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APPROVED
OCT 11 1974

ACTION

THE WHITE HOUSE
WASHINGTON

Last Day - October 14

October 10, 1974

*Posted
10/12/74*

MEMORANDUM FOR THE PRESIDENT

FROM: KEN COLE

SUBJECT: Enrolled Bill S. 1276 - For the Relief of Joe H. Morgan

Attached for your consideration is Senate bill, S. 1276 sponsored by Senator Fong which relieves Mr. Morgan of liability to repay the United States \$940. This represents the amount of unauthorized travel expenses paid by the United States to transport Mr. Morgan's dependent wife and child.

Roy Ash recommends approval and provides you with additional background information in his enrolled bill report (Tab A).

We have checked with the Counsel's office (Chapman), the NSC and Bill Timmons who also recommend approval.

RECOMMENDATION

That you sign Senate bill S. 1276 (Tab B).



*To Archie
10/15/74*

A



APPROVED
OCT 11 1974

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

OCT 8 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1276 - For the relief of
Joe H. Morgan
Sponsor - Sen. Fong (R) Hawaii

Last Day for Action

October 14, 1974 - Monday

Purpose

Relieves Mr. Morgan of liability to repay the United States \$940 which represents the amount of unauthorized travel expenses paid by the United States to transport Mr. Morgan's dependent wife and child.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Navy

No objection

Discussion

Mr. Morgan served as an active duty Naval Reserve Officer from 1962 until his involuntary release from active duty in 1970. Upon his separation from the Navy, Mr. Morgan was entitled to transportation of his dependents at Government expense from his last, permanent duty station to his home of selection.

Although his last, permanent duty station was in Guam, he was temporarily reassigned to Long Beach, California, for separation. His wife and child, who had been residing with him in Guam, accompanied him to California at Government expense. In 1971, following his release, they were transported from California to Honolulu, Hawaii, his home of



selection, again at Government expense. Because his assignment to Long Beach was only temporary, however, he was entitled to transportation of his dependents only from Guam, his last permanent duty station, to Honolulu, his home of selection. Thus, he incurred a liability of \$940 to the Government for the transportation provided to his dependents in excess of that authorized.

The enrolled bill would relieve Mr. Morgan of his liability to repay the United States the sum of \$940 and, furthermore, would authorize payment to him of any amount received or withheld from him on account of his indebtedness.

In its enrolled bill letter, the Department of the Navy states:

"It appears that the claim against Mr. Morgan arose through no fault of his own. There is nothing in the records of this Department to indicate that he was not acting in good faith. Accordingly, the Department of the Navy has no objection to approval of the enrolled enactment, S. 1276."

W. H. Russell

Assistant Director for
Legislative Reference

Enclosures



B



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 634

Date: October 9, 1974

Time: 9:00 a.m.

FOR ACTION:

See folder
✓ Geoff Shepard
✓ NSC/S
✓ Phil Bucher
✓ Bill Timmons

cc (for information): Warren K. Hendriks
Jerry Jones
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 11, 1974

Time: 2:00 p.m.

SUBJECT:

Enrolled Bill S. 1276 - For the relief of
Joe H. Morgan

ACTION REQUESTED:

___ For Necessary Action

XX For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.
For the President



THE WHITE HOUSE
WASHINGTON

10/8/74

TO: WARREN HENDRIKS



Robert D. Linder



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20350

October 4, 1974

Dear Mr. Ash:

Your transmittal sheet dated October 3, 1974, enclosing a facsimile of an enrolled bill of Congress, S. 1276, "For the relief of Joe H. Morgan," and requesting comment of the Department of the Navy, has been received.

The purpose of S. 1276 is to relieve Mr. Morgan of liability for a \$940.00 indebtedness incurred as a result of travel expenses paid by the government for unauthorized transportation of his dependent wife and child.

