

Firing of Three Volleys.
Taps.
Ceremonial Folding of the Flag.
Withdrawal of Pall Bearers.
Presentation of Flag to Mrs. Dirksen by Lt. Gen. Vernon P. Mock, U.S.A., Commanding General of the Fifth Army.
The Vice President Presented His Respects to Mrs. Dirksen.
The Governor of Illinois Presented His Respects to Mrs. Dirksen.

FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. 91-411)

Mr. WILLIAMS of New Jersey. Mr. President, on behalf of the Committee on Labor and Public Welfare I send to the desk an original bill (S. 2917) unanimously reported by the committee which repeals the 1952 coal mine safety statute, as amended. The proposed new statute is entitled "The Federal Coal Mine Health and Safety Act of 1969."

Mr. President, I ask unanimous consent to file the committee's report on the bill, together with individual views.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed as requested by the Senator from New Jersey.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. KENNEDY. Mr. President, I move in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 16 minutes p.m.) the Senate

adjourned until tomorrow, Thursday, September 18, 1969, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate September 17, 1969:

INTERNATIONAL ATOMIC ENERGY AGENCY
Glenn T. Seaborg, of California, to be the Representative of the United States of America to the Thirteenth Session of the General Conference of the International Atomic Energy Agency.

The following-named persons to be alternate representatives of the United States of America to the Thirteenth Session of the General Conference of the International Atomic Energy Agency:

Verne B. Lewis, of Maryland.
James T. Ramey, of Illinois.
Henry DeWolf Smyth, of New Jersey.
Theos J. Thompson, of Massachusetts.

DIPLOMATIC SERVICE

Idar Rimestad, of North Dakota, a Foreign Service Officer of Class one, to be the representative of the United States of America to the European Office of the United Nations, with the rank of Ambassador.

STATE DEPARTMENT

William D. Macomber, Jr., of New York, to be a Deputy Under Secretary of State.

Francis G. Meyer, of Virginia, to be an Assistant Secretary of State.

FEDERAL COMMUNICATIONS COMMISSION

Dean Burch, of Arizona, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1969, vice Rosel H. Hyde, term expired.

Robert Wells, of Kansas, to be a member of the Federal Communications Commission for the unexpired term of 7 years from July 1, 1964, vice James J. Wadsworth.

MARITIME COMMISSION

James V. Day, of Maine, to be a Federal Maritime Commissioner for the term expiring June 30, 1974. (Reappointment.)

NATIONAL TRANSPORTATION SAFETY BOARD

Isabel A. Burgess, of Arizona, to be a Member of the National Transportation Safety Board for the remainder of the term expiring December 31, 1969, vice Joseph J. O'Connell, Jr., resigned.

U.S. ATTORNEY

James H. Brickley, of Michigan, to be U.S. attorney for the eastern district of Michigan

for the term of 4 years, vice Lawrence Gubow, resigned.

U.S. MARSHAL

Leon B. Sutton, Jr., of Tennessee, to be U.S. marshal for the eastern district of Tennessee for the term of 4 years, vice Harry D. Mansfield.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 17, 1969:

NATIONAL MEDIATION BOARD

George S. Ives, of Maryland, to be a member of the National Mediation Board for the term expiring July 1, 1972.

RAILROAD RETIREMENT BOARD

Neil P. Speirs, of New York, to be a member of the Railroad Retirement Board for the term of 5 years from August 29, 1969.

U.S. ATTORNEYS

Richard A. Pyle, of Oklahoma, to be U.S. attorney for the eastern district of Oklahoma for the term of 4 years.

Robert McShane Carney, of the Virgin Islands, to be U.S. attorney for the district of the Virgin Islands for the term of 4 years.

AMBASSADOR

Vincent de Roulet, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

John Patrick Walsh, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait.

William C. Trueheart, of Florida, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria.

Joseph S. Farland, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

William E. Schaufele, Jr., of Ohio, a Foreign Service officer to class 2, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Upper Volta.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Robert H. B. Wade, of Maryland, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

HOUSE OF REPRESENTATIVES—Wednesday, September 17, 1969

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

And He hath put a new song in my mouth, even praise unto our God.—Psalm 40: 3.

O Thou Creator of the World and the Sustainer of Life everywhere, hear the song of our hearts as we sing with gratitude for the accomplishments of our astronauts whom we delighted to honor yesterday. We thank Thee for their achievements in landing on the moon, for their safe return, and for the doors to a new future they have opened for us. May we have the courage and the faith to continue our technical and astronomical research for our own good and for the good of all.

God bless our country, the land we love with all our hearts. Lead her into the new unity of a common faith and a common endeavor that we may be makers of

goodness in men even more than makers of goods for men. Grant that our gratitude to Thee for Thy goodness to us may find its fruit in good will for one another. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 13194. An act to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when neces-

sary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education.

AN IMMEDIATE WITHDRAWAL FROM VIETNAM

(Mr. KOCH asked and was given permission to address the House for 1 minute.)

Mr. KOCH. Mr. Speaker, yesterday President Nixon announced another token withdrawal of American troops from Vietnam. Though any withdrawal deserves support, it will still leave 484,000 American troops in that war-torn country.

The President has said that our troop withdrawals will be predicated on three conditions: First, the level of enemy-initiated combat; second, the rate of progress in the Paris peace talks; and third, the increased capacity of the South

Vietnamese forces to assume a greater share of the combat burden. And yet, the fighting continues, the peace talks stall, and the Saigon regime remains unwilling or incapable of assuming the full combat burden of their own war.

Almost every week that passes, more than 150 Americans are being killed in Vietnam. If withdrawals remain predicated on the conditions outlined by the President, thousands more American lives will be lost.

It is clear, without assessing blame, there appears to be no prospect of a cease-fire taking place in Vietnam. I believe that the American public will no longer accept a slow, tactical withdrawal if the price for such delay is the continuing loss of our finest young men on the battlefield.

Let the President announce that total American withdrawal is to commence immediately. Let our policy be committed to saving lives rather than saving face. Every American life lost until our troops are finally withdrawn is an unnecessary tragedy and one which no family should be required to bear.

COLLEGE LOAN PROGRAM

(Mr. SMITH of Iowa asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. SMITH of Iowa. Mr. Speaker, thousands of students in this country will not get a college loan this week and next week when they want to go to college.

It causes great problems. I fear too many people blame failure to secure a loan upon the bill to permit a higher interest rate not having passed, when that in fact has little to do with the problem.

The fact is that there are other things that would have to be changed before banks would make enough loans to fill the void. Bankers will not make loans just because they get another percent or two on the interest rate. But one thing could be done by the President in 5 minutes, if he would, and that is to send up a request for \$35 million additional for NDEA loans. The budget request this year was \$35 million under last year's program. Last year we appropriated \$190 million but this year's administration request was for only \$155 million.

Under the continuing resolution, the program can be funded at the lower of two levels, the President's request or last year's program, so merely by sending up a request for last year's level the money would be available this afternoon, and that would be meaningful help for these college students.

PEACE IN VIETNAM—BUT PEACE WITH HONOR

(Mr. GERALD R. FORD asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. GERALD R. FORD. Mr. Speaker, President Nixon's statement yesterday

concerning further troop withdrawals makes it abundantly clear that the President intends to have peace in Vietnam, but that it will be peace with honor.

Although the emphasis in the press is on the new troop withdrawal, the emphasis in this administration is that it will not negotiate away the right of the people of South Vietnam to determine their own future, free of outside interference.

In other words, we will not abandon South Vietnam.

However, we will continue to work diligently for peace.

I think, Mr. Speaker, that it would be well to go over the steps this administration has already taken in that effort:

We have renounced an imposed military solution; we have proposed free elections under international supervision; we have said we will retain no military bases; we have offered to negotiate an internationally supervised cease-fire; we are willing to settle for de facto removal of North Vietnamese troops so long as there are guarantees against their return; we are prepared to accept any results of a free election and we are prepared to discuss the 10-point program put forward by the North Vietnamese.

Mr. Speaker, the President is indeed walking the extra mile in the quest for peace. It is up to the North Vietnamese to see that he does not walk it alone and in vain.

Mr. ARENDS. Mr. Speaker, the road to peace with an implacable, fanatic foe is a long one. But it is one President Nixon has been walking determinedly for 8 months.

During this time he has made it clear to the enemy that we will meet him more than half way along that road.

At the same time he has made it equally plain to the South Vietnamese that he will not desert them in their hour of need and he will never negotiate away their right to self-determination, free of outside interference.

Yesterday the President listed eight steps he has taken in 8 months to bring that peace about.

At the same time he signified our sincerity by ordering the withdrawal of another 40,500 troops bringing to 60,500 the total number of troops that will be brought home this year.

In doing so, he said that he realizes "that it is difficult to communicate across the gulf of 5 years of war."

But certainly the withdrawal of 60,000 troops is language easily understood in any country, even in the Communist world. Such actions spell out unmistakably our desire for peace.

Let us hope that this time—having understood—they will respond.

Mr. RHODES of Arizona. Mr. Speaker, President Nixon has taken another meaningful step toward ending the war in Vietnam, but it is a step that in no way lessens his determination that peace must not come at the expense of the South Vietnamese people.

That step, of course, is to reduce to 484,000 the ceiling on American troops in South Vietnam by December 15. That is a reduction in authorized troop

strengths of 65,500 since last January and a reduction of 40,500 since the end of August.

Incidentally, Mr. Speaker, I would hope that this time political opponents of the President will give him until December 15 to complete the withdrawal before accusing him of not living up to his commitments.

Those who charged him with failing to reduce the number of troops without waiting for the August 31st deadline were somewhat less than responsible in their haste to make political hay out of a terrible war.

Regardless, Mr. Speaker, the President's record speaks for itself. He is living up to his commitments, not only to remove troops, but also to seek the road to peace.

In his statement yesterday he declared:

The time for meaningful negotiations has now arrived.

He has shown his sincerity. It is time now that his opponents at home pledged their full support to that effort, and that our enemies abroad became aware that this Nation is united behind him.

Mr. TAFT. Mr. Speaker, most Americans of both parties, and in all walks of life are relieved that there will be 60,000 fewer American troops in South Vietnam at the end of this year than there were at the beginning.

They are relieved because it signified the President is determined to deescalate and eventually end the war.

And properly so. But many of us are also relieved because the President has made it clear that his desire for peace does not conflict with his belief that America, as always, must stand by its allies.

Equally as important as the troop withdrawal, and maybe more important in the history of our time, is the President's accompanying statement that "the right of the people of South Vietnam to determine their own future, free of outside interference," is not negotiable.

Peace, yes. But peace with honor for us and justice for those we have sworn to help.

This is the kind of peace most Americans want. And I am proud to say it is the kind of peace this President is determined to have.

AMERICAN PEOPLE OPPOSE SURRENDER IN VIETNAM

(Mr. STRATTON asked and was given permission to address the House for 1 minute.)

Mr. STRATTON. Mr. Speaker, I should like to second the tone of the remarks of the minority leader a moment ago and say I was a little amazed to hear, in the first 1-minute speech this morning, the gentleman from New York (Mr. KOCH) suggest that we ought to bring all our troops back from Vietnam regardless of what the North Vietnamese do or do not do.

I want to commend the President for his very cautious approach to troop withdrawals from Vietnam. I do not know how any responsible Member of this

body could suggest anything else, when one picks up the newspaper yesterday and sees that even the modest withdrawals already undertaken have involved a real degree of risk in the delta area, and when Mr. Joseph Alsop reports the blunt fact that any sweeping, indiscriminate withdrawals from the demilitarized zone would jeopardize the lives of people living in that area and the gains our forces have already made.

If the North Vietnamese are to be told that every time they stall the deliberations in Paris we are prepared to make additional concessions to them, that is not negotiation, that is surrender.

Of course, all Americans want to see an early end to the Vietnam war. But I do not believe the President wants to preside over the first war that this country has ever lost. I certainly do not believe the majority of this House wants to do that, and I do not believe the American people want to surrender, either.

STUDENT LOAN AMENDMENTS

(Mr. LENNON asked and was given permission to address the House for 1 minute.)

Mr. LENNON. Mr. Speaker, I strongly support the student guaranteed loan program. My recorded vote on Monday against H.R. 13194 was in protest of the parliamentary closed-rule procedure under which this important measure was considered and not a vote in opposition to student loans. As indicated in floor discussion, there would have been only a day's delay in bringing the bill before the Rules Committee, as is the usual procedure for legislation of this type, and there would have been an opportunity to offer appropriate corrective and limiting amendments for decision by a majority of House Members. I considered the suspension procedure eliminating full debate and amendments a course of unsound action. Amendments to cut off loans to students guilty of rioting and misconduct and to assure equitable loan interest rates were favored by many Members and should have, in my judgment, been considered in connection with the loan program.

ANNOUNCEMENT OF HEARINGS ON MISBEHAVIOR IN THE PRESENCE OF CONGRESSIONAL COMMITTEES

(Mr. ROGERS of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Colorado. Mr. Speaker, I would like to announce that Subcommittee No. 4 of the Committee on the Judiciary has scheduled a public hearing on H.R. 7213, to amend sections 102 and 104 of the Revised Statutes of the United States to provide that misbehavior in the presence of either House of Congress, or any committee or subcommittee thereof, shall constitute a misdemeanor. This hearing will be held on October 2, 1969, at 10 a.m., room 2237, Rayburn House Office Building.

Those wishing to testify or to submit

statements for the record should address their requests to the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

EQUAL OPPORTUNITY TO VOTE—AMENDMENT TO HOUSE JOINT RESOLUTION 681

(Mr. CONYERS asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous matter.)

Mr. CONYERS. Mr. Speaker, I am taking this time at the beginning of the session to inform the House that at the appropriate time I will offer an amendment to House Joint Resolution 681 which would reserve to the Congress the power to establish uniform national qualifications for voting for President.

The text of the amendment is quite simple:

On page 2, beginning on line 16, strike out "residence."

The purpose of this perfecting amendment is to insure that Congress will be able in the future to implement the basic rationale of this much needed constitutional amendment—to guarantee equal opportunity to vote for President to all Americans.

Without this change, we would still have 50 different requirements for voting. Under the present electoral college system, that does not make that much difference since each State has the same number of votes regardless of their voting qualifications. But with direct popular elections there would be a new significance to each individual vote. Whether some States are either more restrictive or more liberal in their voting qualifications could significantly affect the outcome.

Why should an 18-year-old vote in one State but not in another? Why should literacy be required in order to vote in one State, but not in another?

The committee proposal already reserves to Congress the power to establish uniform residence qualifications. My amendment would extend that reserved power to all voting qualifications which the Congress, in its wisdom, might decide to make uniform throughout the country.

Only in this way can we ensure equality among the States in choosing a President, and more importantly, among all the people of the United States.

U.S. DISTRICT COURT LONG ISLAND ANNEX

(Mr. WOLFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLFF. Mr. Speaker, 2 years ago the Congress gave its approval for the U.S. eastern district court in Brooklyn, N.Y., to establish an annex in Mineola, N.Y., because of the growth of Long Island and the clear need for Federal court facilities in Nassau County, which has a population of 1.5 million.

Unfortunately there are no Federal

office facilities in Mineola and the court convened in borrowed space that it soon had to vacate because of local needs.

Thus the Long Island annex of the U.S. district court has not been meeting despite its authorization by the Congress. There are simply no adequate facilities available for lease in Mineola.

However, I have received word from Ernest Friesen, Jr., director of the administrative office of the U.S. Courts, that adequate facilities, endorsed by the chief judge for the eastern district, are available nearby in Hempstead, N.Y.

Mr. Friesen has reasonably requested that legislation be introduced and passed to permit the Long Island annex of the eastern district court, now empowered to sit in Mineola, to also sit in Hempstead so that the available facilities might be leased by the General Services Administration and the pressing need for Federal court facilities on Long Island satisfied.

I am today introducing legislation to accomplish this goal, and respectfully request prompt action, so that the intent of the Congress in establishing the Long Island annex 2 years ago can be met.

PROTEST AGAINST THE TREATMENT OF AMERICANS BY NORTH KOREA AND NORTH VIETNAM

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, all three crewmen aboard a U.S. Army helicopter shot down by the North Koreans August 17 when it strayed over Communist territory are alive, as has been admitted by the North Koreans themselves, yet they remain in Communist hands. Two of these men are reported seriously injured.

The inhumane treatment by the Communists on American servicemen is well documented. The manner in which Americans have been beaten and harassed offends the minds of all thinking men of the world. Yet, we have the cases in North Vietnam, the crew of the U.S.S. *Pueblo*, and now this helicopter crew as well as all those Americans who suffered during their confinement by North Korea during the Korean war.

I have joined, Mr. Speaker, with other Members of the House in cosponsoring a concurrent resolution to protest North Vietnam's disregard for the provisions of the Geneva Convention and their refusal to release the names of prisoners of war, to permit the regular flow of mail to or from those prisoners, to accord humane treatment to those prisoners, and to permit inspection of the facilities in which those prisoners are held.

But, more than this, I call on all men of conscience in the world to protest to North Vietnam and North Korea their treatment of prisoners. America certainly will not forget these courageous men. We must mobilize public opinion against the uncivilized and inhuman treatment of prisoners in Communist prison camps. I strongly urge all steps be taken in the meanwhile, to obtain the release of Capt. David Crawford, of Pooler, Ga., Sp.4c. Herman Hoffstatter,

of Lowpoint, Ill., and WO Malcolm Loepke, of Richmond, Ind., now being held by the North Koreans.

WITHDRAWAL OF TROOPS IN SOUTH VIETNAM

(Mr. HUNT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HUNT. Mr. Speaker, on Monday, my distinguished colleague, the gentleman from California, Representative WALDIE, said in a speech:

It does seem to me that the President of the United States has the obligation to the people of the United States and to the Congress of the United States to announce the policy of this Nation so that we do not read on the wires and in the newspapers that the Vice President of South Vietnam is telling the people of this country what our policy will be in South Vietnam.

Mr. Speaker, I am amazed at the naivete of the distinguished gentleman from California.

Surely he knows that before the President withdraws troops, he must consult with those other nations that have troops in South Vietnam and that he has, to say the least, a moral obligation to tell the South Vietnamese of his intentions.

Surely he knows that the President has no control over what Vice President Ky might say, any more than he has control over what the honorable gentleman might say.

Certainly, we would rather hear decisions on American foreign policy announced by our President.

At the same time, we would also rather hear criticism based less on pique and politics and more on merit.

It might also be helpful in view of another speech made on this House floor by this first speaker today to take stock of a famous quotation. Some years ago, Lt. Gen. Sir Wm. F. Butler of the British Army, who said:

The nation that will insist on drawing a broad line of demarcation between the fighting man and the thinking man is liable to find its fighting done by fools and its thinking done by cowards.

TAFT DECRIES NORTH VIETNAMESE TREATMENT OF AMERICAN PRISONERS OF WAR

(Mr. TAFT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAFT. Mr. Speaker, I am today joining with a number of my colleagues in condemning North Vietnam for its inhumane treatment of American prisoners of war.

Over 300 U.S. servicemen are known to be prisoners of North Vietnam.

Intelligence reports, and statements by prisoners who have escaped or have been released by Hanoi confirm that North Vietnam continues its barbaric and uncivilized treatment of these prisoners of war.

War is ugly. But the malicious, harsh, and cruel treatment of prisoners is an outrage which cannot and must not be allowed to continue.

Not only do the men suffer unbelievably, but their families and loved ones are forced to endure hardships and pain that so easily could be eliminated.

Hanoi has denied cruel treatment of its American captives. We ask that North Vietnam permit an immediate and impartial inspection of its prisoners, to verify Hanoi's claim.

We ask that North Vietnam release a list of names of the prisoners it is now holding, so that families who today do not know the fate of their loved ones, listed as "missing in action" may learn whether these men are dead or alive.

We ask that North Vietnam permit the free exchange of mail between POW's and their families, as provided for in the Geneva convention, which Hanoi signed in 1957.

We ask, in the name of simple humanity, that North Vietnam release the seriously ill or injured prisoners.

Mr. Speaker, whether we are in agreement on the future conduct of the war, whether we are in agreement over past policies in Vietnam, we can all agree that we are firmly united in support of humane treatment of U.S. prisoners of war.

WE MUST HAVE AN HONORABLE END TO THE WAR

(Mr. HAYS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HAYS. Mr. Speaker, I find myself in general agreement with the minority leader and the gentleman from New York (Mr. STRATTON) on the proposed withdrawal of troops in Vietnam. And if I understood the minority leader correctly I am glad to know that the President has made a decision not to surrender and not to allow the South Vietnamese to be taken over willy-nilly by the communistic regime of North Vietnam.

The first speaker of the day, the gentleman from New York (Mr. KOCH), if I understand him and his numerous speeches on this subject, is for a quick Communist victory. I would advise the gentleman that the American public opinion, however he may view it, is extremely mercurial and, while American public opinion is for ending the war in Vietnam, it is for ending it honorably. If the gentleman had his way and we surrendered to the Communists and allowed them to murder—which they would do—a few hundred thousand people in South Vietnam who disagreed with them, I believe the gentleman's constituents who sent him here might find his philosophy unacceptable. At least, I hope they would.

The SPEAKER. The time of the gentleman has expired.

ACCOMPLISHMENTS OF THE 91ST CONGRESS

(Mr. MEEDS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEEDS. Mr. Speaker, it is not surprising every autumn to find the football season is here. It is a little surprising on off years, however, to read the morning paper and realize that it is the political season.

I was astounded this morning, Mr. Speaker, to read the charge in the Washington Post by Members of the other party with regard to the "do-nothing 91st Congress."

Mr. Speaker, I would like to take this opportunity to point out that the two major accomplishments, in addition to a lot of other accomplishments of the 91st Congress, have been carried out despite and in opposition to the requests of the administration. The Tax Reform Act of 1969 which passed this House was solely the property and the product of the great House Committee on Ways and Means led by the Democratic majority. I would like to point out further that the great advance made in adding funds for the education of the young people of this country, and for the libraries of this country, was taken on the initiative of the Democratic Party over the opposition and over the cries and over the chiding of the administration.

As a Member, I would like to point out what has happened to this Member in attempting to get legislation considered and to get recommendations from the administration. I have had four or five bills in the various departments of this administration and have not gotten reports on them; or I have asked for reports and I have been told they would be forthcoming in a short time—and they have not been forthcoming—or when they have been forthcoming they have been negative.

So it seems to me, Mr. Speaker, if there is any doubt where the 91st Congress is going and how much it is accomplishing, perhaps the reason ought to be laid at the door of this administration—at the door of the architect, if you will, of the "no, no not now—go slow—too much, too soon administration."

The SPEAKER. The time of the gentleman has expired.

CALL OF THE HOUSE

Mr. EDWARDS of Alabama. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered. The Clerk called the roll, and the following Members failed to answer to their names:

	[Roll No. 172]	
Arends	Fulton, Tenn.	Powell
Ashley	Gallagher	Purcell
Belcher	Gray	Reid, N.Y.
Bolling	Griffiths	Rhodes
Brock	Hanna	Royal
Burton, Utah	Hansen, Idaho	Scheuer
Cahill	Kirwan	Sisk
Carey	Lipscomb	Teague, Calif.
Chamberlain	Lukens	Teague, Tex.
Clay	Morton	Tierman
Culver	O'Konski	Utt
Edmondson	O'Neill, Mass.	Waldie
Fascell	Ottinger	Whalley
Feighan	Patman	Wright
Fraser	Pollock	

The SPEAKER. On this rollcall 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PENDING VOTE ON DISTRICT PLAN OF ELECTING PRESIDENT AND VICE PRESIDENT

(Mr. CELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CELLER. Mr. Speaker, under a motion carried in the Committee of the Whole House on the State of the Union yesterday, debate on the substitute amendment offered by the gentleman from Texas (Mr. Dowdy) containing the district plan for the election of President and Vice President, will be concluded in 45 minutes. The substitute will be voted on immediately thereafter.

Mr. Speaker, I yield back the balance of my time.

WE MUST INCREASE SOCIAL SECURITY BENEFITS

(Mr. VANIK asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, it has been just announced that President Nixon has recommended a 10-percent increase in social security benefits, effective April 1970. This is too little and too late. Congress can do better.

Mr. Speaker, I believe that this Congress can do better than that. I believe we can act in this session of this Congress. I certainly hope that this Congress will take the initiative and give the retirees and the beneficiaries of the social security system a chance to survive the escalating cost of living and the inflation which has occurred during the past year.

APPOINTMENT OF CONFEREES ON H.R. 13194, AMENDING THE HIGHER EDUCATION ACT OF 1965

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13194) to amend the Higher Education Act of 1965 to authorize Federal market adjustment payments to lenders with respect to insured student loans when necessary in the light of economic conditions, in order to assure that students will have reasonable access to such loans for financing their education, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate on the disagreeing votes of the two Houses.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Mr. PERKINS, Mrs. GREEN of Oregon, Messrs. BRADEN, CAREY, HATHAWAY, BURTON of California, THOMPSON of New Jersey, SCHEUER, STOKES, CLAY, AYRES, QUIE, REID of New York, ERLBORN, ESCH, DELLENBACK, SCHERLE, and STEIGER of Wisconsin.

DIRECT POPULAR ELECTION OF THE PRESIDENT AND VICE PRESIDENT

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the election of the President and Vice President.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the joint resolution (H.J. Res. 681), with Mr. MILLS in the chair.

The Clerk read the title of the joint resolution.

The CHAIRMAN. When the Committee rose on yesterday, there was pending the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Dowdy).

It was agreed that all time for debate on that amendment, and all amendments thereto, would be limited to 45 minutes. When this arrangement was agreed to, the Chair observed Members who were on their feet and seeking recognition yesterday when the debate on the pending amendment, and all amendments thereto, was limited.

Each Member whose name appears on the list will be recognized for 1½ minutes.

The Chair recognizes the gentleman from Virginia (Mr. POFF).

(By unanimous consent, Messrs. GERALD R. FORD, DON H. CLAUSEN, SEBELIUS, THOMPSON of Georgia, GROSS, and WAGGONER yielded their time to Mr. POFF.)

The CHAIRMAN. The Chair recognizes the gentleman from Virginia (Mr. POFF).

Mr. POFF. Mr. Chairman, first let me express my profound gratitude to those who have been generous enough to ask that their time be allocated to me. I hope I shall be able to justify your confidence. I am afraid, however, that no person is equal to the challenge of this occasion.

I begin by saying that I am the first to recognize that technically it is unwise to assume a defensive posture in debate, just as it is in a campaign. I prefer the positive. But the time available permits only rebuttal, and I must undertake to defend the district plan against the attacks that have been leveled against it.

Principally, only two attacks have been made against the Dowdy substitute. First, it is said that requirements for compactness and contiguity will somehow become the predicate for litigation. Second, it is argued that the district plan will become a "winner take all" in miniature, with the minority in each district disenfranchised, and with the possibility that the winner may become the loser.

I hope that is a fair statement of the attacks that are now being pressed against the plan. Language requiring compactness, contiguity, and equality of population was added to the district

plan to forestall the evil of gerrymandering. Additional language guarantees that districts—and I quote from the language of the bill—"shall be apportioned following each decennial census and shall not thereafter be altered until another decennial census."

Yes, that language does authorize judicial oversight. But is the risk of litigation any greater than the risk we run today with respect to congressional apportionment? And more to the point, is the risk as great as the risk posed by the runoff mechanism of the direct plan?

Consider with me for a moment the potentialities. While the district plan fractionalizes vote fraud and restricts its impact to localities, the district plan nationalizes the impact of vote fraud, and in a close popular election, if the total votes involved in fraud contests throughout the Nation could affect the result in determining either a 50-percent majority or a 40-percent plurality, the demand for litigation in every challenged district would be utterly irresistible. And once the litigation following the general election was resolved, we would face the prospect of new litigation following the runoff election.

Mr. Chairman, if it is true that the district plan is a miniature "winner-take-all" plan, it is also true that the direct plan is a national "winner-take-all" plan. And if it is true under a district plan that the minority votes in each district will be cancelled, it is also true that under a direct plan the minority votes in the Nation at large will be cancelled, even if that minority is only one less than 50 percent of the total votes cast in the Nation. Surely under the direct plan those who supported the drop-out candidate in the general election will "lose their votes" in the runoff election in the sense that they will not have an opportunity to vote for the candidate of their choice.

The district plan, they say, could make the winner the loser, and they point to the 1960 election. There you will remember Kennedy, although the popular winner, would have been the loser under the district plan, and that is because Nixon won more of the rural districts than Senator Kennedy.

But things are not always what they seem. Consider two factors. First, had the district plan been in effect in 1960, the emphasis and the geography of the 1960 campaign would have been different. Both candidates would have spent more time and effort in the rural districts and the result, measured by districts, might have been substantially different.

Second, Senator Kennedy won the 1960 election by less than 50 percent of the popular vote. That is a plurality, not a majority, and if the direct plan had been in effect in 1960 and if the Kennedy plurality had been less than 40 percent, then it is possible that Mr. Nixon might have won the runoff election. Thus, if it is true that a district plan could make the winner the loser, it is also true that a direct plan could make the general election winner the runoff loser.

In summary, Mr. Chairman, here is why I favor the district plan. I want to reform the electoral college. I want to

revise the federal system as little as possible. I want a new system which will better reflect the popular will than the present system.

Finally, I want the Congress to propose a system that the States will accept.

It does no good for us to spout rhetoric in this body if the fruits of our efforts are unacceptable in the other body, and it does no good for both bodies to agree if the product they fashion cannot be merchandised among the States.

I suggest that the direct plan cannot be sold to three-fourths of the States, and here are the mathematics of it. We have 99 legislative bodies in this country. It requires only 13 of the 99, each in a different State, to frustrate whatever proposition the Congress presents to the States. I remind Members it is not necessary that both houses of the 13 States act negatively. One house is sufficient. Either may act negatively or simply fail to act at all.

The proposition must be ratified, if it is to be ratified, by the affirmative initiative taken in 38 State legislatures. I suggest that in their 99 legislative bodies, there will be 13, each in a different State, which will be so convinced that their State under the present system enjoys a political voting power advantage that they will simply be unwilling to take the initiative.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. Chairman, I ask the gentleman to yield solely for the purpose of asking a question on procedure.

Mr. POFF. I yield to my colleague on the committee, the gentleman from Minnesota (Mr. MACGREGOR).

Mr. MACGREGOR. Mr. Chairman, I am grateful to the gentleman for yielding.

Mr. Chairman, should the Dowdy-Dennis amendment carry here on a teller vote, what will be the next procedural step?

Mr. POFF. If the Dowdy-Dennis amendment falls—and I earnestly trust it will not—I will seek recognition to offer the substitute which the gentleman and I have jointly worked out.

Mr. MACGREGOR. Mr. Chairman, should the Dowdy-Dennis amendment succeed on the teller vote, what will be the next procedural step?

Mr. POFF. The Committee of the Whole would rise and we would go into the House, and I assume a separate vote would be demanded on the action taken in the Committee of the Whole.

Mr. MACGREGOR. Let us assume that in a rollcall vote in the House the Dowdy-Dennis amendment carried by more than 50 percent, but less than 66 $\frac{2}{3}$ percent; what would be the next step?

Mr. POFF. We would then proceed to a vote on passage of that amendment.

Mr. MACGREGOR. And that vote would require 66 $\frac{2}{3}$ percent?

Mr. POFF. It would.

Mr. MACGREGOR. And should it fail to attain 66 $\frac{2}{3}$ percent, even though it attains 50 percent of the teller and rollcall votes, then we have no reform whatever?

Mr. POFF. The gentleman is correct.

Mr. MACGREGOR. Mr. Chairman, I thank the gentleman from Virginia.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The Chair recognizes the gentleman from Texas (Mr. DOWDY).

(By unanimous consent, Mr. DOWDY yielded his time to Mr. POFF.)

Mr. POFF. Mr. Chairman I should like to make one final point. I am fearful that what we are about to do here, if successful, may unhinge the two-party system. I am afraid that a direct vote system would tend in that direction more than any other system which has been or will be proposed.

I realize that those who drafted the direct vote system are of the opinion that the 40-percent factor will prevent that unhappy result, but I am not as sanguine as they. On the contrary, I am fearful that the temptation will be well nigh irresistible for every small voting group which can persuade a candidate to offer himself for presidential election to seek, if nothing else, to deny the front-runner the majority or the plurality he needs. If successful in denying him 40 percent, they will achieve part of their purpose, namely, to force the election into a runoff. And surely there will be a great incentive to combine the efforts of all minority groups in that effort, and, just as soon as the general election is concluded and all of the vote fraud contests have been settled, then will begin the wheeling and dealing looking toward the runoff election. There can be no mistake about it.

Mr. DOWDY. Mr. Chairman, I had thought I would have no further comment to offer in support of my substitute.

However, in yesterday's debate, the minority leader, the gentleman from Michigan (Mr. GERALD R. FORD), stated that Mr. Ed Gossett, a former Member of this House, was a member of the ABA group who recommended the direct election plan for selection of the President, and that any conservative can follow Ed Gossett's recommendation.

I knew that Ed Gossett is not in favor of the direct election plan, and does not recommend its adoption, and so advised Mr. FORD, during the debate, as shown by the RECORD. Nevertheless, he persisted in insisting that Mr. Gossett is for the plan.

I have followed the debate on our district plan substitute very carefully. None of us who support the district plan have misrepresented a single fact, as far as I know, during the debate. Were I to unintentionally misrepresent something, I would be happy to be corrected. Therefore, since Mr. FORD was so persistent, I called Mr. Gossett last evening, just on the chance he had changed his position since the latter part of August, and advised him of Mr. FORD's allegation. He told me again that he is not for the direct election. He said that I could quote him:

I am opposed to the direction election of Presidents. I favor either the district plan or the proportional plan. The direct vote system would be worse than our present system.

If Mr. Gossett had told me the contrary, I would be here telling you that. I am not going to try to mislead the Members of this body at any time; and that is even more emphatic on a question of such importance as the resolution before us.

Mr. DON H. CLAUSEN. Mr. Chairman, it has been my contention from the outset that our archaic electoral college system must be changed and that the method of electing America's national leaders must be updated and improved.

In times past, when America was broadening its frontiers and settling its people and its institutions within the framework of a democracy—the electoral college system made sense. Today, however, with the advances made in education, transportation, and communication—it does not.

Over the years, a vast majority of the people in this country have become understandably concerned over the fact that we, the people of the United States, do not elect our President. We never have. And unless the Constitution is changed to give us that right—we never will.

There are some basic and inherent faults with this so-called winner-take-all system. It gives large States excessive and unprecedented power in presidential elections. In fact, the electoral votes of the 12 largest States could elect a President even though the combined votes of the remaining 38 States went to his opponent. In addition, the electoral college system openly invites vote fraud. Since a State's total electoral vote hinges on a simple majority of the votes cast, just a few votes can, in fact, determine the outcome. This encourages the kind of fraud that can influence the few votes needed to swing the election to one candidate or another.

One of the underlying principles on which all of the proposed plans for reform are based is the notion that people are entitled to have their votes counted for the person to whom it was given. This notion, certainly, is not novel. It is, in fact, the very system by which Members of the House of Representatives are elected within their respective congressional districts. And they are, moreover, the very ideas that our Founding Fathers had in mind when they adopted the electoral approach.

Of the many proposals which have been advanced for election reform in this country, we are now faced with two basic approaches—the so-called district system and the direct election plan.

The direct plan would abolish the electoral college system entirely and would substitute therefor the election of the President and Vice President by a majority of the total popular vote. The district system would abolish the electoral college, as such, but would retain part of its provisions. Under this plan, the will of the whole people would be more accurately ascertained by consulting them in 400 or 500 congressional districts of equal numerical size—each with one vote—rather than in 50 States each with an unequal number of votes, as is now the case.

The framers of our Constitution were deeply concerned, as some of us still are today, that whatever system evolved for electing our national leaders—included checks and balances so that the will of the people would not be denied or eroded through fraud.

This remains my primary concern today. I want a system whereby the predominant political parties in every

State, large and small, are compelled by the Constitution to come into the contest fairly and to compete for the vote of all the people. I want a system that is concerned more about individuals than it is about masses of people. For it is the people and not the States that must, in the final analysis, become the fountain of power in electing the President and Vice President of the United States. Above all, we must guard against any movement or trend toward "mobocracy."

As a Member of this body, I have been subjected to the district plan on five occasions. I believe it is eminently fair and that it embodies the checks and balances vital to any election plan. I believe it would accurately reflect a President most favored by the Nation at large and the true preference of its people. And, most important, I believe its adoption would tend to promote and enhance what the Constitution calls "a more perfect union" among the people of the United States.

Therefore, I shall initially support the district plan. Should it not prevail, however, and because of my firm conviction that we must bring about meaningful election reform this year, I will support the direct election plan. But, here again, I will predict that the final recommendation that will evolve in the conference between the House and the Senate, ultimately will be a compromise plan similar to the Poff amendment. I believe it will be the only election reform plan that will be acceptable to the entire Congress.

The basic question at stake here, as I see it, is whether we in the Congress are going to nationalize or federalize our election system for President and Vice President—without running the risk of a serious judicial rejection. Our total national interest will best be served by strengthening the federal system and its procedures.

I am certain that the Senate, in its deliberate wisdom, will carefully weigh our determination here today on this issue of vital concern and utmost importance to the American wisdom. In addition, since this is a constitutional question, congressional approval of this legislative initiative will then send this measure to the States where it will be decided by the representatives even closer to the people.

In the final analysis, if the Congress does not act favorably on this proposal during this session, then the time needed in the process of ratification would mean that the battle to achieve election reform before the 1972 elections, will have been lost.

I am hopeful that such a delay can and will be avoided and that we will respond today to the strong voice of the people in seeking election reform for ourselves and future generations of Americans.

Mr. SEBELIUS. Mr. Chairman, I would like to go on record as supporting the substitute district election plan amendment.

Much has been said regarding the public's support for the obvious need to reform our present electoral system and the following assumption that the public therefore supports the direct popular election plan. I submit the public is understandably concerned and supports needed reform—we are all in agreement

on that point—but I also submit the public has not had the opportunity to fully discuss and consider the alternative district election plan or to consider the merits and disadvantages of both proposals.

I have found that the citizens of my district, when queried about the direct popular election of our President and Vice President, invariably say they support the plan and additionally state we should solve the problem of the faithless elector and the much publicized problem of a contingency election. But, when these same citizens become aware of the inequities in favor of the big city States, the awesome problems of vote recounts and runoff elections, and the giant step we are taking in regard to constitutional change, the clamor and support for the direct election plan disappear.

Since discussing this issue personally with many constituents during the recent recess, and via press release and newsletter, my mail has reflected a big change in attitude. The issue has become rather simple. The district plan will solve the problem of necessary reform with the least amount of constitutional change.

Moreover, I should like to point out the district plan will likely be accepted by the other body and by the necessary three-fourths of our State legislatures.

This plan, it seems to me, is most representative. It will protect minority groups and interests from any possible election fraud in that should any fraud occur, its effects would be limited to that congressional district and to the State vote affecting the State's two electors bound to that decision.

Mr. Chairman, the district election plan would, as my colleague, the gentleman from Indiana (Mr. DENNIS) has already pointed out, elect our President and Vice President in the very same manner and method by which our current Congress was elected. I think this method is a proven success. I do not think we should radically depart from that concept and embrace a plan that could place us on yet another treadmill of constitutional change.

Mr. GROSS. Mr. Chairman, I rise in strong support of the Dowdy-Dennis substitute for I am unwilling to vest in the big cities of this country the power to elect future Presidents and Vice Presidents.

Adoption of the committee resolution, without some dilution or weighting of the votes in the few States where there are heavy concentrations of population, will mean that the voters in the smaller States will be penalized beyond belief. I am for reform of the present electoral college system but not on the basis of reform that does violence to the voters of Iowa and other less populous States.

I am vigorously opposed to the provision in the committee resolution providing for a runoff election in the event the first election does not produce a majority vote for any candidate. It would be fantastically expensive for the presidential candidates to conduct two campaigns. It could produce far more chaos than the present system which, after all is said in denunciation of it, has served the Nation well for some 180 years.

But the major point is that I want the

candidates for President and Vice President to campaign for election throughout the Nation, not merely in some 37 of the largest cities where the mass of population resides and votes.

Unless some method of balancing the vote is provided, I must vote against the installation of a system of direct voting which I am convinced will never be ratified by three-fourths of the legislatures of the several States.

Mr. SCHADEBERG. Mr. Chairman, I rise in support of the Dowdy-Dennis amendment. The debate on this issue thus far has been on a level befitting the responsibility of this body and the seriousness of the issue before us. What we do here is more than the making of a mere legislative ripple on the sea of our national history. We are charting a course which may well change the basic character of our present political structure and whatever change is made must not be made lightly.

I am of the conviction that the present system of electing our President and Vice President needs reform. That is why if this amendment fails, I shall vote for some other type of change.

I doubt there is a single Member of this House who in supporting his position is not sincerely convinced that the position he holds is in the best interest of the people not only in our day but in the decades to come. There is room for an honest difference of opinion and it is commonly accepted that each plan proposed as a change from our present system has its merits and its disadvantages. I happen to believe that the district plan does most to protect our historic political philosophy. Yet, while not making rash changes in the Constitution it removes the objections to the present system as expressed by the people of our districts.

Why do I believe that the district plan best protects the will and welfare of the people we represent?

The economic, political, and social welfare of those we represent are more closely tied up with the area in which they reside than they are in the total mass of the United States, including Hawaii and Alaska. To be sure no individual citizen or State or congressional district is an island. Our interests and welfare are interrelated and we must not ignore our responsibilities to and concern for others. The fact is, however, that a man's job, his income, his social and recreational life, his possessions, his future are closely interrelated to the specific area in which he has dug his roots. As such I believe that his vote for President and Vice President better reflects and represents his interest and welfare as an individual citizen under the district plan than if his vote is lost in the anonymity of some 75 million votes.

I support the district plan because I do not wish the votes of the people of my district—and those in a majority of the congressional districts in the country to become meaningless when it is possible that in the not too distant future the mere mass of numbers residing in eight or 10 probable megalopolae will decide the destiny of this Nation without due regard to the hard-working people who will be living in the relatively rural areas and who will be asked to do the paying.

I would hate to see the Midwest become the pawns of the population centers of the east and west coasts.

Mr. PRICE of Texas. Mr. Chairman, it is clear that the electoral college is in bad need of reform. It is a system ill designed and ill equipped to fulfill the needs of 20th-century politics in America.

The weaknesses of the electoral college system have been well summarized by the six fundamental propositions outlined by the House Republican policy committee:

1. It has permitted a candidate with fewer popular votes than another candidate to be elected President.

2. It has allowed electors to disregard the mandate of their election in casting an electoral ballot.

3. The winner of the plurality of the popular vote in a state wins all of the electoral votes in that state regardless of the vote received by the other candidate.

4. It has required the House of Representatives to decide elections when no candidate received a majority of electoral votes. In this process, each State, regardless of population, is given one vote.

5. Under the present system, the President and Vice President who are finally chosen can be from different political parties.

6. There is no provision made in the present law for the selection of a successor in the event of the death of a Presidential or Vice Presidential candidate in the 41-day period between election day in November and the meeting of the electors in December. Similarly, the situation that would be presented by the death of a Presidential or Vice Presidential candidate after the meeting of the electors but before the counting of the votes, is not specifically covered by law.

Mr. Chairman, in the 90th Congress, three major plans for electoral reform have been advanced. The direct election plan would abolish the electoral vote altogether and provide for the election of the President and Vice President by a majority of the total popular votes cast in the United States. The proportional plan would abolish the electoral college, but would retain the electoral vote. The electoral vote in each State would be apportioned among the presidential candidates in accordance with the number of popular votes they received. The candidate who received merely a plurality of the popular votes cast would not receive the State's entire electoral vote as he would under the present system. The district plan would preserve the electoral college but would eliminate the present procedure of giving a State's entire electoral vote to one candidate. Electors would be chosen by the voters, each district would be entitled to one elector, and an additional two would be chosen to represent the State at large. The State districts would be compact and adjoining, and would generally contain the same number of persons as the congressional districts within the State. Before being elected, the electors would be required to make a binding pledge to support their party's candidate. These electors would vote, and the candidate who received the highest number of such electoral votes would be President, providing he had a majority. Failing a majority, the Senate and the House, meeting in joint session, would elect a President from among the three candidates receiving the most electoral votes.

Mr. Chairman, philosophically, I favor the district plan. I think this plan would provide the most effective and realistic overhaul of our antiquated electoral college while retaining the traditional balance between Federal and State relationships.

As a duly elected representative of the 18th Congressional District of Texas, however, I am bound by the wishes of my constituents on this matter. According to the results of a recent opinion survey I conducted, 64 percent of the residents of my district favor the direct plan, 7 percent prefer the district plan, 15 percent favor the proportional plan, and 14 percent want to retain the present system.

National surveys polling popular opinion on the issue of electoral reform indicate that my constituents agree with much of the Nation. According to the most recent Gallup poll, 81 percent of the American people are in favor of choosing the President and Vice President by direct popular vote.

From a practical viewpoint, one of the most damaging criticisms that has been leveled at the direct plan is that it would not be ratified by the necessary three-fourths of the State legislatures. This criticism has been significantly diluted by a formidable array of evidence to the contrary.

The most recent piece of evidence on the subject comes from a poll of State legislative leaders conducted by the well-respected magazine, *Nation's Business*, and reported in its September issue. The poll concluded that there is a strong nationwide preference for the direct plan over various other alternatives. Of the overwhelming majority of State leaders favoring a change in the present electoral system, over two-thirds favored the direct vote plan. Only 20 percent supported the district, while the remainder was split among three other proposals including the proportional plan.

The poll by *Nation's Business* clearly indicates that the direct plan stands a better chance of being ratified than either the district or the proportional plan.

Mr. Chairman, at the heart of the direct plan lies representative government—government by the people and of the people. It is this fact, coupled with the ever increasing ground swell of popular and political support springing from State and local levels, which causes me to add my support to the direct election plan.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina (Mr. MANN).

Mr. MANN. Mr. Chairman, in the short time allotted to me I would like to pursue the idea just expressed by the gentleman from Virginia (Mr. POFF). I found it very interesting on yesterday when the gentleman from Illinois (Mr. PUCINSKI) called our attention to the Supreme Court case of Williams against Rhodes. He pointed out how our Supreme Court has made it fairly simple for additional political parties to be included on the ballot, thus increasing the possibility that the direct popular vote amendment

proposed by the Judiciary Committee would result in a proliferation of parties and a strong possibility that no candidate could achieve the "minority" elected status of even 40 percent of the vote. The chairman of the Judiciary Committee, the gentleman from New York (Mr. CELLER), responded by indicating that Congress could pass a law controlling the question of inclusion on the ballot. Although in the first place it is clear that Congress could pass no effective law abrogating other provisions of the Constitution with reference to the right of citizens to vote, and so forth, it is equally clear that we can expect centralized Federal control of elections under the current direct popular vote proposal.

Yes, Mr. Chairman, Congress can pass a law. Congress will pass many laws—laws regulating the time, place, and manner of holding the elections, laws relating to entitlement to inclusion on the ballot, laws providing for vote challenges, laws providing for recounts, and laws on the many other details surrounding an election. And that is just what we are asking for if we support the committee resolution—Federal control of elections—one more surrender of rights by local governments and by the States, one more step toward an overwhelming, all-powerful Central Government.

The gentleman from Illinois (Mr. ANDERSON) on yesterday referred to the new federalism that this administration has promised. I do not detect in this new federalism any effort to return to the States their most vital privilege, that of raising money from sources heretofore preempted, and daily being usurped, by the Federal Government. I assume that it is proposed under this new federalism to return to the States certain funds previously collected from the States and their citizens, no doubt with some guidelines, or by categorical block grant.

I would prefer to call this a new centralism, one that merely makes of the States administrative branches of the Central Government, using Federal funds, under Federal direction. Thus it is that I deplore the effect that this direct popular vote proposal will have upon our Federal Republic, inevitably depriving the States of yet another right, that of determining its own method of conducting elections and of determining the qualifications of its voters.

Our Nation is a union of States, containing land as well as people. I think it greatly desirable for a country as large and diverse as ours for people in all areas of our land to have a meaningful voice in the election of their President, and to prevent a consequence which this proposal would permit, a President elected by a few urban centers in this country.

Since I believe that the President is an executive to administer the affairs of this Nation within the framework of our federal system, in which the States should and can play a vital and continuing role, I also believe that the States should have a role in his election.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, the action

by this body on the question of electoral college reform may well be the most important alteration of the body-politic in our generation. I say this because I believe a drastic restructure of our political system such as the adoption of the direct or so-called popular vote plan of presidential selection will have dire and irreparable results upon our political institutions, form of government, and upon our society.

To digress for a minute, I certainly agree that the present system is not the epitome of perfection. However, I would not kill the "patient" in order to heal its "maladies." I would prescribe a remedy or "cure" such as the so-called district electoral plan. I believe it will accomplish that which we need, and preserve our representative republic as well as the union of the States.

Before going into the merits of this plan, I would like to discuss the dangers of the direct election plan when the Founding Fathers debated and finally drafted the Constitution they devised a plan of presidential selection whereby they thought that the leading citizens of each State would use independent judgment in choosing a President. Their intent as stated by John Jay was to create electors as "select assemblies for choosing the President." This concept soon disappeared when political parties emerged. I think that it would be redundant to state the subsequent history up to the present day. But, I do think it is vital that some of the political concepts and theories that guided the Founding Fathers in their creation of the electoral college be brought to light.

These illustrious gentlemen conceived a document which, up to that time, contained a political idea untried in human history; the placing of limitations on the power of Government or the State. Prior to that, tyrants and kings possessed unlimited powers. The Constitution destroyed the absolutism and divine right theories, and planted the seed for the tree of "ordered liberty." How unique and how marvelous. What a lesson here, versus the modern counterparts of tyranny—dictatorships.

Yes, the Constitution placed limits upon the actions of the national and State governments. It established our system of checks and balances whereby no one branch or one man would possess or exercise a disproportionate amount of power. In addition it geographically dispersed power to the States and local government through the federal system. One cannot prudently disregard the successes of the proved principles of the doctrine of separation of power.

In addition to limiting and widely distributing the power of government, the Founding Fathers felt that the power of the majority should not be absolute, and that it must be tempered by the protection of minority rights. So it was in the choosing of our "Chief Magistrate," that the electoral college was adopted and his direct election was rejected. The learned group of patriots that met prayerfully in Philadelphia, knew that the majority might not always possess the right judgment, and that this same majority could well usurp the rights of the

minority. History has indeed proved this to be a correct observation of human nature and politics. I might add that like conditions prevail today.

Not only were the framers of the Constitution concerned about the relationship between the majority and the minority, but they were equally concerned about the relationship between the large States and the small States. They sought to create a presidential selection system that would give the large States power and influence because of their size, but would also give the small States leverage, so that their existence and voice in the National Government could be protected. They sought a finely tuned balance between the large States and the small States and between the majority and the minority.

Now, Mr. Chairman, I will be the first to admit that the balance has not been achieved by the present system. However, I do not believe that the abolition of the electoral college to be replaced by a direct election plan will achieve greater equity or a more responsive government. History shows that Napoleon Bonaparte and Napoleon III came to power through a direct national plebiscite. Even more horrifying and more recent many of us can remember when Hitler was elected Chancellor of Germany in their direct election of 1933.

So, what I would propose is the adoption of the district electoral plan. Under this plan electors, equivalent to the number of Representatives in Congress of each State would be chosen by the voters, one for each congressional district, and in addition, two for each State at large, which are equivalent to the State's two U.S. Senators. Each candidate for elector would be required to declare the persons for whom he would vote for President and Vice President, and this would be a binding declaration, thus eliminating the unfaithful elector. The electors in each State would meet and vote and the tallies for all persons voted for would be sent to the President of the Senate. The candidate receiving the highest number of the total votes from all the States and the District of Columbia would be elected providing he had a majority when tallied before the House and Senate. If a candidate failed to obtain a majority of the votes the Senate and the House, meeting in joint session, would elect the President from the top three candidates.

I base my support for this proposal on the following reasons: First. A more accurate reflection of the popular vote would be forthcoming if electoral votes were divided within each State, so that the electoral vote in each district designated for that purpose, was determined by the popular vote result in that district alone.

Second. The district selection process would be in harmony with the present system of district election of Representatives so it would not create a precedent for proportional representation as does the automatic division of electoral votes in exact proportion to the popular vote in each State. This is the essence of a representative government in a Republic under a limited Constitution, which is just what we are, and should remain.

Third. The district electoral vote plan should promote establishment and maintenance of effective two-party systems in every part of the Nation inasmuch as party success in any district would be worthwhile. We Missouri Republicans could elaborate at length on this subject.

Fourth. To the extent electoral districts were made coterminous with congressional districts, the plan should produce a close relationship in the vote for President and Congress in each district, and so contribute to responsible government by promoting control of both executive and legislative branches by the same party, simultaneously. This would avoid overwhelming control of the big cities, and by the "corridor" of most populous States.

Fifth. The district plan would reduce the present disproportionate influence of the large population or so-called doubtful States in the presidential elections by ending the windfall that comes with the "winner-take-all" approach.

Sixth. The district elector system should encourage greater voter participation, by making the individual's vote seem more important in the selection process.

Seventh. The district system would give every voter an equal voice in the selection of a President by giving him the same voting weight everywhere. Every voter would be voting for three electors, instead of for the entire State total.

Eighth. Awarding electoral votes by districts would maintain a fair balance between rural and urban forces and allow minorities to make their weight felt where they have strength, without giving excessive influence to any group or interest. It preserves the function and federation of the States of the Union.

Mr. Chairman, I talked earlier about the finely tuned balance the Founding Fathers attempted to achieve in creating the electoral college and how this has not been fully achieved. I am quite confident that my plan will not reach the high state of perfection, but I feel equally as confident that the direct election proposal could bring us to the brink of disaster. A multiparty system might well be the Frankenstein monster created by the direct election method and I do not have to tell this distinguished body the political instability and chaos it has brought to many so-called Western democracies. On the other hand, Mr. Chairman, I believe that the district plan could greatly assist us in that never-ending quest to achieve a better and more perfect representative system of government. Let it be clearly understood, this Nation is a confederation of States, bound into a representative Republic. We are not and have never been a democracy. Therefore, the district plan would bring greater equality and voting justice to both the large States and the small States, to both the minorities and the majority, to both the urban and the rural, and both to the strong and the weak. In addition, it will preserve our basic constitutional tenets, while adjusting them to new and ever-changing times.

Finally, Mr. Chairman, I say this great bodies' watchword should be: "Electoral college reform—yes; electoral college abolition—no."

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Chairman, what do I believe the majority of the people of our Nation desire in presidential election reform? First, the abolition of the so-called electoral college. Second, the abolition of our present system that provides for the winner take all at the State level. Third, the abolition of our present system that provides for each of the 50 States to have only a single vote in the event that no candidate received a majority of the electoral votes.

Our vote today, my friends, for the substitute now pending will accomplish these three basic objectives. On the other hand, I sincerely believe that the committee bill will encourage many, many splinter parties, something which in years to come—and remember this—would do irreparable damage to our country, just as it has to other nations of the world.

I urge support of the substitute.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina (Mr. WATSON).

Mr. WATSON. Mr. Chairman, I rise in strong support of the substitute—the district plan.

Certainly those who have spoken in behalf of it, primarily, the gentleman from Virginia (Mr. POFF), have most adequately and eloquently stated the compelling reasons for what the House or the committee should do, that is, adopt this amendment. I think it is the only practical thing we can do, because, after all, it is not just to the moment we must look, but, as the gentleman pointed out, we must look at what would probably happen in the other body as well as what will probably happen in the various States. Let us not have an exercise in futility. If you look at the long-range picture—that which is likely to bring meaningful reforms, then I am sure you will conclude the substitute amendment now under consideration and which we shall be voting upon momentarily is the only practicable, workable, and reasonable thing for us to do.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

(By unanimous consent, Mr. LOWENSTEIN yielded his time to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania (Mr. BIESTER).

(By unanimous consent, Mr. BIESTER yielded his time to Mr. McCULLOCH.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RYAN).

(By unanimous consent, Mr. RYAN yielded his time to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. FISH).

(By unanimous consent, Mr. FISH yielded his time to Mr. McCULLOCH.)

The CHAIRMAN. The Chair recog-

nizes the gentleman from New Jersey (Mr. SANDMAN).

Mr. SANDMAN. Mr. Chairman, I rise in support of the committee resolution and against the substitute. However, I do want my friend, the distinguished gentleman from Virginia (Mr. POFF), to know that I am also prepared to vote for his substitute in deference to the present law. I think either system is better than what we have today.

Mr. Chairman, I would like to address myself to some Members who may have some illusions to the effect that the district plan is going to favor one party or another. However, in just a few seconds permit me to tell you what happened at another constitutional convention which was held in my own home State, the State of New Jersey, in 1965. I was a member of the 1965 constitutional convention in New Jersey. After many days of wrangling, they finally decided that both Houses should be redistricted under the district plan. However, when we left the convention hall, the Democrats came out with the broad statement that they were sold out and that the Republicans forever after would run the great State of New Jersey. Yet, when every member was up for reelection, for the first time in 50 years the Democratic Party took both Houses of the legislature by a margin of 2 to 1. However, they did such a terrible job during the next 2 years that lo and behold under the same plan, Mr. Chairman, when it was submitted to the people by a plurality of votes, lo and behold, the party which had been defeated in the first election won the second election by a margin of 3 to 1 in both houses of the State legislature.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. STEIGER).

(By unanimous consent, Mr. STEIGER of Wisconsin yielded his time to Mr. McCULLOCH.)

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. MIKVA).

(By unanimous consent, Mr. MIKVA yielded his time to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. DENNIS).

Mr. DENNIS. Mr. Chairman, if the substitute fails and the direct popular election plan is adopted we will have taken one more long step away from the federal-representative Republic of our fathers, and toward a unitary democracy in which government will be conducted by blocs, pressure groups, and organized minorities.

To those Members of the House who look with favor on that development I have nothing to say except that I disagree, but to those more conservative-minded Members of the House who in their heart do not favor such a development, I say, with all respect, if you do support the direct, popular-vote plan, you are making a grave mistake, and I seriously urge you to consider and think before you take so radical and so fateful a step.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado (Mr. ROGERS).

