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HEARING

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ON

H.R. 3407

AUTHORIZING THE PRESIDENT TO AWARD A
MEDAL OF HONOR POSTHUMOUSLY TO
WILLIAM JAMES TSAKANIKAS

BEFORE THE

MILITARY PERSONNEL SUBCOMMITTEE

OF THE

COMMITTEE ON ARMED SERVICES

HOUSE OF REPRESENTATIVES

NINETY-SIXTH CONGRESS

FIRST SESSION

JULY 11, 1979

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(II)

MILITARY PERSONNEL SUBCOMMITTEE HEARINGS ON H.R. 3407, AUTHORIZING THE PRESIDENT TO AWARD A MEDAL OF HONOR POSTHUMOUSLY TO WILLIAM JAMES TSAKANIKAS

HOUSE OF REPRESENTATIVES,
MILITARY PERSONNEL SUBCOMMITTEE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C., Wednesday, July 11, 1979.

The subcommittee met, pursuant to notice, at 9:45 a.m., in room 2212, Rayburn House Office Building, Hon. Richard C. White (chairman of the subcommittee) presiding.

Mr. WHITE. Good morning.

Today the Military Personnel Subcommittee will receive testimony on H.R. 3407 which would authorize the President to award a Medal of Honor posthumously to William James Tsakanikas.

[H.R. 3407 is as follows:]

96TH CONGRESS
1ST SESSION

H. R. 3407

Authorizing the President to award a Medal of Honor posthumously to William James Tsakanikas.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 1979

Mr. OTTINGER (for himself, Mr. BAFALIS, Mr. BLANCHARD, Mr. CORRADA, Mr. DOUGHERTY, Mr. HANCE, Mr. LAGOMARSINO, Mr. MATHIS, Mr. MAVEROULES, Mr. REUSS, Mr. RICHMOND, Mr. STOKES, Mr. VENTO, Mr. WEISS, Mr. WHITTAKER, and Mr. YATRON) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

Authorizing the President to award a Medal of Honor posthumously to William James Tsakanikas.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That, notwithstanding sections 3744(b) and 3752(a) of title
 4 10, United States Code, the President is authorized to award
 5 in the name of the Congress a Medal of Honor posthumously
 6 to William James Tsakanikas for various acts performed at
 7 the risk of his life above and beyond the call of duty while
 1 serving as a private first class in the United States Army
 2 during World War II, and to present such medal to his
 3 family.

Mr. WHITE. Our first witness was to be Hon. Richard L. Ottinger, the principal sponsor of the legislation.

We are going to change our order somewhat. Our first witness will be Senator Sarbanes. We are delighted to have Senator Sarbanes this morning. Then, following that will be Hon. Richard L. Ottinger, the principal sponsor of the legislation. Representative Ottinger is accompanied by several other witnesses who will also present testimony on the legislation.

A representative of the Department of the Army will present the administration's position on the legislation.

I think it is important to note that the authority for all military awards and decorations, including the Medal of Honor, resides with the President. The appropriate role for the Congress in this area is to decide if the existing statutes of limitations on awards of military decorations should be waived to permit the award of a medal otherwise justified.

We have a number of statements that will be entered into the record at the conclusion of our hearings of those who are not present.

We will first start with Senator Sarbanes.

Senator Sarbanes, we know your time is limited. We are pleased you are here. If you would like to proceed.

STATEMENT OF HON. PAUL S. SARBANES, A SENATOR FROM THE STATE OF MARYLAND

Senator SARBANES. Mr. Chairman, I appreciate this opportunity and I appreciate Congressman Ottinger's courtesy and your courtesy in allowing me to proceed straightaway. We have a hearing scheduled on the SALT Treaty this morning. I must get over to that.

I am very pleased to appear this morning to indicate my very strong support of H.R. 3407, a bill introduced by Congressman Ottinger, and I want to express parenthetically my very strong admiration for the work which Congressman Ottinger has done with respect to this matter. He has shown a tremendous leadership and we are very much in his debt.

This legislation would authorize the President of the United States to award the Medal of Honor posthumously to William James Tsakanikas, and I have joined with the two New York Senators, Senator Javits and Moynihan, in introducing similar legislation on the Senate side.

It seeks to recognize the heroic actions of William James Tsakanikas during the critical Battle of the Bulge in December 1944.

I am sure you are all familiar with the recent article in Parade magazine by Jack Anderson which focused national attention once again on the extraordinary valor, bravery, and sacrifice which Mr. Tsakanikas gave so unselfishly to our country.

Although severely wounded, Private Tsakanikas joined with his fellow soldiers in an intelligence and reconnaissance platoon of the 394th Infantry Regiment of the 99th Division in halting the advance of an entire enemy column. It was a major exponent of the enemy's offensive in the Battle of the Bulge.

In reconstructing the events of that day it appears that most of the members of the I. & R. platoon deserve recognition. However,

most members of that platoon have singled out Private Tsakanikas for special recognition. His actions and those of his platoon allowed American Forces further to the rear of the front to regroup and his daring and extraordinary valor symbolized the devotion to duty and commitment of freedom which have always inspired our Armed Forces.

The difficulty in this situation is that there is no clear evidence that a formal recommendation for the Medal of Honor was made to the appropriate authorities within 2 years of the event. There is existing public law, therefore, which prohibits the Army from considering such an award without specific authorization from the Congress, and that is the need and the necessity for legislation that is before us.

It would be a fitting honor if the Congress were to pass this legislation authorizing the President to award the Medal of Honor posthumously to William James Tsakanikas, who, I believe, not only in his conduct there but throughout his life, exemplified the finest American traditions and who in a moment of great peril performed valorous acts at the risk of his life above and beyond the call of duty.

That well-known and often quoted qualification for the Medal of Honor is especially appropriate when applied to the deeds of Private Tsakanikas.

I urge you, Mr. Chairman, and members of the subcommittee, to act favorably on the legislation which Congressman Ottinger has introduced, and I am hopeful that we will be able to respond accordingly on the Senate side with respect to this legislation.

Mr. WHITE. Thank you very much, Senator. You well outlined an episode that was very significant.

I understand John Eisenhower, in writing a book, did point out this particular action and the impact this particular action did have on the total Battle of the Bulge.

At this time, I call on Mr. Won Pat for any questions.

Mr. WON PAT. Mr. Chairman, I don't have any questions except to thank the distinguished Senator, who was formerly our colleague in the House. I think he has made a very fine presentation and I am just hopeful that the other body will favorably act on this legislation.

Senator SARBANES. I appreciate that very much. It is nice to see you again, too.

Mr. WHITE. Mrs. Holt.

Mrs. HOLT. Thank you.

I have no questions but I, too, would like to thank my distinguished colleague from Maryland for being here with us this morning and making such a fine presentation, and I know he is very impressive when he really does battle for a cause. We are really grateful for him coming over this morning to share this with us. It is worthwhile.

Senator SARBANES. I appreciate that. You can see why Congresswoman Holt and I have such a close working relationship.

Mr. WHITE. We see you on television and we hear of you and read of you and we know you are doing well. We are glad to see you over here. Come over frequently.

Senator SARBANES. Thank you.

Mr. WHITE. Congressman Ottinger, this is your bill and we would be pleased to hear from you at this time.

STATEMENT HON. RICHARD L. OTTINGER, A REPRESENTATIVE FROM NEW YORK

Mr. OTTINGER. Thank you very much, Mr. Chairman.

I greatly appreciate the interest you have taken in this legislation and your willingness to hold these hearings on it. I give thanks to our former colleague in the House, Paul Sarbanes, for taking the time and trouble to testify on behalf of the legislation.

I welcome the opportunity to bring a matter of really extraordinary heroism to the attention of my colleagues and urge you to favorably report H.R. 3225 in order to reward this act which, though it took place years ago, is still a shining example of American courage.

I would also like to add my most sincere thanks to you, Mr. Chairman and members of the subcommittee, the witnesses, the family of the beneficiary of this legislation, the cosponsors of H.R. 3407, the House and the Senate sponsors of Senate Resolution 135. There are 26 House sponsors, 5 sponsors of the Senate legislation, which are set forth in the full text of my statement, which I would appreciate it if it could be included in full in the record.

Mr. WHITE. Without objection, your complete statement will be placed in the record at this point.

WRITTEN STATEMENT OF HON. RICHARD L. OTTINGER, A REPRESENTATIVE FROM NEW YORK

BESTOWING THE CONGRESSIONAL MEDAL OF HONOR ON WILLIAM JAMES TSAKANIKAS, POSTHUMOUSLY

Mr. Chairman, and members of the Subcommittee, I welcome this opportunity to bring this matter to the attention of my colleagues and I want to take a brief moment to urge you to favorably report H.R. 3225 in order to reward an act of heroism which, though it took place years ago, is still a shining example of American courage.

I would also like to add my most sincere thanks to Chairman White and members of the Subcommittee on behalf of myself, the witnesses, the family of the beneficiary of this legislation, and the cosponsors of H.R. 3407 in the House and Senate Sponsors of S. Res. 135.

House Sponsors

Hon. L. A. Bafalis
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Hon. Charles McC. Mathias
Hon. Daniel P. Moynihan

Hon. Paul S. Sarbanes
Hon. Paul Tsongas

The purpose of this hearing is to establish—or to re-establish—William James Tsakanikas' eligibility to receive the Congressional Medal of Honor award. We will be referring to him as William or Will James, as he was known following the war. There can be no question that Will James' actions bear out his eligibility for the award. Documentary evidence to be presented today, together with testimony and affidavits entered into the record, will explain why Will James has no been recommended for the Medal to date.

I have with me the following statements and affidavits to be entered into the hearing record:

Samuel L. Jenkins, El Paso, Texas—Affidavit
 C. A. Fernandez, M.D., El Paso, Texas—Affidavit
 Robert L. Kriz, Grand Island, Nebraska—Statement
 G. Vernon Leopold, Southfield, Michigan—Affidavit
 Nicholas T. Psiahas, Verona, New Jersey—Statement
 Prof. Almarin Phillips, Philadelphia, Pa.—Statement
 Jack Anderson, Columnist, Washington, D.C.—Statement
 Senator Jacob J. Javits—Statement
 Senator Charles McC. Mathias—Statement
 Barry M. Goldwater, Jr., M.C.—Statement
 Gus Yatron, M.C.—Letter
 James J. Blanchard, M.C.—Letter

Certainly, the Lanzerath incident was one of the most pivotal and valorous actions of World War II, although it has been, until now neglected in our military history. By recognizing Will James' gallantry we will also recognize the other members of his platoon who fought beside him with the same inspiring courage. Their performance is prominent throughout the statements and testimony of each witness.

The events of December 16, 1944 deserve the commendation we are considering today. The witnesses will recount a battle against overwhelming odds at the bleakest moment of the "Battle of the Bulge". The testimony will tell how for 18 hours a single Intelligence and Reconnaissance Platoon from the 394th Infantry Regiment stymied the advance of an entire column of Joachim Piper's SS troops and panzers. The platoon has been ordered to "hold at all costs" and they did, evincing a courage and determination that deserves the greatest praise. One soldier, then 19 year old PFC William James, symbolizes and epitomizes the heroism and valor of his unit.

Through the course of the day-long battle, Tsakanikas (and his comrades) repelled assault after assault. German paratroopers lay in heaps on the slopes outside Lanzerath, felled by Tsakanikas' grease gun and his deadly use of a strategically positioned 50 caliber machine gun. When the platoon leader offered him the chance to retreat with half of the men, he declined, vowing to stay and fight, and fight he did. He stood his ground until darkness when, in virtual hand-to-hand combat, a burst from a burp gun struck him in the face.

For PFC William James Tsakanikas, a day of courage cost a lifetime of pain. After his discharge from the Army he returned to his home in Port Chester, New York and before his death in June, 1977, he underwent 36 operations necessitated by the wounds he suffered in December, 1944.

The events of the battle and its results can be recounted by Dr. Lyle Bouck who is with us today. Dr. Bouck commanded the valorous I&R Platoon and the two of them fought side-by-side.

From time to time, Congress has seen fit to pass special Acts authorizing the President to bestow a Medal of Honor on some specified individual(s). I urge the Committee to approve this Act, upon our establishing Will James' eligibility for the award, and to send it to the House for passage so that the President can bestow this award on William James, posthumously and present the Medal to his widow, Mrs. Peg James in the name of the Congress of the United States.

Precedents were set when Medals of Honor were bestowed upon Admiral Richard E. Byrd and Colonel Charles A. Lindbergh. William C. Mitchell was honored posthumously in a 1946 Act, in recognition of his "outstanding pioneer service and foresight in the field of American military aviation."

At this time, I wish you would view with me a short documentary film: "Basogne, Where's That?", narrated by Lyle Bouck and Will James.

After the viewing of the film, you will hear short testimony from several witnesses present.

Lyle Bouck; Robert Lambert; Joseph Dickie; and Peter James.

Excerpts of statements about Will James' actions and the Battle of the Bulge

"Tsakanikas was the vital element in that small group that held at bay thousands of Germans and, most importantly, disrupted Hitler's plans for regaining Western Europe". Almarin Phillips (Pfc. L. Co., 334 Inf., 84th Div) Professor of Economics, Philadelphia, July 5, 1979. Law and Public Policy, University of Pennsylvania, Phila. July 5, 1979.

"I feel, as so many Americans feel, that the deeds of valor performed by this man and those he had served with, is truly deserving of the highest honor and award that this country can bestow. The events speak for themselves, his deeds speak for themselves . . ." Nicholas T. Psiahas, One Balston Drive, Verona, N.J., Architect, July 3, 1979.

"Actually the I&R Platoon had only one major engagement. They were not designed or trained for combat infantry duty, but because of their bravery and intelligence, the Germans paid a heavy price for the right to pass their way." Robert L. Kriz (Mayor, Grand Island, Nebraska) Executive Officer, 3d Bn, 394th Infantry, 99th Division, transferred to 394th Infantry as Intelligence Officer.

"Not until much later did it become evident that the I&R Platoon did stall the German drive for at least 18 hours. Without this delay, the outcome of the Battle of the Bulge might have been significantly different than it did turn out to be. Due to the fact that all 18 men on the line that day had been captured or killed, the story was not told at the end of World War II." Samuel L. Jenkins, 7804 Dale Road, El Paso, Texas. Cpl. I&R Platoon, July 6, 1979.

"It seems compelling to me that if a Civil War Major General could be honored 32 years after his exploit with a Medal of Honor, a brave World War II GI Joe like Will James is equally entitled to some recognition thirty-four-and-a-half years after his heroism at Lanzareth." Columnist Jack Anderson, July 1979.

"He (Will James) was not a hero for only one day in December 1944, when he fought on the slopes of the Ardennes. William James was a hero from that day to the end of his life. He lived with his physical scars and his memories. Still he never showed remorse or regret." Hon. William (Bill) Clay, M.C., Missouri.

"I think one of your best arguments on behalf of Will James is to introduce the book giving the history of all the Congressional Medal of Honor citations and show them that even Sgt. York didn't come within 25 percent of doing what Bill James did." Attorney Basil Filardi (Retired Judge), White Plains, New York, June 29, 1979.

Mr. OTTINGER. The purpose of this hearing is to establish—or to reestablish—William James Tsakanikas' eligibility to receive the Congressional Medal of Honor award. We will be referring to him as William or Will James, as he was known following the war. There can be no question that Will James' actions bear out his eligibility for the award. Documentary evidence to be presented today, together with testimony and affidavits entered into the record, will explain why Will James has not been recommended for the medal to date.

I have with me statements and affidavits to be entered into the hearing record from a number of those who were interested in this legislation, including some of the Senate and House sponsors. With your permission, I would like to insert those.

Mr. WHITE. Without objection. Are these all Members of the Congress, these statements?

Mr. OTTINGER. No, they are affidavits from a number of members of the platoon, from Jack Anderson, and then from Senator Javits, Senator Mathias, Congressman Goldwater, Congressman Yatron and Congressman Blanchard.

Mr. WHITE. I think then the best way and the most orderly way to do this would be to have statements of Members of Congress placed in the record at the earlier part of the testimony, then the record of all others in the latter part of the testimony is given from the present witnesses.

Without objection, so ordered.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 10, 1979.

WRITTEN STATEMENT OF HON. JAMES J. BLANCHARD, A REPRESENTATIVE FROM
MICHIGAN

Congressman RICHARD OTTINGER,
Rayburn Building,
Washington, D.C.

DEAR DICK: I am writing to extend my best wishes for your efforts to obtain a Medal of Honor for William James Tsakanikas for his heroic action at the Battle of the Bulge. I hope you are successful in your attempt to see that such bravery receives the recognition it deserves.

I am also enclosing an affidavit from a constituent and close friend of mine, Mr. G. Vernon Leopold of Huntington Woods, Michigan. Mr. Leopold was a member of Mr. Tsakanikas' platoon.

Mr. Leopold and Mr. Robert Lambert, another former platoon member, pay tribute to Mr. Tsakanikas' bravery, and express an interest in seeing that other members of the platoon be recognized for their valorous action. I ask that you include their affidavit as testimony in the hearings.

Sincerely,

JAMES J. BLANCHARD,
U.S. Congressman.

WRITTEN STATEMENT OF HON. GUY YATRON, A REPRESENTATIVE FROM
PENNSYLVANIA

Mr. Chairman, I fully endorse the Honorable Richard L. Ottinger's legislative efforts to authorize the President to award the Congressional Medal of Honor, posthumously, to William James (Tsakanikas) in "recognition of valorous acts performed at the risk of his life and beyond the call of duty."

William James (Tsakanikas) with 17 comrades played a major part in halting an important advance by the Germans during the Battle of the Bulge in World War II. At Lanzerath, a platoon of 18 American heroes held a vital crossroads for 18 hours, stopping an entire column of German panzers, paratroopers and SS troops. If not for this action, it has been speculated that we might have lost this important battle.

The heroism of these 18 men saved countless American lives and advanced the cause of our victory at the Battle of the Bulge and the War. Every member of the platoon certainly deserves a medal, but if one soldier has to be singled out whose brave actions exemplify this heroic stand, it must be Private First Class William James (Tsakanikas). The price Private James paid for his outstanding service to his country was a lifetime of pain. He lost an eye and suffered severe facial wounds which led to 36 operations by the time of his death in July of 1977.

It is too late to let Private James know that his country is very grateful to him for his sacrifices and deeds of heroism. Through the posthumous award of the Congressional Medal of Honor, however, we can proclaim to Private James' family that the United States was honored by his service and that we wish to give national recognition to his outstanding contributions to his country.

WRITTEN STATEMENT OF HON. BARRY M. GOLDWATER, JR., A REPRESENTATIVE
FROM CALIFORNIA

I am pleased to have this opportunity to join with my colleagues in recommending favorable action on the bill H.R. 3407, to authorize the President to award the Congressional Medal of Honor posthumously to Private William James Tsakanikas.

Private James is a symbol of heroism of the Second World War who deserves this highest honor for his courage and bravery. His fearless actions during the Battle of the Bulge exhibits to us the vigorous and valiant spirit with which he, along with his fellow GI's, defended his country. He carried through against strong odds without submitting or yielding to a powerful enemy.

This display of valor and gallantry during the war also characterized the man after his return to the United States. His fearlessness and boldness in conflict also showed itself in the same spirit at home. His devotion to his family and his achievements as a community leader were also characteristic of his heroic life. His

performance both at Lanzerath, Belgium and at home is a lesson in heroism for us all.

WRITTEN STATEMENT OF HON. JACOB K. JAVITS, A SENATOR FROM NEW YORK

Mr. Chairman, I appreciate the opportunity to make my views known to the Members of the House Armed Services Committee regarding my colleague Congressman Ottinger's legislation to make possible the award posthumously of the Congressional Medal of Honor to William James Tsakanikas for his actions during the Battle of the Bulge in World War II. Before his death, William James Tsakanikas was one of my constituents from Port Chester, New York.

In the Senate I am the author of S. Res. 135, which, in its "Resolved" clause seeks an inquiry to put on the record authoritatively the facts surrounding the actions that took place in the Ardennes in December, 1944 pertaining to the Intelligence and Reconnaissance platoon in which PFC Tsakanikas served, to establish the degree of heroism of the deeds of PFC Tsakanikas and his entire platoon, and to request the President to take appropriate action. I ask unanimous consent that a copy of S. Res. 135, my introductory remarks and supporting material be inserted in the record of this hearing at the conclusion of my remarks.

I believe that the bill and resolution that Congressman Ottinger and I have introduced are complementary. Both are intended to make an appropriate award to an American citizen whose sacrifices to his country have gone officially unrecognized to date. S. Res. 135 will lay the factual groundwork; H.R. 3407 would allow a one time exception to be made to overcome the procedural impediments that the passage of time has created that bar the award of the Congressional Medal of Honor in this case.

I intend to press for consideration of S. Res. 135 in the Senate Armed Services Committee as soon as that Committee's presently very heavy legislative schedule allows in order that the House and Senate can proceed in tandem on this matter. I have introduced S. Res. 135 and I will seek action on it because I believe that our government is obligated to recognize the heroic deeds and sacrifices of all of its citizens regardless of the passage of time and especially when heroism to the degree that is reported in this case has gone heretofore officially unrecognized.

It is my hope that the record, as authoritatively established, will show that the awarding of our Nation's highest medal for bravery—the Congressional Medal of Honor—will be found to be in order for William James Tsakanikas.

[From the Congressional Record, Apr. 9, 1979]

SENATE

SENATE RESOLUTION 135—SUBMISSION OF A RESOLUTION RELATING TO THE ACTIONS OF PFC WILLIAM JAMES TSAKANIKAS

Mr. JAVITS (for himself, Mr. MOYNIHAN, Mr. MATHIAS, and Mr. SARBANES) submitted the following resolution, which was referred to the Committee on Armed Services:

"S. RES. 135

"Whereas, the Senate has learned of recent reports that PFC William James Tsakanikas and the Intelligence and Reconnaissance platoon of the 394th Infantry Regiment of the 99th Division of the United States Army acted with extraordinary valor, bravery, and sacrifice in December, 1944 during the Battle of the Bulge;

"Whereas, it is also reported that this heroic action was a substantial element in that Allied victory;

"Whereas, the capture of all of the survivors of PFC Tsakanikas' platoon and the loss by fire of his Army records, have obviated to date the possibility of a recommendation for an appropriate act of recognition for this valiant action;

"Whereas, time should not be permitted to dim memory of these events and 10 U.S.C. 3744(b) and 3752(a) technically bar award of the Congressional Medal of Honor in this case: Now, therefore, be it

Resolved, That it is the sense of the Senate that, having investigated the deeds of William James Tsakanikas and his platoon in World War II in the Battle of the Bulge, in December, 1944, it

"(1) finds that such deeds exemplify extraordinary valor, bravery and sacrifice and merit the fullest appropriate recognition; and

"(2) requests the President to take appropriate action to award the Congressional Medal of Honor to PFC William James Tsakanikas posthumously."

Mr. JAVIRS. Mr. President, I am submitting today a sense of the Senate resolution concerning the action of Pfc. William James Tsakanikas and his intelligence and reconnaissance platoon during the opening stages of the Battle of the Bulge during World War II. According to the information available, in December 1944, this platoon halted the advance of an entire German battalion at a vital crossroads in the Ardennes; the platoon of 18 men is reported to have held off an elite German battalion for almost an entire day, inflicted over 500 casualties, and made it possible for the 99th Infantry Division to regroup and hold on against this last German offensive until the allied armies could react and win the Battle of the Bulge. This action was the subject of a cover story in Parade magazine on March 25 of this year. I ask unanimous consent to have this article inserted in the RECORD at the conclusion of my remarks.

I am submitting a sense of the Senate resolution to be referred to the Senate Armed Services Committee, thereby giving them the basis to investigate the appropriateness of awarding the Congressional Medal of Honor to William James Tsakanikas for special valor in this action in World War II.

It appears that at present, there cannot be technical compliance with the timeliness requirements of the statutory provisions governing the award—and the recommendation of the award—of the Congressional Medal of Honor. This is so because Private Tsakanikas and his platoon were captured at the end of this incident and did not return to the United States until after the war. Moreover, official Army records regarding Private Tsakanikas were destroyed by fire impeding a prompt investigation into the facts. By this resolution, I seek an inquiry by the Armed Services Committee into all available historical records and to determine authoritatively exactly what happened. Once that inquiry has been made, we will be in a position to know the appropriateness of awarding the Congressional Medal of Honor to Private Tsakanikas.

Private Tsakanikas was very severely wounded in this incident. After the War, he returned to the United States, completed his college education, and went to Cornell Law School. He married and had a family in Port Chester, N.Y. There he lived what has been described as the life of a model citizen and became Rye Town Republican Committee Chairman. He died in June, 1977, shortly after the 36th operation he had resulting from his war injuries.

On April 5, 1979, his widow threw out the first ball at the season opener at Yankee Stadium. I understand that this past weekend, the surviving members of his platoon met and had a reunion in New York.

It was my hope that the record, as authoritatively established, will show that the awarding of our Nation's highest medal for bravery—the Congressional Medal of Honor—will be found to be in order for William James Tsakanikas.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"[From Parade magazine, Mar. 25, 1979]

"WHY PRIVATE TSAKANIKAS SHOULD GET THE MEDAL OF HONOR

"(By Jack Anderson)

"The Lanzerath Incident should have gone down as one of the most valorous and pivotal actions of World War II. It was omitted from the histories because no one returned to tell the story until the war was over. Yet for an eternity of 18 hours, 18 stubborn Americans halted an entire column of German panzers, paratroopers and SS troops.

"The GI's were ordered to hold a slope overlooking a strategic crossroads at a Belgian village called Lanzerath. Bullets whined around their heads, and artillery shells ravaged the landscape. Their hillside was a hell of gunfire and shrapnel. Yet they fought back, hugging the sides of their foxholes, until their guns burned up or ran out of ammunition.

"When the Germans at last overran the position, they pulled the grimy GI's bodily from their foxholes. Their lieutenant Lyle J. Bouck Jr., described the end tersely. 'We never surrendered,' he said. 'We were captured.' On the American side, miraculously, only two died in the firefight, although many were shot up badly. The German toll: an incredible 509 casualties.

"Those few forgotten heroes disrupted the timetable and blunted the surprise of a Nazi strike through the snow-sheeted Ardennes. Had they not held the crossroads for that long December day, the Germans would have caught the untested 99th Division off balance and might have won the Battle of the Bulge.

"Writing from retirement, Maj. Gen. Walter Lauer, the division commander, has declared: 'Had we failed, there would have been no Bastogne, and the entire complexion of the war could have changed most drastically.' He gave all the credit to his men.

"Their heroism has been unsurpassed in history. I know it. Many of our soldiers know it. The German soldiers who met them know it. God knows it."

"This epic stand of 18 men against overwhelming German might has gone unrecognized by the Pentagon for 35 years. Not a medal has ever been awarded the enlisted men for their extraordinary bravery. Only the lieutenant received an unsought Silver Star that came to him without explanation through the mail in 1965—21 years late.

"Every member of the forgotten platoon deserves a medal. But if one soldier symbolizes the heroism of that last-ditch stand, it would be PFC William James Tsakanikas, known to the others simply as 'Sak'. At 19, he was the youngest of them—an aggressive gung-ho GI who volunteered for all the tough missions. It took a German burp gun, fired point-blank into his face, to put him out of action.

"Somehow the young soldier was saved by a German military doctor. Sak recuperated in a German prison hospital, made a break for freedom but was recaptured. Near the war's end, he was liberated by advancing U.S. forces. He returned home to a life of pain, dropped his tongue-twisting last name and died as Will James on June 27, 1977. He now lies in Arlington National Cemetery, an unremembered hero—but not to the 17 men who fought by his side or to the wife who witnessed the agony of 36 operations to reconstruct his face.

"Whatever he did in the war," she told us, "I knew my husband as a hero all of his life. He didn't talk about what happened that day until a little while before he died. But for me and my sons, he showed his heroism to us every day that he lived."

"Seeking to make belated amends, Rep. Richard Ottinger (D., N.Y.) will introduce a bill this week authorizing President Carter to award Will James a posthumous Medal of Honor 'for valorous acts performed at the risk of his life above and beyond the call of duty'. The proposal has already encountered resistance from the Army bureaucrats behind their red-tape entanglements. They have noted stiffly that 'the public law covering retroactive awards prohibits us from considering a recommendation for an award unless there is conclusive evidence that a formal recommendation for the award was entered into official military channels within two years of the act or service. . . .'

"It would have been a bit difficult to meet the two-year deadline. Regimental headquarters believed the platoon had been wiped out, and those who knew the story had been dispersed to German prison camps. When they last saw James, he seemed unlikely to recover.

"We tracked down Lyle J. Bouck in St. Louis, where he is now a chiropractor. He helped us get the story from other members of his World War II unit. From their accounts, we have pulled together the details of that day of courage.

"It began before dawn on the bitter-cold morning of Dec. 16, 1944. The platoon had been handpicked to serve as the eyes and ears of the regiment. Almost all of them had college and athletic backgrounds. But their role had never been combat; they were an intelligence and reconnaissance platoon.

"But they had been ordered to fill a gap in the front line. They settled into foxholes overlooking Lanzerath's eight or nine frame houses and a stretch of road leading to the strategic fork. One prong led like an arrow to the Meuse and the rear of their division. Beyond was the vital supply port of Antwerp on which Gen. Dwight D. Eisenhower and his armies depended.

"At precisely 4:40 on the fateful morning, the men of the I&R platoon were jarred by the thunder and crash of a massive artillery barrage. The ground literally shook under their feet.

"They had no way of knowing that they had ringside seats to the opening of Adolf Hitler's Ardennes offensive. He sought to encircle the American divisions in the Bulge and seize Antwerp. Nor did they know that they stood in the path of one of the spearheads of the Nazi assault.

"During the next 18 hours, they would foul up the mission of a special panzer SS unit under Lt. Col. Joachim Peiper, who, furious over having his offensive stalled, later ordered the execution of 71 American prisoners at Malmedy.

"The entrenched platoon survived the two-hour artillery baptism without casualties. It was followed by an ominous silence in the fields and woods around them. Minutes later, Bouck and James in the forward foxholes were appalled to see their closest support, a tank destroyer company about a mile away, beat a retreat toward the rear. Jeered James: 'They might at least wave goodbye as they leave.'

"From the regiment came anxious instructions to scout out the situation east of Lanzerath. Four men—Bouck, James, Sgt. Bill Slape and Pvt. John Cregar—crept in

a ditch toward the village and sprinted the last lap to the second floor of a house that had served as an observation post. They surprised a civilian talking German over a telephone; he had the look of a fifth columnist caught in the act.

"James whipped out his bayonet and forced the stranger to drop the telephone. But Bouck had no stomach for a civilian execution. They let the suspected spy go, and he scurried down the stairs.

"From their vantage point, the four Americans saw rolling toward them a German column in full battle array. Leaving the other two to keep watch, Bouck and James raced back to their foxholes. The lieutenant radioed headquarters the news that a massive attack was on the way. His superiors were skeptical. 'Damn it,' exploded Bouck, 'don't tell me what I can see! We've got 20-20 vision here! There's a whole column of Krauts coming up that road!'

"His demand for artillery fire on the road into Lanzerath went unheeded. Meanwhile, he received an urgent call from the two men in the observation post; they reported that Germans were already occupying the floor beneath them. Three men—Cpl. Aubrey McGehee, PFC Jordan 'Pop' Robinson and Pvt. Jim Silvola—were sent to aid the trapped pair. But Slape and Cregar managed to sneak unnoticed through a rear, second-story window. In racing to safety across the icy road, Slape became the first casualty of the battle. He slipped and broke two ribs.

"All too soon, the Germans appeared below, marching steadily on each side of the road, their weapons slung over their shoulders. Bouck ordered his men to hold their fire until the first command vehicle appeared. But at the last minute, a small girl ran out of a house and pointed to their location.

"The Nazi commander, reacting instantly to the alarm, shouted a command, and the advancing Germans dove for cover. The advantage of an ambush was lost, but the Americans were so well hidden on the snow-covered slope that the Germans were unable to pinpoint their location.

"From the forward position, James fired bursts from his grease gun. Slape manned the mounted machine gun on the jeep with deadly effect. From other foxholes, platoon members such as Risto Milosevich, Lou Kalil and Bill Dustman laid down lethal automatic rifle fire.

"Separated from the outfit, Robinson, McGehee and Silvola took shelter behind a pile of cut timber and opened fire from another direction. The attacking Germans fell back, their ranks decimated, leaving their dead and wounded on the battlefield.

"After a second repulse, a team of Germans approached waving a white flag. They sought a cease-fire so their medics could attend the wounded. Someone on the American side let go a defiant round of rifle fire at the feet of the Germans. This angered Bouck, who agreed to the cease-fire.

"The third German attack began in the early afternoon. Heavy small-arms fire knocked out Slape's machine gun on the jeep and drove him to cover. He sprinted to the foxhole occupied by Milosevich. 'Just as I reached his position and before I could get into the hole with him,' Slape recounted, 'two Germans opened up on me from about 50 yards. I got one of them and my carbine jammed—it was so hot I could barely hold it—so I threw it at the other German and dived into the bunker. I got him with a rifle.'

"The firefight was ferocious. The three behind the woodpile ran out of ammunition and were captured trying to make their way back to the platoon. Some Americans were wounded but continued to fight, in Slape's words, 'like tigers'. Two newcomers, Pvt. Cliff Fanscher and an unidentified GI from another unit, were killed in the action.

"The Germans again were driven off, but ammunition was running low. Bouck turned to James in their bunker. 'My orders are to hold the hill at all costs,' said the lieutenant. 'But you take off with as many of the men that want to go.' James shook his head fiercely. 'Lieutenant,' he said, 'you stay, we all stay.' They turned to meet the fourth attack, which they met furiously, according to Slape, 'even up to eyeball-to-eyeball contact.'

"The end came for Bouck and James in a horrific lightning flash. A German burp gun was poked into the rifle slit of their makeshift bunker and fired directly in James's face. The blast tore out his eyeball and most of his right jaw.

"Bleeding from a bullet wound in his leg, Bouck helped a German medic carry James down the slope past the German dead toward Lanzerath.

"About 10 p.m., an incensed officer, wearing the death insignia of the SS, strode into the village cafe where Bouck and James had been deposited. The officer was in a rage. He demanded to know why a 'battalion' of Americans had cost him a day. He shouted that his troops had spent the time milling uselessly around when they should have been driving toward their objective.

"The enraged Nazi was Lt. Col. Peiper. He never noticed that only a few feet away lay the 20-year-old lieutenant and the savagely wounded James who, with 16

other GI's, had stopped Peiper's elite battalion. (Peiper was to serve a six-year war crimes sentence for the Malmedy massacre, then to be assassinated by a group calling themselves the Avengers at a French villa in July 1976.)

"After Peiper stormed out, Bouck succeeded in getting medical attention for James from a German doctor who praised the American's bravery. Then Bouck was led off, leaving James apparently dying behind. The lieutenant heard a black wooden country clock in the tavern chiming midnight and realized that he had reached his 21st birthday with only one gift—the red badge of courage.

"This same clock now hangs in the living room of the modest Port Chester, N.Y., home where James and his wife, Lucille, raised their four sons. Her husband went back to Lanzerath a few years before his death and returned triumphantly with the clock.

"The widow, sitting proud and erect, took up the story after Bouck's departure. James was moved to a prisoner depot, she said, where other German doctors did their best under rudimentary war conditions to repair his face. En route, a Nazi soldier stole his shoes, remarking, 'Amerikanischer, you won't need these anymore.'

"She told about James's escape, recapture and liberation. He returned home to a life of painful surgery. After one operation, he met an Army nurse, Lucille Cassell, a slim, brown-haired West Virginia girl. They were married in 1948 after his graduation from the University of Pennsylvania. Characteristically, he was on the track and wrestling teams. Then he enrolled in Cornell Law School and eventually took his family to Port Chester.

"Will James is remembered in Port Chester as a model citizen who was active in community affairs, youth work, church activities and politics. He served for 16 months as Rye Town Republican chairman. But only a few knew he was in constant pain from his war wounds. In June 1977 he returned home from his 36th operation, still in agony. A few days later, he was found dead in his bedroom.

"In his St. Louis office, Bouck reflected on the furious battle that helped stop the 1944 Nazi offensive. He endorsed Representative Ottinger's effort to get a Medal of Honor for James: 'I'd like to see Will James get every possible honor he has coming to him. He spent a lifetime of mental torture and physical agony.'

"He had one more thing to say about the unheralded Lanzerath Incident: 'I think every man who was there was entitled to a medal, red tape or no red tape.'"

WRITTEN STATEMENT OF HON. CHARLES MCC. MATHIAS, A SENATOR FROM
MARYLAND

Our nation was founded by and has continued to prosper because of courageous and loyal men and women. Among the many brave and hard-working Americans, a few have stood out as heroes, dedicating themselves and often their lives to the service of our country above and beyond the call of duty. We strive to honor these exceptional men and women by publically recognizing their contributions and acts of valor. Occasionally, however, through grievous omission or the fortunes of war, a deserving person goes unrecognized. One such person was PFC William James Tsakanikas.