Mr. Morgan was an active duty Naval Reserve officer from March 4, 1962, until he was involuntarily released from active duty on June 30, 1970, in the grade of lieutenant commander. Lieutenant Commander Morgan was serving as a member of the staff of Commander Landing Ship Squadron Three, homeported in Guam, when he was ordered on temporary duty to the continental United States for separation. At that time, he and his dependents, who had been residing with him in Guam, were issued space-required government contract air transportation from Guam to Norton Air Force Base, California. Lieutenant Commander Morgan was subsequently released from active duty at the U.S. Naval Station, Long Beach, California. In June 1971, he elected Honolulu, Hawaii, as his permanent residence and was issued government contract surface transportation for himself and his dependents from San Francisco, California, to Honolulu, Hawaii.

In accordance with government travel regulations, Lieutenant Commander Morgan was entitled to transportation of his dependents at government expense only from his last permanent duty station (Guam) to his home of selection (Honolulu). The cost of the transportation furnished his dependents from Guam to Norton Air Force Base and from San Francisco to Honolulu in excess of the cost of the authorized travel from Guam to Honolulu is the source of the government claim against Lieutenant Commander Morgan.

It appears that the claim against Mr. Morgan arose through no fault of his own. There is nothing in the records of this Department to indicate that he was not acting in good faith. Accordingly, the Department of the Navy has no objection to approval of the enrolled enactment, S. 1276.

Sincerely yours,

A handwritten signature in cursive script that reads "J. McCullen, Jr.".

Joseph T. McCullen, Jr.
Acting Secretary of the Navy

Honorable Roy L. Ash
Director, Office of Management
and Budget
Washington, D. C. 20503



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 634

Date: October 9, 1974

Time: 9:00 a.m.

FOR ACTION: ✓ Geoff Shepard
NSC/S
Phil Buchen
Bill Timmons

cc (for information): Warren K. Hendriks
Jerry Jones
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 11, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 1276 - For the relief of
Joe H. Morgan

ACTION REQUESTED:

___ For Necessary Action

XX For Your Recommendations

___ Prepare Agenda and Brief

___ Draft Reply

___ For Your Comments

___ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

*no objection 10/9
Yes*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President



THE WHITE HOUSE
WASHINGTON

October 9, 1974

MEMORANDUM FOR: MR. WARREN HENDRIKS
FROM: WILLIAM E. TIMMONS *W.E.T. for W.H.*
SUBJECT: Action Memorandum - Log No. 634
Enrolled Bill S. 1276 - For the relief
of Joe H. Morgan

The Office of Legislative Affairs concurs in the attached proposal and has no additional recommendations.

Attachment



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.: 634

Date: October 9, 1974

Time: 9:00 a.m.

FOR ACTION: Geoff Shepard
 NSC/S
 ✓ Phil Buchen
 Bill Timmons

cc (for information): Warren K. Hendriks
 Jerry Jones
 Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 11, 1974 Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 1276 - For the relief of
Joe H. Morgan

ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
 For the President

Date: October 9, 1974

Time: 9:00 a.m.

FOR ACTION: Geoff Shepard
NSC/S
✓ Phil Buchen
Bill Timmons

cc (for information): Warren K. Hendriks
Jerry Jones
Paul Theis

FROM THE STAFF SECRETARY

DUE: Date: Friday, October 11, 1974

Time: 2:00 p.m.

SUBJECT: Enrolled Bill S. 1276 - For the relief of
Joe H. Morgan

ACTION REQUESTED:

_____ For Necessary Action

XX For Your Recommendations

_____ Prepare Agenda and Brief

_____ Draft Reply

_____ For Your Comments

_____ Draft Remarks

REMARKS:

Please return to Kathy Tindle - West Wing

No objection
W.C.

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

Warren K. Hendriks
For the President



EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

WASHINGTON, D.C. 20503

OCT 8 1974

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill S. 1276 - For the relief of
Joe H. Morgan
Sponsor - Sen. Fong (R) Hawaii

Last Day for Action

October 14, 1974 - Monday

Purpose

Relieves Mr. Morgan of liability to repay the United States \$940 which represents the amount of unauthorized travel expenses paid by the United States to transport Mr. Morgan's dependent wife and child.