(By unanimous consent, Mr. ROGERS of Colorado yielded his time to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. McCULLOCH).

Mr. McCULLOCH. Mr. Chairman, I am sure it is no surprise that I rise in opposition to the substitute amendment.

When we began the debate on House Joint Resolution 681 last Wednesday, I outlined some major flaws in the present system. No one has denied that the direct plan will not remedy those flaws. No one has claimed that the district plan will remedy those flaws.

Will the district plan remedy the evil that winners may lose and losers may win? The proponents of the district plan candidly admit that the district plan will not.

Will the district plan refer the choice in a runoff to the people, or will it perpetuate the evil of referring the choice to a smoke-filled room, closed off to the people? The district plan still allows the highest office in our Republic to be awarded without the vote of the people. That is not republican government.

Will the district plan remedy or perpetuate the evils of the unit rule? Under the district plan, 108 electoral votes are cast under a statewide unit rule just as they are today. Under the district plan, the other 430 electoral votes are cast under a smaller unit rule. The proponents of the district plan rightly condemn the unit rule. But the district plan, nevertheless, perpetuates that evil.

Will the district plan eliminate the two bonus votes for every State? The proponents of the district plan embrace the bonus votes as the hallmark of federalism. But I have yet to hear what they think federalism is and precisely how it is impaired by the direct plan. To me, federalism is a form of government designed to allow the popular will to be more precisely expressed and effectuated by an allocation of responsibility to various levels of government. Just what federalism has to do with the way we count votes, I do not know.

We sometimes forget in the heat of debate that under both the direct plan and the district plan, the people vote. The difference is how the votes are counted. To me, it is truly federalism and truly republicanism to count every vote and to elect the man with the most votes. To defend distortion of the popular will in the name of federalism and republicanism, is incomprehensible to me.

The district plan leaves unfinished the task of reform. Our task is to devise a plan for electing the President which the people can trust. It is my humble opinion that only in adopting the direct plan do we fulfill our responsibility.

Mr. ROGERS of Colorado. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

	[Roll No. 173]	
Ashley	Hanley	Reid, N.Y.
Belcher	Helstoski	Roybal
Bolling	Kirwan	Sisk
Cahill	Lipscomb	Slack
Clark	Lukens	Stuckey
Culver	Murphy, N.Y.	Sullivan
Diggs	O'Konski	Teague, Calif.
Fascell	Ottinger	Tiernan
Fraser	Pepper	Utt
Frelinghuysen	Poage	Waldie
Gallagher	Podell	Whalley
Gibbons	Pollock	Wilson, Bob
Gonzalez	Powell	Wilson,
Gray	Purcell	Charles H.
Griffiths	Quile	Zablocki

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ROONEY of New York) having assumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution, House Joint Resolution 681, and finding itself without a quorum, he had directed the roll to be called, when 386 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. CELLER) to close debate on the pending substitute amendment for 6½ minutes.

Mr. CELLER. Mr. Chairman, we must remember that the House on one other occasion rejected the so-called district plan, a plan of the type offered by the gentleman from Texas (Mr. Dowdy). I would say that if this district plan prevails a constitutional amendment on electoral college reform is dead—deader than a dodo. It will be utterly impossible to get a two-thirds vote in the House for the district plan. All our efforts, therefore, will have been aborted.

Furthermore, it would be useless to go on. It would be as useless as your appendix; as useless as a cock without a comb—such a cock is absolutely useless.

Therefore I do hope that the popular direct plan will gain the votes of this House.

Mr. Chairman, the direct popular election system provides that the individual, the individual voter, shall vote directly for President—and his vote shall be counted without any intermediary. The voter needs no agent. He needs no intermediary to vote for him. He is intelligent. He knows what the issues are, and he can differentiate among the candidates. He needs nobody to act for him.

What better method is there than having the individual vote for himself? That is what the direct popular election plan provides. All these other plans—the district plan, the proportional plan, and the other plans—perpetuate many of the evils of the present system. And we are all agreed, all the speakers are agreed, that the present system is indeed a blot upon our escutcheon.

It is something that must be changed. Changed to what?

Now the district plan which is now before you in the amendment in the nature of a substitute contains the evil of the unit rule, the "winner-take-all" system. It contains the evil of the "bonus" electoral vote. It contains the possibility that the unwelcome loser may become the

winner. It contains the danger of the election being thrown, into a joint session of the House and Senate.

These evils still remain in the substitute. We would be jumping from the frying pan into the fire.

As to the election being thrown into the Congress, we had an experience of that nature in 1870, in the Tilden-Hayes contest. Tilden won the election by a quarter of a million popular votes. But he lost the majority of the electoral votes by a great deal of political skulduggery and dastardly intrigue. The man who was duly elected was euchred out of office.

Once bitten, twice shy. We do not want the contingency provided in this Dowdy substitute—we do not want the election of the President and Vice President thrown into a joint session of the House and Senate.

Beyond that there is the great possibility of gerrymandering. We have that now with respect to congressional districts. The spoils would be even greater because here there is involved the presidency and vice presidency of the United States. There would be an invitation and motive for the various State legislatures to gerrymander their electoral districts.

There are also some weasel words in the Dowdy substitute. They are imprecise and impractical and would not accomplish what it is said they would.

Beyond peradventure of doubt you will be encouraging gerrymandering in presidential election under this Dowdy substitute.

We can only live our lives forward. But we can only understand our lives backwards. We can only understand what goes on before us if we understand our history. We know that the electoral college system has bad features. It is beset with evils. We do not want to continue those evils.

Therefore, to understand what life is and what life may be, we must judge and we must profit by our past experience. But we would be ignoring our past experiences if we embrace anything like the district plan or the proportionate plan or if we accept anything other than the so-called popular plan.

The plan that has been put forward by the Committee on the Judiciary is not perfect. Nothing in this life is perfect. If you want the rose, you have to put up with the thorns. We give you the rose. But there are some thorns or bristles. We cannot help that. But we have some perfectionists in the House who want to have a perfect bill. You just cannot get a perfect bill. We give you the least objectionable of all the proposals and we hope you will embrace it as a constitutional amendment.

With reference to the perfectionists and the idealists, when they come down from their ivory towers on high and come into our mundane existence, they go into dark alleys. That is what is happening to some of the perfectionists in this House who complain here and complain there.

Mr. Chairman, we give you the best that you can get with reference to this constitutional amendment.

The CHAIRMAN. The time of the gentleman from New York (Mr. CELLER) has expired.

All time for debate on the pending amendment has expired.

The question is on the amendment in the nature of a substitute offered by the gentleman from Texas (Mr. Dowdy).

Mr. McCULLOCH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Dowdy and Mr. ROGERS of Colorado.

The Committee divided, and the tellers reported that there were—ayes 159, noes 192.

So the substitute amendment was rejected.

SUBSTITUTE AMENDMENT OFFERED BY
MR. ECKHARDT

Mr. ECKHARDT. Mr. Chairman, I offer an amendment as a substitute for the joint resolution.

The Clerk read as follows:

Amendment offered by Mr. ECKHARDT as an amendment in the nature of a substitute for the pending joint resolution: Strike out all after the resolving clause, and insert the following:

"That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within seven years after the date of final passage of this joint resolution:

"ARTICLE—

"The Electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President and Vice-President by the persons in their respective States who shall have elected them; they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; if a vote by an Elector is not cast for President or Vice-President in accordance with the vote of the persons in the State who shall have elected such Elector, such vote shall be counted as if it had been so cast;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no persons have a majority, then from the two highest numbers on the list, the House of Representatives shall choose the President; a quorum for the purpose shall consist of two-thirds of the whole number of the House of Representatives; and a majority of the whole number, each member casting one vote, shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of death or other constitutional disability of the President. The person having the greatest number of votes as Vice President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed.

"And if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no per-

son constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.' "

Mr. ECKHARDT (during the reading). Mr. Chairman, I ask unanimous consent that we may dispense with the further reading of the amendment and that it be printed in the RECORD, and I will explain it.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. POFF. Mr. Chairman, reserving the right to object—and I shall not object—I believe it would be helpful to the minority if we were furnished a copy at the desk.

Mr. ECKHARDT. I have no objection, if I can get hold of one quickly.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ECKHARDT. Mr. Chairman, the amendment tracks exactly article XII of the Constitution, except in three very precise particulars.

First, it provides that the electors shall name in their ballots the persons voted for as President and Vice President by the persons in their respective States who shall have elected them. Those latter words are added to the language of the Constitution so that the electors are mandated to cast their votes in accordance with the votes of those who elected them.

The second change in article XII occurs in this language:

If a vote by an elector is not cast for President or Vice President in accordance with the vote of the persons in the State who shall have elected such elector, such vote shall be counted as if it had been so cast.

This of course further sews up the curing of the problem of the faithless elector.

Then it is provided:

If no person have a majority, then from the two highest numbers on the list, the House of Representatives shall choose the President.

You know, there is an anomaly in article XII of the Constitution that permits the House to choose from among the three highest persons. My amendment would limit it to resolving selection of the Presidency between the two highest if no majority of the electoral vote were obtained.

And then it provides that the election shall be from the entire House of Representatives voting each man one vote instead of voting by States.

There is no other change. The Senate still selects the Vice President, just as the Constitution now provides. The House resolves the situation with respect to the Presidency just as it does now with the sole change that the election is by individual votes and not by States.

So all this does is very precisely to correct the major objections to article XII. It avoids the faithless elector problem and it also avoids the vote by States in the House. And, of course, this only occurs when no person receives a majority of the electoral votes.

I want to suggest to the House that this is the most conservative and most

limited change in the Constitution that has been offered. It in no way affects the electoral college except to cure the faithless elector question and to require that the House vote on the basis of one man, one vote, among the two highest candidates instead of three.

That is all this amendment does.

Mr. CORMAN. Mr. Chairman, will the gentleman yield for a question?

Mr. ECKHARDT. I yield to the gentleman from California.

Mr. CORMAN. Does the gentleman anticipate any possible problem if we wound up with a President of one party and a Vice President of the other party?

Mr. ECKHARDT. We have exactly the same problem under the present system, and I do not attempt to change it in any way in this respect.

That is possible, and it is possible under the present system.

Mr. CORMAN. I recognize it is possible under the present system, but it would not be possible under the committee's proposed amendment.

Mr. ECKHARDT. That is correct.

Now, I believe strongly that a system that has worked for 180 years without a serious flaw occurring, and which has worked in such a way that on only three occasions could it be said by any stretch of the facts that whether the electoral vote or the popular vote was the deciding vote would have resulted of the election—that such a system is a good one.

Mr. Chairman, I want to point out that the Tilden-Hayes election is not a good example, because there certain States electors were counted out in order to come to a result which was decided to be desirable by the side that won.

The CHAIRMAN. The time of the gentleman has expired.

(Mr. ECKHARDT asked and was given permission to proceed for 2 additional minutes.)

Mr. ECKHARDT. In the Tilden-Hayes election the matter was entirely artificial. The Cleveland-Harrison election is actually the only election in which our electoral system failed. I believe a system which is so carefully balanced as to achieve success over that number of years, a system which has not only the wisdom of the Founding Fathers behind it but also has been hewed out by an intelligent pragmatism, a system which has preserved the political party system, a system which achieves an elected President which the people accept as the bona fide President, even in the case of a narrow popular difference, is a system that we should not overthrow lightly.

Mr. Chairman, I urge an "aye" vote on the amendment.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman and members of the Committee, I have the highest respect for the gentleman from Texas who just addressed the House. He is a painstaking and a most dedicated lawyer and colleague. I fear, however, he is on the wrong track with reference to this amendment. His proposal is not really a reform; it is a piecemeal effort. He continues the present system practically as it is, with all of its attendant evils—the evil of the winner-take-all; the "bonus" electoral vote; the possibility of the unwelcome

loser becoming the winner; the danger of the election being thrown into the House. The only change that he makes concerns when the election is thrown into the House. Instead of the Congress voting by States, each Member would vote individually. He also does away with the turnout elector; that is, the faithless elector. Those two are reforms, but they are slight reforms comparatively. Certainly and assuredly we did not wait 180 years to get this mere pittance, and that is what it is—a mere pittance. If we are going to reform the electoral system, let us go wholeheartedly about it and not just take one or two little bites off the cherry. That is exactly what this amendment does.

Mr. Chairman, I hope the amendment will be defeated.

Mr. RUTH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I had intended to offer an amendment similar to the one which is now pending before the Committee but shall not do so, and rise in favor of the amendment which has been offered by the gentleman from Texas (Mr. ECKHARDT).

Mr. Chairman, I do not question the wisdom of the Committee on the Judiciary. I am not in disagreement with all of the philosophy that has been presented in the Chamber for the past few days.

However, I cannot lose sight of the fact that our decision is relative to changing the Constitution.

The people of the United States, the Congress, and, yes, the State legislators will be very deliberate in such a change.

We have been focusing upon whether we should change our system of voting for the President to a popular vote or by electoral vote by districts. I, for one, do not feel we have been wrong for nearly 200 years in our method of electing a President.

I am not too concerned about how we have been voting for our President, but I am very concerned about what happens if one of the candidates does not receive a majority. Back in November I can remember that there was sincere fear as to what might happen if one of the candidates did not receive a majority. I can recall a lot of people discussing whether or not our electoral college, our electoral system or winner-take-all system was as bad as it was pictured to be. We were concerned that the election would be followed by two choices which could bring about complete chaos. We were concerned that members of the electoral college would become independent and usurp too much power. We were concerned that the law requiring that the House choose among the top three candidates would bring about a tremendous delay which would not be good for our country.

Therefore, I say if we want ratification, we must not lose sight of the fact that it should be on the basis of reform and that is reform of those things which cause the problems and not changing our way of selecting the President. In other words, we are about to ask 50 State legislatures to agree on something on which there is general disagreement in the House of Representatives as indicated by this debate.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, on February 6 this year I discussed in the House seven defects of the present system of electing the President and Vice President of the United States. Each of those defects are most serious and could thwart the will of the people of this country.

Although the amendment now pending before the committee has resulted from much searching thought, and while the gentleman from Texas is really one of the most able Members of the House, his proposed substitute amendment reaches only two of those seven defects which were discussed at length on February 6.

The seven defects of the present system which I recounted to the House last February are these—

First, it allows winners to lose and losers to win;

Second, the unit rule;

Third, bonus votes;

Fourth, the present system does not feature a fail-safe method for determining and counting electoral votes;

Fifth, the present system does not provide for the case of the death of the "winning" candidates before the electoral college meets;

Sixth, the faithless elector; and

Seventh, a one-State, one-vote rule prevails when the election of the President devolves upon the House.

The amendment reaches only the last two defects. We can do better.

I, therefore, urge the Members to not agree to the substitute amendment now pending before the committee.

Mr. ICHORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support the amendment which has been offered by the gentleman from Texas (Mr. ECKHARDT). The amendment of the gentleman from Texas will continue the present plan but eliminate the deficiency of the "faithless elector" and the clumsy method of voting which exists in the House under the present contingency mechanism. Mr. Chairman, I have deep reservations about the direct popular election plan and especially the 4070 provision.

The more I have listened to the debate in this House, the greater my reservations concerning the popular election plan have become. The thing that worries me about the direct election plan is that I fear it will promote the development and growth of splinter political parties in this country. Perhaps, it may not encourage the growth of such splinter parties as much as the present system discourages the formation and the growth of third parties.

I think we have to admit that the present electoral college system does discourage the proliferation of splinter parties, and this to me has been the real stability of the United States of America. The growth of splinter parties with the resulting inability of any party to muster a majority has plagued so many democracies that have risen and fallen in the past. We are a nation of many

racings and many cultures with so many differences, it is indeed surprising that we have not experienced the same problem. The reason why we have not is due to the manner in which our present system has developed and operated.

Mr. Chairman, I believe the gentleman from Texas (Mr. ECKHARDT), has a good amendment. I hope that the Members of the House will see fit to support this amendment, and continue substantially the same system that has served this country so well in the past.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Texas (Mr. ECKHARDT).

Mr. ECKHARDT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ECKHARDT and Mr. ROGERS of Colorado.

The Committee divided, and the tellers reported that there were—ayes 64, noes 98.

So the substitute amendment was rejected.

SUBSTITUTE AMENDMENT OFFERED BY MR. POFF

Mr. POFF. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the nature of a substitute offered by Mr. POFF: Strike out all after the resolving clause and insert the following:

"That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"ARTICLE —

"SECTION 1. The President and Vice President shall be chosen by the electoral votes of the several States and the District constituting the seat of government of the United States (hereinafter referred to in this article as the District). Each State shall be entitled to cast a number of electoral votes equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress and the District shall be entitled to cast a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State. Such electoral votes shall be cast upon the basis of an election in which the people of such State and of such District shall cast their votes for President and for Vice President. In such election, each voter shall cast a single ballot for two persons who shall have consented to the joining of their names as candidates for the offices of President and Vice President and who are then not both inhabitants of the same State or of the District. No candidate shall consent to the joinder of his name with that of more than one other person.

"Sec. 2. The voters for President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that for such voters (1) the legislature of any State may prescribe less restrictive residence qualifications and (2) Congress may establish by law uniform residence qualifications.

"The times, places, and manner of holding such an election and entitlement to inclusion on the ballot shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations.

"Sec. 3. In each State and in the District

the official custodian of election returns shall make distinct lists of all persons joined for the offices of President and Vice President for whom votes were cast, and of the number of electoral and popular votes in such State for each pair, which lists he shall sign and certify and transmit to the seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the electoral votes shall be computed in the manner provided in section 4.

"Sec. 4. The persons joined as candidates for President and Vice President shall be credited with such proportion of the electoral votes of a State or District as they receive of the total vote of the voters for such offices in each State and in the District. Such persons shall be the President and the Vice President if such number be a majority of the total number of electoral votes. In making the computation, fractional numbers less than one one-thousandth shall be disregarded. If no pair of persons joined as candidates for President and Vice President receives a majority of the total number of electoral votes, the pair receiving the greatest number of popular votes in the several States and in the District shall be the President and the Vice President. But if no pair of persons receives at least 40 per centum of the total number of popular votes cast for such offices, then the Congress sitting in joint session shall on or after the 3d of January following the election choose from between the two pairs of persons joined as candidates for President and Vice President who receive the two highest number of popular votes. A quorum for this purpose shall consist of a majority of the Members of each House of the Congress, and a majority of the whole number of Senators and Representatives present and voting shall be necessary to a choice.

"Sec. 5. The Congress may by law provide for the case of the death, withdrawal, or disability of any candidate for President or Vice President before the day on which the President and the Vice President have been chosen.

"Sec. 6. The Congress shall have power to enforce this article by appropriate legislation.

"Sec. 7. This article shall take effect 1 year after the 21st day of January following ratification."

Mr. POFF. Mr. Chairman, if the vote on the Dowdy-Dennis substitute indicates anything, I suggest that it indicates that what this Congress ultimately agrees upon and proposes to the States will be something other than the two reform proposals which we have heretofore had under consideration. The plan which I have just submitted—and I pause parenthetically to say that it is my second choice—the plan I have just submitted probably fairly could be classified as salable compromise between the direct plan and the district plan.

Let me explain, if I may, the details of what I hope may eventually become a vehicle for a compromise acceptable to both Houses of Congress, and one which can command the support of the legislatures in three-quarters of our States. Essentially, it is a proportional system. Under the plan, the electoral vote of each State and the District of Columbia would be apportioned automatically among the several presidential and vice presidential candidates in proportion to the popular votes received. The candidacy which received the majority of the electoral votes would be-

come the President-elect and the Vice-President-elect. If no candidacy received a majority of electoral votes, then potentially either or both of two contingency mechanisms might become operative: The first contingency mechanism would look to the popular vote in the election just held, and if no candidacy earned a majority of the electoral votes under the proportional system, then the candidacy which won the greatest number, and at least 40 percent of the popular votes, would be elected.

If no candidacy prevailed under the initial test, and no one prevailed under the first contingency mechanism, then the election would be held in the two Houses of Congress sitting jointly with each Member of each House casting one vote, with their choice confined to the two top candidacies, a majority of each House being necessary to a quorum, and a majority vote of both Houses present and voting necessary to a choice.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. POFF. I yield to the gentleman from Texas.

Mr. WHITE. I would like to ask the gentleman from Virginia if his proposal does not have these points superior to the popular vote: Under the popular vote, if a State lowers the qualifications of voting to 18 years, does not that give extra weight to that particular State?

Mr. POFF. It does, and I suggest in that connection that if the direct plan is approved, there will be a race in the legislatures both to lower the residence requirements and to lower the age requirements in order to increase the electorate, and thereby increase the State's proportionate voting power in the Nation at large.

Mr. WHITE. Under your plan each State would carry the same weight according to its electoral vote?

Mr. POFF. The gentleman is correct.

Mr. WHITE. Regardless of the voters who come to vote.

Mr. POFF. The gentleman is correct.

Mr. WHITE. Is it not true that under the popular vote scheme weight is given to the State that has the most or the greatest number of votes, with some disadvantage to the State with patterns of less percentage voting?

Mr. POFF. There can be no doubt that the large States will have under the direct system, as indeed they have under the present system, a disproportionate part of the total voting power, and that this disproportionate part will be largely affected by the tightly organized, highly disciplined voting blocs in the urban areas of the large States.

Mr. WHITE. Mr. Chairman, it has been discovered some States vote 80 to 85 percent in the presidential election and some States only vote 60 to 65 percent, and therefore under the committee system it gives an advantage to the States voting more heavily and under the gentleman's proposal it helps to equalize the votes.

Mr. POFF. The gentleman has graphically explained what I understand to be one of the advantages of my plan, and I thank him.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent, Mr. POFF was allowed to proceed for 2 additional minutes.)

Mr. POFF. Mr. Chairman, it will be said that the proportional plan, like the district plan, may possibly make the winner of the popular vote the loser in the election. I would be foolhardy to dispute that. Mathematically and theoretically, it is possible. But I will say that if the three mechanisms in my substitute were applied to all the elections in the last 100 years—and these are those elections for which pertinent statistics have been assembled—my plan would not have made any difference whatever in the results. Yet my plan, if it had been in effect, would have given better voice to the popular will in each.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. POFF. Mr. Chairman, I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, is this also true of the Nixon-Kennedy election, that the gentleman's plan would not have changed that election?

Mr. POFF. The gentleman is correct. It would not have changed that election.

Mr. ECKHARDT. It would not have?

Mr. POFF. It would not have changed that election.

Mr. Chairman, I earnestly urge that those who are seeking a fair compromise around which hopefully two-thirds of both bodies can assemble, will study the details of the amendments as they are incorporated in House Joint Resolution 778, copies of which are at the desk. I invite most respectfully the attention of the Members to my separate views, which appear in the committee report, which also is at the desk.

AMENDMENT OFFERED BY MR. HUTCHINSON TO THE SUBSTITUTE AMENDMENT OFFERED BY MR. POFF

Mr. HUTCHINSON. Mr. Chairman, I offer an amendment to the POFF substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. HUTCHINSON to the substitute amendment offered by Mr. POFF: On page 4, line 1, strike out "one-thousandth" and insert "one-tenth."

Mr. HUTCHINSON. Mr. Chairman, the Poff substitute amendment providing for a proportional distribution of the electoral vote provides that the electoral votes shall be divided into thousandths. It provides that in making the computations the fractional numbers less than thousandths shall be disregarded. So the effect of it is, if in any State a particular candidate should receive as much as one-thousandth of an electoral vote, that is if he received a popular vote equal to one-thousandth of the popular vote, he would be awarded that fraction.

It seems to me to divide the electoral vote into thousandths would greatly encourage the proliferation of parties, the breakdown of our two-party system, and the proliferation of minor parties. It seems to me that in order to strengthen and maintain a two-party system in this country, it would be better public policy to take the position that if a candidacy cannot gar-

ner at least a sufficient popular vote within a State to get at least one-tenth of the electoral vote in that State, that it should not be awarded any fraction.

Therefore, my proposal is simply to amend Mr. Poff's one-thousandth of an electoral vote into one-tenth of an electoral vote. Under my amendment it would be necessary for a ticket in a State to get a popular vote which would entitle it to at least one-tenth of one of those electoral votes in the State before it could win anything at all.

Mr. POFF. Mr. Chairman, will my colleague yield?

Mr. HUTCHINSON. I yield to the gentleman from Virginia.

Mr. POFF. I must say I am always impressed by the logic of the distinguished gentleman from Michigan. I chose the figure of one-thousandth with the thought in mind that it might allay the fears of those who felt that some candidates might not receive any recognition for the popular-vote received if the fraction was greater. Yet I am compelled to the view that the gentleman has expressed, and as a matter of policy I would prefer the gentleman's amendment.

Without the power to accept the amendment I can simply say I will support the gentleman's amendment to my own substitute.

Mr. HUTCHINSON. I thank the gentleman for his support of this amendment to his substitute.

Mr. DENNIS. Mr. Chairman, I rise in support of the substitute amendment.

Mr. Chairman, I would of course be less than candid if I said the substitute of the gentleman from Virginia is my favorite amendment, because, as the Committee already knows, that is not the case.

But his proposal does cure the problem of the faithless elector. It does provide a remedy for the winner take all. It does provide a definite contingency mechanism without what I regard as the vice of a runoff national election; and it does preserve our federal system.

For those reasons I urge its acceptance by the Committee.

Mr. MIKVA. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, the proposal offered by the distinguished gentleman from Virginia seeks to try to find some common grounds between what he feels are different points of view not only within the Congress but also within the country.

I would point out to him the problems he and others have stated about ratification would be compounded by the proposal he makes, for one very important reason, and that is the complication, the undue complication that is presented in his proposed electoral system.

I leave it to all of you who have tried to explain even simpler matters to the voters, to the electorate, to try to go through all of the ramifications of each of the fall-back positions in this proposed substitute.

Indeed, it is properly called, as it was by the sponsors and others, a hybrid position. It is more hybrid than it is purebred. What we would leave with the electorate is a system where they would be

very confused as to what would happen historically or what would happen in the future.

As an example, I have been poring over the statistics of the 1960 election. For the life of me I cannot figure out what would have happened when one takes into account the votes given to the unpledged slate in Alabama that year. I think it might well have brought about the stalemate the gentleman from Virginia insists would not have come about in 1960.

More than that, for those who have expressed concern over preservation of the two-party system, I can assure you there is nothing which would bring about greater encouragement to splintering than a system such as this. Such splinter parties could hope that one of the fall-back systems would come into play if enough of the splinter parties were able to siphon off a big enough portion of the vote.

The most important thing, I believe, is that in going back to the very beginning of the debate about how political power in this country would be redistributed, we find that only one ox is being gored, while others stay fat. If we start with the premise that the present system has a series of inequities in it and a reasonable reform is supposed to remove the entire series of inequities, then I suggest that this substitute must once again fall victim to the arguments which have been made against the district system. This proposal similarly removes some of the inequities but leaves others. It would remove those inequities that deal with the winner-take-all principles but do nothing about those brought about by the bonus votes which are allowed to every State regardless of population. So, in effect, it is asking the populous regions and the populous States of the country to vote for a system which takes away some of their undue influence but does not at the same time take away any of the undue influence of the smaller States.

Finally I would like to congratulate the sponsor of this proposal for his candor in answering questions. He stated something which points up the very unfairness of this proposal in terms of not only a constitutional precedent but also in terms of what the people think should happen in this country. When asked by the gentleman from Texas as to whether or not this proposal would reflect the voting percentages of States, he admitted it would not in that a State with a large population but a small voting population would get the equivalent vote in the electoral system as if all of their people had voted, whereas a State in which a larger percentage of the people voted would get no greater percentage in their proportional vote. What he is saying, in other words, is that there will be a bonus for nonvoters. They will get a larger portion of the electoral votes than in those States where the voters vote. This kind of inequity is something that I believe should be removed from the present system, and not included in a reform proposal.

Mr. POFF. Mr. Chairman, will my colleague yield?

Mr. MIKVA. I will be glad to yield to the gentleman.

Mr. POFF. May I ask the gentleman if he does not in his own congressional district represent many thousands of nonvoters?

Mr. MIKVA. Yes. And the President of the United States also represents many thousands of nonvoters.

Mr. POFF. And this is inherent in the reform that the gentleman just criticized.

Mr. MIKVA. No. It is not a question of representation but of whether the nonvoters are counted. When I am elected to the Congress the nonvoters are not counted for my opponent, whereas under your proportional system the nonvoters are given an influence on the outcome of the election.

In summary I would say to the gentleman from Virginia that this system, like the district system, would still permit the loser in the popular vote to be the winner in the proportional vote. This is not reform.

Mr. CEDERBERG. Mr. Chairman, I rise in support of the Poff substitute.

Mr. Chairman, I have listened to a majority of the debate on this issue. The statement by the distinguished chairman of the Committee on the Judiciary is a correct statement when he says that none of these plans are absolutely perfect. Therefore I think it is incumbent upon us, as we try to do something in the reforming of the electoral college, to try to arrive at a plan that has an opportunity to complete the rocky road on its way to the safe harbor of the Constitution.

I do not believe, if I understand the sentiment here, that the district plan would do this, nor do I believe that the direct plan would do it. Therefore I think it is important that we analyze the plan that has been promoted by the gentleman from Virginia, Mr. POFF.

As I see it, it is very simple. First it is a proportional plan whereby the electoral votes within a State will be proportioned among the candidates in the way they were cast. What is wrong with that? This preserves the Federal aspect of our national elections.

Under this substitute, if no one receives a majority of the electoral votes, then the candidate that receives the greatest majority over 40 percent will be elected.

What is wrong with that? That is in the direct plan.

Now, you have a further provision to the effect that if no one of the candidates receives 40 percent of the vote then it goes to a joint meeting of the House and Senate, with each Member of the House and Senate having an individual vote to determine who the winner will be.

Now, here, you have I think an ideal situation. The substitute preserves the Federal aspects of our national elections. It contains part of the provisions contained in the direct plan supported by the committee, and has a greater opportunity of actually becoming a part of the Constitution.

Now, I want to say very clearly that I will support the direct proposal that came out of the committee. I have no problem in doing that at all. But I do believe that what we ought to consider is that we have been here debating this

matter and as I observed the teller vote on the district plan, there is an indication in my own mind that the direct plan may not get much more than a two-thirds vote when the roll is called on this direct plan here in the House. Now, if this is going to be the case, what will happen when it gets in the other body? What will happen when it goes to the legislatures of our several States?

So, as a practical matter—I think the thing to do is to support the Poff substitute. I say this because I believe it is a good reform of the electoral college, one of which we can be proud and one that can become a part of the Constitution as well as one which I believe is equitable, equitable in the light of the history of the United States in the kind of preservation that we want to give to the States in their processes of handling our Federal elections.

So, Mr. Chairman, I would urge every Member of this body, regardless of whether he prefers the district plan or the direct plan which has come out of the committee which I say I can support, to give serious consideration to this plan as being an honest and legitimate compromise that I believe can become a part of the Constitution and result in the badly needed reform of our electoral system.

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the substitute amendment which has been offered by the gentleman from Virginia (Mr. POFF).

Mr. Chairman, I have listened with a great deal of interest to the remarks of the distinguished gentleman from Michigan (Mr. CEDERBERG) and in my opinion he has made a very eloquent and a very forceful appeal for the adoption and the correctness of this compromise plan. I commend the gentleman from Virginia (Mr. POFF) for offering it.

Now, Mr. Chairman, it seems to me we ought to try to preserve the right that each person can expect his vote to be counted. One can argue that the popular method might be the proper approach. But in my judgment under this plan the vote of the individual would count. Under the proportional plan, each candidate then can know that he will receive a certain number of electoral votes based upon the popular vote cast within the State. At the same time it preserves the system under which we work today. You may disagree with the present system when you think of it in terms of what this or that might happen, but that really has not taken place but in three instances and in only one where it was a true example of harshness.

Mr. Chairman, it seems to me that this plan is a good compromise. It is my opinion that it does not give any advantage to any section of the country. If you take the popular vote, it certainly can be argued that the big cities or the big blocs, or those States that cast large numbers of votes would have the advantage, and this can certainly be argued at length because in my opinion it does give a State or section that advantage. It could be argued under the proportional plan that there would be some advan-

tage to several States by the principle of allowing the popular vote to be distributed in relation to the electoral vote, but in my opinion is sound as it can be. The gentleman from Michigan could not be more correct when he said that the proportional plan is the only plan probably that has a chance of getting a two-thirds vote over in the other body.

It certainly would follow that the popular vote approval would be a difficult thing to do to get three-fourths of the vote in the various States. It seems to me that this proportionate is a good compromise. It has a chance of passing not only this body, but the other body, and it has a chance to be ratified by the States.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I would ask the gentleman in the Well if it is not true that under the Poff substitute it would be a stimulant for the presidential candidates to campaign in every section of the United States?

Mr. PICKLE. That is correct. Otherwise they might just single out 12 of the States. Thus, 12 States could be making the choice for the other 38 States.

Mr. JONAS. If the gentleman will yield further, is it not desirable for the citizens of each section of the country to see the presidential candidates?

Mr. PICKLE. It certainly is desirable, and this would be brought about under this proportional plan.

So, Mr. Chairman, I urge the Members to support the substitute. It is a good compromise. We can all live with it, and we can get it passed.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Chairman, one of the questions that occurs to me is the fact that under this plan each State determines who among their citizens shall vote for President. So then if a State permits everybody above the age of 18 years to vote, and another State does not so do, the State that permits the 18-year-olds or older to vote is going to have a greater voice in electing the President of the United States.

Now, I have not found out whether, in case the States started competing against each other, and decided that if one State reduced the voting age to 18 years, and another State, in order to get a better chance to elect the President, might reduce the age limit to 16 years, and this could start a competition between the State legislatures where they would be competing with each other insofar as influencing who was to be the President.

What I would like to know, Mr. Chairman, is, Does the Congress of the United States have the authority under this legislation to correct the situation in which the various State legislatures determine different eligibility requirements for their voters?

Mr. PICKLE. I would yield to the gentleman from Virginia to answer that question.

But in response, first of all, I would say to the gentleman from Oklahoma—

Mr. BELCHER. Mr. Chairman, if the gentleman will pardon me and yield further, I would say that I am asking the question of the chairman—the question:

If the various States competed with each other in determining eligibility requirements for their voters, and the Congress determined that this was a bad situation, does the Congress under that plan have the authority to determine the eligibility of all people who can vote for President?

Mr. PICKLE. I would yield to the chairman of the committee, or to the gentleman from Virginia, to answer that question.

Mr. JONAS. Mr. Chairman, if the gentleman will yield further, the situation the gentleman from Oklahoma describes could certainly arise under the committee plan, but it would not under the Poff substitute.

Mr. BELCHER. Mr. Chairman, if the gentleman will yield further, I know that is correct under the Poff substitute, but what I am interested in finding out from either the chairman of the committee, or the ranking minority member, is whether in the case of a bad situation arising the Congress of the United States has the authority to correct that and determine who shall be eligible in each State to vote for the President?

The CHAIRMAN pro tempore. (Mr. BURLESON of Texas). The time of the gentleman from Texas has expired.

(On request of Mr. BELCHER, and by unanimous consent, Mr. PICKLE was allowed to proceed for 2 additional minutes.)

Mr. PICKLE. Mr. Chairman, I will yield to the chairman of the committee to answer the question posed by the gentleman from Oklahoma.

Mr. CELLER. Mr. Chairman, if the gentleman will yield, I would like to read a section of the joint resolution, House Joint Resolution 681, on page 2, section 2:

SEC. 2. The electors of President and Vice President in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature, except that for electors of President and Vice President, the legislature of any State may prescribe less restrictive residence qualifications and for electors of President and Vice President the Congress may establish uniform residence qualifications.

Mr. Chairman, that seems to be quite clear.

Mr. PICKLE. The gentleman is saying that under the committee recommendation a State could establish less qualifications, and could get into this regular reduction of the number of years to constitute eligibility to vote for the President.

I again appeal to the Members of the House to support the proportionate plan.

Mr. WIGGINS. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, I would ask unanimous consent that all time on the pending amendment, and all amend-

ments thereto, conclude at 4 o'clock, if that is agreeable to the gentleman from Virginia (Mr. POFF).

Mr. POFF. Mr. Chairman, reserving the right to object, if all those Members standing are seeking recognition on the amendment and expect to use the time, it may be a little unrealistic to close debate at that time.

If a lesser number of Members want to speak, then I think it would be a fair time to close debate.

Mr. CELLER. Would the gentleman suggest a time himself?

Mr. POFF. I am just saying to the chairman I believe the timing suggested would be fair if we could be sure who of the Members standing expect to speak on the amendment.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the so-called Poff amendment, and all amendments thereto, conclude at 4 o'clock.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Chair has noted the names of the Members standing and seeking recognition under the limitation of time.

The Chair has recognized the gentleman from California (Mr. WIGGINS).

Mr. WIGGINS. Mr. Chairman, I rise in opposition to the Poff substitute.

I would commend the gentleman from Virginia, however, for his usual capable way of bringing these difficult and complicated issues before the House.

Like all compromises, and that is what this measure is, it contains many of the disabilities of each alternative proposal before the House. The most that has been said, in my opinion, for the Poff substitute is:

First. It in some small measure reflects the popular vote.

Second. It may be adopted and it can be ratified.

Third. It preserves the Federal system better than any other proposal.

I would like to treat with each of these arguments briefly within the time allotted.

First, the argument that it may be ratified. What makes you think so? Is there any statistical evidence to the effect that it can be ratified? Indeed, all of the evidence is to the contrary. All of the evidence is that there is only one proposal that can get three-quarters of the States of this Union, and that is the direct popular election.

In my view the evidence that I have seen reflects that the proportional plan is a poor second to the direct popular election plan in terms of popularity among the States.

Mr. POFF. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman briefly.

Mr. POFF. The gentleman is familiar with the fact that the poll conducted by the distinguished gentleman from Michigan shows that the proportional system would command the support of 55 percent of the legislators polled?

Mr. WIGGINS. I will review the poll. But the results are far short, however,

of sustaining the assertion made that the present proposal will garner three-quarters support of the State legislatures.

Second, does it reflect the popular will accurately? Of course, it does not.

Does the proportional system reflect in any realistic, accurate way the direct vote of the people? Of course it does not. I do not believe it was ever intended to. First, it gives no consideration to the great relocation of people over a 10-year period—in Texas, in California, for example. We have hundreds and hundreds of thousands of new voters whose weight is not reflected in the electoral vote assigned to that State. We have to live with a number of electors assigned over a 10-year period. Accordingly, those new voters are not given weight under the proportional plan, nor, may I add, under the district plan. The direct popular election is the only plan which permits their vote to be counted, and they are entitled to it—in Texas, in California, in Arizona, in Nevada—in all of these greatly expanding States.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. WIGGINS. I yield to the gentleman from Michigan.

Mr. CONYERS. I wish to commend my colleague on the Judiciary Committee, and I join in his opposition to the amendment. Might I ask if he does not feel that the emphasis put on the fact that the 18-year-old age requirement might be triggered off is a little bit overstated in this case?

Mr. WIGGINS. I think it does not do credit to the State legislatures around this country to think that they would permit or hasten the enactment of legislation to get 17-year-olds, 16-year-olds, or whatever, to vote in their States in order to give some undetermined advantage to their State. But more than that, those who espouse the federal system here should recognize that States have the right under that system to determine voter qualifications as to age, and under the committee resolution the right of the Federal Government to take that power away from them is specifically denied. To that extent we are preserving the federal system.

Mr. CONYERS. I thank the gentleman. I appreciate his point that there will not be any last-minute race among the legislatures to lower the age to 18. However, there are some Members here who happen to think that the age of 18, or at least an age of less than 21, does not necessarily work a disability on the intellectual ability of one in that group to pick a presidential candidate. I wonder if the gentleman would feel that perhaps that kind of question might be secondarily reserved to the Congress, that is to say, the States would have the initial right, but the Congress might be able to establish uniform qualifications as a secondary rank.

Mr. WIGGINS. Under the committee resolution, the Congress would not have that power to fix the age qualifications of voters.

The CHAIRMAN. The Chair recog-

nizes the gentleman from Missouri (Mr. BURLISON).

Mr. BURLISON of Missouri. Mr. Chairman, I rise primarily in response to the remarks of the gentlemen from Virginia, Texas, and Michigan, who have told us how close to perfection the Poff plan comes. However, they have retained the Congress as the final arbiter in the absence of an electoral majority. They have retained a system which, in 1824, produced a President who not only failed to get a plurality of the popular vote but who was a poor second in the electoral college vote; and the House of Representatives elected the loser President of the United States. The only other time a vote has been thrown into the House of Representatives was in 1800, when the people of this country were held in suspense, through 37 ballots on the floor of the House of Representatives, waiting to see who would become President, and that was Thomas Jefferson by the margin of one vote.

The unfortunate result of these two instances has not been the wisdom, or lack thereof, exercised by the Congress. The tragedy has been that our people have been deprived of their voice and vote in the selection of their President; not the President of the States or a federation of States, but the President of the people.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. EDWARDS).

Mr. EDWARDS of Alabama. Mr. Chairman, I do not suppose there has ever been an issue before this House over which I have agonized more than the question of reforming our method of choosing a President and Vice President. My main concern has been involved with the question of reducing the power, the sovereignty and the proper place of the States in the election of the President and Vice President.

We must maintain a proper sense of balance between the rights of the several States and the rights of each individual. We must be careful not to sacrifice the rights of one in favor of the other, since it is this proper balance that makes our federal system of government operate.

Historically, the electoral college was set up so that the people of each State could choose electors who would then sit down and attempt to pick the best qualified persons for President and Vice President. This was at a time when the candidates were unable to communicate their ideas to the people. The mass media we know today just was not available. It was felt that by choosing a set of electors known to the voters, these men would be sure to reflect the needs and desires of their people back home in casting their vote. This apparently worked for a brief period until the advent of the party system. The parties served as the vehicle of communication for dissemination to each voter of the candidates' ideas on the Presidency. The voter then cast his vote for the electors who voiced the opinions and ideas of a certain party and who were pledged to that party's candidate. The net effect since about 1832 has been that the elec-

tors while constitutionally free agents were in fact committed to certain candidates. Since about 1832 then, the people have been casting their votes for electors because they knew, or in most cases thought they knew, who the electors would vote for in the electoral college.

Since the electoral system has now developed into this posture, the result has been that the minority, and in some cases the majority, of the voters have not really had their votes counted. For example, if candidate A gets 40 percent of the vote in a State, and candidate B gets 35 percent, and candidate C gets 25 percent, candidate A gets all of the electoral votes and the 60 percent of the people of the State who voted for the other two candidates have in my view been disenfranchised. Literally, their votes have no effect on the outcome of the election. There is no way this can be justified.

Under the present system, it is possible for 12 large States to control the election of the President, even though the winning candidate may only carry these States by a small margin of the popular vote and even though he may lose all of the other 38 States. This is an extreme example, but it shows the very excessive influence that a few large States can have on the election. And it shows why most of the campaigning is done in these 12 States.

It becomes necessary then to weigh the absolute right of the people to choose their President against the need to protect the historical system whereby the President is chosen by the States. Perhaps there is a compromise so that the votes of citizens are indeed counted and at the same time proper weight is given to the relationship between the Federal Government and the 50 States of the Union. I have concluded that either the district plan or the proportional plan meet this criteria in some respects, and certainly better than the present winner-take-all system. I say this, recognizing that whatever plan is finally adopted, no system is perfect.

Since the district plan has just failed by a teller vote of 159 to 192, it is now my intention to support the amendment just offered calling for the proportional plan. This plan likewise protects the Federal-State relationship while allowing all voters of the State to have their influence felt in the choice of the President. It does not disenfranchise any vote. I urge its adoption.

But what if this plan, too, fails to pass? And what if we finally come to the point where the choice is either the direct popular vote or the present electoral college system. Then the opportunities for compromise are gone and the stark choice is there. Shall we return to a system which in effect disenfranchises a substantial portion of the citizens of this country, or shall we move on to a system which in fact assures the right of the people to choose their own President.

Back in 1968 when I was running for reelection on the Republican ticket, the former Governor of Alabama, the Honorable George Wallace, was running for President. Coming from south Alabama, you might imagine this was quite an issue in my campaign. Many people expected

Governor Wallace to throw the election in the House of Representatives, and so the question was put to me time and time again: "Who would I vote for if the election were thrown into the House?" My reply was that I would cast my vote for the presidential candidate who carried my district because I felt that the people—not the politicians—should elect the President of the United States.

Mr. Chairman, it is fair to say that this was one of the most discussed issues in my campaign. Apparently my position was right, for I was returned to the House by a substantial majority. But the point is this, Mr. Chairman. The people in my district felt very strongly that they and not the politicians should elect the President. This was later confirmed when I asked the following questions on the questionnaire which goes to every household in my district. The questions and responses by percentage of the total are as follows:

[Figures in percentage]

Should the electoral college system of electing the U.S. President be changed?

Yes	68.3
No	10.5
Undecided	21.2

If your answer is "Yes," how would you change it?

Abolish it and elect the President by direct popular vote.....	59.5
Apportion electoral votes of each state according to the ratio of popular vote	13.2
Chose electors by congressional districts	8.6
No response.....	18.7

I do not know how we can condone a system whereby the voice of the people is not effectively heard in the election of the President and the Vice President of this country. Yes, Mr. Chairman, the people want to be heard. Oh, it might be different if the electoral system was working the way the drafters of the Constitution envisioned it. But it does not work that way. And I am not sure I would want to go back to that approach in any case. The voter today is too intelligent to ask someone else to cast his vote for him.

It is also true that the present system allows small groups voting as a bloc in a close election to throw the whole electoral college vote of a given State to a particular candidate. When this is done, and it occurs frequently in some of the larger States. It is no wonder that the NAACP votes of the people of the small States. It is no wonder that the NAACP and other such organizations want to keep the present plan.

It has been argued that the small States have a slight advantage because of the two electors each State gets for its Senators, although I cannot for the world see what real good it has done for my State of Alabama. But look at it another way. Under the present system, the voter in Alabama can vote for 10 electors, and so he can influence these 10 individuals in their choice for President. But the voter in New York can vote for 43 electors and, therefore, he has considerably more influence on more electors than the voters in my State will ever have.

Mr. Chairman, the popular vote plan

assures that the choice of the people will be elected as President. But the proportional plan preserves the spirit of the Constitution in regard to individual and States' rights while at the same time preserving the letter of the Constitution in that the will of the people shall decide the President of the country.

Mr. Chairman, it appears obvious that the basic arguments in favor of retaining the present system all are tied in one way or another with special interests. In some ways the small States have an advantage—in some ways the large cities control the elections in the large States—in some ways the bloc vote has more power—in some ways it is easier for fraud to control an election. But in the final analysis, the most important special interest of all is the individual citizen of this country. I believe the time has come to make sure that each individual vote is counted for President. Arguments have been made that one system will help the South, that another system will help the Democrats, that another system will assure the election of a Republican, that this candidate or that candidate would have won if this system or that system had been in effect. But when you come right down to it, no one wins if the choice of the people is not sitting in the White House.

It is imperative, therefore, that we adopt a system which will assure that the choice of the people is in fact elected. There is no such assurance under the present system. I have great faith in the collective will and desire and determination of the people of this country. This is in fact the people's government. As Lincoln said:

A government of the people, by the people and for the people.

If we cannot trust the election of the President and the Vice President to the people, then this Government of ours shall not long prevail.

Consequently, I urge a favorable vote on the proportional plan. If that fails, and if the final vote is whether we shall continue the present electoral college system with all its confusion or go to the direct popular vote plan. I shall cast my vote for the direct popular vote.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. DAVIS).

Mr. DAVIS of Wisconsin. Mr. Chairman, I enthusiastically support the Poff substitute. The only point at which I disagree with him is in the fact that it is his second choice, but I have favored the plan dating back to the days when Judge Lea of California was the main proponent and main developer of that plan here in the House. I have always felt that the proportional plan very nearly reflected the popular vote, and would avoid some of the problems of differences in voting qualifications, the problems of ratification that will be created if we disturb the present plan of allocating electoral votes among the States, the problems that will be created by making it a national election rather than a Federal election, which has been the traditional and constitutional way of doing it in the past. So I hope the House will accept this amendment, not necessarily

as a compromise, but as the best means of resolving this problem.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. MOSS).

Mr. MOSS. Mr. Chairman, I do not want my vote to be filtered by any device however cleverly contrived.

As far as the adherence to the federal system, any student of the Constitution knows that the evolution of the federal system has been uninterrupted. Perhaps the most radical departure was the very nature of the electors themselves. They were not supposed to be partisans. They were supposed to be an elite party.

A further change of great significance was made to the so-called federal system when the Nation amended the Constitution to provide for the direct election of the Members of the other body.

This is a logical step in a democracy. This is a logical step by self-governing self-respecting men and women.

Mr. Chairman, I hope the substitute is voted down and that we come out and speak straightforwardly here in favor of popular government.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey (Mr. PATTEN).

(By unanimous consent, Mr. PATTEN yielded his time to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

Mr. LOWENSTEIN. Mr. Chairman, the discussion for the last several days has swirled in many directions, and we have heard sophisticated arguments in support of various proposals that have one central purpose in common: to deny the people of the United States the right to be sure that they will always have as their President the candidate who obtained the most votes.

We have heard lots of fancy theories about which States, or which ethnic or political blocs, or which political points of view would gain the most from this or that electoral contrivance. All of these theories seem to me to be beside the point, the simple, overpowering, unanswerable point. I will put that point as a question: Should the United States at this time in its history, with so many of its people already questioning the fairness and responsiveness of its system of government—does it make sense for the United States to continue to take the great risk of having a President take office who received fewer votes than his opponent? What State, what bloc, what group that cares about preserving and strengthening this Republic could gain from that kind of a situation? Who gains if the Republic itself is damaged? And does it make any sense at all to continue taking so grave a risk when there is nothing to gain, when the risk is avoidable and totally unnecessary?

It seems to me that that is the central question in all these votes, and that question remains totally unanswered after these several days of debate. And that is why I hope we will continue to reject this and all other amendments that would gut the basic principle of the committee bill—the principle that the people will henceforth choose their

President without benefit of intermediaries or distorting prisms.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. LANDGREBE).

Mr. LANDGREBE. Mr. Chairman, I would like to state I support the amendment offered by the gentleman from Virginia (Mr. POFF). I think it is truly a reform. It provides for real improvement in the present plan, yet it avoids the complete change that is being advocated, in House Joint Resolution 681, with its unknown problems.

I would like to remind my colleagues that this is yet a representative republic. I subscribe to retention of the electoral college in some form as our best hope for stability of the future.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma (Mr. BELCHER).

Mr. BELCHER. Mr. Chairman, I again want to point out the thing that bothers me is the fact that it is up to the States to determine the eligibility of the voters who will vote for President. I know legislatures well enough to know—contrary to what the gentleman said a while ago, that he did not believe that any legislature would take advantage of any other legislature—the gentleman is a little bit naive about legislatures, because I know at the present time there are States that now permit 18-year-olds to vote while other States do not permit 18-year-olds to vote.

Under the particular committee bill, I still think there ought to be some way in which the Congress of the United States would determine who shall vote for President, and we should not leave it up to the legislatures of the various States to bid against each other.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. RYAN).

Mr. RYAN. Mr. Chairman, I might say, in response to the gentleman from Oklahoma, we will have an opportunity on this floor to vote for an amendment which would place the responsibility to set uniform voting qualifications in the hands of the Congress.

On the merits of the substitute amendment, I rise in opposition to it, as I did the district plan.

Direct popular election is the only truly democratic method. It is the only way to insure that the candidate who receives a plurality of the votes becomes President. Under the proportional plan, as under the district plan, the popular will be frustrated.

Under the proposed Poff substitute the so-called countervailing inequities which now exist in the present electoral college system would be unbalanced. It would retain the three vote minimum—one vote plus the two bonus votes—for each State, an advantage to the small States, yet it would eliminate the winner-take-all feature, which is an advantage to the large States, leaving the balance tipped in favor of the small rural States. In other words, the present electoral college system is a balance of inequities, which would be unbalanced by the proportional plan.

Another inequity which would not be cured is the advantage to the States with low voting participation since the allocation of electoral votes would be on the basis of population—not voter turnout.

Moreover, the electoral vote of each State would be frozen and would not reflect increases or decreases in population except after a census.

Under the proportional plan it may be anticipated that the vote in the large States would be closely divided, whereas in the one-party States the vote would be cast more heavily in one direction.

Furthermore, there is a greater possibility under the proportional plan than under the present system for a presidential candidate, who did not receive a plurality of the popular vote, to be declared elected.

The fairest plan, the plan which gives not special advantage to any State or region, is direct popular election.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Chairman, I rise in support of the Poff amendment.

(By unanimous consent, Mr. CARTER yielded his remaining time to Mr. BELCHER.)

Mr. BELCHER. Mr. Chairman, I will state I feel that the Poff amendment has the better chance of being passed by the Senate and of becoming law.

The gentleman from Illinois a while ago spoke about the fact that this particular substitute did not give more power to the big States. That was the thing he was complaining about.

Senators who represent 35 States who are going to be handicapped by this committee bill will discuss this. I doubt very seriously if they are going to vote it out of the Senate. I believe the Poff substitute has a better chance of being adopted than the committee proposal.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana (Mr. WAGGONNER).

Mr. WAGGONNER. Mr. Chairman, I rise in support of the Poff proportional substitute. I do so for the many reasons previously stated by other supporters of the substitute, but in addition to that I want to stress that this proposal does not do violence to the federal system. It does preserve the integrity of the States. In preserving the integrity of the States it insulates those States wherein vote fraud is not a common practice against vote fraud in a number of our large States where vote fraud is an everyday practice in every election. One cannot get that protection under the proposed direct system.

I urge the Members, for this and all the other reasons already stated, to support the Poff proportional substitute as the better plan.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois (Mr. McCLORY).

Mr. McCLORY. Mr. Chairman, I rise in opposition to the substitute amendment. It seems to me what we are endeavoring to do by the substitutes, by the district plan and the proportional plan, is to more accurately reflect the

popular vote. Of course, the only way we can accurately reflect the popular vote is to let the people vote for President.

In this amendment now before us, the sponsors want to count the vote down to one-thousandth or one-tenth of the electoral vote.

This amendment also gives effect to the bonus votes, which is one of the inequities we are trying to eliminate through our direct popular election plan.

In my district 14 percent of the people favor the proportional plan, which is substantially more than those who favor the district plan. However, over 75 percent of the people—and they do understand the direct popular vote concept—support essentially the committee proposal.

Another difficulty in the pending amendment is that it includes a 40-percent requirement in order for a candidate to avoid the contingency method of naming the President and Vice President. As the committee knows, I will offer an amendment to the committee bill to reduce the requirement to 35 percent, which will give greater assurance that a runoff may be avoided with all of the complications and dangers inherent in such a general nationwide runoff election.

It is my hope that the pending substitute may be rejected, and that the House will give a resounding two-thirds vote in favor of the direct popular election plan as recommended by the Judiciary Committee—with the two amendments to the committee bill which I will offer at a later stage of these proceedings.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. WHITE).

Mr. WHITE. Mr. Chairman, to recapitulate, I think that the Poff amendment as an amendment to the Constitution has the greatest chance of passage in the respective States because it preserves the federal system, whereas the popular vote will erase it.

Further, I want to point out that under the direct vote system each State can change their qualifications and thereby gain greater weight to their voting.

The Poff amendment does not give that opportunity to gain an advantage by change of qualifications.

I want to point out also under the system of popular or direct voting you are counting votes and not population. This House represents population, not how many went to the polls. By the direct vote plan what the proponents are saying is we want to elect the President strictly by how many people you can get to the polls to vote, and not by the representative strength of this Nation.

The CHAIRMAN. The Chair recognizes the gentleman from Texas (Mr. DOWDY).

Mr. DOWDY. Mr. Chairman, I am supporting the Poff substitute as being superior to the pending resolution. I am still of the firm opinion that a President-elect should have a majority mandate. The first contingency in the Poff substitute permits a 40-percent election—I would change that to 50 percent in order

to assure a majority somewhere down the line—but again, I support the substitute as more desirable than House Joint Resolution 681. It preserves the electoral vote and isolates fraud. I have preferred the district plan, and still do, but the proportional plan is a close second choice with me.

(By unanimous consent, Mr. Dowdy yielded the remainder of his time to Mr. Poff.)

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. HUTCHINSON).

Mr. HUTCHINSON. Mr. Chairman, I take this time to call attention to a provision in the contingent election provisions of the Poff substitute and to state that the gentleman from Virginia (Mr. Poff) and I have discussed the matter. I would report on the record the results of our discussion.

In the contingency provisions of the Poff substitute it is provided that in the unlikely event that neither an electoral majority nor 40-percent popular plurality was obtained, the Congress sitting in joint session should act. Remembering what happened last January when the House and Senate counted the electoral votes and the Senate went over to its own Chamber to vote, it is the intention of the author of this proposal that the House and Senate should sit as a single body and as a national assembly for the purpose of electing a President and a Vice President.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Chairman, I support the Poff substitute.

The people of this Nation want, expect, and are entitled to, presidential electoral reform.

I believe a majority of the people of this Nation prefer electoral reform which would authorize the direct popular election of our President and Vice President. I think I would prefer a direct popular vote under standards protecting the uniformity in exercise of the franchise. But I have doubt as to whether a majority of the electors of 38 of the States prefer direct election; I doubt seriously that both houses of 38 State legislatures will support ratification of a direct election amendment; and, I would allege with greater certainty that 38 State legislatures will not ratify a direct election amendment after the impact of the 1970 census is known and the anxiety in anticipation of the further impact of the 1980 census is felt.

These are not idle unfounded concerns that I voice. I regret that my research is incomplete, but I am attempting to project present trends in population, political sentiment, and elector reaction into the 1970's when ratification will be before the States of whatever amendment we pass here today or this week.

And, Mr. Chairman, it is essential that we consider what is possible as much as we consider what is desirable. And, it is equally essential that we view what is possible at the time action on ratification is required as best we can anticipate it, rather than what we may think is possible now.

I need not remind all of you—more expert in the profession than I—that politics, legislation, and government involve the art of the possible.

I have examined with interest all of the polls of legislators which have come to my attention and which tend to establish that a direct election proposal would be ratified by the necessary number of States. Frankly, I am not impressed, much less convinced.