On April 9, Senators Javits, Moynihan, Sarbanes and I introduced Senate Resolution 135 in support of our claim that PFC Tsakanikas of the Intelligence and Reconnaissance platoon of the 394th Infantry Regiment of the 99th Division of the U.S. Army acted with "extraordinary valor, bravery and sacrifice and merits the fullest appropriate recognition . . . the Congressional Medal of Honor" for his actions one December day during World War II.

The statutory provisions governing the awarding of the Congressional Medal of Honor require that the recommendation be filed within two years of the act of valor. In the case of Private Tsakanikas, however, this was impossible because he and his platoon were captured and the facts of the incident were never fully reported. Today we must discuss whether or not heroism can be confined to a period of time. In my mind, heroism knows no time and PFC William Tsakanikas deserves full recognition and honor, even 35 years later. It is our duty today to right a wrong that has too long gone unrecognized. The facts of this case clearly point out why this man deserves the Congressional Medal of Honor:

One icy day in December, 1944, eighteen dedicated Americans succeeded in delaying the advance of an entire German battalion of panzers, paratroopers and SS troops for 18 hours at the crossroads near the Belgian village of Lanzerath. This courageous act provided the time necessary for Eisenhower's 99th Division to regroup its forces and prepare for the massive German offensive known as the Battle of the Bulge. Private Tsakanikas was the youngest in the platoon and, at 19, was a brave and aggressive GI who had volunteered for many difficult missions.

In the early hours of December 16, Private Tsakanikas and his platoon were ordered to a forward position to fill a gap in the front line. Their mission was reconnaissance but their role was to be combat. The German artillery barrage began early and lasted a full two hours. The entrenched platoon survived without casualties, but a nearby tank destroyer company retreated, leaving the platoon on its own. Their final instructions were to hold their position at all costs.

During the course of the day, the platoon fulfilled those instructions until its ammunition was depleted. They inflicted over five hundred casualties on the German battalion and lost only two of their own men. Private Tsakanikas fought tenaciously and well throughout the long day until he was wounded by a point-blank blast from a German burp gun. Tsakanikas and the rest of the platoon never surrendered; they were captured and dragged bodily from their foxholes. Tsakanikas was treated by a German doctor and his life was saved. He spent the remainder of the war in a German hospital, attempted one escape but was recaptured. After being liberated by the advancing U.S. troops, Private Tsakanikas returned home but his extraordinary valor and service were never recognized. William James Tsakanikas died two years ago, after the last of dozens of operations to repair his face.

The exceptional bravery of Private Tsakanikas in that little-known battle earned him a place in the annals of American heroes. He truly deserves the recognition of the Congressional Medal of Honor.

Mr. OTTINGER. Certainly, the Lanzerath incident was one of the most pivotal and valorous actions of World War II, although it has been, until now, neglected in our military history. By recognizing Will James' gallantry, we will also recognize the other members of his platoon who fought beside him with the same inspiring courage. Their performance is prominent throughout the statements and testimony of each witness.

The events of December 16, 1944, deserve the commemoration we are considering today. The witnesses will recount a battle against overwhelming odds at the bleakest moment of the Battle of the Bulge. The testimony will tell how for 18 hours a single intelligence and reconnaissance platoon from the 394th Infantry Regiment stymied the advance of an entire column of Joachim Piper's SS troops and panzers. The platoon had been ordered to "hold at all costs" and they did, evincing a courage and determination that deserves the greatest praise. One soldier, then 19-year-old PFC William James, symbolizes and epitomizes the heroism and valor of his unit.

Through the course of the daylong battle, Tsakanikas and his comrades repelled assault after assault. German paratroopers lay in heaps on the slopes outside Lanzerath, felled by Tsakanikas' grease gun and his deadly use of a strategically positioned .50 caliber machinegun. When the platoon leader offered him the chance to retreat with half of the men, he declined, vowing to stay and fight, and fight he did. He stood his ground until darkness when, in virtual hand-to-hand combat, a burst from a burp gun struck him in the face.

For Pfc William James Tsakanikas, a day of courage cost a lifetime of pain. After his discharge from the Army he returned to his home in Port Chester, N.Y., and before his death in June 1977, he underwent 37 operations necessitated by the wounds he suffered in December 1944.

The events of the battle and its results can be recounted by Dr. Lyle Bouck who is with us today. Dr. Bouck commanded the valorous I. & R. Platoon and the two of them fought side by side.

From time to time, Congress has seen fit to pass special acts authorizing the President to bestow a Medal of Honor on some specified individual. I urge the committee to approve this act, upon

our establishing Will James' eligibility for the award, and to send it to the House for passage so that the President can bestow this award on William James, posthumously, and present the medal to his widow, Mrs. Peg James in the name of the Congress of the United States. Precedents were set when Medals of Honor were bestowed upon Adm. Richard E. Byrd and Col. Charles A. Lindbergh. William C. Mitchell was honored posthumously in a 1947 act, in recognition of his "outstanding pioneer service and foresight in the field of American military aviation."

What we most prefer is for the committee to take similar action in this case, but at the very least, we would hope that you could extend the date so that the administration could extend the award.

I would like to introduce Peter James, who is seated behind me, and he will introduce the other family members.

STATEMENT OF PETER JAMES

Mr. JAMES. Thank you.

I would like to take this moment to introduce my brother's widow, Peg James, her two sons, Douglas James and Eddie James.

My oldest sister, Penelope Apostolides, and my other sister, Anna Xenos, her daughter, Penelope Stratigeas, and my son here, Bob James, and my daughter, Betty Gallagher, and my son Bobby James. Did I miss anybody?

Mr. OTTINGER. With your permission, Mr. Chairman, we would like to show a short documentary film that recounts the events that were involved. It is called "Bastogne, where is that?" narrated by Lyle Bouck and William James.

Mr. WHITE. I am wondering, Mr. Ottinger, before we proceed on that, I am trying to work out the timetable for the membership and for those who are in attendance.

Off the record.

[Discussion off the record.]

Mr. WHITE. On the record.

Would you feel that this would be conducive to the best flow before we receive testimony from other witnesses?

Mr. OTTINGER. I think it will be useful to set the scene, though. Of course, I would defer to whatever your wishes might be.

Mr. WHITE. Since there are no witnesses that are concerned about a time delay, you may proceed.

[A film was shown.]

[A short recess was taken for a vote.]

Mr. WHITE. The committee will resume.

The film may commence again.

[The film was continued.]

Mr. WHITE. Mr. Ottinger.

Mr. OTTINGER. Mr. Chairman, that tells the story pretty dramatically. We have four witnesses who would like to make short statements and Peter James will be available to introduce them. I am going to have to go to a markup session of the Commerce Committee, but I want to thank you very much for your consideration.

Dr. BOUCK. I would like to introduce Robert Lambert.

STATEMENT OF ROBERT L. LAMBERT

Mr. WHITE. Mr. Lambert, the preference of the committee would be that you summarize, if possible, in the interest of time. Your entire statement will be placed in the record at this point.

[The statement follows:]

WRITTEN STATEMENT OF ROBERT L. LAMBERT

Mr. Chairman and members of the subcommittee, Mr. Ottinger and other interested persons present:

My name is Robert L. Lambert and I reside at 13 Cool Brook, Irvine, California 92715. I was born in Minneapolis, Minnesota on January 3, 1923. On November 30, 1942 I enlisted in the United States Army at the University of California at Los Angeles. My U.S. Army Serial Number was 19131807. Having been on inactive duty until the end of the college semester, my active service commenced March 1, 1943 and it was concluded with my honorable discharge at Fort McArthur, California on January 17, 1946.

As a former member of the Intelligence and Reconnaissance Platoon, otherwise known as the I. and R. Platoon, of the 394th Infantry Regiment on the 99th Infantry Division, I am here today to testify in behalf of H.R. 3225 and H.R. 3407. Prior to coming here, I submitted to Congressman Ottinger, the sponsor of both of those bills, on behalf of myself and Mr. G. Vernon Leopold of Huntington Woods, Michigan, who is also a former member of our platoon, some proposed amendatory language which we believe to be a representative view of ourselves and our former colleagues who have expressed themselves to us. We do not request the deletion of any portion of H.R. 3225 H.R. 3407 as originally introduced by the sponsor. Thus, our suggested amendatory language merely adds the following phrase to identical bills, "... and to award medals and citations, posthumously or otherwise, to former members of said platoon either individually, as a unit or both for combat actions occurring on or before December 16, 1944."

The effect of that language is to reinstate the eligibility of all of the platoon members, including William James Tsakanikas, to receive appropriate awards of medals and citations in recognition for military service performed on or before December 16, 1944. Thus, it constitutes legislation which if enacted would grant a limited waiver of the statutes of limitations which now preclude any awards or citations of our platoon. Enactment will permit the men of our platoon in due course to receive whatever awards or citations they deserve and should have received many years ago except for the maze of events which operated in a manner to preclude timely recognition. Today I will be devoting much of my testimony to those events to show how they prevented proper and timely recognition. I ask that you regard my testimony in the light of H.R. 3225 and H.R. 3407 in the amended form I have already proposed.

My military career began as I received basic training and military intelligence training in the Tank Destroyer Corps at Fort Hood, Texas. From there I entered the Army Specialized Training Program as one of 500 engineering students sent by the U.S. Army to a small college located at Stephenville, Texas which is now known as Tarleton State University. After completing almost three 12-week terms in the ASTP, it was for all practical purposes cancelled nationwide. Literally thousands of these soldier-students were transferred to infantry divisions and other units all at once. I was one of 3,000 who joined the 99th Infantry Division at Camp Maxey, Texas where we were assigned to various rifle companies for additional infantry training.

It was there that I first met the 394th Infantry Regiment's Intelligence Officer. His name was Robert L. Kriz and he was then a captain and a veteran of combat in North Africa. He had undertaken a program of recruiting a number of former ASTP students from the rifle companies to join the I. and R. Platoon of the Regimental Headquarters. I believe I was the first of about ten such persons who joined the 394th I. and R. Platoon. William James Tsakanikas and Risto Milosevich who had been my classmates at Tarleton State University joined very soon thereafter. The rest came from other colleges. Our platoon was led by 1st Lt. Lyle J. Bouck, a man younger than, or the same age as, most of us, but with many more years of military service, having entered the army somehow when he was only 14 years old. The platoon in its entirety consisted of only 24 men with college and sports backgrounds. We were representative of our country's make-up as we came from 18 different states, reflecting the regional differences of the East, West, Midwest and South. Because a selection criteria had been some understanding of one or more of the various European languages and national customs, the platoon members formed

a multi-ethnic group as well. Many years after World War II was over, the same Robert L. Kriz, our former regimental intelligence officer who eventually became a Lt. Col. and a Battalion Commander of the 394th Infantry Regiment and who is now the mayor of Grand Island, Nebraska, described our platoon as one of the sharpest he had ever had the privilege of knowing. He went on to say that a majority of those men could have been and would have made good officers in the U.S. Army.

The 99th Division was shipped overseas to England in the early autumn of 1944 and shortly thereafter crossed the English Channel to France and then moved into front line positions near the border of Belgium and Germany. There our division was thinly deployed over a 35 km. front where the terrain was both hilly and forested in parts. The trees had been planted to support a lumbering industry which had existed for many years in that area. The forests were sometimes interspersed with reasonably good farm lands. The fields were separated by hedgerows. The weather was already quite cold for November, but that was easy to understand because the elevation there was fairly high, about 700 meters above sea level, and the northern latitude there was comparable to being as far north as the Hudson Bay in North America. There was snow and ice on the ground. As a result, frostbite and trench foot exposure was a serious problem for all of us and became more serious each day as the weather worsened. During those days I often thought about how fortunate I was to be a descendant of northern European ancestors and to have grown up in Minnesota where I had become accustomed to coping with such terrible winter weather conditions.

With that background about myself, our platoon, the area and the weather conditions set forth, I will now get into the matter of what happened over there. With respect to most of the action at Lanzerath other former platoon members more qualified than myself will be offering or have offered affidavits or testimony pertaining thereto. From mid-November to mid-December there had been little in the way of aggressive enemy activity other than the launching of V-1 and V-2 missiles in front of us. These robot bombs which we could see and hear were mostly directed toward England. The weather became quite overcast in mid-December and it was obviously what the enemy was waiting for to launch its attack. The heavy overcast neutralized our forces' superiority in the air.

Having early in my military career undergone specialized training which prepared me to become a non-commissioned intelligence officer, the principal duties assigned to me were in the Intelligence Section, otherwise known as S-2, of 394th regimental combat headquarters. That is where I was on December 16, 1944 and we occupied a school house in the village of Hunningen, Belgium which was about 4 kilometers away from the Lanzerath positions occupied by most of the I. and R. Platoon members. I worked directly for our Regimental Intelligence officer, also known as the S-2. He was, of course, Robert L. Kriz and he then held the rank of major. Military intelligence is the field of activity which deals with information about the enemy. Thus, it was our responsibility to be the eyes and the ears for our regiment so as to find out what we could about the enemy. More specifically, the military intelligence functions have been described as the collection, collation, evaluation and interpretation and the dissemination of information about the enemy.

In my job I was always in contact with my fellow platoon members by telephone or radio or otherwise because we all worked together as a team in the performance of our overall assigned function. My fellow platoon members had reported on one or more occasions hearing enemy vehicle noises at night just prior to December 16, 1944. They believed the sounds they heard were the noises caused by the movement of tracked heavy vehicles, such as tanks on a highway in enemy territory. It is needless to say that this information was duly recorded and disseminated. Without the benefit of hindsight, such enemy activity being reported from just one location would not necessarily have been interpreted and evaluated as signifying a major offensive was in the offing. However, it did alert us to some extent that the enemy might be up to something. There had also been other signs of unusual enemy activity.

Early in the morning of December 16, 1944 the Lanzerath positions of the I. & R. Platoon reported being shelled heavily by artillery fire. Very soon we were also under heavy artillery fire at Hunningen as was the entire regiment. It was not long before most of our forward telephone lines had been cut by shrapnel, rendering them inoperative. From then on our contact with my fellow platoon members at Lanzerath was by radio. Telephone communication was always preferable to radio because security is better and there is less risk of disclosing locations to the enemy who used radio direction finders. At our S-2 section I was soon flooded with reports of strong enemy action against our entire front. Our regiment was thinly spread out and, thus, could not afford to have an unengaged battalion in ready reserve to be deployed for the purpose of counteracting a concentrated enemy pressure point.

During the day on December 16, 1944 one notable message that came to me by messenger from a First Battalion rifle company was a captured enemy document. Upon translation by one of our attached expert interrogators of prisoners of war who worked with me at S-2, it turned out to be German Field Marshal Gerd von Rundstedt's order of the day which in effect said something like this was the all out offensive of the German Army whose objective was to split the allied forces in two and drive all the way to the sea. Wondering for only a moment whether the message was intended as a trick, I personally concluded it was authentic and I believe that was also the conclusion reached by all others who saw it or learned of it.

It is a matter of history that the 99th Division captured that document and many years later when I met General of the Army Omar Bradley on an airplane flight from Los Angeles to Washington, D.C., he confirmed to me that he had been informed of the contents of that captured document in a timely manner. At the time he commanded the 12th Army Group which constituted almost all of the American ground forces deployed in Western Europe. That a member of the 394th Infantry I. and R. Platoon played a part in that sequence of events, however small, is not generally known. Ironically, in retrospect I now believe it probably was such knowledge about the German Army offensive then underway, more than anything else, which caused the 394th commanding officer to order the I. and R. Platoon members located at Lanzerath to hold their positions at all costs. He knew that they alone held the positions blocking one road leading directly to Honsfeld and one back to the rear and he also knew that we were very thinly spread out and that our right flank was most vulnerable and that no help was then available. That our sector of the front was in great danger was unquestioned. Thus, on the night of December 16, 1944 we had attached to our regiment a battalion of infantry from the 2nd Infantry Division to give use some help. While they proved to be very valuable and fought equally as well as our troops, the amount of help we obtained was already too little and too late to prevent an eventual breakthrough by the enemy.

The number of casualties we sustained in our regiment alone probably exceeded on December 16, 1944 the number of men in one entire infantry battalion at full strength. The enemy forces facing us outnumbered ours by five to fifteen times at different positions. We were facing a fanatical enemy that believed the territory we occupied in Belgium was a part of their homeland and they regarded us as their invaders. That part of Belgium, as is obvious by the names of its towns and villages, had been a part of Germany prior to World War I and once again had become regarded the same way subsequent to their 1940 invasion and occupation of Western Europe. It was so much so that German soldiers were conscripted from that area.

Before the day was over on December 16, 1944 we had lost radio contact with my fellow platoon members at Lanzerath. Early in the morning on the next day, December 17, 1944, a 394th Infantry rifleman who had been an overnight guest at the American Red Cross rest facility at Honsfeld, Belgium, about a kilometer's distance from Hunningen, came running into our command post to tell us of his escape and to alert us that Honsfeld had been occupied by the enemy. At the request of the C.O. or the S-2, I gathered seven or eight men from Headquarters company and took a patrol in the direction of Honsfeld to see what I could find out. Being exposed to the enemy who obviously had us under long range surveillance from the vicinity of Honsfeld, we soon drew direct fire from their armored vehicles and were pinned down. Unable to proceed further, we took refuge in a nearby cellar for a short period as they brought artillery fire in on us also. We then darted and dodged our way back into Hunningen, having confirmed what we had been told.

On the morning of December 17, 1944 when my little patrol was pinned down by direct fire from armored vehicles in the vicinity of Honsfeld, I had no way of knowing that those enemy forces then passing through Honsfeld were being led by SS Lt. Col. Joachim Peiper. Also, I did not know that these same forces had come to Honsfeld from Lanzerath after being thwarted and frustrated at that location for more than 18 hours by my fellow I. and R. Platoon members, nor could I have known that these same enemy units would later that day commit the infamous Malmédy Massacre of 71 American prisoners of war. These facts are now a matter of history and the time bought for the American forces by the 394th I. and R. Platoon must have been more valuable than the capture at Remagen of the Ludendorff Bridge across the Rhine River by a unit of an American Armored Division in March, 1945. General of the Army Eisenhower, I believe, was supposed to have said that bridge was worth its weight in gold to the allied forces.

We learned of the Malmédy Massacre almost immediately after it happened. Somehow during combat news such as that travels throughout the troops with lightening-like speed. It is believed by some people that the massacre at Malmédy could have resulted from the frustrations of SS Lt. Col. Peiper's troops over delays

to their timetable caused by the Lanzerath defensive action of the 394th I. and R. Platoon on the prior day. Since SS Lt. Col. Peiper's command had been assigned the leading role as the spearhead of von Rundstedt's great offensive, the importance of the I. and R. Platoon's great efforts at Lanzerath is unsurpassed. It is by now, in fact, already embedded in the pages of history.

By late afternoon of December 17, 1944 we had been badly overrun and had lost all contact with our second battalion. We withdrew with the remnants of our first and third battalions to Murringen, about 1 kilometer north of Hunningen. First, however, at our Hunningen command post we destroyed virtually all of our records and information which, if captured by the enemy, could prove useful. We even destroyed the signal operating instructions because our positions had become most precarious. It is another story by itself what happened after that and how under orders we finally withdrew and got back to Elsenborn. In the course of what happened, all of my belongings, except my rifle and the clothes and ammunition I carried on myself, were captured by the enemy. Low on ammunition and having sustained frightful personnel losses, the remnants of our regiment went right back into new defensive positions in front of Elsenborn on December 19, 1944. We all dug foxholes, including everyone in the regimental combat command post, which was just a series of foxholes behind a hedgerow. Digging in frozen soil is hard work and the only thing that made that task seem easier was our Regimental C.O. telling me while I was digging that he was promoting me on the spot from Technician 5th Grade to Staff Sergeant. A thought occurred to me at the time that my promotion came about because there were many tragic vacancies but, also, perhaps, I had performed during a real crisis better than I ever thought myself to be capable of doing.

For a moment now let us return to the United States. There on January 3, 1945 in the Los Angeles Times of that date my father saw an article which stated that the First Army Headquarters had announced the 99th Division during the first five days of the Battle of the Bulge had received the bloodiest baptism of fire ever encountered by any green troops, fighting like veterans as they faced wave after wave of German assault forces. The same article also credited our division with the capture of Field Marshall von Rundstedt's order of the day. He clipped the article and saved it. He gave it to me when I returned home after the war.

According to Major General Walter E. Lauer, the 99th Divisions C.G., the U.S. Army had our division on a "secret list" as a combat unit active in the European Theater until January, 1945. This meant we received no publicity until taken off that list. From the first page of General Lauer's authoritative book about our division published in 1951 and reprinted again in 1967, I now offer as an exhibit a true copy of his one paragraph of acknowledgments which disclosed existence of the "secret list." The January 3, 1945 dateline of the Los Angeles Times article, together with General Lauer's statement make it quite clear that security considerations, which are a necessity of war, hurt us badly. For example, by January 3, 1945 the Third Army under General Patton and the 101st Airborne Division had already been accorded great notoriety for their action in the Battle of the Bulge, so much so that the great monument to that battle was later erected at Bastogne, Belgium where they achieved their great fame. No matter how much later effort was made to undo the lack of press coverage of 99th Division action in the early stages of the Battle, what came out was a paragraph or two, something like an after thought. It was not front page news. Once off the "secret list" the 99th Division was accorded more than adequate recognition by the press. It was then too late for the I. and R. Platoon action at Lanzerath to be mentioned at all.

More importantly, however, is what all of this bloody baptism of fire did to the 394th Infantry Regiment as an organization. Returning now to the 20th of December, 1944, it was obviously necessary to both carry on the fight and at the same time rebuild our regiment's badly decimated forces by starting with a reorganization of commands. The reorganization plan carried out at that time had a great impact on the I. and R. Platoon in many ways. First of all, the 394th Intelligence Officer, Major Robert L. Kriz and the Assistant Intelligence Officer, 1st Lt. Edward A. Buenger left us to become the new Second Battalion C.O. and S-2, respectively. About December 20, 1944 Kriz was promoted to Lt. Col. Their replacements were two officers from the 2nd Battalion who were capable people but required a good deal of on the job training. As a result I, as a newly promoted Staff Sergeant from the I. and R. Platoon, remained in the S-2 Section as the only person trained for and experienced in that command's intelligence activities. Virtually our whole platoon had to be reconstituted. One of our three survivors, PFC Carlos A. Fernandez, did much to help bring about a reorganization there. He was promoted to Sergeant. A new platoon sergeant came over from another regiment. The Headquarters Company got a new commander and the First Sergeant was commissioned so he

could become the new I. and R. Platoon leader, but he had little or no previous experience for the job. Replacements, mostly very young men with only three months of basic training, began to arrive about January 1, 1945. Many of them had been home for Christmas and the crossed the Atlantic by air, something almost unheard of in those days, except for generals or other high ranking dignitaries. Knowledge of that fact was a grim message to us that our supply of replacements in Europe had been depleted badly. The war in Europe was not over yet and could still be lost. We had much to do.

By February 13, 1945 the Battle of the Bulge was concluded. Then Colonel Jater from the 8th Infantry Division replaced an exhausted Colonel Riley as C.O. of the 394th. Riley was hospitalized and returned to the U.S.A. His departure was no doubt necessary for the sake of his health, but it was also an unfortunate turn of events for the I. and R. Platoon. In August, 1945 I wrote to him from France about the fate of my fellow platoon members at Lanzerath once it had become known. He responded promptly and stated that he was glad to have confirmed his belief all along that they had done a fine job and forced the enemy to pay a high price of many casualties before they were taken prisoners. At that time, however, neither he nor I was any longer a member of the 99th Division.

Returning again to the sequence of wartime events, from the first day of the Battle of the Bulge to the end of the war in Europe, the 99th Division had little or no time for rest. We drove across the plain toward Cologne and became the first infantry division in the First Army to reach the Rhine River. Next we were deployed at Remagen where we crossed the captured Ludendorf Bridge through constant and vicious enemy artillery fire. There we established the initial Remagen Bridgehead. Breaking out from there, we captured the principal city of Giessen from where we participated in encircling of the Ruhr area, followed immediately by cleaning out the Ruhr Pocket. No sooner was that accomplished than we were off on another big assignment which will illustrate how truth really can be stranger than fiction as it relates to the I. and R. Platoon.

It was April 17, 1945 and the 99th Division transferred from First Army control to the Third Army. On that day we moved as a unit from the Ruhr area of Western Germany to the vicinity of Bamberg in Southern Germany, also known as Bavaria, a distance of 450 kilometers by motor march in a 24-hour period. From there we proceeded south toward Austria, making two more important river crossings; i.e., the Danube and the Isar. We were driving toward the Austrian Alps in sight ahead of us when the war ended on May 7, 1945. According to General Lauer, our C.G., no other infantry division took part in so many important events in so short a time.

Sometime during the month of April, 1945, Lt. Col. Kriz, former S-2 of the 394th Regiment, received a letter from PFC William James Tsakanikas which had been written by him on March 30, 1945 from the 48th General Hospital subsequent to his release a few days earlier from a German Prisoner of War hospital. It was the first eye-witness account of what happened to the I. and R. Platoon at Lanzerath. The letter was reproduced and became part of the 99th Division's G-2 Periodic Report following four introductory paragraphs headed, "*Action of I. and R. Platoon, 394th Inf. Regt.*" and identified as Annex No. 2 of Report No. 171 dated May 2, 1945. Knowing that this document existed in the 99th Division's official records, I was just recently successful in a search for it when, at my telephone request, the National Archives and Records Service found it among documents in its custody at its depository known as Dwight D. Eisenhower Library, Abilene, Kansas 67410. I offer as an exhibit a true and correct copy of what I have identified and described certified under seal of the National Archives of the United States signed by John E. Wickman, Director, on June 28, 1979.

For whatever significance it may have, I call your attention to the fact that these are former classified documents and as can be seen, they were heretofore classified "SECRET" and later "RESTRICTED". At what dates those classifications were changed or removed I do not know. It is my belief that the original classification came about during wartime when all of the 99th Division's Periodic Intelligence reports were so classified. I also call your attention to the first two sentences of the first paragraph which I quote: "The following letter contains no military intelligence of immediate value to this or any other headquarters and probably has no place in a G-2 periodic report. But this does concern an I. & R. Platoon, and a good one, from 394th Infantry." I respectfully suggest to you what I regard to be two more very persuasive reasons are now apparent to justify waiving the statute of limitations with respect to eligibility of my fellow I. and R. Platoon members to receive awards of medals and citations. We have here two significant facts now disclosed; i.e., (1) the action at Lanzerath by the I. and R. Platoon on December 16, 1944 did become a part of the official military records on May 2, 1945; and (2) recording that action as a part of the G-2 periodic report was by itself an acknowl-

edged mistake at the time and it caused the report of that action without good reason existing to carry a classified status for some prolonged period of time, thus restricting its access and use with respect to researching and processing of awards requests, recommendations and determinations.

Getting back to the matter of truth being stranger than fiction. It seemed that way when the 99th Division liberated the Germans' prisoner of war compound at Moosburg, a location more than 500 kilometers away from Lanzerath, Belgium. Nevertheless, the released prisoners included 1st Lt. Lyle J. Bouck, Tech. Sergeant William Slape, Corporals Samuel Jenkins and Aubrey P. McGehee, Jr. who were captured at Lanzerath on December 16, 1944. Their release occurred around the end of April, 1945. It was probably May 3 and 4, 1945, when I was visited on separate occasions at our Kronwinkl, Germany regimental combat command post, which was near Moosburg, by 1st Lt. Bouck and Tech. Sergeant Slape. Both of them had lost a lot of weight. Slape appeared to have fared better than Bouck. The latter was quite obviously seriously ill. For a while I thought he was about to die as he became so weak while we talked that he had to lie down rather than sit. At the time by his color I thought he might have yellow jaundice and he could not have weighed much more than 100 lbs. I never saw Bouck again for 22 years after that day because our Regimental Surgeon, Major Stephen Gillespie, ordered his immediate hospitalization when he later saw him.

Army regulations prohibited the released prisoners from rejoining their old units. Furthermore, almost all of them were in such poor physical condition that they were in immediate need of hospitalization or other rehabilitation. Their health needs had to be taken care of first and there was not time to undertake extensive debriefings about the action at Lanzerath had anyone wanted to do so. We were then still engaged in combat action. When the hostilities ended a few days later, the former platoon members who had been war prisoners were already evacuated and dispersed.

Two days after the war ended in Europe the 394th Infantry took up occupation duties in the vicinity of Wurzburg, Germany. We were in the Third Army zone of occupation and our Command Post was located at Kitzingen on the Main River in Bavaria. There was much to do in the way of establishing order in a badly decimated area. Searching for Nazi party members, screening civilians, guarding vital facilities, collecting weapons from civilians, dealing with vast numbers of displaced persons and wandering refugees from all over Europe was no small task. Time passed quickly as we became more involved every day with military government duties. All of us needed some rest and relaxation and there was just enough time by taking turns for most of us to have a few days of leave in Paris.

Suddenly June 30, 1945 arrived and massive redeployment of personnel commenced as the 99th Division was scheduled to return to the U.S.A. with high point veterans. Younger men with less points were transferred to divisions scheduled for extensive occupation duties. Thus, 1st Lt. Buenger and I were among those who joined the 26th Infantry Regiment of the First Infantry Division, then at Ansbach, Germany.

On August 23, 1945 the 99th Division's occupation duties ended and preparation began for return to the U.S.A. On September 1, 1945 the 99th departed for Calais, France and then to the U.S.A. On September 27, 1945 just four months and 20 days after V-E Day and less than two months after V-J Day, the 99th Division was inactivated, further dispersing any men interested in piecing together our platoon's action at Lanzerath. Already dispersed were all of the knowledgeable officers and survivors by reason of reassignments and transfers. The liberated prisoners had been rapidly dispersed for their rehabilitation requirements. Because of this there just was not sufficient time to commence an investigation of the facts surrounding our platoon's action at Lanzerath, not to mention that the responsible headquarters had ceased to exist by early deactivation.

The transfer of the 99th Division from First Army control to Third Army control only three weeks before the conclusion of hostilities in Europe appears to have played an unintended, but significant, role in why our platoon was not accorded proper recognition for the Lanzerath Incident. It is important to note that the rivalry of various commands concerning recognition is a fact of military life.

As mentioned earlier in my testimony today, the Third Army attained great notoriety for its action at Bastogne which occurred on or about December 26, 1944, ten days after the initial onslaught of the German offensive in the First Army Sector. For security reasons, however, the early phases of the attack received little or no publicity, not to mention our division's inclusion on the "secret list" heretofore discussed. The heroic stand of our platoon at Lanzerath took place on the first day, December 16, 1944.

The first eye-witness account of the Lanzerath Incident which has been discussed already, became a part of the 99th Division records after the division was under Third Army control. It would have been unrealistic to expect the Third Army to give much, if any, attention and support to the action of our platoon because support of such facts which cast glory upon a First Army unit during the Battle of the Bulge would only detract from the Third Army's highly publicized accomplishments.

The foregoing statement is not intended to be derogatory of the Third Army. Rather, my intent is to focus attention on the matter and to point out what is a frequently cited problem of dealing with information, people, etc. and that is what we now call a conflict-of-interest. No doubt about it, the Third Army did have a conflict-of-interest with respect to this matter.

In my opinion, the operation of a type of "seniority system" also contributed to the lack of recognition for our platoon once the war ended. Since the 99th Division was new to the Third Army just before a retrenchment program for American forces was imposed throughout Europe, its "newcomer" status could have been why it was selected for earlier deactivation than other units. During this time old-line regular army divisions were chosen for extensive occupation duty and as I have already testified, I became a member of one of those units on or about June 30, 1945. Thus, their headquarters remained intact and could investigate and process matters of awards and recognition. Once the 99th Division headquarters were deactivated, the 394th Infantry I. and R. Platoon lost any real chance for proper recognition within any reasonable period of time, if not for all time.

Thus, some very real circumstances of the times precluded the performance of necessary investigative and subsequent recommendation procedures for awards to be made. All of this occurred through no fault of any particular person. Least of all at fault were the victims of these circumstances, the members of our platoon.

Despite all the obstacles I am confident that proper recognition will be the end result. Not too many years ago Congress enacted special legislation to restore the citizenship of General Robert E. Lee. That this act of justice occurred about 100 years after he died is truly remarkable. If an act of justice like that can happen in 100 years, certainly it is possible now to give just recognition to a small group of men (most of whom are still living) whose intrepidity or valor only 35 years ago was inadvertently forgotten for all the reasons I talked about today. Enactment of the proposed bills in amended form will restore their rights by making these men eligible for proper recognition. Only an act of Congress will make possible such justice and I understand such action is not unprecedented.

On April 5, 1979 when these former platoon members were introduced to the opening day sell-out crowd at Yankee Stadium in New York City, the electronic scoreboard carried a message which read, "On this day the Yankees remember the survivors and hope they will not be forgotten by the country they so bravely defended."

In conclusion I ask of you with all due respect that this may be another one of those days on which the survivors, as well as our deceased comrades, will be remembered by the country they so bravely defended.

I thank you for the privilege of presenting my testimony here today on this subject.

STATEMENT OF ROBERT L. LAMBERT

Mr. LAMBERT. Prior to coming here, I submitted to Congressman Ottinger, the sponsor of both H.R. 3225 and H.R. 3407, on behalf of myself and G. Vernon Leopold, Huntington Woods, Mich., who also is a former member of our platoon, some proposed amendatory language which we believe to be a representative view of ourselves and our former colleagues who have expressed themselves to us.

We do not request the deletion of any portion of these bills as originally introduced by the sponsor. Thus, our suggested amendatory language merely adds the following phrase to identical bills,

* * * and to award medals and citations, posthumously or otherwise, to former members of said platoon either individually, as a unit or both for combat action occurring on or before December 16, 1944.

The effect of that language is to reinstate the eligibility of all of the platoon members, including William James Tsakanikas, to re-

ceive appropriate awards of medals and citations in recognition for military service performed on or before December 16, 1944.

Thus, it constitutes legislation which if enacted would grant a limited waiver of the statutes of limitations which now preclude any awards or citations for our platoon. Enactment will permit the men of our platoon in due course to receive whatever awards or citations they deserve and should have received many years ago except for the maze of events which operated in a manner to preclude timely recognition.

Because I have a time limit in which to summarize my testimony:

For purposes of identification, exhibit I consists of the first three pages, all unnumbered from a book entitled "Battle Babies." It is the story of the 99th Infantry Division in World War II and it was copyrighted in 1951 by Maj. Gen. Walter E. Lauer, USA (Ret.). In particular, the third page is headed "Acknowledgements."

For purposes of identification, exhibit II is annex No. 2 to G-2 periodic report No. 171, May 2, 1945, records of the 99th Infantry Division, 1942-45, Dwight D. Eisenhower Library certified under seal of the National Archives of the United States, signed by John E. Wickman, Director, on June 28, 1979.

I have given these exhibits to the Clerk.

[The following information was received for the record:]

BATTLE BABIES



The Story of
The 99th Infantry Division
in
World War II

Published by
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Acknowledgments

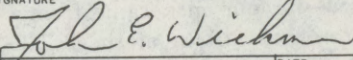
GRATEFUL ACKNOWLEDGMENT is made for the many contributions of intimate experiences in combat and of photographs taken from their own collections, which were furnished me by the men and officers of the 99th Division. I have endeavored to show the source and give credit throughout the history to the individual contributor. Should I have failed to do so in any case, it has been unintentional. The thousands of newspaper items published in the press of our country—for our men came from every state in the Union—and in the *Stars and Stripes* of the E.T.O., is a source which I have only lightly touched on in compiling the story. Once the Division was taken off the "secret list," in January, 1945, our people back home were flooded with the story of the heroic stand made by the 99th in the "Bulge." Thereafter the Division received its full share of news for which we have such outstanding war correspondents to thank as Hal Boyle of the A.P.; John McDermott, father of the sobriquet "Battle Babies," and Chris Cunningham of the U.P.; Winston Burdett of C.B.S.; Cy Peterman of the *Philadelphia Inquirer*; Gault MacGowan and W. C. Heinz of the *New York Sun*; Thomas R. Henry, *Washington Star*; Lee McCardell, *Baltimore Sun*; Ed Cunningham and Reg Kenny of *Yank*; Pierre S. Huss of I.N.S. and *Cosmopolitan* magazine; Harold Siegman, Acme Newspictures, Inc., and the host of others including Stephen Campbell of O.W.I. and those from the London, England, papers as Edward Connolly of the *Exchange Telegraph* and W. H. Troughton of the *Daily Express*. There were many, many more whose names I do not have but who too furnished the folks back home with first hand stories of the exploits of the "Battle Babies." The effect of a good *press* on fighting men is just as important as the effect of good food—one for the mind and morale, the other for the inner man. For awhile our Division suffered for the lack of a good press—once that changed, the 99th Division went twice as strong. When men fight hard and face death continuously, they want the world to know about it and particularly, they want their friends and neighbors back home to hear of their exploits. This is and forever has been a part of a soldier's just due. To all those men, and women too, of the press who so nobly performed this task goes the sincere thanks of the men of the 99th Infantry Division.