Agency Recommendations

Office of Management and Budget

Approval

Department of the Navy

No objection

Discussion

Mr. Morgan served as an active duty Naval Reserve Officer from 1962 until his involuntary release from active duty in 1970. Upon his separation from the Navy, Mr. Morgan was entitled to transportation of his dependents at Government expense from his last, permanent duty station to his home of selection.

Although his last, permanent duty station was in Guam, he was temporarily reassigned to Long Beach, California, for separation. His wife and child, who had been residing with him in Guam, accompanied him to California at Government expense. In 1971, following his release, they were transported from California to Honolulu, Hawaii, his home of

To Warren
Hendricks
10/8/74
4:15 p.m.



Calendar No. 707

93D CONGRESS }
2d Session }

SENATE }

REPORT
No. 93-731

JOE H. MORGAN

MARCH 13, 1974.—Ordered to be printed

Mr. FONG, from the Committee on the Judiciary, submitted
the following

REPORT

[To accompany S. 1276]

The Committee on the Judiciary, to which was referred the bill (S. 1276) for the relief of Joe H. Morgan, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to relieve Mr. Morgan of liability to repay to the United States the sum of \$940 representing the amount of unauthorized travel expenses paid by the United States for unauthorized transportation of Mr. Morgan's dependent wife and child.

STATEMENT

The facts of the case as contained in the report of the Department of the Navy are as follows:

The records of this Department show that Mr. Morgan served as an enlisted member of the U.S. Navy from October 1, 1940, until November 24, 1946, and as an enlisted member of the U.S. Naval Reserve on inactive duty from November 25, 1946, until November 24, 1954. He accepted appointment as a lieutenant junior grade in the Naval Reserve on January 15, 1959, and was placed on inactive duty. He was ordered to active duty from Honolulu, Hawaii on



March 4, 1962, and served until he was involuntarily released from active duty at Long Beach, Calif., on June 30, 1970.

Lieutenant Commander Morgan's last permanent duty station was on the staff of Commander Landing Ship, Squadron Three, homeported in Guam. Lieutenant Commander Morgan's family was residing with him in Guam when he was ordered on temporary duty to the Continental United States for separation. He and his dependents were issued space required government contract air transportation from Guam to Norton Air Force Base in California and he was released from active duty at the Naval Station in Long Beach, Calif. on June 30, 1970. In June of 1971 he elected Honolulu, Hawaii as his permanent residence and was issued Government contract surface transportation for himself and his dependents from San Francisco, Calif. to Honolulu, Hawaii.

In accordance with Government travel regulations, Lieutenant Commander Morgan was only entitled to transportation of his dependents at Government expense from his last permanent duty station, Guam, to Honolulu, his home of selection. The cost for transportation furnished his dependents from Guam to Norton Air Force Base and from San Francisco to Honolulu in excess of the costs for the authorized travel from Guam to Honolulu is the source of the Government claim against Lieutenant Commander Morgan.

It appears that the claim against Lieutenant Commander Morgan arose through no fault of his own. There is nothing in the records of this Department to indicate that Lieutenant Commander Morgan was not acting in good faith.

For this reason, the Department of the Navy would interpose no objection to the enactment of S. 1276.

In agreement with the views of the Department of the Navy, the committee recommends favorable consideration of S. 1276, without amendment.

Attached to and made a part of this report is the report of the Department of the Navy.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., January 25, 1974.

DEAR MR. CHAIRMAN: Reference is made to your letter to the Secretary of the Navy requesting comment on S. 1276, a bill for the relief of Joe H. Morgan.

This bill would relieve Mr. Morgan of liability to repay to the United States the sum of \$940 representing the amount of unauthorized travel expenses paid by the United States for unauthorized transportation of Mr. Morgan's dependent wife and child.