The study I have made of the potential for ratification of a direct election proposal at the time that question will be before the legislatures, has convinced me that those States which would probably not ratify today are much less likely to ratify tomorrow and that there will be more States tomorrow than there are today which will be so negatively disposed.

Time does not permit a recitation of the population trends and other factors which have caused me to reach this conclusion; suffice it to say I have deep concern that our passage of a direct election proposal will result in no electoral reform at all.

I believe the apportioning of the electoral vote as proposed by Mr. Poff's substitute is good electoral reform. It would reflect the popular vote for President and Vice President better than any plan other than direct election. It is a proposal which I believe would be ratified by the States. It eliminates many of the inadequacies and defects of the present system and is the best plan for electoral reform that can be enacted under the very system which our Founding Fathers established.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina (Mr. LENNON).

Mr. LENNON. Mr. Chairman, I rise in support of the Poff substitute, as amended. However, I cannot fail to use this opportunity to commend my distinguished friend from New York for his frankness in now admitting that the so-called popular vote plan would inure to the benefit of the 15 States where you have the large metropolitan centers. I appreciate the gentleman's frankness and I am confident that that is the reason for his opposition to the proportional system.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Apparently the gentleman from North Carolina misunderstood my remarks. The fair plan, the equitable plan, is direct election. If the principle of one-man, one-vote is applied, no State or region will benefit.

I said that the proportional plan would upset the balance of inequities which now exists under the present system. By eliminating the winner-take-all feature but retaining the bonus votes, the least populous, low-voter turnout States would have a distinct advantage.

Mr. ROGERS of Colorado. Mr. Chairman, a point of order.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Permit the Chair to ask the gentleman from Colorado if he desires to insist upon his point of order in view of the fact that if it is determined that a quorum is not present and that a rollcall must occur, no one else will be heard on this amendment.

PARLIAMENTARY INQUIRY

Mr. ROGERS of Colorado. Mr. Chairman, do I understand that the Chairman stated that if a rollcall is required, no one else will be able to be heard on this matter?

The CHAIRMAN. The Chair will state to the gentleman from Colorado that the time was fixed on the amendment and all amendments thereto to expire at 4 o'clock. It would be impossible to have a rollcall within that time.

Mr. ROGERS of Colorado. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn.

The Chair recognizes the gentleman from Wisconsin (Mr. KASTENMEIER).

(By unanimous consent, Mr. KASTENMEIER yielded his time to Mr. Celler.)

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Chairman, this afternoon we have had unusually interesting legislative developments. First we went through the district plan and it was rejected. Then we went to the Eckhardt plan and that was turned aside. Finally we are now considering the Poff or the proportional plan. I hope that that too will be turned aside and that we will return ultimately to the committee proposal of letting the people vote directly, which most Americans want, and which I hope that we will permit them to do.

May I comment also as to the great concern which has been expressed as to what we are doing here to the federal system and that we are in the process of changing it. Well, it has been changed across the years and many of those changes were needed.

The changes we are now considering would finally insure equal influence by all American citizens, regardless of their State, as to who should be the President and Vice President of the United States. Certainly that is how it should be.

Much has been made of the distinctions between the rights of State citizenship as contrasted to the rights of National citizenship. I would point out that the basic thrust and effect of House Joint Resolution 461 is to definitely make a vote for President and Vice President a right of national citizenship. But is not that what it really is anyway under the American system of government? The President and the Vice President are the only officials for which all citizens of the United States vote. Those offices directly and immediately affect the lives of each and every citizen of the United States—often more immediately and directly than State and local officials. Therefore the votes of each and every citizen of the United States should be counted equally.

The same rationale means that the qualifications for voting for President and Vice President should be the same

throughout the Nation. It is to fully implement this underlying thrust of House Joint Resolution 461 that I have announced that I will offer an amendment which will specifically authorize the Congress to establish uniform national voting qualifications, not just for residency, but also for age, literacy, and the other types of qualifications. What more basic application is there of the 14th amendment's guarantee of "equal protection of the laws" than equal qualifications for voting for the officials which help to make the laws? Only with uniform national voting guidelines could we claim true equality for all American citizens.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Chair recognizes the gentleman from Colorado (Mr. ROGERS).

Mr. ROGERS of Colorado. Mr. Chairman, if anything is clear, the people of this Nation desire an electoral college reform. The hearings conducted by the Judiciary Committee and the debate here reflects the fact that the people do not want an intermediary to represent them in the selection of the President of the United States.

I am, therefore, opposed to the substitute which has been offered by the gentleman from Virginia (Mr. POFF) for the simple reason that the intermediary as provided in this proposal exists in the House of Representatives and in the U.S. Senate in the event that the candidates do not receive a majority of the electoral votes or 40 percent of the popular vote.

Therefore, Mr. Chairman, I urge the defeat of the amendment.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

The Chair recognizes the gentleman from Virginia (Mr. POFF).

Mr. POFF. Mr. Chairman, I would like to use a part of this time to allay some concern that seems to have arisen from an omission in my original comments. I neglected to say in those comments that the District of Columbia would be awarded three electoral votes under my substitute, even as it is today under the 23d amendment.

Second, Mr. Chairman, I would like to address a point that has arisen with respect to the direct plan; namely, the possibility that individual States might be tempted to lower the voting age of their voters in order to increase their relative voting strength in the Nation at large. The distinguished chairman of the committee has conceded that this is possible. I agree. I would anticipate that there might be a race to the legislatures in order to achieve that particular advantage first. No such advantage could be achieved under the proportional feature of the substitute which I have just offered, and I submit, Mr. Chairman, that this is one of the reasons why the substitute is more likely to be accepted by the required 38 State legislatures.

Mr. Chairman, I respectfully request that you give careful consideration to the substitute as the one most likely to be adopted in this House, and the other body, and ratified by the requisite number of States.

The CHAIRMAN. The time of the gentleman has expired.

The Chair recognizes the gentleman from Minnesota (Mr. MACGREGOR).

Mr. MACGREGOR. Mr. Chairman, the pending substitute proposal has been referred to as a compromise, and it does smack of a compromise, but more accurately it is an amalgamation. In the words of its author, it is a joinder of parts, partly in one part the proportional plan, and another part the popular plan, and in another part the modified district plan.

In my judgment, Mr. Chairman, this proposal is better than the district plan, but less desirable than the direct choice by the American people. It is preferable in one respect to the district plan, because it represents an honest effort by the gentleman from Virginia to build bridges between the adherents of the proportional vote plan, the direct popular plan, and the district plan. But it still has, although preferable to the district plan, two glaring defects: First, it does violence to the broadly accepted doctrine of the right to cast equal votes for President of the United States; second, in my State where we normally get a large turnout in voting, it would penalize us particularly in diminishing the value of each citizen's vote.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The Chair recognizes the gentleman from Michigan, the minority leader (Mr. GERALD R. FORD).

(By unanimous consent, Mr. GERALD R. FORD yielded his time to Mr. McCULLOCH).

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. McCULLOCH).

Mr. McCULLOCH. Mr. Chairman, I oppose the pending substitute amendment.

The plan is too complex and would be, if adopted, far more confusing to the general electorate than is the present plan. Its complexity would make it difficult for any electorate to generate enthusiasm for reform, and enthusiasm is necessary for ratification. On the other hand, the direct plan is both simple and capable of generating the enthusiasm necessary for eventual ratification.

In addition to the plan's complexity it is, let me say, tricky. It imposes two criteria which are contradictory—the proportional standard and the popular standard. Thus, under the plan, the popular winner could lose when the other candidate had achieved a proportional vote majority. Conversely, the proportional vote winner could lose to the popular vote winner, when no proportional vote majority has been achieved. Is there any reason for this possibility? Why does the popular standard lose its force above 50 percent, and why does the proportional standard lose its force below 50 percent?

Furthermore, Mr. Chairman, I would like to comment about this alleged race for States to reduce the voting age of their electorate.

Since 1965, Mr. Chairman, 18 States have considered legislation or constitu-

tional amendments to reduce the voting age of the electorate. In all 18 States those measures were defeated.

Mr. Chairman, I repeat, I trust the Committee will reject the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama (Mr. DICKINSON).

(Mr. DICKINSON asked and was given permission to proceed out of the regular order.)

Mr. DICKINSON. Mr. Chairman, I am taking this 1 minute to advise the House that I have asked for a special order and by agreement it will commence at 5 o'clock since it is anticipated that the Committee will rise around 5 o'clock.

At that time all Members are urged to be here on the floor and to participate in speaking on the subject of our prisoners of war and our American servicemen who are missing in action in Vietnam.

I hope as many colleagues as possible may be here at 5 o'clock.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. CELLER) to close debate on the pending amendment.

Mr. CELLER. Mr. Chairman, it is really difficult to follow the reasoning of the gentleman from Virginia (Mr. POFF). He told us that he favored the district plan. When the district plan failed, he said he favored the proportional plan. I understand if the proportional plan fails, he will support the popular direct election plan.

Now I do not know what criteria the gentleman is applying. He cannot be for three plans all at one time. Certainly, he does not want the pending substitute amendment. Surely, he is not in favor of that because heretofore he said he was in favor of the district plan, and if the proportional plan fails, he is going to vote for the popular direct election plan.

The proposal the gentleman from Virginia has submitted to us now has no constituency behind it. We held long hearings and we heard no organizations which indicated support for this proposal. It is apparently self-generated. I say that in all kindness and with the highest respect for the gentleman from Virginia.

Also I should point out that the proportional plan which is the first test applied in the substitute amendment would give rise to splinter parties. We have a two-party system in our country and it has operated for the general welfare of our Nation.

But splinter parties are something to be abhorred, and the proportional plan would undoubtedly encourage the growth of splinter parties.

Some say that the proportional plan is second best. I do not want second best—I want first best and the first best is the popular direct election system.

Mr. Chairman, since the plan of the gentleman from Virginia is so complex and intricate, and since we want the very best reform, I hope the gentleman's substitute amendment will be defeated.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Evidently a quorum is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 174]

Baring	Hébert	Roybal
Barrett	Kee	Ruppe
Bell, Calif.	Kirwan	Sisk
Bolling	Lipscomb	Steiger, Wis.
Brock	Long, Md.	Sullivan
Broomfield	Lukens	Teague, Calif.
Cahill	McDade	Teague, Tex.
Clark	May	Thompson, N.J.
Corbett	Montgomery	Tiernan
Culver	Morton	Utt
Diggs	O'Konski	Waldie
Fallon	Pollock	Whalley
Fascell	Powell	Wright
Griffiths	Purcell	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the joint resolution (H.J. Res. 681), and finding itself without a quorum, he had directed the roll to be called, when 389 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. HUTCHINSON) to the substitute amendment offered by the gentleman from Virginia (Mr. POFF).

The amendment to the substitute amendment was agreed to.

The CHAIRMAN. The question is on the amendment in the nature of a substitute, as amended, offered by the gentleman from Virginia (Mr. POFF).

Mr. POFF. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. POFF and Mr. ROGERS of Colorado.

The Committee divided, and the tellers reported that there were—ayes 147, noes 179.

So the substitute amendment was rejected.

SUBSTITUTE AMENDMENT OFFERED BY MR. WYLIE

Mr. WYLIE. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Substitute amendment offered by Mr. WYLIE: Strike out all after the resolving clause and insert in lieu thereof the following:

"That the following article is proposed as an amendment to the Constitution of the United States, to be valid only if ratified by the legislatures of three-fourths of the several States within three years from the date of its submission by the Congress:

"Article —

"SECTION 1. If a method of electing the President and Vice President described in subsection (a), (b), (c), or (d) of section 2 is approved by the legislatures of three-fourths of the States in the manner provided in section 4, then such method (and the provisions of section 3) shall apply to any election of the President and Vice President for any term beginning more than one year after the approval of such method (but in no event shall such method apply to an election for a term beginning less than one year after the date of ratification of this article).

"Sec. 2. The methods of electing the President and Vice President referred to in section 1 are as follows:

"(a) The President and Vice President of the United States, shall be chosen in an election by the people of the several States and the District of Columbia. In such election a vote may be cast only as a joint vote for a presidential candidacy (as defined in section 3(b)). If a presidential candidacy receives a plurality of at least 40 per centum of the popular votes cast, the persons comprising such candidacy shall become the President-elect and the Vice-President-elect. In the event that no candidacy receives a plurality of at least 40 per centum of the popular votes, a runoff election shall be held (in such manner as the Congress shall by law prescribe) in which the people of the several States and the District of Columbia shall choose between the two candidacies receiving the largest number of popular votes.

"(b) (1) The President and Vice President shall be elected by the people of each State, and by the people of the District of Columbia. In such an election, a vote may be cast only as a joint vote for the election of a presidential candidacy. The results of the election in each State and in the District of Columbia shall be ascertained and the electoral votes for each presidential candidacy shall be computed in the manner provided in paragraph (2) of this subsection.

"(2) Each State shall be entitled to a number of electoral votes for President and Vice President equal to the whole number of Senators and Representatives to which such State may be entitled in the Congress. The District of Columbia shall be entitled to a number of electoral votes equal to the whole number of Senators and Representatives in Congress to which the District of Columbia would be entitled if it were a State, but in no event more than the least populous State. The presidential candidacy which receives the greatest number of popular votes in a State shall receive two of the electoral votes of such State. The presidential candidacy which receives the greatest number of popular votes in the District of Columbia shall receive all of the electoral votes of such District. The presidential candidacy which receives the greatest number of popular votes in any electoral district in a State shall receive one of the electoral votes of such State. For purposes of this paragraph, an electoral district is (A) the State, in the case of a State which is entitled to only one Representative; (B) a congressional district, in the case of a State which has established a number of congressional districts equal to the number of Representatives to which such State is entitled; or (C) an electoral district established under paragraph (3) in the case of any other State. If a presidential candidacy receives a plurality of at least 40 per centum of the electoral votes, the persons comprising such candidacy shall be the President-elect and the Vice-President-elect. If no presidential candidacy receives a plurality of at least 40 per centum of the electoral votes, a runoff election shall be conducted, in such manner as the Congress shall by law prescribe, between the two presidential candidacies which received the greatest number of electoral votes. The persons comprising the candidacy which receives the greatest number of electoral votes in such election shall become the President-elect and the Vice-President-elect.

"(3) Each State entitled to more than one Representative in the Congress for which there has not been established a number of congressional districts equal to the number of its Representatives shall (for purposes of elections of the President and Vice President) establish by law a number of electoral districts equal in number to the number of its Representatives. Such districts shall comprise in the aggregate the entire State and shall be substantially equal in population.

"(c) The President and Vice President shall be elected in the manner provided in subsection (b), except that (1) each presidential candidacy for which popular votes are cast in a State or the District of Columbia shall receive a number of the electoral votes of such State or District which bears the same ratio to the total number of electoral votes of such State or District as the number of popular votes cast for such candidacy in such State or District bears to the aggregate number of popular votes cast in such State or District for all presidential candidacies; and (2) in a runoff election, the electoral vote of a presidential candidacy in a State or the District of Columbia shall be computed in the manner provided in clause (1). In making computations under this subsection, the electoral vote for a presidential candidacy in any State or the District of Columbia shall be rounded to the nearest one-thousandth.

"(d) The President and the Vice President shall be elected in the manner provided in subsection (b), except that (1) the presidential candidacy which receives the greatest number of popular votes in a State or the District of Columbia shall receive all of the electoral votes of such State or District; and (2) in a runoff election, the electoral vote of a presidential candidacy in a State or the District of Columbia shall be computed in the manner provided in clause (1).

"Sec. 3. (a) The provisions of this section shall be applicable only if a method of electing the President and Vice President described in section 2 is approved by three-fourths of the States.

"(b) In any election held under section 2, a vote may be cast only as a joint vote for the election of two persons (referred to in this article as a 'presidential candidacy') one of whom has consented that his name appear as candidate for President on the ballot with the name of the other as candidate for Vice President, and the other of whom has consented that his name appear as candidate for the Vice President on the ballot with the name of the said candidate for President. No person may consent that his name appear with that of more than one other person or as a candidate for both offices.

"(c) An election held under section 2 shall be held on a day which is uniform throughout the United States, determined in such manner as the Congress shall by law prescribe.

"(d) The law of each State shall govern within such State as to the places at which and manner in which any election is held under section 2, but only to the extent that such State law is not inconsistent with any Act of Congress in effect pursuant to this subsection. In the case of any election under section 2, the Congress shall have power to provide by law for the manner in which the candidates to appear on the ballot shall be determined, and the manner in which the outcome of such election shall be ascertained. The Congress shall prescribe by law the places at which and the manner in which an election under section 2 shall be held in the District of Columbia.

"(e) The qualifications for voters in any State in any election under section 2 shall be the same as apply in the case of voters in such State in elections of Senators. Congress shall prescribe by law qualifications for voters in the District of Columbia.

"(f) The Congress shall by law provide procedures to be followed (1) in consequence of the death or withdrawal of a candidate on or before the date of an election under section 2, and (2) in any case of a tie which affects the result of an election under section 2.

"Sec. 4. (a) For the purpose of this section:

"(1) A State may give its approval of any one method of electing the President and Vice President specified in section 2 of this

amendment in the manner, and only in the manner, which was called for by Congress for the ratification of this amendment.

"(2) A State may withdraw its approval in the same manner it has given it, at any time prior to the approval under this amendment by three-fourths of the States of one method of electing the President and Vice President. After having withdrawn its approval, a State may act again to approve any one eligible method.

"(3) References to the first, second, third, and fourth years respectively refer to the first, second, third, and fourth calendar years which begin after the ratification of this amendment by a sufficient number of States.

"(4) If at the end of any year two or more methods do not have the approval of any State, each such method shall be deemed to have been approved by the smallest number of States.

"(5) If at the end of any year two or more methods each stand approved by the same number of States, then of those methods, the one approved by the State or group of States having the lowest aggregate population as of the end of that year as estimated by the Bureau of the Census shall be deemed to have been approved by the lowest number of States.

"(6) When a method becomes ineligible for approval, any approval thereof theretofore given by any State shall be deemed to have been withdrawn, and the State may act again to approve any eligible method.

"(b) At any time prior to the expiration of the first year, any State may approve any of the four methods described in section 2 of this amendment. If, at the end of the first year, no method has the approval of any State, then this amendment shall become of no effect.

"(c) At the end of the first year, the method having the approval of the lowest number of States shall become ineligible for approval.

"(d) If, at the beginning of the second year, more than one method remains eligible for approval, then at the end of that year the method having the approval of the lowest number of States shall become ineligible for approval.

"(e) If, at the beginning of the third year, two methods remain eligible for approval, then at the end of that year the method having the approval of the lower number of States shall become ineligible for approval.

"(f) If, at any time after the ratification of this amendment by a sufficient number of States and prior to the end of the fourth year, any one method has the approval of three-fourths of the States, that method shall become the method of electing the President and Vice President. If, at the end of the fourth year, no method has the approval of three-fourths of the States, then this amendment shall become of no effect."

Mr. WYLIE (during the reading). Mr. Chairman, I ask unanimous consent that further reading of the substitute amendment be dispensed with and that it be printed in the RECORD. I believe I can explain the amendment sufficiently.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? There was no objection.

Mr. WYLIE. Mr. Chairman, I realize that much time has elapsed since the debate began on this very important House joint resolution before us. I know the Members are very anxious to vote on the resolution. I will respect their feelings and request their indulgence as I present my amendment.

Mr. Chairman, the debate on House Joint Resolution 681 marks a historic

moment in the deliberations of this most powerful legislative body in history.

I truly feel privileged that I may stand here and have the opportunity of even offering an amendment to the Constitution affecting the election of the President and the Vice President of the United States. We have had some of the greatest debates I have heard during my short tenure in Congress. I do not mean to be pretentious as I offer this amendment, but it is because of the debate which has occurred here and the variance of opinion between some of the ablest Members of this body that I presume to suggest an idea which came to me some months ago as I anticipated the possibility or fear of an impasse.

I presented my proposal, incorporated in House Joint Resolution 530, to the House Committee on the Judiciary, the Senate Subcommittee on Constitutional Reform, and to Members of this body in the form of a letter. I must confess there has been no mad scramble to fall in line in support of my amendment. Yet even if constrained, I offer it here as a way by which we can avoid the pitfall of not submitting any amendment to the States should a stalemate develop.

It is the idea rather than the words of the amendment which I now offer. Basically the idea is to submit to the States the four proposals—I repeat the four proposals—or modifications thereof which have been offered by Members of this body.

Mr. Chairman, the four proposals or modifications thereof which have been offered by various Members of this body are incorporated in my proposal. The combination of the votes for each plan would add up to near unanimous approval of all the Members of this body and of the other body.

The four plans are, as Members know:

One. A direct popular vote plan.

Two. A district plan.

Three. A proportional plan.

Four. A winner-take-all plan, eliminating the office of the elector.

In each case a runoff election is provided.

My amendment could be modified to provide for the submission of only three plans or of only two plans to the States.

This idea presented by my amendment came to me after President Nixon in his message to Congress on February 24, said:

I doubt very much that any constitutional amendment proposing abolition or substantial modification of the electoral vote system could win the required approval of three-quarters of our fifty states by 1972.

For this reason, and because of the compelling specific weaknesses focused in 1968, I am urging Congress to concentrate its attention on formulating a system that can receive the requisite Congressional and State approval. . . .

His statement followed an earlier article by the UPI press service in which it was reported that 46 Senators favored a direct popular vote plan, 26 favored a district plan, 18 favored a proportional plan, and 10 were undecided. Even if the 10 who were undecided voted for the direct popular vote plan, 11 more would

have to switch to attain the 67 votes required for adoption.

However, the combination adds up to 90. Those apparently favoring a direct popular vote plan or a district plan add up to 72, or 5 votes more than the 67 votes required for approval in the Senate.

There appears to be little argument, Mr. Chairman, that a change in the method of the election of the President and Vice President is not only wanted by the people of this country but needed to avoid the type of constitutional crisis we faced last November.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. WYLIE was allowed to proceed for 2 additional minutes.)

Mr. WYLIE. As I say, Mr. Chairman, we all want to avoid the type of constitutional crisis we faced last November.

Congress must, of course, provide the vehicle for the necessary change. We all want to avoid the consequences of not providing that vehicle, if possible. I fear we will not be excused if we say no plan could receive the two-thirds vote of the House or the Senate and we have nothing to submit to the American people.

Then, too, I felt if there is a way by which we could allow the States to be partners in the decisionmaking process we would have a better chance for success.

It is this idea which I am offering, and the suggestion that there is a way, that we do not need to rise or fall on only one plan, if we reach the decision that we are about to fall. With that in mind, I offer the amendment for your consideration.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in opposition to the amendment.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

I do indeed admire the ability and the enthusiasm of the gentleman from Ohio, although I fear that enthusiasm is a bit misguided. The purport of the so-called Wylie amendment is to the effect that Congress would say to the various States here are four different proposals—the automatic plan, the direct plan, the district plan, and the proportional plan. You of the States select one of those plans. Then, after three-fourths of the States have selected one of those plans, that one plan is again, in the second stage of the proceedings, submitted to all of the States all over again for their ratification. In my humble opinion, Congress would abdicate its constitutional responsibility, which is the responsibility to propose amendments. If the Wylie amendment is adopted, it would be an abnegation of that responsibility which lies with the Congress. The proposal departs from the amendment process now contained in article V of the Constitution and would place the burden on the State legislatures to propose as well as to adopt a constitutional amendment. All the Wylie amendment does is to prepare, for want of another term, I would say, a sort of shopping list. It is a shopping list containing four proposals to the various States. Congress would say to them, "You

select one of those four proposals." After three-fourths of the States have selected one of these proposals, then again that one proposal would have to be submitted to the various States for ratification. But how in thunder could three-fourths of the States make a selection of those four and get any degree of uniformity among the States themselves? It would be quite impossible, and it would bring about a rather chaotic condition.

With all humility, I say as far as the gentleman from Ohio is concerned, that the amendment should indeed be rejected.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Ohio (Mr. WYLIE).

The substitute amendment was rejected.

Mr. WOLFF. Mr. Chairman, there is urgent need for reform to make our presidential electoral system totally responsive to the popular will. If we fail to do this, we will continue to tempt two sirens: either in some future election we will fail to satisfy popular will, or should a third party create a deadlock and the election be thrown into the House of Representatives, we could fail to elect a President.

For nearly 200 years we have pondered these two possibilities. And the near chaos of 1968's presidential election warned us that our archaic electoral system must be updated.

Do we intend to close our eyes to this and make minor repairs where major improvements are necessary? Or will we accept the fact that the system created by our Founding Fathers has more than fulfilled its obligations and now it is time to replace it with an electoral approach suitable to the realities of this century?

The wisdom and logic for the direct election of the President is clear and abundant. This congressional session has seen more than 40 bills introduced for the purpose of electoral reform. I myself have introduced legislation to reform our electoral methods and have been among those who have championed this essential activity for some time.

Moreover, I think that the Harris survey, which came at the close of the 1968 election demonstrates how our citizens feel about this matter. It noted, if you will recall, that 79 percent of those polled wished to abolish the electoral college system.

Throughout our history there have been 46 presidential elections, of which three popular vote losers have been elected President, while 12, including Mr. Nixon have failed to gain the popular majority. These facts, I feel, point toward a possible path riddled with citizen frustration and rebellion.

The immediacy of instituting reform, has also been heightened by the understanding that an elector is not compelled to vote for the particular candidate.

We in the United States call for freedom of choice, but are we providing an atmosphere for the development of free electoral choice? Surely an electoral college system which discourages the growth of a second party in a predominately one-party State is not conducive to this goal.

We call for candidates to present their platform to all citizens. Yet the electoral college by virtue of its existence compels our presidential candidates to focus on the key states which will provide the needed majority of electoral votes.

Both of these and a wealth of other reasons necessitate reform. By accepting the House resolution for the direct election of our Nation's President, we will have furthered national goals and heeded the rising voices of our voters before it is too late.

Mr. ROBISON. Mr. Chairman, nearly every Congress—and sometimes even just a congressional session—has its distinctive character, due more often to surrounding circumstances and unforeseen conditions than to deliberate intent.

Thus, we may remember having had, in recent times, education-minded and conservation-minded Congresses, a "consumer-conscious" Congress, and the like as well as, a few years back, a "do-nothing" Congress according to one of its critics, at least, and then, not as long ago, a Congress that had performed so well that Lyndon Johnson proudly called it "my Congress."

It is still a bit early, insofar as this, the 91st Congress, is concerned to begin passing out tags and labels; but it may well be that, before we are done, we will have earned the name of being the "reform" Congress.

Surely, the tax-reform bill that this House has already passed and deposited on the other body's doorstep was a measure of historic proportions, no matter how much or little change may yet be made in it. Other "reform" proposals are pending before us, now, including the opportunities for Selective Service reform, a basic overhaul of the public welfare system, and that recent White House proposal involving revenue sharing with our States and cities that, to my mind, would constitute the beginnings, at least, of a reformed brand of federalism.

It fits, therefore, that we should now be considering electoral reform—whether the result here eventually be approval of the committee majority's proposal, as embodied in House Joint Resolution 681, for substituting a direct, nationwide, popular vote for the electoral system we have so long been following for presidential elections, or one of the major variations thereof that are under consideration as substitutes for that majority position.

Mr. Chairman, this is a subject that has long been of interest and concern to me, as it should be to every American citizen. There is no more important cog or gear in our whole system of governmental machinery than the method we use to select our national leaders and chief executive officers—our President and Vice President. In the most elemental sense, the election procedure we follow for such purposes is our method of conferring legitimacy to the peaceful transfer of the greatest power and responsibility a free people have at their disposal. It follows, therefore, that such procedures must—within the limits imposed by the fact that no such procedure can be wholly perfect—confer on

the winners the greatest possible legitimacy as such, well within the American tradition and ideals of fairness and openness, so that there will be that peaceful acceptance of the result by the losers and their followers that has marked our society as unique in a world still so marked by political cabal and violence.

It is in that sense of the importance of our task that I have sought to approach the issues now joined.

Reform for the mere sake of reform can never be justified. The touchstones of the true reformer should be: Is such reform necessary? And will the substituted procedure work more effectively than that we now have?

It is far easier to answer that first question affirmatively than it is the latter.

Reform of the electoral system on which we have relied for so long is, I submit, necessary; and nothing is really taken away from that finding by acceptance of the fact that such reform is indicated less because of the present system's failures than because of its potential failure. Indeed, though the electoral college procedure is a clumsy mechanism, the supposed, original reasons for which have long since become anachronisms, it can be argued that it has served us fairly well since only once in our history—in the 1888 contest between Grover Cleveland and Benjamin Harrison—did the presidential candidate receiving the most popular votes fail to receive the highest number of electoral votes, and only twice in our history—in 1800 and again in 1824—has a presidential election been thrown into the House.

Nevertheless, such untoward—and disruptive—events could again happen under the existing procedures. And it is the memory of such recent narrow escapes therefrom, as in the Truman-Dewey contest in 1948, the Kennedy-Nixon election in 1960, and last year's Nixon-Humphrey race—in all of which contests, so I understand, a shift of a mere 1 percent of the vote in a few key States would have thrown the final resolution therein into what Chairman CELLER, a few days ago, called the cockpit of the House, as he said "with the probability of political wheeling and dealing that always accompanies such election in the House for President"—that lends urgency to our task.

Mr. Chairman, one does not need to dwell on the nature of such a "probability" to know that, given the crucial character of the days in which we live and the buffeting all our institutions have endured of late as a result thereof, this Nation could ill afford such an unhappy, divisive and uncertain event—and to know, further, that the possibility thereof must be erased from our Constitution.

This is the prime defect, as I see it, in the existing system—with the problem of the "faithless" elector assuming a secondary importance that could, possibly, be dealt with separately.

However, if we are to make basic corrections in a Constitution that has endured so long with remarkably little change, I think it behooves us to now adopt the best possible, overall substitute procedure available to us.

After much study, and due considera-

tion of the possible alternatives, I have become convinced that the committee majority's proposal—as embodied in House Joint Resolution 681—is that best possible, overall substitute, and I therefore intend to support that proposal without substantive amendment.

What would its enactment and ratification as a constitutional amendment accomplish?

Well, as we all know, the electoral college—clumsy, obsolete, expensive anachronism that it is—would be abolished. I believe there to be near unanimity—both here in the Congress and among the people—that this is a desirable change. Looking back to those occasions over the years when I have spoken to young audiences—high school and junior high school classes, especially—I can scarcely remember a time when one such student did not raise his or her hand and ask me why Congress clung to the electoral college. All I could do at such times was to explain why the Founding Fathers thought—though with some notable exceptions such as Thomas Jefferson—it necessary to interpose an electoral "elite" between the people—for whom this grasp at self-government and at something approaching a true democracy was still an experiment—and the final choice of a man to lead them. Valid as those reasons might once have seemed—and, aside from the philosophical questions, there was some validity for them—they are no longer valid, and we might as well do away with the "faceless" and "faithless" electors, it seems to me, in one stroke.

But what do we substitute in their place?

Under the uncomplicated provisions of House Joint Resolution 681, we would substitute—provided, of course, that the same clear both Houses of Congress by the requisite two-thirds vote and are then ratified by the necessary three-fourths of the State legislatures—the direct, nationwide, popular election of the President and Vice President.

In doing so, we would automatically do away also with the present so-called unit rule, under which the winner takes all electoral votes now in each State—that unfairly discards all votes cast for the losing candidate or candidates—along with the so-called bonus electoral votes, on which I shall comment further in a moment, and, most-importantly, we would end for all time that alarming possibility of having presidential elections finally settled in Congress.

I believe I have already said enough about that last achievement to make further comment thereon unnecessary, and I believe the evils inherent in that winner-take-all mechanism to be sufficiently apparent—since they are equally attacked by the proponents of the alternative proportional or district plans—as to fall through their own demerits. But the elimination of the bonus electoral votes—that give Alaska, for instance, with its 226,000 people, three electoral votes or one for every 75,000 people, while New York, with its population of 16,782,000, has only 43 electoral votes or one for every 390,000 people—is sufficiently drastic a change, and difficult of political pro-

jection, as to require some further attention.

It is being argued here that such a change—which would not occur if either the proportional or district plan were adopted instead—will adversely affect the distribution of political power—and influence—as between large States and small States, and as between urban voters and rural voters. Thus, we have heard from representatives of the so-called small States—though it is difficult to know where one draws that particular line—that such bonus votes represent such things as "the only effective hold on power that the small States have"; but at almost the same time we are told that such bonus votes are also "the only effective hold on power that the urban population centers have on the Federal Government, today."

In such a "tweedle-dee" and "tweedle-dum" argument, it is almost impossible to determine who is right and who is wrong—and probably the only possible conclusion is that, depending on the surrounding circumstances, both sides can be right in claiming some temporary advantage from the present system.

And, then, when one throws in such extraneous but obviously present questions as whether or not such a change would benefit the Democrats or the Republicans, one has what the King of Siam supposedly once called a puzzlement.

Having duly puzzled over all aspects of such arguments—and all such fears as to the result of any change—I have concluded, as all of us must, that such arguments and fears all rest on the thought that certain voters now have, and ought to continue to have, a stronger voice than other voters in the selection of the American President and Vice President.

And, Mr. Chairman, if one looks at this puzzle in that light, it surely seems to me that the only valid answer is that this is, in essence, wrong—and that what we ought to seek to do is to assure every American the right to the same power at the polls as every one of his fellow Americans and, if that is right in principle, then the political consequences, whatever they may prove to be, will in the end also be right.

The best—perhaps the only—way, then, of putting that principle into practice, it seems to me, is to provide as House Joint Resolution 681 does for the direct, nationwide, popular election of the President and Vice President and this, by every available sampling of public opinion, is what the American people want and demand of us.

Before touching on the nagging question of whether or not reform so far reaching is attainable, I would like to also comment on the problem of runoff elections and how best to avoid them, and also on the equally nagging question of whether or not the changes proposed by the committee majority would magnify existing problems with vote frauds and the uncertainties and delays involved in recounts.

Clearly, runoff presidential elections—though we have had no experience with them—ought to be avoided; and, as a corollary, if one believes in the stability of our two-party system has unintentionally

brought our political system, "splinter" parties ought not to be encouraged.

The question, then, is: Will direct, nationwide, popular elections for President and Vice President result in runoffs and the stimulation of "splinter" parties to the detriment of the two-party system?

Again, we are dealing in conjecture—and one cannot be positive in his answers.

Some support here exists for requiring a President to obtain a majority of the popular vote—in order to furnish unequivocal evidence of his national "mandate."

I believe that to be unnecessary—and undesirable, because it would almost surely require run-off elections and, equally surely, stimulate the formation of "splinter" parties that, however, insignificant their support relatively speaking, could prevent a majority election in a closely divided contest.

As others have stated, we are searching for a system that has the maximum credibility and certainty—and doing so with the understanding that none can be also perfect. As a Nation, we have become accustomed to Presidents receiving less than a majority of the popular vote—examples being Wilson, Truman, Kennedy, and Mr. Nixon. No one ever seriously questioned their "mandate" and—though Mr. Nixon has yet to establish this, perhaps—all of them were effective Presidents who developed and enlarged upon their elective mandates.

Beyond this, as Chairman CELLER pointed out earlier in this debate, 15 of all our Presidents—or one-third of them—received less than 50 percent of the votes cast in their elections. Some were obviously more effective than others but, where they were not, nothing in history points to their lack of an elective mandate as the reason for their comparative ineffectiveness.

So, if it is unnecessary and undesirable to require a majority, then what is to be required? Whatever choice we make is an arbitrary one. Some say it ought to be just a simple plurality, whatever the percentage, of the total vote cast—and that would, of course, end the worries about runoffs with their delays and uncertainties—but then it would be possible for us to really elect a President with such a minority of support as to place in question his credibility, and his capacity to effectively govern, whatever his other qualifications.

Well, then, 45, 35, or 40 percent as House Joint Resolution 681 provides? Each suggested figure has its supporters, and arguments of some validity can be made in either direction from that 40-percent compromise. But I have decided to stick with the 40-percent plurality as about the best we can do. Again, it is not perfect; it can, conceivably, force a runoff, even though—skipping the John Quincy Adams case—only Abraham Lincoln, whose name was left off the 1860 ballot in 10 States heading toward secession, of all our Presidents received less than 40 percent of the popular vote, Lincoln's percentage being 39.8 percent.

Since 1860, at least one of the presidential candidates has always received more than 40 percent of the total popu-

lar vote cast—Mr. Nixon, last year, getting 43.40 percent in a three-way race, and Wilson only 41.85 percent in a similar contest. So, unless the trend changes drastically, there should be few—if any—runoffs under the 40-percent requirement, and a President so elected would enjoy a national "mandate" both adequate and worthy of the name.

And with respect to this requirement's effect on formation of "splinter" parties, such a party to be viable would have to prevent either major party from winning in the original election, which means it would have to capture at least 20 percent of the vote—an unlikely event unless, again, political trends change drastically.

Now, finally, a good deal is being said against direct elections in this fashion on the grounds that the possibility of vote fraud and of endless recounting on a national basis would tend to delay the early certification of a President's election, and promote long periods of national and international uncertainty. Some of my upstate New York colleagues have expressed their especial concern about this. However, I believe their fears to be unwarranted. The trend toward machine voting has already substantially reduced the chance for errors, questioned ballots, and recounts in most States. It has also speeded up the counting and reporting process. We have little trouble, now, with recounts in statewide elections, such as for Governor or U.S. Senator, even in such populous States as New York and California.

Under a direct election procedure, each State would, of course, have the responsibility for conducting its own recount if one were needed. And, thus, we would have not a national recount of 70 million votes, let us say, starting from vote one and checking all the way through to vote No. 70,000,000—as some critics mistakenly seem to envision—but recounts only in those States where the same was indicated, with the balance of the States' vote tallies standing unchallenged and safely in the eventual winner's column, where that was the case, and I believe we would be able to adjudge the actual winner about as soon as we now do. Adoption of the so-called district plan might, to be sure, somewhat reduce all this as a problem by further dividing the recount areas—from State down to district size—but this, alone, is not enough to cause me to support a district plan with what I consider to be its other defects.

And, as for vote frauds, direct elections, it seems to me, would reduce the importance of that ever-present political temptation, if for no other reason than that the present winner-take-all feature would have been erased. It was, supposedly, in Illinois in 1960, with its charges and countercharges of a "stolen election," that Mr. Nixon bowed to the late John F. Kennedy when a few questioned ballots swung Illinois full number of electoral votes into the Kennedy column.

Another example of this exists in the analysis of the direct election plan as made by Senator BAYH, in the other body. On this point he says:

Suppose it were possible to procure 25,000 fraudulent votes in California. These illegal

votes could hypothetically carry the State and thus win 40 electoral votes in the electoral college. Thus 25,000 fraudulent votes could affect the choice of almost 7 percent of the 538 electoral votes cast. (But) under direct popular vote these same 25,000 votes would be commingled with the national total of some 73 million votes—an effect on the outcome of less than 0.0004%.

So, there we are, Mr. Chairman, with perhaps only that question some raise about the effect of direct elections on what we call federalism.

Will direct, popular elections of our Presidents promote or destroy that concept?

Despite the fact that such a change would be true—or sweeping—reform, I believe the same would have little, if any, effect on the dual existence and relative importance of the States and the National Government as separate entities. As Senator BAYH also points out, the Presidency is a national office within this constitutional framework—along with the Vice-Presidency, the only national office we have. As Chief Executive of all the people, the choice of a President should rest with all the people. As we this week celebrate the 182d anniversary of the signing of our Constitution, let us remember that the "great compromises" embodied therein—that both established and sought to preserve a federal system through that celebrated system we think of as "checks and balances"—relate not to the Presidency but to the structure of Congress, itself, and that such structuring will be untouched by this proposed constitutional amendment.

It is true that, in the past, I have tended to favor the so-called district plan. I did so because it then seemed the only measure of reform probably attainable. Perhaps it still is—as to that, no one can say.

But, should we tailor our ideas of what we believe to be right to that which, by conjecture only, may now be attainable reform in either the other body or in the hands of the various State legislatures?

This is a most difficult—and serious—question. We who favor reform must seek to avoid that kind of deadlock between the two Houses of Congress that will, again, postpone reform. That is our first concern, after which we will have to worry about ratification.

Let us cross these two bridges one at a time.

Let us who here favor direct, popular elections for the reasons I have stated or such others as may apply, vote for such a proposal; and then let us see what the other body does with it. If, then, we have to compromise for something less, let us wait until then to worry about what that something less should be.

I believe this to be the way to proceed. I believe also that the people of this Nation clearly support direct, nationwide, popular elections for their Presidents.

And I believe we, as the originating body of Congress, should grant the people that wish, if we possibly can.

Mr. MONAGAN. Mr. Chairman, a pertinent and well-expressed editorial concerning the proposed constitutional amendment on presidential elections which we are presently discussing in the

House appeared in the September 10 issue of the Danbury, Conn., News Times.

This editorial states the basic question very well and for this reason I include it here with my remarks.

I agree with the position taken in the editorial and to me the "fairness" argument set forth in the basic reason for backing the direct popular vote approach.

The editorial referred to above, follows:

DIRECT ELECTION IS BASIC QUESTION

When the U.S. Chamber of Commerce, the American Bar Association and the AFL-CIO unite in support of a bill before Congress, there must be some merit in that bill.

When polls show that 81 per cent of the American people support the aims of that bill, again there must be considerable merit in it.

The House of Representatives is taking up such a bill in Washington—the proposed constitutional amendment providing for the direct election of the president and vice president.

In spite of this strong support, advocates of retaining the Electoral College may succeed in amending the bill so that the direct election feature is dropped.

There is no reason it should be.

Nor is there any substantial reason why the Electoral College should be retained under a modified selection system, district or otherwise, instead of being abolished completely.

The president and vice president hold the only two national offices which the American people as a whole have the say in filling.

All other federal officials are either appointive, in the executive and judicial departments, or elective on a state or district basis, in the legislative department.

There is more than just the danger in the present system of having a presidential election decided in the House, or having a minority president elected to office.

A basic question remains the right of the American people to choose directly, without any intermediary, their president and vice president.

The House bill provides the right answer. That is why the constitutional amendment should be adopted by a two-thirds vote as it has been proposed and, after similar action by the Senate, sent to the states for the necessary steps in ratification.

Mr. STOKES. Mr. Chairman, I rise to urge passage of House Joint Resolution 681, providing for election of the President of the United States directly by the voters of this country. I do so fully mindful of the awesome historical ramifications of the decision currently facing the House. The present method of selecting our Chief Executive has been an important part of our Constitution for 180 years. Any changes which the Congress and the various State legislatures now choose to make are likely, God willing, to prevail an equal amount of time. Consequently, I have endeavored throughout the past week, indeed throughout the entire session, to critically analyze the relative merits of selection proposals. Yet the more evidence I examined, and the more shibboleths I saw and heard exposed, the more my original determination was reinforced—that the present system for changing our Presidents was outdated, unsafe, and undemocratic, and that the only truly just alternative was direct election.

The defects of the electoral college system are numerous and grave. The first, and most obvious, is that in a great majority of States a presidential elector

is in no way bound to follow the dictates of the voters who selected him. This is no mere theoretical concern. Six times during our history an elector has actually betrayed the trust of the people who appointed him and voted for whom he pleased. One need only go back to December 1968 to find the latest example of such dangerous and unethical conduct. There, an elector from North Carolina, completely ignoring the mandate of his fellow citizens, cast his vote for George Wallace, even though he had been pledged to Richard Nixon, and in spite of the fact that Mr. Nixon had carried the State by over 8 percent. Conduct of this nature is totally unacceptable, and must be eliminated.

A second reason why the college must go is that it creates unnatural and unfair disparities in both individual voting power and in the results of the election. These are caused by the awarding of an elector for each Senator, regardless of State population; by the granting of a whole elector to the smallest States; and by the failure of the system to account for voter turnout. Ohio's 10 million people are represented by 26 presidential electors. But the Nation's 16 smallest States, which have a combined population of 10 million, get 58 electoral votes. Similarly, in the 1968 election, Ohio's 4 million voters were represented by 26 electors, while the 4 million voters of South Carolina, Alabama, Mississippi, Louisiana, and Arkansas were given 42. Outcomes are equally distorted. In 1912, Woodrow Wilson's 42 percent of the popular votes gave him 84 percent of the college; in 1936, Franklin Roosevelt's 60 percent was transformed to 98 percent; and Dwight Eisenhower's 55 percent majority in 1952 was inflated to 83 percent of the electoral votes.

A third serious defect is the automatic referral of any election in which no candidate receives a majority of the electoral votes to the House of Representatives. Each State there gets one vote, regardless of population. Thus five Members of the House representing a majority of the five smallest delegations—Alaska, Delaware, Nevada, Vermont, and Wyoming—and 1.7 million people would have voting strength equaling that of 154 Members—California, New York, Illinois, Pennsylvania, and Ohio—representing 64 million people; 59 of the 435 Members could actually elect the President. As my good friend and colleague, the gentleman from Ohio (Mr. VANIK), stated before the Judiciary Committee:

It is hard to conceive of a more undemocratic process for electing a national leader.

Moreover, the two historical occasions upon which elections have reverted to the House are not exactly the brightest points in our political heritage. Even though the principals in those contests were men of such enormous stature as Thomas Jefferson, John Quincy Adams, and Henry Clay, both periods were marked by favoritism, bitterness, and unbecoming cloakroom chicanery.

Another flaw in the present method is that it continuously creates the possibility of a minority President. Three

times this has happened—in 1824, 1876, and 1888. There is nothing to prevent it from happening in 1972. In fact, with less than a 1-percent switch in voting patterns, it would have happened twice during this decade—the 1960 Kennedy-Nixon and 1968 Humphrey-Nixon races. The problems which such a result would raise are only too apparent. A President elected by a slight majority is always faced with immense difficulties in harnessing the energies of the Congress and the voters. These would likely be multiplied tenfold. In addition, no one can safely project how our politically active, late 20th-century society would react to such an outcome. At best, it would instill a pernicious mistrust of the democratic system. At worst, it would precipitate a first-rate constitutional crisis.

And there is a final defect in the present system—one which might be of less practical import, but which may, nevertheless, be the most serious of all. The electoral college was based on a premise which has long outlived its validity—that is, that the task of selecting our country's Chief Executive was too important a matter to be left to "commoners." In no other facet of our democratic voting system does this anachronism remain. We now recognize—at least legally—that the very foundation of our democracy is equal voting rights for all Americans. Exclusive voting by the "landed gentry" is long since gone. Women are now afforded full and equal voting rights. And continued efforts are being made to insure those same rights to the nonwhite minority groups of this Nation. Thus, the very existence of this idea in the Constitution is out of step with the trend of our history. For that reason alone, it should be removed.

Once one realizes and accepts the inadequacies of the present way we choose our President, the logical leap to direct election is less difficult to make—for no possible alternative plan eliminates all of the fallacies of the electoral college except direct election. All other proposals do solve the "faithless elector" problem, and most remove the unnatural voting power disparities to some degree. Yet none eradicate all discrepancies in voting strength. All would be plagued with the "minority President" specter, and all would retain vestiges of the 18th century "patrician voting" mentality. Just as an example, under either of the two most popular alternative reform plans, the "district" plan or the "proportional" plan, Richard Nixon would have defeated John F. Kennedy for the Presidency in 1960, despite Kennedy's victory in the popular vote.

Direct election, on the other hand, would erase all traces of the above-mentioned dangers and inequalities of the electoral college system. No President could be elected with fewer votes than his opponent. No vote would be "more equal" and have more weight than any other. And no results would be distorted by faithless electors, fluctuating voter turnouts, outdated census figures, or by an undemocratic vote in the Congress. The President would be elected

by all the people—and thereby be made more responsive to all the people—as he should be.

Direct election would not only eliminate all the problems of the present system, but it also has several redeeming merits in its own right. By insuring that one's vote would never be "wasted," it would encourage full election participation in traditional one-party States. The fear of facing a runoff, and the requirement that any candidate must obtain at least 40 percent of the popular vote to be elected, will force the major parties to devote more attention to their non-centrist wings—thereby both making the parties more responsive to their memberships and also giving the voters a more meaningful choice at the polls. Finally, by eliminating the winner-take-all aspects of the present selection method, direct election should remove the permanent temptation of ballot stuffing and other forms of corruption. As the system works now, a few well-placed fraudulent votes can change one-tenth of the vote—a 20-percent shift. Under direct election, however, the same number of "stuffs" would be virtually innocuous.

In calling for passage of this joint resolution, I do not ignore those who oppose direct election on the grounds that the present system favors "big-city" States or minority voting groups. Nor could I be unaware that my close friend, Mr. Clarence Mitchell of the NAACP, while academically favoring direct election, has taken the position that it should not become a part of our Constitution until all Americans are granted complete and equal voting rights.

To those who favor retention of the present system because it is advantageous to urban and minority voters, I would note several points.

First, there is a distinct split of opinion as to whether this is truly the situation. Many liberal politicians and political scientists, pointing to disparate figures like the ones I have cited earlier, believe that in any given election the natural, built-in advantages of the electoral college system which accrue to the smaller States far outweigh any theoretical advantages to the larger ones.

Second, that theory assumes that progressive voting blocks, like minority groups and labor unions, are the only such blocks extant in urban areas. My observations of the 1968 presidential election and more recent mayoral elections would cast serious doubt on that premise.

Third, the theory assumes that these voting blocks can be used as bargaining tools and political levers, and then herded to the voting booths like great masses of cattle to do their leaders' bidding. Do we not wish it were so easy. It would seem to be obvious from the difficulties encountered by the unions along these lines during the past election that the day of the "deliverable" votes are numbered.

Similarly, the "advantage" theory seems to assume that black voting strength would not be transferable to a national level. I find this quite difficult

to believe. For example, if all eligible black voters in New York, Pennsylvania, Ohio, and so forth, could join hands with those in Alabama, Mississippi, Louisiana, and so forth, they would form a solid national phalanx of almost 11 million voters. That number of potential votes—approximately 30 percent of those needed for election—would be extremely dangerous for any candidate to ignore. The same would be true for a "union block," assuming one still exists.

Finally, on an issue of such vast political importance and historical magnitude, I simply find it quite difficult to base my opinion on what I perceive as "advantages" or "disadvantages" to a particular philosophy. We are here deciding how several generations of future American voters will go about performing their single most important task—selecting the leader of this country. It would seem that if ever a question called for the setting aside of partisan thoughts and for statesmanship of the first order, it would be this one.

As for Mr. Mitchell's point, I am certain that I need not say to him or to any Member of this body that no one is more interested in providing full voting rights for black Americans than I. On several occasions I have spoken out in vociferous opposition to the President's decision not to extend the 1965 Voting Rights Act, and in praise of the distinguished chairman of the Judiciary Committee, the gentleman from New York (Mr. CELLER), and my distinguished colleague, the gentleman from Ohio (Mr. McCULLOCH), for their leadership in opposition to Mr. Nixon's position. And I will continue to support this or any other measure aimed at providing equal voting opportunity.

Yet, I am equally concerned that once all citizens have the right to vote, that they also have the incentive to do so. Eight hundred thousand black people have been registered in the South since the passage of the Voting Rights Act. But very, very few of these have ever cast a vote for President of the United States. It is a well-known fact that an overwhelming majority of these voters favored Mr. Humphrey in the 1968 election. But since Mr. Humphrey did not carry a single State covered by the act, those black votes were not only never counted, but were actually represented by a substantial number of electoral votes for George Wallace. And since I cannot see either blacks or blacks and progressive whites becoming a majority in these States for some time to come, I think direct election is essential to insure both that the blacks have reason to go to the polls and that their votes do in fact become a part of the national tally.

I need not say that it is deplorable that all black people in America today do not have the right to vote. This situation, however, is primarily limited to black residents of seven Southern States. In light of the strides made in correcting this inequity since 1965, I must assume that vigorous application of the Voting Rights Act will eventually cure this situation.

What occurs then—once the right to vote has been extended to these disen-

franchised black people? Is the voting power of this large group of people to be saddled with an outmoded, outdated, antiquated electoral college system which will still systematically invalidate their vote, State by State; or will their collective voting power be of more significance when measured, vote by vote, in a national tally? I choose to believe the latter.

As a legislator I have the responsibility to analyze not only the position of black people in America today—but for generations to come. It seems to me that I will do an injustice to future generations if I do not today provide them with the wherewithal to not only enjoy the incentive to vote—but to give them the satisfaction of knowing that their vote counted.

I would make one final point on the question of ratification. Several persons, the President being the most prominent, have stated that while they really prefer the direct election system, they would settle for more minimal reforms because they fear a direct election amendment would not be ratified by the requisite three-fourths of the States. I find two things wrong with this analysis. First, I believe it is a gross misreading of the thinking of the American people. The Gallup poll conducted earlier this year showed 81 percent of those questioned favoring direct election. A Harris poll found 80 percent. Senator GRIFFIN's poll of State legislators found an appreciable majority in favor of the proposal. Moreover, direct election has been endorsed by virtually every major newspaper in the country, and by such diverse groups as the U.S. Chamber of Commerce, the International Ladies' Garment Workers Union, the American Bar Association, the AFL-CIO, and the National Federation of Independent Businessmen. Even more importantly, however, the President's position is not a courageous one. As the New York Times has editorially commented:

Inadequate reforms must not be submitted to the States out of fear that sounder measures would never win ratification. Such an approach violates duty and insults both the States and the voters.

This is a vitally important issue—one of the most essential of the decade. It is not a time to cower before the unknown. It is the time for strong and determined leadership—leadership from both the President and the Members of Congress.

The test of time has demonstrated to the American people that this constitutional measure is needed in order to respond to change and to bring this Nation into the 20th century. As representatives of the people, we have a responsibility to give them nothing less.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MILLS, Chairman of the Committee of the Whole House on the State of the Union, reported that the Committee, having had under consideration the joint resolution (H.J. Res. 681) proposing an amendment to the Constitution of the United States relating to the elec-

tion of the President and Vice President, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 6508, CALIFORNIA DISASTER RELIEF ACT OF 1969

Mr. JONES of Alabama submitted the following conference report and statement on the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters:

CONFERENCE REPORT (H. REPT. No. 495)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That Congress hereby recognizes that a number of States have experienced extensive property loss and damage as a result of recent major disasters including, but not limited to, hurricanes, storms, floods, and high waters and wind-driven waters and that there is a need for special measures designed to aid and accelerate the efforts of these affected States to reconstruct and rehabilitate the devastated areas.

"Sec. 2. The President is authorized to allocate funds hereafter appropriated to carry out this section to those States affected by a major disaster for the permanent repair and reconstruction of those permanent street, road, and highway facilities not on any of the Federal-aid systems which were destroyed or damaged as a result of such a major disaster. No funds shall be allocated under this section for repair or reconstruction of such a street, road, or highway facility unless the affected State agrees to pay not less than 50 percent of all costs of such repair or reconstruction.

"Sec. 3. (a) Where an existing timber sale contract between the Secretary of Agriculture or the Secretary of the Interior and a timber purchaser does not provide relief from major physical change not due to negligence of the purchaser prior to approval of construction of any section of specified road or other specified development facility and, as a result of a major disaster in an affected State a major physical change results in additional construction work in connection with such road or facility by such purchaser with an estimated cost as determined by the appropriate Secretary (1) of more than \$1,000 for sales under one million board feet, or (2) of more than \$1 per thousand board feet for sales of one to three million board feet, or (3) of more than \$3,000 for sales over three million board feet, such increased-construction cost shall be borne by the United States.

"(b) Where the Secretary determines that damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangement authorized by subsection (a) of this section, the Secretary may allow cancellation of the contract notwithstanding provisions therein.

"(c) The Secretary of Agriculture is authorized to reduce to seven days the minimum period of advance public notice required by the first section of the Act of June 4, 1897 (16 U.S.C. 476), in connection with the sale of timber from national forests, whenever the Secretary determines that (1) the sale of such timber will assist in the re-

construction of any area of an affected State damaged by a major disaster, (2) the sale of such timber will assist in sustaining the economy of such affected area, or (3) the sale of such timber is necessary to salvage the value of timber damaged in such major disaster or to protect undamaged timber.

"(d) The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof, for the purpose of removing from privately owned lands timber damaged as a result of a major disaster and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such person in the removal of damaged timber, but not to exceed the amount that such expenses exceed the salvage value of such timber.

"Sec. 4. The Secretary of the Interior is authorized to give any public land entryman such additional time in which to comply with any requirement of law in connection with any public land entry for lands in any State affected by a major disaster as the Secretary finds appropriate because of interference with the entryman's ability to comply with such requirement as a result of such major disaster.

"Sec. 5. The last paragraph under the center heading 'Administrative Provisions' in title II of the Public Works Appropriation Act, 1967 (Public Law 89-689), is hereby repealed.

"Sec. 6. In the administration of the disaster loan program under section 7(b) (1) of the Small Business Act, as amended (15 U.S.C. 636(p)), in the case of property loss or damage in any affected State resulting from a major disaster the Small Business Administration—

"(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of \$500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed \$1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

"(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

"(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

"Sec. 7. In the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1961-1967), in the case of property loss or damage

in any affected State resulting from a major disaster the Secretary of Agriculture—

"(1) to the extent such loss or damage is not compensated for by insurance or otherwise, (A) shall at the borrower's option on that part of any loan in excess of \$500 cancel (i) the interest due on the loan, or (ii) the principal of the loan, or (iii) any combination of such interest or principal except that the total amount so canceled shall not exceed \$1,800, and (B) may defer interest payments or principal payments, or both, in whole or in part, on such loan during the first three years of the term of the loan without regard to the ability of the borrower to make such payments.

"(2) may grant any loan for the repair, rehabilitation, or replacement of property damaged or destroyed, without regard to whether the required financial assistance is otherwise available from private sources, except that (A) any loan made under authority of this paragraph shall bear interest at a rate equal to the average annual interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt as computed at the end of the fiscal year next preceding the date of the loan, adjusted to the nearest one-eighth of one per centum, and (B) no part of any loan made under authority of this paragraph shall be eligible for cancellation or deferral as authorized in paragraph (1) of this section.

"(3) may in the case of the total destruction or substantial property damage of a home or business concern refinance any mortgage or other liens outstanding against the destroyed or damaged property if such financing is for the repair, rehabilitation, or replacement of property damaged or destroyed as a result of such disaster and any such refinancing shall be subject to the provisions of paragraphs (1) and (2) of this section.

"Sec. 8. (a) The President is authorized to provide assistance to the States in developing comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. For the purposes of this section, the term 'State' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, the territory of Guam, American Samoa, and the Trust Territory of the Pacific Islands.