GENERAL SERVICES ADMINISTRATION
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To all to whom these presents shall come, Greeting:

By virtue of the authority vested in me by the Administrator of General Services, I certify on his behalf, under the seal of the National Archives of the United States, that the attached reproduction(s) is a true and correct copy of documents in his custody.

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Annex #2, G-2 Periodic Report No. 171, May 2, 1945, Records of the 99th Infantry Division, 1942-45, Dwight D. Eisenhower Library

ACTION OF I & R PLATOON, 394TH INFANTRY REGIMENT

The following letter contains no military intelligence of immediate value to this or any other headquarters and probably has no place in a G-2 periodic report. But this does concern an I & R Platoon, and a good one, from 394th Infantry. This Platoon not many months ago made a place for itself in this periodic report when early on the memorable morning of the 16th of December it gave the first information to this headquarters of the German attack that developed into the Ardennes offensive.

This Platoon, led by 1st Lt. Lyle J. Bouck, Jr., initially maintained observation posts on the Division right flank to observe enemy movement in vicinity of Losheim (L-0200). Such was the situation in the first days of the German offensive that every available man was used to stem the enemy's advance, so the entire I & R Platoon was committed on the Losheim Road to delay the enemy's advance there.

There the platoon successfully delayed the enemy for 18 hours. The last message received from Lt. Bouck before radio communication failed stated that a battalion-sized enemy attack, accompanied by two tanks, had just been repulsed, but that more Germans were moving up. In the ensuing action which followed, the entire I & R Platoon were killed or captured.

The letter below, received by Lt. Col. Robert L. Kriz, 394th Inf, former S-2 of the 394th Infantry Regiment, sheds further light on the action of this Platoon:

FRIDAY, MARCH 30, 1945.

DEAR MAJOR: I was wishing I could get to see you on the way back, but I never got the chance. If you haven't heard from any of the platoon that was in the battle, I'll give my observations of it.

On the morning of the 16th of December at 0520 they started shelling our position on the hill; it lasted exactly one hour. No casualties from that first shelling, but it messed up our telephones.

During the morning, 1st Lt. Bouck, Pfc. Robinson, and myself scouted out the draw on the left of town leading towards Losheim. There were no Jerries, but we heard small arms fire in the distance. We went back to the hill and everybody was on the alert in their holes. The TDs had pulled out of the town sometime during the morning, and the artillery observer pulled back to our hill.

At that point Lt. Bouck sent two men (or rather they volunteered) to establish an OP where the TDs had theirs. The small arms fire kept getting closer. Then Sgt. Slape and John Cregar who were manning the OP phoned back and said there were Jerries in the same house downstairs. We listened over the phone and nothing came over. Lt. Bouck took off with some of the men to rescue the two men. They all got back up to the hill.

Then I posted myself at the point of the woods to observe, and there they came, a battalion of infantry, marching up the road practically in closed formation. I observed a girl talking to one of their officers and pointing up the road. I reported to Lt. Bouck and we held our fire since the houses were between us and them. A mortar section would have had a field day. Our radios went dead and there we were with no communications. The FO couldn't bring in any artillery. Before we knew it we were surrounded.

Lt. Bouck made a last-minute check on all the holes, ducking and dodging. He and I took over the newly-built Bar hole. We could have retreated easily, but Lt. Bouck said that our orders were to hold the hill, and we were determined. We held them at bay during the afternoon.

Then, just as it was getting dark, they started their main attack. We received three bursts and all hell broke loose. Sgt. Slape jumped up on the .50 caliber and opened up and we were all firing. I don't know if they got Slape, but the .50 was silenced. After a while the battle started to die down. They must have knocked out some of our holes on the forward slope. Some crazy Jerry yelled for us to surrender, and he stood up. All of a sudden he must have had a heart attack. The grenades started exploding near our hole—we could tell ours was the only hole still resisting. We were going to make a break for it when all of a sudden a burp gun tears into my face. I could just remember being taken down the hill by this Jerry aid man and Lt. Bouck. The hill was strewn with German dead. They put me in this house with German wounded all over the floor, and I remember seeing Louis Kalil wounded. The last I remembered was Lt. Bouck giving me my bible and two pictures of my girl. He told me they were separating us; I don't remember anything after that until I woke up in a German hospital.

The hospital was in Undernach on the west bank of the Rhine. I got there on the 21st of December. When I heard the Yanks were getting close, I tried to escape on March 4th, since I had no guard over me. I was the only American in the hospital. I never got out of town. Luckily I was apprehended by a hospital guard.

The next morning they took me across the Rhine to Montabaour. There were about 100 wounded Yanks in a wooden barracks enclosed in barbed wire. We had an American medical Captain take care of us.

Monday, the 26th of March, at 1:30 PM, the 9th Armored Reconns liberated us. That night our medics set up an aid station where we were. No infantry had entered the town. There was no resistance in the town, but a couple of PWs helped the few MPs round up prisoners. They all were willing to part with some article, and I collected quite a few souvenirs.

Then the nasty rumor started that about 300 SS troops were marching on the town to clean house on the population for not resisting. Rumor or no rumor I and a couple others decided to pull out with the 1st section of medics that was going back with a load of front-line wounded. Two of us hopped on the tail-board of an ambulance and hung on. We went until the ambulance stopped to look over the route where a land bridge was blown. Then they let one of us ride in front on each ambulance. They took me clear back to the 102nd Evacuation Hospital and then to 48th General Hospital where I'm awaiting shipment to the States.

Major Kriz, a luckier man than I never lived. However, I still wish I were in good enough shape to come back to you (or shall I say our outfit?).

Please, Major Kriz, write to me all our old boys' addresses, and let me know if there is any news. Give my regards to any of the old guys left, and give them hell, Yank! Good Luck, and I pray it all ends soon.

Respectfully,

BILL, ALIAS "SACK."

Mr. LAMBERT. Concerning exhibit II certain minor corrections and amplification are required:

In the second paragraph of the introductory statements the first sentence makes a reference to Lt. Fred Bouck which should be corrected to read 1st. Lt. Lyle J. Bouck.

The fourth paragraph of the introductory statements mentions the letter below dated March 30, 1945 but does not identify the writer of said letter except to show that he signed it "Bill, alias 'Sak'." The letter should be identified as having been written by Pfc. William James Tsakanikas.

At this time, I would like to summarize the maze of events or circumstances which, if each one is considered by itself, might not constitute a pervasive reason to justify enactment of the proposed legislation. However, when all of them are viewed together, these events most certainly do, in my opinion, become compelling reasons to justify enactment of the legislation being sought; that is, to grant a limited waiver of the statutes of limitations which now preclude any awards or citations for our platoon. I will now enumerate what I believe to be those 12 very good reasons in the order that they are mentioned in my statement, rather than in a sequence that denotes relative importance.

One, destruction of records on December 17, 1944, at 394th Regimental Headquarters when the possibility of capture seemed imminent, could have erased permanently information about the Lanzereth action which might otherwise have brought about earlier recognition.

Two, it is far more difficult to evaluate and recognize the importance of a great defensive action such as the I. & R. platoon at Lanzerath on December 16, 1944, in contrast to the case of doing so for an outstanding offensive action such as the capture of the Luckendorf Bridge over the Rhine River in March 1945.

Three, the existence until January 1945 of a so-called secret list disclosed by my exhibit II restricted all publicity about the 99th Division as a combat active unit and was not helpful.

Four, our regiment's heavy casualty losses during the period December 16-21, 1944, necessitated transfers and the reassignment of key officers responsible for the 394th regimental intelligence functions as of December 16, 1944.

Five, for the officers of the 394th Infantry the rebuilding of their commands subsequent to December 21, 1944, while at the same time engaging in heavy combat activity necessarily got a priority over all other activities.

Six, the intensive and unrelenting utilization of the 99th Division for important combat assignments until the end of the hostilities in Europe left little or no time for attention to matters such as recognition for a unit missing in action since December 17, 1944. It also resulted in some very battle weary and tired men on V-E Day who were ready to think about something else for awhile at least.

Seven, the first eye witness account of what happened at Lanzerath is my exhibit II, an official document found only 2 weeks ago in the National Archives files. It had become a classified document as a part of the G-2 Periodic Report dated May 2, 1944. Its highly classified status was probably not intended but it did happen and thus restricted its availability for some prolonged period after the end of World War II. This was the letter of Pfc. William J. Tsakanikas to Lt. Col. Robert L. Kriz written March 30, 1945, after his release from prisoner of war status.

Eight, the released prisoners of war in May 1945, especially Lt. Bouck, were in need of immediate health care and thus rapidly dispersed.

Nine, important army of occupation duties for the 99th Division immediately after hostilities ceased did not leave sufficient time to devote proper attention to retrospective matters concerning December 16, 1944.

Ten, an early embarkation schedule for the U.S.A. resulted in a rapid transfer out of the 99th Division of many knowledgeable key personnel, including this witness, only 7 weeks after the conclusion of hostilities.

Eleven, a conflict of interest existed with respect to the matter of the I. & R. platoon action at Lanzerath when it was first reported on May 2, 1945, because the action took place on December 16, 1944, in the 1st Army but the jurisdiction on May 2, 1945, was with the rival 3d Army.

Twelve, deactivation of the 99th Division on September 27, 1945, less than 2 months after V-day, ended the existence of the responsible headquarters which ordinarily would have acted upon a recognition matter for the I. & R. Platoon of 394th Infantry.

Thus, some very real circumstances of the times precluded the performance of necessary investigative and subsequent recommendation procedures for awards to be made. All of this occurred through no fault of any particular person. Least of all at fault were the victims of these circumstances, the members of our platoon.

Despite all the obstacles, I am confident that proper recognition will be the end result. Not too many years ago Congress enacted special legislation to restore the citizenship of Gen. Robert E. Lee.

That this act of justice occurred about 100 years after he died is truly remarkable. If an act of justice like that can happen in 100 years, certainly it is possible now to give just recognition to a small group of men, most of whom are still living, whose intrepidity or valor only 35 years ago was inadvertently forgotten for all the reasons just summarized.

Enactment of the proposed bills in amended form will restore their rights by making these men eligible for proper recognition. Only an act of Congress will make possible such justice and I understand such action is not unprecedented.

On April 5, 1979, when these former platoon members were introduced to the opening day sellout crowd at Yankee Stadium in New York City, the electronic scoreboard carried a message which read: "On this day the Yankees remember the survivors and hope they will not be forgotten by the country they so bravely defended."

In conclusion I ask of you with all due respect that this may be another of those days on which the survivors, as well as our deceased comrades, will be remembered by the country they so bravely defended.

I thank you for the privilege of presenting my testimony.

Mr. WHITE. Thank you, Mr. Lambert.

Dr. Bouck, were you going to testify, sir?

Mr. JAMES. Mr. Chairman, at this time, if I could, I would like to make one introduction, my niece Penelope Apostolides. We have with us, Congressman Richard Gephardt from Missouri who will, with your permission, speak next.

Mr. WHITE. Prior to that, Mr. Lambert, Mr. Montgomery did have a question. If you would, please, come back.

Mr. MONTGOMERY. I will be very brief.

Thank you very much, Mr. Lambert, for your testimony and for your service that you have given our Nation, not only in the past but the patriotic feeling today which we need a lot of in this country.

As I understand your testimony, though, are you addressing for the whole platoon or just these two bills that are before us, H.R. 3407 and one other bill?

Mr. LAMBERT. I support the legislation, and I support the legislation as I have proposed it be amended so that we do not overlook any of our platoon members. Incidentally, this does not include me as being eligible.

Mr. WHITE. Are you more interested in the whole platoon being recognized than one individual?

Mr. LAMBERT. I have no concern as to particular interests. I am only interested in restoring the eligibility of all of these people.

Mr. MONTGOMERY. But not any particular award?

Mr. LAMBERT. No.

Mr. MONTGOMERY. You are not recommending any individual award for any of these members?

Mr. LAMBERT. No, sir. I hardly could because I was at the regimental command post and I did not become an eyewitness to what they did.

Mr. MONTGOMERY. I see. I think that answers my question.

Thank you very much.

Mr. LAMBERT. Yes, sir.

Mr. WHITE. Before we proceed further, insofar as Members of Congress have a lot of other duties that they have to take care of and their schedule is very difficult to otherwise arrange, we would like to go out of order.

Congressman Gephardt is here. Do you have testimony you would like to present?

Mr. GEPHARDT. If it please the committee, I simply came here today to introduce a constituent of mine, leader of this platoon, Lieutenant Bouck, who is to testify now, I think, in the proceedings. I simply wanted to come here to say to the committee that this gentleman whom I know is an outstanding citizen in our community in St. Louis, and in my mind is one of the real heroes on the American scene today, and I am proud to have him here testifying with regard to this legislation, and I am happy that the committee is receiving his testimony. I recommend him to you.

Mr. WHITE. Thank you.

The committee will hear at this time Dr. Bouck.

STATEMENT OF DR. LYLE BOUCK

Dr. BOUCK. Mr. Chairman, members of the committee and guests, as a young Army lieutenant 35 years ago, it was my distinct privilege to command the I. & R. platoon of the 94th Infantry Regiment of the 99th Infantry Division during World War II in Europe. We, a portion of the platoon, 18 to be exact, occupied a prepared defensive position on the German-Belgian border opposite the Siegfried line in the Ardennes Forest. The date was December 16, 1944.

More exactly, our position was along the edge of the woods at the top of a hill overlooking a road and a crossroad bordering a snow-covered field about 200 yards north of a 10-house hamlet in Lanzerath, Belgium. For about 20 years following, much was said, shown and written about what turned out to be the Battle of the Bulge. However, very little described December 16. Most information related to December 17 and subsequent dates.

December 16 was lost to history because of the surprise and the ferocity of the battle in isolated areas, leaving the survivors either prisoners of war and the participants either killed but unheard and unreported and unfound. As the German slaughter regained this battlefield territory, these individuals were either killed or captured. Individuals, therefore, were not available for after-action accounts.

Since 1965, reconstruction of the battle by historians and various authors has revealed isolated confrontations on December 16. The I. & R. platoon of the 394th Infantry Regiment has received considerable attention focused upon its contributions that date.

As often happens, due to the magnitude of the events, some information recorded is either inaccurate or told in different ways by different people. But in the end the deeds and the accomplishments of the day are not changed.

My pledge to you today is to highlight the pertinent features in reconstructing the I. & R. platoon action at Lanzerath based on fact from, No. 1, my personal knowledge and my memory and, No. 2, a collection of personal accounts from 11 members of the platoon

present that day, and from 7 individuals close to or related to the Lanzerath incident. This includes information, letters, comments, and quotes from my former division commander down to and including the German Col. Joachim Peiper.

Further supporting the information I have which I am going to submit in a folder for the record, a 183-page brochure of these documents signed by the individuals declaring their information and their remembrance of the day. Also, there is a 15-page narrative that I have submitted for copy that I believe is in the hands of the committee.

Your attention is invited to the following points:

No. 1, the I. & R. platoon in fact was located at that position officially as it is recorded in all of the official Army records.

No. 2, the 3d German Paratroop Division was assigned the mission to open the hole.

No. 3, Col. Joachim Peiper and Otto Skorzeny were scheduled to pass through this point to reach the Meuse River in 24 hours.

No. 4, these plans were never achieved.

No. 5, after a 2-hour artillery barrage, the 3d Division unit pulled out of Lanzerath.

No. 6, the I. & R. platoon remained. Slape and Creger occupied a vacated OP in Lanzerath. McGehee, Silvola, and Robinson advanced to the village to free them. Bill James observed a little girl talking to the Germans, pointing out our position, when the fire-fight started. Three attacks were repelled as described by Peiper in the Dachau manuscript, Peiper manuscripts he reveals.

The three attacks were repelled during that day as the 3d Paratroopers attempted to capture this hill, which you heard Vince Kubak, who is an accountant in Cologne and was the platoon leader of the attacking units and was the platoon leader of the unit that captured us in their fourth attack which took place, not repelled, when we were captured.

During the day, these three attacks, of course there were many casualties, how many we don't know. The radio transmitter was shot out of my hand as I was giving my last information to the regiment.

No. 11, during the course of the day two men tried to retreat, they wanted to leave the area without orders. Both of these men were in our position. They came to our position as the field artillery forward observer from the TD's pulled out; he came to our position with two enlisted men. These two men later in the day, when the heat was on, wanted to leave and both of them were killed within the platoon area.

Sam Jenkins and Robert Preston, the only two men that were on the right flank of our platoon, I had sent orders for them to return to Buchholz Station and attempt to get help from the 3d Battalion.

During the three attacks, Bill James and Bill Slape alternated firing the 50 caliber machinegun. Slape was firing the gun when it was struck with enemy automatic fire and was damaged and the 50 caliber was then inoperable.

No. 14, also during the day, James and Slape ducked and dodged from foxhole to foxhole checking on wounded, ammunition conditions, and carrying out communications. Louis Kalil was wounded severely with a rifle grenade when it struck him in the face but did

not detonate. His cheekbone and jaw were fractured, driving the upper teeth up into the roof of his mouth. Robinson was wounded as the right calf of his leg was all but shot off. Silvola's left elbow had been wounded. Joe McConnell had been wounded in the right heel.

Bill James was in the foxhole with me when we were captured, we were out of ammunition at that time, and we were in the process of preparing to assemble and pull out of the area and try to break contact with the enemy and retreat under the cover of darkness. We were never able to accomplish this. They stuck the burp gun in the hole, opened fire and well, it is almost beyond description. It struck Bill in the right side of the face, and his eyeball was—it was a savage wound.

The significance of the action at Lanzerath is a matter of record. The performance should be properly recognized on the basis of individual and/or unit participation, by their tenacious stand of 24 hours that bought valuable time, allowing the friendly forces to maneuver within the sector and prevent a complete German breakthrough.

The unflinching courage, discipline, and devotion to duty displayed by this small unit in the face of overwhelming odds demonstrates and is in keeping with the highest traditions of the military service. Hopefully therefore, authority will be granted to award a Medal of Honor posthumously to Bill James Tsakanikas, and to recognize former members of this unit.

I thank you.

Mr. WHITE. Doctor, at this stage we have a quorum on the floor that will be followed quickly by a vote on an amendment for the Department of Education. We are going to recess. Following that we will return and resume. That can happen all day, and probably will with this particular bill, and we will have some questions for you. So we will stand in recess at this time.

[Recess.]

Mr. WHITE. The committee will resume.

I want to ask you a few questions if I may.

Dr. BOUCK. Yes, sir.

Mr. WHITE. What awards were given by the U.S. Government in recognition of service at this engagement?

Dr. BOUCK. In June 1966 I received in the mail, unsolicited and unknown, the Silver Star. That had been—it had an official date of July 31, 1945, for which I have included a copy, photocopy of that wordage which is in that 183-page brochure.

Mr. WHITE. What about the other members of your unit?

Dr. BOUCK. To my knowledge there were no other awards other than those who up to that time, had qualified for and had been presented the Combat Infantry Badge.

Mr. WHITE. One of the earlier witnesses stated that he felt the limitation should be removed as to other members of the unit. This committee would not probably make an award as such, but could recommend through legislation the removal of limitations so that the U.S. Government could, through the President, make various awards.

Do you subscribe to that change in the pending legislation?

Dr. BOUCK. Yes, sir, I do, in humble recognition of the platoon as a unit and also at the same time recognizing Bill James in an individual way.

Mr. WHITE. When was the unit given the unit citation?

Dr. BOUCK. It never has been.

Mr. WHITE. I thought it got a Presidential Citation.

Dr. BOUCK. No, sir, that is what we feel would be in the bounds of propriety for the accomplishments of the day.

Mr. WHITE. I misunderstood then.

Mr. Montgomery.

Mr. MONTGOMERY. Thank you, Mr. Chairman.

Dr. Bouck, some of the testimony that staff had showed that you were in the service at 14 years of age.

Dr. BOUCK. Not in the service. I was in the National Guard at age 14. I became a member of the 138th Infantry, Missouri National Guard, 35th Division, on August 3, 1938. I was 14 years old.

Mr. MONTGOMERY. You stayed in the National Guard? You got your commission through the National Guard?

Dr. BOUCK. No. The 35th Infantry Division was mobilized December 1940 to do a year of Federal duty, and of course Pearl Harbor came the next year on the 7th before we had our full year in. We were sent to the Aleutian Islands and now I reach my 18th birthday and I think you had to be 21 to receive a commission at that time and this was changed to 18.

The weirdness of the Aleutian Islands did not enthuse me too much so I applied to go to paratroopers, the Air Force and Officers Infantry School. I went to Fort Benning, received my commission on August 26, 1942. I was 18 years old.

Mr. MONTGOMERY. I had a similar case. I was a company commander of a unit in my hometown called up in the Korean war. We had one young man, 14 years of age. Of course we discharged him out of the service.

Dr. BOUCK. They had not uncovered me. I was able to drill at the armory in St. Louis and get a drill night on Thursdays, and in 1938 that was a big deal. So I appreciated the fact that they had not—I think they knew that I wasn't 18 but I was warm and I could stand up.

Mr. MONTGOMERY. Dr. Bouck, why do you think the unit was completely overlooked, your platoon?

I assume that even though some units were captured intact after the war, after they got back and reported, such as the Vietnam war—I know one of the Vietnam era prisoners I believe was given a Congressional Medal of Honor—how was it overlooked so much? What do you think the reason was your platoon was totally overlooked right after the war?

Dr. BOUCK. I have tried to evaluate that. Reflecting on the events, 18 of us, when this conflict ended that night, we did not have like one single person who was able to report anything about what happened that day. That was the first step.

Those of us that wound up in prison camps, in various places, by the time we were liberated for—I was liberated one time in Hammelburg where Col. John Waters, General Patton's son-in-law, was in the prison camp; we were liberated by the 4th Armored when they came 60 miles behind the lines and they liberated March 27.

Two days later we were attacked and destroyed, 5 survivors out of 1,200. We were again captured, taken to Moosburg where I was liberated by the 99th Infantry Division on April 29.

At that time I was taken to my original regimental command post and visited with some people that were still there, staff officers I knew, and they took me to General Lauer, the division commander. I was extremely ill at the time. I don't know whether it was the excitement or malnutrition or sickness. I weighed 184 before all of this started. At one time after liberation I weighed 114. So that was what the effect on my health was.

I didn't know I was coming down with jaundice. I wasn't really too enthusiastic about even talking about what happened at Lanzerath and therefore did not really give a good account of what took place. I was gone.

I came home. Our division was deactivated. It took me 10 years to regain my weight and general health. During that time I felt that, criminy, what we went through thousands of others did, why talk about it, why even tell anyone? They don't want to hear about this.

Others did worse. There were some superpeople, which we all know some that didn't have the opportunity to return. To me, my reward, my decoration, my recognition was the opportunity to survive and to come home and have the opportunity to marry, raise a family of three children, and I have appreciated all of this opportunity. I just think that in that sense there was not enough proper things done to tell about this.

Mr. MONTGOMERY. I might have my information rather wrong. I did read the testimony this morning from the Defense Department, a colonel who will testify before this committee. I believe he quoted you, that he talked to you on the telephone. Were you the one?

Dr. BOUCK. I have talked to a Colonel Hull from the Awards and Decorations.

Mr. MONTGOMERY. In the testimony I recall it said you did not make any recommendations for the Medal of Honor.

Dr. BOUCK. I have never made any recommendations of anything.

Mr. MONTGOMERY. I thought you made a recommendation here today.

Dr. BOUCK. I said I had not up until this day. I am recommending this now.

Mr. MONTGOMERY. But you did not make that recommendation when you talked to the colonel?

Dr. BOUCK. Well, I didn't really believe that it was the time to make any recommendation to him. His initial request of me said, if the statute of limitations would be removed, he said, what would you do? I said I really hadn't given that any thought. This was a kind of shot out of the dark as far as all of these years having passed. I hadn't been the one who initiated this, even though I do agree with it.

Mr. MONTGOMERY. I was a little confused. His testimony says that you did not make that recommendation. Now you are saying this is the first time you have made the recommendation.

Dr. BOUCK. Yes, sir. That is simply the truth.

Mr. MONTGOMERY. Yes. I accept that. No problem.

Dr. BOUCK. OK.

Mr. WHITE. Thank you, Mr. Montgomery.

Mr. Nichols?

Mr. NICHOLS. No questions.

Mr. WHITE. Thank you, Doctor. We appreciate your appearing before us.

Counsel has a question.

Mr. WINCUP. Dr. Bouck, could I just ask, in view of the fact that you were the leader of that platoon, that incident, do you consider that recognition is more appropriate on a collective basis than for any single individual? I do not make any choice as to who. Is it a collective? It sounds as if the whole unit performed remarkably during that incident.

Dr. BOUCK. There is no doubt about that. I agree with you. I do not disagree with the recommendation of a Medal of Honor for Bill James. I think that is appropriate. It is simply that the bill as introduced is for that specifically; we simply have said I agree with this. I also would like to include the other platoon members in the way of a unit citation.

I think when we are talking about this we can talk about the individuals and also about the units in the area of fairness. I don't know how else I could say. I don't know what legal, technical, legislative problems are, or procedures would be. This is just my feeling.

Mr. WINCUP. Thank you, Mr. Chairman.

Mr. WHITE. Thank you very much, Doctor. I understand you have to catch a plane.

Dr. BOUCK. I have canceled it, so if anyone wants to come back for any questions.

Mr. WHITE. We are going to have another vote very shortly. When we come back, the next witness will be Dr. Fernandez. I prefer to do it this way. We are going to go ahead with Dr. Fernandez. We will try to work out the order of witnesses as we continue. Very likely this will go into the afternoon.

There being no further questions at this time, we will recess until 10 or 15 minutes.

Mr. NICHOLS. We are coming back then after this vote?

Mr. WHITE. Yes; coming back after this vote and we are going to have Dr. Fernandez and probably that will be the last witness for this morning, and then we will go ahead in the afternoon.

The committee is in recess.

Mr. WHITE. The subcommittee will come to order.

At this time we will call on Dr. Fernandez to testify.

Mr. LAMBERT. Mr. Chairman, I am Robert Lambert. Could I introduce Dr. Fernandez?

Mr. WHITE. You may, indeed.

Mr. LAMBERT. Dr. Fernandez is a former member of the platoon who served in the Battle of the Bulge with me, and he was at the Lanzerath position until December 15, when he returned to the regiment to help me on the 16th. He just didn't happen to be out at the Lanzerath position.

He is now prepared to testify. He is from El Paso, Tex.

Mr. WHITE. Thank you very much.

STATEMENT OF DR. CARLOS A. FERNANDEZ

Mr. FERNANDEZ. Mr. Chairman, members of the committee, ladies and gentlemen present, I was a member of the I. & R. Platoon from the time of its inception at Camp Maxey, Tex., until the end of the war.

I have submitted my full statement to the committee and will now in the interest of time give a brief summary.

Mr. WHITE. Without objection, all of the statements that are submitted in the event the witnesses summarize will be placed in the record at the point of their testimony.

Mr. FERNANDEZ. Thank you.

The I. & R. Platoon was located toward the edge of a thinning wooded area to the west and north of the village of Lanzerath. To the left of the platoon, approximately 800 to 1,000 yards away was the right flank of the 1st Battalion, 394th Infantry. To the right of the platoon were elements of the 14th Cavalry group approximately 200 to 300 yards away. These were tank destroyer units.

To our rear and left—northwest—approximately 1½ miles was the Buchholz railroad station. Near this station was the division reserve, the 3d Battalion of the 394th Infantry.

The village of Lanzerath was situated about 500 to 600 yards to the right-front of the platoon. The village was in low terrain with a draw in front of it. The location of the platoon, being on high ground, gave it a perfect view of terrain to left, right, and forward.

The Battle of the Bulge front extended for approximately 75 miles south of Hofen, near Monschau on the German-Belgium border, to the town of Echternach, near Trier, on the German-Luxembourg border. The 99th Division held the first 22 miles of this front from the town of Hofen, south to the village of Lanzerath, Belgium.

The German spearhead of their winter offensive attempt was directed immediately through the vicinity of Lanzerath. Due to the stubborn resistance of the American troops in front of Lanzerath and the delay of 18 to 20 hours caused by these stubborn American troops, the German spearhead took the path of least resistance and deviated southwesterly; thus, the northern shoulder of the Bulge comprised the 394th Regiment; to wit, the I. & R. Platoon.

It should be noted that this northern shoulder of the Bulge remained firm, immovable, and stable where the deviated head of the bulging forces traveled nearly 50 miles into Allied lines.

On the evening of December 15, 1944, I was ordered back to 394th Regimental Headquarters by Maj. Robert L. Kriz, the S-2 intelligence officer. Apparently the man who drew the patrol maps for the line companies had been taken ill. I was to draw these patrol maps that night and return with the breakfast jeep early the next morning.

After supper, with the rest of the platoon, I returned to regiment in the jeep with Oakley, our driver. Vernon Leopold also returned with us. He had been sent back by Bouck because of severe trench feet and frost bite.

That evening, after I finished the patrol maps, I found myself a place to sleep on the second floor of a three-story building. I was surprised to find Frankovich sleeping on the floor. He had been sent back from our platoon by Bouck with "stomach trouble."

Later he was diagnosed as having acute appendicitis, requiring surgery.

At approximately 4 or 4:30 a.m. we were awakened by the sound of artillery shells falling nearby. The barrage was quite large and got closer to the house we were sleeping in. Frankovich and I went down to the cellar for better protection. This barrage lasted for over an hour, and some of the shells hit the roof of the house we were in.

On returning to our platoon with the breakfast jeep at about 6 a.m. we were stopped by a group of GI's lying on their abdomens, on the right side of the road with their rifles pointing toward the wooded area on the left side of the road.

One of the GI's shouted: "Get that jeep the hell out of here. There are Jerries across the road." With that bit of information, Oakley turned the jeep about, spilled most of the food, and got us back to regimental headquarters.

We reported to Colonel Riley what had happened. He was very much surprised, as we were, that enemy troops had infiltrated to that point. This could mean that if the enemy came in large forces, then our platoon was surrounded.

We hoped this enemy was only a patrol action. I feared very much for my buddies near Lanzerath.

Sometime before noon on the 16th we had radio communications with Lieutenant Bouck. He informed us that the tank destroyer unit from the 14th Cavalry group had moved out of Lanzerath and gone back to the platoon's right rear.

During a later conversation with Bouck over the radio we heard a shrieking, hissing sound getting louder. Then suddenly, there was radio silence. I surely thought Bouck and the radio had been blown to pieces by a shell. This was the last contact I had with the original I. & R. Platoon until May 1945.

I remained with the same outfit. We got replacements and later Frankovich returned from the hospital and joined the group.

One late night in May 1945, some of our 99th men sent us word that they had liberated a prisoner of war camp located in Moosberg and that some of our boys were there. Frankovich and I got a jeep and headed for that camp.

It was getting to be daylight when we arrived at Moosberg. We were fortunate to meet up with some of our buddies.

Sam Jenkins, thin to start with, was nothing more than skin and bones. His feet were in miserable shape with trench foot and frozen toes.

Frankovich and I had brought some bread and gave it to the guys. They said it tasted just like angelfood cake.

Aubrey McGehee, a big, ex-football player from Mississippi had shriveled to a skinny individual. These men were flown out the following day in transport DC-3 airplanes, headed for home.

Frankovich and I returned to our unit and continued fighting the war until it ended.

How are medals, awards, and citations given? What are the mechanics involved? Somebody, usually an officer of a unit, observes the heroic act and reports it to his commander when he returns to his unit. Then, the individual or unit is recognized.

The unit immediately to the left of the I. & R. Platoon was awarded the Presidential Unit Citation, and very well earned, too.

The reason for this award was the battalion's performance above and beyond the average of normal acts in their bravery; moreover, the entire unit was not captured and those that survived were able to return and tell of their deeds. Had they all been captured, it would have been interesting to speculate what the outcome would have been.

Unfortunately, all 18 men at Lanzerath, after detaining the large group of enemy for those precious 18 to 20 hours and inflicting extremely heavy losses to the enemy, ran out of ammunition, were overrun, and finally captured. No one returned to tell the story.

Thank you, gentlemen.

WRITTEN STATEMENT OF DR. CARLOS A. FERNANDEZ

This statement is submitted to the subcommittee on Military Personnel of the House of Representatives Armed Services Committee, the Honorable Richard C. White, M. C., Presiding.

Re: H.R. 3407—July 11, 1979

The following is a report compiled by the undersigned, to the best of my knowledge and recollection, relating to events and happenings on or about December 16, 1944.

C. A. FERNANDEZ, M.D.

Subscribed and sworn to before me this 6th day of July, 1979.

PETER MINJANEZ.

Notary Public in and for El Paso County, Tex.

My commission expires December 31, 1981.

My name is Carlos A. Fernandez. I was born on May 10, 1922 in El Paso, Texas. I attended Bailey Grammar School, graduated from El Paso High School, and attended the Texas College of Mines and Metallurgy (University of Texas at El Paso) until as an enlisted reservist was called to active military service, May 11, 1943.

After military service, I returned to U.T.E.P. and received a Bachelor of Science degree in Sciences in August, 1947. I entered the University of Texas Medical Branch at Galveston in September, 1947 and graduated with a degree of Doctor of Medicine in June, 1951.

I have been practicing medicine and surgery in El Paso since 1952. I am a member in good standing of the El Paso County Medical Society, having served as secretary previously and now hold the position of treasurer. I have been president of the El Paso Chapter of the American Academy of Family Physicians on two occasions. I am a member of the Texas Medical Association, American Medical Association, and presently on the Board of Directors of the Texas Academy of Family Physicians. I presently hold active staff appointments in seven major El Paso hospitals and health centers.

AUTHORITY FOR TESTIMONY

I was one of the original members of the Intelligence and Reconnaissance Platoon, 394th Regiment, 99th Division. I joined the I & R platoon as it was being formulated by then, Capt. Robert L. Kriz in March 1944 at Camp Maxey, Texas. I lived, trained, maneuvered and bivouacked with my platoon from the time of its inception until December 15, 1944. From then on, I continued to fight the enemy in the same capacity and organization, only with different platoon members.

I served under General Courtney Hodges' First Army, and General George Patton's Third Army. I was involved in the Ardennes, Rhineland, and Central Europe Campaigns. I possess battle ribbons for the aforementioned campaigns, plus the Bronze Star Medal with an Oak Leaf Cluster.

DISPOSITION OF THE 99TH INFANTRY DIVISION AND ADJACENT TROOPS, DECEMBER 1944

The 99th Infantry Division was placed "on line" between November 9th and 14th, 1944. Its troops extended from its most northern boundary near the town of Hofen,

to its most southern boundary near the town of Lanzerath. The 395th Regiment covered the northern sector of the divisional front with all three battalions abreast. The 393rd Regiment, south of the 395th also had all three battalions abreast. The 394th Regiment^{1 2} was the southernmost unit with only two battalions on line. Third Battalion was held as a Divisional Reserve. Each battalion of infantry which normally would have held about 800 yards or less frontage in terrain of this sort was spread out, holding between 2500 and 3000 yards; as a result, there were no reserves worth mentioning.

South of the 99th Division were the 106th, 28th and 4th Infantry Divisions, in that order. Situated between the 99th Division's flank, and the 106th was the 14th Cavalry Group.³

LOCATION OF THE I. AND R. PLATOON

The I & R Platoon was located towards the edge of a thinning wooded area to the west and north of the village of Lanzerath.^{4 5 6 7} To the left of the platoon, approximately 800-1000 yards away was the left flank of the 1st Battalion, 394th Infantry. To the right of the platoon were elements of the 14th Cavalry Group approximately 200-300 yards away. These were tank destroyer units. To our rear and left (north-west) approximately one and one-half miles was the Buchholz Railroad Station. Near this station, was the division reserve, the 3rd Battalion of the 394th Infantry.

The village of Lanzerath was situated about 500-600 yards to the right-front of the platoon. The village was in low terrain with a draw in front of it. The location of the platoon, being on high ground gave it a perfect view of terrain to left, right and forward.

THE BATTLE OF THE BULGE FRONT

The Battle of the Bulge Front extended for approximately 75 miles south of Hofen, near Monschau on the German-Belgium border, to the town of Echternach, near Trier, on the German-Luxemburg border. The 99th Division held the first 22 miles of this front from the town of Hofen, south to the village of Lanzerath, Belgium.

The German spearhead of their winter offensive attempt was directed immediately through the vicinity of Lanzerath. Due to the stubborn resistance of the American troops in front of Lanzerath (I & R Platoon), and the delay of 18 to 20 hours

¹ Hugh Cole, *The Ardennes* (Washington Dept. of the Army, 1965), p. 80: "to the south of the 393rd Infantry, the 394th Infantry, (Col. Don Riley) held a defensive sector, marking the right flank terminus for both the 99th Division and the V Corps. The 6,500-yard front ran along the International Highway from a point west of Neuhof, in enemy hands, south to Losheimergraben. Nearly the entire line lay outside the forest belt. On the right, a two mile gap existed between locations of the 14th Cavalry Group. To patrol this gap, the Regimental I and R Platoon held an outpost on the high ground, slightly northwest of Lanzerath and overlooking the road from that village.

