reporter" and supporter of the President, wrote the President to protest the lack of a response by the FBI to his charges of corruption in his water district. Charleston states that "the word is" there will be no investigation because of "strong political connections." He asks the President to find out why the FBI is not moving forward. The original of this letter was routed to Karna Small, presumably because of Charleston's status as a reporter. I have determined that she has not responded, and have advised her that our office will handle the matter. I have prepared a reply to Charleston noting that we have referred his letter to the Justice Department.

Attachment

THE WHITE HOUSE

WASHINGTON

September 19, 1983

Dear Mr. Charleston:

Thank you for your letter of July 22 to the President. In that letter you raised concerns about corruption in your water district, and outlined the steps you had taken to bring the matter to the attention of appropriate authorities, including the Federal Bureau of Investigation.

I am certain you will understand that it would be inappropriate for the White House to interfere with the FBI's handling of a particular matter such as this. We have, however, referred your correspondence to the Department of Justice for whatever review and action by that department may be appropriate.

Thank you for your kind expressions of support for the President.

Sincerely,

Orig. signed by FFF

Fred F. Fielding
Counsel to the President

Mr. Wally Charleston
Post Office Box 884
Mammoth Lakes, California 93546

FFF:JGR:aea 9/19/83

bcc: FFFielding/JGRoberts/Subj./Chron

THE WHITE HOUSE

WASHINGTON

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Sincerely,

Fred F. Fielding
Counsel to the President

Mr. Wally Charleston
Post Office Box 884
Mammoth Lakes, California 93546

FFF:JGR:aea 9/19/83

bcc: FFFielding/JGRoberts/Subj./Chron

THE WHITE HOUSE

WASHINGTON

September 19, 1983

MEMORANDUM FOR EDWARD C. SCHMULTS
DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF JUSTICE

FROM: FRED F. FIELDING *Orig. signed by FFF*
COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence from Wally Charleston
Concerning Corruption in Water District

The attached correspondence, with a copy of my reply, is submitted for whatever action you consider appropriate.

Attachments

FFF:JGR:aea 9/19/83

cc: FFFielding
JGRoberts
Subj.
Chron

THE WHITE HOUSE
WASHINGTON

September 19, 1983

MEMORANDUM FOR EDWARD C. SCHMULTS
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U.S. DEPARTMENT OF JUSTICE

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COUNSEL TO THE PRESIDENT

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Subj.
Chron

JV

WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

57005

- O - OUTGOING
 - H - INTERNAL
 - I - INCOMING
- Date Correspondence Received (YY/MM/DD) 1 1

Roberts

Name of Correspondent: Wally Charleston

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: letter to President re: corruption in his water district

ROUTE TO:

ACTION

DISPOSITION

Office/Agency (Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response Code	Completion Date YY/MM/DD
<u>WH011</u>	ORIGINATOR	<u>83,08,03</u>		<u>1 1</u>
<u>CWST 18</u>	<u>D</u>	<u>83,08,03</u>		<u>83,08,13</u>

ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
Send all routing updates to Central Reference (Room 75, OEOB).
Always return completed correspondence record to Central Files.
Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE
WASHINGTON

Date: 7/29

To: Karen

The attached is for your:

- Information
 Appropriate Action

Review and Please Return:

- cc of correspondence
 log sheet
 item
 file

These originals were sent
to Mucci (7140) + Small, resp.
in case you wanted to
coordinate a decision
on response or
to whom to
refer. L

LINDA FRICK
Gift Office
Room 494, x2350

1
EOL

WALLY CHARLESTON

July 22, 1983

159202 *cu*

President Ronald Reagan
Washington, DC

Dear Mr. President:

Once in a lifetime a person may have good reason to write to his President. Being past fifty, I believe in whims. I also believe in the magical powers of your office.

I think I've heard you say one time, "No pain, no gain" with reference to your stern economic policies. Now we're all able to see the true logic of your programs. Sure the recovery has hurt but, we're coming out of three decades of tough times. Magic.

It all took guts.

And, "No guts, no gain" might well apply to the whim of writing to my President. Some of your magic may serve to correct an isolated but serious problem in my small corner of the country. The problem involves clearing out the corruption which is deeply rooted in our water district. A very small problem.

In February of this year, I revealed to state agencies and the FBI that largescale fraud and theft was taking place at this taxpayer's facility. I provided sworn affidavits and hard evidence that an investigation was in order. The state agencies deferred to the local district attorney who has done nothing to date. The FBI has informed me that "we will be moving ahead" on the matter but, they haven't.

Because I am an investigative news reporter, the whole affair received widespread media coverage. But, only the accusations linger. The word is, no investigation will take place because of the "strong political connections" of those involved.

With someone with the strength you've shown as President of the United States, I find this damn hard to believe.

Any chance I can use the magical powers of your office to find out why the FBI isn't moving on this small matter?

I'll certainly cooperate with them in any way I possibly can.

Thanks for improving life for all of us, Mr. President.

Wally Charleston

Wally Charleston