"(b) The President is authorized to make grants not to exceed \$250,000 to any State, upon application therefor, in an amount not to exceed 50 per centum of the cost of developing the plans and programs referred to in subsection (a).

"(c) Any State desiring assistance under this section shall designate or create an agency which is specially qualified to plan and administer such a disaster relief program, and shall, through such agency, submit a State plan to the President not later than December 31, 1970, which shall (1) set forth a comprehensive and detailed State program for assistance to individuals suffering losses as a result of a major disaster and (2) include provision for the appointment of a State coordinating officer to act in cooperation with the Federal coordinating officer required by section 9 of this Act.

"(d) The President shall prescribe such rules and regulations as he deems necessary for the effective coordination and administration of this section.

"(e) Upon the submission of such plans the President is authorized to report and recommend to the Congress, from time to time, programs for the Federal role in the implementation and funding of comprehensive disaster relief plans, and such other recommendations relating to the Federal role in disaster relief activities as he deems warranted.

"Sec. 9. The President shall, immediately upon his designation of an area as a major disaster area, appoint a Federal coordinat-

ing officer to operate under the Office of Emergency Preparedness in such area. Such officer shall be responsible for the coordination of all Federal disaster relief and assistance, shall establish such field offices as may be necessary for the rapid and efficient administration of Federal disaster relief programs, and shall otherwise assist local citizens and public officials in promptly obtaining assistance to which they are entitled.

"Sec. 10. (a) The President is authorized to provide on a temporary basis, as prescribed in this section, dwelling accommodations for individuals and families displaced by a major disaster.

"(b) The President is authorized to provide such accommodations by (1) using any unoccupied housing owned by the United States under any program of the Federal Government, (2) arranging with a local public housing agency for using unoccupied public housing units, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, to be placed on sites furnished by the State or local government or by the owner-occupant displaced by the major disaster, with no site charge being made. Rentals shall be established for such accommodations, under such rules and regulations as the President may prescribe and shall take into consideration the financial ability of the occupant. In cases of financial hardship, rentals may be compromised, adjusted, or waived for a period not to exceed twelve months, but in no case shall any such individual or family be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) which is in excess of 25 per centum of the individual's or family's monthly income.

"(c) Dwelling accommodations may be made available under this section only to an individual who, or family which, as certified by such authority as may be designated by the President, had occupied a dwelling, as owner or tenant, that had been destroyed, or damaged to such an extent as to make it uninhabitable, as a result of such major disaster.

"Sec. 11. (a) Whenever, as the result of a major disaster, the President determines that low-income households are unable to purchase adequate amounts of nutritious food, he is authorized, under such terms and conditions as he may prescribe, to distribute through the Secretary of Agriculture coupon allotments to such households pursuant to provisions of the Food Stamp Act of 1964 and to make surplus commodities available pursuant to the provisions of section 3 of Public Law 875 of the Eighty-first Congress.

"(b) The President is authorized to continue through the Secretary of Agriculture to make such coupon allotments and surplus commodities available to such households for so long as he determines necessary, taking into consideration such factors as he deems appropriate, including the consequences of the major disaster on the earning power of the households to which assistance is made available under this section.

"(c) Nothing in this section shall be construed as amending or otherwise changing the provisions of the Food Stamp Act of 1964 except as it relates to a Presidential determination regarding availability of food stamps in a major disaster.

"Sec. 12. The President is authorized to provide to any individual unemployed as a result of a major disaster, such assistance as he deems appropriate while such individual is unemployed. Such assistance as the President shall provide shall not exceed the maximum amount and the maximum duration of payments under the unemployment compensation program of the State in which the disaster occurred and the amount of

assistance under this section to any such individual shall be reduced by any amount of unemployment compensation or of private income protection insurance available to such individual for such period of unemployment.

"Sec. 13. The President is authorized to make grants and loans to any State to assist such State in the suppression of any fire on publicly or privately owned forest or grass lands which threatens such destruction as to constitute a major disaster.

"Sec. 14. The President, whenever he determines it to be in the public interest, and acting through the Director of the Office of Emergency Preparedness, is authorized to make grants to any State or political subdivision thereof for the purpose of removing debris deposited on privately owned lands and on or in privately owned waters as a result of a major disaster, and such State or political subdivision is authorized, upon application, to make payments to any person for reimbursement of expenses actually incurred by such persons in the removal of such debris, but not to exceed the amount that such expenses exceed the salvage value of such debris.

"Sec. 15. (a) As used in this Act the term 'major disaster' means a major disaster as determined by the President pursuant to the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes,' approved September 30, 1950, as amended (42 U.S.C. 1855-1855g), which disaster occurred after June 30, 1967, and on or before December 31, 1970.

"(b) This Act, other than sections 5, 8, 9, and 13, shall not be in effect after December 31, 1970, except as it applies to major disasters occurring before such date.

"Sec. 16. This Act may be cited as the 'Disaster Relief Act of 1969.'

And the Senate agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide additional assistance for the reconstruction of areas damaged by major disasters."

ROBERT E. JONES,
HAROLD J. JOHNSON,
JIM WRIGHT,
ED EDMONDSON,
WILLIAM C. CRAMER,
DON H. CLAUSEN,
ROBERT V. DENNEY,

Managers on the Part of the House.

BIRCH BAYH,
STEPHEN M. YOUNG,
THOMAS F. EAGLETON,
W. B. SPONG,
HOWARD H. BAKER,
ROBERT DOLE,
EDWARD J. GURNEY,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6508) to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, and high waters, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

PROVISIONS IN THE HOUSE BILL

The first section of the House bill is a recognition by Congress of the extensive property loss and damage in the State of California as a result of storms, floods, and high waters during the winter of 1968-69 and the spring of 1969 and of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the House bill authorizes \$30 million to be available to the State of California for the period between the enacting date of the legislation and June 30, 1970, for

the permanent repair and reconstruction of the permanent street, road, and highway facilities not on any Federal-aid systems which were destroyed or damaged as a result of the storms, floods, and high waters during the winter of 1968-69 and the spring of 1969. The section requires 50 percent participation by the State.

Section 3(a) of the House bill provides that the Federal Government will bear the cost of repairing timber roads damaged in California as a result of this disaster under certain conditions:

(1) If the timber sale was under 1 million board feet, the contractor would bear the cost of the damage if the additional construction work required by the storm amounted to less than \$1,000. If it was more than \$1,000 the Federal Government would bear the cost.

(2) If the timber sale was between 1 million and 3 million board feet, the figure would increase \$1 per 1,000 board feet.

(3) If the timber sale was over 3 million board feet and damage over \$3,000, the Federal Government would bear the cost.

Section 3(b) of the House bill would authorize the cancellation of timber purchase contracts where it is determined that the damages are so great that restoration, reconstruction, or construction is not practical under the cost-sharing arrangements authorized by section 3(a).

Section 3(c) of the House bill would authorize the Secretary in the case of the California disaster to reduce from 30 to 7 days the minimum time required to advertise the sale of national forest timber in the affected area.

Section 4 of the House bill grants the Secretary of the Interior authority to suspend the time limits established in certain public land laws for the performance of acts where the entryman's ability to comply has been interfered with as a result of the California disaster.

Section 5 of the House bill would repeal a provision of the Public Works Appropriation Act for fiscal 1967 which requires appropriations expended by the Bureau of Reclamation in connection with disaster relief under Public Law 81-875 shall be reimbursed in full by the OEP to the Bureau of Reclamation.

Section 6 of the House bill applies to Small Business Administration disaster loans for property loss or damage as a result of the California disaster to the extent such loss or damage is not compensated for by insurance or otherwise. At the borrower's option on that part of any loan in excess of \$500 SBA would be required to cancel up to \$1,800 of interest, principal, or any combination thereof. In addition, SBA would be authorized to defer any or all interest or principal payments during the first three years of a disaster loan made as a result of the California disaster, and such deferral could be made without regard to the borrower's ability to make these payments.

Section 7 applies to Farmers Home Administration disaster loans the same benefits as section 6 provides for SBA loans.

Section 8 of the House bill provides for a termination date of June 30, 1970, except for the repeal contained in section 5 which would be permanent.

Section 9 of the House bill provides a short title of the "California Disaster Relief Act of 1969."

PROVISIONS OF THE SENATE AMENDMENT

The first section of the Senate amendment provides a short title of the "Disaster Relief Act of 1969."

Section 2 of the Senate amendment defines a major disaster as one which has been declared by the President under the act of September 30, 1950 (42 U.S.C. 1855-1855g). No provisions of the Senate amendment would be operative except in those instances and areas where the President has declared that a major disaster exists.

Section 3 of the Senate amendment au-

thorizes the SBA to make disaster loans for homeowners up to \$30,000 and for business concerns up to \$100,000 without regard to whether or not the required financial assistance could be provided by private sources.

Section 4 of the Senate amendment would encourage the formulation by States of comprehensive plans and practicable programs for assisting individuals suffering losses as the result of a major disaster. Grants up to \$250,000 could be made by the President to any applicant State on a matching basis for no more than half the cost of developing a comprehensive State plan. To be eligible for a planning grant, a State would have to establish or designate a State agency which would be responsible for developing and administering its disaster relief plan and program. Each participating State would have to submit its plan to the President no later than December 31, 1970, and within 6 months from that date the President would in turn make recommendations to Congress for implementing and funding the plans, and, if he deems it warranted, make other suggestions about Federal participation in disaster relief programs. The President would prescribe such rules and regulations as he deems necessary for the effective administration of the planning grant program.

Section 5 of the Senate amendment authorizes the President to provide necessary shelter for owners or tenants whose places of residence have been made uninhabitable by a major disaster and who are unable to provide suitable accommodations for themselves and their families. Dwelling accommodations necessary for this purpose, including mobile homes, could be either purchased or leased, and in turn would be rented to disaster victims, for such period as necessary until they can obtain other suitable housing. Rentals for emergency shelter could be adjusted for a period not to exceed 1 year according to the financial ability of the occupants, but in no case would the family's monthly housing expense be required to be more than one-fourth of the family's monthly income.

Section 6 of the Senate amendment authorizes the President to distribute food-stamp coupons and surplus commodities to low-income households which are not able to purchase adequate amounts of nutritious food because of a major disaster. Such distribution of food stamps and commodities would be done pursuant to laws now governing the handling of these matters, except that the President would be free to disregard conflicting eligibility requirements in order to bring quick aid to disaster sufferers.

Section 7 of the Senate amendment would authorize the President to provide assistance to those individuals unemployed as a result of a major disaster who are not receiving unemployment compensation or private income protection insurance. Any assistance provided under this section could not exceed the number or amount of payments such an individual would have received if he had been qualified for State unemployment compensation payments.

Section 8 of the Senate amendment authorizes the President to make grants to any State or political subdivision for assistance in clearing lakes of debris which is hazardous to public health and safety.

Section 9 of the Senate amendment would authorize the President to make grants and loans to States for the purpose of assisting in the suppression of fires on either public or private lands which threaten to become major disasters.

Section 10 of the Senate amendment would authorize the President to make grants to any State or political subdivision to assist in the removal of debris which has been left on privately owned lands as the result of a major disaster and which has created conditions hazardous to health and safety.

Section 11 of the Senate amendment would authorize the Secretary of the Interior and

the Secretary of Agriculture to reimburse timber sale contractors or to arrange for road and trail construction and restoration costs incurred for restoring of roads, previously authorized by contracts for the purchase of timber, which have been damaged by major disasters. On any roads not accepted before damage has been caused by a major disaster, the timber purchaser would assume 15 percent of all costs of restoration up to a maximum of \$4,500, and the Secretary of the Interior or the Secretary of Agriculture would assume the rest. However, this arrangement would not apply if the cost of restoring or reconstructing a road is less than \$500, or if the increase in the cost of new road construction is less than \$500, because of a major disaster.

Section 12 of the Senate amendment provides that the act would apply to all major disasters occurring after December 31, 1968.

PROVISIONS OF THE CONFERENCE SUBSTITUTE

The first section of the conference substitute is a recognition by Congress of the extensive property loss and damage suffered by a number of States as a result of recent major disasters as well as of the need for special measures to assist in the reconstruction and rehabilitation of these devastated areas.

Section 2 of the conference substitute authorizes the President to allocate funds to States affected by a major disaster for the permanent repair and reconstruction of permanent street, road, and highway facilities which are not on a Federal-aid highway system and which are destroyed or damaged as a result of a major disaster. These funds are to be allocated on the condition the State pay at least 50 percent of the cost of the repair or reconstruction.

Subsections (a) and (b) of section 3 of the conference substitute are the same as the provisions of section 3(a) of the House bill extended, however, to cover all States affected by a major disaster.

Section 3(c) of the conference substitute is essentially the same as section 3(c) of the House bill, except that the reduction from 30 to 7 days of the minimum time required to advertise the sale of national forest timber in the affected area can also take effect if the Secretary determines that the sale of the timber is necessary to salvage the value of timber damaged in the major disaster or to protect undamaged timber.

Section 3(d) of the conference substitute authorizes the President, to the extent he determines it to be in the public interest and acting through the Director of OEP, to make grants to States or political subdivisions for the purpose of removing from privately owned land timber damaged as a result of a major disaster and in turn the State is authorized to make payments to persons for reimbursement of expenses actually incurred by that person in the removal of damaged timber but such payments are not to exceed the amount that removal expenses actually exceed the salvaged value of the timber.

The salvage and cleanup of timber damaged by hurricanes or other disasters is necessary to reduce or prevent further losses from insects, fire, disease, or other causes and to facilitate the restoration of the land to a productive condition. Removal of downed and damaged timber in stream courses and flood plains to prevent building of debris in water courses is also necessary. Therefore, the conferees have agreed to the inclusion of the provisions of section 3(c) (3) and section 3(d) in this conference substitute. The grants authorized by section 3(d) are to be made for payment of expenses actually incurred in the removal of damaged timber with the limitation that these removal expenses are to be offset by the salvage value of the timber. Thus, the owner of the timber would normally salvage what he

could and then apply for the difference between what he received for such salvaged timber and his actual cleanup costs to the extent such costs exceed the salvage value. If, however, the owner decided to burn or otherwise dispose of the damaged timber instead of salvaging it, his entitlement under this provision would still be limited to the difference between what he would have received if he had salvaged the timber and his actual cleanup costs to the extent such costs exceed the value of the timber if it had been salvaged.

In the administration of this provision it is the expectation of the conferees that the following guidelines, among others, would be considered:

1. A comprehensive action plan should be prepared by the State to tailor the cleanup and timber salvage operation to fit the specific situation.

2. Priorities for fund allotment should be established to guide efforts to areas where damage and pest and wildfire hazards are concentrated.

3. Approved practices and a scale of acceptable unit costs (per acre or otherwise) should be established.

4. Preexpenditure examinations of the land to be treated should be made by a qualified representative of the State to insure explanation and approval of work to be done.

5. The landowner should either show evidence of a bona fide attempt to salvage the timber through commercial timber sales or otherwise, or in the case where such timber is not to be salvaged, the salvage value of such timber should be established through an approved method for making that determination.

6. Claims for reimbursement should be verified before payment by on-the-ground, postcleanup inspection by a representative of the affected State or political subdivision.

7. States should be able to use grant funds to help organize, equip, and train work crews if necessary to expedite salvage and cleanup operations and to provide the technical assistance necessary to assist landowners in their cleanup and salvage efforts.

8. The establishment of appropriate limitations with respect to these grants which shall be based, among other factors, upon the financial capacity of the person suffering such damage to sustain such damage.

Section 4 of the conference substitute authorizes the Secretary of the Interior to give any public land entryman additional time to comply with requirements of law in connection with a public land entry in any State affected by a major disaster if the Secretary finds that because of such major disaster the entryman was unable to comply with such requirement.

Section 5 of the conference substitute is the same as section 5 of the House bill.

Section 6 of the conference substitute provides that in the administration of the disaster loan program under section 7(b) (1) of the Small Business Act the Small Business Administration to the extent the loss or damage is not compensated for by insurance or otherwise would, at the borrower's option, be required to cancel up to \$1,800 of interest, principal, or any combination thereof, and, in addition, would be authorized to defer any or all interest or principal payments during the first 3 years of the term of the loan without regard to the borrower's ability to make these payments. In addition, the SBA will be authorized by paragraph (2) to grant loans to repair, rehabilitate, or replace lost or damaged property without regard to whether the financial assistance is otherwise available from private sources, except that (A) a loan made under this authority would bear interest at a rate equal to the average interest rate on all interest-bearing obligations of the United States having maturities of 20 years or more and forming a part of the public debt computed at the end of the fiscal year next preceding the date of the loan and

adjusted to the nearest one-eighth of one per centum and (B) any such loan would not be eligible for cancellation or deferral as otherwise authorized in paragraph (1) of this section. In addition, the SBA is authorized by paragraph (3) in the case of total destruction or substantial property damage of a home or business concern to refinance mortgages or liens outstanding against the destroyed or damaged property if the refinancing is for the repair, rehabilitation, or replacement of that property with any such refinancing loan subject to the provisions of paragraphs (1) and (2) of this section.

The conferees do not intend, however, in the case of any refinancing loan made under paragraph (3) of this section to permit a cancellation or deferral as authorized in paragraph (1) of this section if the loan being refinanced was originally made under paragraph (1) and a portion of such loan already was canceled in accordance with such paragraph. Thus, no borrower shall be entitled to cancellation under paragraph (1) in the case of any refinancing loan made under paragraph (3) if he already received cancellation under paragraph (1) with respect to any loan being refinanced. This would not prohibit, however, a person from receiving two such cancellations if each such cancellation was the result of damage or destruction from a different disaster.

Although there is no statutory limitation in the Small Business Act at the present time with respect to disaster loans, the SBA has imposed administratively limitations of \$30,000 in the case of a home and \$100,000 in the case of a business. After examination of this problem the conferees are strongly of the opinion that these limitations are presently unrealistic and should be administratively withdrawn and either not replaced with dollar limits of general applicability or if dollar limitations of general applicability are reimposed that they be made more realistic. Failure of the agency to do this should, in the estimation of the conferees, result in a statutory solution being imposed by Congress.

The Small Business Act does not prohibit loans to owners of secondary homes damaged or destroyed in a major disaster. It is, however, the policy of the Small Business Administration to restrict their loans to primary homeowners. Therefore, there is no need to change present law to allow loans for secondary homes, and no language for such purpose is included in this conference substitute. It is the intention of the conferees that this policy of SBA be revised to permit loans to be made to owners of secondary homes destroyed or damaged by a major disaster.

Section 7 of the conference substitute authorizes in the administration of the emergency loan program under subtitle C of the Consolidated Farmers Home Administration Act of 1961 the same benefits subject to the same conditions and limitations as are provided in section 6 in the case of SBA loans.

Section 8 of the conference substitute is essentially the same as section 4 of the Senate amendment with two changes. First, the State program for assistance must include a provision for appointment of a State coordinating officer to cooperate with the Federal coordinating officer required by section 9 of the conference substitute. It is the intention of the conferees that this requirement can be fulfilled through the use of existing State officials and does not necessarily require the creation of any new or additional positions. The second such change is that in lieu of requiring the President to make certain reports to the Congress he is authorized to do so from time to time thus granting the President greater flexibility in carrying out these requirements.

Section 9 of the conference substitute requires the President, immediately upon his designating an area as a major disaster area, to appoint a Federal coordinating officer who

shall be responsible for coordinating all Federal disaster relief and assistance and who shall be required to establish field offices to the extent necessary for the rapid and efficient administration of Federal disaster relief programs and otherwise to assist local citizens and State and public officials in obtaining the assistance to which they are entitled under the laws of the United States as promptly as is possible. This Federal coordinating officer is to operate under the OEP. It is the intention of the conferees that whenever possible the designation of this officer shall be made from among existing Federal officers and employees and shall not be deemed to require the appointment of new or additional personnel.

Section 10 of the conference substitute authorizes the President to provide dwelling accommodations for individuals and families displaced by a major disaster. These accommodations are to be made available only to individuals or families certified as having occupied as owner or tenant a dwelling destroyed or damaged to such an extent as to make it uninhabitable as a result of a major disaster. These accommodations are to be provided on a temporary basis and the President is authorized to provide these accommodations by (1) using unoccupied housing owned by the United States, (2) arranging for the use of unoccupied public housing, (3) acquiring existing dwellings through leasing, or (4) acquiring mobile homes or other readily fabricated dwellings, through leasing, and placing them on sites furnished by the State or local government or by the owner-occupant upon condition that no site charge be made. Rentals for these accommodations are to be established by the President under such rules and regulations as he may prescribe and these rentals are to take into consideration the financial ability of the occupant. In the case of financial hardship rentals may be compromised, adjusted, or waived for not more than 12 months. However, no individual or family is to be required to incur a monthly housing expense (including any fixed expense relating to the amortization of debt owing on a house destroyed or damaged in a major disaster) in excess of 25 percent of the individual's or family's monthly income.

Section 11 of the conference substitute is the same as section 6 of the Senate amendment.

Section 12 of the conference substitute is essentially the same as section 7 of the Senate amendment with clarification to insure that the assistance the President is authorized to provide to an individual unemployed as a result of a major disaster is not to exceed the maximum amount and the maximum duration of payments under the State unemployment compensation program and that any amount of assistance to an individual under this section will be reduced by any amount of unemployment compensation or of private income protection insurance available to him for that period of unemployment.

Section 13 of the conference substitute is essentially the same as section 9 of the Senate amendment.

Section 14 of the conference substitute is an amalgamation of the provisions of sections 8 and 10 of the Senate amendment and authorizes the President whenever he determines it to be in the public interest and acting through OEP to make grants to a State or political subdivision for removing debris deposited on privately owned lands and in or on privately owned waters as a result of a major disaster. The State or political subdivision is authorized to make payments to persons for reimbursement for expenses actually incurred by such persons for the removal of such debris except that such payments are not to exceed the amount that the removal expenses exceed the salvage value of the debris.

The application of this provision with re-

spect to grants for the removal of debris from privately owned lands and waters is comparable to the provisions for grants for the removal of timber from privately owned lands authorized in section 3(d) of the conference substitute, and it is the intention of the conferees that the general terms, conditions, limitations, and guidelines which are referred to in the discussion in this statement of section 3(b) shall, to the extent that they are applicable, also apply to the administration of this provision. In his determination of what is in the public interest for the purposes of this section, it is the intention of the conferees that in addition to the usual concepts of health, welfare and safety, the President take into consideration the economic recovery of the affected communities.

Section 15(a) of the conference substitute defines a major disaster as one which has been determined by the President pursuant to the act of September 30, 1950, as amended (42 U.S.C. 1855-1855g), with respect to those disasters which occurred after June 30, 1967, and on or before December 31, 1970.

Section 15(b) of the conference substitute provides that except for sections 5, 8, 9, and 13, which will be permanent, the remainder of the act will not be in effect after December 31, 1970, except to the extent necessary to apply these provisions to major disasters occurring before that date.

In providing for a limited application of this bill the conferees agreed that prior to the expiration date established in this bill of December 31, 1970, the affected interested committees of the Congress should hold hearings and act as expeditiously as possible upon legislation designed to be of permanent application with respect to the Federal aid and assistance for areas suffering major disasters.

The experience gained as a result of the administration of the provisions of this legislation will be of undoubted value in making the determination of the type and content of permanent legislation.

Section 16 of the conference substitute provides a short title which is the same as that in the first section of the Senate amendment.

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WILLIAM C. CRAMER,
DON H. CLAUSEN,
ROBERT V. DENNEY,

Managers on the Part of the House.

AMERICAN PRISONERS OF WAR IN NORTH VIETNAM

(Mr. FRIEDEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FRIEDEL. Mr. Speaker, in the United States we believe in rule by law and in honoring our international commitments. Beyond these laws, however, we believe that there is a higher law of humanity that puts a value on the individual human being. Therefore it is grievous to observe a nation that not only does not abide by international law but also ignores the law of humanity. I refer to North Vietnam's treatment of American prisoners of war.

The Geneva Convention was established to prevent the very abuse and exploitation of prisoners that North Vietnam has carried out. Despite their protestations of humane treatment for prisoners, the North Vietnamese have committed many known violations of the convention.

The convention provides for the repatriation of the seriously sick and wounded, as well as the bodies of the dead, but the International Red Cross has asked by name for the return of several men known to be seriously ill and has received no response at all.

The convention sets standards for food, clothing, and medical care, all to be verified by a neutral body, but photographs and reports of the prisoners themselves belie Communist promises of good treatment, and neutral observers have never been permitted to confirm the truth.

The convention provides that prisoners be protected against public curiosity, but American pilots have been put on public display and subjected to harassment in city streets, even when wounded.

The convention regulates labor and discipline, prohibiting torture and providing for enforcement of a "protecting power"; instead the North Vietnamese have extracted so-called "confessions" and apparently brainwashed and otherwise mistreated helpless prisoners. They have kept prisoners isolated from all human company for many months as well.

The convention guarantees communication between prisoners and their families, but in the past 5 years less than 100 have been allowed to write home, and even then the frequency of writing averaged less than two letters per year. Packages and letters sent by families have been returned unopened or have simply disappeared, apparently intercepted.

Finally, and most basically, the convention calls for identification of all prisoners. The other side has not only refused to comply with this elementary and nonmilitary request, but has even refused to give the total number of prisoners, calling these facts military secrets. Of over 1,300 men who are missing in action, less than 400 are known to be held prisoner, and the Communists will not reveal which of the others are living and which are dead. Their adamant refusal of such simple and humane requests leads to the suspicion that they do not wish to be held accountable for the fate of their captives. They prefer instead to cause worry and indecision to the families of the prisoners.

Thus, not only the prisoners themselves but also their families are the helpless victims of the intransigence of the North. They wait for word, unable to plan their futures, without knowing if husband or son is alive or dead, forced to wait for a chance bit of news that might provide some clue to his fate of their loved ones.

I have listed only the most essential humanitarian provisions of the convention, most of which the North Vietnamese have made a pretense of honoring. But too many conflicting reports attest to the falsity of their claims. Too many prisoners have appeared gaunt, pale, and listless, with visible evidence of lack of medical care and proper food. The Geneva Convention was demanded by world opinion because prisoners are unable to defend themselves. I call upon North Vietnam now to heed world demands for application of the convention.

There can be no possible benefit to Hanoi in refusing, other than to divide

the American people in their opinion on prosecution of the war in Vietnam. The American public can only draw the conclusion that Hanoi does not desire peace and mutual agreement if it delays in acting humanely on such a basic issue. World opinion can only doubt Hanoi's intention to uphold all international agreements if it refuses to meet one of its first.

Mr. Speaker, I would like to express my admiration for the courage and patience of the families of American prisoners of war. I urge our Government to ease their burden by reviewing all possible steps to guarantee free flow of mail and humane treatment with international supervision, as well as to work toward the prompt release of our men. In order to impress Hanoi with the views of the Congress, I joined with 100 of my colleagues in sponsoring House Concurrent Resolution 333, condemning the treatment of American prisoners of war by the Government of North Vietnam. I also signed a joint communique to our Secretary of State urging that he use every avenue available to him to have North Vietnam abide by the Geneva Convention with respect to prisoners of war. And I protest Hanoi's violations of the standards of Geneva and humanity while calling upon North Vietnam's leaders to heed our efforts for prisoner supervision and exchange by taking the first step of making public the names of those held prisoners.

ELDERLY WOULD BENEFIT FROM PRESCRIPTION INCLUSION IN MEDICARE

(Mr. ROGERS of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROGERS of Florida. Mr. Speaker, I was pleased to read certain aspects of the Secretary of Health, Education, and Welfare's Review Committee on Prescription Drugs. I am also concerned to see that the Secretary himself has apparently not yet had time to review this report, as was reported when it was issued earlier this week.

There are, of course, many recommendations covering the entire field of prescription drugs, ranging from the manufacture of these drugs, to the sale of medical devices.

There is one point, however, which I think should be given immediate attention, by the Congress and by the Secretary.

That deals with the inclusion of prescription drugs in the medicare program. Earlier this year, and indeed in the last session of the Congress, I introduced legislation which would allow those citizens over 65 to deduct all medical expenses on their personal income tax returns. But we need to do more.

The Secretary's report favors adding out-of-hospital prescription drugs to the medicare program. This would serve two purposes.

First, it would offer relief for the millions of elderly who now labor under financial burdens because of their need for prescription drugs.

Second, it would mean that many of

those people who are sent into hospitals because doctors know they cannot afford treatment unless they receive it under medicare, can be treated in part at home. This would ease the tremendous burdens under which all our hospitals are staggering because of overcrowding.

The cost of prescription drugs for the elderly has risen from an average of \$36.15 per year in 1964 to \$54.15 in 1967. This represents about 3 percent of a person's income in the over-65 class, where the individual has about \$1,500 per year.

Needless to say, those over 65 have a greater need than the rest of our population. In fact, the need is almost three times as great. The average elderly person will need about 11.4 prescriptions per year to four per year for the total population.

And yet, only 9 percent of the over-65 population has insurance which helps pay for drugs when they are out of the hospital.

There are many administrative details to be worked out on this proposal, including the methods needed to put it on a sound financial basis.

But this is a pressing problem for more than 19 million elderly Americans and their families.

I hope Secretary Finch will review the report in the very near future and see fit to comment favorably on this portion of the report.

The unfortunate situation which has arisen over who, within the Department, gave approval for the release of the report, indicates to me that HEW is not paying proper attention to the health aspects under its jurisdiction.

THE 30TH ANNIVERSARY OF RUSSIA'S INVASION OF POLAND

(Mr. PUCINSKI asked and was given permission to address the House for 1 minute, to revise and extend his remarks.)

Mr. PUCINSKI. Mr. Speaker, today marks the 30th anniversary of one of the most infamous and brutal pages of history when the treacherous Soviet Union troops invaded Poland on September 17, 1939, while the gallant and beleaguered Polish armies were valiantly defending themselves against the Nazi invasion.

Let there be no mistake. The invasion of Poland by Soviet troops made the Soviet Union a full partner in launching World War II.

The tens of thousands of American boys who were killed in World War II and the millions of other victims of that great tragedy could have been spared and the war itself could have been avoided if the Soviet Union had not entered into the infamous, secret Molotov-Ribbentrop agreement which gave Hitler an assurance that Russia would not invade Germany while the Nazis were tearing up Western Europe.

The Soviet Union should have been tried at Nuremberg with the same thoroughness that the Allies prosecuted the Nazis, for the Soviet Union can never purge itself of its own culpability in launching World War II and all of the tragedy that followed in its consequence.

The 30th anniversary of the treacher-

ous invasion of Poland by Soviet troops which we mark today should renew our dedication that we shall not become victims of Communist treachery again.

As chief investigator of the Katyn Massacre Committee, I had occasion to view thoroughly the full scope of Soviet infamy in stabbing Poland in the back on September 17, 1939, as Poland tried to fight off the Nazi hordes.

Mr. Speaker, the Communists stormed into Poland on the 17th of September 1939, under the guise of helping the beleaguered Polish troops.

In an act of unprecedented treachery, Soviet troops distributed tens of thousands of pamphlets to the people of eastern Poland assuring them that Soviet troops were coming into Poland to help Poland defend herself against the Nazis, when, in fact, the Soviet Union knew full well that it was moving into Poland as a loyal ally of the Nazis and in keeping with the Molotov-Ribbentrop agreement for the division of Europe between the Nazis and the Communists.

In a proclamation issued to Polish soldiers on September 17, 1939, by Marshal Timoshenko, Soviet commander in chief, after the crossing of the Polish frontier by the Red army, Timoshenko said:

Do not fear us, come over to us, to your brethren, to the Red Army. Here you shall find care and esteem. Remember that only the Red Army will deliver the Polish nation from this unfortunate war and you shall have an opportunity to restart your lives anew. Believe us—the Red Army is your only friend.

The order was signed by S. Timoshenko.

What a mockery of honesty.

During the lightning invasion of Poland's eastern borders, Soviet troops urged all the officers of the retreating Polish armies to report to the Soviet command for indoctrination toward reorganization and integration of Polish and Soviet forces for a common defense of Poland.

When these Polish officers did indeed report for their new assignments, they were promptly arrested and more than 15,000 of these brave Polish officers were taken to the Katyn Forest near Smolensk, Russia, where they were barbarically massacred and dropped into mass graves by Soviet soldiers.

The Katyn massacre stands as a blazing monument to Soviet infamy and treachery and any American who today is still naive enough to think you can work with the Soviets in any manner or form is deserving of the highest contempt by his fellow Americans.

Out here on Pennsylvania Avenue there are two monuments in front of the National Archives Building. One proclaims, "What Is Past Is Prologue," and the other urges us to "Study the Past."

This 30th anniversary of the Soviet Union's invasion of Poland was the beginning of man's greatest tragedy.

Since September 17, 1939, the Communists have conspired against all the institutions of human dignity and continue to this day to keep the world in a state of constant turmoil.

The 30th anniversary which we observe today would be of no avail if we Americans fail to recognize that in these last 30 years the Soviet Union has forced

the United States to expend in excess of \$2 trillion on all forms of national defense—not to mention the tragic loss of human life in three wars that the Soviet Union started.

And I stress, let no man forget that it was the Soviet Union which made World War II possible; the Korean tragedy and our present conflict in Vietnam.

The great defenders of the liberal cause who claim that they have compassion for freedom and human dignity ought to look at the treacherous record of the Soviet Union and then in clear and unequivocal tones denounce this treachery in the loudest tones.

We are today witnessing again the same kind of Soviet treachery.

The Soviets are continuing to supply North Vietnam with arms to wage aggression against the South Vietnamese.

The Soviets have meticulously armed every one of the Arab States and are keeping the fires of turmoil going in the Middle East.

The Soviet Union has announced the Brezhnev doctrine which proclaims that 180 million people in East-Central Europe are slaves of the Communists and that any efforts to liberate these people will be repelled by Soviet forces.

The Soviet Union is now sowing its seeds of turmoil in Africa and South America.

One needs to look in any corner of the world today and he will find Soviet treachery—the same kind of treachery that created the Molotov-Ribbentrop agreement.

This tragic 30th anniversary which we observe today should remind us again that you cannot separate the barbarism of nazism from the barbarism of communism.

Over these last three decades the Soviet Union has tried to purge itself of its own infamy in launching World War II by blaming the whole holocaust on the Nazis.

I say here today in unequivocal terms a plague on both their houses. No one can ever forget the brutality and barbarism of the Nazis, but neither can anyone forget that the Nazis could never have gotten off the ground in launching World War II without the full support, cooperation, and encouragement of the Kremlin.

It would be my hope, Mr. Speaker, that on this 30th anniversary of Soviet infamy, we Americans can gain a new insight into the Communist conspiracy and rededicate ourselves that it shall not happen again.

AIRCRAFT SAFETY

(Mr. SYMINGTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SYMINGTON. Mr. Speaker, yesterday's joint session celebrated an achievement of American technology backed by centuries of science and surmise. A decade ago a selected few scientists and engineers were asked to design a craft which would carry earthmen safely to the moon and back. They were cautioned to consider all the perils to be encountered, from blast off to re-entry, from meteorites and extreme tem-

peratures, to the dangerous Van Allen radiation belt. They did. The craft was designed, and built, and flown. From drawing board to immortality. Now what if those scientists and engineers had been asked instead to design an aircraft to carry ordinary taxpaying citizens, children and grandmothers, from New York to Los Angeles, in such a fashion that airborne mishaps would cause only inconvenience, perhaps, but not necessarily harm? Who is to say that the geniuses of aerodynamics who created Apollo 11 and its gentle Eagle would find the task insurmountable? Expensive, challenging, yes, as was the moon mission, but less rewarding? In this same decade 3,295 passengers on U.S. commercial flights together with their hopes, plans, and potential services were dashed to the ground. Multiply their loss by their unfinished work and the suffering of those they left behind.

Mr. Speaker, I raised the question mindful of the forthcoming increases in air fares, as well as the recent Allegheny flight which did not make St. Louis with a close friend aboard. The other day I picked up a questionnaire asking how we passengers would like the new air bus configured, the one which will carry 350 or more human beings, that is to say—three or two seats abreast. I thought of the recent book, "It Doesn't Matter Where You Sit," and decided most of us would like all commercial aircraft to be configured so we can see our families again. But we seem to be satisfied to settle merely for the redesign of the radar, traffic control, rules, licenses, and airports to accommodate the admitted continuing imperfection of the plane itself, which as it grows will keep lumbering over trees, wires, homes, and schoolyards at a hundred or more miles per hour to one prayerful landing after another. So should it encounter phenomena in the air which incapacitate its controls or its power, despite improved radar, and so forth, it and all the souls aboard may be condemned by the one law the moon mission should have tempered, the law of gravity. But we are reassured that we are protected by a higher law, the law of averages, and as the number of passengers increases, the graph of passenger miles increases more steeply, making disaster per passenger less likely. This may be a source of relief, but certainly not pride, to a society capable of choosing whether such disasters are inevitable per se, or merely the inevitable consequence of being "practical" and "cost conscious." I think this House should encourage, Mr. Speaker, in any way it can, the scientific community to come forward with suggestions for the stabilization and soft return to earth of imperilled or disabled aircraft, or at least the portion thereof with human life aboard. We know this must be done some day if we are to avoid a Titanic in the air. Why wait?

ARMED ROBBERIES IN AUGUST TOTAL 714, SET NEW DISTRICT HIGH

(Mr. BERRY asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BERRY. Mr. Speaker, I have asked unanimous consent to insert in the CONGRESSIONAL RECORD, a news item which appeared in the September 9 issue of the Washington Post which demonstrates without any shadow of a doubt that the 1968 Gun Control Act is a dismal failure and it should be repealed.

The headline of the article reads: "Armed Robberies in August Total 714, Set District High."

This, I might add, were only those robberies which were reported to the Washington police, and there were probably many more which went unreported. Yet, this total, 714 armed robberies, including four banks, was the highest total for any month on record in the District of Columbia.

I should add that these statistics do not include the crimes of purse snatchings and yoke robberies.

It is readily apparent that there is no shortage of weapons in the underworld because the 1968 Gun Control Act restricts only those honest, law-abiding citizens who live within the letter of the law. In fact the 1968 Gun Control Act, with its restrictive provisions makes a criminal out of the honest law-abiding citizen and sportsman if he neglects to have his guns registered.

In addition, the bureaucratic redtape which makes it difficult, and in some cases impossible to purchase ammunition is of no value as a deterrent to crime. It serves only as an infringement and burden on law-abiding hunters and sportsmen, who now in order to buy a box of ammunition must give his name, address, date of birth, show adequate identification and have the number of the identification recorded with the dealer or merchant.

If the enthusiasts, who fought so hard to get this legislation passed, had been practical in their thinking, they would have known it could not be made to work.

I suggest that the advocates of the 1968 Gun Control Act have put the proverbial cart before the horse. Our crime problem will never be solved as long as the bulk of our attention is focused on gun control.

Consequently, I am today introducing a bill to repeal the Gun Control Act of 1968. Its function has been nothing more than a misguided effort to remedy effect rather than cause.

The news item follows:

ARMED ROBBERIES IN AUGUST TOTAL 714,
SET DISTRICT HIGH
(By Alfred E. Lewis)

Washington police reported a record 714 armed robberies in August, the highest total for any month on record.

The previous record was 707 reported last January.

While police officials hesitate to pinpoint the cause for the August increase, they point to the large narcotics raids during that month as a possible reason.

With the arrest of more than two dozen persons, narcotics now are harder to come by, Capt. Ralph L. Stines, head of the robbery squad, said yesterday. The pushers are lying low, he added.

MORE ARE ADDICTS

He said detectives find that more and more addicts are turning from shoplifting to robbery to finance their habits and that more and more robbery suspects are found to be drug addicts.

Addicts also have faced another problem, possibly leading to desperation. Even before the narcotics raid, the price of drugs had started going up, Stines said. After the raids, the price of heroin went up to \$2 a cap, he said.

When the earlier peak in armed robberies was reached in January, Mayor Walter E. Washington ordered the police department in February to pay overtime so that 170 extra uniformed men would be on foot patrol on the streets.

But funds ran out and this plan was discontinued in June. In that month, the number of armed robberies had dropped to 312.

Without the extra men on the street, armed robberies again began to soar, with 534 reported in July. The situation became so alarming last month that on Aug. 28, the mayor again ordered the police force to start paying overtime.

ABOUT 150 EXTRA ON STREETS

About 150 extra uniformed policemen are on the streets. It is expected that enough new policemen will finish training school to replace them by Oct. 1.

Detectives also blame the increase in armed robberies in part on what they feel is the leniency of the courts.

Lt. Sam Wallace, of the robbery squad, said yesterday, for example, that he saw four juveniles on the street. He said all four had been arrested last week in the armed holdups of eight truck drivers.

Another detective said that a man arrested Aug. 22 when he was chased by an off-duty policeman after the \$10,000 robbery of a credit union office was found to be an addict. He said the suspect, who has not yet come to trial, is free on a work-release plan.

"How can you expect robberies to go down, when you have men like that on the loose?" he asked.

The robbery picture for this month is shaping up as dismal, police officials say. During August, there were holdups at four banks. So far in September there already have been three bank holdups. There have been 35 so far this year, with 19 of them reported last January.

The armed robbery statistics do not include the crimes of purse snatchings and yoke robberies.

REPRESENTATIVES GOODLING AND DEVINE INTRODUCE LEGISLATION TO PROVIDE DISTRIBUTION TO SEVERAL STATES SAMPLES OF LUNAR ROCKS BROUGHT BACK BY APOLLO 11 MISSION

(Mr. GOODLING asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOODLING. Mr. Speaker, yesterday this Chamber was privileged to entertain three remarkable young men, voyagers to the moon. I take great pleasure in informing my colleagues that today Congressman DEVINE and I introduced legislation designed to provide for the distribution to the several States and various territories samples of the lunar rocks and other lunar materials brought back by the Apollo 11 mission. These materials are symbolic of a first for all mankind, and I think all citizens throughout our various States and territories should be able to have a first-hand look at these materials from this other planet which for the first time, was touched by men from earth, Americans.

Under the terms of the bill, the Administrator of the National Aeronautics and Space Administration would make the lunar materials available for display

in museums or other public institutions. The distribution would be accomplished through agreement between the Administrator of NASA and the Governor of a State or the head of an American territory.

We have decided to introduce this legislation because as we have gone around our congressional districts, we have been impressed by the number of individuals, institutions, and organizations who have registered a keen interest in possessing an actual piece of the moon. Many individuals would like to have a part of the moon for a souvenir, while a multitude of institutions and organizations would appreciate a moon parcel for educational and historical purposes. The simple truth of the matter, however, is that there just are not enough moon pieces to go around—the likely compromise is to make moon substances available in public places throughout the States and territories for close-range viewing by all who would like to see them.

Mr. Speaker, I would like to point out that the moon substances would, under my bill, be distributed to the States and territories only after there were no scientific or space needs for them. The Smithsonian Institution here in Washington, D.C., just recently received a moon rock portion for display purposes, and this could very well signal that the time is right for distribution of moon rocks and dust to the States and territories.

There will, of course, be other jaunts to the moon in the future, and while they will undoubtedly be exciting and challenging, they will not have the high drama associated with the first trip to the lunar surface. It is my deep feeling that each of the States and territories should have a meaningful memento of this historical and sensational event when, as Neil A. Armstrong said as he stepped on the moon, "That's one small step for man, one giant leap for mankind."

THE 107TH ANNIVERSARY OF THE BATTLE OF ANTIETAM

(Mr. BEALL of Maryland asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous matter.)

Mr. BEALL of Maryland. Mr. Speaker, today marks the 107th anniversary of the bloodiest day in American history, the Battle of Antietam, which occurred near Sharpsburg, Md., in 1862. On that day over 23,000 Americans from North and South became casualties in the conflict that tore our Nation apart. It was a tragic day for our country; one that today has more meaning than ever before we again contemplate the voices and acts of those who now press to divide us as we strive to extricate ourselves from another tragic war.

Antietam today is commemorated by the national park at the site of the battle. Unfortunately the land area that comprises the park area does not take in much of the ground over which the historic battle was fought. Today Congressman GILBERT GUDE and I are introducing a bill which would authorize the

Department of the Interior to expand the present Antietam National Battlefield from 1,087.7 acres to 2,800 acres. Of the new acquisition, 400 acres would be reserved for the expansion of the national cemetery.

Senator CHARLES MATHIAS is introducing a companion bill in the Senate. We have released a joint statement concerning this new significant legislation explaining in detail the bill, as follows:

ANTIETAM NATIONAL BATTLEFIELD

Legislation to expand the Antietam National Battlefield and National Cemetery was introduced in the Senate and House of Representatives by Senator Charles McC. Mathias, Jr., (R-Md.) and Congressman J. Glenn Beall, Jr., (R-Md. 6th) on Wednesday, the 107th anniversary of the Battle of Antietam.

In a joint statement, Sen. Mathias and Rep. Beall said that the battle, which occurred near Sharpsburg, Maryland, on September 17, 1862, "was so crucial in our nation's history that its site should be fully preserved. Our bill is offered as a starting point and a stimulus for public discussion."

The bill, co-sponsored in the House by Rep. Gilbert Gude (R-Md. 8th), would authorize the Department of the Interior to expand the present Antietam National Battlefield from 1,087.7 acres to 2,800 acres. Of the new acquisitions, 400 acres would be reserved for expansion of the historic Antietam National Cemetery.

The bill provides for archaeological explorations to determine the exact site of the Clara Barton field hospital, which was the birthplace of the American Red Cross. The legislation also directs the Secretary of the Interior to consult and cooperate with state and local officials and interested groups and individuals on programs of historic preservation, environmental protection, and historical interpretation for the benefit of the public.

"The Battle of Antietam was the bloodiest day in American history, with over 23,000 Union and Confederate casualties," the joint statement noted. "Antietam was also the turning point in the Civil War. There was no military victor in the tragic confrontation between the Grand Army of the Potomac, under General McClellan, and the Army of Northern Virginia under General Lee. But the military stalemate ended Lee's first invasion of Maryland. It ended Southern hopes for recognition of the Confederacy by European governments. It caused President Lincoln to issue the Emancipation Proclamation, which converted the war from a political and economic struggle to a moral cause."

"The Antietam area attracted about 400,000 visitors last year. Few of them realized that the present National Battlefield actually embraces only a portion of the total battle scene. Many of the most famous sites are in fact outside the current Federal holdings. Such include the Cornfield, scene of tremendous slaughter; the West Woods behind the Dunkard Church; the probable location of Clara Barton's field hospital; the Union lines opposite the Sunken Road, Bloody Lane; and the fields southeast of Sharpsburg where A. P. Hill's men rebuffed the afternoon advance of Burnside's Union troops to end the battle."

"These historic areas, still primarily in agricultural use, have been preserved for over a century by private citizens who appreciate their significance and have a real commitment to conservation and historic preservation. However, more intensive land development is spreading in Washington County as elsewhere in this region, and we cannot continue to rely indefinitely on private action."

"Expansion of the National Battlefield and Cemetery would be in accord with other public efforts to protect historic sites in Western Maryland, such as the C & O Canal, Fort Frederick, and the old homes and stone

bridges of Washington County. These are all resources which enrich the area and, if lost, could not be replaced.

"We want to discuss this legislation with elected officials, interested groups such as historical societies and veterans' organizations, and the general public. The Antietam Battlefield stands today as a memorial to human courage and a reminder of the horror of war. We believe that it should be preserved as a crucial scene in our nation's history."

THE 50TH ANNIVERSARY OF SCHOOL OF FOREIGN SERVICE, GEORGETOWN UNIVERSITY

(Mr. STANTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STANTON. Mr. Speaker, World War I, as we know, brought the United States into a position of world leadership. With this new role came many new responsibilities in both Government and foreign trade. It was in response to this need that Father Edmund A. Walsh, S.J., created the School of Foreign Service in 1919 at Georgetown University here in Washington.

In dedicating the school, Father Walsh, the well-known Jesuit priest, educator, and diplomat, affirmed that, "Unprepared as we were for war, we have highly resolved that we shall not be unprepared for peace."

The school, which is celebrating its 50th anniversary, is responsible for educating men who have served our Nation well, both in the public and private sectors. Included among its alumni are such well-known diplomatic names as U. Alexis Johnson, Willard Beaulac, Aaron Brown, and Benjamin Cohen. The late President Dwight D. Eisenhower visited the school in 1958 and praised it for "educating soldiers of peace."

As an alumnus of the school, I can testify to the fact that throughout these 50 years the school has lived up to Father Walsh's original design to offer "a broad and liberal education combined with the bracing air of individuality."

The school is currently engaged in the selection of a new dean to replace Father Joseph Sebes, S.J., who resigned to return to teaching. Dr. Jesse Mann, former chairman of the philosophy department at Georgetown, is serving as interim dean. In recognition of the past achievements of this school and its promise for the future, I know my fellow Members of Congress will join with me in wishing success to Georgetown University in its search for a dean capable of continuing the tradition of excellence set forth by the students and faculty of the Edmund A. Walsh School of Foreign Service.

The university welcomes the names of candidates for this important position. Your suggestions should be sent to the School of Foreign Service Decanal Search Committee, President's Office, Georgetown University, Washington, D.C. 20007.

YOM KIPPUR

(Mr. FEIGHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. FEIGHAN. Mr. Speaker, the Jewish high holy days of 1969 commenced with the Jewish New Year Rosh Hashana 5730 on Friday evening, September 12, and will continue until sundown, Monday, September 22, Yom Kippur, the Day of Atonement. This 10-day period of introspection is important to Jews the world over as they pray and greet each other with the wish that they may be "inscribed in the Book of Life" for the ensuing year. This wish must be understood in a spiritual sense. It is their belief that their fate for the year 5730 will be sealed between the start of Rosh Hashana and the close of Yom Kippur.

No Jew knows what the future holds. Therefore, to avoid a possible severe decree, the Jewish people are encouraged to be repentant, prayerful, and perform acts of charity, good deeds, and righteousness.

Yom Kippur may be regarded as the culmination of an individual's thoughts, his prayers, and his acts of penitence. It is also a time when, through fasting and repentance, one seeks forgiveness from the Almighty for wrongs committed during the preceding year. Finally, it is also a fervent plea to God for peace throughout the world, and for a year of health and happiness for themselves, their families, and all of mankind.

I believe the world would be a much happier place for all of us if nations and peoples everywhere would only take the time, at least once a year, for sincere soul searching and self-criticism, for repentance and forgiveness, and for prayers for genuine peace and better understanding. Certainly mankind can learn a lesson of benefit to all from the ideals symbolizing this holiest of days in the Jewish religion.

In this spirit—the spirit of kindness, peace, and understanding—I wish to extend my greetings to all my constituents of the Jewish faith and to join with them in prayer on this day for a year of good health, happiness, and prosperity.

RESTORATION OF GOLDEN EAGLE PASSPORT PROGRAM

(Mrs. GREEN of Oregon asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous matter.)

Mrs. GREEN of Oregon. Mr. Speaker, today I am introducing legislation to provide for the restoration of the popular golden eagle passport program. If enacted this would continue the program of annual fee permits to our national parks and forests which expires in March 1970.

Support for reinstatement of the program is evident in the number of bills which have been introduced in the House, similar legislation which is under active consideration in the Senate, and the fact that the Department of the Interior has recommended a 1-year extension of the golden eagle fee at the present price of \$7 until March 31, 1971.

Substantial support for this legislation has come in the form of numerous letters received not only from constituents in my own State of Oregon, but from citizens throughout the Nation urging

that this Congress reconsider its action of 1968 when it terminated the golden eagle and other fee programs. Many, if not the majority of the persons writing are retired citizens living on fixed incomes who as a result of this program have been able to spend many leisure hours in the beauty of our national parks and forests and to participate in recreational activities they might not otherwise be able to afford. They have been permitted to do so because of the reduced cost in admission provided by the golden eagle program. If the golden eagle passport is not continued, many who wish to visit our parks and recreation areas will be prevented from doing so, and these are the very people who have long supported and contributed to these parks.

A further benefit derived from this program is that a family is admitted at a fixed fee, and thus family vacations are encouraged at reduced costs.

There is great support in my own State of Oregon for continuing this program, and I would like to share with my colleagues the comments of several who have written:

Prof. JAMES R. CARY, Oregon College of Education, Monmouth, Ore. As director of our Outdoor Education Program at Oregon College of Education, I am deeply concerned about the conclusion of this program. In addition to providing funds for many recreation projects, the program has gotten many thousands of families into the recreational areas. We feel that this is important. It is our purpose in our Outdoor Education to train teachers in the greater utilization of our natural resources and to encourage the public to make use of these facilities.

M. B. ELTON, Portland, Ore. On our limited retirement income our only chance to enjoy the beauty of our natural resources is by travel trailer. We meet, visit and enjoy the company of hundreds of other retired trailerists and we all leave our parks as clean or cleaner than when we arrived.

BILL BAUGHN, Portland, Ore. Inflation bites deeply into the resources of our older citizens. Lets give them a break and keep the yearly pass. Daily camp fees may make the difference between a hot miserable summer at home or an enjoyable jaunt on the open road.

R. I. BEBEE, Portland, Ore. As annual habitues of our State and National recreational areas, we have had the opportunity of talking with hundreds of fellow campers and have found that for the most part, they are a group that would be unable to afford the pleasure and leisure afforded by the Golden Eagle Pass, were it not available. Too, we have found that a majority of them are retired pensioners or people with large families.

In closing, Mr. Speaker, I would like to take this opportunity to compliment my colleagues, the gentlemen from California (Mr. WALDIE and Mr. ANDERSON) for their leadership in the House to reinstate the golden eagle, and to urge that Members of this body who share our belief will support passage of this legislation.

GOVERNOR OGILVIE OF ILLINOIS ANNOUNCES APPOINTMENT OF RALPH T. SMITH TO FILL VACAN- CY CREATED BY THE DEATH OF SENATOR EVERETT M. DIRKSEN

(Mr. McCLORY asked and was given permission to address the House for 1

minute, to revise and extend his remarks and to include extraneous matter.)

Mr. McCLODY. Mr. Speaker, Governor Ogilvie of Illinois has announced today his appointment to the vacancy created by the death of Senator Everett M. Dirksen, my longtime friend and speaker of the Illinois House of Representatives—RALPH T. SMITH of Alton.

Senator-designate SMITH is a man of great ability and wide legislative experience in the State of Illinois. He is a forceful and persuasive person in debate, and a careful student of government and the complex problems which confront our Nation today.

I extend to Governor Ogilvie and to Senator SMITH my congratulations and best wishes. As the junior Senator from Illinois, Mr. SMITH will be contributing his unusual talents, his broad experience, his energy and his dedication to the welfare of the State of Illinois and of the Nation.

EXPENDITURES FOR THE FEDERAL-AID HIGHWAY SYSTEM

(Mr. MILLS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MILLS. Mr. Speaker, I have today introduced a bill (H.R. 13831) the purpose of which is to provide that the imposition of taxes the proceeds of which are appropriated to the highway trust fund shall be suspended during any period when amounts in that fund are impounded or otherwise withheld from expenditure. As Members will recall, when we enacted the Interstate and Defense Highway Act of 1956 which provided authorizations for the completion of an interstate and defense highway system by designated dates, and when we enacted the Highway Revenue Act of 1956 to support that system through the dedication of certain taxes to the highway trust fund, we envisioned and intended that that program would be completed in accordance with the objectives included in the legislation itself and within the specified dates which we set forth. Of course, there have been amendments to each of those acts since the original 1956 act, in order to insure that there would be sufficient revenues to keep up with increasing costs due to inflation and so forth and to keep the apportionment part of the program up to date.

However, Mr. Speaker, it was never our intention that the highway trust fund should be used or manipulated by any administration as either an anti-inflation device by turning it off, or as a temporary pump-priming device to increase economic activity during slack periods. Because of the leadtime necessary for the development of plans, the writing of contracts, and all the many factors that go with such long-term planning to meet our urgent highway needs, the use of the highway trust fund as an anti-inflation device or as a pump-priming device to be turned on and off creates very serious problems for orderly highway development.

The bill which I have introduced is intended to insure that expenditures for the Federal aid highway system are ap-

portioned as required by the statute and are not impounded or withheld from obligation by unilateral action of the executive branch.

Mr. Speaker, the bill is intended to accomplish this result by providing that for any such periods during which a part of the sums authorized to be appropriated for expenditure for Federal-aid highways are not fully apportioned, or when any part of the sums available in the highway trust fund are impounded or withheld from obligation, we will in effect suspend the liability for the taxes which go into the highway trust fund. This simply means that if funds are withheld, impounded, or not apportioned, then during such periods the taxes which go into the highway trust fund shall not be imposed.

GILBERT COMPREHENSIVE SOCIAL SECURITY ACT

(Mr. GILBERT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. GILBERT. Mr. Speaker, the need to substantially raise the general level of social security payments becomes very clear to anyone who looks at the level of payments and considers the fact that most social security beneficiaries have very little in the way of continuing income other than what they get under social security. For almost all beneficiaries, social security payments are the main source of continuing income. For about half the beneficiaries the social security payment is virtually the only source.

Furthermore, by Government definition 20 percent of America's poor people are aged 65 and over.

BENEFIT INCREASES

The bill I am proposing today would help alleviate the income plight of the elderly by providing three across-the-board increases in social security benefits. The first increase of 10 percent would be effective for January 1970. The minimum benefit would be increased from \$55 to \$80. The second step, a 12-percent across-the-board increase with a \$90 minimum benefit would be effective January 1972. The final step, a 14-percent across-the-board increase with a \$103 minimum benefit would be effective January 1974.

Monthly benefits for retired workers now on the social security rolls who began to draw benefits at age 65 or later now range from \$55 to \$179.70. When all three steps of the benefit increases provided by my bill are effective, they would range from \$103 to \$378.50. The benefit amount payable to workers with average monthly earnings of \$650, the highest possible under present law, would be increased from \$218 to \$306.20. For a survivor family consisting of a widow and two or more children getting benefits on the basis of \$650 of average monthly earnings, total monthly benefits of \$511.60 would be payable where \$434.40 is now payable.

A retired worker now getting the average benefit of \$99 a month would get about \$140 a month, and the average

benefit for an elderly couple would be increased from \$166 a month to about \$233 a month. Thus the increase in benefits provided by my amendment would represent a really significant step forward in our efforts to alleviate the problem of poverty among our elderly retirees.