The records of this Department show that Mr. Morgan served as an enlisted member of the U.S. Navy from October 1, 1940, until November 24, 1946, and as an enlisted member of the U.S. Naval Reserve on inactive duty from November 25, 1946, until November 24, 1954. He accepted appointment as a lieutenant junior grade in the Naval Reserve on January 15, 1959, and was placed on inactive duty. He was ordered to active duty from Honolulu, Hawaii, on March 4, 1962, and served

until he was involuntarily released from active duty at Long Beach, Calif., on June 30, 1970.

Lieutenant Commander Morgan's last permanent duty station was on the staff of Commander Landing Ship Squadron Three, homeported in Guam. Lieutenant Commander Morgan's family was residing with him in Guam when he was ordered on temporary duty to the Continental United States for separation. He and his dependents were issued space required Government contract air transportation from Guam to Norton Air Force Base in California and he was released from active duty at the naval station at Long Beach, Calif., on June 30, 1970. In June of 1971 he elected Honolulu, Hawaii, as his permanent residence and was issued Government contract surface transportation for himself and his dependents from San Francisco, Calif., to Honolulu, Hawaii.

In accordance with Government travel regulations, Lieutenant Commander Morgan was only entitled to transportation of his dependents at Government expense from his last permanent duty station, Guam, to Honolulu, his home of selection. The cost for transportation furnished his dependents from Guam to Norton Air Force Base and from San Francisco to Honolulu in excess of the costs for the authorized travel from Guam to Honolulu is the source of the Government claim against Lieutenant Commander Morgan.

It appears that the claim against Lieutenant Commander Morgan arose through no fault of his own. There is nothing in the records of this Department to indicate that Lieutenant Commander Morgan was not acting in good faith.

For this reason, the Department of the Navy would interpose no objection to the enactment of S. 1276.

The Office of Management and Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

For the Secretary of the Navy.

Sincerely yours,

E. H. WILLET,
Captain, U.S. Navy, Deputy Chief.

○

JOE H. MORGAN

AUGUST 22, 1974.—Committed to the Committee of the Whole House and ordered to be printed

Mr. DANIELSON, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1276]

The Committee on the Judiciary, to whom was referred the bill (S. 1276) for the relief of Joe H. Morgan, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to relieve Mr. Morgan of liability to repay to the United States the sum of \$940 representing the amount of unauthorized travel expenses paid by the United States for unauthorized transportation of Mr. Morgan's dependent wife and child.

STATEMENT

Mr. Morgan served as an enlisted member of the U.S. Navy from October 1, 1940, until November 24, 1946, and as an enlisted member of the U.S. Naval Reserve on inactive duty from November 25, 1946, until November 24, 1954. He accepted appointment as a lieutenant junior grade in the Naval Reserve on January 15, 1959, and was placed on inactive duty. He was ordered to active duty from Honolulu, Hawaii, until he was involuntarily released from active duty at Long Beach, Calif., on June 30, 1970.

Lieutenant Commander Morgan's last permanent duty station was on the staff of Commander Landing Ship Squadron Three, homeported in Guam. Lieutenant Commander Morgan's family was residing with him in Guam when he was ordered on temporary duty to the Continental United States for separation. He and his dependents were issued space required Government contract air transportation from Guam to Norton Air Force Base in California and he was released from active duty at the naval station at Long Beach, Calif., on June 30, 1970. In June of 1971 he elected Honolulu, Hawaii, as his

permanent residence and was issued Government contract surface transportation for himself and his dependents from San Francisco, Calif., to Honolulu, Hawaii.

In accordance with Government travel regulations, Lieutenant Commander Morgan was only entitled to transportation of his dependents at Government expense from his last permanent duty station, Guam, to Honolulu, his home of selection. The cost for transportation furnished his dependents from Guam to Norton Air Force Base and from San Francisco to Honolulu in excess of the costs for the authorized travel from Guam to Honolulu is the source of the Government claim against Lieutenant Commander Morgan.

In its report to the Senate committee, the Department of the Navy indicated it would have no objection to the enactment of the bill. In this connection the Navy found that the situation giving rise to the indebtedness referred to in the bill arose through no fault on the part of Lieutenant Commander Morgan. The Navy stated:

It appears that the claim against Lieutenant Commander Morgan arose through no fault of his own. There is nothing in the records of this Department to indicate that Lieutenant Commander Morgan was not acting in good faith.