² Ibid: p. 80: "The fateful position of the 394th would bring against it the main effort of the I SS Panzer Corps and indeed, that of the Sixth Panzer Army".

³ Ibid: p. 85: "The early morning attack against the right flank of the 394th had given alarming indication that the very tenuous connection with the 14th Cavalry Group had been severed and that the southern flank of the 99th Division was exposed to some depth. The only connecting link, the 30-man I and R Platoon of the 394th, northwest of Lanzerath, had lost physical contact early in the day, both with the cavalry and with its own regiment. Radio communication with the isolated platoon continued for some time, and at 1140 word was relayed to the 99th Division command post that the cavalry was pulling out of the Lanzerath—confirmation, if such were needed, of the German breakthrough on the right of the 99th. . . . Less than an hour later, the radio connection with the I and R Platoon failed".

⁴ John Eisenhower, *The Bitter Woods* (New York: G. P. Putnam's Sons) p. 219: "Peiper was told that the woods above Lanzerath were heavily fortified, full of fiercely fighting Americans."

⁵ Ibid, p. 183: "Lanzerath was useless as a defensive position. And yet, this village was to become the scene of one of the bitterest small-unit struggles of World War II."

⁶ Ibid, p. 183: "Lanzerath sat on the side of a hill. West of the town, a knoll, although it was not high, gave troops occupying the position a dominant location from which to rake the highway to the south. East of the town, the ground dropped off steeply. Thus, Lanzerath at once afforded the Americans a magnificent observation post into German territory and made maneuver of troops difficult on the east (German) side of the road."

⁷ Ibid, p. 182: "Riley went one step further. Suspicious of the route leading north through Lanzerath, he positioned his Regimental Intelligence and Reconnaissance (I&R) Platoon just northwest of Lanzerath, mainly to give warning of enemy attacks from that area."

It was fortunate for the 99th Division that the commanders took these precautions. For it was in this small quadrangle that the critical battle of the northern shoulder of the Bulge broke loose on the morning of December 16. Through the area of the 99th Division—indeed, through the regimental area of the spread-out 394th Infantry—ran the main roads designated to carry the main effort of Sepp Dietrich to the Meuse."

caused by these stubborn American Troops, the German spearhead took the path of least resistance and deviated southwesterly; thus, the northern shoulder of the Bulge comprised of the 394th Regiment, to wit, the I & R Platoon. It should be noted that this northern shoulder⁸ of the Bulge remained firm, immovable and stable where the deviated head of the bulging forces traveled nearly fifty miles into Allied lines!⁹

FOXHOLES AND ENTRENCHMENTS

One of the main reasons this platoon was able to endure the tremendous onslaught of artillery, mortar fire, and small arms fire was the special precautions and attention that had been taken by our platoon leader. The foxholes were built large enough so that two men could kneel on the ground and their line of vision would be at the level of the slit for their weapons. The sides and tops of the foxholes were covered with 2 or 3 inch logs, placing mud and dirt between the logs as a sealer. These logs gave us a sturdier structure and better insulation against the cold. The foxholes were placed in such a manner that the line and trajectory of fire would overlap the scan of either adjacent hole. The holes were so fortified that mortars and small artillery would not put the hole out of commission unless there was a direct hit.¹⁰ Inside the holes, the men had their weapons, extra ammunition, hand grenades, and their rations. The jeep with the mounted .30-caliber machine gun was partially entrenched at an angle, allowing the firing trajectory above the holes.

The falling snow covered these foxholes in such a manner that they blended with the terrain producing an excellent camouflage.

FIREPOWER

Each platoon member carried his side arm with him at all times. Most of us had the Garand M-1. We had been trained to handle more than one weapon. Most of us had fired the Browning Automatic Rifle, mortars, bazookas, light (.30-caliber) machine gun, heavy (.50-caliber) machine gun, in addition to the carbine and M-1. On one jeep, we had a mounted .50-caliber machine gun¹¹ and on another we had a .30-caliber machine gun. We had partially dug-in the jeep with the light machine gun. Both of these machine guns would fire above the tops of the foxholes. We had large quantities of hand grenades and plenty of ammunition. For a platoon this size, we had a tremendous amount of firepower.

MORALE AND ATTITUDE

This platoon was made up of soldiers from throughout the entire United States. We had been chosen for this unit because most of us could speak more than one language. Most of us were college athletes in the best of physical condition. We were of different ethnic backgrounds. All in all, for being of such diversified roots, the men got along exceptionally well. We learned during training not only to get along with each other, but also to respect one another. We knew someday our lives would depend on each other. We got along beautifully from the oldest, "Pop" Robinson, to the youngest, James.^{12 13} This indeed was a very proud unit.¹³

⁸ John Eisenhower, *The Bitter Woods* (New York: G. P. Putnam's Son), p. 224: "But the action of the 2d and 99th Divisions on the northern shoulder could well be considered the most decisive of the Ardennes campaign."

⁹ Hugh Cole, *The Ardennes* (Washington Dept. of the Army, 1965), p. : "The initial German failure to wedge an opening for armor through the 99th, for failure it must be reckoned, was very nearly balanced by the clear breakthrough achieved in the 14th Cavalry Group sector. The 3d Parachute Division, carrying the left wing of the I SS Panzer Corps forward, had followed the retreating cavalry through Manderfeld, swung north, and by dusk had troops in Lanzerath—only two kilometers from the 3d Battalion, 394th, position at Buchholz."

¹⁰ Hugh Cole, *The Ardennes* (Washington Dept. of the Army, 1965), p. 82: "In common with the rest of the 99th, the line troops of the 394th had profited by the earlier quiet on this front to improve their positions by log roofing; so, casualties during the early morning barrage were few."

¹¹ John Eisenhower, *The Bitter Woods* (New York: G. P. Putnam's Sons), p. 184: "A jeep with a .50-caliber machine gun had been brought into position the day before . . ."

¹² Ibid, p. 184: "James liked being a frontline infantryman no more than anyone else who could calculate the percentages of getting through the war without at least a "million-dollar wound." However, he was proud of the platoon and even more proud of the confidence Bouck obviously had in him. He had resolved to do more than his best to serve his country."

¹³ Ibid, p. 183-184: "The I & R Platoon, small as it was and new to combat, was a proud unit. The men were convinced they were proteges of the regimental intelligence officer, Major Robert L. Kriz, a veteran of the North African campaign. They knew for sure that their platoon leader, First Lieutenant Lyle J. Bouck, Jr., had been handpicked by Kriz. Though the second youngest

Needless to say, the morale of this group was very high most of the time. We were there for a purpose and wanted to get the job done as soon as possible so we could come home.

DECEMBER 15TH AND DECEMBER 16TH, 1944

On the evening of December 15, 1944, I was ordered back to 394th Regimental Headquarters by Major Robert L. Kriz, the S-2 Intelligence Officer. Apparently, the man who drew the patrol maps for the line companies had been taken ill. I was to draw these patrol maps that night and return with the breakfast jeep early the next morning. After supper, with the rest of the platoon, I returned to regiment in the jeep with Oakley, our driver. Vernon Leopold also returned with us; he had been sent back by Bouck because of severe trench feet and frost bite.

That evening, after I finished the patrol maps, I found myself a place to sleep on the second floor of a three-story building. I was surprised to find Frankovich sleeping on the floor. He had been sent back from our platoon by Bouck with "stomach trouble". (Later, he was diagnosed as having acute appendicitis, requiring surgery). At approximately 4 or 4:30 A.M. we were awakened by the sound of artillery shells falling nearby. The barrage was quite large and got closer to the house we were sleeping in. Frankovich and I went down to the cellar for better protection. This barrage lasted for over an hour, some of the shells hit the roof of the house we were in.

On returning to our platoon with the breakfast jeep at about 6:00 A.M., we were stopped by a group of GI's lying on their abdomen, on the right side of the road with their rifles pointing toward the wooded area on the left side (west) of the road. One of the GI's shouted, "Get that jeep the hell out of here there are Jerries across the road." With that a bit of information, Oakley turned the jeep about, spilled most of the food, and got us back to regimental Headquarters. We reported to Col. Riley what had happened. He was very much surprised, as we were, that enemy troops had infiltrated to that point. This could mean that if the enemy came in large forces, then our platoon was surrounded. We hoped this enemy was only a patrol action. I feared every much for my buddies near Lanzerath.

Sometime before noon on the 16th, we had radio communications with Lt. Bouck. He informed us that the tank destroyer unit from the 14th Cavalry Group had moved out of Lanzerath and gone back to the platoon's right rear. During a later conversation with Bouck over the radio, we heard a shrieking, hissing sound getting louder; then suddenly, there was radio silence. I surely thought Bouck and the radio had been blown to pieces by a shell. This was the last contact I had with the original I and R Platoon until May, 1945.

I remained with the same outfit; we got replacements and later Frankovich returned from the hospital and joined the group.

One late night in May, 1945, some of our 99th men sent us word that they had liberated a prisoner-of-war camp located in Moosberg and that some of our boys were there. Frankovich and I got a jeep and headed for that camp. I remember how bad a night it was. It was snowing hard and the wind was blowing strongly. Extremely slow driving was necessary due to the darkness and snow. It was getting to be daylight when we arrived at Moosberg. We were fortunate to meet up with some of our buddies. Sam Jenkins, then to start with, was nothing more than skin and bones; his feet were in miserable shape with trench foot and frozen toes. Frankovich and I had brought some bread and gave it to the guys. They said it tasted just like angel food cake. Aubrey McGehee, a big, ex-football player from Mississippi had shrivelled to a skinny individual. These men were flown out the following day in transport DC-3 airplanes, headed for home.

Frankovich and I returned to our unit and continued fighting the war until it ended.

Footnotes continued from last page

man in the platoon, Bouck had been commissioned a second lieutenant at eighteen. Sandy-haired, he stood a fairly stocky five feet nine inches, and though informal in manner, he was sharp, incisive, and determined.

Bouck's platoon sergeant was a soldier of different vintage. Technical Sergeant William Slape was a tall, professional enlisted man from Oklahoma. When the war was over, Slape, in contrast to most of the rest, would stay on as a thirty-year man—a "lifer".

The only man in the platoon younger than Bouck was Pfc. William James Tsakanikas, barely nineteen years old. Tsakanikas, or James—inevitably his nickname was Sak—was one of the most aggressive soldiers in the platoon. Serving as Bouck's runner and, more important, as the point man for the platoon, always volunteering for patrols, always anxious to do more than his part in every kind of action, James was a soldier Bouck felt he could count on for any job."

CONCLUSION

How are medals, awards and citations given? What are the mechanics involved? Somebody, (usually an officer of a unit) observes the heroic act and reports it to his commander when he returns to his unit. Then, the individual or unit is recognized.

The unit immediately to the left (north) of the I & R Platoon (1st Battalion, 394th Infantry) was awarded the Presidential Unit Citation, and very well earned too. The reason for this award was the battalion's performance above and beyond the average of normal acts in their bravery; moreover, the entire unit was not captured, and those that survived were able to return and tell of their deeds. Had they all been captured, it would have been interesting to speculate what the outcome would have been.

Unfortunately, all 18 men¹⁴ at Lanzerath, after detaining the large group of enemy¹⁵ for those precious 18-20 hours¹⁶ and inflicting extremely heavy losses to the enemy, ran out of ammunition, were overrun, and finally captured.

Mr. WHITE. Thank you very much, Doctor, and this certainly does add an additional dimension to the episode that took place there.

You feel that the appropriate action by this committee would be to remove the limitation on all members of that platoon?

Dr. FERNANDEZ. Yes, sir, the entire platoon.

Mr. WHITE. And I am quite surprised actually that a unit citation either wasn't forthcoming from the Defense Department after the war, after the facts were gleaned from survivors.

Dr. FERNANDEZ. I didn't quite understand.

Mr. WHITE. I was surprised that a unit citation at the minimum was not extended. I had been under the impression a unit citation had been given but apparently it was not.

Dr. FERNANDEZ. The only citation given was what Dr. Bouck mentioned. He got the Silver Star out of the clear blue sky.

Mr. WHITE. Mr. Montgomery?

Mr. MONTGOMERY. I have no questions.

Mr. WHITE. We have one of our members of the committee who was in the area.

Dr. FERNANDEZ. I would like to introduce another member of the platoon, who did not submit a statement, who was kind enough to be present. This is Mr. Robert Adams. Will you stand up, Bob. Thank you.

Mr. WHITE. Thank you very much. Are there any other members of the platoon present?

Dr. FERNANDEZ. Not to my knowledge.

Mr. WHITE. Mr. Nichols, Congressman from Alabama, was in the action involved, not at that particular section, but in that action involved. I don't know precisely where you were. If you would like to question the witness and try to identify where you were.

Mr. NICHOLS. Thank you, Mr. Chairman. I have no particular questions about it other than I appreciate your testimony, Doctor.

Dr. FERNANDEZ. Thank you sir.

Mr. NICHOLS. It brings back a lot of memories to me, memories the soldiers don't go around talking about every day.

¹⁴ Ibid, p. 192: "The action of the I & R Platoon, 39th Infantry, was remarkable for the contribution that a handful of men—18 in all—was able to make on December 16."

¹⁵ Ibid, p. 193: "The experiences of the Americans, in other positions along the 99th Division front resembled those of Bouck's men except that the odds were more even."

¹⁶ Ibid, p. 218: "But the failure of the 3d Parachute Division to open the way for his tanks had already, in Peiper's estimation, thrown off the Nazi timetable. If the infantry had punched their hole through American lines at 7:00 a.m., according to expectation, he might at this moment have been astride the Meuse River. But, the infantry had failed; and here he was, still at Lanzerath."

Dr. FERNANDEZ. That is correct.

Mr. NICHOLS. But those of us that were in there recall those days.

I have no questions, Mr. Chairman.

Mr. WHITE. Thank you.

Counsel?

Mr. WINCUP. No questions.

Mr. WHITE. I appreciate your coming up here, suspending your very busy practice and being here today in order to testify on behalf of your buddies and their past history.

At this time the committee will stand in recess until 2:15 this afternoon.

Are there any persons here who are really strained on a travel schedule? All right. We will resume our session at 2:15.

[Whereupon, at 12:15 p.m. the subcommittee recessed, to reconvene at 2:15 p.m., the same day.]

AFTERNOON SESSION

Mr. WHITE. The committee will resume its hearings.

Our next witness, according to my list here, would be Mr. Joseph Dickie. Is Mr. Dickie present?

Mr. DICKIE. Speaking.

Mr. WHITE. If you will come forward, please.

Mr. Dickie, we encourage our witnesses to brevity, if possible, to outline, to shorten their testimony, and we will place their entire statement in the record, if that is agreeable to you.

STATEMENT OF JOSEPH F. DICKIE

Mr. DICKIE. You have received my statement?

Mr. WHITE. We have one copy, I believe, which we have turned over to the reporter, and without objection that entire statement will be placed in the record at this point.

WRITTEN STATEMENT OF JOSEPH F. DICKIE

Members of Congress, members of the James family, members of the I. & R. platoon, I am sure that I am as guilty as anyone here in not having a complete and flawless report. I am here because I have information and documents that may not have been made available to this subcommittee . . . A committee charged with the responsibility for decision making on *all* of the facts.

I can give no information regarding the events at Lanzerath. I was not there. I have talked with Bill James and other survivors about what happened that day, but, I would not try to quote them.

All of the information that I will present applies to Bill. It is about Bill prior to, and since his involvement in the heroic action.

Let us go way back in time, some forty years.

I grew up with Bill Tsakanikas. I first knew him back in White Plains, New York, where we went to high school.

We played football, side-by-side. I remember, Bill played the game "hard". Later in his life we have learned that he fought "hard".

While we where in high school, in 1941, we became charter members of the local De Molay Chapter sponsored by the Masonic Lodge. For clarification, De Molay is a fraternal organization for young men, under 21 years of age.

It is a heartfelt belief that it was at this time in his life that Bill Tsakanikas was inspired with his most outstanding traits. I know this because I was involved. I believe these years had a profound effect on me.

De Molay and, perhaps scouting, ingrained in Bill *all* of the following:

. . . courage . . . honesty . . . loyalty and . . . reverence.

These characteristics, in later life, stood Bill in good stead.

In January of 1943, Bill Tsakanikas and I took time off from high school to enlist in the Armed Services. At the local post office, Bill went Air Force, I went Navy.

Two years later, when Bill was listed as "Missing in Action," I was on shore duty in New England.

For a period, I consoled Bill's father as best I could. In fact, I bluffed my way thru the five months of waiting. I had no idea of what Bill's circumstances were.

In 1945 Bill was returned to the States. Subsequently, he was sent to Valley Forge General Hospital for care and treatment. It was at this location that Bill met Lucille Cassell, Peg, his future wife.

When they were married, in 1948, at the Valley Forge Chapel, I was very proud to act at their best man.

At that time, as now, we were *all* very proud of Bill. To everyone, he was already a hero. We grieved for him, in ignorance, for we had no way of knowing exactly what he had been through. Nor, did we know the significance of his deeds.

Bill and Peg James. . . note the difference . . . eventually settled down back in New York. Our families, each to be comprised of four sons, enjoyed a close relationship during the 1950's.

In the mid sixties, some twenty or more years after the war, I called Bill to tell him that I had seen a television advertisement for a motion picture entitled, "The Battle of the Bulge".

Bill went to see that movie and returned, "irate". In his words, "That picture was a love story . . . I was not involved in a love story!!!"

Bill complained in writing to the American Legion. Their reply, "we're very sorry. We try our best to protect veterans, etc."

They told Bill to contact John S. D. Eisenhower if he had any substantial information on the Battle of the Bulge. They said, that at that time, John Eisenhower was preparing a book on the subject.

Bill made contact with John Eisenhower and, the association that developed between these two unusual Americans resulted in a detailed description of the events of December 16th and 17th, 1944, as contained in John's book, "The Bitter Woods."

Now, it may be presumptuous of me to think that my phone call in 1964 (or was it 1965) precipitated the public disclosure of the Lanzerath encounter, Jack Anderson's article in Parade Magazine, and thus, these congressional hearings. However, we are here, thirty five years after the fateful days, searching for facts and enlightenment. We are still trying to clarify circumstances and in some way, make restitution for a public debt very long overdue.

At this time I would like to introduce a photograph of Bill James taken at the time the book, "The Bitter Woods," was published. (Exhibit.)

The photograph has always intrigued me! Not for what it shows at first glance, but for what it should mean if one inspects it . . . in depth.

Let me read to you the list of legible book titles, taken at random, from the book shelves behind Bill. I have merely put them into catagories for impact:

Algebra . . . and sociology: Perhaps for helping his four boys thru school.

Essays on American crisis . . . the American Commonwealth. I'm sorry, that is all that can be read. Again, that is all that is visible.

The Scoutmaster's Manual, the Explorer's Manual, staff management. Those who know scouting . . . know the significance of these books.

A History of Christianity, Freeway to Babylon, a handbook on Christian theology . . . Bill had a deep faith.

And, last but not least . . . Laughter is legal.

Bill used these books throughout his adult life, after he was wounded in the service of this country. Please notice that they all fall into four basic classifications: Family, community, Nation, and God. The exhibited photo is indeed another tribute to William James.

To move on, Bill was a wonderful guy. He had to cope with life and many frustrations. His pain was beyond comprehension. If the pain was not the most frustrating, it certainly must have been the "Red Tape" he had to hack his way thru.

Bill James spent two-thirds of his life cutting thru red tape. Even now, subsequent to his death, all of us, we have taken up the task for him.

It is difficult to believe, or even conceive, that Bill James, a 21 year old survivor of a heroic action during the battle of the bulge, should not be eligible to receive full veteran's benefits upon his return from the war. However, Bill James is a documented case of red tape, over and over and over; red tape that has caused more than one bystander to react in awe, and caused less patriotic souls to rebel in anger and disgust.

May I read from a 1946 newspaper article, from a Pennsylvania newspaper, where the circumstances were first presented:

"... Corporate William James Tsakanikas would seem deserving of all the educational and other benefits available to servicemen... yet Tsakanikas, who is now a freshman in the Wharton school (of business at the University of Pennsylvania) has been forced to seek private aid and dip into his own savings for his education... (the reason)... hospitalized servicemen must wait until their discharge in order to receive benefits under the Federal G.I. bill... Tsakanikas has (because of this red tape)... been forced to pay certain of his own living expenses from his resources... until he receives his discharge, he cannot benefit under the G.I. bill, although his scholarship (arranged for through his high school) expires in March..."

My plea to you Members of Congress, servants of the people, do not allow the "ship of state" to falter again... at this time.

In the past, we have missed the mark. We may miss the mark in the future. But now, with the information that has been, and will be made available to you, you should, with clear conscience, acknowledge these brave acts.

Major General Walter Lauer, division commander of the 99th infantry, of which the I & R platoon was a significant part, stated that it was "heroism unsurpassed in history."

Jack Anderson stated in his March 25, 1979, article the following "the epic stand of eighteen men... against overwhelming might... has gone unrecognized by the Pentagon for over thirty-five years... not one medal has ever been awarded to an enlisted man for their extraordinary bravery."

The deeds of bravery and patriotism were accomplished back in 1944. They have been authenticated in time.

Recognize the words of the bible, the first letter of John, the apostle, chapter 3, verse 18: "... Let us stop just saying we love people, let us really love them, and show it by our actions."

Bill James always showed that he loved people.

What will the actions of this subcommittee show?

I thank you all for allowing me to make this personal presentation.

WOUNDED NEW YORK VET STUDIES IN WHARTON SCHOOL WITH PENNSYLVANIA STATE AID AFTER OWN STATE REFUSES HELP

(BY JOHN H. TYSON)

Wounded in the Battle of the Bulge, a German prisoner for five months, and now receiving medical treatments in the Valley Forge General Hospital, Cpl. William J. Tsakanikas would seem deserving all of the educational and other benefits available to servicemen.

Yet Tsakanikas, who is now a freshman in the Wharton School, has been forced to seek private aid and dip into his own savings for his education because New York State, his home, has refused to help him.

Cpl. Tsakanikas is still receiving nerve-wracking plastic operations on his face which was partially paralyzed when a bullet furrowed through his right cheek. Along with five other New Yorkers at Valley Forge the soft spot in his heart for New York has disappeared because of its failure to provide for them at this time.

OTHER STATES PROVIDING FUNDS

Less wealthy, but more open-handed states such as Pennsylvania, Ohio, New Jersey, Delaware, and others have been providing educational funds for hospitalized soldiers until they receive their discharge. If the state doesn't provide this money, hospitalized servicemen must wait until discharged in order to receive benefits under the Federal G.I. bill.

Tsakanikas was hit by a German bullet on December 17, 1944, during the crucial Battle of the Bulge and was knocked unconscious by it for a period of two weeks. He awoke in a German hospital on the Rhine and from then was moved successively eastward ahead of the American push. Freed in April, he finally wound up at Valley Forge on the fourth of July.

It was in August that he learned of the aid provided by states for their wounded residents. A speaker from the Pennsylvania Rehabilitation Board assured them of tuition, books, and transportation to any school which would accept them, providing that it didn't interfere with their hospitalization.

GOVERNMENT WOULD PAY HALF

Our tight-fisted neighbor to the north does not agree with this however. It is waiting for an ironclad agreement in which the federal government agrees to pay half the expenses. Washington has promised this, but still Tsakanikas's appeal was turned down.

In a last effort, he contacted his guidance teacher at White Plains High School, Miss Cleo Richardson. Through her, a scholarship was obtained from the Leopold Schepp Foundation and the Masons provided \$100 for books and expenses. Tsakanikas has still been forced to pay certain of his own expenses from his own resources.

It will be almost a year before treatements will be completed on Tsakanikas's face. Until he receives his discharge he cannot benefit under the G.I. Bill, although his scholarship expires in March. New York, one of the "more progressive" states is falling down on the job of giving this vital aid to its wounded veterans.

Mr. DICKIE. Could I make some additional comments?

Mr. WHITE. Of course.

Mr. DICKIE. The events of the morning are such that I felt they should be of great help to you. Two statements I have not heard spoken but that should be in your records are those of Maj. Gen.—

Mr. WHITE. We will stop in 5 minutes so we may vote.

Mr. DICKIE. I hope it won't take that long.

Mr. WHITE. We will continue. That won't cut you off, because we will continue after I return.

Mr. DICKIE. There were two statements made that I have not heard, and they were General Lauer's comments that the heroism involved in this action was unsurpassed in history. Now, that unsurpassed is a word like never or always, and if it was unsurpassed in history, this was a unique time in history.

The other is, and I am sure you are aware of it, I heard you say: "Do you mean to say not one enlisted man was ever recognized for his action?" That is a fact. Not one of these 18 men was ever recognized publicly for what they did that day. Those are the only two.

At this point in time, there are only two outstanding statements I would like to bring to your attention.

There is in my possession one more document that was not submitted to you. You may not have read my testimony but I would like to point this out to you. We are here trying to cut through redtape. I think we recognize it is red tape.

The Congressional Medal of Honor was conceived for a reason. It was designed to be awarded to someone who showed extreme bravery and meritorious service. At the time it was conceived, I am sure there was no statute of limitations that applied to it. That law was made by man and in this case I think it should be changed by man.

Bill James—this you may not know and it should go in the record—Bill James, because of redtape was required to pay his own way through college. This has not been said before. Bill James, arranged with his high school, the one that we graduated from, by the way, he arranged through his high school for his scholarship through the SHEP Foundation. He approached a Masonic children's organization, they gave him book money, but he was not entitled to the GI bill of rights. Redtape.

This can be documented because you have an article from the Pennsylvania newspaper stating this is a fact. Redtape.

We are here again, Bill is gone, and we are continuing to fight the redtape that he battled through two-thirds of his life. I wish, if possible, it has nothing to do with the day we all met, but it certainly is an indication of the type of man that he was.

The other document that was submitted to you was a photograph of Bill taken when John Eisenhower's book was published. The picture itself is an ugly picture. But at your convenience, if you could see the original, I wish you could look at the books on the bookshelf behind it. They fell into four categories—the family, the community, the Nation and God.

He was an unusual man. "Essay on the American Commonwealth," the Boy Scout Masters Book. This man who was unable to work for a living worked for the boys in the neighborhood as a scout master, a truly remarkable person. Don't forget these things, because this is the type of person that you are working for.

I appreciate your time.

Mr. WHITE. Thank you very much, Mr. Dickie.

I think we are going to recess at this time and we will be resuming as soon as I return. We have 8 minutes left. So at this time, we will recess the committee.

[A short recess was taken.]

Mr. WHITE. The subcommittee will resume.

Mr. Dickie, when we finished, before we recessed, you had just completed your testimony, and because of that, we didn't have the opportunity to read your testimony earlier. Had you any association with the platoon itself?

Mr. DICKIE. No, I am sorry, I did not.

Mr. WHITE. Or the individual?

Mr. DICKIE. With the individual?

Mr. WHITE. You knew the individual?

Mr. DICKIE. Yes; in fact the opening remarks state that none of my testimony applied to the day at Lanzerath. It was all prior to Bill's military experience and subsequent to it.

Mr. WHITE. I see.

Mr. DICKIE. All of it.

Mr. WHITE. I see, OK, fine. Thank you.

Are there any questions of Mr. Dickie?

All right, thank you very much, Mr. Dickie.

Mr. DICKIE. I just have one question. I am torn, and I don't know to this minute, my opening comments were, my report was put together, as many reports, I would like to introduce one more document which I have yet to introduce.

Mr. WHITE. What is the nature of the document?

Mr. DICKIE. It is a letter from the Congress of the United States.

Mr. JAMES. May I continue for him?

Mr. WHITE. Yes.

Mr. JAMES. It is dated April 15, 1969:

DEAR JOE: Brown has asked me to forward to you the enclosed copy of a letter from the Department of the Army which is self-explanatory.

I regret that we didn't get after this much sooner.

Best wishes,
Sincerely yours,

MRS. CHARLES D. MICHELMAN,
District Administrator for Congressman Ogden R. Reid.

Mr. DICKIE. Copy to Joe Dickie. And the letter is from the Department of the Army, Office of the Deputy Chief of Staff for Personnel, Washington, D.C., to the Honorable Ogden R. Reid, House of Representatives:

DEAR MR. REID: This is in reply to your inquiry concerning award of the Medal of Honor to the men of the Intelligence and Reconnaissance Platoon, 394th Infantry Regiment during World War II.

Section 3744, Title 10, United States Code, requires that recommendations for award of the Medal of Honor be submitted into formal military channels within 2 years of the date of the action. Retroactive awards may be made only if there is conclusive evidence that a recommendation was submitted within the time limitation, but was not acted upon through loss or inadvertence. In this regard, there is no record of a recommendation having been submitted in behalf of the men of the Intelligence and Reconnaissance Platoon, 394th Infantry Regiment. By law, no new recommendation may now be considered.

It is the typical barrier.

Mr. WHITE. Without objection, that letter will be placed in the record at this point.

One question I had, if I may. Your earlier testimony was that he received no assistance on his education. He was not eligible or what was the foulup?

Mr. DICKIE. He was still being serviced by the U.S. Army. He had not been discharged, therefore, he was not eligible for the GI bill of rights.

Mr. WHITE. I see. He was still in the service, he was in a veterans hospital?

Mr. DICKIE. He was in a veterans hospital at Valley Forge for a period, I believe, of 4 years, when he graduated from Wharton School of Business.

Mr. WHITE. What were his total injuries, the nature of his injuries? Were they to his face or to the rest of his body?

Mr. DICKIE. It was estimated that seven burp gun bullets pierced his right cheek, tore out his eye, he lost the use of one ear and barely distorted the jaw joints, the right side of his face.

Mr. WHITE. Thank you, Mr. Dickie.

Any further questions?

We appreciate your appearing before us.

Mr. Peter James, we have arrived at the time of your testimony.

Mr. JAMES. Thank you.

Mr. WHITE. We appreciate it if you could summarize. We will place your statement in the record.

Mr. JAMES. I will summarize my 30-some-page statement.

Mr. WHITE. Your statement will be placed in the record at this point.

WRITTEN STATEMENT OF PETER JAMES (TSAKANIKAS)

My name is Peter James (Tsakanikas), brother of PFC William James Tsakanikas. I live at 11904 Maple Avenue, Rockville, Maryland 20852.

My brother, PFC William James Tsakanikas, and I, were born of Greek immigrants. Our parents, now deceased, were James K. Tsakanikas (Tsakanikas means champion of fighters) from Koniska, Greece and Vasilai Tsakanikas from the Island of Samos, Greece. Our mother's maiden name was Trikerioti.

Both parents became citizens of the United States.

My brother Bill was the fifth and I, the ninth, of eleven children born to our parents. Our other brothers and sisters and residence are as follows:

Penelope Apostolides, Silver Spring, Md.
 Gus Tsakanikas, White Plains, N.Y.
 George Tsakanikas, Rockville, Md.
 Agatha T. Koumas, Arlington, Va.
 Anna Xenos, White Plains, N.Y.
 Catherine Tsakanikas (deceased)
 Martha David, Long Island, N.Y.
 Madeline Genkos, La Mirada, California
 Maria Carley, Wilmington, N.C.

Brother Bill was six and one-half years my elder. When Bill enlisted in the U.S. Army I was twelve. At age 13 I could remember reading the New York Daily News to see the advances being made by the Allied Forces in the European and Japanese War Zones. I followed the battles from North Africa, Italy, and Europe.

Bill was a hero to me in those days—no less than he is today.

Unknowingly of the significance of the Battle of the Bulge at that time (December, 1944), I became real worried when the War maps in the Daily News showed significant gains by the Germans against our Allied Forces. Our family was shocked and saddened when we received news from the War Department that Brother Bill was missing in action. For months we prayed for him. At no time that he was a Prisoner of War did we know of his condition—dead or alive.

One of the happiest days of my life was the joy I experienced on the day he called and said he was alive and coming home. My happiness for his survival was again dampened by my first sight of facial injuries when we visited Bill at an Army hospital. From then it was difficult for me to feel the suffering he went through from the day of the initial attack on December 16, 1944 that began the Battle of the Bulge, through the "Burp" gun bullets that went through his face causing him to lose his right eye and ear, during the five-months of his captivity where he returned 112 pounds from his original weight of 180, and through the agonizing pain and torment before, during and after each of the 38 operations required to keep him alive until he died at age 52 in June, 1977.

Bill was very close to me. He was a Model brother. With pride and industry I emulated many of his non-war achievements. When he changed his name from William James Tsakanikas, I used his lawyer to change my name from Peter Tsakanikas to Peter James—the reason was for professional expedience.

When Bill went to the number one business school in the World, The Wharton School of Finance and Commerce, University of Pennsylvania he created a legacy, which prompted me to attend that school. Bill graduated Wharton and so did I. Later his son Gary also became a Wharton graduate.

Later when Bill went to Law School, I followed in his footsteps and went to Vanderbilt Law School, transferred to and graduated George Washington University School of Law with a Juris Doctor.

In our young adult lives I took note that Bill's frequent operations and pain prevented him from holding down a permanent position. In 1964 we became closer as he chose to help me launch a new business in telephone computers. His bad health prevented him from lasting one month in this venture.

In 1970, when I ran for Governor of the State of Maryland in the primary, Bill came from Port Chester, New York to Silver Spring, Maryland to help out. After one-day at my home he was in such great pain he had to go home.

In 1976, I spent one-week at Bill's home in Port Chester, New York working on a publication for IBM Corporation. During this visit I was able to learn more about his heroic deeds in World War II than ever before.

Frequently, in the past and again on this occasion I pleaded with him to let me try to get the Medal of Honor for him. Bill was a very humble man; he repeatedly refused my offerings—though he confided in me that he felt he deserved it—he felt the recommendation should come voluntarily from his Commander, Lt. Lyle Bouck, Jr.

Brother Bill's heroism and justification for the Medal of Honor was beginning to surface from the first time, but a few years before his death in 1977.

On no less than ten occasions Bill told me that he *personally* accounted for killing between three and four hundred Germans during Hitler's eighteen-hour initial surprise Ardennes offensive at Lanzerath, Belgium. He told me of his grief having to shoot and kill these Germans, most of whom he said were young teenage boys. As he said, "I had to do it. It was either them or us".

Bill believed in God and Country. He never looked for trouble, but when danger came his way, in his assertion of his resolve not to lose our Nation's freedom, he nobly fought and eventually died for his Country.

All of us that knew Bill recognized Bill as a man of high morals, a family man, an honest man, a man of supreme character and integrity, a fair and prudent man—but above all, a lovable humble human being.

Let us address in some detail, PFC William James Tsakanikas' World War II heroic deeds that distinguishes him conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty while engaged in action against the enemy of the United States that merits The Medal of Honor to be awarded by the President in the name of the Congress of the United States.

The following deeds performed establish his personal bravery or self-sacrifice so conspicuous as to clearly distinguish PFC William James Tsakanikas above his comrades and have involved risk of his life.

The following information are relevant excerpts from "U.S. Army in World War II, European Theater of Operations, The Ardennes Battle of the Bulge" by Hugh M. Cole, published by the Office of the Chief of Military History, United States Army, Washington, D.C. 1965:

Foreword, p. vii—"During most of the eleven months between D-day and V-E day in Europe, the U.S. Army was carrying on highly successful offensive operations . . . Then, unbelievably and under the goad of Hitler's fanaticism, the German Army launched its powerful counter offensive in the Ardennes in December, 1944 with the design of knifing through the Allied armies and forcing a negotiated peace. The mettle of the American soldier was tested in the fire of adversity and the quality of his response earned him the right to stand shoulder to shoulder with his forebears of Valley Forge, Fredericksburg, and the Marne.

This is the story of how the Germans planned and executed their offensive. It is the story of how the high command, American and British, reacted to defeat the German plan *once the reality of a German offensive was accepted*. But most of all it is the story of the American fighting man and the manner in which he fought a myriad of small defensive battles until the torrent of the Germans attack was slowed and diverted, its force dissipated and finally spent. It is the story of squads, platoons, companies, and even conglomerate scratch groups that fought with courage, with fortitude, with sheer obstinacy, often without information or communications or the knowledge of the whereabouts of friends. While Bastogne has become the symbol of this obstinate, gallant and successful defense, this work appropriately emphasizes the crucial significance of early American success in containing the attack by holding firmly . . . and by upsetting the enemy timetable. . . .

This book is submitted as evidence in its entirety as Exhibit A. See page ix for biography of the author, a Ph. D. from the University of Minnesota.

Preface, page xi, This volume deals with the crucial period of the campaign conducted in the Belgian Ardennes . . . generally known as the *Battle of the Bulge* . . . the story of the combat operations begins on 16 December 1944.