The three-step benefit increase would also apply to the special age-72 payments, from the present \$40 a month to \$44 in January 1970, to \$50 in January 1972; and to \$57 in January 1974.

In addition to increasing regular monthly benefits and the special age-72 payments, we also need to increase the lump-sum death payment. This bill would nearly double the maximum lump-sum payment by increasing it to \$500, effective in January 1970. This increase is long overdue. The \$255 ceiling on the maximum lump-sum death payment has been in effect since 1952.

Benefits under present law will eventually be based on average monthly earnings in covered work over the person's entire working lifetime, omitting only 5 years of low earnings. Since a person's earnings generally rise over his lifetime, earnings averaged over many years will be only remotely related to the level of earnings just before retirement.

This bill reduces, in two steps, the number of years used in computing benefits. First, beginning in December 1970, the number of years counted under present law would be reduced by one-third, but not to less than 10 years. Second, effective in December 1972, the bill would provide for basing benefits on an individual's highest 10 years of earnings out of any 15 consecutive years after 1950. Coupled with this provision is a regularity-of-service factor, which takes into account the length of time the person worked under the program. This ensures that a person who worked in covered jobs over his full working lifetime would get a higher benefit than a short-term worker.

These changes would realistically relate benefits to the standard of living which the worker achieved just prior to his retirement.

Widows' benefits would also be increased under my bill. Under present law, the amount of a widow's benefit, payable at age 62 or later, is 82½ percent of the benefit that her husband would have gotten if he started getting benefits at age 65 or later. The bill provides widows' and dependent widowers' benefits equal to 100 percent of the worker's benefit where the survivor's benefits begin at age 65, with reduction down to 82½ percent at age 62, effective January 1970.

A special problem of low benefits for early retirees is developing, due to a high percentage of early retirements, and this bill would provide meaningful retirement income for these people.

This improvement, to become effective January 1970, would provide that the benefit for workers who come on the rolls at age 62 would be 14 percent less than what they would have gotten at age 65, rather than 20-percent less. The benefit for a wife who comes on the rolls at age 62 would be 17½ percent, rather than 25 percent, less than what she would have gotten at age 65.

RETIREMENT TEST

Increases in wages and prices have occurred since the last change was made in the retirement test. I believe the amount of earnings a person can have in a year and still get full social security benefits should be updated. This bill would increase this amount from the presently allowed \$1,680 to \$1,800, effective January 1970. The bill provides a corresponding increase, from \$140 to \$150, in the monthly exempt amount—the amount a person can earn in a month and still get benefits regardless of his earnings for the year.

I am also proposing that the test be changed to assure that a person will not suffer a reduction in disposable income as a result of his working. There should be no change in the \$1-for-\$2 withholding for the first \$1,200 of earnings above the annual exempt amount, but above that only \$3 in benefits would be withheld for each \$4 of earnings. There would be no point at which \$1 in benefits would be withheld for each \$1 of earnings.

The bill would provide for automatic adjustment of the annual exempt amount of earnings under the retirement test to increase in earning levels, effective beginning in January 1973. This provision would insure that beneficiaries dependent on earnings from work would be able to maintain their economic level to a significant degree.

DISABILITY PROVISION

Mr. Speaker, social security disability benefits are now payable only if the disability is expected to last at least 12 months and only after the worker has been totally disabled throughout 7 consecutive calendar months. Throughout this period, of course, the regular expenses of the family and the extraordinary medical and related expenses must be met, even though the worker's earnings have stopped. I believe that it is unreasonable to delay much-needed benefits until after 7 full months of disability. This bill would make disability benefits payable after the fourth month of disability by substituting a 3-month waiting period for the present 6-month period, effective July 1970. It would also eliminate the requirement that the disability must be expected to last for 12 months or end in death.

Another improvement the bill would make in the disability provisions is also urgently needed. To be considered disabled under present social security law, a worker must be unable to engage in any type of substantial gainful work. Many older handicapped workers do not qualify for disability benefits even though they are unable to do any of the types of work they performed before their handicap.

Effective in July, 1970, the bill would fill the gap in the disability protection for older workers, by providing monthly disability benefits to handicapped workers age 55 and over, who can no longer do their regular work or any other work they have done in recent years. The 3-month, rather than 6-month, waiting period would also apply to these older handicapped workers.

The 1967 social security amendments provided benefits for the first time to totally disabled widows and widowers.

But the benefits are not payable until the disabled widow or widower has reached age 50, and they are substantially reduced depending on the age at which the benefits begin.

The need of totally disabled widows below age 50 for benefit protection is at least as great as that of the widow between age 50 and 62. This bill would eliminate the age-50 limitation, effective January 1970.

Additionally, under present law, a disabled widow whose benefits start at age 50 gets only 50 percent of her deceased husband's benefit. The widow who has suffered the dual tragedy of the death of her lifelong partner and helpmate and of a severe impairment that destroys her working ability has a need for an adequate benefit.

Under this bill the benefit for a disabled widow or disabled dependent widower would be payable at the rate of 8½ percent of the deceased spouse's benefit amount.

In addition to the improvements designed to bring the social security program up to date, we should write into the law a provision for keeping benefits automatically up to date with increases in the cost of living. This bill does so, beginning in January 1975.

COST OF LIVING INCREASE

A provision in the law for automatically keeping the regular social security benefits and the special age-72 payments in line with the cost of living, would contribute greatly to the sense of security of the beneficiaries and the workers who are earning protection for themselves and their families. The Federal Government now provides for such adjustments in their retirement systems for its own employees—civilian and military—and we should do the same for social security beneficiaries.

INCREASE AND ADJUSTMENT OF WAGE BASE

Another automatic adjustment provision needed in the social security program involves the amount of annual earnings that is counted toward benefits and is subject to contributions. This bill would increase the contribution and benefit base from \$7,800 to \$15,000 in three steps: to \$9,000 in 1970; to \$12,600 in 1972; and, to \$15,000 in 1974. Beginning in January 1976, the base would be automatically adjusted.

MEDICARE

I turn now, Mr. Speaker, to improvements in the medicare program. It is clear that medicare has brought about a very great improvement in the welfare of older Americans. But soaring medical care costs continue to burden Americans of every age and they especially hit hard those who are retired and dependent upon income from social security. It is time now to expand the program to enhance its protection and promise.

The basic concept of social security is that a worker makes contributions during his working years to pay for benefits during his retired years. This bill gives high priority to the idea of financing the medical insurance part of medicare through contributions paid during the beneficiary's working years, just as hospital insurance and cash benefits are financed.

Under the plan provided in this bill, to become effective in 1972, both the hospital insurance and the medical insurance parts of the program are financed with contributions paid by employees, employers, and the self-employed and with a matching contribution by the Federal Government from general revenues. By combining the two parts of the medicare program, the existing enrollment and coverage provision for the supplementary medical insurance program would be eliminated. Everyone then, who qualified for hospital insurance would also qualify for supplementary medical insurance. However, the benefit provisions and the different methods of reimbursement under the two parts of the medicare program would remain unchanged.

Another improvement in medicare incorporated in this bill is the extension of health insurance protection to the disabled. The disabled person, like the retired person, incurs high health costs concurrent with decreased income. Hospital and medical costs per person for the disabled are two to three times higher than for the aged. In addition, the proportion of severely disabled people with any form of health insurance is lower than the proportion of the aged who had health insurance protection before medicare was enacted.

Therefore, this bill includes a provision that hospital insurance and supplementary medical insurance protection be extended, effective January 1972, to social security disability beneficiaries. This protection would be financed in the same manner proposed for health insurance for the aged: Payroll contributions by employees, employers, and the self-employed, along with a Federal matching contribution from general revenues.

The bill would also provide coverage of prescription drugs under medicare. Drug costs account for about 30 percent of private expenditures for health care by the aged and represent the largest segment of the aged person's health-care dollar. Yet very few health insurance plans offer protection against the cost of drugs.

A provision contained herein extends medicare coverage, beginning January 1972, to legend drugs—drugs which are available only by a physician's prescription—plus some nonlegend drugs, such as insulin, which are of a life sustaining nature or whose use is essential to maintenance of the beneficiary's health, and Secretary of Health, Education, and Welfare, with the advice of an expert committee established by this bill, would prescribe and annually review a list of legend drugs and certain nonlegend drugs for which reimbursement could be made under the program. A one-dollar deductible for a prescription and refill would be required and payment would be based on the "reasonable drug charge," consisting of an acquisition allowance plus a dispensing allowance.

Mr. Speaker, I am concerned about unnecessary costs of drugs purchased by brand name, when much cheaper generic drugs of equal quality are available. At this time, the prescription drug provisions of my bill do not provide for reimbursement based on actual cost to the

ultimate dispensers of the least expensive, available drug product of proper quality. However, it is my intention to have this complex subject explored thoroughly when the bill is considered by the House Ways and Means Committee. And I intend to devise an approach that will utilize savings from the use of low cost generic equivalents.

FINANCING

The cost of the improvements this bill would make in the social security program would be met out of the \$15,000 contribution and benefit base and automatic adjustment of the base; the current favorable actuarial surplus of 0.53 percent of payroll; rounding out the contribution rate from 5.9 percent each to 6 percent each, and a gradually increasing Government contribution eventually equal to approximately one-third the total cost of the program.

On the basis of 1968 wage assumptions now being used by the Social Security Administration in making cost estimates, this bill is in actuarial balance. If 1970 wage levels were used in making the actuarial assumptions, this bill could include a number of other improvements with the same contribution rates. For this reason, I am contemplating using a 1970 wage level assumption and including additional improvements and may so recommend when this bill is considered by the House Ways and Means Committee.

Certainly wage levels in 1970 will be higher than in 1968. Moreover, two of the provisions of the bill, the 12-percent and the 14-percent benefit increases, would not become effective until 1972 and 1974, respectively. There is no doubt that wages will continue to rise as they have throughout history and by the time these two benefit increases go into effect, the program would be financed on an actuarially sound basis if 1970 wage levels were used.

Mr. Speaker, social security has long been accepted as an important part of American life. Nearly 93 million people will have earnings from work covered by social security this year and are building protection for themselves and their families. Currently, 24.5 million Americans are receiving benefits totaling over \$2 billion each month.

Try to imagine America without social security. Mr. Speaker, only about 5 percent of our retirees would have continuing incomes above the amount needed to maintain what the Department of Labor has defined as a "moderate" living standard—\$3,900 a year for an aged couple with social security. Ten million people are kept above the poverty line. Another 3 million would exist only a notch above the poverty level were it not for social security.

We have not used the social security program to its full potential. It can do much more toward providing economic security and preventing poverty. The bill I am introducing today would go a long way toward maximizing the potential benefits of social security for the benefit of more people and for the benefit of the Nation as a whole. I look forward to its early consideration and adoption.

MONTHLY CASH SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER THE GILBERT BILL FOR A WIDOW AT AGE 62

	Benefit amounts			
	Present law	Effective January 1970	Effective January 1972	Effective January 1974
Minimum benefit...	\$55.00	\$80.00	\$90.00	\$103.00
Average monthly earnings: ¹				
\$150	73.00	80.30	90.00	103.00
\$250	94.90	104.40	116.90	133.40
\$350	115.90	127.50	142.90	162.90
\$450	136.20	149.80	167.80	191.30
\$550	156.70	172.40	193.10	220.20
\$650	179.90	197.90	221.60	252.70
\$750		221.10	247.70	282.40
\$850			273.90	312.30
\$950			300.30	342.40
\$1,050			326.70	372.50
\$1,150				402.60
\$1,250				432.30

¹ Although the highest average monthly earnings possible under the present \$7,800 base is \$650, aged widow's benefits based on this amount will generally not be payable for many years to come. For example, the highest average monthly earnings possible under the law for a man age 45 or older who dies in 1970 will be \$446. The bill provides for a 3-step increase in the base to \$9,000 in 1970, \$12,600 in 1972, and \$15,000 in 1974, and also liberalizes the method of figuring average monthly earnings. These 2 changes will make higher average monthly earnings—and thus higher benefits—possible much sooner than under present law. For example, under the bill a man age 45 or older who dies in 1974 could have average monthly earnings of as much as \$547, whereas under present law they could be no higher than \$491. Benefits based on average monthly earnings higher than \$547 will become payable gradually over the years after 1974.

MONTHLY CASH SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER THE GILBERT BILL FOR A RETIRED COUPLE (MAN AND WIFE) AT AGE 65

	Benefit amounts			
	Present law	Effective January 1970	Effective January 1972	Effective January 1974
Minimum benefit...	\$82.50	\$120.00	\$135.00	\$154.50
Average monthly earnings: ¹				
\$150	132.60	146.00	163.50	186.50
\$250	172.50	189.80	212.60	242.40
\$350	210.60	231.80	259.70	296.10
\$450	247.50	272.30	305.00	336.00
\$550	284.90	313.40	339.00	371.80
\$650	323.00	344.80	373.60	411.20
\$750		373.00	405.20	447.30
\$850			437.00	483.50
\$950			469.00	520.00
\$1,050			501.00	556.50
\$1,150				593.00
\$1,250				629.00

MONTHLY CASH SOCIAL SECURITY BENEFITS UNDER PRESENT LAW AND UNDER THE GILBERT BILL FOR A RETIRED WORKER AT AGE 65

	Benefit amounts			
	Present law	Effective January 1970	Effective January 1972	Effective January 1974
Minimum benefit...	\$55.00	\$80.00	\$90.00	\$103.00
Average monthly earnings: ¹				
\$150	88.40	97.30	109.00	124.30
\$250	115.00	126.50	141.70	161.60
\$350	140.40	154.50	173.10	197.40
\$450	165.00	181.50	203.30	231.80
\$550	189.90	208.90	234.00	266.80
\$650	218.00	239.80	268.60	306.20
\$750		268.00	300.20	342.30
\$850			332.00	378.50
\$950			364.00	415.00
\$1,050			396.00	451.50
\$1,150				488.00
\$1,250				524.00

¹ Although the highest average monthly earnings possible under the present \$7,800 base is \$650, retirement benefits based on this amount will generally not be payable for many years to come. For example, the highest average monthly earnings possible under the law for a man reaching age 65 and retiring in 1970 will be \$446. The bill provides for a 3-step increase in the base to \$9,000 in 1970, \$12,600 in 1972, and \$15,000 in 1974, and also liberalizes the method of figuring average monthly earnings. These 2 changes will make higher average monthly earnings—and thus higher benefits—possible much sooner than under present law. For example, under the bill a man reaching age 65 and retiring in 1974 could have average monthly earnings of as much as \$547, whereas under present law they could be no higher than \$491. Benefits based on average monthly earnings higher than \$547 will become payable gradually over the years after 1974.

ANALYSIS OF SOCIAL SECURITY (OASDHI) BILL INTRODUCED BY REPRESENTATIVE JACOB H. GILBERT

Item	Existing law	Bill
1. Benefit amounts:		
(a) Basic amounts.....	Benefits for a worker beginning at age 65, or when disabled before age 65, range from \$55 to \$218. Benefits for dependents and survivors are based on these amounts.	Benefit amounts for the worker would be increased in 3 steps: Beginning and range: January 1970, \$80 to \$268. January 1972, \$90 to \$396. January 1974, \$103 to \$524. Benefits for dependents and survivors would be increased proportionately. Benefit amounts would be automatically adjusted annually for each 1 percent or more of increase in the cost of living. Smaller reductions would be made. A worker's benefit at age 62 would be 86 percent of the unreduced amount; a wife's or husband's, 82½ percent.
(b) Automatic adjustment.....	No provision.....	
(c) Actuarial reduction.....	Benefits for workers, and their wives or husbands, who start getting benefits before age 65 are payable at reduced rates. The benefits are reduced to an amount that will on the average give the same total lifetime benefits that would have been paid if the benefits had not begun until age 65. A worker's benefit at age 62 is 80 percent of the benefit he would have gotten at age 65; a wife's or dependent husband's benefit is 75 percent of the amount payable at age 65.	The amount payable where benefits begin at or after age 65 would be equal to 100 percent of the benefit amount that would be payable to the deceased spouse. Benefits beginning before age 65 would be reduced; where benefits begin at age 62 the benefit amount would be equal to 82½ percent of the benefit of the deceased spouse. Benefits would be payable to a disabled widow or widower at any age. No reduction would be made in benefits that begin before age 62; the benefit amount would be 82½ percent of the deceased spouse's benefit, the amount payable under present law and under the bill to a widow who begins getting her benefits at age 62.
(d) Widow's and widower's.....	Benefits beginning at or after age 62 are equal to 82½ percent of the benefit amount that would be payable to the deceased spouse.	
	Disabled widows and widowers can get benefits at or after age 50. Where benefits begin before age 62, the benefit amounts are reduced.	

ANALYSIS OF SOCIAL SECURITY (OASDHI) BILL INTRODUCED BY REPRESENTATIVE JACOB H. GILBERT—Continued

Item	Existing law	Bill																
1. Benefit amounts—Continued																		
(e) Special age-72 payments.....	Certain people who reach age 72 before 1972 and who have not worked under social security long enough to get regular benefits can get special payments of: \$40 for an individual; \$80 for a couple.	The special payments would be increased in 3 steps: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th></th> <th>Beginning</th> <th>Individual</th> <th> Couple</th> </tr> </thead> <tbody> <tr> <td>January 1970.....</td> <td></td> <td>\$44.00</td> <td>\$66.00</td> </tr> <tr> <td>January 1972.....</td> <td></td> <td>50.00</td> <td>75.00</td> </tr> <tr> <td>January 1974.....</td> <td></td> <td>57.00</td> <td>85.50</td> </tr> </tbody> </table>		Beginning	Individual	Couple	January 1970.....		\$44.00	\$66.00	January 1972.....		50.00	75.00	January 1974.....		57.00	85.50
	Beginning	Individual	Couple															
January 1970.....		\$44.00	\$66.00															
January 1972.....		50.00	75.00															
January 1974.....		57.00	85.50															
(f) Lump-sum death payments.....	Equal to 3 times the worker's benefit amount but not more than \$255. Range: \$165 to \$255.	The \$255 limit would be increased to \$500.																
2. Benefit computations.....	All social security benefit amounts are based on the insured worker's average monthly earnings. Nearly all benefits are now based on average monthly earnings after 1950—figured over 5 less than the number of years after 1950 and up to the year the worker reaches age 65 (62 for women), becomes disabled, or dies.	The number of years used in figuring the worker's average monthly earnings would be reduced by $\frac{1}{3}$ beginning in December 1970, and to his best 10 years out of any 15 consecutive years beginning in December 1972. The average monthly earnings figured over the shortened periods would be adjusted to take account of the length of time the person worked under social security.																
3. Earnings test.....	No benefits are withheld on annual earnings of \$1,680 or less. For earnings up to \$1,200 above \$1,680 (i.e., \$2,880), \$1 is withheld for each \$2 of earnings, and for additional earnings \$1 is withheld for each \$1 of earnings, except that no benefits are withheld for any month in which a person does not earn more than \$140 in wages nor render substantial services in self-employment.	No benefits would be withheld on earnings of \$1,800 or less. For earnings up to \$1,200 above \$1,800 (i.e., \$3,000), \$1 would be withheld for each \$2 of earnings, and for additional earnings \$3 would be withheld for each \$4 of earnings, except that no benefits would be withheld for any month in which a person does not earn more than \$150 in wages nor render substantial services in self-employment.																
4. Disability provisions:																		
(a) Definition of disability.....	Benefits cannot be paid until after a 6-month waiting period, and are payable only if the disability is expected to last for at least 12 months or to result in death.	The waiting period would be reduced from 6 to 3 months, and the requirement that the disability must be expected to last 12 months or to result in death would be eliminated.																
(b) Alternative definition for older workers.....	Workers must be unable to engage in any substantial gainful activity by reason of a medically determinable physical or mental impairment.	Workers aged 55-64 could qualify if unable to engage in substantial gainful activity (by reason of a medically determinable physical or mental impairment) in their regular work or in any other work in which they have engaged with some regularity in the recent past.																
5. Medicare:																		
(a) Financing both hospital insurance and supplementary medical insurance on the basis of payroll contributions and general revenues.....	Hospital insurance is financed by contributions from employers, employees, and the self-employed. Supplementary medical insurance is financed by monthly premiums paid by enrollees and matched by the Federal Government. Moneys are deposited in, and benefits and administrative expenses are paid from, 2 separate trust funds. Eligibility for hospital insurance is based on eligibility for cash benefits (except for a special transitional provision) while medical insurance is available to virtually all those over 65.	Would eliminate supplementary medical insurance premiums and provide for financing both hospital and medical insurance programs through contributions of employers, employees, and the self-employed, and a matching contribution by the Federal Government. All moneys would go into a combined trust fund, which would pay the benefits and administrative expenses of both programs. Eligibility requirements for both hospital and medical insurance would be identical to that required under existing law for hospital insurance.																
(b) Medicare for the disabled.....	Medicare is available only to people age 65 and over (without regard to disability).	Would extend medicare, under the combined financing approach described above, to people under age 65 entitled to monthly cash disability benefits. Benefits would begin with the 1st month for which the individual is eligible for cash benefits and end 12 months after cash benefits cease.																
(c) Coverage of drugs.....	Generally, drugs are covered only if they are provided in a hospital or an extended-care facility. Drugs are covered on an outpatient basis only if the drug is one which cannot be self-administered.	Would extend coverage of out-of-hospital prescription drugs under hospital insurance program. Drugs covered would be selected by the Secretary with the advice of an expert committee provided for by the bill. Reimbursement would be made to providers of drugs (pharmacies, etc.) on the basis of acquisition and dispensing allowances. The beneficiary would be required to make a \$1 copayment per prescription or per refill.																
6. Contribution and benefit base.....	The amount of annual earnings on which social security contributions are payable and that can be counted toward benefits is \$7,800.	The amount of annual earnings to be counted for contribution and benefit purposes would be increased as follows: <table border="1" style="margin-left: 20px;"> <tbody> <tr> <td>to \$9,000 for 1970 and 1971,</td> </tr> <tr> <td>to \$12,600 for 1972 and 1973,</td> </tr> <tr> <td>to \$15,000 for 1974 and 1975, and—</td> </tr> </tbody> </table> for years after 1975, the annual earnings amount would be automatically increased (in even-numbered years) as average earnings levels rise.	to \$9,000 for 1970 and 1971,	to \$12,600 for 1972 and 1973,	to \$15,000 for 1974 and 1975, and—													
to \$9,000 for 1970 and 1971,																		
to \$12,600 for 1972 and 1973,																		
to \$15,000 for 1974 and 1975, and—																		
7. Contribution rate schedule.....	No provision for automatic increases.																	
	Employer-employee, each (percent)	Employer-employee, each (percent)																
	Year	OASDI	HI	Total	Year	OASDI	HI	Total										
	1970.....	4.20	0.60	4.80	1970.....	4.20	0.60	4.80										
	1971-72.....	4.60	.60	5.20	1971-72.....	4.80	.65	5.45										
	1973-75.....	5.00	.65	5.65	1973 and after.....	5.10	.90	6.00										
	1976-79.....	5.00	.70	5.70														
	1980-86.....	5.00	.80	5.80														
	1987 and after.....	5.00	.90	5.90														
	Self-employed (percent)																	
	Year	OASDI	HI	Total	Year	OASDI	HI	Total										
	1970.....	6.30	0.60	6.90	1970.....	6.30	0.60	6.90										
	1971-72.....	6.90	.60	7.50	1971-72.....	6.90	.65	7.55										
	1973-75.....	7.00	.65	7.65	1973 and after.....	7.10	.90	8.00										
	1976-79.....	7.00	.70	7.70														
	1980-86.....	7.00	.80	7.80														
	1987 and after.....	7.00	.90	7.90														
8. Federal contributions.....	No provision.	General revenue contributions gradually increasing over a 10-year period to an amount equal to approximately $\frac{1}{3}$ the total cost of the program.																

ADMINISTRATION POLICY ON BUSING

(Mr. HOGAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks and to include extraneous material.)

Mr. HOGAN. Mr. Speaker, I would like to call to the attention of my colleagues, Vice President Agnew's speech before the Conference of Governors in Williamsburg last night.

The Vice President enunciated administration opposition to the use of busing

to artificially achieve racial balance in our schools.

In light of his statement, I have today called upon the White House to communicate this policy to those in HEW who are responsible for devising school plans.

Judging from the dissension in my congressional district, HEW is not yet in accord with this guideline. HEW policies to achieve school integration in Prince Georges County, Md., which I represent, have been the subject of a continuing dispute.

In April of this year, the Health, Education, and Welfare Regional Office in Charlottesville, Va., issued an ultimatum to the Prince Georges County School Board to integrate all schools in the county or lose nearly \$12 million in Federal aid. At that time, I opposed the proposal because I failed to see how the proposal could be implemented without busing.

After a series of discussions between HEW and our local school board, I find that my earlier apprehensions are proved correct. While some of the

points of disagreement seem to have been resolved, the board of education still feels that total compliance with HEW requirements will necessitate busing of students.

Mr. Speaker, to me, this is a highly unacceptable solution. It makes absolutely no sense to bus children from an all-black school to an all-white school for the purpose of bringing the races together when, at the end of the school day, the Negro children are bussed back into an all-black neighborhood.

In view of the reiteration by Vice President Agnew of the administration policy, I have today called upon the White House to withdraw the totally unrealistic and unacceptable plan which is being foisted upon the Prince Georges County school system by HEW officials who are flagrantly flaunting this enunciated administration policy.

I realize that this is a highly sensitive and complex area which requires extreme delicacy in its handling. For this reason, I would like to make it clear that while I am vigorously opposed to school segregation—as President Nixon is—I still feel that the time is long overdue for the President to make clear to HEW officials what his policy is on busing and to make sure that they conform to it.

I invite my colleagues who are encountering similar school desegregation problems in their districts to join with me in urging HEW officials to formulate an alternative solution to the use of busing to achieve integration.

TREATMENT OF AMERICAN PRISONERS BY THE NORTH VIETNAMESE

The SPEAKER. Under a previous order of the House, the gentleman from Alabama (Mr. DICKINSON) is recognized for 60 minutes.

(Mr. DICKINSON asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. DICKINSON. War is hell, Mr. Speaker, so said General Sherman almost a century ago, and few who have experienced its scourge will disagree.

I know that everyone in this Chamber joins me in hoping and praying for the day when a just and honorable peace can be achieved in Southeast Asia. We have no greater problem facing the U.S. Government—its cancerous tentacles have reached deeply into many aspects of even our domestic affairs.

War has many unfortunate byproducts—the wounded, the sick, the dead, and—that which I want to discuss today—the prisoners and the missing in action.

There are 1,355 brave American servicemen either in enemy hands or are listed as missing in action. The Department of Defense has reason to believe that 401 of these men are prisoners of war—the other 954 are carried as missing because no information is available about them. Some of these brave men have been missing or captured for over 5 years—longer than any of our servicemen were held captive during World

War II. Only nine have been released by the Communists during this 5-year period.

For the most part, Mr. Speaker, these are the forgotten Americans—or at least it appeared so until earlier this year when this problem began to be publicized. These are the forgotten men who responded to their Nation's call in time of need and who now cry out to their Government, Mr. Speaker, through their valiant wives and families for our help and our consolation.

Since 1964, when we committed combat troops to South Vietnam, until early this year, our forgotten men have not been talked about. It seems that we took the attitude that, if we did not discuss the problem, it would be resolved. But it did not vanish, Mr. Speaker, and over a thousand Americans languish in North Vietnamese and Vietcong prisons.

I think it is time we talked about this grave situation, and I know we have hundreds of wives and families—many of them present in the House gallery today—who concur with me. Increasing numbers of House and Senate Members have spoken out against the barbaric, inhumane treatment being received by American servicemen in North Vietnam prisons. This special order and the resolution I have introduced are for a twofold reason—to show that Congress is aware of and concerned about the problem and the missing and captured are not forgotten men, and, second, to arouse world opinion and universal support to secure compliance by North Vietnam with the Geneva Convention. I hope that after today's session in the House Chamber, the voice of the Congress will be heard around the world and that other nations will recognize Hanoi as an uncivilized country, unworthy of a place in the community of nations if she continues to refuse to abide by the Geneva Convention dealing with POW's.

If North Vietnam continues on its present course and does not abide by the terms of the Geneva Convention—which she has ratified—may I suggest that the failure of North Vietnam and the Vietcong to comply with the Geneva Convention casts serious doubts on the validity of any agreement that might be reached at the Paris peace talks. Either the North Vietnamese will honor their formal commitments and keep their word, or else they are without honor and their word is no good.

I call upon every department of Government and every international organization to use all means available to let the rest of the world know of the failure of the so-called Democratic Republic of Vietnam—North Vietnam—and the National Liberation Front to abide by accepted, civilized practices regarding prisoners of war.

Now I realize that there is little the Congress can do directly to recover our forgotten men. But we can put the world on notice of the failure of North Vietnam and the Vietcong to treat prisoners humanely and to furnish us a list of the captives. Our adversary's failure in this area is in direct violation of the Geneva Convention.

My concern for our servicemen increased 2 weeks ago as a result of cer-

tain disclosures made by two recently-released prisoners—Navy Lt. Robert Frishman and Seaman Douglas Hegdahl. Mr. Speaker, Lieutenant Frishman and Seaman Hegdahl are also present in the House gallery today. I salute both of them for their bravery and dedication to the very best of our American ideals. They—not the long-haired, flag-burning, draft card-burning characters—represent American youth. They withstood the hell of Communist prisons and conducted themselves as patriotic American servicemen. For this, I salute them.

Lieutenant Frishman and Seaman Hegdahl outlined the inhumane treatment inflicted on them and the lack of adequate medical care, food, quarters, and contact with the outside world during their imprisonment. This refutes—in a graphic way—the propaganda disseminated by North Vietnam that prisoners are treated humanely.

The Communists claim that the Americans they have captured are war criminals and, therefore, they are not bound by the Geneva Convention. This propaganda claim will not stand up under close inspection.

What we refer to as the Geneva Convention actually is a series of four separate treaties covering prisoners of war, sick and wounded soldiers on land, the sick and wounded and shipwrecked at sea, and civilians. Article 2, which is common to all four conventions, specifically provides that "the present Convention shall apply to all cases of declared war or of any other armed conflict which may arise between two or more of the high contracting parties, even if the state of war is not recognized by one of them." Therefore, Hanoi is committed to abide by the treaty, which she has ratified.

The 21st International Conference of the Red Cross—the highest governing body of the Red Cross—meeting in Istanbul last week—unanimously adopted a resolution completely rejecting North Vietnam's contentions and calling on all parties to abide by the obligations set forth in the convention. The resolution clearly states that the Geneva Convention applies to each armed conflict between two or more parties without regard to how the conflict may be characterized. It is interesting to note, Mr. Speaker, that representatives from the Soviet Union and other Iron Curtain countries were present for this Red Cross conference.

I suggest that the failure of North Vietnam and the Vietcong to comply with the Geneva Convention casts serious doubts on the validity of any agreement that might be reached at the Paris peace talks. Either the North Vietnamese will honor their formal commitments and keep their word, or else they are without honor and their word is no good.

Mr. Speaker, all prisoners captured by U.S. forces are turned over to South Vietnam for detention, and the International Committee of the Red Cross regularly inspects the prisoner facilities. Not only are the South Vietnam prisoner-of-war camps inspected, but also the collecting points, and it is my understanding that this is done on a "no notice"

basis. Human decency—in addition to the Geneva Convention—requires it.

As I mentioned before, the prisoner of war problem has been swept under the rug until only a few short months ago. Fortunately for our forgotten men, the Defense Department has now taken the ball and is attempting to secure the release of our American servicemen. Defense has quite a few personnel assigned to this mission, and the team is headed by Assistant Secretary Warren Nutter and Deputy Assistant Secretary Richard Capen. Col. Milton Kegley and Col. Al Goodson are Mr. Capen's competent assistants, and they are doing an excellent job in keeping the wives and families of our missing and captured servicemen informed of any developments in this area.

Mr. Speaker, I commend the Secretary of Defense, our former colleague, Mel Laird, for his taking the initiative and publicizing this problem. I consider my efforts today in the Chamber of the House of Representatives to complement what the Department has already done, and I urge the Secretary, Assistant Secretary of Defense Dr. Warren Nutter, and Mr. Capen to continue their efforts. And I call upon the State Department to leave no stone unturned in its quest for a solution to this most serious problem. I personally am going to send copies of today's CONGRESSIONAL RECORD to our chief negotiator in Paris, Ambassador Henry Cabot Lodge, and request that copies be made available to the representatives from Hanoi. They can see for themselves what the Congress of the United States thinks of their claims of "humane" treatment of Americans they hold captive.

Mr. Speaker, I would be extremely remiss if I did not recognize today the wives and families of our POW's and MIA's, many of whom have traveled thousands of miles in order to be present here today. They display a courage that I admire tremendously, and Americans everywhere would do well to maintain a strength equal to that displayed by them. They are the ones who are sacrificing, Mr. Speaker, and I know all Members of the House join me in paying tribute to them today.

I would like to especially recognize the work being done by Mrs. Pat Mearns, who represents the organization, Association of Wives and Families of Captured and Missing American Military Men. Her husband, Maj. Arthur S. Mearns, was shot down over North Vietnam almost 3 years ago, and no word has been received of his whereabouts. Mrs. Mearns first came to see me over a month ago and asked for my help in bringing this problem to the attention of the House. I am pleased to have played a small part in this arrangement.

Mr. Speaker, I want also to pay tribute to the Fairchild Hiller Corp. and its president, Mr. Edward G. Uhl. Mr. Uhl, in a special newsletter to Fairchild Hiller employees, urged them to write directly to the President of North Vietnam requesting that humane treatment be afforded the prisoners it holds and that other provisions of the Geneva convention be followed. Fairchild Hiller Corp. has also placed full-page advertisements in several leading newspapers today, urg-

ing the American public to correspond with the North Vietnamese in this connection.

Mr. Speaker, before I yield to other Members who want to speak, I want to mention the concurrent resolution I have introduced today. This measure is cosponsored by 174 Members of the House and it calls upon the President, the Department of State, the Department of Defense, other concerned departments or agencies, the United Nations, and the people of the world to appeal to North Vietnam and the National Liberation Front to comply with the requirements of the Geneva convention.

Mr. Speaker, I ask permission to insert into the RECORD copies of the resolution adopted by the 21st Conference of the Red Cross and a resolution adopted by the 51st Annual National Convention of the American Legion, which met in Atlanta last month. I also ask permission to include at this point a translation of an article which appeared in the September 9, 1969, issue of *Le Figaro*, one of the leading French newspapers.

PROTECTION OF PRISONERS OF WAR

The XX1st International Conference of the Red Cross.

Recalling the Geneva Convention of 1949 on the protection of prisoners of war, and the historic role of the Red Cross as a protector of victims of war,

Considering that the Convention applies to each armed conflict between two or more parties to the Convention without regard to how the conflict may be characterized,

Recognizing that, even apart from the Convention, the International community has consistently demanded humane treatment for prisoners of war, including identification and accounting for all prisoners, provisions of an adequate diet and medical care, that prisoners be permitted to communicate with each other and with the exterior, that seriously sick or wounded prisoners be promptly repatriated, and that at all times prisoners be protected from physical and mental torture, abuse and reprisals,

Requests each party to the Convention to take all appropriate measures to ensure humane treatment and prevent violations of the Convention,

Calls upon all parties to abide by the obligations set forth in the Convention and upon all authorities involved in an armed conflict to ensure that all uniformed members of the regular armed forces of another party to the conflict and all other persons entitled to prisoner of war status are treated humanely and given the fullest measure of protection prescribed by the Convention; and further calls upon all parties to provide free access to the prisoners of war and to all places of their detention by a protecting Power or by the International Committee of the Red Cross.

Adopted by vote of 114-0.

(The International Conference of the Red Cross is held every four years and is the highest governing body of the Red Cross. Its membership consists of governments which have signed the Geneva Conventions of 1949, national Red Cross Societies, the International Committee of the Red Cross and The League of Red Cross Societies.)

FIFTY-FIRST ANNUAL NATIONAL CONVENTION OF THE AMERICAN LEGION

Resolution No. 35

Committee: Foreign Relations.

Subject: American Servicemen imprisoned by North Vietnam and the Viet Cong.

Purpose: To reaffirm American Legion concern for U.S. prisoners of communists.

Whereas, The American Legion, at 1968

National Convention, New Orleans, Louisiana, called upon the United States to make plans to insure the full and prompt release of all American servicemen now held by North Vietnam and the Viet Cong; and

Whereas, The American Legion deems it essential that the United States make the release of prisoners of war the first order of business in any negotiations with North Vietnam and the Viet Cong; and

Whereas, North Vietnam and the Viet Cong have completely ignored the request of the United States for the release of or information concerning U.S. servicemen held as prisoners of war; therefore, be it

Resolved: That The American Legion insists it is essential to any settlement of the Vietnamese War, at or prior to the time such arrangements are agreed to, that all parties involved in that war demonstrate their good faith in the search for peace by providing for the safe, prompt, and full return of all prisoners of war desiring repatriation, and by also providing a complete accounting for and identification of all persons who at any time during the hostilities had been taken as a prisoner of war.

[From *Le Figaro*, Sept. 9, 1969]

ANXIETY IN UNITED STATES CONCERNING FATE OF AMERICAN PRISONERS HELD IN NORTH VIETNAM

We have received during these last weeks a certain number of letters from American families with relatives who are prisoners in Vietnam and who have been without news of them for long months. The letters these families send have received no response.

Here, for example, is what one American woman has written us: "As the wife of a prisoner of war in North Vietnam, I beseech you to help me and those who are also in my situation. My husband has been a prisoner since June 17, 1966. As you know, the North Vietnamese have never published lists of prisoners they hold, and they have never given any information on the treatment of these prisoners."

An American man whose brother was taken prisoner in October 1965 has written us: "Hundreds of families have been without any information for years as to whether their relatives who are prisoners are still alive and are most anxious concerning their state of health..."

The signers of these letters asked us to make this situation, the pain of which one can guess without difficulty, known to international opinion.

We do it all the more willingly because this state of affairs is completely abnormal. The Government of North Vietnam in 1957 signed the Geneva Convention which defines the treatment that must be accorded to prisoners of war and combatants. This Convention prescribes among other things: the publication of the names of the prisoners, the immediate liberation of those who are seriously ill or wounded, inspections to verify the living conditions of the prisoners, the exchange of letters between the prisoners and their families.

The number of American prisoners is about 1,350, of whom 350 to 400 are held in North Vietnam. Fewer than 100 of them have been authorized to write to their families. This situation has led to the establishment in the US of a "National League of Families of American Prisoners in Southeast Asia."

It is inconceivable that a government which claims to fight for justice and liberty would violate rules that are designed to insure that a certain degree of humanity is respected for the well-being of those who have ceased being combatants.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I am happy to yield to my distinguished chairman, the gen-

gentleman from South Carolina (Mr. RIVERS).

Mr. RIVERS. Mr. Speaker, I want to commend the gentleman from Alabama for the effort that he has taken in this program to bring to bear on the bestiality of the savages of North Vietnam and what they are doing to human beings representing a civilization of kindness, of truth, of hospitality, and a generosity unknown and unparalleled in the history of the world.

Here is a nation, Mr. Speaker, which has not even practiced the simplest precepts of humanity to Americans in their own country. Prisoners of war—a constant parade of these men have come before our committee and borne mute testimony to the treatment that they have received at the hands of these savages. No names given—no report given—no nothing given of their conditions and their treatment, or anything—bringing heartaches, bringing tears—bringing troubles in the loneliness and the wantiness of their loved ones at home to see the last of their men who went off to war.

Mr. Speaker, if we can do one thing today to bring world opinion to bear on this nation known as North Vietnam to report to the world some semblance of civilized treatment of these men and some report of their conditions, we will have done a good job.

To the gentleman who is a member of the great Committee on Armed Services of which I have the great privilege of being the chairman, I promise to this Congress and to this country that we will keep up our efforts to bring to the American people every vestige of information that we can bring home to these loved ones.

Today I met two of these young men and heard their stories. You just do not know—it would make your heart burn and your hair curl and would bring out the kind of sympathy and commiseration such as no one has ever experienced, for our fellow countrymen.

So, Mr. Speaker, I want the gentleman to know that our committee will continue in the name of this Congress and the name of this House of Representatives, and as a spokesman for the House of Representatives, that we will continue our efforts to back up the efforts of this distinguished member of our committee.

We have had the assurance today from the Secretary of Defense that everything will be done—no stone would be left unturned and that the removal of the troops in Vietnam would be contingent in the final analysis—now get this—would be contingent in the final analysis on what Vietnam does to these men who are kept incommunicado and imprisoned in that savage part of the world.

So it is heartening to know that the President and the Secretary of Defense have given us this hope. I know the Congress applauds it and we will continue our efforts to try to free these men and bring home information as to their condition.

I applaud what the gentleman is doing and pledge him my continued support.

Mr. DICKINSON. Mr. Speaker, I thank the most distinguished and illustrious

gentleman from South Carolina (Mr. RIVERS). His words ring with a sincerity that no one can doubt.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I am very pleased to yield to the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts (Mr. McCORMACK).

Mr. McCORMACK. Mr. Speaker, I too join with the gentleman from Alabama and congratulate him for bringing this matter to the attention of the House of Representatives.

This is one of the great forums of the world of free people, where freedom, and freedom of expression exists.

The experiences of our prisoners of war are indeed intolerable. They violate not only international agreements but they violate the moral law and they violate the law of decency.

Not only are they treated under conditions that are inhuman but the failure in many cases to disclose the names of those who have been captured and whether or not they are living is an additional punishment for their loved ones in America.

This is a forum, as the gentleman from Alabama and the gentleman from South Carolina have well said, where public opinion on a world scale could be developed, and out of this special order today I hope there will be transmitted throughout the free nations of the world, and even penetrating Communist-controlled nations, the message that North Vietnam in the handling of these men should be humane, that they should treat them as human beings, and that they should live up to the international agreements that exist among the nations of the world. This is nothing but an illustration of what the Communist mind does.

Today we read in the newspapers a report that Vietcong contingents entered a small village yesterday in South Vietnam and cruelly killed some men, some women, and some children. We remember what happened at Hue not so many months ago, where over 3,000 human beings, women, men and children, civilians, were cruelly murdered. We know of the experience of the people of North Vietnam under Ho; tens of thousands—in fact, hundreds of thousands of persons have been murdered. We know of the migration of well over a million persons from North Vietnam to South Vietnam seeking safety. We know of the tens of thousands of persons in South Vietnam who have been murdered and kidnapped by the North Vietnamese and by the Vietcong. That is a part of the brutality of the Communist mind, and America should now realize that communism today is still bent on its purpose. Its tactics may change, but its purpose and intent of world domination never changes, because if that should change, then communism itself would change, and there is no evidence of any change in connection with international communism.

So we are dealing with a cold and vicious killer state of mind, and this is another illustration of that type of mind in practical operation.

But in this case we might by our voices today bring hope to the loved ones and the neighbors of those who are prisoners through the arousing of an enlightened public opinion. The presence today in the Chamber of so many Members shows the deep interest that is manifested in this important subject. I congratulate my friend and I congratulate my colleagues for being here in such large numbers on this occasion.

Mr. DICKINSON. Mr. Speaker, I want to thank my friend, my colleague and my Speaker, the most respected and eloquent Member of this chamber, for the comments which he has just given to us.

I would be very pleased at this time to yield to the minority leader, the gentleman from Michigan (Mr. FORD).

Mr. GERALD R. FORD. Mr. Speaker, I join with the Speaker and others who have spoken before and those who will be speaking subsequently to commend the gentleman from Alabama for taking the initiative, the leadership in obtaining this special order for this occasion today. Without his leadership I doubt we would have marked this occasion at this time. The attendance here today demonstrates that this is a most deserving and worthwhile cause.

In this Chamber we can, as we have in the past, help to mold public opinion both at home and abroad. We must let the world at large know that the Communist leaders in North Vietnam are violating the Geneva Convention as to the treatment of American prisoners of war.

We all recognize that the leadership in North Vietnam is dominated by dedicated Communists. We know from history that any nation that has such leadership—dedicated Communists—does not even provide for the safety of its own citizens. They are not safe.

As I was listening to the distinguished Speaker and the gentleman from Alabama, I recalled a Korean war incident. It was my privilege to accompany the then Secretary of State, Mr. Dulles, the then Secretary of the Army, Mr. Robert T. Stevens, and Gen. Maxwell Taylor in August of 1953 to Panmunjom to see the first return of American prisoners of war from North Korea. I stood on a hill and saw the first trucks come down from enemy territory bearing young Americans who had been held as prisoners of war.

Sad to relate, these young Americans who had served their country and had saved our cause had been badly mistreated. I watched their physical examination and I talked to some who had been prisoners of war for a long time. I came away completely convinced that Communist-dominated governments would be inhumane in the treatment of their own citizens, and would be inhumane as well in their treatment of prisoners of war.

Obviously, the record of treatment of our young men from the Army, Navy, Air Force, and Marines has been the same under the North Vietnamese as it was under the North Koreans.

I earnestly hope and pray that, as the result of this discussion in the House of Representatives, we can arouse world

public opinion to demand that the enemy in North Vietnam change its policy, release American prisoners of war, meantime treat them more humanely, and give us the information that would be consoling to those in this country who know not now whether their loved ones are dead or are held by the enemy.

I call here and now for North Vietnam to be tried in the court of world opinion on the charges which have been detailed in the resolution now before this House.

It is not only deplorable but despicable that North Vietnam, a signatory of the Geneva Convention, refuses to identify American prisoners they hold, refuses to release the sick and seriously wounded, refuses to permit impartial inspections of their prisoner of war facilities and refuses to permit the free exchange of mail.

The crimes against humanity of which the North Vietnamese are guilty make a mockery of their propaganda statements claiming that American prisoners of war are being given humane treatment by them.

The sins of omission and commission of which North Vietnam plainly is guilty stand as incontrovertible evidence that North Vietnam has violated even the most fundamental standards of human decency.

Conditions within North Vietnamese prison camps are shocking. We know it, and Hanoi knows it. The world also must know it, and the world must call North Vietnam to account at the bar of international justice. The pressure of world opinion counts for something, even among Communist nations. In this there lies a ray of hope.

The world must recognize and take full cognizance of the fact that more than 200 of our unidentified prisoners of war—POW's unidentified by their captors—have been held by the enemy for more than 3½ years. That is longer than any U.S. serviceman was held prisoner during World War II. In fact, some of our men have been in Communist prison camps for more than 5 years.

What kind of treatment are they receiving? We have the shocking experiences of three U.S. servicemen recently released by Hanoi as clear evidence of the torture to which they are being subjected.

Mr. Speaker, the pain and suffering not only of our prisoners of war but of their families and dear ones now speak to the world, and the world must hear that cry. If the United Nations were ever to justify its existence, then that organization must now move to have North Vietnam honor the Geneva Convention and accord our imprisoned men humane treatment.

I call on the world to speak out in the name of American prisoners of war and in the name of all humanity.

Mr. DICKINSON. Mr. Speaker, I certainly thank the minority leader for those very true and very stirring words and for his contribution to our discussion here today.

Before yielding to my very good friend, the majority leader, I would like to say that following the special order today, from 6 to 8 o'clock there will be a reception in the Caucus Room of the Cannon House Office Building, on the third floor, where the wives and families of those who are being held prisoners of war or

are missing in action will be able to meet and mingle with the Members of the House and our leadership in the House and members of the Joint Chiefs of Staff, all of whom have indicated they will be there or will be represented.

At this time I am pleased to yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I thank the gentleman for yielding. I thank him for the work he has done in making this hour possible in this Chamber.

We have played the low key for a long time on the matter of trying to reach the ears of the enemy with respect to the treatment of the boys who have been taken captive by North Vietnam in the Vietnam war. Not one single note, so far as any evidence has come to us is concerned, has been heard in Hanoi. The time for the low key is past.

The time for Americans to rise in indignation, to rally their own conscience and the conscience of decent men around the world, has come.

The time has come when we, through every avenue at our disposal and for whatever price it may cost, should insist and insure that our captured prisoners are treated like human beings in accordance with the Geneva Convention, and that families are notified.

If we fail, we fail the families who have given these men to the service of our country, we fail the men themselves, and we fail in our own responsibilities.

Mr. DICKINSON. Mr. Speaker, I should like to thank the majority leader for those stirring and eloquent words which have a ring of sincerity no one can doubt. He is a man whose opinions, once voiced, bear great weight. I certainly appreciate his contribution here.

I am very pleased to yield to the gentleman from Texas, a most august and revered member of the Veterans' Affairs Committee and of this House.

Mr. TEAGUE of Texas. Mr. Speaker, last Sunday four young ladies from Texas, after numerous wires to the North Vietnamese delegation, flew to Paris. These young ladies are not "sob sisters" and they are not critics of our Government. They would merely like to know, "Are we wives or are we widows?"

This trip was not a Government trip. This trip was sponsored by the Veterans of Foreign Wars in our country and by a private company in Texas.

Mr. Speaker, two of these young ladies have children 4 years old, who were born after their husbands were shot down. The other two have three children and two children.

These young ladies are very attractive, very articulate, and very wonderful representatives of our country. I talked with them yesterday afternoon about this time. They had just met with members of the North Vietnamese delegation, and they were very encouraged and very enthused that they were invited back today and it was intimated they would receive some very good information.

I talked with them about an hour ago, in Paris. They went back today and met with the North Vietnamese delegation. They were served tea and cookies and propaganda for 2 hours. They were promised that they would get a report

on their husbands. They were told that the North Vietnamese would see anybody who came from this country as long as they were not representing our Government.

Mr. Speaker, these young ladies were most disappointed this afternoon.

I believe this just further proves that the North Vietnamese Government is the cruelest government which ever existed in the history of this world.

Mr. DICKINSON. I thank the gentleman from Texas.

I will be very pleased to yield to the distinguished gentleman from Louisiana.

Mr. WAGGONNER. Mr. Speaker, I thank my friend from Alabama (Mr. DICKINSON) for yielding at this point in time so that I may express my personal appreciation to him for the leadership he has demonstrated by bringing into sharp focus at this hour, at this crucial point in our destiny, the crisis which faces us in a moral way as Americans. Really, we as Members of the Congress here in the House of Representatives and in the other body ought to be ashamed of ourselves for having possibly been negligent and somewhat silent this long. The inhumanity of the North Vietnamese to our fellow Americans who have borne the flag of this country abroad and who have worn so proudly the uniform of this great land is something which should disturb every man who has an ounce of moral integrity within him.

My remarks are brief but no less sincere. There are others who want to make an expression of their opinion. I want to confess my negligence for having waited so long to have taken the public position which we all take here today, but in confessing my negligence it does not mean I have been indifferent. I do beg and pray for forgiveness. I do not think any of us have really been indifferent, but have only wondered in our frustration what we ought to do. We have truly wanted to help and not endanger the welfare or lives of these great Americans. This effort to try to influence the conscience of the world in a matter involving American citizens I pray will succeed. It will have my wholehearted support. Every American who serves this country will always have my support as long as he wears the uniform of this country; and those we remember today, whether they are dead or alive, still wear, at least in memory in our hearts and minds, the uniform of this country. I am proud to acknowledge the service they have rendered me. I ask God's help for them and their loved ones who live in fear and doubt.

Mr. DICKINSON. Mr. Speaker, I thank the distinguished gentleman from Louisiana (Mr. WAGGONNER) for those heartfelt remarks.

I now yield to the gentleman from Tennessee.

Mr. QUILLEN. Mr. Speaker, I thank the gentleman from Alabama for yielding to me. I want to congratulate him on the fine job he is doing as a member of the Committee on Armed Services and for bringing this matter so courageously before the Members of this House and the people of America.

Mr. Speaker, I am honored to pay tribute to the gallant fighting men who so courageously have and are defending

our heritage. To those on the battlefield, to those as prisoners of war, and to those missing in action, we salute you.

I want to pay a special tribute, too, to the brave, loving wives, children, mothers, fathers, sisters, brothers, and other members of the families, who have so heroically and relentlessly continued to have hope. We know that they do have hope, for their presence here expresses their patriotism and faith. I want them to know that my heart is with them and that I, too, have faith and hope.

One of these courageous, loving wives and her understanding mother from my district are with us. They are Mrs. Grace Avery, the wife of one of these gallant fighting men listed as missing in action, and her mother, Mrs. Marion Carr, wife of the county court clerk of Washington County, Tenn.

The Averys have a lovely 2½-year-old daughter who is not here with her mother today, but she also has hope that her daddy will return.

Capt. Robert Douglas Avery began his service to his country in January of 1966. He was reported as missing in action on May 3 of 1968. This date corresponds with his last letter home which was written during that period of time. For the sake of Captain Avery's family and every other American family like his who have been long suffering, the North Vietnamese Government must be made to adhere to the provisions of the Geneva Convention.

For according to the Geneva Convention's provisions, prisoners of war who are members of the Armed Forces of the United States are to have their names released, to be able to receive and send mail, and to have the facilities inspected by the proper authorities.

The release of the names of the prisoners is the very common denominator of decency. How can the North Vietnamese Government be so cruel as to inflict misery and suffering upon innocent families of these men? How can they be so unsympathetic and unmerciful? Would a captured man be less of a prisoner if his name were released? No.

The release of the prisoners' names would ease the anxiety of the families, as would knowing that their well-being has been protected to as high a degree as possible under the Geneva Convention.

Furthermore, the free flow of mail should be allowed in order that the servicemen and their families can establish basic communication. People cannot survive without the minimum of hope and comfort. Think of the reassurance of a letter from home—it could mean the difference between estrangement and adjustment upon release—or the difference between the will to live or the willingness to die.

The human condition requires certain basic treatment commensurate with the dignity of the soul. It seems only fair to ask that our prisoners be given humane treatment. It is hard for us at home to realize the way of life which would not accord these rights without question, for that is the basic premise of our Constitution and Bill of Rights.

In any case, let it be known that the situation of these men and their families will not be forgotten. Their bravery and

courage in these most trying of times is admired greatly. We, in this Chamber, as well as the whole Nation, share your burden of anxiety and grief. I only hope and pray that soon our gallant men can be reunited with their families.

Mr. DICKINSON. I thank the distinguished gentleman from Tennessee, Mr. Speaker.

Mr. Speaker, as anomalous as it may seem to some people and unknown as it may be to some within the hearing of my voice, it is nevertheless the rule of this House that it is improper for a person in the gallery to be recognized from the floor of the House. That being the case, Mr. Speaker, I shall not attempt to recognize two heroes of our country who were just until 3 weeks ago prisoners of war but who were released just recently by the North Vietnamese and who did speak out about the conditions and their treatment and torture while prisoners of the North Vietnamese. Of course, I refer to Lt. Robert Frishman and Seaman Douglas Hegdahl who are with us today.

Mr. Speaker, I have today introduced a resolution. It is introduced on this side of the Capitol and it will be concurrently introduced on the Senate side.

The resolution reads as follows:

Whereas the United States Government and the Republic of Vietnam have continuously honored the requirements of the Geneva Convention relating to the treatment of prisoners of war;

Whereas the United States Government has repeatedly appealed to North Vietnam, and the National Liberation Front of South Vietnam to respect the requirements of the Geneva Convention which North Vietnam has endorsed;

Whereas the North Vietnamese and the National Liberation Front of South Vietnam have disregarded the provisions of the Geneva Convention and refused to release the names of prisoners of war who are members of the Armed Forces of the United States, to permit the regular flow of mail to or from those prisoners, and otherwise to accord humane treatment to those prisoners, and to permit inspection of the facilities in which those prisoners are held: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President, the Department of State, the Department of Defense, and all other concerned departments or agencies of the United States Government, the United Nations, and the peoples of the world to appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to take such steps as may be appropriate to obtain the prompt release of all members of the Armed Forces of the United States so held as prisoners of war.

Mr. Speaker, there can be no doubt of the humanity and the feelings of the Members of the House of Representatives, and I am very pleased and extremely proud to report that this resolution is cosponsored by 175 Members of this House as of the time I dropped the resolution in the hopper today.

May I say further, Mr. Speaker, that I can think of no instance when we have gotten more cooperation and enthusiastic support for any endeavor than we have from this administration and from the Department of Defense in our efforts in this venture. Not only has the Secretary of Defense been present on the

floor today during the debate, and has spoken to many of the people who have flown here from all over the country to be with us, but I am in receipt of this telegram today, signed by the Secretary of Defense, which reads:

SEPTEMBER 17, 1969.

The Department of Defense shares your concern for the welfare of the more than 1350 United States servicemen who are listed as prisoners of war or missing in action in Southeast Asia. The fact that the Members of Congress are focusing attention on the inhumane treatment of American prisoners held by North Vietnam and the Viet Cong is a source of encouragement to the hundreds of wives, children and parents who have lived for five years not knowing the status of their loved ones.

And he is speaking for the President of the United States.

Mr. Speaker, I am very pleased at this time to yield to the gentleman from Ohio (Mr. ASHBROOK).

Mr. ASHBROOK. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I certainly want to associate myself with the work that has been done in regard to this subject and on the statements that have been made. Some of the statements bear repeating. I particularly would like to reiterate what I feel is one of the most penetrating and searing statements made, that by the able and distinguished minority leader, and possibly expand on it.

Mr. Speaker, the minority leader pointed out that any nation or any group like the Communists who would treat their own people so inhumanely could probably not be expected to treat our prisoners any better. I believe sometimes we overlook the fact that the Communists treat their own people inhumanely. That is their way of life. That is the way they have always operated.

I myself have carried on correspondence for the past 5 years with the State Department and with the Defense Department regarding prisoners, and prisoners of war in Red China, not just in Vietnam and not just in Korea.

We still have prisoners of war who we believe are in the hands of the Red Chinese. We have reason to believe there is one Catholic priest still in the hands of the Red Chinese. They will not tell us this. We glean these reports from people who come from China. That is the way they have operated historically during the past 20-odd years.

Mr. Speaker, I will say to the gentleman who has led this wonderful fight for more humane treatment for prisoners of war, I am what is considered a hard-core anti-Communist. I plead guilty to that charge—I am a hard-core anti-Communist.

I would tell a little story which I think is typical as to why so many of us are duped throughout the country.

It was 20 years ago next month that I entered Harvard University. I will recall one day in class when a very prominent professor told those of us in the class that we ought to go that night and hear a speech on campus by a very well-known person in the country. It was said that this man was a Communist. Of course, he was not a Communist. We were urged to go out. I went out and

listened to that gentleman. He made a lot of sense. I was a very impressionable young man.