For this reason, the Department of the Navy would interpose no objection to the enactment of S. 1276.

In view of the facts outlined above, and in light of the unusual situation in which it appears the officer acted upon advice to the effect that he was entitled to claim such travel for his dependents, it is recommended that the bill be considered favorably.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, D.C., January 25, 1974.

DEAR MR. CHAIRMAN: Reference is made to your letter to the Secretary of the Navy requesting comment on S. 1276, a bill for the relief of Joe H. Morgan.

This bill would relieve Mr. Morgan of liability to repay to the United States the sum of \$940 representing the amount of unauthorized travel expenses paid by the United States for unauthorized transportation of Mr. Morgan's dependent wife and child.

The records of this Department show that Mr. Morgan served as an enlisted member of the U.S. Navy from October 1, 1940, until November 24, 1946, and as an enlisted member of the U.S. Naval Reserve on inactive duty from November 25, 1946, until November 24, 1954. He accepted appointment as a lieutenant junior grade in the Naval Reserve on January 15, 1959, and was placed on inactive duty. He was ordered to active duty from Honolulu, Hawaii, on March 4, 1962, and served until he was involuntarily released from active duty at Long Beach, Calif., on June 30, 1970.

Lieutenant Commander Morgan's last permanent duty station was on the staff of Commander Landing Ship Squadron Three, homeported in Guam. Lieutenant Commander Morgan's family was residing with him in Guam when he was ordered on temporary duty to the Continental United States for separation. He and his dependents were

issued spaced required Government contract air transportation from Guam to Norton Air Force Base in California and he was released from active duty at the naval station at Long Beach, Calif., on June 30, 1970. In June of 1971 he elected Honolulu, Hawaii, as his permanent residence and was issued Government contract surface transportation for himself and his dependents from San Francisco, Calif., to Honolulu, Hawaii.

In accordance with Government travel regulations, Lieutenant Commander Morgan was only entitled to transportation of his dependents at Government expense from his last permanent duty station, Guam, to Honolulu, his home of selection. The cost for transportation furnished his dependents from Guam to Norton Air Force Base and from San Francisco to Honolulu in excess of the costs for the authorized travel from Guam to Honolulu is the source of the Government claim against Lieutenant Commander Morgan.

It appears that the claim against Lieutenant Commander Morgan arose through no fault of his own. There is nothing in the records of this Department to indicate that Lieutenant Commander Morgan was not acting in good faith.

For this reason, the Department of the Navy would interpose no objection to the enactment of S. 1276.

The Office of Management and Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

For the Secretary of the Navy.

Sincerely yours,

E. H. WILLETT,
Captain, U.S. Navy, Deputy Chief.

○



Ninety-third Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the twenty-first day of January,
one thousand nine hundred and seventy-four*

An Act

For the relief of Joe H. Morgan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joe H. Morgan of Mililani Town, Hawaii, is relieved of all liability for repayment to the United States of the sum of \$940, representing the amount of unauthorized travel expenses paid by the United States to transport the dependent wife and child of the said Joe H. Morgan from Honolulu, Hawaii, to Norton Air Force Base, California, in June 1970, and from San Francisco, California, to Honolulu, Hawaii, in June 1971, following the release of the said Joe H. Morgan from active duty with the United States Navy on June 30, 1970. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Joe H. Morgan the sum of any amount received or withheld from him on account of the indebtedness referred to in the first section of this Act.

(b) No part of any amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not exceeding \$1,000.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

October 2, 1974

Dear Mr. Director:

The following bills were received at the White House on October 2nd:

S.J. Res. 192 ✓

S. 1276 ✓

S. 2337 ✓

Please let the President have reports and recommendations as to the approval of these bills as soon as possible.

Sincerely,

Robert D. Linder
Chief Executive Clerk

The Honorable Roy L. Ash
Director
Office of Management and Budget
Washington, D. C.

