

Age: 74.
Admitted: 7.7.67 from VA Hospital
Diagnosis: generalized arteriosclerosis, arthritis, emphysema.
Admitted with influenza. Heart enlarged—limited expansion and excursion of lungs. Ambulatory with help on admittance. Forgetful and confused mental condition.
Went to clinic 10.20.67 with gastric distress. Had gallbladder series at hospital. Medication given for gastric distress: Acidulin, tablet 1; pathibamate tablets 1 AC and TID; Compazine; Donnazyme, 1 before breakfast daily.

VA CONTRACTS WITH COMMUNITY NURSING HOMES 3845

Mr. EVERETT: We appreciate your testimony.
Thank you.

Now we will hear from the Department of Labor, Mr. Ben Robertson and Mr. Friedman.

PARTMENT OF LABOR; ACCOMPANIED BY EDWARD D. FRIED-
WAGE AND HOUR AND PUBLIC CONTRACTS DIVISION, U.S. DE-
PARTMENT OF LABOR, ACCOMPANIED BY EDWARD D. FRIED-
MAN, DEPUTY SOLICITOR, U.S. DEPARTMENT OF LABOR, AND
ROBERT GUTTMAN, DEPUTY ASSOCIATE SOLICITOR, U.S. DEPART-
MENT OF LABOR

Mr. EVERETT: Mr. Robertson, will you be the speaker for your group?

Mr. ROBERTSON: Yes, sir.

Mr. EVERETT: Have you a prepared statement?

Mr. ROBERTSON: No, sir. I would like to make some remarks, how-
ever.

To relate the history a little more precisely than it has been presented, the Administrator of the Veterans' Administration, several veterans' organizations, and a number of Congressmen and Senators have requested review and reconsideration of the opinion of Mr. Clarence T. Lundquist, Administrator of the Wage and Hour and Public Contracts Division in a letter dated March 25, 1968, to Mr. John K. Pickens, general counsel of the American Nursing Home Association, stating the position of the Department of Labor that the McNamara-O'Hara Service Contract Act is applicable to Veterans' Administration contracts with nursing homes for the care of convalescent veterans.

The Service Contract Act applies to contracts the principal purpose of which is to furnish services to the Federal Government through the use of service employees. In determining questions of