You know, some 2 months later this particular speaker of the evening had smuggled away on a Polish ship—I remember the name—it was the *Batory*, and he went behind the Iron Curtain and assumed a leadership position in the Communist East German Republic until he died about a year ago. That man was Gerhardt Eisler.

Many people were duped. I, myself, was duped. I think from that point on, I became interested in communism. I think many in our country are at the present time unaware of the true nature of communism. From that time, I would say, I have maintained my interest in communism and a thing that interested me the most and I would reiterate what was said here—why we do not come to the conclusion that we cannot expect much more from the Communists? We are not dealing with civilized people and it is only going to be through influencing public opinion and through the efforts that we are making here today in this type of work that we can possibly bring to the attention of this country and to the world the true nature of communism.

I am certainly appreciative of everything that has been said. What happens in North Vietnam is not unusual. It is not hard to explain. It is the logical result of communism. I think, if nothing else, maybe we can shatter the myth today and show just the way that the Communists operate and possibly hold out hope for more humane treatment for our prisoners.

Mr. DICKINSON. I thank the gentleman.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Speaker, I rise proudly in support of the resolution proposed by my distinguished colleague, the gentleman from Alabama (Mr. DICKINSON).

The recent release of three American prisoners of war by Hanoi has confirmed our fears regarding the quality and humanity of the treatment they received at the hands of their North Vietnamese captors. It reinforces the torment of all those American families whose sons and husbands are missing in action and known, or feared, to be captives.

The standards of treatment described by returning servicemen have been far below the standards prescribed by the Geneva Convention, which has been signed by the North Vietnamese:

Prisoners are subjected to cruel and inhuman treatment.

Their injuries are not given proper medical care.

Meals are insufficient to maintain health.

The mental and physical abuse they receive defies any definition of "humane."

We have negotiated with the Communists long enough in Hanoi and earlier in Korea to know they are master psychologists. They place no value on that which Americans hold most dear—human life. They brazenly use the uncertainties of

the welfare of American prisoners of war to make their families pawns in a cruel game of international psychological warfare. Because of our compassion, Hanoi is able to force an impotent America to negotiate in the human interest against our national interest. Hanoi can conduct the war this way because it is contrary to our principles to retaliate in kind. Hanoi places no value on the lives or welfare of her own prisoners of war.

The families and friends of American servicemen missing in action or prisoners of war have good cause to be concerned about their husbands, sons, and neighbors. They have heard the testimony of returned POW's. They have heard the testimony of the 82 members of the *Pueblo* crew, their callous treatment, their battles to retain their health and sanity. They have seen their loved ones on Hanoi's propaganda films.

Hanoi has refused to release the names of all the prisoners she holds.

Hanoi has refused to confirm the number of American prisoners she holds.

Hanoi has refused to admit which known captives are still alive.

Hanoi has refused to permit Red Cross or other international inspection of POW camps.

Families write regularly; letters returned undelivered from Hanoi.

Wives send photos of sons their fathers have never seen; returned from Hanoi.

Warm clothing is shipped to ward off the bitter Asian cold; returned from Hanoi.

Foodstuffs and Christmas packages are sent through the International Red Cross; returned from Hanoi.

When will the names of Americans held captive be returned from Hanoi?

When will evidence of humane treatment for American prisoners be returned from Hanoi?

When will American servicemen be returned from Hanoi?

We think the time is now.

Mr. Speaker, I would like to read to you a statement that I received at 3 o'clock this afternoon from Comdr. Lloyd Bucher of the U.S.S. *Pueblo*:

STATEMENT FROM COMDR. LLOYD BUCHER, CAPTAIN OF THE U.S.S. "PUEBLO", SEPTEMBER 17, 1969

I cannot talk to the legal aspects of the treatment of prisoners by North Vietnam. Nor do I know more than has been reported in the news concerning the treatment received by those servicemen who are presently there. However, if the North Vietnamese accord prisoners the same treatment that is meted out by their sister regime in North Korea, then I can discuss the subject knowledgeably. More U.S. prisoners of war died in the Korean war than in any war in which we have been engaged. But this was the first time we directly engaged a country whose basic premise is the communist military dictatorship. North Vietnam is under the rule of the same type of Communism. In past wars, the enemy were basically people in the ranks, soldiers and sailors who bore us no individual personal hatred. That is not true with the average Communist soldier. From the cradle they are fed the most fantastic lies imaginable about the people of the United States. They have no other source of information, and no one dares to question. Then what treatment can we expect from them? Remember, it is the highly indoctrinated soldier that is guarding their prisoners,

preparing their food, seeing to sanitation and administering medical treatment. Brutality can be expected and brutality is what the prisoner will receive in most instances. People under Communism are continuously indoctrinated and believe that only when we as a nation cease to exist, will there be happiness in the world. The man on the street in North Korea believes this with all his being. In short, any treatment that the usual guard in North Korea inflicts on a prisoner less than brutal murder, he considers humane because, after all, hasn't he been told from his very beginning that cruel death is all any American deserves.

On the positive side, I have an overwhelming faith, generated from my own experiences, that our servicemen can and will survive. The American serviceman is endowed with the peculiar quality of being able to find enough humor in the worst of situations to buoy him over the toughest imaginable circumstances. His humor, together with his faith in his God and his Country, and his love of family and friends produce in him as tough a man as has ever been born on this earth. To all the wives, children, parents and friends of servicemen who are prisoners of the North Viet I ask you to have faith in him and his ability to survive. Remember, too, that he is more concerned about your suffering and mental anguish than he is about his own problems.

Mr. DICKINSON. I thank the gentleman for bringing us this, I am sure, inspiring, reassuring, and comforting message from Lloyd P. Bucher, and I would like to say—not belatedly, because I did say so at the time—that his efforts were in a very large part responsible in securing the release, through such public interest and world opinion, of the crew of the *Pueblo*.

I am pleased to yield to the gentleman from Texas (Mr. FISHER).

Mr. FISHER. Mr. Speaker, because of the time situation, I can only underscore and associate myself with everything that has been said here this afternoon. In my judgment—and I am sure that is shared by all the Members of this body and of the entire Congress—I feel confident that practically all the American people agree that the most important one thing facing this Nation today is the recognition of this need for disclosure of information withheld by the Communists with respect to the prisoners of war, and the matter of the treatment that those prisoners are receiving. That is first, foremost, and paramount on the agenda of the issues facing this Nation today, and I think here in this forum this afternoon at least there has been a start, at least there has been an effort. The alarm has been sounded. The bell has been rung in an effort to direct world opinion in this forum of public opinion in America that may result in the realization of some progress in this No. 1 objective before the Nation today.

I commend the gentleman from Alabama for bringing this matter to the attention of the Congress and the Nation, and I hope and pray that it may bear fruit.

Mr. DICKINSON. I thank the gentleman.

I am pleased to yield to the gentleman from Illinois (Mr. ANDERSON).

Mr. ANDERSON of Illinois, Mr. Speaker, I thank the gentleman from Alabama for yielding.

Mr. Speaker, on Tuesday, August 12, I

introduced in this Chamber a resolution concerning the treatment of prisoners of war by the Government of North Vietnam, and requested that my colleagues join me in giving it unanimous consent. The resolution expressed deep concern over the inhumane and deliberately cruel treatment accorded to American prisoners of war by the Hanoi regime, and requested President Nixon to convey the sense of the Congress on this matter to the Communist regime in North Vietnam, to the participating states of the Geneva Conferences of 1954 and 1962, to the states adhering to the 1949 Geneva Conventions, and to the member states of the United Nations.

Up to this time, the Hanoi government has publicly stated that American prisoners of war receive adequate and proper care. But they have refused to permit impartial inspection of prison facilities which would verify such claims. This refusal is in direct violation of the Geneva agreements, and it is only one of several such violations.

Article 122 of the Geneva agreements states specifically that both parties in the conflict shall establish information bureaus to inform governments and families of the status and condition of prisoners. As you all know, Hanoi has persistently refused to establish any such bureau, or even to identify those men who have been captured and are being held as prisoners of war. At present there are more than 1,300 American servicemen listed as missing in action. Of these, less than 350 have been identified as prisoners through news photos released by the North Vietnamese and neutral press. We cannot even be sure that all those identified in the photographs are still alive, for some of the pictures showed severely wounded men.

Mr. Speaker, I feel, and I am sure that every Member present in this Chamber agrees with me, that there can be no excuse for the purposeful and deliberate cruelty of the Hanoi regime in this matter—not only to the prisoners themselves, but to their families and loved ones who receive almost no word of them. They must live in doubt from day to day, and Hanoi has clearly made no effort to alleviate this doubt.

On July 3, when Radio Hanoi announced that North Vietnam would release three American prisoners in recognition of Independence Day in the United States, hundreds of families began to hope that their sons or husbands would be among the three to be returned. Their anxieties were prolonged for 32 days, and then tragically shattered for all but the relatives of these three men. We can be thankful for the return of these three men, but let us not forget the heartlessness inflicted on the families and friends of so many others.

These are not the only examples that could be cited. Hanoi has shown time and again that it is willing to use captured American servicemen as propaganda tools, but not to accord them the basic dignity and decency which are due them as human beings and prisoners of war covered by the Geneva Conventions. The U.S. Government has done all in its power to render just and fair treatment to captured enemy soldiers in the

Vietnam conflict. The Hanoi regime and the National Liberation Front of South Vietnam have not reciprocated this respect. This is more than a matter of honor among governments. It is a matter of decency among men.

Mr. Speaker, I urge unanimous passage of this resolution, and pray that the Government of North Vietnam will heed the still, small voice of conscience speaking through the wind and fire of war.

Mr. DICKINSON. Mr. Speaker, I thank the gentleman from Illinois for his comments.

Mr. Speaker, may I say for the information of those who are here to participate that while I do have only 60 minutes, I took the precaution of getting a backup 60 minutes to enable everybody who is here to express himself and participate in this special order. So if my time expires, I will be followed on the scene by my colleague, the gentleman from Alabama (Mr. EDWARDS), who has an additional 60 minutes, so all Members will be recognized and given an opportunity to participate in this most important and vital function of our Congress.

Mr. Speaker, at this time I yield to the gentleman from Florida (Mr. GIBBONS).

(Mr. GIBBONS asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. GIBBONS. Mr. Speaker, I appreciate the gentleman yielding. I shall be brief, because I know a great many other Members in this body wish to speak.

Mr. Speaker, I commend the gentleman from Alabama (Mr. DICKINSON) for his leadership in taking this special order in order to bring this issue before the Congress and the world, and to dramatize this issue before Congress and world opinion.

Many of us in this body are old soldiers and all of us know that war is cruel. We know many cruel things are done in war and in the heat of battle that would not be done otherwise. But we are not now talking about the heat of battle. We are talking about people who are perhaps prisoners of war. They are removed from the heat of battle, where rational decisions can be made by those who are in contact with them.

I can think of nothing that is more irrational, nothing that is more cruel than to withhold from another government simply a list of the names of those people, where they are held, and what their immediate physical condition is. I can think of no way for the people of North Vietnam to present themselves to the rest of this planet as civilized human beings, wishing admission into the family of nations of this planet, when North Vietnam will not do that simple and direct act. I am shocked and appalled by it.

Mr. Speaker, there are 14 ladies who have come to Washington today from my congressional district, who represent 14 families, and there are really more than that who have come from my district who are here to help out in this cause. At this time I insert a list of the names of these women from Tampa who are in the House Gallery:

Deborah Herr, Mary Brennan, Patricia Goodrich, Lynda Gray, Kathleen Karl, Hazel Keirn, Phyllis Kline, Patricia Lund, Sue MacCann, Laura Robinson, Patricia Scharf, Margaret Smith, Patricia Trier, and Donna Wilson.

Mr. Speaker, I have little hope that the North Vietnamese Government is going to listen to this plea for human decency, however vividly we may phrase or vehemently we may press our condemnation of their inhumane treatment of our fighting men who are now their prisoners. But I think we should pass this resolution and resoundingly, so that world opinion may note it even if the North Vietnamese do not.

They, the North Vietnamese, have violated every canon of international law, and the Geneva Convention in particular.

Under the patent evasion that this is something less than a war, they claim such provisions do not apply. They claim that they do not have to allow an impartial inspection of their prison camps, they do not have to admit mail from distressed families, release the injured or severely wounded, or, worst of all, even identify the men they hold. Only a civilized conscience could compel them, given the present situation, and they obviously do not have that.

Yet, we should speak and I join my colleagues in this attempt to halt the barbaric and uncivilized mistreatment of our captured men. I hope that current peace efforts will succeed. I hope that the maltreatment of our soldiers will likewise cease.

Mr. DICKINSON. Mr. Speaker, I thank the distinguished gentleman from Florida.

Mr. Speaker, at this time I yield to the distinguished gentleman from Alabama (Mr. BUCHANAN).

Mr. BUCHANAN. Mr. Speaker, I commend my distinguished colleague from Alabama for his meritorious leadership in this important matter. Our hearts go out to the wives and other loved ones of American prisoners of war and of those listed as missing in action. Our efforts here shall be matched by our prayers for the safety, the welfare, and the ultimate safe return of these brave men.

It is with very grave concern that I join my colleagues in the House of Representatives today in denouncing North Vietnam and the Vietcong for the utterly inhumane treatment which prisoners of war have received at their hands. We call the attention of our fellow citizens of the United States and of the entire free world to North Vietnam's blatant and continuing disregard for the Geneva Convention's prisoner of war provisions in the sincere hope that an aroused world public opinion can result in sufficient pressure to change this terrible situation.

I know that all those who heard the testimony of the two American Navy men recently released from prison by Hanoi already share our shock and indignation over the brutal treatment of prisoners which they described.

While the testimony of these two men has dramatized such treatment recently, it has apparently been going on since the beginning of the conflict in Vietnam. In further disregard for the provisions of the Geneva Convention the North Vietnamese have consistently refused to re-

lease the names of prisoners of war, to permit the regular flow of mail to or from those prisoners, and to permit inspection of the facilities in which those prisoners are held. The families of most of our prisoners of war there literally do not know whether they are dead or alive. In response to last spring's public request by Secretary of Defense Melvin Laird for a free flow of mail between prisoners and their families and for a list of prisoners, without which it is impossible to even know the fate of many who are missing in action, Hanoi refused to promise anything until U.S. troops are withdrawn. A similar refusal was given to Ambassador Lodge's request this past week for impartial international inspection of the prisoner of war camps.

Mr. Speaker, war is always a terrible and a tragic thing which brings grief to the families of those who make sacrifices such as are being made by our gallant fighting men in Vietnam. But the nations who endorsed the Geneva Convention expressed their conviction that neither the inhumane treatment of prisoners or the endless heartbreak of families who do not know the fate of a loved one listed missing in action due to information withheld by such a barbaric government as that of North Vietnam have to be or should be among the horrors of war.

The U.S. Government and the Republic of Vietnam have continuously honored the requirements of the Geneva Convention relating to the treatment of war prisoners and have repeatedly appealed to North Vietnam, which also endorsed the Geneva Convention, to do likewise.

On this day we again join in a fervent appeal to North Vietnam and the National Liberation Front to comply with the Geneva Convention tenets and afford humane treatment to prisoners of war. So that there will be no question as to the deep concern of the U.S. Congress about this critical matter, we have also joined in sponsoring a concurrent resolution which formally states our hope that all concerned persons in the U.S. Government, the United Nations, and throughout the world will join in this appeal. I respectfully urge prompt and favorable consideration of this concurrent resolution by the Congress.

(Mr. CONABLE (at the request of Mr. BUCHANAN) was granted permission to extend his remarks at this point in the RECORD.)

Mr. CONABLE. Mr. Speaker, I have little to add to the many eloquent expressions of support today for our missing and our captured comrades in Vietnam. No thinking American would not wish them well and reunited with their families. They are beyond our control, but it is reasonable to hope that the concerns we express today will reach the ears of their tormentors and help to persuade them that the road to peace cannot be built on disregard for the most basic tenets of humanity and international law.

I would like to add one anecdote from my personal experience to underscore the inhumanity of the policy of the North Vietnamese with respect to American prisoners. Shortly after I was elected to this body the family of a downed

American military pilot asked me to confirm a report that he was dead. I checked with the service involved and was advised that the missing man's plane had been hit by a Russian-built Sam missile and that he could not possibly have survived the resulting explosion. A search for the body had been to no avail, but the service decided he was dead. More than a year later that family received a letter from the man in a North Vietnamese prison, saying that he was alive and had largely recovered from his wounds. I do not believe that family has heard from him since that letter. What are they to think? Do they have hope? My heart goes out to them, and to the many families like them for whom grief and despair can be assuaged only by the kind of information any civilized nation would make available as a matter of course about prisoners of war within its control. Certainly we can deal with reliance and good will only with civilized nations, and I pray that North Vietnam will receive this message from our meeting here today. The quest for peace cannot ignore inhumanity such as has been here described.

Mr. DICKINSON. I thank my colleague from Alabama for his very worthwhile contribution.

May I say, before yielding to any other Member, right now we have more than 200 cosponsors of my resolution. We still have room for more. I have a copy of the resolution. Any Member who wishes to contact me, who would like to cosponsor this resolution, should know it is still open for signatures.

Mr. Speaker, I now yield to the gentleman from Virginia.

Mr. DANIEL of Virginia. Mr. Speaker, I desire to commend the gentleman in the well for the leadership which he has exhibited, and to associate myself not only with the remarks which he has made but also those of others who have spoken prior to this time.

Five of these 1,300 missing men or prisoners of war are from the Fifth District of Virginia which I have the honor to represent. Their families, as is the case with the others throughout this great country, pray and hope and wait.

We in this Congress and others throughout the free world must not fail these young men, because if we fail them we fail our country, we desecrate our heritage, and we betray our posterity.

Mr. DICKINSON. I thank the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. DICKINSON. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, I am indeed grateful to my colleague from Alabama (Mr. DICKINSON) for taking the lead in bringing this matter of the treatment of American prisoners of war by North Vietnam to the attention of the Congress and the Nation. In my judgment, Mr. DICKINSON is to be commended for his initiative and concern in this matter.

In this regard, I am both pleased and proud to join my colleague and the more than 90 Members of the House of Representatives who have agreed to cosponsor this resolution today and to speak out in

behalf of those American prisoners and men who are listed as "missing in action," many of whom are thought to be captives.

As we all know, the Geneva Convention extends to prisoners of war certain rights so that, in captivity, they might retain a measure of human dignity and survive such an ordeal. Those of us who have ever served in the armed services also know that, for a serviceman, being captured by the enemy is one of the most traumatic, demoralizing, and degrading experiences that can ever occur to a man in a combat situation.

During the time the United States has been engaged in the war in Vietnam, this fate has fallen on more than a thousand U.S. fighting men. But, because of the Government of North Vietnam's steadfast refusal to abide by any of the provisions of the Geneva Convention or to otherwise cooperate in any way on this question, we have no way of knowing for certain just how many Americans they are actually holding.

On the other side, the United States and the Government of South Vietnam have made every attempt to abide by the Geneva Convention with regard to the processing and treatment of the prisoners taken by them.

Recently, we had the opportunity to hear from two released Navy men who had been held captive in North Vietnam, on just how our men are being treated in captivity. Their stories of cruel and inhuman treatment are shocking—shackled in chains, poor and insufficient food, inadequate medical care, and barbarism to the extent of even tearing out their fingernails.

As a result, North Vietnam's image has been badly tarnished in the "court of world opinion," but I seriously doubt that this has had any effect on the treatment of those I call "the forgotten men of the Vietnam war." While our purpose today is primarily directed toward stirring public and world opinion so that our fighting men might receive their full rights under the Geneva Convention, I believe far more can and should be done to correct this basic injustice and secure the release or exchange of all prisoners held by both sides in Vietnam.

Both the present and the previous administration have made strong efforts to negotiate the question of prisoners of war, but the Government of North Vietnam and the National Liberation Front have flatly refused. I think the time has arrived for concerned people throughout the world to start asking "Why"?

Certainly, if North Vietnam is genuinely concerned about reaching a settlement, they should agree to demonstrate their good faith by arriving at a mutual arrangement to at least exchange information regarding the prisoners held by both sides. Is this too much to ask of the Government of North Vietnam? Or, are they more concerned about perpetuating their past record of cruelty and degradation on those human beings who have been caught up in the agonies of war?

In the final analysis, this resolution which is before us today is an expression of faith that these American fighting men have not and shall not be forgotten.

And, in addition to urging its passage, I urge every concerned American and every representative body in this Nation to go on record supporting it as well.

Mr. FEIGHAN. Mr. Speaker, on February 5 it was my unfortunate task to advise Members of this House that the road to peace at Paris would be long, difficult, and, at times, frustrating. Taking this view, I insisted that the subject of repatriation of U.S. prisoners, then in the hands of Hanoi, be given early priority. In addition, that if there was any sincerity on the part of Hanoi to discuss peace, it be tested by the prisoners-of-war issue.

At this time, we have no definite count on survivors, and no information concerning their health. In view of what happened in Korea, and from what little information there is available on the present situation, we are led to believe the worst.

In Korea, the prisoners-of-war issue was left as the last item on the agenda for discussion, and it took over 2 years to resolve. Admiral Joy, our chief negotiator at Panmunjom, Korea, has stated that throughout the long arguments over the exchange of prisoners, the Communists engaged in every nefarious practice known to them. They lied; they blustered; they became vindictive; they twisted, distorted, and denied the truth; they delayed; and, they threatened. In the end, Admiral Joy concluded that the enemy was using the almost endless negotiations to screen the preparation and occupation of almost impregnable defensive positions. Only when it became apparent the United States was running out of patience in negotiations did the enemy abandon their deceitful and dilatory tactics and address themselves to the issue at hand: prisoners of war.

Mr. Speaker, I strongly endorse this concurrent resolution calling for all concerned departments or agencies of the U.S. Government, the United Nations, and the peoples of the world to appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to take such steps as may be appropriate to obtain the prompt release of all members of the Armed Forces of the United States so held as prisoners of war.

The passage of this resolution may help to prevent the recurrence of the mistake made in Korea of considering the issue of prisoners the last item on the agenda.

Mr. BINGHAM. Mr. Speaker, the treatment of American prisoners of war at the hands of the North Vietnamese is a matter which continues to sadden and disturb all Americans. I am shocked at each new bit of evidence which emerges indicating the inhumanity and callousness of the North Vietnamese leaders, and I want to take this opportunity along with so many of my colleagues in the House to express my sympathy with the friends and families of our men believed held by the Vietnamese. The very fact that we do not know how many Americans are alive in North Vietnam, who those men are, and what their con-

ditions are, is mute testimony to the painful and deplorable limbo in which American prisoners of war and their families are being held by the North Vietnamese. Less than 100 American prisoners have been permitted to write to their families—and then only once or twice a year. Only a fraction of the remaining prisoners have been identified—many of those through their appearance in North Vietnamese propaganda films which are, themselves, clear violations of accepted international standards of humane prisoner-of-war treatment.

Numerous appeals have been issued by the Secretary of Defense and the Secretary of State for improved treatment of these American prisoners. These very same officials, however, also devise and implement our continuing "maximum military pressure" attitude in seeking negotiated settlement of the hostilities. The North Vietnamese have responded with little more than—in the words of Defense Secretary Laird—"a series of contrived broadcasts" representing "feeble gestures" that are "no substitute for the humanitarian guarantees that we are seeking." While there can be no justification for such attitudes on the part of the North Vietnamese, demands coming from the very officials in our Government who are directing American military actions in Vietnam are not the most compelling.

I think it is high time that those of us in the Congress and elsewhere who have long and vociferously opposed American involvement in this war take up the appeal to North Vietnam on behalf of our POW's. I would certainly place myself in that category. I have opposed the strategy of maintaining maximum military pressure on North Vietnam as a means of inducing a settlement. I have taken the position that the only way to bring this unfortunate war to a close is to halt the killing, and to move in that direction the United States should declare an immediate cease fire.

I am pleased to say that an increasing number of Americans, both within and outside the Government, support this general point of view. We have and will continue to exert every pressure and influence we can upon responsible officials of the executive branch who are conducting the American role in this war to follow the course we support.

The leaders of North Vietnam could make a real contribution to efforts by our own people to end American military involvement in the affairs of Vietnam by immediately revising its policies and actions regarding the treatment of American prisoners of war in its custody. The first step by the North Vietnamese should be to release immediately a detailed list of all American prisoners in their custody and to permit them to communicate freely with their families by letter. Thereafter, it would hopefully be possible to negotiate ground rules for the regular inspection of prisoner-of-war facilities in North Vietnam by impartial international teams.

In 1968 North Vietnamese leaders called off scheduled trials for several downed American flyers. It is interesting to note that they did so after several American and international "doves"

urged them to. I am hopeful that they will respond in a similar manner now with regard to their treatment of all American prisoners. I understand that, in 1968, the Secretary General of the United Nations, U Thant, played a very significant role, and I hope he will again use his considerable influence to assist in obtaining more humane treatment of American prisoners of war in North Vietnam. Along similar lines, I strongly agree with a view expressed some weeks ago by the London Times that it would also be helpful for the neutral nations of the world to use their influence with Hanoi in this regard.

As an expression of my deep concern over this problem, and my sympathy for the men involved and their families, I am submitting the following resolution:

CONCURRENT RESOLUTION

Whereas the North Vietnamese and the National Liberation Front of South Vietnam have disregarded the provisions of the Geneva Convention and refused to release the names of prisoners of war who are members of the Armed Forces of the United States, to permit the regular flow of mail to or from those prisoners, and otherwise to accord humane treatment to those prisoners, and to permit inspection of the facilities in which those prisoners are held;

Whereas the United States Government has repeatedly appealed to North Vietnam, and the National Liberation Front of South Vietnam to respect the requirements of the Geneva Convention, which North Vietnam has endorsed; Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President, the Department of State, the Department of Defense, and all other concerned departments or agencies of the United States Government, should appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war, should take such steps as may be appropriate to obtain the prompt release of all members of the Armed Forces of the United States so held as prisoners of war, and should appeal to the peoples of the world and to the Secretary General and appropriate bodies of the United Nations to support these objectives.

Mr. FOREMAN. Mr. Speaker, I commend and compliment the distinguished gentleman from Alabama, (Mr. DISKINSON) for his leadership in the introduction of this concurrent resolution today condemning North Vietnamese treatment of American prisoners of war. Even though I introduced a similar resolution in this body on September 11, I am pleased indeed to join in cosponsoring this resolution expressing the outpouring of indignation across this country, and in fact around the world, over the barbaric and uncivilized treatment afforded the prisoners of the North Vietnamese Communists. It is encouraging and reassuring to me, and to the families of the valiant and brave Americans who have given their lives, those who are now serving, and those who are prisoners, to see this overwhelming congressional expression and demonstration of our concern and plea for the compliance with the Geneva Convention Provisions on Prisoners of War, which was agreed to and signed by North Vietnam in 1957.

Mr. BUSH. Mr. Speaker, as I strongly believe it necessary that Vietnam and

the Vietcong provide more humane treatment for American captives, I fully concur with the spirit of the resolution introduced by my distinguished colleague (Mr. DICKINSON).

It is through such forthright actions, I think, that we can arouse public concern across the country and create an even greater awareness amongst the American people as to the uncivilized and barbaric treatment now tendered American POW's and MIA's. It is unjust; it is unjustifiable. Certainly it is not in accord with specific provisions of the Geneva Convention.

In inflicting inhumane treatment on American prisoners, the Government of North Vietnam and its allies in South Vietnam have violated fundamental standards of human decency and have grossly deviated from recognized concepts of international agreements on prisoners of war.

I commend my colleague (Mr. DICKINSON) for his effort in bringing the plight of our prisoners to the attention of all thinking Americans. Truly it is a plight on which the attention of all Americans should now be focused.

Mr. CARTER. Mr. Speaker, it is my feeling that all Members of Congress should be concerned with the 1,329 men captured, or missing in action in the Vietnam war. Most of these men are probably prisoners of war.

I submit that we, as representatives of the people, should bring to the attention of governments throughout the world that North Vietnam does not release the names of the prisoners it has, and that we do not feel these prisoners are treated as the Geneva Convention requires.

We should bring the harsh treatment accorded our prisoners before the bar of public opinion throughout the world in order that they be informed of the mistreatment rendered to our captured soldiers by North Vietnam.

The impact of the power of world opinion may well force North Vietnam to give humane treatment to our unfortunate men, and not only that, but it could well influence them to list the names of our men who have been captured.

I enclose an open letter from concerned Americans for the perusal of the Members:

REUNITE OUR FAMILIES GROUP,
Downers Grove, Ill., September 17, 1969.
To the Members of Congress:

Concern over the 1,329 lost men of the war, Prisoners of War and Missings in Action, is expressed each day across this country. Letters from fathers, mothers, sons, and daughters reach the desks of newspapers and Congressmen, all carrying the same message, speaking of the suffering of the families of these "lost" men. For over 900 families hangs the dark curtain of not knowing—not knowing whether a husband or son or brother or friend is alive, let alone well; the vacuum that exists for a two year old child who has never seen his daddy but prays some day to find him.

It is time for an accounting. It is time now that all America speak forth to the rest of the world and demand that North Vietnam give an accounting of these men. Only when the rest of the world shares the anguish and tears of these families will Hanoi be swayed to change its course.

On behalf of these men who fought so valiantly for their country, and their families, we urge you, as a representative of the American people to speak out publicly, and inform the American public of the tragic plight of POWs and MIAs. We urge you to take the lead in helping stimulate the world opinion to help these men. We urge you to exert all your powers in at least securing a list of names of prisoners. Most of all, we beg you "Don't Let Them Be Forgotten."

CONCERNED AMERICANS.

Mr. BROCK. Mr. Speaker, if there is one responsibility that the Members of the Congress ought never to forget, it is our obligation to American prisoners of war.

Today, men who have served bravely under our flag in Southeast Asia are languishing in prison behind enemy lines, cut off from friends, families, and fellow countrymen. Denied the basic rights accorded to prisoners of war under the terms of the Geneva Convention, some of them have completely lost contact with their families for as long as 5 years, their condition and status unknown.

The North Vietnamese regime has made a practice of intentionally withholding information on their whereabouts and physical welfare, in clear violation of basic international law.

It is the duty of the Congress to prevent the fate of these brave men from being shelved and forgotten. They have served too well and sacrificed too much to deserve such a fate. As a cosponsor of the Dickinson concurrent resolution, I urge my colleagues to join me in insuring that the Congress act with honor and integrity toward a group of men who have sacrificed much in our defense.

Mr. MILLER of Ohio. Mr. Speaker, for some 1,300 American families the Vietnam conflict is a deep and continuing tragedy. These are the families who have a father, a husband, or a son known or believed to be held prisoner of war in North Vietnam. Some of our men have endured in Communist prison camps for more than 5 years.

Two recently released American Navy men have revealed the torture and brutality experienced and witnessed by them in prison camps. Their accounts shocked the country and verified the inadequate and degrading treatment that the Communist captors have imposed on their prisoners.

Efforts to help our servicemen held in North Vietnam have been pursued with vigor by U.S. officials. Secretary of State Rogers, Secretary of Defense Laird, and Ambassador Lodge in Paris have all pressed North Vietnam in recent months for compliance with the provisions of the 1949 Geneva Convention relative to the treatment of prisoners of war. In particular, they have urged such basic steps as repatriation of sick and wounded prisoners and the furnishing of a list of men actually in North Vietnamese hands.

These requests have been rejected by North Vietnamese representatives in Paris, who have refused even to identify the American prisoners held in their country. This refusal to even disclose the names of the prisoners is an extreme cruelty for the anxious families who must exist from day to day not knowing whether a loved one is alive or dead.

I have joined with a large number of my congressional colleagues in cosponsoring the concurrent resolution calling on Hanoi to honor the Geneva accords guaranteeing the rights of prisoners of war.

Along with the administration, we are asking Hanoi to name the men in captivity, to immediately repatriate the sick and wounded, to permit impartial inspection of prison facilities, to assure proper treatment of all prisoners, to make possible a regular flow of mail, and to undertake serious negotiations for the prompt release of all American prisoners in their custody.

This is not a political or ideological issue, but a matter of basic humanitarian decency. Whatever one's beliefs on the conduct of the war itself, American and world opinion should be united in support of a policy of humane treatment for prisoners of war.

Mr. PETTIS. Mr. Speaker, I am joining with the Honorable WILLIAM L. DICKINSON and other Members of the House of Representatives in cosponsoring a concurrent resolution to protest North Vietnam's complete disregard for the provisions of the Geneva Convention dealing with the treatment of prisoners of war. I am hopeful that this resolution will mobilize worldwide public opinion against the uncivilized and inhumane treatment of American prisoners of war in Communist prison camps.

This matter is one of daily concern to many of my constituents. The city of Victorville recently recorded its feelings in a resolution adopted by the city council which I insert at this point in the RECORD together with the letter of transmittal from David A. Brownell, mayor of the city of Victorville:

VICTORVILLE, CALIF.,
September 12, 1969.

Congressman JERRY L. PETTIS,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN PETTIS: The enclosed resolution is the voice of the people of the City of Victorville expressing their feelings to the Hanoi Government. This matter is brought closer to our attention through our daily contact with the seven wives and 20 children living in our great Victor Valley who are victims of living under the cruelty of not knowing whether their husbands and fathers are alive or dead. It is very heart-sickening to have a three or four year old child ask you "What does my daddy look like as I have never seen him."

On behalf of the citizens of the City of Victorville, we strongly urge that you do all within your power to bring this to the attention of the Congress and to whatever world organization might be able to gain some answers for these families.

Kindest personal regards.

Sincerely,

DAVID A. BROWNELL,
Mayor, City of Victorville.

RESOLUTION

A resolution of the City Council of the city of Victorville expressing their deep concern over the welfare of the missing in action military personnel in Southeast Asia

Whereas, the City of Victorville has daily contact with the military personnel stationed at George Air Force Base; and

Whereas, the citizens of the City of Victorville have deep and lasting friendships with the officers, airmen and their families; and

Whereas, the citizens are constantly reminded of the continual anxiety of the families of these men listed as missing in action; and

Whereas, now word has reached the citizens through prisoners returning from North Vietnam of atrocities endured by our military men while in prison camps in and around Hanoi; and

Whereas, this community and its citizens feel a deep personal responsibility to bring to the attention of the world the plight of these men, their wives and young children who wait for them:

Now, therefore, this City Council, on behalf of all of the citizens of the City of Victorville, urges that through every way and means the government of North Vietnam be strongly urged to exercise their consciences and to display a more responsible regard for the dignity of life by advising some world organization of the status of our missing in action military men.

Passed, Approved and Adopted this 15th day of September, 1969.

DAVID A. BROWNELL,

Mayor of the City of Victorville.

Attest:

F. W. BAXTER,
City Clerk.

Mr. CORMAN. Mr. Speaker, I would like to take this opportunity to add my support to Mr. Dickinson's resolution and express my concern for our servicemen who have been captured and are being held as prisoners of the North Vietnamese.

As participants of the Geneva Convention, the North Vietnamese agreed to accord the men taken captive certain privileges including the release of their names, the right to send and receive mail and the decency of receiving humane treatment. During the course of the war, these rights have been constantly denied and, for the most part, the actions of the Vietcong have gone unquestioned. No longer do I feel that we can allow this inhumanity to continue. No longer can this situation be ignored—action is long overdue. We as members of the Government must face the problem head on and initiate the action that is recognized as the power of our elected positions.

Wives and families all across this Nation wait anxiously through long agonizing days, months and, for many, even years to hear some news that their husbands and fathers are still alive and safe. The United States has an obligation to these wives and families to insist that the identification of our men be made known and that their safety is insured. Greater still, is our obligation to our servicemen who risked their lives by being willing to fight for those noble principles on which America was built and has been developed. We cannot forget the meaning of their lives and the strength of their commitment to peace and freedom and justice.

North Vietnam cannot relinquish its obligation to the Geneva Conference by use of semantics. The men they have captured are prisoners of war and the National Liberation Front cannot evade their responsibility to the Geneva Conference by referring to them as war criminals. The wives of our captured men should not have to plead their cases alone at the Paris peace talks. The President, the Departments of State and Defense as well as the United Nations and all the Members of Congress should be

working hand in hand to see that North Vietnam and the National Liberation Front be made not only to comply with the provisions of the Geneva Conference but to release all members of the Armed Forces of the United States so held as prisoners of war.

Mrs. DWYER. Mr. Speaker, it is a very special privilege to be associated with so many of our colleagues in the joint sponsorship of the resolution proposed by the distinguished gentleman from Alabama (Mr. DICKINSON).

This is truly a humanitarian effort of the highest order. It is designed to arouse the consciences of people everywhere to appeal to the Government of North Vietnam to adhere to the very minimum requirements of the Geneva Convention of 1949 regarding the humane treatment of prisoners of war.

The resolution we are introducing today should be promptly considered and resoundingly approved. Such action will place the Congress of the United States forthrightly and unmistakably behind an appeal which no decent human being can deny.

We ask only that North Vietnam and the Vietcong take the following immediate actions:

First. Identify the prisoners whom they hold.

Second. Release the seriously sick and injured.

Third. Permit impartial inspections of all prisoner-of-war facilities.

Fourth. Permit the free exchange of mail.

We are, of course, deeply concerned that all American prisoners of war be released as promptly as possible, but the four points above are fundamental humanitarian requirements imposed on all signatories of the Geneva Convention—of which the Government of North Vietnam is one.

Despite its obligations, however, North Vietnam has consistently refused to honor them. Only nine men have been freed by that Government during the past 5 years, all from the same prisoner-of-war camp. Many hundreds of others continue to be imprisoned there and elsewhere. How many we do not know. Neither do we know who they are. The evidence we do have, however, proves conclusively that American prisoners of North Vietnam and the Vietcong are not being treated humanely. The experience of the three U.S. servicemen recently released by Hanoi have confirmed the earlier evidence.

Our appeal, Mr. Speaker, is not ideological. It is not political. Whatever our people may think about the war in Vietnam, or about the conduct of that war, we are all united in our concern for the suffering of American prisoners and for the burden of fear and tension that suffering has placed upon their families. War is terrible enough even under the most favorable of conditions, but it is unthinkable that a civilized government anywhere in the world should compound the suffering of war by refusing to treat humanely those most victimized by war.

Some of our men have been in Communist prison camps for more than 5 years. Over 200, according to the Defense Department, have been there

longer than 3½ years. There is reason for deep concern that so many months of captivity could have long-term adverse effects upon the well-being of these Americans.

Meanwhile, Mr. Speaker, both our own Government and that of the Republic of Vietnam have recognized and fulfilled the requirements of the Geneva Convention. Sick and wounded prisoners have been released and repatriated, and Vietnamese prisoners-of-war camps have been regularly inspected by the International Committee of the Red Cross.

Having one son myself, who has served his country in Vietnam, I know a little of the anxiety which all parents of servicemen there must face. But most of us have been spared the ordeal of months and years of not knowing where our sons or husbands or brothers or sweethearts may be, or under what conditions they are held, or even whether they are alive.

Among the many relatives of American servicemen who are prisoners of war or who are classified as missing in action, some have come to Washington today to add their voices to our appeal. Among them is Mrs. James T. Egan of Mountainside, N.J., whose son, Marine 1st Lt. James T. Egan, has been missing for nearly 4 years in Vietnam.

Our hearts all go out to mothers like Mrs. Egan. Their magnificent courage and patience and the persistence of their faith in the face of such cruel uncertainty has been truly remarkable.

But the more fortunate among us cannot rest. We have an obligation to do everything possible to end the doubt and to prevent despair. The resolution we introduce today is one step in meeting that obligation. It calls, with all the conviction of a united Congress, on those in positions of influence—the President, the Departments of State and Defense, the United Nations, and the governments and peoples of the world—to intervene with North Vietnam in the cause of decency and humanity. We can do no less.

Mr. MIZELL. Mr. Speaker, I would like to take a moment to join with my colleagues in urging the President to take all courses of action available to him to assure the decent and humane treatment of American prisoners of war. I urge the President to call on Communist North Vietnam to live up to the terms of the Geneva Convention, and to release the names of those American servicemen being held prisoner in that country. This is the humane thing to do for there are hundreds of loved ones who are presently undergoing the stress and strain of not knowing the whereabouts or conditions of these men. The President can be assured that he has the backing of Congress in this vital effort.

Mr. RHODES. Mr. Speaker, the cruel and inhuman treatment that American servicemen have received at the hands of their North Vietnamese captors has been recognized by all Americans—the public displays, the political exploitation, the physical and psychological terror—these are not new to us.

But perhaps the cruelest act of them all is the failure of the North Vietnamese to acknowledge the names of the American servicemen who they now hold as prisoners of war. It is difficult for me to understand many of the enemy's actions in this nightmare of a war, but it is impossible for me to understand this callous and meaningless disregard of the burden they continue to impose on the relatives and loved ones to whom these soldiers are so important.

Of the more than 1,200 American servicemen now missing in action in Vietnam, only a handful are known to be alive and imprisoned by the North Vietnamese since the enemy refuses to disclose the names of the Americans they hold in captivity.

An appeal based on international law has proved meaningless. The 1949 Geneva Convention relative to the treatment of prisoners of war specifically requires that the names of prisoners of war be released. The North Vietnamese pledged themselves to adhere to that convention in 1957.

We now call upon the people and governments of the world to appeal to North Vietnam to comply with the Geneva Convention today as it so pledged itself in 1957.

Mr. GONZALEZ. Mr. Speaker, I join my colleagues today in sponsoring the concurrent resolution representing the strong sentiment of the American people, the United Nations, and the concerned peoples of the world, requesting that "the North Vietnamese and the National Liberation Front of South Vietnam comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war, and to take such steps as may be appropriate to obtain the prompt release of all members of the Armed Forces of the United States so held as prisoners of war."

The situation as it stands now is disgusting: The provisions as stipulated in the Geneva Convention relative to the treatment of prisoners of war have been breached by the North Vietnamese quite openly and systematically. Under the agreement, the obligations of the country that has under its custody captured war prisoners have been specifically set forth. Among other things, article 122 states that within the shortest possible period upon the outbreak of a conflict each of the "parties" to the conflict shall give information referred to in the articles pertaining to its prisoners to a specified information bureau. In addition, article 126, section 1, specifically grants "representatives of the protecting powers" permission to go to all places where prisoners of war may be, and enables them to interview prisoners. Other means of communication with the POW's is authorized by section 7, allowing them to receive letters, cards, and packages.

Stipulations as to quarters, food, and clothing are set forth in chapter II beginning with article 25:

Prisoners shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowances for the habits and customs of the prisoners and shall in no case be prejudicial to their health. The basic daily food rations shall be sufficient in quantity, qual-

ity and variety to keep prisoners of war in good health and to prevent loss of weight or the development of nutritional deficiencies.

In addition, article 13 of the treaty provides:

Prisoners of war must at all times be humanely treated. Any unlawful act or omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited, and will be regarded as a serious breach of the present Convention.

Although the Geneva Convention agreement cites that "the High Contracting Parties undertake to respect and to ensure respect for the present Convention in all circumstances," this very obviously is not the case in respect to North Vietnam's actions which have so insolently breached these agreements. Hanoi has never given the precise number of how many American servicemen they have in possession—much less an account of the names of the prisoners. Further, they have ignored all U.S. requests for proof that American prisoners of war are being properly treated and are receiving adequate medical care. Time and again Hanoi has remained silent to requests for neutral representatives to reciprocal inspections of detention camps.

Instead, the North Vietnamese have played with the emotions of the relatives of POW's by sending propaganda pictures, and releasing a total of nine American prisoners to date in somewhat a callously teasing manner. Close to mind, of course, is the recent release of three American prisoners, seemingly with the motive to placate the mounting criticism they—North Vietnamese—have been receiving recently, including from groups normally friendly to them. But this token "benevolence" is not sufficient to placate concerned persons. The physical condition in which the three men released were in, and their reluctance to openly discuss their treatment for fear of jeopardizing other POW's, simply raises more questions. Their pale, thin, and weak appearance cannot but lead to speculation as to the treatment received, in view of Hanoi's reluctance to permit inspection of their detention camps.

Mr. Speaker, it is time the U.S. House of Representatives voiced its position openly and loudly. The United States has thus far done its part in fulfilling the terms of the Geneva Convention. Detailed lists of the names and conditions of the captured North Vietnamese are regularly sent to a Hanoi embassy in Cambodia, and there has even been extended an offer to repatriate about 100 seriously sick and wounded North Vietnamese prisoners if Hanoi would agree in advance to accept them. Neither the lists of names nor this offer have ever been acknowledged.

Some observers attribute North Vietnamese attitude on prisoners to their basic philosophy that prisoners are "assets" with which they can bargain for their wishes; but it should not be too much to expect of any human being the most elementary evidence of decency and humanity and the honor of keeping an agreement. And if this is too much to expect—as seems apparent in the case of Hanoi—and if their motives are to gain some sort of favorable position in the

Vietnam conflict, then the rattle of public opinion must impress upon them that their current policies cannot but hurt them. Accordingly, I urge my colleagues to take note of this injustice and make their stand vocal.

Mr. FUQUA. Mr. Speaker, deep concern is being expressed today at the plight of American servicemen who are being held captive by the Communist forces operating in Vietnam.

The stories which we have heard from the few men who have been returned are revolting—the treatment these brave men are receiving is both barbaric and uncivilized. The horror perpetrated on these prisoners by their captors is like a story out of barbaric days or the systematic extermination of human beings by the Nazis.

Civilized man has attempted to prevent the atrocities of the past with regard to prisoners of war with certain conditions as set forth by the Geneva Convention. This resolution demands that North Vietnam and the Vietcong abide by these basic tenets and provide humane treatment for these captives.

I can only hope that passage of this resolution will bring out such indignation that the entire Communist world will feel the shame which they should rightly feel.

The Defense Department lists 342 servicemen as known captives in Communist POW camps. Some 1,200 are listed as "missing in action" and could be captives. The Vietcong or the North Vietnamese have never officially released the names of the prisoners they hold.

We have a right to demand that these prisoners be identified, that mail from their families be freely exchanged, that POW camps be impartially inspected, and the seriously ill and injured prisoners released.

This is a simple act of humanity and a condition which all signers of the Geneva Convention are bound to abide by.

I further urge immediate action on the part of the Congress in the passage of this resolution. If we are successful in saving the life of one of our servicemen, if we are successful in having these suffering prisoners receive at least humane treatment—then our efforts will have been well worthwhile—and a great many families will be eternally grateful.

Mr. DONOHUE. Mr. Speaker, in deep concern for all the members of our Armed Forces who have served or will serve in Vietnam, their wives and families, I am pleased to join with my colleagues in this appeal and expression of our sentiments about the inhumane treatment of our American prisoners of war by the North Vietnamese.

The purpose of this discussion is to graphically demonstrate that, whatever other differences may exist among us, the Congress of the United States and the American people are completely united in their conviction and appeal that the North Vietnamese Government and allies, in accord with international agreement, will promptly provide full information about the names, condition, and whereabouts of all American prisoners of war and furnish all other knowledge they may have about American servicemen who have been reported missing in action.

It is a matter of the most grievous dismay and disappointment to the U.S. Congress and the American people that North Vietnamese officials have thus far shown an utter disregard for the provisions of the Geneva Convention covering the control and treatment of war prisoners and particularly so in their refusal to permit them to correspond with their families.

It is nearly impossible to conceive that there are any people on this earth who are so removed from ordinary human experience, conscience, understanding, and motivation that they will not respond to the anguish and grief of fellow human beings who suffer continuing uncertainty as to whether their beloved serviceman husband, father, son, or brother is dead or alive. Even the sad news of death can be more acceptable, under such circumstances, than the prolonged agony of doubt.

Global history reveals that, with all its admitted evils, there is still the highest individual honor and courage in war and a mutual respect and esteem for the bravery and loyalty of the opposition. To engage in war differences cannot and will not justify any suspension or departure from the commonly accepted rules and procedures of the civilized world.

We have reason to believe that the North Vietnamese and their allies are especially interested and impressed by the weight of American public opinion. We would hope they may be equally and rightfully concerned about world judgment.

If this is so, and we pray that it is, we trust that the North Vietnamese Government and her allies will promptly respond to this united and universal appeal for them to provide complete information about and to ensure the most complete medical and humane treatment of the hundreds of American prisoners of war they are now holding. It is only by this humane action that they can yet, and I hope they will, historically escape condemnatory judgment before the bar of united American and world opinion.

Mr. MONAGAN. Mr. Speaker, I am cosponsoring a concurrent resolution which urges the North Vietnamese Government and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war. This concurrent resolution also urges the President, the Department of State, the Department of Defense, and all other concerned departments and agencies of the U.S. Government to take such steps as may be appropriate to obtain the prompt release of all members of the U.S. Armed Forces held as prisoners of war.

I wrote President Johnson on March 30, 1968, more than 18 months ago, and urged that he completely review the Vietnam situation in order to estimate the appropriate risks necessary to bring peace. At that time, I expressed my firm belief that a satisfactory solution to the POW problem must be treated as a major factor in any Vietnam peace equation. I am more convinced than ever before that this problem must be solved and that its solution must be included

in the steps which are now being taken to de-Americanize the war.

The POW problem is not confined to the issue of prisoners receiving their full rights as guaranteed under the Geneva Convention, though the need for humane treatment is in my view an absolute imperative. It is a first step without which others can never be taken. I am particularly dismayed by the persistent and barbaric refusal of the North Vietnamese Government to inform the wives and the relatives of the condition of missing servicemen or to provide information as to numbers and identities of prisoners.

The U.S. Government and the Republic of Vietnam have continuously honored the requirements of the Geneva Convention relating to the treatment of prisoners of war. The North Vietnamese Government has endorsed the requirements of the Geneva Convention. Thus the time has come, especially in view of the steps recently taken by the U.S. Government to reduce the violence and to bring about peace, for the North Vietnamese Government to conform to civilized procedures regarding the treatment of prisoners of war. These procedures are: Providing information as to numbers and identities of prisoners; permitting the regular flow of mail to or from prisoners; permitting inspection of the facilities in which prisoners are held; and otherwise according humane treatment to prisoners.

As to the long-range aspect of the problem, we have clearly demonstrated our fervent desire for peace in Vietnam; we must make it equally clear that any real peace must include a satisfactory resolution of the POW issue.

Mr. HALPERN. Mr. Speaker, the presence today in Paris of four gallant American women symbolizes the plight of the families of over 900 American servicemen missing in Vietnam. These families do not know whether their husbands, fathers, and sons are dead in a remote Vietnamese village or alive in a North Vietnamese prison camp, or whether they are healthy or suffering from illness or wounds. They do not know because the North Vietnamese have callously refused to identify their prisoners or to provide any reports of their physical condition.

Over 400 other families have the assurance that their men are indeed alive in prison—but what kind of assurance is it? There is no verification from a neutral international body, nor even from Hanoi itself. There is no inspection of food or living conditions in the camps. There is virtually no mail, and no guarantee that mail sent from home is ever received.

Rather, there is substantial reason to doubt that the prisoners are receiving good treatment, and even some evidence to conclude that they are being deliberately mistreated. Recent reports have cited instances of torture, which is strictly forbidden by the Geneva Convention and by all standards of humanity. Such abuse has been compounded by inadequate medical care, total isolation, and lack of activity, and public exploitation for propaganda purposes. Such deplorable conditions belie Hanoi's statements that prisoners are treated humanely.

By any standards such treatment is not humane, it is also illegal according to international law. The North Vietnamese should consider themselves morally and legally bound by the Geneva Convention on the treatment of prisoners of war, which they themselves signed in 1957. The Geneva Convention was endorsed by the majority of the world's nations in order to protect the rights of military and civilian prisoners in any armed conflict.

World opinion can no longer endure so flagrant a violation of law and of standards of basic humanity as Hanoi's cruel mistreatment of American prisoners.

I wish to express my indignant opposition to the abuse of these helpless men and to add my voice to those in this Congress and in the world who demand an end to such behavior toward prisoners of war and the immediate restoration of their rights according to the Geneva Convention. In consequence, I strongly endorse the resolution currently before the House of Representatives and am privileged to be among its sponsors.

Mr. BROYHILL of Virginia. Mr. Speaker, we are told that there are at least 340 and possibly as many as 1,200 Americans now in the hands of the Vietnamese Communists who are being starved, threatened, and beaten into brainwashed submission. Unless I wrongly read the signs of distress and anger on the part of the American people, these 340 and possibly 1,200 Americans may be the most important soldiers we ever sent to foreign wars.

I say so, Mr. Speaker, because our people are tired, sick and tired, of Communist arrogance, Communist deceit, Communist torture and killing.

They are tired of un-American activities on the part of a noisy segment of our people.

They are tired of repeated breaches of treaties and agreements and the ineffectualness and lack of action on the part of the United Nations.

And, Mr. Speaker, they are sick and tired of our own submission to threats and outright violations of international law, lest we anger and frustrate the very international bandits who are already perpetrating the atrocities.

Mr. Speaker, this is not the time to remain silent. It is the time for the Congress of the United States, and particularly the House of Representatives, which is closest to our people, to take an official stand in protest over the treatment of American prisoners in the hands of the Communist North Vietnamese.

We can do no less for their parents, their wives, their children.

We can do no less for the thousands of other American soldiers still fighting in Vietnam, any of whom at this moment may be facing imprisonment.

If there are no standards of decency among the Communists, it is time to teach them some.

If there are no qualities of mercy among them, it is now time to cease dealing with them as equals among humankind.

We can begin here and now to do so. We can do so by officially serving no-

tice now that we have had enough, and by urging the President of the United States to use every possible means at his command to insure that the tenets of fair and humane treatment, as expressed in the Geneva Convention of 1949, signed by the Government of North Vietnam in 1957, are accorded American prisoners of war.

This may not be enough, Mr. Speaker, for the hour is late. But it will be a start. It will be a welcome start, for our people and our soldiers who know in their hearts that we are dealing with something outside the ordinary ken of human behavior.

I have some personal knowledge of the plight of a prisoner of war, Mr. Speaker.

Not many years ago, while I was serving as a company commander in the 106th Infantry Division in the Battle of the Bulge, my entire division was wiped out and those of my company who survived and I were taken prisoner. The memory of the disease, the dirt, the starvation, and the fear lives with me yet.

We were marched away from the front lines, herded into boxcars like cattle, and twice bombed by allied planes. During one bombing in Nuremberg, half the group were either killed or wounded, but we were proud of those bombers, and of the men who were still fighting for us and our country.

I escaped from a POW marching column, by the grace of God and because of the courage of my cellmates, whose will to live and to fight again stemmed from an inner conviction that our country was worth fighting for.

I still know our country is worth fighting for, Mr. Speaker, but I wonder if those American soldiers who have been jabbed by Communist bayonets, jeered, and ridiculed by Communist puppets, believe in their hearts at this moment that it is.

For what is there to sustain their hope? The United Nations? The Geneva Convention? The firmness and pressure for decency from most of our allies? The unity of purpose and united pursuit of peace at home?

War becomes a personal thing when you are fighting it.

It becomes even more personal if you are a prisoner of it.

There is a loneliness about it that surpasses reason; the hours of it erase time and the misery of it dissolves hope.

Unless there is a certainty that you are not forgotten; that you are not to become a victim of some higher policy or some grand strategy that leads to half-victories and uncontrollable stalemates, it is unendurable.

I would be ashamed as an American if this is the only hope, the only heritage, we leave with those in the darkness of their cells in North Vietnam today.

I do not believe it is.

If Communist North Vietnam can find a legal basis to treat our captive fighting men worse than common criminals, then surely we can find a legal basis for guaranteeing their safety and securing their freedom.

To ask where to look for help as a nation is an admission of weakness.

We can look to ourselves—to the

elect leaders of this Nation—to this Congress and this Government, and we can act now or admit our lack of ability or will to do so.

In the days ahead the air will be filled with cries of alarm, with organized protests against America doing anything to antagonize the Communists, and, if previous patterns prevail, with street protests and sit-ins against any decision we may make toward decisive action. But, for the sake of our men in North Vietnam prisons, for the safety of those still free to fight for us on the battlefield, I, for one, will ignore the cries of alarm; the marching protests and the banners of surrender.

I will do so, Mr. Speaker, because I believe it is my duty not only as a Congressman but as an American to do so—and, in addition, to take whatever action is necessary to guarantee their safety.

If we must choose humane treatment for those we send to fight against the risk of greater conflict, I shall choose humane treatment.

If we have to choose between nations with courage to stand with us in these demands as against those who pay only lip service to decent human behavior, I shall stand with the courageous, whatever the risk.

If we must choose as Americans, between might as against sniveling threats, abject fear and weaseling, I shall stand with what is right and the might that makes it so.

So, I am sure, will this Congress. So will our people.

I welcome the opportunity to join today with my friend and colleague the Honorable WILLIAM L. DICKINSON, of Alabama, in offering a resolution condemning the North Vietnamese for their uncivilized conduct and calling on the President of the United States the Secretary of State, the Secretary of Defense, the members of the United Nations and the heads of all civilized nations to utilize every means at their command to insure that American prisoners are accorded humane treatment at the hands of the Communist North Vietnamese.

Mr. MAHON. Mr. Speaker, I have been most impressed with the interest and compassion which have been expressed here today in behalf of American servicemen who are prisoners of the North Vietnamese. We must spare no effort in seeking to find ways to bring about the release of our men who are in enemy hands and we must spare no effort in seeking to be of aid and comfort to distraught families who wonder daily about the welfare of loved ones.

I wish to associate myself with the sentiments of the Speaker and Mr. FORD and Mr. ALBERT and others who have expressed concern and compassion and a determination to be of maximum assistance to our servicemen and their families.

I have today read a plea from a fine west Texas family in regard to a husband who is a prisoner of war. By telephone I have reported to the wife of the missing officer the details of this meeting of the House now in progress and assured her of our determination to be helpful in seeking the release of her husband.

We owe a great debt of gratitude to

these men and the families of whom we speak today and we must do all in our power to discharge that debt.

Mr. LANGEN. Mr. Speaker, in this time when the people of the United States take solace in the reports of progress in the war in Vietnam and hear encouraging news of a reduction in the hostilities in that war, it is important that we take note of a situation which persists. I refer, of course, to the attitude of the North Vietnamese with respect to prisoners of war.