" . . . The story of the Ardennes Campaign is even more difficult to organize because of the disappearance, in the first hours, of a homogeneous front.—Thus the reader is introduced on 16 December 1944 to battles fought by companies and platoons *because they are meaningful* and because the *relative importance of these actions is as great as operations conducted by regiments or even divisions* later in the story.

"This volume represents the most exhaustive collection of personal memoirs by leading participants ever attempted for a general staff history of a major campaign.

"Sunrise on 16 December 1944 came at 0829 and sunset occurred at 1635 (Bastogne, Belgium).

Page 1, "Then Hitler spoke, 'I have just made a momentous decision. I shall go over to the counter-attack, that is to say'—and he pointed to the map unrolled on the desk before him—'here, out of the Ardennes, with the objective—Antwerp'. While his audience sat in stunned silence, the Fuehrer began to outline his plan.

Page 5, "Hitler's optimism . . . resulted in the belief that Germany had the material means to launch and maintain a great counter offensive.

Page 9, "The plan for the Ardennes counter offensive was born in the mind and will of Hitler the Feldherr.

Page 17, "The major reasons for Hitler's selection of the Ardennes were stated by himself, although never in a single tabulation on a single occasion or with any ordering of importance:

"The enemy front in the Ardennes sector was very thinly manned.

"A blow here would strike the seam between the British and Americans . . .

"The distance from the jump-off line to a solid strategic objective (Antwerp) was not too great and could be covered quickly, even in bad weather.

"The configuration of the Ardennes area . . . would require the use of relatively few divisions.

"The terrain to the east of the break through sector selected was very heavily wooded and offered cover against Allied air observation and attack during the build-up for the assault.

"An attack to regain the initiative in this particular area would erase the enemy ground threat to the Ruhr.

Page 19, "Details of the Plan . . . a minimum of thirty divisions would be available, ten of which would be armored; support would be given by an unprecedented concentration of artillery and rocket projector units; operations control would be vested in four armies—two panzer armies abreast in the lead, two armies composed largely of infantry divisions to cover the flanks; the Luftwaffe would be prepared to support the operation; *all planning would aim at securing tactical surprise and speed*; secrecy would be maintained at all costs; and only a very limited number of individuals would be made privy to the plan.

Page 21, "Scarcely had salutes been exchanged when the two German generals were asked to sign a pledge binding them to secrecy in regard to a mysterious operation . . . If this plan should leak out they would be shot!

Page 56, "*The Intelligence Failure* . . . The failure was general and cannot be attributed to any person or group of persons . . . the Ardennes has ranked close to Pearl Harbor as an episode inviting public polemic, personal vituperation, and exparte vindication . . . There is no further news of Sixth SS Panzer Army beyond vague rumors (10 December 1944).

" . . . Of the seven incidents which in retrospect may be considered signposts pointing to an impending attack on the VIII Corps front, only four reported to the corps headquarters. Only one incident was deemed worth of 12th Army Group attention. The reports of extraordinary traffic was mentioned . . . this briefing began at 0915 on 16 December.

Page 62, " . . . In sum, it can be said that the reconnaissance flown over Eifel between 16 November and 15 December gave much information on enemy activity, but that this was interpreted as routine troop movement through the Eifel way station enroute to the north and south.

Page 63, "The prelude to the Ardennes counteroffensive of 16 December can only be reckoned as a gross failure by Allied ground and air intelligence.

Page 63, "The original plans called for the movement and assembly of 4 armies, 11 corps, 38 divisions, 9 Volks artillery corps, and 7 Volks Werfer brigades plus service and support troops.

Page 71, "It would appear that nearly all units were in place an hour or two before H-hour, 0530 on the morning of 16 December.

"The forces assembled for the counter-offensive were the product of an almost psychotic drive by Hitler to put every last man, gun and tank that could be stripped from some part of the declining German War establishment into the attack.

Page 74, "And at midnight on the 15th the Officer keeping the OB WEST War Diary made the last entry of that date: 'Tomorrow brings the beginning of a new chapter in the Campaign in the West'.

Page 75, "Chapter V, The Sixth Panzer Army Attack . . .

Page 76, "General Josef 'Sepp' Dietrich . . . was selected personally by Hitler to command the Sixth Panzer Army.

Page 77, " . . . The Sixth Panzer did have a timetable: one day for penetration and breakout, one day to get the armor over the Hohes Venn, the Meuse to be reached by the evening of the third day, and crossing to be secured by the fourth.

"*The 99th Division Sector*. The southern portion of the V Corps front was occupied by the 99th Infantry Division (Maj Gen. Walter E. Lauer), which had arrived on the Continent in November 1944 and had been placed in this defensive sector to gain experience.

"Footnote. The records of the 99th Division for the battle described in this chapter are quite complete and detailed. The then commander of the 99th Division has written the official division history; see Major General Walter E. Lauer, "Battle Babies: The Story of the 99th Infantry Division in World War II (Baton Rouge Military Press of Louisiana, Inc. 1961)

"The 99th Division front (left to right) extended from Monschau and Hofen to the railroad just north of Lanzerath, a distance of about nineteen miles. To the east lay the Germans in the West Wall pillbox line . . . the nature of the terrain appeared little likely to attract a major German attack . . .

" . . . Only a short distance to the south of Hofen the lines of the 99th entered the Monschau Forest, continuing to run through a long timber belt until the boundary between the V and VIII Corps was reached at the Losheim Gap. The thick woods in the sector were tangled with rocky gorges, little streams, and sharp hills. The division supply lines began as fairly substantial all-weather roads, then dwindled, as they approached the forward positions, to muddy ruts following the fire-

breaks and logging trails . . . visibility was limited and fields of fire restricted. Any clearing operation in the deep woods would only give away the American positions. The nature of the ground and the length of the front made (checking infiltration) impossible; the 99th could maintain no more than a series of strong points with unoccupied and undefended gaps between.

"Three roads were of primary importance in and east of the division area.

Page 79, "The 2d Infantry Division was to pass through the 99th then the latter would attack to cover the southern flank of the 2d Division advance. As scheduled, the 2d Division passed through the 99th Division on 13 December, beginning its attack on a narrow front . . . on the northern fork of Hofen.

Page 80, " . . . American commanders and intelligence officers anticipated that a counterattack shortly would be made against the shoulders of the 2d Division corridor held by the 99th, but that this would be limited in nature and probably no more than regimental in strength. The immediate and natural reaction, therefore, to the German attack launched against the 99th Division on the morning of the fourth day of the V Corps offensive (16 December) was that this was no more than the anticipated riposte.

Page 80, "*The Initial Attack, 16 December.* To the south of the 393d Infantry, the 394th (Col. Don Riley) held a defensive sector marking the right flank terminus for both the 99th Division and V Corps. The 6,500 yard front ran along the International Highway from a point west of Neuhoof, in enemy hands, south to Losheimergarden. Nearly the entire line lay inside the forest belt. On the right a two-mile gap existed between the regiment and the forward locations of the 14th Cavalry Group. To patrol this gap the regimental I and R Platoon (this is the platoon in which PFC William James Tsakanikas was a member) held an outpost on the high ground slightly northwest of Lanzerath and overlooking the road from that village. Thence hourly jeep patrols worked across the gap to meet patrols dispatched by the cavalry on the other side of the corps boundary. Acutely aware of the sensitive nature of this southern flank, General Lauer had stationed his division reserve (3rd Battalion of the 394th) near the Buchholz railroad station in echelon behind the right of the two battalions in the line.

"The fateful position of the 394th would bring against it the main effort of the 1 SS Panzer Corps and indeed that of the Sixth Panzer Army.

"Of the five westward roads assigned the 1 SS Panzer Corps, the two (held by the 394th) were most important. These two roads had been selected as routes for the main armored columns, first for the 1 SS Panzer Corps, then to carry the tank groups of the 11 SS Panzer Corps composing the second wave of the Sixth Panzer Army's attack.

Page 81, "The (German's) 3d Parachute Division, forming the left wing in the initial disposition for the attack, had a zone of advance roughly following the southern shoulder of the Honsfeld route. The area selected for the breakthrough attempt comprised the north half of the U.S. 14th Cavalry Group sector and took in most of the gap between the cavalry and the 99th Division . . . The 3d Parachute axis thus extended through the right of the 99th Division.

"The decision as to exactly when the two Panzer divisions would be committed in exploitation of the penetration achieved by the infantry was a matter to be decided by the commanders of the Sixth Panzer Army and Army Group B as the attack developed.

"The first thunderclap of the massed German guns and Werfers at 0530 on 16 December was heard by (the I and R Platoon) of the 394th Infantry as "outgoing mail", fire from friendly guns, but in a matter of minutes the entire regimental area was aware that something most unusual had occurred.

" . . . until the German infantry were actually sighted . . . the American reaction to the searchlights and exploding shells was that the enemy simply was feinting in answer to the 2d and 99th attack up north. On this part of the forest front the enemy line of departure was inside the woods. The problem, then, was to get the attack rolling through the undergrowth, American barbed wire, and mine fields immediately to the German front. The groping nature of the attack was enhanced by the heavy mist hanging low in the forest.

Page 83, "The 2d Battalion, during this day, never was really pressed. The chief enemy thrusts had gone to the north and the south, against the center and refused right flank of the 394th.

"The initial enemy action along the 394th Infantry Center and south flank was intended to punch holes through which the panzer columns might debouch onto the Billingen and Honsfeld Roads. . . . To the west the highway overpass on the Lanzerath-Losheimergarden section of the International Highway had also been demolished but the approach to Losheimergarden, whether from Losheim or Lanzerath, was denied to all but infantry.

Page 85, "The early morning attack against the right flank of the 394th had given alarming indication that the very tenuous connection with the 14th Cavalry Group had been severed and that the southern flank of the 99th Division was exposed in some depth. *The only connecting link*, the 30-man I and R Platoon of the 394th Northwest of Lanzerath, had lost physical contact early in the day both with the cavalry and with its own regiment. Radio communications with the isolated platoon continued for some time, and at 1140 word was relayed to the 99th Division command post that the cavalry was pulling out of Lanzerath—confirmation, if such were needed of the German breakthrough on the right of the 99th. Belatedly, the 106th Infantry Division reported at 1315 that it could no longer maintain contact at the interdivision boundary. *Less than an hour later the radio connection with I and R Platoon failed*. By this time observers had seen *strong German forces pouring west* through the Lanzerath area. (These were from the 3d Parachute Division.) General Lauer's plans for using the 3d Battalion, 394th Infantry, as a counter-attack force were no longer feasible. Not long after the final report from the I and R platoon the 3d Battalion was faced to the southwest in positions along the railroad.

A check made after dark showed a discouraging situation in the 394th sector. It was true that the 2d Battalion, in the north, had not been much affected by the day's events—but German troops were moving deeper on the left and right of the battalion . . . the crossroads still were denied the enemy.

Page 91, "Later, the 99th Division commander would comment that 'the enemy had the key to success within his hands, but did not know it', and so it must have seemed to the Americans on 17 December when a sharp northward thrust from Billingen would have met little opposition and probably would have entrapped both the 99th and 2d Divisions. In fact, *Peiper's column* had simply made a detour north through Billingen and, having avoided a bad stretch of road, now circled back to its prescribed route."

The above excerpts are the relevant facts as written by the military historians of the U.S. Army. Let us now review the accounting of the I and R Platoon as viewed by members of the I and R Platoon, including PFC William James Tsakanikas and Lt. Llye Bouck, Jr.

The following are relevant excerpts from *The Bitter Woods* by John S. D. Eisenhower.

Page 182, "The vital road junction at Losheimergraben was defended by the 1st Battalion of Colonel Don Riley's 394th Infantry Regiment.

"Lauer did all he could to protect his south flank . . . Riley went one step further. Suspicious of the route leading north through Lanzerath, he positioned his Regimental Intelligence and Reconnaissance (I & R) Platoon just northwest of Lanzerath, mainly to give warning of enemy attacks from that area.

"It was fortunate for the 99th Division that the commanders took these precautions. For it was in this small quadrangle that the critical battle of the northern shoulder of the Bulge broke loose on the morning of December 16. Through the area of the 99th Division—indeed, through the regimental area of the spread-out 394th Infantry—ran the main roads designated to carry the main effort of Sepp Dietrich to Meuse.

"Like the other villages and hamlets throughout this region, historically Lanzerath belonged to Germany. It became part of Belgium only after World War I, by the Treaty of Versailles. The town itself was rather unimpressive, consisting of fewer than ten houses, probably five on the east side of the road and three or four on the west. These houses, mostly of frame construction, offered little protection against fire of any kind, so in itself Lanzerath was useless as a defensive position. And yet this village was to become the scene of one of the bitterest small-unit struggles of World War II.

"The significance of Lanzerath derived from its location. It lay about 300 yards south of a vitally important road junction from which a left fork ran westward to Buchholz Station and a right fork to Losheimergraben. Running northwest from Losheimergraben, as mentioned, was the major road of the area, the best route between Dietrich's army and Liege.

"Lanzerath sat on the side of a hill. West of the town a knoll, although it was not high, gave troops occupying the position a dominant location from which to rake the highway to the south. East of the town the ground dropped off steeply. Thus Lanzerath at once afforded the Americans a magnificent observation post into German territory and made maneuver of troops difficult on the east (German) side of the road. Away from the town, on the opposite side of the knoll, was a thick wood, difficult enough for infantry and virtually impenetrable by armor.

"Following a patrol on December 10, eighteen men of the Intelligence and Reconnaissance Platoon of the 394th Infantry Regiment of the 99th Division moved into position onto this hill dominating Lanzerath and its highway.

"The unit had previously occupied it, rumored among the men to have been a full company of the 2d Infantry Division, had dug it in well, protecting the foxholes with overhead cover.

"The I & R Platoon, small as it was and new to combat, was a proud unit. The men were convinced they were proteges of the regimental intelligence office, Major Robert L. Kriz, a veteran of the North African campaign. They knew for sure that their platoon leader, First Lieutenant Lyle J. Bouck, Jr., had been handpicked by Kriz. Though the second youngest man in the platoon, Bouck had already finished six years of military service. Enlisting in the 35th Infantry Division (National Guard) at St. Louis before legally of age, Bouck had been commissioned a second lieutenant at eighteen. Sandy-haired, he stood a fairly stocky five feet nine inches, and though informal in manner, he was sharp, incisive, and determined.

"Bouck's platoon sergeant was a soldier of a different vintage Technical Sergeant William Slape was a tall, professional enlisted man from Oklahoma. When the war was over, Slape, in contrast to most of the rest, would stay on as a thirty-year man—a "lifer".

"The only man in the platoon younger than Bouck was PFC William James Tsakanikas, barely nineteen years old. Tsakanikas, or James—inevitably his nickname was Sak—was one of the most aggressive soldiers in the platoon. Serving as Bouck's runner and, more important, as the point man for the platoon, always volunteering for patrols, always anxious to do more than his part in every kind of action, James was a soldier Bouck felt he could count on for any job.

James liked being a frontline infantryman no more than anyone else who could calculate the percentages of getting through the war without at least a "million-dollar wound". However, he was proud of the platoon and even more proud of the confidence Bouck obviously had in him. He had resolved to do more than his best to serve his country.

But in the small hours of the morning, December 16, 1944, James, like other men along the front, was feeling uneasy. Too many things had happened that added up to trouble. For one thing, the platoon knew that the 2d Division was attacking through the 99th Division to the north. Further, they had been informed that G-2 expected this attack to call for some sort of a "spoiling" attack by the Germans, and the logical place for such action was the south flank of the 99th Division, where Bouck and his men were in position.

Other goings-on had convinced James that the higher-ups were being a little oversolicitous. The day before, a generous liquor ration had been delivered (both Bouck and James, nondrinkers, gave their shares to other men)—obviously the condemned men's last treat. Extra ammunition had been recently issued in large quantities. A jeep with a mounted .50 caliber machine gun had been brought into position the day before. James did not know that the extra ammunition and the machine gun were simply equipment that Bouck had been urgently requesting for days and that Major Kriz had finally secured for him. He was also unaware that the liquor ration was a relatively routine thing. But one item could not be denied: The night before, Bouck had ordered every man to remain alert at his battle station all night long. Not a man had gotten a wink of sleep. All during their vigil the platoon had heard unusual noises to the front.

Lieutenant Bouck reviewed his platoon's situation. It was being employed on an unusual mission. Probably he hardly realized that his men were located outside 99th division territory, across a corps boundary. In the town of Lanzerath, only about one hundred yards forward of Boucks' foxholes was located a section of guns from Company A, 820th Tank Destroyer (TD) Battalion, attached to the 14th Cavalry Group, in whose sector they were. Bouck had wire communication with the TD's, but they had talked little. Both units had gone about their own business. After all, they worked for different people.

I & R was trying to get along as comfortably as possible. A heavy layer of snow covered the ground, and the weather was damp and cold. Normally, except when all were on alert as during the previous night, the members of the platoon took turns warming themselves in two shacks to the rear. At the edge of the woods near the shacks hung a deer carcass. They would have a feast of venison in a couple of days.

Just before dawn the men of I & R Platoon witnessed an awesome sight. Above German positions on the ridge north of Losheim and extending all the way to directly in front of the platoon the sky was lit up by the muzzle flashes of what must have been a hundred artillery pieces. The flash of the barrage silhouetted great numbers of tanks and self-propelled guns on the German skyline.

The platoon dove into their foxholes before the heavy shells could reach their position. This was their first time under really heavy artillery. When the shells arrived, the fright was something new. It was just as they had told him in basic

training; James thought. He reeled in a state of momentary shock, and he could feel the fright in his bowels. Fortunately the barrage was a rolling one, proceeding northwestward from the I & R position up the road toward Buchholz. Quickly the men picked up the pattern. The "overs" and the "shorts" were wasted so far as they were concerned. But whenever the concentrations crashed around their position the psychological effects were stunning. James and Bouck, together in a machine gun foxhole, were thankful that all the men had splendid overhead cover and were almost completely safe from anything except a direct hit.

The artillery preparation continued for about an hour. When it was raised, Bouck prepared for an immediate infantry attack. But as he looked out, he could not figure where the German infantry would come from. Possibly they would come directly from the northeast down the road from Losheimergraben. The men waited, but no German infantry came. It was now light enough for them to see a little, although the valley between their position and the ridge where they had been the silhouetted vehicles a few moments earlier was still covered with mist. The tops of the Losheim houses could be seen a little more than a mile away, but not the streets.

But within ten minutes after the barrage had lifted, James and Bouck saw to their horror and disgust the tank destroyers of the 14th Cavalry Group pull out, heading to the rear along the Buchholz-Honsfeld road.

"If they can't sign off on the phone, they might at least wave goodbye as they leave," James growled.

Bouck was more charitable, "If we didn't have any more cover than those guys down in Lanzerath, we'd be pulling out too", he muttered as the TD's disappeared into the woods.

Bouck picked up his radio and called the 394th Regiment, located at Hunnigen. He told the extent of the artillery preparation and the negligible damage to his position, and asked for instructions.

"Send a patrol down to Lanzerath, observe, and report", came back the answer.

Bouck looked around him. Four men would be enough. "Okay, come on, Sak, Pop, John."

"Pop" Robinson (so named because of his advanced years—he was thirty-five) and John Creger joined the other two; they took circuitous route—all the way north to the Buchholz road and then southward down a ditch—to Lanzerath.

Bouck knew which building the tank destroyers had used—probably, he reasoned, the best observation post in town. The four men scrambled out of the ditch to the front door of the house and charged up the stairs. As they reached the second floor, they were astonished to see a large man in civilian clothes sitting next to the window facing Germany, talking on a civilian telephone line.

Instantly James pulled his bayonet from its scabbard and stuck it against the big man's belly. "Reach!" he growled. Whether or not the man understood English, his hands went up. James was sure he was a spy. His first impulse was to drop the bayonet and pull the trigger on his M-1, but reason stopped him. This was no place to start a fire fight. And if the group were to be captured, surely this was no place for a dead German.

"Let him go," Bouck snapped.

James gestured toward the stairs, and with a big grin, the man thundered down and out to the street.

All this action had taken only about twenty minutes. But as the patrol looked over the valley, they could see German troops en masse pulling out of Losheim and, as far as they could tell, given the undulating ground, heading toward the southwest. This meant that the masses of German troops they could see would be coming up the road behind them, through Lanzerath, and toward the right flank of I & R Platoon—apparently, an attack northward into the right flank of the 394th. The Germans seemed to be marching single file in close formation.

This observation was enough for Bouck. "Sak, you come with me. Robinson, you and Creger stay here in this house and observe down the road. As soon as that Kraut column comes into the home stretch, about a mile down the way, come back on up to the platoon."

Back in the platoon position, Bouck tried to telephone 1st Battalion, 394th. The lines were out from the shelling. He could reach regimental headquarters by radio. The officer at the other end was incredulous.

"Damn it", Bouck hollered. "Don't tell me what I don't see! I have twenty twenty vision. Bring down some artillery, all the artillery you can, on the road south of Lanzerath. There's a Kraut column coming up from that direction!"

He waited, more and more disappointed, but no artillery came. "If we could only use that new proximity fuse we could sit inside these foxholes and never be hurt."

There was little time for thinking. Robinson and Creger, using the wire left behind by the tank destroyers, were on the line. "The Krauts are already downstairs", Robinson yelled in fright. "What shall we do?"

Bouck hesitated, wondering how to extricate the men he had left behind. But it was for a moment only. At one yell from their platoon leader, a group of men jumped out of their foxholes, ready to charge the few yards to Lanzerath to save their buddies. But heroism was unnecessary; in an instant both Robinson and Creger had appeared on the hill. The "Krauts", it turned out, had been Belgian civilians heading for their cellars. The German column was still a short distance away. But the two men had done their job. They had confirmed a German column coming north toward Lanzerath, and all were back safely.

Having seen the size of the force coming up the road, Robinson and Creger were ready to keep moving to the rear. So was everyone else. Bouck, however grabbed a couple of men, shoved them into their foxholes, and ordered the rest of I & R Platoon to take up fighting positions.

A major attack seemed in the making. The members of the platoon were not sure from which direction the attack would come, but it made little difference. The platoon was disposed in a beautiful tactical position, a perimeter defense at the edge of the wood line. At the point nearest Lanzerath was the foxhole occupied by Bouck and James. A couple of .30-caliber light machine guns were covering the Honsfeld road junction to the north, and many of the men had Browning automatic rifles. James had a special weapon of his own. He had taken the liberty of appropriating a "grease gun" (submachine gun) from supply after the last patrol six days earlier. The .50 caliber machine gun on the jeep, protected from direct fire, could put down devastating fire, but whenever artillery came in, whoever was manning the .50-caliber would have to hop into a foxhole.

They waited for the German troops to arrive. They were not disappointed.

When the Germans approached, the Americans gasped in amazement; two columns marching on both shoulders of the road in close order, weapons slung, looking to neither side; no security had been put out on either flank. James, waiting with the rifle he had kept (along with his grease gun) let a group go past. The Germans were in mottled uniforms. James was surprised at this regalia, but Bouck, having been an instructor for two years at the Infantry School, Fort Benning, recognized them as paratroopers' uniforms and later reported this to the Regimental S-2 section, now much concerned.

When to open fire? Sergeant Slape, sharing a foxhole on the left flank with Bouck, picked up his rifle and took aim on the lead German as he entered Lanzerath. "Your mother's going to get a telegram for Christmas", he mumbled.

Bouck knocked the rifle aside. "Maybe they don't send telegrams. Besides," Bouck went on, "I don't want to get the point, I want to get the main body". Slape chuckled.

James, in the forward platoon foxhole, watched the Germans pass his position. He calculated that the formation would continue northward along the road toward Losheimergraben. But if the front of the column turned left along the Honsfeld road, he reasoned, this would cut off the rear of the I & R Platoon. He, for one, had made up his mind that he would open fire at the time.

The Americans waited. The German paratroopers took the right fork and continued northward toward Losheimergraben. At least the rear of the platoon would not be cut off. James, like Bouck, decided that he would wait for a good group to get past before letting go. About 300 men went by. Up the road came three figures, separate from the rest, obviously the commander and a couple of his staff. It was there James selected to open fire on. The time was ripe.

As James drew a bead on the center figure, a little blond girl of about thirteen—James even noticed the red ribbons in her hair—suddenly dashed out of a house on the other side of Lanzerath, ran up to the officers, pointed quickly to the I & R position, and ducked back inside. James was not over-confident of his marksmanship. If he fired at the officer, he might hit the girl. He held his fire for an all-important split second; in that moment the German officer gave a shout and signal; the German paratroopers dived into the ditches. The chance of ambush was gone.

The fire fight began; the Germans were pinned down. Fortunately for Bouck's men, the road to the south was exposed, and the parachutists could never reinforce this isolated battalion without coming under heavy .50-caliber fire from the Americans some distance off.

The fire fight never ceased all day. James dashed back to man the .50-caliber machine gun and, staying down on his knees for protection, fired by observing the strike of the bullets in the snow. He began raking the ditches and woods to the north and south. He took an inventory of his grease gun; five magazines of nineteen rounds each.

By noon some of the I & R men were wounded, but none seriously. Repeatedly, James screamed at Bouck to bring in artillery with the new proximity fuse. Bouck, in turn, kept screaming to Regiment over his radio. But for the moment no artillery came in.

"What shall we do then?" Bouck demanded of Regiment.

"Hold at all costs."

Lieutenant Edward A. Buenger, assistant S-2, 394th Infantry, in Hunningen, was on the radio talking to the I & R Platoon leader, who Buenger knew was dug in somewhere barely northwest of Lanzerath. Bouck's position, Buenger learned, was being surrounded by Germans. It seemed that Bouck was too busy fighting to think about retreating; he seemed to be anxious to get back in the fight with his men. Buenger was in a position to be a little more objective. This was an intelligence platoon; besides fighting, it was up to them to supply information on the enemy situation in their sector of the front lines.

Bouck confirmed that he was to "hold at all costs", but just as Buenger was demanding more information on the nature of the German attack, Bouck's radio receiver emitted a loud thud. Buenger heard no more.

Lieutenant Lyle Bouck was lucky. The bullet that destroyed his radio missed him entirely. True, he had been knocked to the ground, but a couple of men picked him up and dragged him to a foxhole, where he gathered his wits. Upon examination he found he was unhurt.

Still the attack continued, James was bewildered. "Whoever's ordering that attack", he mumbled to himself, "must be frantic. Nobody in his right mind would send troops into a position like this without more fire support".

Wave after wave of Germans in mottled uniforms came up the hill, and James, firing continuously, felt a certain sickness as the tall, good-looking "kids" climbed the snow fence from the road and houses. As the waves came up, all were cut down. No Germans broke or retreated. The range was so close that James could see their faces. He tried to divorce his mind from the faces. With his grease gun, his .50-caliber machine gun, and occasionally his M-1, he tried to imagine himself firing at movement, not at men.

At midmorning a white flag appeared. The Americans raised their fire, and German medical corpsmen moved about the hill, pulling out the wounded. The Americans checked their own situation and found the casualties surprisingly light. Louis Kalil was severely wounded in the face by a rifle grenade. James saw no reason why sparing the German medics should prevent his firing long distances away toward Losheim and Manderfeld. After all, there were probably Germans in those towns. He therefore stood on the jeep and fired away, allowing the Germans in the immediate front to haul off their wounded.

As soon as the German medics were finished another assault came. This time the attack was supported. Hearing the hollow sounds of mortars from the valley behind Lanzerath, the men of I & R jumped into their foxholes. When the mortars lifted, Bouck and Slape rolled out and went up and down the position, checking the condition of the men.

James went back to the .50-caliber. Three paratroopers crawled up close enough to threaten Risto Milosevich, whose .30-caliber light machine gun was protecting the left flank. The .50 could not swing fast enough; James reached for the grease gun hanging ready at his neck and cut the Germans down. In a frenzy, he stumbled over to the bodies and emptied an entire magazine of nineteen rounds into the corpses lying there looking at him. The impact of one of the .45-caliber slugs rolled one body clear over.

Thus it went all afternoon, but eventually the spirits of the I & R Platoon began to sag. The men were tired, and they were well aware that the 3d Battalion, 394th, was right behind them only a mile to the northwest at Buchholz Station. False rumors were circulating of enemy paratroopers in their rear at Honsfeld. Somewhere an artillery forward observer appeared. The rounds he brought in had psychological effect at least. But still no reinforcements. In front of the platoon the German dead lay in heaps. (Four hundred men, Bouck finally estimated, but James thought there were rather more—though who could tell under such conditions?).

Finally a lull came. Bouck called James over to him. "Sak," he said, "I want you to take the men who want to go and get out."

"Are you coming?"

"No, I have orders to hold at all costs. I'm staying."

"The we'll all stay," said James.

As they talked, two German helmets popped over the hill. Both Americans fired at the same time, and James' muzzle, close to Bouck's ear, made the latter's eardrum ring. James allowed himself a moment to pout as his friend, the lieutenant, turned around and gave him the very devil.

As the light began to fail—which was quite early in Northern Europe in December—Bouck's men were nearly out of ammunition. Some ammunition for the M-1 rifles remained. James had one last clip in his grease gun.

Bouck sent word to the men to report when all ammunition was gone. When it was gone he would feel justified in pulling out. Nobody knew how the end would come.

A German soldier with a white flag came within shouting distance. "Americans, give up!" he shouted. An American—nobody knew who—began to amuse himself by shooting near the German's feet. The man dashed back down the hill, followed by a torrent of obscenities. At dark artillery started coming in again, the heaviest since morning.

The mission had been accomplished, as far as Bouck could see. Two men had to go to Regiment to get orders or reinforcements. He sent for Corporal Jenkins and Private Preston.

"Sam," he said to the NCO, "you and Bob take off down the Buchholz road and go to Regiment. See if you can find Major Kriz and get us reinforcements or orders to pull out. We can't hold out much longer."

Both men departed; neither returned.

Bouck now felt justified in planning a retreat. Miraculously, although there were some wounded, only one man had been killed outright during the day. Bouck figured he might be able to move back in three groups, two at a time covering as the third traveled.

The Germans, however, were infiltrating the position in the darkness. Figures could be seen in outline no farther than a few feet away. Hole by hole the platoon position was being taken.

Those Americans left continued to fight. Suddenly Slape lost his restraint—he could not give up while the .50-caliber machine gun still had a few rounds of ammunition. Up to the jeep he leaped and fired, cursing roundly. Small arms knocked out the weapon.

Finally the Germans made a frontal assault on Bouck and James. James was out of M-1 ammunition, and his grease gun was nearly empty. An explosion picked him off his feet and seemed to send him into the next world; he had been hit in the face by a German burp gun. Yet through the haze he could still hear boots tramping by.

Bouck grabbed him. "Sak, I'll get you out of here," he said, and he pulled him out of the foxhole into the night.

In the dusk Bouck could see the extent of James' wound. The right side of his face had been shot away, and his right eyeball was hanging limply in the cavern where his cheek had been. A German officer within a couple of feet took a quick look at Sak's face, and gasped under his breath, "Mein Gott".

Two other Germans closed in, ready to shoot, one, weeping and muttering to himself, "Ach, meine kameraden!" Bouck knew he was finished for sure. The German officer, however, jumped between the Germans and the two Americans, shouting "Nein"; at that point James passed out. (Later he was to wonder if this was the officer he had fixed in the sights of his M-1 that morning.)

Shortly thereafter James regained consciousness. Bouck had been wounded in the leg but could walk. He and a German soldier were practically carrying James down the hill to a cafe in Lanzerath. The whole platoon had been captured. Bodies were so thick it was impossible to avoid stepping on them.

In the cafe, James thought he was dying. He thought of the mothers of the boys he had mowed down and of his own mother. He passed out again. The next thing he knew, he was lying on the floor being treated by a German aidman. From a distance he could hear an interrogation and the words, "name, rank, serial number"—no particular name, rank or serial number, merely those words. As consciousness returned, he realized that it was he who was being interrogated and was saying the words. The German, giving up the interrogation, leaned over and whispered in English, "Ami, you and your comrades are brave men". In spite of everything James felt good for a moment.

The cuckoo clock in the cafe struck midnight. Lieutenant Lyle J. Bouck, also lying wounded on the floor, had turned twenty-one years old.

"What a hell of a way to become a man", he mumbled to himself.

The action of the I & R Platoon, 394th Infantry, was remarkable for the contribution that a handful of men—eighteen in all—were able to make on December 16. Their story is only typical of the experience of scores of American platoons along the overextended VIII and V corps fronts. All along the front the Americans were surprised by the attacks that hit simultaneously at 5:30 A.M. Small American units, situated in isolated positions, found themselves quickly surrounded.

In most cases the American forces did not realize that day the magnitude of the offensive being launched against First U.S. Army. Most infantrymen were sure the assaults on their own position were local.

Many Americans were astonished by the lack of normal caution on the part of the attackers as they approached the American positions. This was noted not only by units of the 394th Infantry, but also by the commanding officer of the 112th Infantry (28th Division) to the south and by the 14th Cavalry troopers in the Losheim Gap. It probably stemmed from the lack of time afforded the German commanders to train the raw *volks*grenadier troops adequately. Responsible, too, were Hitler's stringent secrecy measures in the last fateful days in the Eifel which made it impossible for commanders to reconnoiter. As a result, in more cases than one, German units moving down the road in almost parade-ground formation found themselves suddenly mowed down by an enemy that they did not suspect was there.

But in other respects, the experience of the units on the front line was to vary. On the two shoulders of the penetration—the northern one occupied by the 2d and 99th Infantry divisions and the southern one by the 4th Division—the battle would shape up into strictly defensive operations facing great but no impossible odds.

Experience in World War I had established that holding the shoulders is the most effective tactical response to a dangerous enemy penetration. If the enemy's drive can be contained between two unyielding shoulders, his next objective—that of widening the breach, preparatory to exploiting the advance—will be forestalled. Eventually the penetration can be choked off. In the Ardennes offensive some of the fiercest, if most thankless, fighting was the heroic efforts of the American forces to hold the two shoulders, commonly thought of as Elsenborn in the north and Echternach in the south. These were to prove critical to the prevention of an Allies' defeat. Between them, the highly overextended 106th Infantry Division (14th Cavalry Group attached) and the 28th Infantry Division to their south would suffer the heaviest losses.

In this sixty-mile gap there would be plenty of problems. Lieutenant Kenneth Farrens would hold Krewinkel, a small town, against overwhelming numbers. Colonel Mark Devine would see his 14th Cavalry Group temporarily destroyed as a fighting unit. Farther south two U.S. Infantry regiments, the 422d and 423d, would be surrounded by a single German *volks*grenadier division. A lieutenant of the 423d, Oliver Patton, would find himself sent a hazardous mission to find two lost artillery battalions. Colonel Gustin Nelson's 112th Infantry Regiment would hold with some success.

Colonel Hurley Fuller of the 110th Infantry, which was in the middle of the 28th Division, would find himself out of contact with his surrounded units on the Skyline Drive. To the south Lieutenant Colonel Earl Rudder, and unperturbed exchanger, would fight with no intention of giving up ground.

The story of these units cannot be told as an entity—the picture of December 16, from the American point of view, is exasperatingly confused. But the story of each unit bears telling individually.

ACTION OF 99TH DIVISION

The I. & R. platoon, 394th Infantry, had successfully blocked the Lanzerath road against a force of at least a battalion, maybe more, of the 3d German Parachute Division. They had protected the south flank of the 394th against a powerful attack, which might well have meant a collapse of the American position if it had been delivered in the early morning. The main German effort now became a matter of two frontal attacks by the 12th VGD: the 48th Grenadier Regiment on the north attacking the 3d Battalion, supposedly Division reserve, at Buchholz Station a mile west and slightly south.

The terrain crossed by the German regiments differed. The 48th Grenadier had to traverse dense woods to reach its objective; the 27th Fusilier, following the axis of the railroad from Losheim to Buchholz, was in more open country and actually hit 3d Battalion first. General Lauer no longer had a reserve.

The experiences of the Americans in other positions along the 99th Division front resembled those of Bouck's men except that the odds were more even.

I served in the Korea Conflict in the U.S. Marine Corps. I am a 30 percent disabled veteran, a life member of the Ernie Pyle, Chapter 4 of the Disabled American Veterans of Silver Spring, Maryland, and a member of the Adelpia Post 38 of the American Legion. Both of the Service organizations have unanimously passed resolutions supporting S.R. 135 and H.R. 3225/H.R. 3407 authorizing the President to grant the Medal of Honor to PFC William James Tsakanikas, posthumously.

These resolutions have passed the regional conventions and are headed to the National Conventions. I am a National Delegate to the D.A.V. convention in Boston next week.

I am President of the James C. Magin Chapter, No. 383 of the Order of the AHEPA (American Hellenic Education and Progressive Association), served this year as Vice Chairman of the Capitol District No. 3 Regional convention of AHEPA, and am a National Delegate to the AHEPA National Convention in San Francisco (August 12-18). My AHEPA Chapter, unanimously, approved a resolution to make my brother, P.F.C. Williams James Tsakanikas, a member of our Chapter, posthumously. My chapter presented this resolution to the District Convention which was approved unanimously by the thirty Chapters in District No. 3. My chapter also introduced a resolution for the AHEPA Capitol District No. 3 to endorse and support S.R. 135 and H.R. 3225/H.R. 3407 and to aggressively work for passage of this resolution at the August, 1979 National Convention, which will be attended by our 407 AHEPA Chapters all over the United States totalling over 26,000 members. The District resolutions were approved unanimously and I have been assured that the resolutions will be passed at the National Convention.

The Daughters of Penelope, upon a resolution made by my sister, Agatha Koumas at the District No. 3 Convention, passed unanimously support for H.R. 135 and H.R. 3225/H.R. 3407. The Daughters of Penelope is the Women's Auxiliary of the Order of AHEPA. My oldest sister, Penelope Apostolides, is also a member of the Daughters of Penelope.

Mr. George Charles, a distinguished attorney and Chairman of the Council of Greek Orthodox Churches of the Greater Washington, D.C. area, has sent his letter requested public support of S.R. 135 and H.R. 3225/H.R. 3407 to some 55 leaders of the Greek American community in the Nation's Capitol. Many of these leaders are in this room today to show their desire and public sentiment of these legislations. I share their concern as a leader in the Greek American community as I am the President of the Roumeliotis Society of Greater Washington, D.C. (Roumeli is the section of Greece where Hero William James Tsakanikas' father was born). I am also an elected Trustee of the Hellenic Center, Inc. (Greater Washington, D.C.). The Hellenic Center, Inc. has written a letter in support of P.F.C. William James Tsakanikas receiving the Medal of Honor.

A multitude of Hero Tsakanikas' friends, comprised of judges, lawyers, professors, former F.B.I. agents, doctors, politicians, carpenters, plumbers, housewives are rallying in support of these legislations. Every man in his platoon that I have met agree Bill should get the Medal of Honor. Some are here today to give their personal testimony. Bill's Commander, Lt. Lyle Bouck, Jr. is here from St. Louis, Bob Lambert is here from Irvine, Ca.

I understand, Mr. Chairman, that even you have received personal solicitation from the two members of Hero Tsakanikas' I. and R. platoon living in your Congressional District (El Paso, Texas).

Parade Magazine's Jack Anderson front page story on March 25, 1979 lit the candle for public sentiment support, what with the leading American columnist's endorsement and Parade's 22 million circulation and over 50 million readership. Then came the Yankees, where the widow of Hero Tsakanikas was given Presidential honors by throwing out the first ball of the first game of the Champions of Baseball. Mass press coverage included front-page stories in major metropolitan newspapers, regional and National television. The National Herald echoed the Jack Anderson story into the hearts of all Greek-Americans throughout the United States.

Tomorrow this great American pledge to Hero P.F.C. William James Tsakanikas will be advanced to a National Reunion of the 99th Division at the OMNI International Hotel in Norfolk, Virginia.

The true support for Hero Tsakanikas is just beginning to surface; soon in the near future it will begin to bloom. When it peaks this great country of ours will sense the moral responsibility to pay tribute to Hero Tsakanikas and the other men in his platoon for each of them have become the best citizens of our country by virtue of their heroic deeds on the battlefield, which valor translated American defeat into a gallant victory for the entire free world.

Gentlemen, let us not put trivial Army formalities and "Red tape" at a higher level of priority than justice. P.F.C. William James Tsakanikas has paid his dues. Hero Tsakanikas has earned the highest place in our citizenry. He has earned the Congressional Medal of Honor.

It is now your duty as servants of the people of this great Nation that have elected you to act on their behalf, your constituents, to assure Hero, and Medal of Honor candidate, P.F.C. William James Tsakanikas his just place in history. I pray

that each of you will act without delay to promote this legislation for immediate passage by the Congress of the United States.

Thank you, your staff, and Congressman Richard Ottinger.

PETER JAMES TSAKANIKAS.

P.S.—I would like to personally thank again Congressman Richard Ottinger, whom I believe has the noblest esteem for my brother Hero William James Tsakanikas both as a man deserving the Medal of Honor and as a friend. Congressman Ottinger, since Bill's funeral, virtually has borne the full burden of this just cause. I vow, today, to help his staff and him with the full extent of my human energies and resources. I ask each Congressman and Congresswoman to join us in this human rights legislation to keep our nation "thinking straight," as Bill would say were he alive today.

PETER JAMES TSAKANIKAS.

STATEMENT OF PETER JAMES (TSAKANIKAS)—Resumed

Mr. JAMES. My name is Peter James (Tsakanikas), brother of Pfc. William James Tsakanikas. I work for the Headquarters, Department of the Army, as an automation and communications policy specialist in the Pentagon.

As an action officer, frequently in the past and again on this occasion, I pleaded with him to let me try to get the Medal of Honor for him. Bill was a very humble man; he repeatedly refused my offerings though he confided in me that he deserved it, he felt the recommendation should come voluntarily from his commander, Lt. Lyle Bouck, Jr.

Brother Bill's heroism and justification for the Medal of Honor was beginning to surface for the first time, but a few years before his death in 1977. On no less than ten occasions Bill told me that he personally accounted for killing between 300 and 400 Germans during Hitler's 18 hour initial surprise Ardennes offensive at Langerath, Belgium. He told me of his grief having to shoot and kill these Germans, most of whom he said were young teenage boys. As he said, "I had to do it. It was either them or us."

Bill believed in God and country. He never looked for trouble, but when danger came his way, in his assertion of his resolve not to lose our Nation's freedom, he nobly fought and eventually died for his country.

All of us that knew Bill recognized Bill as a man of high morals, a family man, an honest man, a man of supreme character and integrity. A fair and prudent man—above all, a lovable humble human being.

Let us address in some detail, Pfc. William James Tsakanikas. World War II heroic deeds that distinguishes him conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty while engaged in action against the enemy of the United States that merits the Medal of Honor to be awarded by the President in the name of the Congress of the United States: The following deeds performed establish his personal bravery or self-sacrifice so conspicuous as to clearly distinguish Pfc. William James Tsakanikas above his comrades and have involved risk of his life.

The following information are relevant excerpts from "U.S. Army in World War II, European Theater of Operations, the Ardennes Battle of the Bulge" by Hugh M. Cole, published by the Office of the Chief of Military History, United States Army, Washington, D.C. 1965—and I ask that we put into evidence the entire book that contains—

Mr. WHITE. We can include the book in the official records, but we can't put it in the transcript itself, because that would cost the taxpayers a considerable amount of money.

Mr. JAMES. Fine.

Mr. WHITE. So we will put it with the papers.

[The following information was recieved for the record:]

[The above-mentioned material is retained in subcommittee files.]

Mr. JAMES. In the forward, in the preface of this book, it states:

* * * The story of the Ardennes Campaign is even more difficult to organize because of the disappearance, the first hours, of a homogeneous front. Thus the reader is introduced on 16 December 1944 to battles fought by companies and platoons because they are meaningful and because the relative importance of these actions is as great as operations conducted by regiments or even divisions later in the story.

This volume represents the most exhaustive collection of personal memoirs by leading participants ever attempted for a general staff history of a major campaign.

But, gentlemen, it failed in one respect. The I. & R. Platoon was recognized as a platoon. Not one member in the platoon was ever interviewed by the historians.

Page 77:

* * * The Sixth Panzer did have a timetable: one day for penetration and breakout, one day to get the armor over the Hohes Venn, the Meuse to be reached by the evening of the third day, and crossing to be secured by the 4th.

Time was of the essence.

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The Initial Attack, 16 December. To the south of the 393 Infantry, the 394th (Col. Don Riley) held a defensive sector marking the right flank terminus for both the 99th Division and V Corps. The 6,500 yard front ran along the International Highway from a point west of Neuhoef, in enemy hands, south to Losheimergarden. Nearly the entire line lay inside the forest belt. On the right a two mile gap existed between the regiment and the forward locations of the 14th Cavalry Group. To patrol this gap the regimental I&R Platoon—this is the platoon in which PFC William James Tsakanikas was a member—held an outpost on the high ground slightly northwest of Lanzerath and overlooking the road from that village.

The above excerpts are the relevant facts as written by the military historians of the U.S. Army. Let us now review the accounting of the I. & R. Platoon as viewed by members of the I. & R. Platoon, including Pfc. William James Tsakanikas and Lt. Lyle Bouck, Jr.:

The following are relevant excerpts from "The Bitter Woods" by John S. D. Eisenhower. Three of these excerpts are contained in the letter that I would like to have introduced into evidence from the Hellenic Center, Incorporated, on July 9, 1979, to the Honorable Congressman Ottinger:

DEAR MR. OTTINGER: Mr. Peter James Tsakanikas, one of our 16 elected trustees of the Hellenic Center, Inc. has brought to our attention the heroic and gallant deeds of his brother, Pfc. William James Tsakanikas during World War II.

Among the deeds that, in our opinion, we find distinguish Pfc. Tsakanikas above his comrades are:

(1) His decision not to shoot an officer . . . for concern of a young 13 year old girl that may have been in the line of fire. Sometimes a decision not to commit an act can be as brave as one of execution.

(2) During the heat of the initial Battle of the Bulge that held back the entire German Panzer Army, Pfc. Tsakanikas displayed valor and gallantry at the risk of his life by repeatedly manning the .50 caliber machinegun. During one point in the ferocious battle "three German paratroopers crawled up close enough to threaten Risco Milosevich, whose .30 caliber light machinegun was protecting the left flank. The 50 could not swing fast enough; Pfc. Will James Tsakanikas reached for the

grease gun hanging ready at his neck and cut the Germans down, thereby saving the life of his comrade.

(3) Finally, a lull in the fighting came. Bouck (Pfc. Tsakanikas' commander) called Tsakanikas over to him and said "Sak, I want you to take the men who want to go and get out." "Are you going?" asked Tsakanikas. "No, I have orders to hold at all costs, I am staying," Bouck said. "Then I will stay," said Tsakanikas.

These are quotes from "The Bitter Woods."

The only man in the platoon younger than Bouck was Pfc. William James Tsakanikas, barely 19 years old. Tsakanikas—or James—inevitably his nickname was Sak—was one of the most aggressive soldiers in the platoon. Serving as Bouck's runner and, more important, as the point man for the platoon, always volunteering for patrols, always anxious to do more than his part in every kind of action, James was a soldier Bouck felt he could count on for any job."

James had a special weapon of his own. He had taken the liberty of appropriating a "grease gun"—a submachinegun—from supply after the last patrol 6 days earlier. The .50 caliber machine gun on the jeep, protected the direct fire, could put down devastating fire, but whenever artillery came in, whoever was manning the .50 caliber would have to hop into a foxhole.

James, in the forward platoon foxhole, watched the Germans pass his position. He calculated that the formation would continue northward along the road toward Losheimergraben. But if the front of the column turned left along the Honsfeld road, he reasoned, this would cut off the rear of the I. & R. Platoon. He, for one, had made up his mind that he would open fire at that time.

The Americans waited. The German paratroopers took the right fork and would not be cut off. James, like Bouck, decided that he would wait for a good group to get past before letting go. About 300 men went by. Up the road came three figures, separate from the rest, obviously the commander and a couple of his staff. It was these James selected to open fire on. The time was ripe.

As James drew bead on the center figure, a little blond girl of about 13—James even noticed the red ribbons in her hair—suddenly dashed out of a house on the other side of Lanzerath, ran up to the officers, pointed quickly to the I. & R. position, and ducked back inside. James was not overconfident of his marksmanship. If he fired at the officer, he might hit the girl. He held his fire for an all important split second; in that moment the German officer gave a shout and signal; the German paratroopers dived into the ditches. The chance of ambush was gone.

The firefight began; the Germans were pinned down. Fortunately for Bouck's men, the road to the south was exposed, and the parachutists could never reinforce this isolated battalion without coming under heavy .50-caliber fire from the Americans some distance off.

The firefight never ceased all day. James dashed back to man the .50-caliber machinegun and, staying down on his knees for protection, fired by observing the strike of the bullets in the snow. He began raking the ditches and woods to the north and south. He took an inventory of his grease gun; five magazines of 19 rounds each. And then came the order to hold at all costs.

Wave after wave of Germans in mottled uniforms came up the hill, and James, firing continuously, felt a certain sickness as the tall, good looking "kids" climbed the snow fence from the road and houses. As the waves came up, all were cut down. No Germans broke or retreated. The range was so close that James could see

their faces. He tried to divorce his mind from the faces. With his grease gun, his .50-caliber machinegun and occasionally his M-1, he tried to imagine himself firing at movement, not at men.

At midmorning a white flag appeared. The Americans raised their fire, and German medical corpsmen moved about the hill, pulling out the wounded. The Americans checked their own situation and found the casualties surprisingly light.

As soon as the German medics were finished another assault came. This time the attack was supported. Hearing the hollow sounds of mortars from the valley behind Lanzerath, the men of I. & R. jumped into their foxholes. When the mortars lifted, Bouck and Scape rolled out and went up and down the position checking the condition of the men.

James went back to the .50 caliber. Three paratroopers crawled up close enough to threaten Risto Milosevich, whose .30-caliber light machinegun was protecting the left flank. The 50 could not swing fast enough; James reached for the grease gun hanging ready at his neck and cut the Germans down. In a frenzy, he stumbled over the bodies and emptied an entire magazine of 19 rounds into the corpses lying there looking at him. The impact of one of the .45 caliber slugs rolled one body clear over.

Finally a lull came. Bouck called James over to him. "Sak," he said, "I want you to take the men who want to go and get out."

"Are you coming?" asked James.

"No, I have orders to hold at all costs. I'm staying."

"Then we will all stay," said James.

Finally the Germans made a frontal assault on Bouck and James. James was out of M-1 ammunition, and his grease gun was nearly empty. An explosion picked him off his feet and seemed to send him into the next world; he had been hit in the face by a German burp gun. Yet through the haze he could still hear boots tramping by.

In the dusk Bouck could see the extent of James' wound. The right side of his face had been shot away, and his right eyeball was hanging limply in the cavern where his cheek had been. A German officer within a couple of feet took a quick look at Sak's face, and gasped under his breath, "Mein Gott."

Two other Germans closed in, ready to shoot, one weeping and muttering to himself, "Ach, Meine Kameraden." Bouck knew he was finished for sure. The German officer, however, jumped between the Germans and the two Americans shouting "Nein." At that point James passed out. Later he was to wonder if this was the officer he had fixed in the sights of his M-1 that morning. The picture of December 16, from the American point of view, is exceptionally confused, but the story of each unit bears telling individually.

In conclusion, the action of the 99th Division I. & R. Platoon 394 Infantry had successfully blocked the Lanzerath road against a force of at least a battalion, maybe more, of the 3d German Parachute Division. They had protected the south flank of the 394th against a powerful attack which might well have meant the collapse of the American position if it had been delivered in the early morning. Very important at that point.

The experiences of the Americans in other positions along the 99th Division front resembles those of Bouck's men except that the odds were more even.

Parade magazine's Jack Anderson front page story on March 25, 1979, lit the candle for public sentiment support, what with the circulation and over 50 million readership. Then came the Yankees, where the widow of hero Tsakanikas was given Presidential honors by throwing out the first ball of the first game of the champions of baseball. Mass press coverage included front page stories in major metropolitan newspapers, regional, and national television. The National Herald echoed the Jack Anderson story in the hearts of all Greek Americans throughout the United States.

The true support for hero Tsakanikas is just beginning to surface; soon in the near future it will begin to bloom. When it peaks this great country of ours will sense the moral responsibility to pay tribute to hero Tsakanikas and the other men in his platoon. He has become among the best citizens of our country by virtue of his heroic deeds on the battlefield, which valor translated American defeat into a gallant victory for the entire free world.

Gentlemen, let us not put trivial Army formalities and redtape at a higher level of priority than justice. Pfc. William James Tsakanikas has paid his dues. Hero Tsakanikas has earned the highest place in our citizenry. He has earned the Congressional Medal of Honor.

It is now your duty as servants of the people of this great Nation that have elected you to act on their behalf, your constituents, to assure hero, and Medical of Honor candidate, Pfc. William James Tsakanikas his just place in history. I pray that each of you will act without delay to promote this legislation for immediate passage by the Congress of the United States.

I would like to personally thank again Congressman Richard Ottinger, whom I believe has the noblest esteem for my brother hero William James Tsakanikas both as a man deserving the Medal of Honor and as a friend. Congressman Ottinger, since Bill's funeral, virtually has borne the full burden of this just cause. I vow, today, to help his staff and him with the full extent of my human energies and resources. I ask each Congressman and Congresswoman to join us in this human rights legislation to keep our Nation "thinking straight," as Bill would say were he alive today.

As Aristotle said, "all laws are technical in a sea of discretion." Gentlemen, we ask for your discretion to apply in this case the benefits of special legislation, just like Admiral Byrd and others have received in the past. Time has passed, taxpayers money would be involved to go through all the formalities, the Congress of the United States in my humble opinion, does have the authority to request the President to make this award without these formalities.

There has been precedence and serious consideration given, at least one, in the memory of William James, given that honor.

Mr. WHITE. Thank you very much.

Mr. Nichols.

Mr. NICHOLS. Thank you, Mr. Chairman.

I can sense the obvious pride that you have in your brother and there are certainly no questions in any of our minds about the

bravery for the deeds that he did over there. I am just curious. Was your brother able to hold employment?

Mr. JAMES. Absolutely not. If you read the detail in my testimony you will see that on several occasions he had sought and obtained employment but because of the 38 operations that he had to sustain during his life, he was not able to hold these positions. Two of them happen to be directly in conjunction with my efforts in 1964. He came to Silver Spring, Md., to assist me in the formation of a telephone computer company, and within 1 month he had to go back for an operation.

And later on, when I ran for Governor of the State of Maryland, he came down to help me in my campaign. After one day he had to go back because of medical reasons.

Mr. NICHOLS. Let me ask you what percent was he compensated at? Was he considered totally and permanently, 100 percent?

Mr. JAMES. One hundred percent.

Mr. NICHOLS. This story that you told so vividly here—Mr. Chairman, I apologize for not being here earlier in the morning, I had something I was detained at—whose story is this that you are reading from in John Eisenhower's book, is it your brother relating this story or is it other people who served with him?

Mr. JAMES. To the best of my knowledge, the documentation in "The Bitter Woods" was provided initially by my brother, who cooperated with Lt. Lyle Bouck. Subsequently it became the subject matter for the script in the film that was developed and viewed this morning, entitled "Bastogne, Where is That", which was shown this morning and both Lt. Lyle Bouck and my brother Bill were interviewed in the script in the film. And George Greb, the author of this film, had been a war correspondent that followed the European war through Africa and Italy and through Europe and was extremely competent, who had prepared the script.

It is my understanding both the script and Eisenhower's version, John Eisenhower's version, was cleared by the Pentagon as well as a direct statement from George Greb that the entire script of the film, "Bastogne, Where is That", was also cleared through the Pentagon.

Mr. NICHOLS. I have no further questions.

Mr. WHITE. Thank you.

You mentioned, and also Dr. Bouck did as well, a man in the platoon who alternated on the 50 caliber. You designated him as Sergeant—

Mr. JAMES. Slape.

Mr. WHITE. What happened to him?

Mr. JAMES. He became, as pointed out in "The Bitter Woods", a lifer, he stayed in the service for 30 years. I haven't met the gentleman yet to this day.

Mr. WHITE. Has he been interviewed at all concerning this particular bill?

Mr. JAMES. If he has ever been contacted by a Congressman's office.

Mr. NICHOLS. I believe you made the statement that no one was ever interviewed by the Army, no one member of this squad or platoon was ever interviewed by the Army?

Mr. JAMES. During the historic development of this book in the version they stopped at the outer parameters of the I. & R. Platoon and did not go within that platoon, even though in the forward of this book they stated if they talked about a platoon it is because it has relevant importance equal to an entire regiment or division.

Mr. NICHOLS. Do you know, do you have any knowledge of the Army authorities ever interviewing any of the surviving members of his platoon with reference to these needs? Is that anywhere on record, to your knowledge?

Mr. JAMES. There was a letter submitted in 1945 by my brother to Major Kriz, that I have read for the first time this morning, outlining some of the points that were the basis for the documentation in the John Eisenhower book and also the film. Except for that letter I don't know of any personal letters that appeared in that time frame.

However, in most recent months, maybe perhaps in the last year, the Army may have talked to some platoon men, but I do not know the nature or details. I have requested that information. I was told I would have to get it under the Freedom of Information Act. I was told by others who used that that it could be a year delay in getting the documents, to see what is in the Pentagon file.

Mr. WHITE. Did you attempt to contact the signatures?

Mr. JAMES. I have still been trying to. This is first I had a photograph of the men that showed up from the platoon in the reunion to identify what they looked like.

Mr. WHITE. You work in the Pentagon. Did you try to find out where he might be located?

Mr. JAMES. I am working right now not only trying to find out where he is but also where Milosevich is. I understand he is in California still working on these things.

Mr. WHITE. How long have you been working on this?

Mr. JAMES. I have devoted about 40 percent of my weekly effort in the last three months to this effort.

Mr. WHITE. Is the last few months the first time you have attempted to work on this?

Mr. JAMES. Yes. As I pointed out, my brother, and I respected his statement when he was alive, not to interfere, it was not my—

Mr. NICHOLS. I want the gentleman to know my question didn't question him that at all. This is something that happened 34 years ago. I have been involved in similar cases and I know the difficulty that your family must have had in trying to dig up information from people who you don't know where they live, you don't know whether they are living or dead. It is an awful difficult thing to come by in the way of positive information, after the passage of all these years. I didn't want you to think I was questioning in any way the veracity of your brother's statement.

Mr. JAMES. I respect that. I do want to humbly suggest, on the other hand, that for these reasons that it is difficult to reconstruct some of these stories, that the special legislation approach is the most feasible approach, and not to have to go back to the Pentagon to try to reconstruct something, because unless they have a caring interest, perhaps I hope I am showing in the matter I feel that the substance will be lacking in any investigation and it would be

frivolous to waste taxpayers money to try to reconstruct something unless you also cared about obtaining a just result.

Mr. WHITE. How many members of the platoon were at the reunion?

Mr. JAMES. I have the list here. There were approximately ten.

Mr. WHITE. Have the members of the platoon ever given any type of testimonial as to their own participation, their own observations during that action?

Mr. JAMES. We had just a social hour at that time and I didn't think it would be appropriate to ask who was pulling the triggers and who was throwing the hand grenades or whatever might have been done. I would humbly suggest, however, in the alternative, if for some reason special legislation is not provided in this matter to award the Medal of Honor to my brother, perhaps you would at least consider seriously a special investigation where someone like myself can work with the Army investigators and make sure that they are properly motivated to put the pieces together, because it is a very complex puzzle, and unless all pieces are put together in the right place the end result may be distorted.

Mr. WHITE. Thank you. Thank you very much, Mr. James. I appreciate your testimony.

At this time we call Lt. Col. Vernon Hull, Chief, Military Awards Branch, U.S. Army Military Personnel Center.

Colonel, you have a statement?

Colonel HULL. Yes sir.

Mr. WHITE. And if you would like to summarize, which we encourage, we will place your statement in full in the record at this point.

Colonel HULL. Yes sir, I appreciate the need for brevity in the interest of time.

My statement is a summary of extensive research in this case. I would like to read it.

Mr. WHITE. Proceed then.

STATEMENT OF LT. COL. VERNON HULL, CHIEF, MILITARY AWARDS BRANCH, MILITARY PERSONNEL CENTER, DEPARTMENT OF THE ARMY

Colonel HULL. I am Lt. Col. Vernon R. Hull, Chief of Military Awards Branch, U.S. Army Military Personnel Center. My office is responsible for processing recommendations for awards and decorations to U.S. Army personnel, and has staff responsibility for Army policy concerning U.S. Army decorations, medals and badges. I assumed the position of Chief of the Awards Branch in August 1978. As part of my duties, I have conducted extensive research in connection with H.R. 3225 and H.R. 3407, 96th Congress, a bill "Authorizing the President to award a Medal of Honor posthumously to William James Tsakanikas."

Records indicate that William James Tsakanikas was a member of the Intelligence and Reconnaissance Platoon, 394th Infantry Regiment, 99th Infantry Division during World War II. He entered active duty on March 24, 1943, shortly after his 18th birthday, and was discharged on October 25, 1946, as a corporal from Valley Forge General Hospital.

Mr. Tsakanikas was a prisoner of war from December 16, 1944, to March 26, 1945. He and the other members of his platoon had been captured during the early phases of the Battle of the Bulge. Mr. Tsakanikas was wounded at the time he was captured and subsequently awarded the Purple Heart. Mr. Tsakanikas' other decorations and awards included the Combat Infantryman Badge, the World War II Victory Medal, the American Campaign Medal, the European-African-Middle Eastern Campaign Medal with two bronze battle stars and the Good Conduct Medal.

Mr. Tsakanikas was also entitled to an award of the Bronze Star Medal. As this award of the Bronze Star Medal was authorized subsequent to Mr. Tsakanikas' discharge, I do not know if he ever applied for or received his Bronze Star Medal. Mr. Tsakanikas passed away in June 1977 and is buried in Arlington National Cemetery.

Mr. Tsakanikas' official military personnel file was among the millions of records destroyed by fire at the National Personnel Records Center, St. Louis, Mo., in 1973. Thus, it could not be determined from that source if a recommendation for award of the Medal of Honor to Mr. Tsakanikas had ever been submitted.

In an effort to exhaust all other possible valid sources, the unit historical files located in the Army Library, the Army War College, and the National Archives were searched. The unit histories of the 394th Infantry Regiment and the 99th Infantry Division revealed only that the Intelligence and Reconnaissance Platoon was "lost" during the Battle of the Bulge. Division staff journals, which are daily logs of communications, contained few references to the platoon, and only specifically mention Mr. Tsakanikas as missing in action along with the other members of his platoon.

No official account of the specific battle in which Mr. Tsakanikas was wounded and captured could be found, although other combat actions in the regiment in the same time frame were mentioned.

For example, as mentioned by Dr. Fernandez, the 1st Battalion, 394 Infantry Regiment, received the Presidential Unit Citation for their actions on December 16, 17, and 18, 1944.

In a further attempt to ascertain whether Mr. Tsakanikas was ever recommended for an award of the Medal of Honor, we then located and began contacting former members of the platoon, as well as members of the regiment and division staff who would have been responsible for processing and providing a command recommendation on any recommendation for a Medal of Honor.

I have personally spoken with the former platoon sergeant and platoon leader of the Intelligence and Reconnaissance Platoon, the Regimental S-2 (Intelligence Officer) who supervised their activities, two battalion commanders of the regiment, the regimental commander and the division assistant chief of staff for intelligence. Based on these conversations, the following three conclusions have been reached:

One: No one with personal knowledge of the actions of Mr. Tsakanikas on December 16, 1944, has ever recommended him for award of the Medal of Honor. The two individuals with probably the most knowledge of what occurred on December 16, 1944, were the platoon leader and the platoon sergeant of the Intelligence and Reconnaissance Platoon.

Dr. Bouck, formerly a 1st lieutenant, as you have learned, was the platoon leader. He stated to me in telephonic conversations that the combat action on December 16, 1944, was accomplished as a unit, and that the contributions of Mr. Tsakanikas were commensurate with the other members of the platoon. Dr. Bouck further stated that he did not intend to recommend Mr. Tsakanikas for an award of the Medal of Honor but that if someone else should so recommend, he would not oppose the recommendation.

Sgt. Maj. William Slape, U.S. Army, Retired, was the platoon sergeant. He stated to me that everyone in the platoon distinguished themselves by valorous acts during the combat action on December 16, 1944, but he felt it would be difficult to single out any one individual for an award as everyone was totally involved.

Two: Sufficient opportunity existed for preparation and submission of a recommendation for award of the Medal of Honor within the statutory time limitations established by the Act of Congress, July 9, 1918. Although members of the Intelligence and Reconnaissance Platoon were captured during the Battle of the Bulge, the actions of the platoon on December 16, 1944, were known to the regimental and division headquarters at least by some time in April or May 1945.

Our initial research indicated that the strong possibility existed that the combat actions of the platoon and its individual members were never brought to the attention of the regimental commander or any other member of the 99th Infantry Division. Two official documents, however, have eliminated this possibility. The platoon leader, 1st Lt. Lyle Bouck, was awarded a Silver Star for his actions with the Intelligence and Reconnaissance Platoon on December 16, 1944. This award was authorized by General Orders No. 92, July 31, 1945, Headquarters, 99th Infantry Division. The award citation refers to the combat actions of Lt. Bouck and the Intelligence and Reconnaissance Platoon.

A second document, only recently uncovered, is a letter, previously offered for the record by Mr. Lambert, from Mr. Tsakanikas to Maj. Robert Kriz, dated March 30, 1945. This letter was published in the 99th Infantry Division Periodic Intelligence Report dated May 2, 1945. In Mr. Tsakanikas' letter he provided his personal observations of the battle on December 16, 1944.

Thus it can be concluded that the commanders concerned did have knowledge of the combat actions of the Intelligence and Reconnaissance Platoon and could have submitted recommendations for appropriate decorations within the statutory time limitations. Additionally, time limitations for submission of recommendations for awards for World War II actions were extended to June 30, 1947, by the act of June 26, 1946. The act of May 3, 1950, further expanded the time period during which recommendations for awards could be considered for actions in World War II to May 2, 1952, a 2-year period.

Three: Lacking a recommendation for award of the Medal of Honor to Mr. Tsakanikas, no official record has been found to show that, during Mr. Tsakanikas' service, he performed an act of conspicuous personal bravery which would have resulted in award of the Medal of Honor.

Accounts of Mr. Tsakanikas' service during World War II do exist in the book "The Bitter Woods," by John S. D. Eisenhower. Several members of the Intelligence and Reconnaissance Platoon were interviewed by Mr. Eisenhower during his research for the book. Members of the platoon, specifically Dr. Bouck and Sgt. Maj. Slape, have stated to me that there are several inaccuracies as to the specific individual actions described in the book.

Mr. Tsakanikas' own letter of March 30, 1945, would also appear to conflict with his specific individual accomplishments described in "The Bitter Woods." Dr. Bouck also stated that while the individual actions related in "The Bitter Woods" contained inaccuracies, he felt that the book did accurately chronicle the accomplishments of the platoon as a whole.

As stated earlier, no one with personal knowledge of the incident has ever recommended Mr. Tsakanikas for award of the Medal of Honor. Should such a recommendation be submitted at some future date, limitations imposed by the Act of Congress, July 9, 1918, would preclude consideration of the recommendation by the Department of the Army. This act, from which sections 3744 and 3752, Title 10, United States Code, are derived, established stringent provisions for award of the Medal of Honor. Section 3744 requires that the medal be awarded within 3 years after the justifying act; that a statement setting forth the distinguished service and recommending official recognition of it be made within 2 years of the justifying act, and that the Department of the Army records show the individual is entitled to the award.

The act of July 9, 1918, limits award of the Medal of Honor to a period within which the facts concerning acts or services are fresh in the minds of witnesses, and those witnesses are responsible for recommending official recognition if the action warrants.

The Department of the Army believes that the limitations fixed by Congress are wise and fair provisions. These provisions have protected the integrity, honor, and prestige of this Nation's highest award for valor and that of its recipients.

If H.R. 3225 or 3407 is enacted, such an act would single out for preferential treatment an individual whose accomplishments and service were not adjudicated under the stringent criteria as were other recipients. To provide for consideration of the recommendation for award of the Medal of Honor by legislative action under these circumstances would be unjust to those who have earned the Medal of Honor by meeting the high standards established by Congress for its award.

Therefore, based on the research conducted, it is the opinion of the Department of the Army that no clear evidence of a reasonable expectation of an award or other documentation exists which would warrant waiver of the time limitations imposed by the act of Congress, July 9, 1918.

Sir, this concludes my statement. I appreciate this opportunity to appear before this committee and am honored to be here. I would be happy to answer any questions you have on my statement or any other matter concerning H.R. 3225 or 3407.

Mr. WHITE. Thank you very much, Colonel.

At this time we are going to recess. We have a vote on the floor of the House. We will be in recess for 10 minutes.

[Recess.]

Mr. WHITE. Colonel, you have completed your testimony.

Mr. NICHOLS, do you have any questions of the colonel?

Mr. NICHOLS. Yes, Mr. Chairman.

Colonel, you indicated that you had done extensive research on this case. Knowing how the Army rotates people, you are here today, gone tomorrow; was there research that you had done, all done by yourself? Did you take other people who had been in this case before you came onboard and use their information? When was the case started? That is what I am concerned about.

The fire happened in 1973?

Colonel HULL. Yes, sir.

Mr. NICHOLS. I am wondering if people prior to the time you came onboard perhaps researched these records before that time. Was that in the record anywhere? Were these records burned too?

Colonel HULL. Sir, the records that were burned were only the official files of individuals. There is no record in our files of any previous inquiry. The first inquiry was received prior to my arrival in the Military Awards Branch and I do not recall the exact date, it was about a year ago. There was a search conducted at that time for the individual's records and a search of our office records and files for an indication of a recommendation ever having been submitted or a Medal of Honor ever awarded. There was no indication that either of these actions had occurred.

Mr. NICHOLS. Would that have been in a separate file? Would that have been in a Pentagon file somewhere? Perhaps that is burned up in the 1973 fire.

Colonel HULL. No, sir. It would have been in our office. We have all the historical files for the Medal of Honor. I believe this first inquiry was in the spring of 1978. It was an inquiry from Mr. Ottinger to the Secretary of the Army for an investigation.

My office again became involved in the fall of 1978 when another bill was introduced in the last Congress to award the Medal of Honor.

Mr. NICHOLS. I am familiar with that piece of legislation.

Colonel HULL. We conducted additional research at that time. The research has been conducted by myself and other members of my staff who are currently there, predominantly one individual in addition to myself.

Mr. NICHOLS. Now, Colonel, I notice you wear the Combat Infantry Badge.

Colonel HULL. Yes, sir.

Mr. NICHOLS. Did you serve in Vietnam?

Colonel HULL. Yes, sir, I did.

Mr. NICHOLS. The thing that strikes me is, here is a guy that spent 4 years as a—4 months as a POW, had half his face shot away, had an eye shot away, so he got the Good Conduct Medal and he got the Combat Infantry Badge, and finally we send him a Purple Heart. It strikes me as rather unusual and a little niggardly on our part that some additional recognition—I am not championing for a Medal of Honor—but obviously from the recount that I get, these people, perhaps the whole platoon certainly was entitled to something beyond a marksmanship badge, you know.

Colonel HULL. Yes, sir.

Mr. NICHOLS. And I just wonder how that strikes you as a combat infantryman.

Colonel HULL. Sir, the Bronze Star Medal was also awarded. It was awarded retroactively based on a decision made within the Army in 1947 to recognize frontline achievement. The Bronze Star Medal was not authorized for award until February 1944. It was felt that many of the accomplishments and achievements and acts of valor prior to that time were not appropriately recognized; that it was a new medal and was not readily accepted and used in the first few months—that it would be appropriate to recognize that valor and those contributions of the frontline soldier. So it was authorized to award the Bronze Star to anyone who had been awarded the Combat Infantryman's Badge or Combat Medical Badge. It was an attempt to recognize that frontline achievement.

Mr. NICHOLS. But this was sort of a blanket situation?

Colonel HULL. It was, sir.

Mr. NICHOLS. Everybody that was there, everybody that smelled the smoke of battle, was up there, whether he got half his face blown away, his eye out, whether he led the troops and decided to stay when the others left to defend his position, he got the same recognition? It was sort of a blanket award that was given, as I recall, to a good soldier in a combat outfit who did his thing on the front line at that time?

Colonel HULL. That is correct, sir.

Mr. NICHOLS. OK. Now I wanted to talk a little bit about the people that you interviewed. I am not overly perturbed at the regimental commander and the division commander because these people had other fish to fry, but I am very much concerned about the people that were with him, the people that were there.

Colonel HULL. Yes, sir.

Mr. NICHOLS. And you have testified that in your efforts to try to locate some further information on this, that you came across two people, the platoon leader who was a lieutenant at the time and who has testified before the committee here today, and the platoon sergeant. Was he a buck sergeant, sergeant major, what was he at the time?

Colonel HULL. I do not know his exact grade at the time.

Mr. NICHOLS. Is this man still around?

Colonel HULL. Yes, sir, he is; he is a retired sergeant major of the Army, command sergeant major.

Sir, he was not the sergeant major of the Army, he was a command sergeant major.

Mr. NICHOLS. Where is he?

Colonel HULL. Sir, he lives in Shreveport, La.

Mr. NICHOLS. How did you get the information from him? Did you do it by phone?

Colonel HULL. I did, sir.

Mr. NICHOLS. Talk to him on the phone? OK.

Am I correct in effect what the sergeant indicated—and he was there, he was present, he was physically there at the time?

Colonel HULL. Yes, sir.

Mr. NICHOLS. This is not hearsay, not read out of somebody's book; it is a man that recalls the ice and snow and the mud and knows something about that day, December 16. His statement in

general, and I don't want to say something, put words in your mouth, but as I understood his statement was that the whole outfit distinguished themselves.