I have heard estimates that the Hanoi government holds 600 Americans in rotten jails where food is poor and medical treatment deplorable by any standard. The reports by prisoners who have been released or who have escaped these jails indicate the worst we fear is painfully true. The history of the Communist governments substantiates the stories of brutality and torture. The television account we have seen of Americans handcuffed and dragged through streets in Hanoi before cheering, jeering throngs is very like only one example of such treatment.

We all realize that war at best is perhaps the antithesis of civilization. We realize that pretending the war is fought according to rules is a contradiction of terms. We realize that destruction of human life on the battlefield is hardly defensible on grounds that it is done with honor.

However, never in history has there been an ideology that prescribes atrocity such as we witness in this modern day. Never have governments used human misery as a weapon in the way it is being used by the Hanoi government. Never has outright murder and overt punishment been calmly perpetrated for its own sake as we see it done nearly 2,000 years after the birth of Christ.

More important than these shocking bits of information is the fact that never before has world opinion been so ambivalent to the treachery of a government as it is today. Never before have the nations of the world so willingly turned their backs on the tactics of crime and sadism that characterize the Communist government of North Vietnam.

I join with my colleagues in urgently requesting that the free men and free governments of the world take note of what is happening behind the Iron Curtain. To be aware of the methods of the Communists can only arouse the fiercest indignation among civilized men. To ignore those methods or to turn away is to repudiate civilization. To know and to refuse to act is to invite further atrocities in Southeast Asia and around the world.

Mr. MORSE. Mr. Speaker, I am glad to be able to join my colleagues today in speaking out on the matter of the treatment of prisoners of war by North Vietnam and the National Liberation Front of South Vietnam—treatment which is not only in total and direct disregard of the provisions of the Geneva Convention on prisoners of war, but unconscionable to every humane instinct of the civilized world.

What political purpose is to be gained by denying to the families and friends of the approximately 1,400 American

servicemen missing or captured in Vietnam the knowledge of whether these men are dead or alive? Can allowing the regular flow of mail to or from these prisoners, according them humane treatment, and permitting inspection of detention facilities do anything but assure the world that North Vietnam is willing to honor the international principles of common decency to which most nations give credence?

War is not humane to either side. We cannot expect it to be. But if this world is ever to be able to make progress away from the brutality of warfare to solve its problems and differences, there must be respect for the basic humane standards which Hanoi has consistently violated.

Mr. HORTON. Mr. Speaker, efforts to de-Americanize the war in Vietnam are moving along. President Nixon has withdrawn 25,000 of our combat troops and plans to pull out another 35,000 by mid-December.

But one disturbing aspect of the conflict, is the tragic fate of the 1,400 American men who are listed as prisoners of war or missing in action.

I joined today with other Members of this House in a resolution calling upon North Vietnam and the Vietcong to comply with the humane requirements of the Geneva Convention in dealing with prisoners.

I would like to express my deep concern over the treatment being accorded American prisoners of war in North Vietnam.

Since 1964, when the first American pilot was captured, the Communists have stubbornly refused to reveal any information concerning the prisoners they hold. They have even refused to make public the number of Americans they have imprisoned.

Reports that we have recently heard make it obvious that American prisoners are being subjected to severe physical and mental abuse. We know that they are denied free communication with their families and that at least some of them have been kept in total isolation for long periods of time.

There is evidence that they do not receive adequate food or medical care. Exploitation of prisoners for public propaganda purposes has been shameful to behold. And such behavior causes unnecessary suffering to the gallant families of those helpless men.

This kind of treatment is in direct violation of the Geneva Convention, which was ratified by over 61 countries of the world in order to ensure correct treatment for all prisoners, in all armed conflicts.

The international community has so overwhelmingly adopted the standards expressed by the Convention that all belligerents should consider themselves morally bound by its provisions, including the North Vietnamese and their allies in the South.

The United States and South Vietnam have faithfully honored the Convention, and it is impossible to accept as a full member of the family of nations a country that so blatantly ignores a basic law of humanity. The North Vietnamese,

who signed the Convention in 1957, are legally as well as morally bound.

The other side should realize that brutality and cruelty in the treatment of prisoners will not aid in the coming of peace, nor will it weaken the resistance of the allied side. It can only open the eyes of the American public to the true intentions of the North Vietnamese and the National Liberation Front, causing us to doubt their sincerity in the search for peace.

If the North is serious in its efforts to bring the war to a peaceful close, and if it is honest in its assertion of humane behavior to prisoners, let it prove it to the world.

I join in this resolution to call upon North Vietnam to immediately comply with the Geneva Convention and allow Red Cross inspection of prisoners and prison camps; permit the prisoners to write regularly to their families and to receive in return letters and parcels sent from home; allow the prisoners to have proper medical care and food, and repatriate those who are seriously ill or badly injured.

All such humanitarian provisions are contained in the Convention.

Our Government has many times offered to work toward exchange or release of prisoners through any means and on any occasion. Regardless of the state of hostilities, the other side should consider our requests and take immediate steps toward liberation of all prisoners.

Mr. GUDE. Mr. Speaker, I should like to join with my colleagues in drawing attention the refusal of the North Vietnamese and the National Liberation Front to abide by the provisions of the Geneva Convention and refusal to release the names of prisoners of war who are members of the Armed Forces of the United States, to permit the regular flow of mail to or from those prisoners, and otherwise to accord human treatment to those prisoners, and to permit inspection of the facilities in which those prisoners are held.

Hopefully by dramatizing to the civilized nations of the world the barbaric disregard of the Vietcong for even the most basic standards of humane treatment of their fellow man we will gain for our men the treatment to which they are entitled.

Mr. GRAY. Mr. Speaker, I want to sincerely thank my distinguished friend and colleague the gentleman from Alabama for taking this time to call to the attention of everyone the disappointments, frustrations, and downright disgust at the attitude of the North Vietnamese in not revealing names of the prisoners of war being held captive or anything about their treatment, condition or anything else. The Geneva Accords were signed for this very reason. We should rise up in arms and demand action. I certainly will support such a move. I thank my friend and the others who have spoken here today for bringing this matter to the attention of the public.

Mr. RIEGLE. Mr. Speaker, evidence now available shows that the North Vietnamese are subjecting American prisoners to brutal and inhuman treatment. This is wrong—it is reprehensible and

the North Vietnamese deserve the condemnation of all humanity for the abuse of defenseless persons.

Prisoners of war should always receive humane treatment—as set forth in the Geneva Accords.

It is appropriate then, that we express our outrage and urge others in the world community to do likewise. About 200 of my colleagues here in the House are now sponsoring legislation condemning North Vietnam for her inhumane treatment of American prisoners of war. We call upon our own Government and foreign governments and peoples to pressure North Vietnam into compliance with the standards of prisoners of war treatment as set forth in the Geneva Accords.

Mr. LUKENS. Mr. Speaker, I join with many of my distinguished colleagues today in protesting the cruel and inhuman treatment of American prisoners of war held in captivity by both North Vietnam and North Korea.

Recently Hanoi released three servicemen from their captivity. Yet, even as I share the happiness of their families for their return, my gratification is overshadowed by the knowledge that more than 1,300 U.S. servicemen are classified by the Defense Department as either missing in action or prisoners of war. As of June 1969, more than 200 American servicemen have been listed as either prisoners of war or missing in action for more than 3½ years. This period of time is longer than any U.S. servicemen held prisoners during World War II. In the past 5 years, less than 100 prisoners have been allowed to write their families. I share the anxiety of the hundreds of families who do not know the fate of their young men.

The simple and most elementary information as to whether those missing servicemen are dead or alive will not be divulged by the Communist regimes of North Vietnam or North Korea.

There are many tragic ramifications of the Vietnam war, but one of the most disturbing and inexcusable aspects is that Hanoi refuses to abide by the tenets of the Geneva Convention. The State Department and the Department of Defense, as well as the Red Cross, have attempted to learn the whereabouts and conditions of missing servicemen. But all their efforts have been thwarted because Hanoi refuses to identify U.S. prisoners in captivity, refuses to permit neutral inspection of confinements, refuses to repatriate the sick and wounded, refuses to allow the free flow of mail and refuses to divulge the treatment of captives. In summation, North Vietnam refuses to abide by the international legal and humanitarian tenets of the Geneva Convention which they endorsed in 1957.

The United States has abided by their pledge to the Geneva Convention. Those North Vietnamese captured are taken to camps where there is regular inspection by the Red Cross. Sick and wounded prisoners have been returned to North Vietnam. In recent months, the South unilaterally released 103 prisoners in hopes of reciprocity from the North. The results were sadly negative.

Not only has the United States honored its commitment to the Geneva Conven-

tion, but demonstrated its desire to bring the war to an end. The bombing of the North has been stopped. President Nixon announced earlier the withdrawal of 25,000 combat troops and just yesterday announced another troop reduction of 35,000 men.

Yet, there has been no reciprocity in either the battlefield of Vietnam or the peace talks in Paris. It is long overdue time that the North Vietnamese and North Koreans uphold the Geneva Convention. It is indicative of the Communist hypocrisy and lack of commitment that they have refused to do so to date.

If the refusal to even name the prisoners of war is a propaganda ploy by the North Vietnamese to influence U.S. public opinion to withdraw from the war, it is not working and never will. What testimony to the world of their cruel and barbaric effort to sway world sympathy to their side. Such behavior by North Vietnam and North Korea is inexcusable and cannot be tolerated.

I strongly emphasize and protest that the issue is not political, but humanitarian—that Hanoi respond to U.S. prisoners of war with respect for human decency and the law.

Mr. BOLAND. Mr. Speaker, American prisoners of war held by the Vietcong and the North Vietnamese live under the most opprobrious conditions. Reports from released prisoners—very few released prisoners—indicate that American POW's are routinely beaten—in many cases, even tortured. Ill-fed, ill-clothed, ill-sheltered, Americans living in Vietcong and North Vietnamese prison camps need the help of an aroused world opinion. The resolution I am cosponsoring today, calling on the community of world leaders to urge North Vietnam to honor the Geneva Convention, will help stir the kind of worldwide sentiment needed to make Communist forces in Vietnam alter their POW policies.

The Geneva Convention plainly and explicitly demands that the names of POW's be promptly released. Yet North Vietnam adamantly refuses to do so, maintaining that the Geneva Convention does not apply to a war engineered by "imperialist aggressors." Thousands of American families—wives and children—endure what can only be described as emotional agony every day they remain unaware of their husbands' or fathers' condition. Indeed, many wives do not even know whether their husbands are dead or alive; thousands of soldiers reported missing in combat are suspected to be prisoners of Communist forces, yet American officials cannot find out which ones were captured and which ones were not.

North Vietnam further violates the Geneva Convention by permitting only sporadic mail deliveries, by refusing inspection by Red Cross teams, by ignoring minimum standards of health care and living facilities, by not releasing the sick and the injured.

The chilling tales of brutality and deprivation in North Vietnam prison compounds are enough to shock even the most callous person—indeed, enough to shock a generation of Americans already inured to the horror stories of Nazi Ger-

many during World War II. President Nixon and Secretary of State Rogers, of course, are exhausting all possible diplomatic channels in an effort to help improve POW conditions. But they need help. They need help from the Congress, from the average citizen, from leaders of other nations.

Highly sensitive to world opinion—indeed, relying on world opinion for what they consider an eventual "victory"—North Vietnam's leaders would be forced to honor at least the rudimentary principles of the Geneva Convention if enough public opinion demands it.

I genuinely hope this resolution will help achieve that goal.

Mr. WRIGHT. Mr. Speaker, war itself is and ever has been a thoroughly uncivilized and uncivilizing process. But even in war, where the disparate paths of national antagonism cause humble men to die, there has grown up among civilized people a recognition of the need for certain restraints in the interest of common decency.

Thus, men have come to accept a few basic principles—that poison gases will not be used, for example, and that prisoners of war are entitled to certain fundamental and irreducible rights as human beings.

We call upon world opinion, and we call upon those who hold prisoners today, to treat them with the rudimentary decency that is required by the Geneva Convention. I am pleased to join my colleagues in this plea. I earnestly hope and pray that this appeal to the fundamental humanity which must repose in every human heart will not go unheeded.

None can appraise the prolonged agony of uncertainty which afflicts only those with loved ones missing in action. May their heartfelt pleas evoke the humanitarian response which they so richly and fully deserve.

Mr. DEL CLAWSON. Mr. Speaker, not only are the families and loved ones of American boys held prisoners in North Vietnam grateful to the gentleman from Alabama, but the entire Nation responds to his plea as is evidenced by the attendance of Members of this House during his special order. The concern and serious interest is demonstrated by the largest number of House Members that I have ever witnessed during my short years as a Member of this House remain on the floor to participate in the appeal for humane and fair treatment of our men who are held prisoners by the enemy. All of our lives have been touched to a greater or lesser degree through the cruelties of the enemy inflicted on men of personal acquaintance or sons, husbands, and family members of friends whom we know. A young friend of mine has been held for over 4 years. His wife and small son have endured the suffering and heartache that tears at their very being, sustained only by their faith, not just in the spiritual values of their belief in God, but their faith in our Nation and its leaders to deal with these international situations in such a way that they can be united as a family. This same faith and desire is also shared with this young man's parents who are longtime personal friends of the Clawson family.

This special order today should be a clarion call to the free nations of the world to exert every possible pressure upon North Vietnam and the Communist enemy for a humane and civilized response. The names should be released. Treatment should be in harmony with international agreements. Early release should be a matter of immediate negotiation together with sincere and honorable efforts for peace. Let the Communist nations hear this call. Let them also share the burden of responsibility for bringing powerful pressure upon the military and governmental leaders of North Vietnam. This responsibility rests heavily upon their shoulders even more so than the free-world nations. It is my personal hope and plea that the worldwide communications media will dramatize our demonstration today, recognizing that this great deliberative body has spoken in words that are loud and clear with no room for equivocal interpretation and almost one-half of its membership has shared in the sponsorship of the resolution that calls for action. Let us not fail in this effort.

Mr. MORTON. Mr. Speaker, the cost of the Vietnam war to this great Nation of ours have been many and varied, but none has hurt us more deeply than the death and suffering of our servicemen. To many Americans the weekly lists of killed, wounded, and missing are no more than sets of idle statistics; however, to one group of wives and families they are a constant symbol of fear and frustration. Over 1,300 American servicemen are now carried on the rolls as missing or captured; some have been in that status for over 5 years.

Many of the servicemen in this group are alive and are prisoners of the North Vietnamese or the National Liberation Front. Yet because of callousness and disregard for human values on the part of the captors we are not allowed an accurate record of the living and the dead. This denial of simple information can have no constructive purpose—it serves only to hurt further the families who daily hope that their husbands or sons are among the living.

If the enemy thinks he is going to weaken our resolve on the battlefields of South Vietnam or at the negotiating table in Paris by causing these unfortunate Americans further suffering, he is sadly mistaken. Even the most rudimentary procedures of humane treatment in warfare would require a sharp change in the prisoners of war policies of the enemy.

Mr. Speaker, I join my colleagues in the House of Representatives in this concurrent resolution calling upon the government of North Vietnam and the National Liberation Front of South Vietnam to respect the standards of prisoner of war treatment contained in the Geneva Conventions.

Mr. ANDREWS of North Dakota. Mr. Speaker, it is an honor for me to be a cosponsor of this resolution.

The people of North Dakota who I serve in the Congress have a deep concern in this matter, and I know they would want me to speak for them here in Washington in this regard.

There are many aspects of the Viet-

nam war which are controversial and which have divided the people of our Nation. At the same time, however, you will find unanimous agreement among Americans and certainly among citizens throughout the free world that the North Vietnamese should honor the tenets of fair and humane treatment, as expressed in the Geneva Convention of 1949, which was signed by the Government of North Vietnam in 1957.

Latest figures say that at present, there are 342 American servicemen being held captive in Communist prisoner of war camps and more than 1,200 servicemen are listed as "missing in action" and could be captives. Hanoi has never officially released the names of these prisoners and intelligence reports say that treatment in these POW camps is harsh and cruel.

If for no other reason than for the good of humanity, I would hope and pray that the North Vietnamese and Vietcong would stop this barbaric and uncivilized treatment of American prisoners of war and accept our appeal so that these servicemen and their families can at last know that they will be cared for.

Although the burden of suffering is with these men and their families, let them know that we, too, feel this burden and are willing to do all we can to correct this inhumane condition.

Mr. WHALLEY. Mr. Speaker, I heartily agree with my good friend the gentleman from Alabama (Mr. DICKINSON), in his resolution calling on the North Vietnamese to honor the guidelines established at the Geneva Convention in their treatment of prisoners of war.

I have from time to time received numerous letters protesting the inhuman treatment given to our servicemen, and I would like at this time to include three letters I recently received on this subject.

As one of the sponsors, I hope that this resolution is passed unanimously by both Houses of Congress:

JOHNSTOWN, PA.,
September 8, 1969.

The Honorable J. IRVING WHALLEY,
House of Representatives,
Washington, D.C.

DEAR IRV: I have been quite concerned with the position of the North Vietnamese with regard to the prisoners of war which they have been holding. As you know, we have received very little in the way of assurance from them regarding the treatment they have received.

I feel that our government has been very lax and passive in trying to deal with the North Vietnamese relative to prisoners of war which they have. I can appreciate that a lot of backyard and underground diplomacy probably dictated this position. However, since this has not worked, I feel that we should begin publicizing our demands that the North Vietnamese release the name of prisoners of war, allow a free flow of mail, release the sick and wounded, and allow for neutral inspection of the POW camps.

If nothing else, this will certainly give the families of those prisoners of war some measure of relief until their sons can be returned to them. I feel that the voice of all Congressmen and Senators should be heard in helping to publicize this fact.

I would be very interested in your opinion regarding the above.

CAMBRIA EQUIPMENT CO.,

Johnstown, Pa., September 5, 1969.

The Honorable IRV. WHALLEY,
House of Representatives,
Washington, D.C.

DEAR SIR: As a concerned American and parent, I feel very strongly for those families who have sons and husbands listed as missing in action and prisoners of war in North Vietnam.

You must know that the North Vietnamese have refused to release a list of the prisoners held by them, or to give any assurance that those held receive humane treatment.

I feel that North Vietnam might reverse its policy if world opinion would emphasize, loudly and clearly, that a responsible and respectable government in the world community must treat its war prisoners humanely, and must abide by the Geneva Conventions.

I feel further that if our representatives in the Congress and Senate would lend their voice to the growing demand that North Vietnam release the names of prisoners of war, allow the free flow of mail, release the sick and wounded, and allow neutral inspection of the POW camps, that this might fan world opinion to the point where Hanoi would have to capitulate.

Hundreds of families, who have not known for years whether loved ones are dead or alive, will be deeply grateful for any help you can give them.

Sincerely yours,

CHARLES S. PRICE,
President and General Manager.

CAMBRIA EQUIPMENT CO.,

Johnstown, Pa., September 5, 1969.

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House of Representatives,
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I would be very interested in your opinion regarding the above.

Very truly yours,

WILLIAM V. PRICE,
Vice President.

Mr. McCLORY. Mr. Speaker, a tragedy which accompanies our military involvement in Southeast Asia concerns the plight of prisoners of war and Americans listed as missing in action. The anguish and suffering which the families of these "lost" men are experiencing is almost beyond human belief and endurance.

Recently, a number of wives of the more than 1,300 lost men traveled to Paris in order to urge the negotiators for North Vietnam at the "peace" talks to supply information regarding their husbands and others who are included in the categories of, first, prisoners of war and second, missing in action.

It is hard for citizens of our Nation to understand the cruel indifference of the North Vietnamese leaders to this basic responsibility to extend humane treatment and essential care to such lost men, and to report on their welfare and condition to our Government or to relatives who seek information about them.

Mr. Speaker, I join in support of the movement to encourage wider public understanding of this problem and to induce support on the part of our governmental representatives to help eliminate the tragic conditions which have prevailed in many American homes and families where "lost" men are involved.

Among those listed as missing in action over Vietnam is Maj. Crosley J. Fitton, Jr., U.S. Air Force, brother of my constituent Mrs. Patricia Fitton Stone, 1112 Regency Lane, Libertyville, Ill. Major Fitton was shot down in February 1968, while on a mission over North Vietnam. However, neither his parents, his wife, children, nor his sister, nor other relatives have had any information regarding his condition or welfare. While he is reported to have ejected from his plane several miles from Hanoi and his parachute was seen to open, he has not been heard from since that time.

Mr. Speaker, I can assure my many constituents who support this effort that my colleagues and I have not forgotten these "lost" men, nor will we forget the loved ones who are seeking an explanation of the incredible condition that exists and who want honest information regarding the whereabouts and the welfare of the husbands, sons, and brothers who have disappeared behind territory controlled by the government in Hanoi.

I congratulate my colleague from Alabama (Mr. DICKINSON) for his initiative and leadership in this great effort in behalf of decency and humanity.

Mr. PIRNIE. Mr. Speaker, I have joined in introducing legislation expressing the sense of the Congress that our Government appeal to the North Vietnamese Government and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating the the treatment of prisoners of war and to take appropriate steps to obtain release of our prisoners of war.

Our Government has always and will continue to abide by the Geneva Convention relative to the treatment of war prisoners. Our tradition and heritage, as well as our value of human life demand that we do no less. Unfortunately, we have no assurance from the other side that it does likewise. In fact, recent statements from released POW's indicate that the treatment of prisoners is less than humane. Of course, all of us find these reports incredible and we are angered by the thought that other countries do not abide by the minimum requirements of the Geneva Convention.

Unfortunately, there are at least 340 and possibly as many as 1,300 American servicemen interned as prisoners of war by North Vietnam and the NLF. Some have been captive for as long as 5 years. Sources indicate that in many cases these brave men have been subjected to physical abuse, mental torture, and insuffi-

cient medical treatment. I am familiar with one case which serves to underscore the terrible difficulties attendant to the family of a POW.

Navy Lt. Paul Galanti is 30 years old now. On June 17, 1966, then 27 years old, he was shot down by North Vietnamese anti-aircraft during a bombing run over Vinh in North Vietnam. An Annapolis graduate of 1962, Lieutenant Galanti had flown several bombing missions over North Vietnam and had received several air medals. His wife, Phylis, did not know whether he was dead or alive until October of 1966 when his picture appeared in *L'Humanite*, a French Communist newspaper. Considering that many of the wives and families of these prisoners have waited as long as 4 years to learn of the fate of their husbands or loved ones who have been captured, Mrs. Galanti thinks she is lucky. She points out that she has received three letters from her husband since that time, one in February of 1967, the second in April of 1969, and the last in June of 1969. Here again, she has been relatively fortunate in light of the fact that of the possible 1,300 American POW's in North Vietnam, only 100 families have received mail from their husbands or sons. Yet, according to the Geneva Convention, the prisoners are supposed to be able to send and receive one letter per month.

In December of 1967, Mrs. Galanti sent a Christmas package to her husband. It went all the way to Hanoi and was returned—unopened. In a supposedly friendly gesture, Hanoi made it known that the prisoners would be able to receive a package for the 4th of July this year. Mrs. Galanti sent another package but has received no word whether her husband received it.

This fine young lady considers herself very fortunate to have as much information about her husband as she has been able to obtain. She points out that her husband's picture on the front cover of *Life* magazine on October 20, 1967, revealed that he looked reasonably well considering what he had obviously undergone. However, she adds that there are hundreds of other wives and loved ones of American servicemen in Vietnam who know nothing about the condition of these men, who have received no letter, no picture, nothing.

This is a frightening existence for these young wives and these mothers and fathers. North Vietnam's failure to provide a simple list of prisoners or to allow an impartial agency such as the Red Cross to inspect the prison camps is inhumane. In my view, it merely reflects the failure of the North Vietnamese leaders to place any value on the individual human life. They are violating more than an agreement—they are guilty of inhuman treatment which should be stopped. This is a terrible tragedy and all humanity should call upon the North Vietnamese to recognize the spirit and the law of the Geneva Convention. We appeal to them to do so now.

Mr. HANLEY. Mr. Speaker, the recent revelations by two Americans released from Communist Vietnamese prison camps caused a shudder of horror to run through the entire civilized world. War itself can be both inhuman and inhu-

mane; but when its belligerents engage in the subhuman, a cry of outrage is not only appropriate, it is expected as well. The testimony of these American prisoners would curdle your blood. It is a sad commentary that in this day and age, barbarianism still stalks the world, yet the accounts of, abuse, mistreatment, torture and human indecencies related by the ex-POW's leave little doubt that this is the case as far as the Vietnamese Communists are concerned.

If these were only isolated incidents, they would still reflect a totally repugnant situation. The fact of the matter is, however, as we have learned from escaped prisoners and our intelligence apparatus, these are not isolated cases. They are the rule rather than the exception.

Common decency alone should prescribe such treatment, Mr. Speaker. Beyond that, of course, legal restrictions are imposed by the 1949 Geneva Convention on Prisoners of War, which was signed by the Government of North Vietnam in 1957.

Mr. Speaker, I am offering for the consideration of Congress today a concurrent resolution formally condemning Communist Vietnam's treatment of prisoners of war and urging the President of the United States to pursue every channel of endeavor to end this treatment. I offer this at the very time when several American wives of POW's are petitioning the North Vietnamese delegation in Paris for assistance in determining the fate of their respective husbands. I offer this at a time when worldwide attention and worldwide indignation are focused on the uncivilized behavior of the Communist Vietnamese. Other resolutions have been introduced in the past and, in all likelihood, others will be introduced in the near future. It is my sincere hope that every Member of the House and Senate will eventually sponsor or cosponsor such a resolution. Each and every man and woman in this Chamber today prays that our military involvement in Vietnam can soon be concluded. Until that time, however, we have both a moral and a legal right to demand proper, decent, civilized treatment for American prisoners of war.

Mr. MICHEL. Mr. Speaker, it is my privilege to join with my colleagues in cosponsoring this concurrent resolution calling upon the Government of North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to take such steps as may be appropriate to obtain the permanent release of all members of the Armed Forces of the United States so held as prisoners of war.

It is really a sad commentary on our times when it becomes necessary for the Congress to dramatize an issue of this kind when we are supposed to be dealing with so-called civilized nations who have signed the Geneva Convention and should really take the action called for in the resolution as a matter of decent and humane policy.

While our comments today are directed primarily to our men being held prisoners by North Vietnam and the Vietcong, I would like to also add that a constituent

of mine is presently being held prisoner by the Government of North Korea. He is Sp4c. Herman H. Hofstatter, of Lowpoint, Ill., who is one of a three-man helicopter crew taken prisoner last month when their helicopter accidentally intruded into North Korean territory.

In spite of the fact that Specialist, Fourth Class Hofstatter and one of his companions were gravely wounded, the Government of North Korea has adamantly refused to return these men and have also not allowed any representatives of the Red Cross or any other international organizations to visit with the men.

I hope our efforts today will result in a change of heart and policy on the part of the National Liberation Front of South Vietnam and the Governments of North Vietnam and North Korea.

Mr. BELL of California. Mr. Speaker, hundreds of families across the United States must live daily with the terrible anxiety of uncertainty about the welfare of their loved ones.

I refer to the wives and parents of American servicemen who are now prisoners of war or missing in action in Vietnam. Some do not even know if their husbands or children are alive or dead.

As Representatives in Congress we must speak out publicly about this tragic situation.

North Vietnam has consistently claimed that our men are being treated humanely. Yet its Government refuses to allow impartial inspection of North Vietnamese POW camps. Stories continue to come to our own Department of Defense indicating that North Vietnam has violated even the most basic standards of human decency.

Hanoi and the Vietcong must be made aware that such utter disregard for human dignity is not acceptable to civilized men and women throughout the world. North Vietnam must be held accountable for its outrageous refusal to abide by the articles of the Geneva Convention which that Government signed in 1957.

Four women are now in Paris seeking information about their loved ones from delegates from Hanoi and the NLF. Their pleas have been ignored. These women and the Association of Wives and Families of Captured and Missing American Military Men must not stand alone.

I have joined today in cosponsoring a resolution calling upon the President, the agencies of our Government, the United Nations, and the people of the world to appeal to North Vietnam and the NLF to comply with the requirements of the Geneva Convention and to take steps for the prompt release of American prisoners of war.

A voice must be raised against the unwarranted treatment of our men who are held prisoners in Vietnam. And our plea must be so strong that it can no longer be ignored by North Vietnam and the National Liberation Front.

Mrs. MAY. Mr. Speaker, the gentleman from Alabama (Mr. DICKINSON), I am sure, has the everlasting gratitude of the many hundreds of relatives of our servicemen listed as missing in action in Southeast Asia. The distinguished and able gentleman has effectively brought

to the floor of the U.S. House of Representatives a discussion and a resolution dealing with an unpleasant but urgent subject: the treatment of prisoners of war by North Vietnam.

I wish to associate myself with the gentleman's effort and with the concurrent resolution he is offering. It is my hope that our strong concern in the House of Representatives will stir world opinion to the point that our missing servicemen can and will receive their full rights under the terms of the Geneva Convention.

Mr. Speaker, our Secretary of Defense, the Honorable Melvin R. Laird, in a statement released just 2 weeks ago, said:

There is clear evidence that North Vietnam has violated even the most fundamental standards of human decency. It consistently has claimed through propaganda statements, that our men are being treated humanely. Information the Defense Department has received clearly refutes those contentions.

It may be that top government officials in Hanoi are unaware of the shocking conditions within North Vietnamese prison camps. Nevertheless, North Vietnam is accountable to every human being for these flagrant violations of human decency. North Vietnam also is accountable for its failure to release sick and wounded prisoners and for its failure to permit the men to correspond freely with their families. Hanoi knows about these violations.

Some of our men have been in Communist prison camps for more than five years. Over 200 have been there longer than three and a half years. We are concerned that the passage of so many months of captivity could have long-term adverse effects on the well-being of our men.

Secretary Laird, in his statement, outlined four humanitarian actions required by the Geneva Convention of 1949, which North Vietnam signed in 1957. They must immediately, first, identify prisoners whom they hold; second, release the seriously sick and injured; third, permit impartial inspections of all prisoner of war facilities; and, fourth, permit the free exchange of mail.

The U.S. Government has repeatedly appealed to North Vietnam and the National Liberation Front of South Vietnam to respect the requirements of the Geneva Convention, which North Vietnam has endorsed. These appeals have been brutally rebuffed by the North Vietnamese.

World opinion must be marshaled now against such inhumanity, Mr. Speaker. As the most immediate result of this forum today, I pray that it will be.

Mr. DERWINSKI. Mr. Speaker, I believe this special order conducted this afternoon by the gentleman from Alabama (Mr. DICKINSON) is of utmost importance in that it effectively emphasizes the legitimate concern that Americans have over the treatment of American prisoners of war by the North Vietnam Communists and their official arm in South Vietnam, the so-called Vietcong movement.

I join with other Members this afternoon in calling upon the North Vietnam Communist dictatorship to specifically comply with the Geneva Convention provisions pertaining to POW's. They clearly have failed to comply with the provisions providing for identification of prisoners,

free exchange of mail between prisoners and their families, proper and impartial inspection of prisoner of war camps, and release of seriously ill or injured prisoners.

The conduct of the North Vietnam Communists in their treatment of American POW's has properly been described as barbaric and uncivilized.

I commend Secretary of Defense Laird for the efforts he has instigated to bring the spotlight of world attention to bear upon this issue, hopefully to provide proper treatment of POW's.

May I point out, Mr. Speaker, that on September 11 I cosponsored House Concurrent Resolution 333, introduced by our distinguished colleague the gentleman from Tennessee (Mr. BLANTON). In addition I have kept in constant contact with the Defense Department relative to servicemen from my district and neighboring Illinois areas who are listed as missing in action or are known to be POW's.

It is imperative that we continue our efforts through all possible channels, including world public opinion, so that our POW's in North Vietnam receive the treatment to which they are entitled under international law. I regret that the United Nations has failed to act on behalf of our POW's. It must be observed that the world body remains paralyzed as a result of opposition by Communist governments to any undertaking that does not fit into the Communist scheme of things.

Mr. Speaker, the parents, wives, and children of our POW's must also be considered. The inhumane policies of the North Vietnam Communists must not be allowed to continue. We do have the leverage in world diplomatic circles to bring sufficient pressure to bear upon the dictators of North Vietnam to abide by the Geneva Convention in the treatment of American prisoners of war.

Mr. WAMPLER. Mr. Speaker, it is my privilege to be one of the cosponsors of the concurrent resolution introduced today by the Honorable WILLIAM L. DICKINSON to urge North Vietnam and the National Liberation Front to comply with Geneva Convention tenets and provide humane treatment of American captives.

North Vietnam is flagrantly disregarding the provisions of the Geneva Conference. The names of the prisoners of war are not released; the regular flow of mail to or from these prisoners is not permitted; inspection of the facilities in which the prisoners are kept is prohibited; inhumane and barbaric treatment of the prisoners is common.

As a result, an outrageous amount of long-term, heartbreaking, and unfair suffering plagues the relatives and friends of the nearly 1,400 missing or captured servicemen. I am familiar with such suffering in my own Ninth Congressional District of Virginia, for 1st Lt. Jefferson Scott Dotson, of Pound, Va., was shot down August 9, 1969, while on a misty mission in an F-100F from Tuy Hoa Air Base in Vietnam. Neither he nor his aircraft has been identified.

As a Member of Congress, I feel a moral obligation to make the Nation and the world aware of what is happening to some of the men fighting for us. By stirring world opinion, I hope we will be tak-

ing a step toward securing the fair treatment our men and our country rightfully deserve.

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in support of the concurrent resolution expressing the sense of Congress that an appeal be made to the North Vietnamese Government to comply with the Geneva Convention in the treatment of prisoners of war, and to take steps to obtain the prompt release of all prisoners of war.

All of us, Mr. Speaker, have been shocked at the recent revelations by returned prisoners of war, who told of cruel mistreatment at the hands of their captors. The wives, mothers, sweethearts, and families of American servicemen imprisoned in North Vietnam endure unbelievable heartache daily, not knowing of the conditions of their loved ones 10,000 miles away.

Today, Mr. Speaker, my office was visited by the wife and the mother of Air Force Capt. Jeffrey Thomas Ellis, of Madison, N.J., in my congressional district. Mrs. Ellis and Captain Ellis' mother, Mrs. Laura MacLean, have not heard from Captain Ellis in nearly 2 years. When he left for his assignment in Thailand, his daughter was 3 months old. She is now 2 years old.

The captain was leading a mission over North Vietnam, near Hanoi, in his F-105 fighter plane when it was shot down in December 1967. Captain Ellis suffered a broken leg when he ejected from his aircraft and was captured by North Vietnamese troops.

Since that time, Mrs. Ellis' letters to her husband have gone unanswered, and her attempts to send packages to him have come to nothing.

Many of us know, Mr. Speaker, the commander in chief of our naval forces in the Pacific, Adm. John McCain. His son was also shot down and captured by the North Vietnamese. Although badly wounded, Commander McCain is reported to have been put in solitary confinement for an extended period of time. Such inhumane treatment of our fighting men is outrageous and totally unjustified.

Mr. Speaker, I urge strongly that the House give quick approval to this concurrent resolution and extend some measure of comfort to the families of these men.

Mr. HARSHA. Mr. Speaker, in cosponsoring this resolution I seek to assure the American people that the sacrifices of their men in Vietnam have not been ignored nor, indeed, forgotten by a concerned and appreciative Congress.

I seek immediately to convey that assurance to the distinguished delegation with us today representing the wives and families of men captured and missing in Vietnam.

I seek, in turn, to convey that assurance to the people of the world, whose assistance I seek to enlist in the essential task of impressing Hanoi with the far-reaching gravity of the statement by Secretary of Defense Melvin Laird that there is "clear evidence" that, in mistreating U.S. prisoners of war, "North Vietnam has violated even the most fundamental standards of human decency."

I appeal to the court of world opinion to impress Hanoi that, in such violation of the Geneva Convention to which Hanoi is a signatory, Hanoi violates not just the morally and legally guaranteed rights of one human being, but those of all humanity; that is the real impact of that convention, that is the full significance of Secretary Laird's reminder that—

North Vietnam is accountable to every human being for these flagrant violations.

In cosponsoring this resolution, in endorsing Mr. Laird's urgent demand that North Vietnam and the Vietcong undertake "humanitarian actions required by the Geneva Convention," my intentions, at once, are identical to those of Navy Lt. Robert Frishman who, as one of only nine U.S. prisoners freed by Hanoi in 5 years, has said:

My intentions are not to scare wives and families but Hanoi has given false impressions that all is wine and roses and it isn't so. All I'm interested in is for Hanoi to live up to their claims of humane and lenient treatment of prisoners of war. I don't think solitary confinement, forced statements, living in a cage for three years, being put in straps, not being allowed to sleep or eat, removal of finger nails, being hung from a ceiling, having an infected arm which was almost lost, not receiving medical care, being dragged along the ground with a broken leg, or not allowing an exchange of mail to prisoners of war are humane.

Why don't they send out a list of their prisoners of war? Why do they try to keep us from even seeing each other? Certain prisoners of war have received publicity. Others are kept silent. Why aren't their names officially released? If they don't have any secondary alternatives or motives in mind, then release the names of the prisoners of war so their families will know their loved ones' status. I feel as if I am speaking not only for myself, but for my buddies back in camp to whom I promised to tell the truth. I feel it is time people are aware of the facts.

Mr. Speaker, this is the precise purpose of this resolution: To tell the truth, to make the people of the world aware of the facts, and, in turn, to flood Hanoi with a Niagara of opinion which must compel North Vietnam and the National Liberation Front, at last, to afford American prisoners of war the humane treatment to which they have been entitled from their moment of capture.

Mr. BRAY. Mr. Speaker, in his poem "Lepanto," G. K. Chesterton wrote of the misery and torment of prisoners of a foreign, enemy power, and from what we know of Hanoi's treatment of U.S. prisoners of war, Chesterton's words are grimly appropriate today:

Captives sick and sunless, all a labouring race repines
Like a race in sunken cities, like a nation in the mines
They are lost like slaves that sweat, and in the skies of morning hung
The stairways of the tallest gods when tyranny was young.
They are countless, voiceless, hopeless as those fallen or fleeing on
Before the high Kings' horses in the granite of Babylon.
And many a one grows witless in his quiet room in hell
Where a yellow face looks inward through the lattice of his cell,
And he finds his God forgotten, and he seeks no more a sign

Whether what we say here today will ever reach our fellow Americans in their quiet rooms in hell is doubtful. Radio Hanoi announced just yesterday that American prisoners will be regarded as war criminals, and the Geneva Convention will not be applicable to them. But at the very least, let us reassure the families of these men that their Government has not forgotten them, that, as these men kept faith with their country and the oath of service they took, their country will through the Congress of the United States keep faith with them.

We do not meet here today to give sanction and quasi-legitimacy to our enemies, the men in Hanoi who continue this grim war and are directly responsible for the continued mindless and brutal torment of our men in their prisons. You will hear no suggestions that U.S. representation be made at the next funeral of a leading North Vietnamese. You will not hear indirect comparisons of Communist dictators with men whom generations of Americans have come to revere as heroes and true patriots of this Republic.

Let us make it quite clear to the rest of the world, and to Hanoi as well: we do not view our captured fighting men as hapless pawns, who, once captured, are to be forgotten and ignored.

We now call on world opinion—this same world opinion so often invoked against us—this world opinion cited by some as being such a powerful force, able to move governments—to aid us, the United States, in what can be nothing more nor less than a humanitarian gesture for its citizens held captive abroad.

I must say, I do not have much hope that world opinion will be able to alleviate the problem to a great degree. But I do say this: if our request for aid today is ignored by the rest of the world, then the flagrant, two-faced hypocrisy of other nations will be self-evident.

For awhile, at least, let us hear no more talk about the "legitimate aspirations" and national aims" of tyrannical dictatorships. Let the anti-U.S. voices be silent; let the anti-American signs come down, and the demonstrations cease. If these people are so truly concerned with humanity, and man's treatment of his fellow man, then let them devote their energies to exerting all the influence they can bring to bear upon Hanoi, for the sake of American captives.

Yes, our fellow countrymen languish today in these "quiet rooms in hell," and as we ask the rest of the non-Communist world for support in easing their plight, and attaining some small measure of comfort for their families, let the rest of the non-Communist world remember that were it not for these men, held captive today, and for the United States of America, there would be more Communist aggression, more Communist slaughter, and more Communist "quiet rooms in hell" filled in every corner of the globe.

Mr. ANDREWS of Alabama. Mr. Speaker, the stories of terror and barbarism recounted recently by two American servicemen, finally released from a North Vietnamese prisoner-of-war camp, again underline the small regard held by the Communists for human life.

They also underline the need for action on the part of the United States, as well as other civilized nations, to end this inhumanity to which American POW's are being subjected.

Based on intelligence reports and the testimony of servicemen who have escaped or been released, we know that our men are suffering physical torture, psychological terror, public display, insufficient medical care and treatment, neglect of health, dietary and sanitary necessities, denial of correspondence with relatives, and forced compliance with propaganda and political exploitation.

I have introduced a resolution, along with other House Members, calling on North Vietnam and the Vietcong to comply with Geneva Convention provisions and provide more humane treatment of American captives. To date, they have ignored all civilized concepts of international accords and agreement on prisoners of war.

I am urging the President to initiate through diplomatic, military, and any other available channels, such action as may be necessary to insure that the 1949 Geneva Convention provisions on POW's, which North Vietnam signed in 1957, are accorded all American servicemen being held in North and South Vietnam.

The President should especially urge that the Government of North Vietnam and its allies identify prisoners whom they hold, release seriously sick or injured prisoners, permit impartial inspections of all prisoner-of-war facilities, and permit the free exchange of mail between families and prisoners.

Success in dealing with the Communists can never be safely predicted, but we must do something about our men in the enemy's prisons. This administration, like that before it, has obviously given up any thought of rescuing them through offensive drives into North Vietnam.

If this administration is so determined to lose the war in Vietnam through the continuation of a demoralizing and self-defeating noninvasion strategy, it at least should see that Americans imprisoned by the enemy are saved from death by slow torture.

Mr. BROYHILL of North Carolina. Mr. Speaker, I have joined in sponsoring this resolution today because of my deep and continuing concern for our prisoners of war in North Vietnam. It is obvious to the American people and to the world that our captured servicemen are not receiving treatment in accord with the Geneva Convention or by any acceptable standards of simple human decency. The deplorable conditions in which our men are forced to live and their treatment by the North Vietnamese are indeed shocking to us and to the rest of the world.

It is reasonable and urgent that we call upon the Government of North Vietnam to adhere to the requirements of the Geneva Convention of 1949, to which it is one of the signatory nations. As a first step, we call for the identification of all prisoners either to our government at some appropriate place or through the International Red Cross. This gesture of good faith on the part of the Gov-

ernment of North Vietnam would end the continuing uncertainty which the families of these men have suffered day after day. We also urge that the sick and injured prisoners be released and that impartial inspections of all prisoner-of-war facilities be permitted. Our men should also be allowed to exchange mail with their families. Above all, we urge that all prisoners be released and allowed to return to the United States.

Hanoi in the past has responded to such pleas for humane treatment of prisoners of war by releasing staged photographs and propaganda broadcasts purporting to demonstrate the well-being of our men. Such propaganda is no proof of the actual treatment they are receiving and the conditions in which they are living. Neither are these transparent "shows" in accord with such facts as we have been able to ascertain from various sources.

It is my sincere hope that the widespread public support which this resolution is receiving will demonstrate to the Government of North Vietnam the strong feelings of the American people about its actions. There should no longer be any doubts about the unanimity of our feelings on this matter.

Mr. BELCHER. Mr. Speaker, I want to commend my colleague from Alabama for taking this time today to provide the opportunity for a concerted expression of concern over the condition and treatment of American prisoners of war being held by North Vietnam.

The wives and families of a number of these heroic—yet all but forgotten—men live in my congressional district, and the letters I have received can only be described as heart-rending. These gallant wives, children, and parents are forced to wait in tormenting helplessness for months on end—indeed, some of them for years—knowing that a loved one is a prisoner of the North Vietnamese but unable to learn anything about his condition or to communicate with him in any way. Others know only that a loved one is missing and can only hope that, if he is a captive somewhere in North Vietnam, he is not ill or injured, that he is not being tortured, starved, or otherwise abused.

And the tragedy of this situation is that it is in direct violation of the Geneva Convention provisions on prisoners of war, which North Vietnam signed in 1957 and to which it therefore supposedly agreed.

Included in the Geneva Convention are provisions requiring the identification of all prisoners of war by their captors, free exchange of mail between POW's and their families, impartial inspection of POW camps and the release of seriously ill and injured prisoners.

Yet, today, we are confronted with a situation in which a signer of the convention is obviously violating all of those provisions. The Defense Department lists 342 American servicemen known to be prisoners of the North Vietnamese, but there are more than 1,200 others listed as "missing in action" who may be captives. And the information provided by men who have been released or who have escaped indicates that some of those

1,200 are, indeed, captives. But they have never been identified as such by their captors.

I want, if I may, to quote briefly from a letter I received recently from the wife of one of these POW's:

My husband has been a prisoner (in North Vietnam) for nearly 3 years; he was shot down on November 11, 1966. I have never heard a word from my husband and I am deeply concerned for his health and his treatment.

Here is indisputable evidence that the free exchange of mail between POW's and their families, as required by the convention is being violated.

I do not need to describe the cruel and inhumane treatment which many of these prisoners have endured at the hands of their Communist captors. It has all been documented too well and too often by the press in the reports of men who have been released or who succeeded in escaping alive from their tormentors.

Mr. Speaker, I deplore the blatant violation by North Vietnam of an international agreement to which they make the pretense of having subscribed. It is mute testimony to the fact that, for all our wishful thinking, we have not yet entered fully into an era of civilized international relationships.

I am aware of the phony excuse recently issued by the North Vietnamese officials stating that American prisoners are not subject to the provisions of the Geneva Convention because they are guilty of crimes against humanity. It is the typical lame excuse which Communist dictators make when it does not suit their purposes to abide by treaties or conventions or honor their pledges. In my view, it should not even be dignified by a response from nations or people who believe in the rule of law.

In an effort to bring to bear whatever pressure I possibly can to correct this situation, I join today with my good friend, the gentleman from Alabama, and other Members of this House in introducing a concurrent resolution expressing the sense of Congress that the President, the Departments of State, Defense, and all other concerned departments or agencies of the U.S. Government, as well as the United Nations and all people of good will throughout the world appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention, and that appropriate steps be taken to obtain the release of all American prisoners of war.

I urge the Committee on Foreign Affairs to give this resolution its favorable consideration at its earliest opportunity. Action on this measure is imperative in the interest of justice, humanity, and progress toward the goal of dependable international relationships for which all civilized people everywhere strive and yearn.

Mr. STEED. Mr. Speaker, all armed conflict, whatever the purpose and wherever staged, imposes untold suffering and hardship on some of our fellow men. This has been true throughout history and it is true now.

But to me there is no anguish and

agony that war imposes more difficult to bear than those who bear the burden of the casualties of war, and especially the loved ones who must remain at home and suffer in silence.

This penalty of war is bad enough under the best of conditions, and it stands as a shocking indictment to the world when it is compounded by the cruelties of war such as now is being imposed by the North Vietnamese on American prisoners of war. The opinion of the civilized world is entitled to descend upon the leaders of that vile nation in all its force and I pray that it does.

I join with my colleagues here today in this effort to impose upon all mankind the cruel facts of guilt on the treatment of our American men, and the inhuman suffering their loved ones are forced to bear.

Mr. WOLD. Mr. Speaker, I have just returned from a factfinding tour to Vietnam. One of my objectives was to check the morale of our troops, to find out if they have everything they need.

But there was one group of our fighting men that I could not meet with—a group that is suffering hardships without enough food, clothing, shelter, or proper medical care; men to whom torture has become a way of life. They are American prisoners of war, held captive in North Vietnam.

Unfortunately, there was nothing I could do to ease their situation while I was in Vietnam. North Vietnam refuses to abide by the terms of the Geneva Convention, to which it was a party. There is little physical action we can take to help these men.

There is one type of vital aid we can provide. I am cosponsoring a resolution deploring the treatment our men are receiving at the hands of those in Hanoi, and calling for a more humane attitude on the part of the North Vietnamese. They do not abide by even the most elementary rules of treatment for prisoners—one of which is to provide a list of the prisoners they hold. For this reason, scores of American women do not know if they are widows or wives.

Like any other nation in the world today, North Vietnam is conscious of public opinion. They do not want their country's name etched into history by the blood and tears of American prisoners.

We hope this resolution will make the men in Hanoi open their eyes, because it can be the spark to cause a world outcry against the cruelty of North Vietnam.

We pray that this resolution will be the means to make prison life easier for our men, who have shown remarkable fortitude and endurance under the most unbearable conditions.

I urge every Member to support this resolution, for unanimous approval will make it the strongest weapon we can wield against the senseless abuse of the North Vietnamese.

Mr. WOLFF. Mr. Speaker, all of us in this Chamber have become increasingly aware of the fact that most of what is said here about the conduct of the war in Vietnam is closely monitored by the North Vietnamese and the Vietcong for

indications of American sentiment on the war. As one who has spoken out often in opposition to some of the policies of our Government, I have always been acutely aware of the responsibility placed upon me to choose my words most carefully in order to say only what I mean—no more or less. Accordingly, I hope that when the leaders of North Vietnam read the transcript of today's proceedings of the House of Representatives they will be struck by the sincerity of my words as I condemn their treatment of American servicemen taken captive in battle. I hope that they become fully cognizant of the indignation with which all Americans learned recently of the barbaric treatment which has been visited upon our soldiers who have found themselves prisoners of war.

I know I speak for all Americans when I join with my colleagues in calling upon the President to use all political and diplomatic means available to him in order to elicit cooperation from the North Vietnamese and the National Liberation Front in reporting the whereabouts and condition of all American prisoners to insure that the tenets of fair and humane treatment, as expressed in the Geneva Convention of 1949, which was signed by the Government of North Vietnam in 1957, are accorded to American servicemen held as prisoners of war in North and South Vietnam.

I am sure that there is no cause in which we, as Members of the House of Representatives, are more unanimously joined than this which would insure fair and humane treatment for the brave men who have been called upon to serve this great land of ours.

Mr. DOWDY. Mr. Speaker, I have the greatest sympathy for the wives and families of missing servicemen in Vietnam, or anywhere else. I have urged and continue to urge that all departments and agencies of our Government make every attempt to obtain a list of those who may be prisoners of the North Vietnamese, together with a report of the health and welfare of such prisoners. It is inhuman for the enemy to withhold those names, that their families, their wives, children, and parents do not even know whether they are alive or dead.

Surely our State Department and our negotiators can take additional steps, through our representation in nations over the world, to get this information. I hope and pray that the remarks made here in this House today will aid in that respect, and that world opinion will be aroused, to add to our own judgment, to bring such pressure to bear as will attain this end, pending the day this war can be brought to an honorable end, and all may return to their homes and loved ones.

I personally appreciate the efforts of the gentleman from Alabama (Mr. DICKINSON) in bringing this matter before the House.

Mr. HUTCHINSON. Mr. Speaker, I too commend the gentleman from Alabama (Mr. DICKINSON) for his efforts to bring about a recognition of the rights of prisoners of war under the Geneva Convention by the North Vietnamese. Certainly the House of Representatives of the United States would do everything possible within its authority to accomplish

that recognition. Of course, we recognize that our legislative power does not reach those American soldiers who have been taken prisoner and those who are missing in regions under North Vietnamese control. But our concern is there. We express the overwhelming public opinion of our fellow citizens in this great land. I am honored to join the gentleman in the well, the gentleman from Alabama (Mr. DICKINSON), in his efforts today.

Mr. DENNIS. Mr. Speaker, like my colleagues I heartily support the effort of the gentleman from Alabama (Mr. DICKINSON) to bring all possible pressure to bear upon the Government of North Vietnam to induce that Government to extend ordinary humane treatment, in accordance with the law and customs of civilized nations, to those brave Americans now held by North Vietnam as prisoners of war. War, under any circumstance, is grim enough, but it is a sad commentary on the mind and attitude of our Communist foe that, by its medieval attitude toward these brave men, it is returning warfare to savage barbarism and stripping it of such civilized amelioration as, over the years, most nations have managed to attain. No purpose, military or otherwise, is served by this attitude on the part of the Communists, and the simple dictates of human decency and common humanity unite to condemn it in the minds and hearts of God-fearing and right-thinking men of all faiths and all nations throughout the civilized, and indeed even the uncivilized, world.

Mr. FREY. Mr. Speaker, there are over 1,400 missing or captured U.S. servicemen in North Vietnam. In most cases, their families have no idea if these men are alive, or if captured, what shape they are in. The Government of North Vietnam and the National Liberation Front have not only ignored the provisions of the Geneva Convention, but more importantly have disregarded even the basic standards of human conduct. There is no excuse for their actions.

These men accepted an obligation to serve our country and carried out their part of this obligation. In turn, this great Nation owes an obligation to these brave men, their families, and even men who might someday be in the same position.

During the recent congressional recess, I had the privilege of visiting our troops in Vietnam. These men are performing their duty in a way to make each and every one of us proud—no matter what our particular view on Vietnam may be. They are naturally concerned about this situation—as they could be in a similar one someday. Questions naturally arose as to the treatment of POW's. There is no question Vietcong prisoners are afforded the rights guaranteed by the Geneva Convention. There is no question the same treatment should be afforded American prisoners of war.

I join with my colleagues in urging North Vietnam and the National Liberation Front to comply with the Geneva Convention. I urge that the necessary action be taken to release these prisoners. This is the least we can do to help pay our obligation to these brave men and their long-suffering families.

Mr. SANDMAN. Mr. Speaker, mail re-

ceived at my office and those of many other Members of Congress indicate that there is a rising crescendo of feeling, bordering on absolute hatred, against the leaders of the North Vietnamese Government.

There are two primary reasons for the outbreak. One is the well-noted actions—and often the lack of them—of the North Vietnamese at the Paris peace talks. There is a strong feeling, and I share it, that if the north would come part of the way in the so-called negotiations that a cease-fire could be brought about promptly.

It would be the humane and common-sense thing to agree to a cease-fire and then proceed with honorable peace negotiations. In my opinion, our Government has moved well along the path to that goal, while the North Vietnamese have thrown every roadblock possible into preventing a cease-fire and ultimate peace.

The second inhumane situation that is arousing the American public is the treatment of military war prisoners by the North Vietnamese. The treatment not only concerns those held captive, but also their loved ones at home.

Right now, there is a national campaign being started to build American and worldwide opinion against the North Vietnamese for its cruel and inhuman handling of the war-prisoner situation. In many cases, it is being pushed forward by the prisoners' mothers and wives, such as my constituents from Alloway, N.J., Mrs. Joan Abbott, her seven children, and mother, who are in the House gallery today.

Mrs. Abbott is the wife of Maj. Joseph S. Abbott, who was shot down over North Vietnam on April 30, 1967.

On that day Mrs. Abbott and her seven children who range in age from 3 to 12 years old received word from the Air Force that Major Abbott was missing in action.

Since this time the family has received no communication, mail, or response from Major Abbott, who has been in active service for 15½ years.

On May 19 of this year, over 2 years later, Major Abbott's voice was recognized by his family on a tape sent from Hanoi which stated the date he was shot down and that he was a prisoner of war.

Following comparative tape analysis, the U.S. Air Force changed Major Abbott's status from missing in action to that of prisoner of war. Hanoi has yet to verify. Mrs. Abbott and her seven children have no idea as to whether Major Abbott is in good health or even alive at this time.

People such as Mrs. Abbott want their husbands back as soon as possible. In the interim they are fighting to shape world opinion so the North Vietnamese will allow families in the United States to know who the prisoners are and a free flow of mail to them as stated at the Geneva Convention.

Congress is deeply concerned about the treatment of war prisoners. I was pleased to include my name on a statement circulated among Members of Congress protesting the "inhumane and inexcusable" treatment of American prisoners in North Vietnam, which President Nixon

has been asked to place before the North Vietnamese delegation in Paris.

I have also joined with many of my distinguished colleagues in cosponsoring two resolutions condemning the Vietnamese Communists for their uncivilized conduct.

My feeling about this situation is a deep-rooted one for during World War II, the Germans held me a war prisoner, I know of the mental suffering my family went through during that period.

Mr. SHRIVER. Mr. Speaker, it is of growing concern to Members of Congress and to all Americans that the rights of prisoners of war and the feelings of their loved ones are being so grossly abused and ignored by the Government of North Vietnam and the National Liberation Front in South Vietnam.

Some 1,336 American families, including approximately 35 in Kansas, do not know whether their sons or husbands in Vietnam are dead or alive, physically well or sick. Their fate remains unknown because North Vietnam continues its cruel refusal to abide by the 1949 Geneva Convention relative to the treatment of prisoners of war.

They refuse to provide lists of the men they hold, and they will not permit them to communicate with their families.

Parents and wives of servicemen in my congressional district have appealed to me to bring to the attention of proper officials their concern and desire for some word about their loved ones.

I have communicated with the President regarding the plight of these brave Americans, and only last week received a reply indicating that this matter has a very high priority and is receiving continuing attention by the administration. Following are excerpts of the letter, dated September 9, 1969, which was signed by William E. Timmons, Deputy Assistant to the President:

The President, Secretary of State Rogers, and Secretary of Defense Laird, as well as our team at the Paris talks, are doing all in their power to bring public and world attention to the lack of humanitarian considerations by the Government of North Vietnam in their treatment of missing and captured Americans and their families. They, the International Committee of the Red Cross, and private officials have repeatedly urged the enemy to comply with the Geneva Convention and to respect the rights of prisoners of war. The enemy's refusal to provide lists of the men they hold and to permit all the prisoners to communicate with their loved ones, and their failure to identify prisoner of war camp locations are only a few of their many violations of the Geneva Convention relative to the treatment of prisoners of war.

As recently as August 21, the American delegate at Paris presented to the other side a statement signed by 42 American Senators and published in the CONGRESSIONAL RECORD condemning Hanoi as "cruel" and "callous" in its handling of prisoners. This action followed a number of public statements in the same vein by our leaders in Government and other officials.

... we will continue to bring pressure on Hanoi to comply with the Geneva Convention and to respect the rights of prisoners of war. Recently, Secretary Laird summarized our attitude toward this important matter. He said:

"We will not relax our efforts to ensure humanitarian treatment for all American servicemen while they are in captivity and to

secure their release. These brave men and their families shall not be forgotten."