Colonel HULL. That is correct.

Mr. NICHOLS. It would be difficult, in effect, for him to single out one individual over others; he felt like the whole outfit were darned good soldiers.

Colonel HULL. Yes, sir.

Mr. NICHOLS. And performed exceptionally well at that time.

One other thing I want—Mr. Chairman, if I am taking too long—

Mr. WHITE. Not at all.

Mr. NICHOLS. Let me ask you about this: This restriction on awarding Medals of Honor, you say there is a 3-year restriction, that was extended on to 1952, in World War II cases?

Colonel HULL. That is correct, sir.

Mr. NICHOLS. OK. Were other awards, for instance the DSC, Silver Star, that sort, does this same restriction apply to those as well as the Medals of Honor?

Colonel HULL. Sir, the time limitations that were established by the law, the act of 1918—

Mr. NICHOLS. Let me give you a specific. Suppose I wanted to put in one of those men today for a Silver Star, let's say, would a time restriction prevent me from making that recommendation in that nobody said anything about that until this time?

I believe—I do not recall any such restriction on other awards.

Colonel HULL. The restriction only applies by law to the Medal of Honor, Distinguished Service Cross, and the Distinguished Service Medal. All of the services have applied, however, those same limitations to all decorations and unit awards.

Mr. NICHOLS. Say that again if you do not mind.

Colonel HULL. Glad to, sir.

The public law, the act of 1918, applies only as far as the time limitations on the Medal of Honor, Distinguished Service Cross, and the Distinguished Service Medal. The services, however, have applied the same time limitations to all decorations, less the Purple Heart, and to all of the unit awards.

Mr. NICHOLS. It is not by law but by regulation?

Colonel HULL. By regulation, that is correct, sir.

Mr. NICHOLS. OK.

I missed the letter that you referred to. Who did that letter go to?

Colonel HULL. Sir, the letter was addressed to Maj. Robert Kriz, who at that time was a battalion commander in the regiment. Previously, on the 16th of December 1944, however, he had been the regimental S-2 Intelligence Officer and he had supervised the activities of the I. & R. platoon.

Mr. NICHOLS. What was the purpose of that letter, why did he write that letter, whenever he wrote it, in 1952?

Colonel HULL. No, sir. The letter was written in 1945.

Mr. NICHOLS. OK. How did you come by that letter?

Colonel HULL. Sir, Mr. Lambert, who was in the platoon, brought the letter to my attention approximately a month ago—the exist-

ence of that letter, that is. He had stated that it appeared in the division G-2 periodic intelligence report.

We went to the National Archives and to other sources in the area here trying to locate that letter, and we could not do so. Mr. Lambert called me about a week ago and said that he had located the letter in the Eisenhower Library and at that time I obtained a copy of it from the Eisenhower Library.

Mr. NICHOLS. I believe that is all of my questions, Mr. Chairman.

Mr. WHITE. Thank you, Mr. Nichols.

Colonel, this is maybe a difficult question to answer and you may not have the record right now. But as the Battle of the Bulge can be delineated, about how many individual decorations were awarded for the Army?

Colonel HULL. Sir, I have no idea whatsoever.

Mr. WHITE. Is there any way to obtain some record on that?

Colonel HULL. I would doubt it, sir, an accurate count or even a close approximation. The reason—

Mr. WHITE. Let's confine it then to this division or this regiment.

Colonel HULL. Yes, sir.

There is a publication that was put out by division, I believe, which does list different individuals who received decorations. However, I do not think it was confined strictly to the Battle of the Bulge, but to their entire combat service during World War II.

Mr. WHITE. How many Medals of Honor came out of the Battle of the Bulge?

Colonel HULL. I have no idea, sir.

Mr. WHITE. Were there any?

Colonel HULL. I do not know, sir.

Mr. WHITE. Is that available?

Colonel HULL. The regimental commander whom I spoke with mentioned that his executive officer received the Medal of Honor at Ramagen. That was later.

Mr. WHITE. We would like you to advise the counsel on this subject if you would, please.

Colonel HULL. I would be happy to provide it, sir.

Mr. WHITE. All right.

[The following information was received for the record:]

AWARD OF MEDAL OF HONOR—WILLIAM JAMES TSAKANIKAS

Colonel Hull. During World War II, U.S. Army personnel received 293 Medals of Honor. Of these, 32 awards of the Medal of Honor were presented for heroic actions during the Battle of the Bulge (16 December 1944-28 January 1945).

Only one member of the 99th Infantry Division received a Medal of Honor during World War II. Technical Sergeant Vernon McGarity, 393 Infantry Regiment, 99th Infantry Division received the Medal of Honor for his actions on 16 December 1944 near Krinkelt, Belgium.

Mr. WHITE. Now, if this committee should remove the limitation statutorily and also override the regulation as to this particular platoon, not the regiment, talking about the platoon, then I presume your procedure would be to examine each member of that platoon?

Colonel HULL. Upon application, sir. At the present time there is no recommendation for an award either to an individual or to members of the platoon as a whole.

Mr. WHITE. All right.

Now if the limitation were removed and a recommendation were made for any degree of award to any one of the members of the platoon, then do your recommendations encompass only that category or do you look at all gradations of award? In other words, a man may not be entitled to, say, a Distinguished Service Cross but he might be entitled to a Silver Star or something of that nature; is this part of the procedure that you have?

Colonel HULL. That is correct, sir.

If I may give an example. If a recommendation is received for a Distinguished Service Cross, there are certain levels which may approve an award of the Distinguished Service Cross. The Vice Chief of Staff of the Army in this case. It may be approved or it may be downgraded to any lesser award, such as a Silver Star or Bronze Star.

Mr. WHITE. I believe you mentioned somewhere in your testimony certain criteria that must be met for the Medal of Honor. Did I understand that from your testimony?

Colonel HULL. Yes, sir.

Mr. WHITE. Would you repeat that or designate what section that was? And then, please, give me the designation or the criteria that your awards division follows in the nature of Medals of Honor and also, of course, the Distinguished Service Cross.

Colonel HULL. The criteria for award?

Mr. WHITE. Yes. The criteria, yes, and even go so far as the Silver Star, if you have it with you.

Colonel HULL. I do, sir.

Sir, the criteria for the Medal of Honor are specified in Army regulation 672-5-1, paragraph 2-6:

The Medal of Honor is awarded by the President in the name of the Congress to a person who, while a member of the Army, distinguishes himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty while engaged in an action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party. The deed performed must have been one of personal bravery or self-sacrifice so conspicuous as to clearly distinguish the individual above his comrades and must have involved risk of life. Incontestible proof of the performance of service will be exacted and each recommendation for an award of this decoration will be considered on the standard of extraordinary merit. Eligibility is limited to members of the Army of the United States in active Federal military service.

Mr. WHITE. Now, that is a criterion set forth by your regulation?

Colonel HULL. That is true.

Mr. WHITE. Not by the statute?

Colonel HULL. That is correct.

Mr. WHITE. I think it would be helpful to the members at a later date if you should please furnish us with the criteria in those three categories of awards so that we may have those to study in more depth.

Colonel HULL. Yes, sir.

Mr. WHITE. Read the Distinguished Service Cross, see what that criterion is.

[The following information was received for the record:]

AWARD OF MEDAL OF HONOR—WILLIAM JAMES TSAKANIKAS

Colonel Hull. The criteria for award of the Medal of Honor, Distinguished Service Cross and Silver Star are contained in Title 10, United States Code, sections 3741, 3742 and 3746. These criteria are as follows:

3741. Medal of Honor: award

The President may award, and present in the name of Congress, a medal of honor of appropriate design, with ribbons and appurtenances, to a person who while a member of the Army, distinguished himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty—

- (1) while engaged in an action against an enemy of the United States;
- (2) while engaged in military operations involving conflict with an opposing foreign force; or
- (3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

3742. Distinguished-Service Cross: award

The President may award a distinguished-service cross of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Army, distinguishes himself by extraordinary heroism not justifying the award of a medal of honor—

- (1) while engaged in an action against an enemy of the United States;
- (2) while engaged in military operations involving conflict with an opposing foreign force; or
- (3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

3746. Silver Star: award

The President may award a silver star of appropriate design, with ribbons and appurtenances, to a person who, while serving in any capacity with the Army, is cited for gallantry in action that does not warrant a medal of honor or distinguished-service cross—

- (1) while engaged in an action against an enemy of the United States;
- (2) while engaged in military operations involving conflict with an opposing foreign force; or
- (3) while serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party.

Colonel HULL. The Distinguished Service Cross is awarded to a person who, while serving in any capacity with the Army, distinguishes himself by extraordinary heroism not justifying the award of the Medal of Honor while engaged in an action against the enemy of the United States, 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. The act or acts of heroism must have been so notable and have involved risk of life so extraordinary as to set the individual apart from his comrades.

Mr. WHITE. Not too much a gradation there, is there?

Colonel HULL. No, sir.

Mr. WHITE. Now, do you have a number of—a compendium of awards of the past describing the deeds of the individuals?

Colonel HULL. For the Medal of Honor?

Mr. WHITE. Given in the last three wars, World War II, Korea, and Vietnam.

Colonel HULL. Yes, sir.

Mr. WHITE. You could furnish that to the committee.

Colonel HULL. Sir, that is listed in the Senate Committee Print No. 3 and is a recent edition, dated February 14, 1979.

Mr. WHITE. I understand from counsel that we do have that and I would like that to be furnished to the membership so they could study it as well.

One thing that you said in your testimony attracted my curiosity. You said based on his award of the Combat Infantry Badge during World War II, Mr. Tsakanikas was also entitled to an award of the Bronze Star Medal. Now I did not know that they were in tandem; that if you got the Combat Infantryman's award you would also be entitled to the Bronze Star. Is this the way I understand it?

Colonel HULL. Sir, in 1947 a decision was made to award the Bronze Star Medal to those individuals who had been awarded the Combat Infantry Badge or the Combat Medical Badge during World War II and for two reasons; the first reason being, the Bronze Star Medal did not become available until February 1944, thus deeds prior to that date went unrecognized; and secondly, because it was a new award, it was not used extensively and it was felt that the valor displayed by many of the soldiers on the front line should receive additional recognition.

Mr. WHITE. Did all services follow that same lead?

Colonel HULL. Sir, I do not know the answer to that question. The Combat Infantry Badge of course is an Army badge.

Mr. WHITE. I did not know if it went to any other unit at that time.

Do you know of any negative reaction if we should remove the limitation on this unit as to all personnel—the 18 men on the line at the time? That would be separate, of course, to application for an award.

Colonel HULL. Negative reaction; no, sir, it would not be a negative reaction. I do not feel there is sufficient information available that would warrant waiver of time limitations. The information that has been provided for the most part comes from "The Bitter Woods," which has been shown to contain inaccuracies, and there is no one to this date who was there who has ever recommended or chronicled the actions of that day.

Mr. WHITE. Were there any other units that were engulfed at the time in this action that did not come to light until after or that may have been missed in terms of evaluation of their combat effectiveness, or their valor?

Colonel HULL. Sir, that is not a matter of record that I am aware of.

Mr. WHITE. What I am driving at is, is this an unusual situation? Is this such an unusual situation that we would not be creating a precedent if we should remove the limitation?

Colonel HULL. I do not feel it is an unusual situation, sir. I have never actioned any other request for retroactive awards for such a large number or a unit; it is normally an individual who was not recommended for an award within the time limitations. But the deeds of someone on the field of battle are quite often unrecorded and quite often unknown, and quite often, in World War II particularly, the only recognition was a Purple Heart and the subsequent award of the Bronze Star Medal.

Mr. WHITE. Mr. Nichols.

Mr. NICHOLS. Mr. Chairman, on that point, might I ask, have there been any Medals of Honor awarded to World War II bravery since 1952?

Mr. WHITE. One or two.

Mr. NICHOLS. Two, I am sorry. You indicate those closed in 1952?
Colonel HULL. Yes, sir.

Mr. NICHOLS. OK. What I am asking is, was it closed tight? Have there been any exceptions to that?

Colonel HULL. Sir, I am not aware of any Medals of Honor that have been awarded since that date.

Mr. NICHOLS. Would you furnish that information to the committee?

Colonel HULL. I would be glad to.

Mr. NICHOLS. Have there been any waivers such as the chairman is asking about? You may have to furnish that information for the record.

I would be interested in knowing, with all deference to Admiral Byer, he was a great individual—

Colonel HULL. Sir, I think I can answer those questions right now if I may.

Our records indicate that no Medals of Honor have been awarded based on a waiver or as a result of a waiver of the time limitations. There has been one exception, in the Marine Corps, Mr. Tony Casamento, and the time limitations were waived for a consideration of a Medal of Honor. Mr. Casamento was subsequently awarded a Navy Cross.

Mr. NICHOLS. Was that done by the Congress?

Colonel HULL. The time limitations were waived by Congress, that is correct.

Mr. WHITE. When was that?

Colonel HULL. I think about a year ago.

Mr. WHITE. So if the committee in its judgment elected to waive these limitations, it would not establish an altogether unheard-of precedent; they have been waived before?

Colonel HULL. That is the only example of which I am aware. The other individuals who received the Medal of Honor, Bennett, Byrd, Lindbergh, Greeley, and Mitchell, were awarded the Medal of Honor by special acts of Congress.

Mr. NICHOLS. And were not necessarily related to military action?

Colonel HULL. That is correct, sir.

Mr. WHITE. The Casamento case I believe was an instance where Mr. Casamento had been offered a Navy Cross and had turned it down at one time because he felt he was justified to get the Medal of Honor. He had been recommended, pardon me, the Navy Cross or a medal. The Congressional Medal of Honor did come before a board for consideration. In any event, time lagged on until the limitation ran and then he was without any medal. So the Congress decided they would remove the limitation so they could go back and reconsider his case and award whatever they felt was justified.

Mr. NICHOLS. If I might pursue this further, the second point you made was that sufficient time in the judgment of the Army had elapsed in the 1944-45 time frame within that 2-year period; the knowledge of the bravery of these men had been established, the people had gotten removed from the prisoner-of-war camps, and they were back, and so forth. That does not come as any particular

surprise to me that something was not done about it at that time. Really, it does not.

People were trying to get the war wound up, these people were so glad to get out of the prisoner-of-war camps, getting back home, medals were the furthest thing from their minds.

Colonel HULL. Yes, sir.

Mr. NICHOLS. The picture that has been drawn for me is that here was a hell of a fire fight, I mean this guy had a machinegun, he had a grease gun, I am familiar with both of them, and I have a mental picture of the kind of soldier he was. He was gung ho. He was probably foolish, but he was a hell of a soldier. I know those kind, I served with them. I am familiar with the terrain and the conditions in which the Bastogne area and the Battle of the Bulge took place.

I want to ask you, to your knowledge the only two living, remaining survivors of that platoon are the platoon leader and the platoon sergeant?

Colonel HULL. No, sir.

Mr. NICHOLS. There are others?

Colonel HULL. There are numerous others. In fact, one is sitting in the room that was on the hill.

Mr. NICHOLS. Nine or ten of them?

Why are those other eight individuals—have you not had time to get information from them? Why were they not—did you not know about them?

Colonel HULL. No, sir, I did know about them. Not in the beginning because our initial indication was that there were no other survivors after Mr. Tsakanikas passed away in June of 1977. I did not contact every member of the platoon because my search was limited to finding a recommendation or the possibility of the existence of a recommendation for the Medal of Honor for Mr. Tsakanikas. Based on the conversations I had with the principals in the platoon and other levels above them—

Mr. NICHOLS. Are you saying there was some evidence, or there was some evidence to the fact that perhaps he had been put in for a Medal of Honor prior to this?

Colonel HULL. There is no evidence whatsoever.

Mr. NICHOLS. Nobody has said that they thought that somebody did put him in?

Colonel HULL. No, sir.

Mr. NICHOLS. For a Medal of Honor?

Colonel HULL. No, sir.

Mr. NICHOLS. OK. But you testified that the reason that you contacted these two people was in the main to find out if they knew anything about somebody having put a recommendation in within a stipulated time frame?

Colonel HULL. That is correct, sir.

Mr. NICHOLS. OK. And the platoon leader was an officer, platoon sergeant major, or was the top NCO, the logical people that might have had such knowledge?

Colonel HULL. That is correct, sir.

Mr. NICHOLS. Suppose in the wisdom of the committee that we elected to ask for an extension of time, I personally feel from the testimony that has been presented here today, and what you

brought us from the platoon sergeant, that every man in this outfit distinguished himself on that particular day.

Now obviously some of them are not around. Suppose—10 of them left?

Colonel HULL. Yes, sir.

Mr. NICHOLS. How many in this platoon to start with?

Colonel HULL. Eighteen were on the hill that day.

Mr. NICHOLS. Is there any precedent in the annals of the Army that you know about for awarding an entire platoon—I am not trying to cheapen any medal, I am not suggesting the Medal of Honor particularly—but I am saying, is there any precedent for awarding an entire squad or an entire platoon some sort of decoration, in some cases posthumously, to the entire unit?

Colonel HULL. I am sure that has happened on occasion; as far as documentation of that happening, I would have to conduct a search for that.

Mr. NICHOLS. If such recommendation were made by the platoon leader or the platoon sergeant and if the restrictions, limitations were lifted, the Army would certainly have to look at it.

Colonel HULL. Oh, absolutely, sir, absolutely.

Mr. NICHOLS. For the entire platoon, dead or alive?

Colonel HULL. Any recommendation that would come to me, if the time limitations are waived, would receive full consideration.

Mr. NICHOLS. I would be interested and I would ask you to research if you know of any such precedent for awarding an entire squadron or an entire platoon in such cases.

Colonel HULL. Normally a platoon or a unit, company or battalion would be recognized by award of a Distinguished Unit Citation, which was given in World War II, later changed to Presidential Unit Citation.

Mr. NICHOLS. Yes.

Colonel HULL. Since World War II there have been other unit awards brought about.

Mr. NICHOLS. I am not thinking of a unit award, I am thinking of individual awards to these people, these individuals.

Colonel HULL. I do not think that would set an unusual precedent, sir; I think that has been done in the past.

Mr. NICHOLS. Thank you, Mr. Chairman.

Mr. WHITE. Thank you, Mr. Nichols.

Colonel, one other question.

In the event that this subcommittee should remove the limitations, I do not imagine they would want to open it up endlessly. What would be a fair time in which persons could come forward, make their applications and presentations for you and your office to make adequate investigation under those conditions?

Colonel HULL. Sir, I think that would take an extensive period of time because of the passage of time that has occurred, 35 years after the fact. There are contradictions about exactly what happened. We do not know exactly what happened.

The book, "The Bitter Woods," cannot be used as a basis for an award because it is just not accurate. People forget in 35 years exactly what happened. This has become obvious from my conversations with not only members of this platoon but from other cases that I have worked on.

There is no doubt that the platoon distinguished themselves on that particular day. But as to individual awards or the individual achievements, trying to ascertain exactly what those were would be extremely difficult. It would take a considerable amount of correspondence, cross checking, trying to find out exactly what happened.

I would like to give it some more thought but I could provide that for the record.

Mr. WHITE. Test it out.

In terms of years, would you need more than 2, 3, 5 years?

Colonel HULL. No, sir. Two years would be more than sufficient. A lot depends on when we receive the recommendation.

Mr. WHITE. I understand that. I was of course taking into account notice to people so that they could come forward, for the time to get the news around.

Colonel HULL. Yes, sir.

Mr. WHITE. Counsel, do you have any questions?

Mr. PRICE. If possible, we would like to place in the record a statement submitted to us by Mr. George M. Steinbrenner III.

Mr. WHITE. All right.

At this time the Chair without objection will place in the record the statement of Mr. George M. Steinbrenner III, and also the statement of Mr. Samuel L. Jenkins, in behalf of the passage of this bill.

[Statements will appear in alphabetical order following the conclusion of oral testimony.]

Mr. WHITE. Do you have further questions?

Mr. NICHOLS. Mr. Chairman, is this letter to Major Kriz a part of the record?

Mr. DAVID PRICE. Yes, sir, it is.

Mr. WHITE. I understand it was placed in the record in the course of the testimony earlier by Mr. Lambert.

Mr. NICHOLS. As you conclude your session here, Mr. Chairman, I am moved by the next to the last paragraph, Major Kriz, "A luckier man than I never lived. However, I still wish I were in good enough shape to come back to you or shall I say our outfit."

I think that points up the kind of soldier we are talking about.

Mr. WHITE. Undoubtedly.

Thank you very much, Colonel.

Do you have something to add to the record?

Off the record.

[Discussion off the record.]

Mr. WHITE. Colonel, it has been suggested that Mr. Dickie earlier, about 10 years previously, requested of the Department of the Army to give an award or some special recognition to the entire platoon. The inquiry was whether or not that was followed up.

Do you have knowledge of this?

Colonel HULL. I have never seen any earlier correspondence.

Mr. WHITE. Would you run it down and advise this committee for the record?

Colonel HULL. Yes, sir.

[The following information was received for the record:]

Department of Army has no record of any previous recommendation submitted by Mr. Dickie for awards to members of the Intelligence and Reconnaissance Platoon. Based on the reply from Department of Army as stated by Mr. Dickie (pg 48 C-D) it

would appear that in 1969 Mr. Dickie wrote to his Congressman, Representative Ogden R. Reid, recommending that the members of the Intelligence and Reconnaissance Platoon, 394th Infantry Regiment receive the Medal of Honor for their actions in World War II. Mr. Dickie's letter was undoubtedly forwarded to Department of Army for consideration. The reply to Mr. Reid from Department of Army is similar to replies currently provided by Department of Army on recommendations received which are for acts of valor, achievement or service, but were not submitted within statutory or regulatory time limitations.

Although I cannot state exactly what research was conducted in 1969 by Department of Army in regards to Mr. Dickie's recommendation, it would appear, based on comments contained within the reply, that a records search was conducted to ascertain whether any members of the Intelligence and Reconnaissance Platoon had ever been recommended for or awarded the Medal of Honor. In the absence of such information or evidence, no consideration of a recommendation submitted subsequent to the expiration of statutory time limitations could be given.

Mr. NICHOLS. Mr. Chairman, in connection with that, I would ask—I think it would be important if Mr. Dickie had correspondence of that nature if he could provide that to the committee or to the colonel.

Mr. WHITE. Do you have?

Mr. DICKIE. I submitted it to someone and they photocopied it for you earlier.

Mr. WHITE. Counsel tells me it is in the record.

Thank you very much.

There being no further business—Mr. James.

Mr. JAMES. I did not hear if the Jack Anderson statement went into the record.

Mr. WHITE. We do not need to have it in the record. It is public knowledge.

We are delighted to have the opportunity—is there another statement?

Mr. JAMES. Yes.

Mr. WHITE. Fine. Without objection the letter of Mr. Jack Anderson, and without objection the articles, will go into the record.

Mr. JAMES. The only other letter I know of is from Dr. Almer Phillips, Bill's best friend, combat veteran, disabled, who conversed with my brother, Lieut. Lyle Bouck, Colonel Eisenhower.

Mr. WHITE. Do we have it here?

Mr. JAMES. Yes.

Mr. WHITE. Without objection that letter will also be placed in the record at this point. We will have to be cutting off very soon.

Mr. DICKIE. Do you have any information from George Grepp, the producer of the film? Do you have a statement from him?

Mr. WHITE. I do not know whether we have or not. We cannot take it unless somebody offers it. Has anyone offered that testimony?

Mr. JAMES. He indicated to me last week that he would have one in here.

Mr. WHITE. Without objection, the record will remain open for 5 days so that any additional statements may be presented to the record from any source.

Mr. DICKIE. One statement.

Can the record show that it is anticipated that from Mr. George Grepp a statement will be received wherein the Pentagon made a comment with regard to the film that if there had been no I. & R. platoon there would have been no Bastogne? That statement came from the Military War College, I believe, when they viewed the

film, that the size of the unit created a visible deviation in the line where the German Army was to come through and, if that deviation had not been there, there would have been no Bastogne.

Mr. WHITE. His letter I am sure when it is received will speak for itself. Actually, this is not the regulation procedure.

[Discussion off the record.]

Mr. WHITE. Colonel, in the course of training of an officer, is he given instruction in not only military justice but also in the system of award, conduct of a soldier, et cetera?

Colonel HULL. Such classes are given from time to time. What classes were conducted in the 1940's and World War II I have no way of knowing. Dr. Bouck I think could answer that question. I think the subject of military awards in a combat environment is normally quite well-known to the members of the chain of command.

Mr. WHITE. Thank you.

I think we are going to have to cut off now. If you would like to submit further statements we would be happy to have them.

[Discussion off the record.]

Mr. WHITE. Thank you, Colonel. We appreciate your appearance.

We are going to at this time let Dr. Bouck come back to the stand.

Dr. BOUCK. Yes, sir.

Mr. WHITE. Dr. Bouck, do you have a statement you wish to make?

Dr. BOUCK. They are asking was I aware of?

Mr. WHITE. Yes, sir.

Dr. BOUCK. I could not really tell you that we were taught or that we were not taught. When I went to Fort Benning the war was hot, the world was on fire, and really what they taught us was what we must do in the field.

I really do not know that we had a formal class. I am sure I was aware of all of these decorations. And I have said to the Tsakanikas families, I have said to members of my platoon, and I readily admit if anyone was derelict in their duty it was the followup that I did not do something in the way of decorations, and I attempted to qualify this morning in my testimony that I was so sick and undone and so grateful to return home and to survive that the decorations and the medals and all of the things that went at that time, while they have their proper place, just did not even loom in my life and I am sorry that it happened in this way, but that is the truth.

Mr. WHITE. Thank you very much.

[The following additional statements were received for the record:]

WRITTEN STATEMENT OF MR. JACK ANDERSON, COLUMNIST

Chairman White and Members of the Subcommittee, I appreciate your invitation to submit a statement of support for legislation to give long overdue recognition to William James Tsakanikis, an unsung GI hero of the Battle of the Bulge. I do so wholeheartedly. Bill James, who died of his World War II wounds in 1977, has been forever remembered by 17 other American soldiers who fought at his side in an epic stand at the little Belgian crossroads known as Lanzerath. Military writers, including Col. John Eisenhower, have credited their fierce resistance against a Panzer tank column of Germans with having blunted an enemy thrust which might have denied the allied forces victory over Hitler.

I know I needn't remind the Subcommittee of the vital stakes involved in the Battle of the Bulge that erupted in a surprise Nazi blitzkrieg in December, 1944. But what happened at Lanzerath has gone unrewarded and forgotten by the brass-bound officialdom at the Pentagon.

The Pentagon fails to see any heroism in the fact that 18 brave Americans fought off an overwhelming force of Germans for 18 crucial hours in the opening of the Nazi offensive on December 16, 1944. Not one of the enlisted men in that lost patrol ever received a medal.

When Congressman Ottinger introduced his bill last session to authorize a posthumous Medal of Honor for Will James, the Pentagon shot it down on technical grounds that no formal recommendation was made within two years of James' valorous actions at Lanzerath. Ignored was the fact that the patrol's leader, Lt. Lyle Bouck, was taken captive and spent months in a Nazi prison camp. Upon being liberated, Bouck was seriously ill and hospitalized for months. He was scarcely in position to send any recommendations through channels.

The account I wrote of the forgotten fight at Lanzerath for Parade Magazine on March 25 of this year shows that every man in the patrol demonstrated heroism far beyond the call of duty. I believe Will James exemplified heroism deserving of the Medal of Honor. He sustained grievous wounds and lived in pain for the rest of his life, demonstrating the same brand of courage he showed as a soldier.

His wife, his sons and his friends in Port Chester, N.Y., remember him as a hero. More than 50,000 fans at opening day at Yankee Stadium this year applauded his memory. The readers of Parade agree that Will James was an authentic hero. The mail response to the article was extraordinary.

A lifelong friend, Joseph E. Dickie, petitioned this Subcommittee to testify on the Ottinger bill. He volunteered to take time off from work to "bring recognition of any kind to this splendid human being."

From Auburn, Maine, Robert P. Boucher wrote me: "I am one of the hundreds of sailors that were in the port of Antwerp in December, 1944 . . .

"He and all his platoon fought the Germans so that we could be saved from being prisoners of war or shot to death. We were on alert 24 hours a day, not knowing when we would be attacked by the Germans. I was on the Kenyon L. Butterfield liberty ship, bring supplies to the soldiers. We were being buzz-bombed every hour on the hour . . .

"Thanks to Will James, I came home safely and raised two children and have now been married 30 years.

"I hope and pray that he gets the posthumous Medal of Honor. He and his platoon members deserve it."

Gail Rodriguez of San Diego said after reading the Parade article: "I have always wondered why we don't hear that much about our great American heroes, and I appreciated the opportunity to read about William James. I agree he should receive the Medal of Honor.

"The story brought me to tears, but it also made me proud. I would like to hear more about Will James and others like him."

An Adelphi, Maryland, World War II veteran of the Bulge, Walter Mictus, wrote "when you spoke up for Tsakanikas you brought in a ray of sunshine into the hearts of many dogfaces."

That you as Members of Congress are the only ones to move the Pentagon paper shufflers off their inertias is shown by a letter we received from retired Gen. Bruce C. Clarke in Palmyra, Va., who held command during the Bulge. He informed us that the Army stiffly rejected his effort to get one of his former GI's a Distinguished Service Cross as a battle hero because "the recommendation had to be submitted inside of three years after the event."

As an ex-serviceman, I want the Medal of Honor to be a cherished prize as our nation's highest award for valor. I sincerely believe that William James Tsakanikas deserves it.

I doubt that Abraham Lincoln, our first President to confer the award on our military heroes, meant that a two-year statute of limitations should limit our recognition of courage on the part of servicemen who showed bravery and sacrificed themselves like Will James.

I offer in evidence a Medal of Honor certificate sent me by Richard W. Beasley of Morristown, Tenn. It shows that Lewis A. Grant, a Brevet Major General in the War Between the States, was awarded the Medal of Honor on April 25, 1893, for "personal gallantry and intrepidity displayed in the management of his brigade and in leading it in the assault of Salem Heights, Va., May 3, 1863, in which he was wounded."

It seems compelling to me that if a Civil War Major General could be honored 30 years after his exploit with a Medal of Honor, a brave World War II GI Joe like

Will James is equally entitled to some recognition thirty-four-and-a-half years after his heroism at Lanzerath.

I think the American people are hungry for the spirit of heroism in an era when anti-heroism seems to be the fad. At a time of gas lines and grab what you can, they are looking for examples of self-sacrifice on the part of their fellow citizens.

The passage of the bill proposed by Congressman Ottinger would go far to demonstrate that heroism and self-sacrifice are not dead in this country—that they are still honored. I look forward to your approval of the legislation.

AFFIDAVIT OF SAMUEL L. JENKINS

STATE OF TEXAS,
County of El Paso

Before me the undersigned authority, a notary public in and for the County of El Paso, State of Texas, on this day personally appeared Samuel L. Jenkins, to me known, and after being by me duly sworn did depose and say:

My name is Samuel L. Jenkins, residing at 7408 Dale Road, El Paso, Texas. I served in the Intelligence and Reconnaissance Platoon of the 394th Infantry Regiment, 99th Division, serial number 38440166, with rank of corporal, during the European Theater of Operations, in the year 1944.

I had joined the I & R Platoon in April 1944 at Camp Maxey, Texas, where we took extensive training, there being 23 enlisted men and one officer in the platoon. Following training at Camp Maxey the division embarked from Boston, Massachusetts, for England where further training took place. On November 3, 1944, the division left England for the continent and on to the Belgian-German border.

This platoon carried out extensive foot patrols in the area of Buchholz Station and Loshiemergraben, facing the Siegfried Line, manned by the German Army. The platoon was subsequently placed in position in November 1944 on a hill overlooking the small town of Lanzerath, Belgium. Fox holes were completed and these overlooked Lanzerath from a distance of 200 to 300 yards. Patrols were carried out from this position by members of the platoon, which was in constant contact with Regimental Headquarters.

The early morning of December 16, 1944, our position received heavy artillery fire from the enemy, which was progressive in nature, starting at our position and proceeding on to other positions on our left rear. This artillery barrage was repeated several times during the hour. A few minutes later, four men from the I & R Platoon, including 1st Lt. Lyle J. Bouck and Pfc. William James Tsakanikas, made a patrol into Lanzerath and confirmed a large German force approaching north toward Lanzerath on a road which ran through the town and in front of our positions. Upon seeing that the patrol returned safely from the town, preparations were carried out to make attempts to defend the platoon's position. Regiment was notified of the enemy force, and artillery was requested, but failed to materialize. When the Germans had proceeded partially through Lanzerath, the platoon opened fire and a fight developed between the 18 men of the platoon and the German force, which appeared at the time to be of at least battalion strength. The fierce fighting continued throughout the day, with waves of the enemy attacking the position of the platoon. The heaviest weapon available to the platoon was a .50 cal. machine gun mounted on a jeep, but which was manned by members of the platoon with disregard for the danger to themselves. As the fight continued, it was evident that the platoon was inflicting heavy casualties on the enemy as they advanced, wave after wave, up the hill toward the platoon's position. As dusk approached, and with ammunition running low, Lt. Bouck ordered myself and Pfc. Robert Preston, who shared my foxhole with me, to attempt to make contact with Regimental Headquarters, in order to get help, or orders to withdraw. The radio communication of the platoon had long been destroyed earlier in the day during the heat of the battle. Preston and I were unable to make contact with any American forces, and spent the next 36 hours avoiding contact with German infantry columns and tanks, of which there were now many in the area. We were finally captured by enemy forces on the early morning of December 18, 1944, and about two days later were reunited with other members of the platoon who had also been captured. It was then that we learned of the tragic wounds sustained by William James Tsakanikas, as well as others in the platoon including Lt. Bouck.

The morale of the platoon had been extremely high during our training and continued to be high after reaching the continent and the front lines. This was due mainly to the makeup of the individuals involved, all of whom respected each other. Credit should go to Lt. Bouck and the Regimental Intelligence Officer, Major Robert L. Kriz. All of the enlisted men had high respect for Lt. Bouck and he proved he deserved this respect during the battle at Lanzerath on December 16, 1944. At the

time of this battle, I had no idea, and I am sure the rest of the platoon had no idea, of the significance of our actions that day. Not until much later did it become evident that the I & R Platoon did stall the German drive for at least 18 hours. Without this delay the outcome of the Battle of the Bulge might have been significantly different than it did turn out to be. Due to the fact that all 18 men on the line that day had been captured or killed, the story was not told at the end of World War II.

Recognition for William James Tsakanikas, Lt. Lyle J. Bouke, and the entire Intelligence and Reconnaissance Platoon, 394th Regiment, 99th Division, is long overdue. Furthermore, affiant sayeth not.

SAMUEL L. JENKINS.

Subscribed and sworn to before me this 6th day of July, 1979.

FRANCES N. VERRANAULT.

Notary Public in and for El Paso County, Texas.
My commission expires June 27, 1981.

WRITTEN STATEMENT OF ROBERT L. KRIZ, MAYOR, GRAND ISLAND, NEBR.

JULY 5, 1979.

HEARING H.R. 3225 AND H.R. 3407—WILLIAM JAMES TSAKANIKAS.
CONGRESS OF THE UNITED STATES,
Congressman RICHARD L. OTTINGER,
Rayburn House Office Building,
Washington, D.C.

(A) A letter by me dated September 14, 1966, as requested by Jean Trader. I desire to add the following:

I understand fully what the wife, brother and friends are doing for deceased William James Tsakanikas.

I admire them for it.

I served in World War II from the invasion of Africa in the 9th Division and also participated with the 99th Division in Europe. My experience during the war let me see many heroic men in action. Also, I have heard of many courageous heroic acts that were known to the fighting Americans themselves. In this case, not being there to witness the action, I recommend that not any one be singled out, but the I & R Platoon receive a citation as a whole. They did their job and did it well. Their main reward is their self respect and serving their country.

Sincerely,

ROBERT L. KRIZ,
1810 South Harrison Rd.,
Grand Island, Nebr.

KRIZ DAVIS CO.,
Grand Island, Nebr., September 14, 1966.

Re the Intelligence and Reconnaissance Platoon Headquarters Company, 394th Infantry Regiment, 99th Division, commanded by Lt. Lyle Bouck, Jr.

I will attempt to stretch my memory as to the conception of this platoon up to approximately December 19th or 20th, 1944. At this time, I was a Major S-2 Intelligence Officer for the 394th Regiment.

On approximately the 21st or 22nd of December, 1944, at Elsenborn, I took over command of the 2nd Battalion, 394th Regiment.

As background, I had served from platoon leader to battalion commander in the 60th Infantry, 9th Division. I served with this division at Ft. Bragg, No. Carolina—and in the African campaign. I am stretching my memory over a period of service which this episode is one part of many other phases I participated in, but was, in turn, a very important part in the European campaign. My first assignment when I returned from Africa, was Executive Officer of the 3rd battalion, 394th, 99th Division. I was transferred from this position to the S-2 Intelligence Officer of the 394th Infantry. One of my responsibilities was the I and R (Intelligence & Reconnaissance) platoon. The platoon as it was, did not do too well in the corp maneuver tests. The regimental commander was unhappy with the results, and during our discussion, we arrived at the decision that the platoon, but not in its entirety, should be remolded. This period of time at Camp Maxey, Texas, we were receiving many new recruits. Many of whom were transferred from what I believe was called the ASPT program. I believe these were boys, for some reason or another, because of their aptitudes were given college training after their basic training. I received permission to add as many of these young men as needed. I believe I am correct in saying that I had access to their IQ's, college tests, and something about their background. We inter-

viewed many of these young men and then drastically changed the personnel of the I & R platoon.

We then had the problem of the platoon leader. We finally decided, after a discussion with Lt. Bouck, that he would command the platoon. If memory serves me right, Lt. Bouck was extremely aggressive and intelligent young man, very clean cut. He had also received a greater degree of army education than many other lieutenants. He had the mental and physical capabilities to command this group of extremely intelligent, healthy, athletic individuals. This platoon was composed of many nationalities. These ASTP boys upon being sent down to the regiment, were a disgruntled lot. After a short period of hard work, and I mean hours and hours of hard work, and by the leadership of Lt. Bouck, the results were, in my opinion, one of the sharpest platoons I had ever had the privilege of knowing. I would say that the majority of these young men could have been officer candidates and made good officers in the U.S. Army. Actually the I & R platoon had only one major engagement. They were not designed or trained for combat infantry duty, but because of their bravery and intelligence, the Germans paid a heavy price for the right to pass their way.

I am certain that the map of the Sixth Panzer Army attack on December 16-19, 1944, is in your hands, therefore, I will not discuss the positions of the 394th, except to say that the regiment had a large area to cover. In the latter days of November, 1944, to the morning of December 16th, it was obvious at least to our regimental headquarters that activities of the enemy had completely changed. The I & R platoon was used during this period for that which it was designed, such as reconnaissance listening patrols, ambush patrols, etc. but not for raid patrols, since it had not been trained for such.

Although, the capabilities of this group could handle almost any situation, a raiding patrol did not take the type of steel nerves or intelligence that other types of patrols took, but were merely a force which moved in, took that they wanted, and got out. The Germans were patrolling on skis and snowshoes, which showed us that they were specially trained units and they also used German shepherd dogs on some of their patrols. The noise of moving vehicles in the German-held sector increased up to the December 16th attack. A part of the I & R platoon had one mission at one time, to kill patrol dogs. They brought one in, and it was delivered to Division G-2. To check the activity, each S-2 of the three battalions was ordered to take a patrol to determine enemy positions and activities. A Lt. Allen of the 3rd battalion was killed on one of these missions.

The I & R platoon was given the mission to make a night patrol into the surrounding area of Losheim to secure information for the impending raid. The best way to move into that area with a raiding party to determine the depth of the snow so that the troops could move over the mine fields and be cushioned against the mines on the ground protecting that area. With this information, I led this patrol and I believe it was a platoon from the 1st battalion. The company is unknown. The information supplied by the I & R platoon was accurate, allowing us to have a very successful mission. We were able to bring out some live German soldiers of different units and civilians for interrogation.

On approximately December 10th, 1944, higher headquarters decided to protect our flank, but not necessarily to fight, unless required. The I & R platoon was given the mission to move on the high ground approximately 300 yards northwest of Lanzerath. Their mission was to maintain contact and be the eyes and ears of the southern flank of the 99th division, and keep contact with Task Force X. This was an element of the 14th cavalry group attached to the 106th division VIII Corp. There was a small element of this Task Force X located in Lanzerath. When the original attack started on December 16th, this group pulled out, and I did not know the mission of this group. I do recall that the entire cavalry reconnaissance group patrolled an extremely large area and couldn't be expected to hold for long, any specific piece of ground.

I visited the I & R platoon area prior to the attack, and was impressed with the fortifications that were prepared. The attack started on December 16th. At the time our communications by radio and by messenger were working in good order. The Germans apparently used the Losheim and Lanzerath road network for one of their main efforts. One of the members of the I & R platoon left with information and food for the platoon, and returned several hours later, that he could not reach their area on the morning of December 16th. I believe that I can recall talking to Lt. Bouck about the situation, but later on, possibly it could have been around noon, on December 16th, the communications between regimental headquarters and the I & R platoon were quiet. It was very obvious that it was a major attack since we did have the communication from the 1st battalion on the other side of the road

network that they were in serious trouble, and it appeared that the I & R platoon could not survive.

With communications out, I took out towards the I & R position in the late afternoon of December 17th, to see if they had evacuated the area, or if not, try to get them out. Because of the infiltration of the Germans and large number of German tanks, I was unable to proceed to the position from an advantage point. The area of the I & R looked like at that time, that everything was quiet. Lt. Bouck did not have permission to withdraw. I knew that if he decided to leave the position with his skill and the skill of his men, that they might eventually join our outfit at a later date. But if he had followed instructions, his small force would cause havoc among the Germans, and would go down fighting.

The regiment withdrew towards Elsenborn on the night of December 18th.

This is all I can say about this small group of great Americans.

I can recall after the attack at the Siegfried line, I visited the area northwest of Lanzerath. It was very obvious at this time that the I & R platoon had been destroyed or captured. The ground area showed that there had been fierce combat, and I remember seeing some crosses, how many I do not know, in this area.

Later on in the war, approximately April 29th, 1944, the prison camp at Mooseburgh, Germany, fell to our attacking forces. I went to the prison to see if there were any officers that I knew, especially in the 60th Infantry, 9th division, and 394th, 99th division. I took three officers out of that camp. One was a fly boy. How he came out with us, I do not know, but he did. One of the officers was Lt. Bouck. He was a skeleton of his former self. I remember taking him with me, with the other two officers, and I had one of the men cook a couple of chickens that we had picked up, along with some small potatoes, that we fried. Lt. Bouck, after eating a very little, started vomiting, and I noticed his color was not good. I summoned the doctor, the battalion surgeon. The doctor told me, prior to looking at him, that it was possible that his stomach could not digest these greasy foods after such a long period of being deprived of them. The doctor then checked the Lt., and at once sent him in the ambulance to, I suppose, a medical collecting station. I later found out that Lt. Bouck had an acute case of hepatitis, and if he had not gone immediately back to the medical center, his life was imperiled.

May I say in conclusion, I had an opportunity to be in many phases of major proportions, but even in these major phases of the war, I played a very, very, small part. I cannot give you the details of the phase of the I & R in the start of the Battle of the Bulge, but I can imagine that this small group of Americans molded together to do something that they did not care to do, under the leadership of Lt. Bouck, in giving of themselves in their small way, gave a vast number of American troops a little more time to change positions, retrench, fight and hold, to fight again another day, which in the end was a victory for the Allied camp.

With sincerity,

ROBERT L. KRIZ.

AFFIDAVIT OF G. VERNON LEOPOLD

STATE OF MICHIGAN,
County of Oakland, ss:

I, G. Vernon Leopold, being first duly sworn, depose and testify in support of HR 3225 and HR 3407 96th Congress, First Session, as follows:

I was born in Frankfurt A/M, Germany in 1923. For the particulars respecting my personal background, education and professional activities, I refer to a Biographic Resume which I attach hereto, make part hereof and incorporate herein by reference. During the Summer of 1938, Nazi persecution forced my parent, my brother and me as German Jews to flee Duesseldorf, Germany where we then lived and to resettle in Detroit, Michigan. Barred as an enemy alien from enlisting in the U.S. Armed Forces after the outbreak of World War II, I volunteered for induction during the Summer of 1943. After completing basic training in communications at the Camp Wolters, Texas Infantry Replacement Training Center. I was first assigned to an Army Specialized Training (ASTP) Unit at the University of Arkansas, and four months later was transferred to the 394th Infantry Regiment, a unit of the 99th Infantry Division, then stationed at Camp Maxey, Texas. Fluent in German, classified as a radio operator and holding the rank of Private, Army serial number 36857463. I was eventually assigned to the regiment's Intelligence and Reconnaissance (I & R) platoon along with other former ASTP men with bilingual and other skills useful for reconnaissance operations against German forces. The platoon then underwent rigorous training under the watchful eye of our regimental intelligence officer, then Major Robert L. Kriz, an experienced veteran of the North African

campaign. We received special instruction in the handling of a variety of automatic weapons, mortars and in the spotting and direction of artillery fire. By the time the Division was shipped to Europe in October, 1944, we had become a closely-knit, finely-honed, well-groomed team. Committed to the U.S. First Army front line on the Elsenborn ridge at the Belgian/German border early in November, 1944, we at first performed reconnaissance patrols and other missions out of regimental headquarters based in the Village of Huenningen. When on December 10, 1944, the 2nd Infantry Division was pulled out of the line to our regiment's immediate south to form a combat team with the mission of attacking the Roer river dams to our north, our I & R Platoon was "temporarily" moved into the resulting gap with orders to investigate and report any observed enemy activity. Equipped with M-1 rifles, automated carbines, a jeep-mounted 50-caliber machine gun, 2 Browning automatic rifles, mortars, anti-tank "bazookas" and grenades, we were placed into well-concealed positions on a wooded crest of a ridge which overlooked a clear slope down to and beyond a road which connected Lanzerath to our right and immediate south, and Losheim somewhere off to our left and north. Weatherwise, bitter cold interspersed with periods of snowfall prevailed throughout. During the ensuing 5 days, we improved and added to these positions, which, in effect, became bunkers with easterly-facing firing slits, reinforced and covered with logs and dirt, and rendered virtually indistinguishable from the surrounding terrain by a blanket of snow several inches in depth. We also dug out and constructed a similarly reinforced position for our jeep which had a 50-caliber machine gun and our two-way radio mounted on it. To afford warnings of possible enemy infiltrators, we strung out a network of trip wires to which we attached empty cans. From this position various squads of the platoon fanned out intermittently in day and night patrols in search of enemy activity, occasionally using a building in the hamlet of Lanzerath as a forward outpost.

As radio operator fluent in German, my task included the scanning, interpretation and recording of German field communications. During the nights we stood guard in groups of 2 men per bunker serving 3-hour shifts. Those of us not on guard, patrol or otherwise occupied would rest in a log cabin constructed approximately 300 to 400 feet back. We kept in touch with regimental headquarters in Huenningen by means of our field telephones backed up by our jeep-mounted radio which it was my job to operate. Also, twice daily Pvt. Oakley would drive in food, supplies and mail from headquarters by jeep.

For the first 3 days we saw and heard very little combat activity. However, during the night of December 14, 1944, artillery fire became heavy to our north where, so we were told, the 2nd/99th Division Combat team was launching its attack upon the Roer river dams east of the German/Belgian border. More significantly, however, one of our platoon's night patrols reported having sighted and heard tanks and heavy equipment moving around some distance behind the German lines, and we promptly reported this data to regimental headquarters. During the early afternoon of December 15th, after we had lost one man from the outpost because of trenchfoot contracted by him during the previous night, Lt. Bouck ordered me to report to the regimental aid station in Huenningen in order to receive treatment for a frostbite ulcer on my right foot which had been plaguing me for some time. Expecting medical attention to be perfunctory and routine such that after receiving dressing of the wound I would at once be returning to the outpost, I departed for the aid station by jeep in the company of Messrs. Fernandez and Oakley, leaving all of my gear behind. To my great surprise, however, the medical officer in charge there immediately ordered me evacuated. Within hours I found myself labelled a frostbite/trenchfoot casualty, placed on a stretcher and shipped west aboard a Paris-bound hospital train. As we approached our destination, I heard the first radio news of the German breakthrough, the spearhead of which, so I feared from the reports, had pierced straight through the outpost occupied by my isolated platoon. Weeks later, while on the mend at a U.S. Army hospital in England, I received a letter from Sgt. Fernandez at regimental headquarters telling me that our 18 comrades of the Lanzerath outpost had not been heard from since the initial German assault and were reported to be missing in action.

After my discharge from the hospital in March, 1945, I, along with 100,000 recovered infantry casualties, was rotated into the Eighth Air Force which had furnished an equal number of replacements to the infantry from a pool of non-military ground personnel. I subsequently completed the rest of my World War II military service with Air Technical Intelligence and was discharged from Wright/Patterson Field, Ohio on February 16, 1946. Later on that year, while a student at the University of Michigan, I ran into a former member of our 394th Regimental Headquarters Company who confirmed that when our Lanzerath outpost had been overrun by the first German assault wave, most of my comrades had been killed,

and that a few of them had been captured and badly wounded. Hoping that at least some of them might have survived, I wrote to former Pvt. John Creger, Jr., who came from Whytleville, Virginia, a town which I believed to be so small that a street address would not be necessary in order for my letter to reach him. However, when I received neither a reply nor return of my letter, I concluded the worst and abandoned all further attempts at tracing my comrades for fear of stirring up wounds among their surviving families. In June, 1948, I obtained a BA degree at the University of Michigan and in June, 1951 an LLB—JD degree from the Harvard Law School without ever hearing or receiving any further word about the fate of my comrades.

And thus matters rested until the evening of Sunday, March 25, 1979 when, while vacationing in Pompano Beach, Fla. I picked up the Parade Magazine insert of the Fort Lauderdale News and was stunned to recognize the face of my platoon-mate Bill Tsakanikas on the front page. The youngest of us by age and appearance, Bill had been a good-humored "macho" kid who was extremely well-liked by all. I cannot describe to you how deeply I was stirred when I read Jack Anderson's blow-by-blow account of my comrades' brave stand as they were struck by the full fury of the initial Nazi onslaught. Anderson seemed to take up their story virtually from the moment of my departure.

I then located and called Dr. Lyle Bouck, Jr., our former platoon leader who, according to Jack Anderson's article, is now a chiropractic physician in St. Louis, MO. Dr. Bouck seemed as overjoyed to hear from me as I was delighted, relieved and pleased once more to hear his well-remembered voice. He told me about the credit which John Eisenhower had accorded to the platoon in his book "The Bitter Woods" for having delayed the German spearhead long enough to enable General Eisenhower to improvise measures which prevented outflanking and collapse of the Allied front to the north of the breakthrough. He went on to relate how Bill James and he had over the years managed to locate all except two members of the platoon, and that unable to find me, they had concluded that I had not survived the war. The sector of the front manned by the 99th Infantry Division, our 394th Regiment and I & R Platoon, was known to me from my childhood and adolescent years in Germany as the Schnee-Eifel Mountains. The Schnee-Eifel (Snow-Eifel) is a series of densely-wooded ridges which in the wintertime are rendered all but impassable by snow. I was familiar with the general geography of this area from frequent family automobile trips into Belgium to visit relatives. Independently of what I have since read about the mission assigned to the I & R Platoon, I therefore was well aware when assigned to the outpost, that the road being guarded by us afforded a route westerly toward Liege and generally the Meuse River. Had the German paratroop force been able to clear the hill occupied by the I & R Platoon so as to allow SS Colonel Peiper's Panzer spearhead to roll through undelayed, the German Army would surely have been able to fan out immediately to the north thereby flanking, encircling and collapsing the entire 1st and 9th Army front to the north. I am firmly convinced that the action of this Platoon in hanging on against insuperable odds for a period of 18 hours, delayed the German SS Panzer spearhead long enough to allow the Allied High Command to improvise a line of defense with elements of the 99th and 2nd Divisions so as to forestall such catastrophic flanking.

It took 35 years and an article by Jack Anderson in Parade Magazine to bring me the first positive information about my comrades and confirmation of the significance of the action in which the I & R Platoon become embroiled. Can there be any doubt but that the confusion following enemy capture and dispersion of the Platoon and the reorganization and re-staffing of the 394th Regiment and 99th Division following the breakthrough, wrought a void in timely official Army knowledge respecting this platoon's intrepid combat action and its historical significance? For these reasons I strongly believe that in this particular instance the two-year limitation prescribed by 10 US Code § 3744 should be rendered inapplicable and I therefore strongly urge passage of HR 3407 as amended.

The foregoing sets forth and is based upon my best recollections, knowledge and belief.

Respectfully submitted.

G. VERNON LEOPOLD.

Subscribed and sworn to before me this 6th day of July, 1979.

ELEANOR FACTOR.

Notary Public, Oakland County, Michigan.
My commission expires: September 9, 1980.

WRITTEN STATEMENT OF ALMARIN PHILLIPS

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, July 5, 1979.

HON. RICHARD OTTINGER,
U.S. House of Representatives,
Washington, D.C.

DEAR MR. OTTINGER: Pfc. William James Tsakanikas was indeed a hero of World War II. His actions with the I & R Platoon, 394th Infantry, 99th Division, on December 16, 1944, richly deserve the posthumous awarding of the Congressional Medal of Honor.

I am perhaps as able as anyone who was not there to understand the events of that day and night—as well as the tortured days and years that followed. I am a disabled infantry combat veteran; Bill James Tsakanikas was my best friend. On many occasions we shared our experiences, each understanding the other as no one who has not seen battle possibly can. The snows of Lanzerath, the foxholes, the visions of marching German troops, the hopelessness of being one of eighteen men pitted against thousands and yet the resolve to “hold at all costs” are nearly as vivid as some memories of my own.

Beyond the very personal discussions, I had the opportunity to discuss Tsakanikas' actions with Lieutenant Lyle J. Bouck and Colonel John S. D. Eisenhower at the time the latter was drafting Chapter 10 of “The Bitter Woods.” Aided by motion pictures of the area, every event was detailed. Tsakanikas was the vital element in that small group that held at bay thousands of Germans and, most importantly, disrupted and delayed Hitler's plans for regaining Western Europe.

Personal character and behavior may be irrelevant to the qualifications for the Congressional Medal of Honor. Still, it must be recorded that William James Tsakanikas was truly a hero each day of his life after the war. Despite unbearable pain and thwarted ambitions, he was always a great man in every respect—citizen, husband, father and friend. We owe him more than can be told.

Sincerely,

ALMARIN PHILLIPS,
Professor of Economics, Law, and Public Policy,
(Pfc., L Co., 334 Inf., 84th Div.).

WRITTEN STATEMENT OF NICHOLAS T. PSIAHAS

JULY 3, 1979.

Congressman RICHARD C. WHITE,
Rayburn House Office Building,
Washington, D.C.

DEAR CONGRESSMAN WHITE: With reference to H.R. 3225, now pending before your committee, dealing with the heroic deeds of valor performed by Pfc. William James Tsakanikas, member of the 394th Infantry Regiment, 99th Division, serving in Belgium in December, 1944.

The events portrayed in the Congressional Record, volume 125, No. 37, dated March 26, 1979, has indeed a moving effect upon everyone who has had the opportunity to read it.

The deeds portrayed the true spirit of freedom and democracy against the tyranny, that has plagued us throughout history.

I feel, as so many Americans feel, that the deeds of valor performed by this man and those he had served with, is truly deserving of the highest honor and award that this country can bestow. The events speak for themselves, his deeds speak for themselves and certainly, the words of Major General Lauer, can only have a shocking effect on what could have been, if it were not for these men.

With the forthcoming Independence Day celebration, I am reminded of the spirit and essence of our great heritage and those who have defended it, and wish to see those who are deserving justly rewarded and also to insure their deeds not go forgotten.

Very truly yours,

NICHOLAS T. PSIAHAS.

WRITTEN STATEMENT OF GEORGE M. STEINBRENNER III

JULY 11, 1979.

I wish to express my gratitude to the Chairman and the Members of the Subcommittee for holding these hearings on H.R. 3225, Congressman Ottinger's bill to authorize the President to award the Medal of Honor posthumously to William James Tsakanikas, and I am proud to offer testimony in support of this very worthwhile bill.

In enacting this bill, the Congress would be performing one of the most important functions that a nation can perform, and that is honoring those who, at a crucial moment, put aside considerations of self and performed an act of exceptional courage in behalf of their country. Simple decency requires that this country formally express its gratitude to individuals who have performed such heroic acts. In addition, the bestowing of honors upon these citizens serves to remind us all of the gallantry and selflessness shown by our fellow man, and of how critically important these qualities are to the well-being of our country.

A finer example of selflessness, devotion to country, and courage could not be found than the conduct of then-Private William James Tsakanikas during the Lanzerath Incident. His fellow soldiers have chronicled what happened at Lanzerath: how he and the 17 other soldiers in this patrol held off an entire column of German tanks and troops for 18 hours of firefight, and how the defense was ended only when Tsakanikas suffered a grievous wound. John Eisenhower and other military leaders have described the importance of this brave stand, stating that it may have meant the difference between victory and defeat in the Battle of the Bulge. His widow, Lucille, has told of his life after the war, the constant pain he suffered from his war wounds, and the 36 operations he underwent in an effort to mend them. It is no wonder that she has said that to her and their sons, he showed heroism every day that he lived.

You have all of these facts before you, and I cannot add to them. What I can say is that, to me, these facts show that William Tsakanikas is deserving of this nation's highest military award, the Congressional Medal of Honor.

These hearings are the first step in the process of awarding this Medal to him. I urge this Subcommittee to approve Congressman Ottinger's bill, H.R. 3225, and I urge the House of Representatives and the Senate to do likewise. In doing so, you will be according this fine American the honor he so richly deserves for the gallantry above and beyond the call of duty that he displayed at Lanzerath.

Mr. WHITE. There being no further questions, the subcommittee is adjourned.

[Whereupon, at 4:20 p.m., the subcommittee adjourned.]

MARKUP

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ARMED SERVICES,
MILITARY PERSONNEL SUBCOMMITTEE,
Washington, D.C., Wednesday, July 18, 1979.

Mr. WHITE. The chair has an amendment H.R. 3407, but first the Chair would open the bill for amendment of any part or for any action by the subcommittee.

Mr. MONTGOMERY. Mr. Chairman, I would like to make a motion at this time that this bill be delayed until we can get more information.

Quite frankly, I don't have it clear in my mind how I'd like to vote on this bill. There is some more information that we need from the Army pertaining to the types of medals that can be given. Are we opening something we can't control if we pass a bill such as this or the amendment that you have to offer? It just seems that we need a little more information. The Army tells me that passing this bill, in effect, authorizes that they move ahead in consideration of a Medal of Honor. Maybe he deserves it. I don't know. But I don't think this committee should have to make a decision such as this at all. So I'd put this responsibility on the Army. It would seem to me we ought to wait until we get more information.

Mr. HILLIS. Mr. Chairman.

Mr. WHITE. Yes, sir, Mr. Hillis.

Mr. HILLIS. I didn't get to hear all the testimony. I just wanted to ask is there any dispute at all from the evidence that's been presented about the actions of this man? Actually, it seems very heroic. It seems, according to the evidence I've heard and the material I read, that in the confusion of that battle—and it was a very quick and decisive battle—but it developed so quickly that units were scattered. There wasn't time for historians to make complete records of each individual's accomplishments and merits. This was a most unusual situation, and perhaps this one little unit, if the evidence is correct, this one little unit played a very, very key role in stopping the Germans from going all the way to wherever they were headed, up towards the coast, and certainly this man's contribution to it was immense, and somehow in the midst of the battle and the follow-on history his part's been missed. It seems to me that maybe there is a case here for some correction of records and recognition. Apparently the man's modesty and his own makeup kind of retarded any action too. Maybe this is something we really ought to look at very, very carefully. I don't think it's just a run-of-the-mill case, unless there was controversy about the evidence. I didn't hear any.

Mr. WHITE. Let me comment on my amendment, my suggested amendment, and then tell you what the concerns are of the coun-

sel, or at least the observations of the counsel, plus review the testimony too then.

I had in mind a substitution, an amendment to substitute the following language in the beginning, as a substitution as to the time limit:

That the time limitation contained in section 3744 of title 10, United States Code, with respect to the awarding of certain medals to persons in the Army shall not apply with respect to the award of any such medal to members of the Intelligence and Reconnaissance Platoon of the 394th Infantry Regiment, 99th Infantry Division, for acts of valor performed on December 16, 1944 while engaged in combat operations in Lanzerath, Belgium.

and I have added: "... or the awarding of any posthumous citation."

In that respect counsel tells me that the statute of limitations on the awarding of medals applies to the Congressional Medal of Honor, the Distinguished Service Cross, the Distinguished Service Medal, that the Silver Star, for instance, is a matter of regulation that can be waived by the Secretary of the Army.

Mr. WINCUP. Yes, sir.

Mr. WHITE. And that the awarding of any unit citation would also be within the control of the Secretary of the Army, or the Secretary of Defense, whichever. So that that portion of the amendment would not be useful or needed.

It's a question, really, whether or not you want to reach back and remove the limitation as to a unit that did conduct itself very well under combat.

The testimony—and counsel can correct me if I'm wrong—and I think there are others here who were there at the time—showed that this man did, indeed, perform great acts, but so did a lot of the other members of the unit too. They all performed very well that day. There was a 50 caliber machine-gun mounted on a Jeep, which was ultimately manned by Mr. Tsakanikas and also by the platoon sergeant until the 50 caliber was put out of action by a bullet that broke off the breech, that they did man their covered trench, or covered foxhole, and succeeded in putting at least 500 of the enemy out of action, and repelled three attacks. The fourth attack, before evening, or darkness, did succeed and at that time did destroy a portion of Mr. Tsakanikas' face.

Lt. Lyle Bouck presented testimony before our committee. We did not have the sergeant, who has retired and is now in Louisiana. He had been talked to apparently by the investigations officer of the awards division of the Army. He said that the sergeant indicated that everybody performed very well that day, that everybody did equally well at the time of combat.

I did not feel that it was our role to make an award as such of a Medal of Honor, but I did think our action would be appropriate to remove the limitation and then leave it to the appropriate awards section of the Army to determine as to all men there, not just this particular individual, but as to all men there, their performance, and whether or not any of them needed to be singled out for any medal or caliber of award.

That's my thinking on this now. But I'm just the chairman of the subcommittee, and you all on the subcommittee control the subcommittee.

Mr. MONTGOMERY. Mr. Chairman, it seems what's happened is that the Defense Department went back and published, came out on these heroic acts of these men, and they reached down and gave Lieutenant Bouck the Silver Star in about 1965 or 1966.

Mr. WHITE. Yes. None of the enlisted men received any award whatever, nor did the unit receive a unit citation at the time.

Mr. MONTGOMERY. Not that I want to hurt anybody, but I just feel that we certainly ought to take a look at this. What the bill says is: "Authorizing the President to award a Medal of Honor
* * *

Mr. WHITE. Of course I have an amendment that would alter that.

Prior to my offering my amendment, do we have a motion before us?

Mr. MONTGOMERY. I make a motion that this bill be postponed.

Mr. WHITE. To a time certain, or subject to the Chair?

Mr. MONTGOMERY. I believe the Chair can get the information, and I can take a further look at it.

Mr. WHITE. All right. Is there a second?

[No response.]

Mr. WHITE. Does that motion require a second?

Mr. WINCUP. Mr. Chairman, I assume it does.

Mr. WHITE. I think it does. Is there a second?

Mr. WON PAT. I second the motion.

Mr. WHITE. It's been moved and seconded that the present consideration of H.R. 3407 be postponed subject to the call of the Chair, and I presume implicit in that is the obtaining of information an background necessary to determine what action the Secretary of the Army can take.

All those in favor of the motion signify by saying "Aye."

[Chorus of "Ayes."]

Mr. WHITE. All those opposed signify by saying "No."

Mr. HILLIS. No. I would like a rollcall vote.

Mr. WHITE. A rollcall, or a show of hands? Let's try a show of hands. There are only five of us.

All those in favor of the motion signify by raising your right hand.

[Showing of hands.]

Mr. WHITE. All those opposed signify by raising your right hand.

[Showing of hands.]

Mrs. HOLT. Two and one-half to two.

Mr. WHITE. In the opinion of the Chair, two and one-half voting in the negative and two in the affirmative, the motion is not carried.

At this time I offer my amendment as I've earlier recited. Do you each have a copy of this amendment before you?

I presume that if this amendment carries we would also change the title. We would make a motion, I assume, to change the title up above.

Mr. WINCUP. Yes, sir; that is correct. That would have to be altered.

Mr. WHITE. Is there any amendment to the amendment?

Mr. MONTGOMERY. I wonder if we could add in here in the amendment—I'd rather have it in the amendment than have it in

the report—that it is not the intention of this amendment to make any recommendation for what award or medal should be given to any individual or group.

Mr. WHITE. Let's see how we can work that over.

Mr. WINCUP. In the Casamento situation that was report language.

Mr. MONTGOMERY. I requested that.

Mr. WINCUP. Yes.

Mr. MONTGOMERY. I'd like to make it stronger.

Mr. WHITE. What was the language in the Casamento case?

Mr. WINCUP. It was in the report. It just indicated that the committee did not intend to make any judgment as to whether he should be awarded a medal for which one, but just that it was apparent that the statute was preventing an award, and, in fact, the Department supported award in that case, which is not the case in this bill.

Mrs. HOLT. Would the gentleman yield?

Mr. MONTGOMERY. Yes.

Mrs. HOLT. I think you spell it out very clearly in this amendment that we're just taking off the time limitation and we're saying that it shall not apply to any members of the Intelligence and Reconnaissance platoon for acts of valor.

Mr. MONTGOMERY. That's what the amendment has to do. You have to do that to open it up so he can get the Medal of Honor.

Mrs. HOLT. I know that. But this doesn't say—

Mr. MONTGOMERY. I talked with an Army colonel, and he said "If you do that, you're indicating to me we ought to give him the Medal of Honor." That's what he told me.

Mrs. HOLT. All right. But the report language would—

Mr. MONTGOMERY. I just think it ought to be in it.

Mr. WHITE. May I suggest this, then, to comply with the gentleman's request: How does this language seem: At the end, after the word "Belgium.", "This act shall not designate the awarding of any such medal to any individual serving in said unit." That doesn't sound right.

Mr. MONTGOMERY. Really, just say we don't want any award, not trying to pin it down.

Mr. WINCUP. Mr. Chairman, you might want to express—

Mr. WHITE. Or just say, "* * *" at the discretion of the Secretary of the Army."

Mr. WINCUP. You might want to say it's not the sense of Congress to recommend that any specific action be taken, one way or the other, in this case.

Mr. MONTGOMERY. The lifting of this limitation does not mean in any way—

Mrs. HOLT. To constitute a recommendation.

Mr. MONTGOMERY. Yes; to constitute a recommendation.

Mr. WHITE. You're saying this act shall not constitute a recommendation to the Secretary of the Army, a recommendation of awarding any such medals?

Mr. DAVID PRICE. Awarding any medals.

Mr. WHITE. We don't want to put such an amount of the negative on it that they think we don't want them to do anything.

Mr. DAVID PRICE. That's right.

Mr. MONTGOMERY. But that's basically what we're doing, and it's been pointed out we really shouldn't be making recommendations, this subcommittee, that a certain award be given. That should be left up to the Army. All we're doing is lifting the limitation so the Army can take some action.

Mr. WON PAT. That's what this mean.

Mr. WHITE. Or suppose we say, " * * * while engaged in combat operations in Belgium, but such award is within the sole discretion of the Secretary of the Army." Would that satisfy you?

Mr. MONTGOMERY. Yes; I think so. I think they know what we're trying to do here.

Mr. NICHOLS. Mr. Chairman.

Mr. WHITE. Yes, sir.

Mr. NICHOLS. Let me say my concern is simply this: I don't believe this subcommittee ought to in any way get itself involved in saying or implying to the Army, or to any other branch of the service for that matter, that sergeant so-and-so, or private so-and-so, or even a squad, or even a company ought to be awarded any type of medal. I think that ought to be a decision solely within the jurisdiction of the Army.

That's about the only premise that I have. If the committee wishes to remove the restraining date in order that the Army might consider it, then I wouldn't be opposed to that.

After hearing the testimony—and I've heard a good bit of the testimony—I think there was a great deal of bravery exemplified by any number of members of this squad. But as far as going by somebody's book, or going by somebody's motion pictures that were made of the situation, I'm only concerned with the testimony of the people who were there, and so on. I've heard that testimony, and that's the conclusion that I arrived it.

Mr. WHITE. All right. Then the Chair's suggestion is that we develop such language as we've been talking about: "but such award is within the sole discretion of the Secretary of the Army," and then follow that up with explanatory statements in the report. Would that satisfy the committee?

Mr. MONTGOMERY. I still think we should postpone it. But that would be a lot better for me, Mr. Chairman.

Mr. WHITE. All right. Then the Chair would ask unanimous consent to withdraw my earlier amendment, and without objection, the Chair at this time offers the following amendment: The text that you have there, but after the word "Belgium" make a comma, " * * * but such awards are within the sole discretion of the Secretary of the Army."

Mr. MONTGOMERY. That's OK, your ending. You need to say something. We're sending a bill to the Army that says this man should be awarded the Medal of Honor.

Mr. WHITE. All right. Then we'll take care of that further by explanatory information in the precis.

Are there further amendments to the amendment?

[No response.]

Mr. WHITE. If not, then the question is on the amendment.

Mr. NICHOLS. Mr. Chairman, let me hear Mr. Montgomery out on something.

Mr. WHITE. All right.

Mr. NICHOLS. I thought he said this implies in some way or another that in his judgment the medal ought to be awarded. I don't read that into this.

Mrs. HOLT. No.

Mr. WHITE. This is totally a substituting amendment.

Mr. MONTGOMERY. OK.

Mr. WHITE. We're taking out everything, and we'll change the title as well.

Mr. MONTGOMERY. We'll change that?

Mr. WHITE. Yes; that will be the next motion.

Mr. MONTGOMERY. Do you mean "A bill authorizing the President to award a Medal of Honor * * *"?

Mrs. HOLT. But it says: "In place of the text * * *" in the amendment.

Mr. WHITE. Yes; we'll take out this title here, and change the title.

Mr. WINCUP. Mr. Chairman, for instance, in the *Casamento* case we changed the title, and this would be part of the bill, "* * * for the relief of * * *", and then in this case I guess it would be members of the intelligence and reconnaissance platoon."

Mr. WHITE. All right. I would call it "Removal of Limitations for Awards" to this unit.

Mr. DAVID PRICE. The intelligence and reconnaissance unit.

Mr. WHITE. Yes.

Mr. MONTGOMERY. You change the whole bill, and you take his name out then.

Mr. WHITE. Yes; then leave it at that. Does that satisfy you?

Mr. MONTGOMERY. Yes.

Mr. WHITE. All right. All those in favor of the amendment presented by the Chair signify by saying "Aye."

[Chorus of "Ayes."]

Mr. WHITE. All opposed signify by saying "No."

[No response.]

Mr. WHITE. In the opinion of the Chair, the "Ayes" have it. The "Ayes" have it.

The question now is on the amendment to the bill as amended. I think we would do that before we would change the titles, right, by procedure?

Mr. WINCUP. I think it's an amendment in the nature of a substitute, so you could probably do it en bloc.

Mr. WHITE. All right. Then I ask unanimous consent that this amendment to the bill, the titles be changed to state something to the effect that removing the limitation on the awarding of medals to the intelligence and reconnaissance platoon, and then give the title of the platoon.

All those in favor of the bill as amended, signify by saying "Aye."

Pardon me. We need a motion first.

Mr. HILLIS. I'll move.

Mr. WHITE. You move that the bill be reported favorably to the full committee?

Mr. HILLIS. As amended.

Mr. WHITE. As amended.

Seconded?

Mr. WON PAT. All those in favor signify by saying "Aye."

[Chorus of "Ayes."]

Mr. WHITE. All those opposed signify by saying "No."

[No response.]

Mr. WHITE. In the opinion of the Chair, the "Ayes" have it. Now, what do we want to have go in the report?

Mr. MONTGOMERY. Make it very clear that it's not the intention of the subcommittee to make a recommendation for any type of award for any individual, and that the responsibility should rest with the Army.

Mr. WHITE. Yes.

We'll be removing the two titles, that is, the one up above underneath the number, and the one right under where it says: "A Bill."

Mr. WINCUP. Yes, sir.

Mr. WHITE. Now that we've completed this particular measure I want to talk about registration now.

Mr. NICHOLS. Mr. Chairman.

Mr. WHITE. Yes, sir.

Mr. NICHOLS. I just wondered if you didn't want this to be in executive session, Mr. Chairman.

Mr. WHITE. I think we could do that. The Chair will entertain a motion.

Mr. NICHOLS. I so move, Mr. Chairman.

Mr. WHITE. For the purposes of discussing committee business?

Mr. NICHOLS. I move that the chairman be authorized to close this meeting for discussion of subcommittee business.

Mr. WHITE. Seconded?

Mrs. HOLT. Seconded.

Mr. WHITE. All those in favor signify by saying "Aye."

Mr. WINCUP. Mr. Chairman, that requires a rollcall vote.

Mr. WHITE. It does, indeed. The clerk will call the roll.

[Rollcall vote taken.]

Mr. WINCUP. Six members present, and six members voting in the affirmative, Mr. Chairman.

Mr. WHITE. All right.

[Whereupon, at 3:38 p.m., the subcommittee adjourned the open session, to reconvene in executive session.]