Today I join with others in the House in introducing a concurrent resolution which calls on our Nation's leaders to continue their efforts to obtain the prompt release of all members of the Armed Forces of the United States held as prisoners of war, and appealing to North Vietnam and the National Liberation Front of South Vietnam to comply with the Geneva Convention relating to the treatment of prisoners of war.

I urge the President to have the American delegate at Paris bring to the attention of the other side the action and deep concern of House Members, as well as the growing indignation and anxieties of the affected families and all the American people.

Finally, I want to commend the distinguished gentleman from Alabama (Mr. DICKINSON) for his leadership and interest in reserving this time in order that world attention can be focused upon this urgent problem.

Mr. CASEY. Mr. Speaker, thousands of young Americans in Vietnam are still locked in fierce and bitter battles in answer to their Nation's call to duty.

Some will fall victims to the savagery of war, and carry the scars of their wounds throughout their life. Some will carry only mental scars inflicted by the unbelievable horror they have witnessed. Some will give that last full measure of devotion in making the supreme sacrifice for their country and their fellow man.

Some of our fallen, Mr. Speaker, we may never know about. And this is the bitterest fruit that blossoms on the hideous tree of war. To force the next-of-kin to live daily with the fear, the uncertainty of not knowing the fate of a loved one lost in a war a world away, is to inflict cruel and inhumane punishment upon the innocent. And for any nation such as North Vietnam to pursue such a deliberate course of action is to show to the world its contempt for the human values we hold so dear.

Daily, the wives, the children, parents, relatives, and friends of some 1,400 young Americans go through the torment and agony of uncertainty, of having their hopes raised at a brief glimpse of a photograph of a captured American taken by some foreign newsman—only to have them dashed when positive identification cannot be made.

Perhaps, by our action here today, we can show to the world our concern for the health and welfare of these men and their families. Perhaps the message will get through—if not to Hanoi—at least to those dubious allies who trade so freely with it, that we do mean business. And that we expect them to join with us in a strong effort to see that our prisoners of war are accorded the rights and privileges set forth under the Geneva Convention, and that full information is made available immediately on the status of their health and welfare.

Perhaps, by our action here today, we can show to the loved ones of these valiant men that we have not forgotten them—and that we will demand the officials in our own Government renew with

added vigor efforts to obtain full information on the status of our men missing in action.

Perhaps, even, some official at the United Nations may take notice of America's growing concern for the safety and well-being of her sons, and express an interest in our behalf. For surely, Mr. Speaker, what we ask here today we ask for all humanity—not just as a nation.

Because I believe that a strong concerted effort, a united world opinion forcibly expressed, could cause North Vietnam to change its cruel and inhuman policy concerning prisoners of war, I am proud to join with my colleagues today in sponsoring this concurrent resolution. It is my sincere hope that the leadership of this House call it up for vote at the first opportunity, and that our action here be followed by similar expressions by the great legislative bodies of the free world.

Mr. FINDLEY. Mr. Speaker, the resolution which is being introduced today is the clearest and most concrete expression of the concern which the American public feels over the reported treatment of many prisoners of war by the North Vietnamese. This treatment violates not only the provisions of the Geneva Convention, but also basic tenets of human decency. Rather than having a debilitating effect upon the American public's attitude toward the war, recent reports of cruelty have only served to harden American attitudes toward those who would act in such a barbaric manner.

Many hundreds of Americans are presently held captive in North Vietnam and it is clear that the release of some information about them would be viewed by the American public as evidencing a desire on the part of the North Vietnamese to move toward peaceful settlement of the conflict in that country. Beyond this, certain information about POW's is required to be released by the Geneva Convention, which North Vietnam signed 12 years ago. At a minimum, the identification of prisoners and the free exchange of mail between captives and their families is required. Also, inspection of POW camps and the release of seriously ill or injured prisoners is called for.

Basic principles of humanity, as well as international law, call upon the North Vietnamese to give some sign as to the status of those Americans who are held captive as a result of this unfortunate war. I am hopeful that the forthrightness of the Nixon administration, this strong expression of the Congress, and the sincere concern of the American people will convince the North Vietnamese to live up to their commitments under the Geneva Convention.

I speak with special concern because several of my constituents are among those believed to be prisoners in North Vietnam.

The wife of one of them, Mrs. Ruth Ann Perisho, is in the gallery here today. To her and the others go my prayers.

In the same connection, I voice con-

cern over an incident outside North Vietnam. One of my constituents, Capt. Phillip Smith, of Greenfield, Ill., has been held prisoner by the Chinese Communists for nearly 4 years. Serving in Vietnam, he lost his bearing while piloting his aircraft and was shot down over Hainan Island, China. He has been held without trial ever since.

His plight is like those held in North Vietnam, and therefore by this means I broaden the appeal to Peking as well as Hanoi.

Mr. NICHOLS. Mr. Speaker, I am pleased to join with my colleagues in this most worthwhile effort to bring about better treatment for American prisoners of war being held by North Vietnam. Our Government has sent U.S. soldiers and airmen into Vietnam in an effort to stop the spread of communism. It is only right and proper that these men should expect and receive every ounce of protection that we can give them. This includes seeing to it that they are treated like human beings by their captors.

From what little we know about conditions in North Vietnamese POW camps, Americans there are treated little better than animals. They are not given medical treatment, proper food, or exercise. They are not allowed to communicate with their families, many of whom do not know if their loved ones are alive or dead.

It is hard to understand how the people of North Vietnam can allow our people to be treated so badly. Perhaps it is because they have so little regard for human life. Or perhaps it is because they have no say in how their leaders conduct the affairs of government.

I was pleased to notice in the paper this morning an ad by the Fairchild Hiller Co. asking Americans to write to North Vietnam. While I hope that many thousands of Americans will do so, I would hope that citizens of other countries of the world would also do likewise. American public opinion alone will not bring about this goal, but if the North Vietnamese leaders knew other people of the world felt the same way, I believe we would see an improvement in the treatment of American POW's.

I also want to join today in paying tribute to the wives, children, mothers, and fathers of men who have made this sacrifice in the service of their country. The poet John Milton wrote in "On His Blindness," in 1652:

They also serve who only stand and wait.

Nothing could be truer about the families of these men. Their service to our country is just as great as that of their servicemen. We must not forget them and we must not forget those gallant Americans who are in the hands of the North Vietnamese. I know each Member of the Congress and, indeed, every American joins me in pledging that every effort possible be made on their behalf.

Mr. BOB WILSON. Mr. Speaker, I sincerely hope that my colleagues will support my request to the Chaplain of the House and the ministers of the Washington area to sponsor a "pray-in" on the steps of the Capitol to dramatize the plight of the American prisoners of war

held by North Vietnam and their wives and families.

Someone must speak for the 1,000 or more prisoners who cannot speak for themselves. Within the clergy of America—Protestant, Catholic, Jewish—there are different convictions about the war. But I am certain all clergymen will want to unite in prayer for compassion for our servicemen who have been held captive for periods ranging to over 4 years.

I propose that prayer services be conducted on the Capitol steps and in churches all over the free world on behalf of American prisoners of war in North Vietnam.

If it please the Congress, Mr. Speaker, may I also respectfully request that the distinguished clergymen who lead us in the daily opening prayer consider a voluntary reference to the American POW's.

I happen to serve on the Armed Services Committee. It is my honor to represent San Diego, the home of many service families. Many women in my district saw their husbands off to war. Some now ask me, following endless months of heartbreaking waiting, to help them determine if they are wives or widows.

And how do we answer a child's question: "When is my daddy coming home?"

The "pray-in" that I envisage arises from our sacred responsibility to the young men who responded to the call of the U.S. Government. They are people, not pawns in the power politics of this long and tragic war.

We would be justified in asking, since Hanoi signed the Geneva Convention but ignores its humane requirements, whether Hanoi would honor other agreements signed in the course of negotiations currently proceeding in Paris. But the plight of the prisoners and their families is such that I will not in this context pursue that very relevant question.

The North Vietnam Communists have proclaimed all U.S. prisoners "war criminals." But they are not even accorded the rights provided the Nazis tried by the International Tribunal at Nuremberg after World War II. Hanoi will not state whether the accused are living or dead, well or sick, or list their names.

Hanoi has imposed a cruel and unusual punishment not only on the captives but on their families. The families are tortured by a calculated refusal to permit any information or communication.

Clergymen may differ on Vietnam as an issue. But I am sure they agree that Hanoi has failed to meet the most rudimentary humanitarian requirements as pertains to the American prisoners.

It is my hope that the religious organizations of this country, individual clergymen, and the laity will see merit in my appeal. It is directed in the first instance, however, to our own beloved chaplain, the Reverend Edward G. Latch.

My letter to the distinguished reverend follows:

It is with the utmost respect that I ask you to consider a plan to assist some of our citizens in tragic circumstances. I refer to the young Americans who are prisoners of war in North Vietnam. I refer also to their families.

The Government of North Vietnam has rejected all entreaties for compliance with the Geneva Convention as relates to prisoners of war. Some prisoners have been held more than four years. Many are sick and wounded. The Hanoi regime refuses even to provide a list of captives so that anxiety-ridden families may know the fate of their loved ones.

As you know, dear Chaplain, the President of the United States has just announced an additional withdrawal of troops from Vietnam. Regardless of their attitude toward the war, I am confident that our spiritual leaders will now join in a fervent Judeo-Christian humanitarian effort to rescue the U.S. prisoners. I have respectfully asked this on behalf of the next-of-kin, whose anguish will be mitigated by knowing that powerful moral persuasion is being brought to bear.

I would like you to consider the propriety of a "pray-in" to be held on the steps of the Capitol, led by ministers of the Washington area. This could be joined by special prayer services in churches all over the Free World.

May I propose that clergymen of the Protestant, Catholic, and Jewish faiths be invited to lead prayers of compassion for the prisoners and their next-of-kin. Let us pray for the release of all prisoners with priority for the sick and wounded, for Hanoi to abide by the Geneva Convention, identify captives, assure proper treatment, and permit neutral inspection and regular flow of mail.

I am faithful that our nation's clergy will mobilize to impress upon Hanoi that all civilization is united in a demand for basic decency for these helpless prisoners and their families. More than 1,000 prisoners are held, we believe, but we know the identity of only 396. Our hearts were saddened in the midst of our joy at the return of the three prisoners recently released. The account of man's inhumanity to man added new anxiety to the ordeal suffered by the families of the remaining prisoners.

It would be a source of great comfort to the next-of-kin were they to take part in such devotional services.

In addition to the pray-in, I wish to suggest, with deepest respect, that visiting clergymen offering the opening prayer to the House each day be asked to include some suitable reference to the plight of the prisoners. This, too, would stir the conscience of the world.

These prisoners, exploited by Hanoi for radio and television propaganda, may well be reciting from the Psalms: "They that carried us away captive required of us a song; and they that wasted us required of us mirth, saying, sing us one of the songs of Zion."

I thank you, Reverend Latch, for your consideration of this plea for mercy on behalf of those who cannot plead for themselves.

Mr. SAYLOR. Mr. Speaker, the basic tenets of the Geneva Convention concerning prisoners of war in which the North Vietnamese signed in 1957 are simple enough. The provisions provide for the identification of prisoners, free exchange of mail between POW's and families, impartial inspection of POW camps, and the release of seriously ill or injured prisoners. Even without the formality of an international agreement, common decency and normal humanity would require belligerent powers to exchange information about prisoners of war.

To date, the North Vietnamese have shown no inclination to abide by any commonly accepted standards of international conduct. It is my hope that with the introduction and passage of the concurrent resolution before the House that those in North Vietnam who flaunt world opinion with their rep-

reprehensible treatment of POW's will learn that such action is detrimental to the goal of achieving an acceptable settlement of the war in Vietnam.

Leaders of North Vietnam are reputed to be sensitive to American public opinion, but continuation of their cruel and barbaric treatment of our servicemen who are their prisoners could be counterproductive in terms of that opinion. What our resolution says in spirit, if not in words, is that this Nation demands simple humanity. If our Nation is to be denied justice on an issue as basic as the treatment of our prisoners of war, how can North Vietnam expect to find a just cessation of hostilities?

In this resolution, the United States is stating a fundamental tenet: human beings count before territory and ideology. Such a concept may be alien to the leaders of the North, but understanding that principle would be the first step in comprehending this Nation's perseverance in an unwanted conflict.

I shall not appeal to the conscience of those North Vietnamese leaders because of anguish and suffering of the families of our men missing in action—we have learned that such appeals are twisted and used for propaganda. With the passage of this resolution we appeal only to commonsense and dignity. We ask the North Vietnamese to consider that which could produce peace.

President Nixon says:

It is time the "other side" responded to our initiatives toward peace.

Were that response to take the form of an exchange of prisoners, perhaps we could get on with the business of ending this war.

Mr. DOWNING. Mr. Speaker, like all Americans who have been deeply concerned over the task that our men in arms have been given on foreign shores, I have grown increasingly conscious in recent months of the plight of the more unfortunate of these men who have fallen prisoner to the enemy and especially to the most trying of circumstances which have befallen their loved ones here at home who can only sit and wait, hope, and pray.

Untold hundreds of these people know nothing at all about the men who have disappeared. I have asked myself a thousand times. I have sought the answer from anyone who might know, and I have beseeched our God in Heaven to tell me why. There is no answer. Worse of all there is no answer from Hanoi to the pleadings of those who ask only are their sons, husbands, fathers, and brothers in captivity? Are they well? Are they alive?

We are all aware of the Geneva Convention even if we may not as individuals know everything that it specifies concerning the treatment of prisoners of war. We know, however, that these men are entitled to humane treatment. The same is true of their loved ones at home. It is inhuman to deny a guiltless child the knowledge that he has a father. Yet there are hundreds of children in America today who know not whether their father lives or is dead. This is utterly senseless. It is without comparison in the history of civilized nations.

How can the Government of North Vietnam send representatives to Paris in a proclaimed effort to find peace when they act with such a lack of reason concerning their prisoners. How can they ever hope to gain worldwide respect as a nation when they show no respect for the rights of individuals.

The time has come for civilized people throughout the world to speak, in compassion if they desire, in anger if they must, but certainly in outrage regardless of their other feelings. I call upon everyone who hears or sees my words to join the rallying cry of those who have a right to know. I call upon all of you to stand at the side of those gallant women and children who ask only that they be told the truth.

Worldwide criticism should be heaped upon the North Vietnamese. Universal concern must be expressed that the Government of North Vietnam, which in 1957 became a party to the agreements of the Geneva Convention of 1949: First, identify the prisoners whom they hold; second, release all seriously sick or injured prisoners; third, permit impartial inspections of all prisoners of war facilities; and, fourth, to permit the free exchange of mail between families and prisoners. If they are sincere in their desire for peace, let them show a little humanity.

Mr. McDONALD of Michigan. Mr. Speaker, I can appreciate the feelings of the ladies in the gallery today whose husbands are held by the Vietcong and North Vietnamese.

I would like to take a few minutes to bring to the attention of the House another case, a different case, involving a young Navy pilot who has been missing more than 18 months after being shot down by the Chinese Communists.

The story of Lt. (jg.) Joseph P. Dunn is one of frustration for both his friends and his lovely, devoted wife, Maureen.

Mrs. Dunn, whose home is in Randolph, Mass., brought this case to my attention through mutual acquaintances. I will briefly summarize the events.

Lieutenant Dunn was flying an unarmed propeller-driven A-1 Skyraider from Subic Bay to the Gulf of Tonkin. The plane had been repaired and was being returned to the carrier Coral Sea on February 14, 1968. He was flying wing on an A-1E radar plane used to guide propeller-driven craft on flights to detect enemy approaches.

According to the pilot of the lead plane, a Lieutenant Stoddert, they were about 90 minutes out of the Philippines when they lost their way in extremely bad weather. Winds were about 125 knots and the clouds were very heavy.

Radio messages were not answered from any of the appointed checkpoints. This was not considered unusual for such a flight.

The A-1E had a pilot, navigator, and crewman. Lieutenant Dunn was alone in his Skyraider.

According to the account later given by the A-1E's pilot, Lieutenant Stoddert, they were completely lost.

About 3 hours outside Subic Bay, Stoddert heard his emergency UHF radio. He thought nothing of it at first because he had been speaking with Lieutenant Dunn only 5 minutes before.

There was more static on his UHF radio. He looked back and saw Lieutenant Dunn's plane nose down with a small trail of white smoke coming from the tail.

He looked again and saw Lieutenant Dunn above the plane with his chute fully open. He remained in the area long enough to hear Dunn use his beeper once and turn it off. Dunn tried to speak to him, but the drone of his A-1E's engine drowned him out. Dunn turned his manually operated beeper on once more.

A Mig 17 came out of the clouds and drove the A-1E away.

However, Stoddert radioed May Day and was answered that it was received by the code name of Ranger, Danger, or Granger in the 7th Fleet. But there was no such code name, leading to the belief the message was answered by the Chinese Reds.

It was determined later that Lieutenant Dunn had been shot down off Hainan Island, which belongs to mainland China.

His beeper was heard 8 hours later for 20 minutes by the destroyer *McCord*.

Rescue and electronic surveillance continued for 48 to 72 hours but the ships and aircraft were ordered to stay 20 miles out in international waters.

Apparently these orders resulted from fear of the previous administration about another *Pueblo* incident. The *Pueblo* had been seized only 3 weeks earlier.

Since this incident, Mrs. Dunn has been in correspondence and personal contact with people in both the State and Defense Departments.

The responses she has received have been routine.

I believe this is an extremely serious matter.

An American naval aviator flying a routine peaceful mission was shot down by a Chinese Communist aircraft. Orders were later given that rescue operations could not take place within 20 miles of the area.

Lieutenant Dunn may have been picked up by the Chinese. He may have died. But the interesting point is that his beeper, which was manually operated, was heard for 20 minutes some 8 hours or more after he went down. This suggests that he may still have been alive at that time.

The Defense Department and the State Department should at all times do their utmost to protect the lives of American citizens held illegally by a foreign power.

There has been much discussion in recent months about easing relations between our country and Peking.

I suggest the case of Lieutenant Dunn—and any other American civilians or service personnel held illegally by Red China—should be brought to the attention of Peking.

We are always talking about "signals" from the other side.

Let Peking release Lieutenant Dunn, if he is indeed a prisoner, as a "signal" to us of interest in improving relations.

If Lieutenant Dunn is not a prisoner, and was lost at sea, then at least Mrs. Dunn's long, cruel vigil will be over and she can turn all her energies to the task of rearing her little son, Joe.

Mrs. REID of Illinois. Mr. Speaker,

my heart goes out to the wives and families who have loved ones listed as missing in action or known to be prisoners of war, and particularly to those who are with us today to focus the attention of the American people as well as people of the entire world on the behavior of the North Vietnamese in the treatment of prisoners.

I join my colleagues in protesting the inhumane and inexcusable treatment of American prisoners of war by North Vietnam and its allies in South Vietnam, and I am pleased to join in sponsoring a resolution expressing the sense of Congress on this important matter and urging North Vietnam and the Vietcong to comply with Geneva Convention tenets and to provide more humane treatment of American captives.

More than 300 Americans are known to be captives of the North Vietnamese and Vietcong and some 1,000 of our men are missing and thought to be prisoners. Some of these Americans have been held captive for as long as 5 years. Intelligence reports and reports from American servicemen who have been released or escaped from such imprisonment indicate that American servicemen, while so imprisoned, are subjected to unusual, cruel, and inhumane treatment. By inflicting such treatment on these men the Government of North Vietnam has grossly deviated from civilized concepts of international accords and agreements.

In 1967, the United States formally protested mistreatment of American prisoners and urged North Vietnam to observe the provisions of the 1949 Geneva Convention, which it signed in 1957. In recent months Secretary of State Rogers, Secretary of Defense Laird, and Ambassador Lodge in Paris have all pressed North Vietnam for compliance with the provisions of the Geneva Convention. In particular, they have urged such basic steps as repatriation of sick and wounded prisoners and the furnishing of a list of men actually in North Vietnamese hands.

I support the administration in its efforts on behalf of the American servicemen held captive in North Vietnam and urge that those efforts be continued and increased. Every possible step should be initiated through diplomatic, military, and any other available channels to insure that the tenets of fair and humane treatment are accorded to American servicemen held as prisoners of war in North and South Vietnam and especially to urge the Government of North Vietnam and its allies to identify any prisoners whom they hold; release seriously injured or sick prisoners; permit impartial inspections of all prisoner-of-war facilities; and permit the free exchange of mail between families and prisoners.

These actions are required by the Geneva Convention of 1949. The convention calls for nothing more than humanitarian conduct on prisoner matters. Certainly world opinion should be brought to bear on the North Vietnamese and the Vietcong to honor these principles.

Mr. DANIEL of Virginia. Mr. Speaker, as frustrating as the Vietnam war is, it does not compare with the vexation and frustrations experienced in efforts to

negotiate with the Vietcong and North Vietnamese concerning Americans held captive. Continuing efforts by those whose loved ones are believed to be held as prisoners prove fruitless. A graphic description of this frustrating situation is presented in an article in the August 10, 1969, issue of the Danville, Va., newspaper, "The Register," written by staff writer Mary Carter Stone. I urge my colleagues to read this timely article and insert it in the RECORD:

PERSONAL OR OFFICIAL CONTACT WITH POW'S
IN NORTH VIETNAM IMPOSSIBLE

(By Mary Carter Stone)

Remember, a few weeks ago, the jubilation that accompanied the arrival on the West Coast of the first troops withdrawn from Vietnam? The emotions of that event were felt the length and breadth of the nation.

There was elation for the parents, wives, families of those troops . . . joy at their return.

There was anticipation for the parents, wives, families of men still serving in Vietnam . . . because this was a first contingent, more men would be returned home soon.

But there were other parents, wives, families who could be happy only that others were happy. For themselves, instead of a quickening personal response, there was only a larger and larger-looming question: when and how will there be a homecoming for the men who are prisoners of war of the Viet Cong or North Vietnamese?

What, they keep asking themselves, can be done about these men when everyone—all the way up to the Department of Defense and Department of State—admits that it's impossible to establish any communications with prisoners, impossible even to identify with certainty those who are being held as enemy prisoners.

"That's where I am very fortunate," Valerie Kushner asserted, "My husband is confirmed captured." Other families in Danville are in a worse position, she noted, for all they have heard is "missing in action," and since then, nothing.

This "good fortune" is why she found herself one of a small group—only about 10 families in all—invited to Washington recently to attend an informal Pentagon meeting, a frank discussion by the Secretary of Defense and State Department officials on the failure of all efforts in behalf of prisoners of war, along with assurance of the government's continuing concern.

"They have had 17 area meetings like this around the country for the families of confirmed captured," she related. "I think this administration is trying to show us that it cares, but what can it do? The Secretary of Defense expressed his concern over the absolute inability to do anything to communicate with the prisoners, or to alleviate the harsh conditions under which they live. I feel he is personally concerned, but there are no channels of communication."

There are 1,350 men listed missing as of now, she noted, "and only about a third of that number are confirmed captured because the Viet Cong and the North Vietnamese will not release the list."

They have also refused to allow Red Cross inspection or letters and packages to prisoners or letters from prisoners to families, as guaranteed under terms of the Geneva Convention, which North Vietnam has signed.

"My husband is the only military doctor who has been captured," Valerie declared, "so there is no trouble identifying him." There was a time when she thought this might be another good fortune. She hoped his profession would provide a way for her personally to establish communication of a sort with him where government efforts had

been of no avail: she would try to send him drugs and light surgical instruments through international medical channels.

"His life is dedicated to healing," she asserted. "He went to Vietnam for one purpose, to alleviate suffering. If he had better drugs and surgical instruments, he could at least accomplish his purpose where he is."

Early in 1968 two POWs—Spanish-speaking Puerto Ricans—were released from the camp where he was a prisoner—"somewhere in the northernmost provinces of South Vietnam. They were able to tell us he was alive and in good condition, although he had been wounded," she said.

Their identification was made doubly positive when they not only recognized him in family photographs but noted that the doctor—who speaks Spanish—was the only person in the camp with whom they could really talk." They said there had been several American wounded brought in, and that he had dressed their wounds and tended them the best he could," she related.

Their report on prison conditions, she continued, indicated that "apparently there are very few cases of purposeful brutality. The prisoners get the same food as the VC, but the diet is very marginal. And they have access to drugs or medication when the VC have them, but drugs many times are completely unavailable."

That is why she wanted to provide medicine parcels. But the two released men said that while they were prisoners, not a single letter or package had reached the POW's in the camp.

The International Red Cross is a worldwide relief agency; could medicines get through to the doctor and his fellow prisoners under its auspices? When the answer finally came, it was No.

Perhaps a neutral nation's physicians would be able to find a way. That led to visits to officials of the Swedish Medical Society, not once but several times, by members of her family when business trips took them to Europe. But each time the answer was No.

Perhaps the VC's accredited representatives in Paris? No again.

Then there was an article in a medical journal by a French doctor who had traveled through Vietnam helping the Viet Cong train their medics. Surely he was the very person to help. But when he was contacted, the answer was another No.

"They preach such great humanity," she exclaimed about the Hanoi government and its supporters, "and yet they are unwilling to let a doctor have full use of his craft by means of any drugs and other things I could send."

Sometimes she feels that the fate of the prisoners is of as little concern to the people of the United States as it is to Hanoi. "That's the way I feel when they talk about withdrawing 100,000 men. I'm glad for the other families, but it hurts every time, because one percent of the men—the prisoners—will continue to be there."

Her husband's released prison-mates said he had broken his glasses, "and he can't see very well at all without them," she said. So, four different times, separated by intervals of months, she has had his glasses prescription refilled and has mailed a new pair, hoping that maybe—with luck—one of the packages might get through to him.

Maybe they all have; maybe none have. She doesn't know, because there has been no direct word from her husband at any time since his capture back in early December, 1967, less than two months before the pair of Puerto Rican prisoners were released from the camp.

"My husband volunteered for duty in Vietnam," she related, "and he went into it with his eyes wider open than most—he felt more strongly about it than most. You see," explained, "he had interned at Tripler

Army Medical Center in Honolulu. It's an air-evac hospital—the wounded are brought right in from the battlefield. He would work sometimes 30 or 35 hours at a time trying to save lives and limbs.

"And before he was captured, my husband would work in the Vietnamese villages at volunteer health clinics two or three days a week—I have several pictures of him with his medics in the villages. That is what he went for—he felt the greatest good to his country was being there helping to save lives.

"My husband realized it would be a sacrifice, that he might be killed or wounded or captured—he was prepared for that, and I was prepared too." For just a moment, she let down her guard and exclaimed, "But this is like a kind of Limbo—my son is 16 months old and my husband doesn't know he exists. . . . Besides the physical privation (all the prisoners who have come out have been debilitated, suffering from malnutrition and intestinal parasites), there is the terrible emotional privation, not having any communication."

Communication—always the same blank stone wall, the complete lack of any means of contact with prisoners.

The Washington gathering last month, she related, brought her and the other POW families together with Frank Sieverts, special assistant to the Secretary of State—"he is very involved in prisoner affairs"; Richard G. Capen, Department of Defense deputy assistant secretary for public affairs; G. Warren Nutter, who heads the Department of Defense prisoner of war policy committee; and the Secretary of Defense.

"It was a hand-patting meeting," she declared, "because there are absolutely no channels of communication. The Department of Defense are trying to introduce the subject of prisoners in the Paris talks, but the VC won't discuss it."

In Washington, she said, "they assured us that the bulk of the forces will not be withdrawn until some understanding is reached. Of course policies can change . . . But still." She reiterated, "I am very fortunate—my husband is confirmed captured."

A MOTHER'S ANGUISH

Mr. Speaker, a mother's anguish over the fate of her son held captive by the North Vietnamese is eloquently expressed in a letter from one of my constituents to the Vice President of the United States. The writer is Mrs. Robert Kushner of Danville, Va., mother of Maj. Floyd Harold Kushner, a dedicated doctor and loyal, patriotic American who volunteered for duty in Vietnam to help heal and save lives, not to kill. I urge my colleagues to read this poignant appeal for action in behalf of all prisoners being held in Southeast Asia and insert it in the RECORD at this point:

DANVILLE, VA.,
August 28, 1969.

HON. SPIRO AGNEW,
Vice President of The United States,
Washington, D.C.

DEAR SIR: Truly, we rejoiced with you and your family when your son returned from Vietnam safely and whole.

As yet, my family has not been so fortunate. My son, Major Floyd Harold Kushner, **XXXXXXX**, has been a prisoner of the Viet-Cong since November 1967. Since that time, we have had no direct communication with our son. In March of 1968, we were informed, from information based on two men who had been released, that our boy had been captured.

We understand that he is the only military doctor to have been captured during the entire Vietnamese conflict. He volunteered to go to Vietnam because he is a dedicated doc-

tor as well as a loyal, patriotic young American. His purpose being to heal and save lives, not to kill.

There is no point in elaborating on the anguish and torment of a situation such as this. You are a parent.

For almost two years, we have tried (with the sanction of various departments of the government) unsuccessfully to establish some line of communication. Now, we are asking our friends, relatives, etc. in all parts of the country to write or telegraph their Senators and Congressmen to press for release of all POW's and missing men. We were gratified to read in the Aug. 13 "Congressional Record" that this matter was being discussed in the Congress.

SIR, as presiding officer of the Senate and as second in command of the Executive branch of the government, I implore you to keep this matter uppermost in the minds of the "powers that be" and get these men back home.

Already, there has been a withdrawal of 25,000 troops with a projected plan to continue to withdraw even more. What is to happen to the 1365 men who are virtually unaccounted for? Will they just be forgotten men? They who have suffered so much for so long? With all the concessions that we have made, why has not the release of the POW's been a bargaining power or part of some negotiations?

With the magnificent, unbelievable Lunar Landing of the Apollo 11, it proves, once again, that the United States is capable of doing anything she really puts her mind to wholeheartedly. The goal is always attained. Please sir, get these men home. It appears that we are just going to phase out of Vietnam, and so, I beg, whatever concessions are necessary, to have these men released. With the loss of over 37,000 men plus hundreds of thousands of wounded, the price of this indecisive, no-win, undeclared war has already been too high.

My son has a lovely wife, a five year old daughter, and a sixteen month old son who is completely unknown to him. We want our family whole and reunited again. War is not new in our family. This same son was a five month old infant living on Hickam Field when the Japanese attacked on Dec. 7, 1941. We are all flag-waving, patriotic 100% Americans with implicit faith and confidence in our government and our country.

I appeal to you for the immediate release, not only of my son, but for all the Americans who are being held by the Viet Cong or the North Vietnamese.

We trust that you will.
Sincere gratitude,

JEAN F. KUSHNER
Mrs. Robert L. Kushner.

REMEMBER THE 1,400

Mr. Speaker, the prompt release of the American Ambassador to Brazil as a result of meaningful pressure from the U.S. Government on the Brazilian authorities to meet the demands of the abductors proves we can accomplish our objectives if sufficient determination is displayed.

Those who are aware of the heartache and anguish of the relatives and friends of those brave Americans held prisoner in Southeast Asia are seeking to rally public support of efforts to persuade the Government to exert this kind of pressure to break down the barrier of silence thrown up by the enemy in regards to information about the estimated 1,400 American captives.

Johnnie Johnson, editor of the Danville, Va., newspaper, "The Bee," calls attention to the need for widespread public support of these efforts on behalf of

the "Forgotten 1,400." His editorial comments place the situation in discerning perspective and I include the editorial in the RECORD at this point:

REMEMBER THE 1400

The answer may have been provided this week as to why the Viet Cong and the North Vietnamese have prevented any measure of communication between the men they hold as prisoners of war and their families and friends at home, despite international law and agreements.

Accounts given by two recently released prisoners, detailing torture and hunger in the enemy's POW camps, should set off a public outcry that would make "Remember the Pueblo" seem but a whisper by comparison.

If it doesn't, every decent American is guilty of having betrayed and abandoned "The Forgotten 1400"—the number of Americans currently believed to be prisoners of the Viet Cong and the North Vietnamese.

In Washington this week, two recently released prisoners—among less than a score returned in the "noble" acts of kindness by the communists throughout these growing years—told a different story.

Immediately upon their return, Navy Lt. Robert F. Frishman and Postal Clerk 3C Douglas B. Hegdahl—like the other very lucky ones before them—faced the cameras and said routinely that they had been "treated well," or "adequately." Their emaciated bodies, paled faces and obvious aging-beyond-years belied this.

After a month of recuperation, Lt. Frishman—fully backed by Hegdahl—became the first to really "blow the whistle" on their captors.

Frishman revealed that, before being released, he asked fellow-prisoners whether he should tell the world the whole truth. Knowing full well that this might result in severe retaliation against them and certainly would reduce any chance they might have of being released before the hostilities terminate, they urged him to do so—in the faint hope the world would sit up and take notice . . . and react.

Frishman did: He told of prisoners being kept in solitary confinement for months in stifling hot brick rooms virtually without ventilation; of beatings; of being suspended from the ceiling on ropes . . . their flesh burned with cigarettes . . . fingernails ripped out. The purpose: to eliminate resistance, to obtain statements, to punish.

This must be terrifying to the families and friends of some 400 American servicemen who have been confirmed as captured—despite all the efforts of the enemy to keep their imprisonment from becoming known. Among these, as an example, would be the kin and friends of Maj. Floyd Harold Kushner of Danville, reported missing in action 21 months ago, but known to have been a captive six weeks later. No word since, despite, literally, worldwide efforts by the parents, Dr. and Mrs. Robert L. Kushner; wife, Valerie, and hundreds they have contacted.

It shouldn't remain merely a lagging burden on others. All should join in demanding "Remember the Forgotten 1400."

And what about the renewed agony for those so close to some 1,000 other Americans missing and possibly captured but, of course, never confirmed by the communists? As one local example: the son of Mr. and Mrs. Lee Harley—Capt. Dufford Harley—whose plane was shot down in May, 1966, over Laos and was burning when last sighted, with a second plane shot down in an attempt to get to him and enemy fire too heavy for another search party to get through.

The kin and kith of these truly are the pitted ones. Their hopes and their fears are intensified anew: "Is he alive? Is he a pris-

oner? Is he well? Will he ever come home again?"

The Viet Cong and the North Vietnamese will not answer a single one of these questions nor will they answer any regarding the "confirmed captured"—despite terms of Geneva Conventions in which they pledged to do so, the United Nations constitution, the rulings of the World Court and absolutely everyone in-between.

To the communists, this barrier of communications is as much a part of the war as an all-out attack on Saigon. Probably more so. They hope to break the morale and spirit of those close to "The Forgotten 1400" by convincing them that the rest of the nation is willing to ignore them . . . if not forget.

But, what can be done by you . . . a little fly caught into the spider's nest?

Plenty.

And today is the time . . . perhaps the last chance for you to "Remember the Forgotten 1400."

On Thursday of the coming week, efforts will be made in Congress to focus attention on the plight of "The Forgotten 1400." Rep. W. C. Daniel of this, the Fifth District of Virginia, will be among those calling attention to this inhumane travesty. He will not be alone. And those like the Kushners, the Harleys and others will be lending support.

The support of the families of "The Forgotten 1400" will not be enough. There must be a great outcry similar to that of "Remember the Pueblo"—which finally worked. The world's conscience must be searched . . . and it must respond.

Congress must be convinced that the American public demands that the illegal sound-barrier be broken: Who are the prisoners? Their condition?

Or, as columnist Henry J. Taylor asked recently: "Are we to forget the ghastly, horrible plight of American prisoners rotting, tortured and anguished in Vietnam and their kith and kin?"

But what can you do? After all, the UN, the World Court and others have failed!

What can you do?

You can demand of your Senators, your Congressman and others you may know on Capitol Hill that "The Forgotten 1400" be remembered—that, since nothing else has come from the Paris "peace talks," this be made the current order of business.

YOU can help. Write today. Each postcard, letter or telegram is ammunition. And enough of these little missiles can blast down a barrier.

Let's make the world remember and account for "The Forgotten 1400."

HUSBAND AMONG MISSING

Mr. Speaker, much has been said—but not nearly enough—about the plight of Americans missing in action or held prisoner by the enemy in Southeast Asia. We must continue to do all that we can to publicize the frustrating predicament of these dedicated Americans and exert every effort to bring about their release.

And we must not forget the heartbreak and anguish of the loved ones—relatives and friends—who must suffer through the uncertainties of a situation unparalleled in our Nation's history. They wait, and hope, and pray.

Typical of these who wait, and hope, and pray, is Mrs. Marian Blair, wife of Air Force Col. Charles Edward Blair, of Pittsylvania County in the Fifth Virginia District. A recent article in the Chatham, Va., newspaper, Star-Tribune, written by Mrs. Preston Moses, aptly describes Mrs. Blair's dilemma. I insert the article in the RECORD at this point:

HUSBAND AMONG MISSING—MRS. EDWARD BLAIR WILL GO TO WASHINGTON TO ASK AID FOR POW'S

With the glad news of men being returned from Vietnam under the government policy of reducing the armed forces over there—there is one group being forgotten—the 1,300 prisoners of war or missing.

In the group of "missing" is a native of Pittsylvania—Lt. Col. Charles Edward Blair of Climax.

Col. Blair was a pilot of a plane on a visual reconnaissance mission March 19, 1968, in Vietnam.

He did not return to base on time—and no word has been heard from him since. The Air Force notified Mrs. Blair "He may have been captured."

After a search the Air Force listed him missing in action.

For 18 long months, his wife, Mrs. Marian Blair, has kept quiet as directed hoping and waiting for some word. Until recently she was instructed not to discuss her husband's status with anyone, not even her nearest relatives. To this day she does not know whether her husband is dead or alive.

The Air Force has had no communication. All available means to get word through International Red Cross, or direct with the leaders of the National Liberation Front or Hanoi have been futile.

Mrs. Blair, along with other wives of POWs, or those listed as missing, are going to Washington next week, when an effort is being made to get Congress to direct that the government take some steps or further publicize to the world the plight of our men held by North Vietnam.

She said people have been so kind, especially her neighbors, offering to help in any way they could.

Now she says there is something they can do . . . write to your congressmen—pleading with them to do what they can to bring to the attention of the world—for humane reasons—the plight of the POWs.

"Everyone, please write today," she begs.

The address: Senator Harry F. Byrd, Jr., U.S. Senate, Senator William B. Spong, U.S. Senate, Washington, D.C., and Congressman Dan Daniel, House Office Building, Washington, D.C.

It has been a long 18 months since Mrs. Blair received the message that her husband was missing. Her heart has a double beat with each telephone ring, or each mailman's visit on the days and days of hoping.

Mrs. Blair and her four children, Nancy, age 21, employed in Chatham; Margaret, 19, in college; Eddie, 15, in high school, and Kitty, 8, in grade school, have made their home in the Climax community among Col. Blair's relatives, neighbors and friends.

Mrs. Blair says her husband was proud of his Pittsylvania heritage, and before he left for Southeast Asia purchased the Blair homeplace, and wanted his family to live in the community that he loved. His parents were the late William L. Blairs, Sr., and Lucy Isabell Anderson Blair.

Col. Blair attended Hargrave Military Academy and received a B.S. degree in agriculture in 1949 from VPI. He was commissioned in 1945 by direct appointment. Col. Blair served in World War II, and the Korean War. He has received numerous Air Force medals for meritorious achievement during military flights through the year. He was cited for his airmanship and courage in the successful accomplishment of important combat support missions under extreme hazardous condition.

During all the 18 months of waiting, hoping and praying Mrs. Blair has kept in close communication with the Air Force, and has done exactly everything they have recommended. She has written to her husband at

the addresses suggested by the officials, including the Paris Peace Conference.

None of her letters have been returned, nor any word received whatsoever from her husband, or about her husband.

Mrs. Blair is typical of the wives and other relatives of some 1,300 captured and missing American military men.

They are now asking elected government officials to speak out and back the administration's pleas for humane treatment of POWs in Southeast Asia; tell about the refusal of North Vietnam and the NFL (National Liberation Front) to give a list of captured men and abide by other articles of the Geneva Convention, such as the release of the sick and wounded, allowing of neutral inspection of POW camps and the free flow of mail.

They ask of elected officials "What are you going to do while heads of families just waste away—if not being mistreated and mutilated—in some dingy prison camp?"

"We can put a man on the moon; but can't do a think for our POWs!", she said helplessly.

A YOUNG PATRIOT

Mr. Speaker, in recent years much publicity has been accorded the draft card burners, draft dodgers, and other young punks who refuse to serve the Nation that provides them sustenance and sanctuary from enslavement under a tyrant's heel. Little is said of the millions who dutifully and patriotically make the sacrifice to insure this freedom that shelters this group.

In marked and refreshing contrast is the story of a young patriot who falsified his age in order to enter the service of his country, and who now is among those listed as missing in action in Southeast Asia and presumed to be held prisoner by the North Vietnamese. He is Army Sfc. Robert Duval Owen of Chatham, Va.

Sergeant Owen will be 31 years of age on December 21, but more than half of his young life has been devoted to the service of his country. His saga began some 17 years ago when, at age 14, he entered the service and served for 2 years before his true age was uncovered. He, of course, was discharged, but promptly enlisted in the Navy when he attained the proper age and served for 4 years.

The desire to serve still burned brightly, even after his discharge from the Navy, so he enlisted in the Virginia National Guard. Finally, in 1962, after a year of National Guard duty, he entered the Army.

Assigned to duty in Vietnam on May 1, 1968, Sergeant Owen was sent to Saigon. Just 22 days later, on May 23, 1968, he was listed as missing in action.

Born in Lynchburg on December 21, 1938, he attended Callands High School before his entry into military service. He is married to the former Miss Trudy Smith of Callands and they they have two children—Robin Sunshine Owen, age 8, and Susan Tracy Owen, age 5.

This young wife and mother works part-time at a business firm in Danville as she holds together her young family and prayerfully waits and hopes for word from—or about—a dedicated young patriot.

Mr. Speaker, because of the anguish and heartache of thousands like Trudy Owen, we must make every possible effort

to break down this communications barrier the Communists have placed around those being held captive.

Mr. HASTINGS. Mr. Speaker, for more than 8 years now, American families have borne a special burden of mental torment while their loved ones fought in Vietnam. It has been a time of constant prayer against that dreadful moment when officialdom is compelled to notify them that a son, a brother, a husband, or a father has been killed, captured, or wounded by the enemy.

For those families of captured or missing servicemen, the anguish of wondering, worrying, and waiting for word has been made almost unendurable because a ruthless enemy refuses to recognize the terms of the Geneva Convention, which requires that prisoners are to be treated humanely; that their identity is to be made known; and that the sick and injured are to be repatriated.

The Red Cross is to be permitted free inspection of camps and prisoner mail is supposed to be allowed to be delivered. The North Vietnam Government signed the Geneva Convention in 1957, but so far have almost totally ignored its provisions. In the past 5 years, only nine prisoners have been freed and for the most part captured servicemen have not been permitted to write home.

I am told that approximately 1,300 U.S. servicemen are listed as missing in action, but the North Vietnamese have refused to give out any information regarding their well-being. For their families back home this is the grossest kind of cruelty.

I urge this body give its strongest support to the resolution presented by Congressman WILLIAM L. DICKINSON, so world opinion may be mobilized so that our captured servicemen can receive the humane treatment to which they are entitled under the Geneva Convention.

Mr. BROCK. Mr. Speaker, if there is one responsibility that the Members of the Congress ought never to forget, it is our obligation to American prisoners of war.

Today, men who have served bravely under our flag in Southeast Asia are languishing in prison behind enemy lines, cut off from friends, families, and fellow countrymen. Denied the basic rights accorded to prisoners of war under the terms of the Geneva Convention, some of them have completely lost contact with their families for as long as 5 years, their condition and status unknown.

The North Vietnamese regime has made a practice of intentionally withholding information on their whereabouts and physical welfare, in clear violation of basic international law.

It is the duty of the Congress to prevent the fate of these brave men from being shelved and forgotten. They have served too well and sacrificed too much to deserve such a fate. As a cosponsor of the Dickinson concurrent resolution, I urge my colleagues to join me in insuring that the Congress act with honor and integrity toward a group of men who have sacrificed much in our defense.

Mr. DELLENBACK. Mr. Speaker, this week four wives of missing American servicemen traveled to Paris in search of some word as to the condition of their husbands and other missing or captured servicemen, some of whom have not been heard from for 5 years. This morning the news media reported the Vietcong's professed willingness to meet with these brave women and hear their pleas. We can only hope this report indicates the North Vietnamese will finally disclose full information regarding all prisoners of war.

I do not think any of us can fully comprehend the terrible suffering which families of prisoners of war experience during this time. Worse yet is the anguish facing the families of American servicemen who are reported as "missing in action"—the daily horror of not even knowing whether one's husband, father, or son is dead or alive.

Regardless of one's convictions about the war in Vietnam, no American can overlook the blatant inhumanity reflected by this policy of the North Vietnamese. I cannot understand the reasoning behind the mistreatment of American prisoners. Certainly it can only serve to unite concerned citizens in the United States in condemnation of Hanoi's cruelty. I commend the National League of Families of American Prisoners in Southeast Asia for trying to let the North Vietnamese know that public opinion, which is apparently a major concern to Hanoi, is clearly appalled by their inhumane policy with prisoners of war.

As one of my colleagues stated so eloquently on the floor last week, this is not a political issue—it is a humanitarian issue of the utmost concern to our entire Nation. For these reasons, I join Mr. DICKINSON and my other colleagues in appealing to North Vietnam and to the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention of 1949 regarding the treatment of prisoners of war, which they signed in 1957. I call on the North Vietnamese and the NLF to identify the prisoners they hold, release the seriously ill and injured, permit impartial inspection of all prisoner-of-war facilities, and permit the free exchange of mail between families and prisoners.

Mr. BROWN of California. Mr. Speaker, I am deeply concerned about the plight of American prisoners of war, and I believe that appropriate congressional action can be a positive move in the drive to make sure that all captured Americans receive humane treatment.

Last month I met with the wife of one North Vietnamese-held American soldier—Mrs. Pat Mearns—who is a constituent of mine in California's 29th Congressional District, and I have offered the services of my Los Angeles office to be available to her and to the Association of Wives and Families of Captured and Missing American Military Men. I am sure that every Congressman wants to assist in resolving the problem faced by the members of this organization.

Already a number of resolutions relevant to the problem have been introduced in the House, and today, I am

sponsoring my own resolution because I believe there are some aspects of this issue which need further clarification and analysis.

At this point, I would like to include the wording of my resolution in the RECORD:

Whereas universal concern exists over the safety and care of all prisoners of war;

Whereas all nations should comply with the regulations for treatment of war prisoners as established by the Geneva Convention;

Whereas the Government of The People's Republic of North Vietnam and the National Liberation Front of South Vietnam have disregarded provisions of the Geneva Convention by not releasing names of all captured prisoners of war, have not allowed regular communications to be established with prisoners of war, and have not permitted inspection of facilities in which prisoners of war are held;

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the President, the Department of State, the Department of Defense, and all other concerned departments or agencies of the United States Government, the United Nations, and the peoples of the world to appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to take such steps as may be appropriate to obtain the prompt release of all members of the Armed Forces of the United States so held as prisoners of war.

The main reason I make these remarks today is because I am bothered by several aspects of the large scale campaign aiming to ensure humane treatment for American prisoners of war.

Let me say at this point that I reject outright the North Vietnamese claims that captured Americans cannot be treated as war prisoners because no official state of war exists between Hanoi and the United States. The reality of the Paris peace talks undercuts that argument.

But, at the same time, I consider the apparent attitude of the Thieu-Ky regime to regard captured members of the National Liberation Front as traitors—rather than as war prisoners—to be one of the major stumbling blocks in dealing with the NLF and the North Vietnamese. What must be called for here is symmetry, and whatever applies to the North Vietnamese and the NLF should apply to our side as well.

It is inconsistent for us to demand humane treatment for our men without simultaneously calling for equivalent measures in South Vietnam. Reliable sources, including on-the-scene correspondents and American soldiers themselves, have reported gross violations of the Geneva Convention by allied troops—especially by the South Vietnamese army.

I have seen the reports of inhumane treatment of war prisoners by the NLF. Yet, I am saddened by noting parallel reports of similar atrocities perpetrated by our side.

I suggest that we make it clear that all parties must abide scrupulously by the Geneva Convention, and, certainly, we cannot evade the point by explaining that the South Vietnamese treatment of

prisoners can be condoned because of cultural differences while we ask simultaneously that the North Vietnamese stick to American ideals. The most positive immediate step we can take to aid Americans who are prisoners in North Vietnam is to clearly establish an example for treatment as a basis for negotiation on this point.

I also question whether a public campaign and outcry of condemnation can be of major value, regardless of the case's merits, when we are dealing with opposing forces at war with each other. It is unfortunate that neither the Johnson nor the Nixon administration has been able to utilize the quieter, more traditional methods of diplomacy in order to resolve these problems, tending instead to seem to rely on public clamor as the main tool for action.

The condition of war prisoners cannot be left to political rhetoric. It is not partisan. Rather, it is an issue of humanity. Only when we treat it so, and without regard to whether it is "our" side or "their" side who are the victims of inhumanity, can we hope for the relief we seek.

Mr. HICKS. Mr. Speaker, a few days ago I received a letter which included this statement:

I don't know whether I write as a prisoner's wife or as an Air Force widow.

The writer is Mrs. Robert W. Hagerman, wife of an Air Force lieutenant colonel shot down nearly 2 years ago over North Vietnam. She is but one of the many hundreds such wives in this country.

The strain and anguish with which these women live every moment is appalling.

Their courage, if Mrs. Hagerman is any example, is almost beyond belief.

Her letter was dated August 25—3 days before her husband's birthday; the last time they celebrated his birthday together was in 1966. He has been missing in action since November 6, 1967. And in all those nearly 2 lonely years his wife has not been able to determine whether he is alive or dead.

Despite the efforts of our Government, Mr. Speaker, Hanoi has refused to provide any information on captured American servicemen, even a list of those who are alive. Despite North Vietnam's continuing refusal to provide this basic information required under the Geneva Convention, Mrs. Hagerman retains her faith that our Government will do everything possible to obtain such information. And so, Mr. Speaker, do their four sons, one of whom is himself serving in the Air Force and two others are soon to be in military service of our country.

It is my understanding that there are more than 1,300 Americans either missing in action or prisoners of war. Forty of them are from the State of Washington. At least eight are from Washington's Sixth Congressional District, which I am privileged to represent; only one of those eight is known to be a prisoner of war.

To help express my concern for all of those men, and to affirm my sympathy and admiration for women such as Mrs. Hagerman in their faith and hope, I am joining the gentleman from Alabama

(Mr. DICKINSON) in sponsoring a concurrent resolution. This resolution expresses the sense of the Congress that North Vietnam and its NLF accomplices in South Vietnam comply with the requirements of the Geneva Convention with regard to treatment of prisoners of war.

I feel that this resolution will provide a vehicle for registering support for our men and to rally world opinion against the barbarous treatment which all reports indicate these prisoners are receiving. This will, in my opinion, Mr. Speaker, help to keep faith with these men and their families.

Within days after writing me, Mrs. Hagerman sent me a column by Henry Taylor entitled "Remember Our Forgotten Men" which is most pertinent to this discussion. I set this column forth as follows:

Thousands of grieving kith and kin of captured and missing American fighting men deserve to hear a demanding voice at the Paris truce talks that they have not yet heard.

Surely they await in anguish our country's demand that for each percentage of American troop withdrawals from Vietnam, the Red enemy liberate a proportion of the U.S. prisoners of war. If anybody considers this a risk to our withdrawal plans, he should be asked: Does that entitle us to allow these prisoners to be so mercilessly held—our forgotten men?

On June 22, 1968, more than a year ago, Vietnam became the longest war we ever fought. Many Americans have suffered imprisonment longer than any war prisoners in our history. Moreover, to allow the Reds to think they need not worry too much just now about these prisoners is, of course, self-defeating to us in our Paris purposes. Hanoi should be encouraged to worry by every means.

Even the 1929 Geneva Convention governing the treatment of war prisoners was not signed—and is still not signed—by the Soviet Union. And although all signatories of the United Nations 1948 Declaration of Human Rights, of which Russia was one, solemnly contracted to publish this agreement in each of their countries, it has never seen the light of day in Soviet Russia.

This is the heritage of Hanoi. The U.S. prisoners are not ever allowed Red Cross packages. They are caught in a ghastly Calvary that they can climb only on bent and bleeding knees. They are released only by twos and threes.

The Paris truce talks began May 13, 1968—a year and three months ago. Earlier, the Reds consumed 15 months talking about the Laos truce and two years talking about the Korean truce.

The Korean truce was signed July 27, 1953. This was 16 years ago. Yet on July 2, 1963, six years ago, the State Department confirmed in writing to Senator Philip A. Hart, D-Mich., that North Korea was demanding (still) that we abandon the Republic of China on Formosa to North Korea as payment of the Reds' price for even discussing the further release of American prisoners.

The Korean Reds held, and still hold U.S. prisoners for blackmail. As of today, there remain from the Korean war 389 cases of U.S. prisoners, once known to have been alive, that were swept under the rug.

Then, when the North Korean Reds further disgraced the United States by seizing the Pueblo, what happened? Our country abandoned the Pueblo crew to a full year of ghastly Red torture—and so what? Meanwhile, the murder by North Korea of 31 of our men this year in an unarmed plane has gone unavenged.

If the Americans fighting who stood encircled at Khe Sanh or stand on Hill 102 get no loyalty from the top down in our Government and from our people safely here at home, how can we expect them to fight and die for us?

If our fighting men lose faith in our Government's determination to remember and support those caught in the enemy's hands—our forgotten men—who can conceivably expect the GI, the Marine, the sailor and airman and their kith and kin to keep any faith whatever?

Are we to forget the ghastly, horrible plight of American prisoners rotting, tortured and anguished in Vietnam and their kith and kin? In all good conscience, it is high time their agonized call reaches Paris. To remain silent in this demand is morally intolerable and nationally indefensible for the No. 1 power in the world and the people of the United States.

Mr. BELCHER. Mr. Speaker, I want to commend my colleague from Alabama for taking this time today to provide the opportunity for a concerted expression of concern over the condition and treatment of American prisoners of war being held by North Vietnam.

The wives and families of a number of these heroic, yet all-but-forgotten, men live in my congressional district, and the letters I have received can only be described as heartrending. These gallant wives, children, parents are forced to wait in tormenting helplessness for months on end, indeed, some of them for years, knowing that a loved one is a prisoner of the North Vietnamese but unable to learn anything about his condition or to communicate with him in any way. Others know only that a loved one is missing and can only hope that if he is a captive somewhere in North Vietnam he is not ill or injured, that he is not being tortured, starved or otherwise abused.

And the tragedy of this situation is that it is in direct violation of the Geneva Convention provisions on prisoners of war, which North Vietnam signed in 1957 and to which it therefore supposedly agreed.

Included in the Geneva Convention are provisions requiring the identification of all prisoners of war by their captors, free exchange of mail between POW's and their families, impartial inspection of POW camps and the release of seriously ill and injured prisoners.

Yet today, we are confronted with a situation in which a signer of the convention is obviously violating all of those provisions. The Defense Department lists 342 American servicemen known to be prisoners of the North Vietnamese, but there are more than 1,200 others listed as "missing in action" who may be captives. And the information provided by men who have been released or who have escaped indicates that some of those 1,200 are, indeed, captives. But they have never been identified as such by their captors.

I want, if I may, to quote briefly from a letter I received recently from the wife of one of these POW's:

My husband has been a prisoner (in North Vietnam) for nearly 3 years; he was shot down on November 11, 1966. I have never heard a word from my husband and I am deeply concerned for his health and his treatment.

Here is indisputable evidence that the free exchange of mail between POW's and their families, as required by the convention, is being violated.

I do not need to describe the cruel and inhumane treatment which many of these prisoners have endured at the hands of their Communist captors. It has all been documented too well and too often by the press in the reports of men who have been released or who succeeded in escaping alive from their tormentors.

Mr. Speaker, I deplore the blatant violation by North Vietnam of an international agreement to which they make the pretense of having subscribed. It is mute testimony to the fact that, for all our wishful thinking, we have not yet entered fully into an era of civilized international relationships.

I am aware of the phony excuse recently issued by the North Vietnamese officials stating that American prisoners are not subject to the provisions of the Geneva Convention because they are guilty of crimes against humanity. It is the typical lame excuse which Communist dictators make when it does not suit their purposes to abide by treaties or conventions or honor their pledges. In my view, it should not even be dignified by a response from nations or people who believe in the rule of law.

In an effort to bring to bear whatever pressure I possibly can to correct this situation, I join today with my good friend, the gentleman from Alabama, and other Members of this House in introducing a concurrent resolution expressing the sense of Congress that the President; the Departments of State, Defense and all other concerned departments or agencies of the U.S. Government, as well as the United Nations and all people of good will throughout the world appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention, and that appropriate steps be taken to obtain the release of all American prisoners of war.

I urge the Committee on Foreign Affairs to give this resolution its favorable consideration at its earliest opportunity. Action on this measure is imperative in the interests of justice, humanity, and progress toward the goal of dependable international relationships for which all civilized people everywhere strive and yearn.

Mr. TAFT. Mr. Speaker, I am today joining with a number of my colleagues in condemning North Vietnam for its inhumane treatment of American prisoners of war.

Over 300 U.S. servicemen are known to be prisoners of North Vietnam.

Intelligence reports, and statements by prisoners who have escaped or have been released by Hanoi confirm that North Vietnam continues its barbaric and uncivilized treatment of these prisoners of war.

War is ugly. But the malicious, harsh, and cruel treatment of prisoners is an outrage which cannot and must not be allowed to continue.

Not only do the men suffer unbelievably, but their families and loved ones

are forced to endure hardships and pain that so easily could be eliminated.

Hanoi has denied cruel treatment of its American captives. We ask that North Vietnam permit an immediate and impartial inspection of its prisons, to verify Hanoi's claim.

We ask that North Vietnam release a list of names of the prisoners it is now holding, so that families who today do not know the fate of their loved ones, listed as "missing in action" may learn whether these men are dead or alive.

We ask that North Vietnam permit the free exchange of mail between POW's and their families, as provided for in the Geneva Convention, which Hanoi signed in 1957.

We ask, in the name of simple humanity, that North Vietnam release the seriously ill or injured prisoners.

Mr. Speaker, whether we are in agreement on the future conduct of the war, whether we are in agreement over past policies in Vietnam, we can all agree that we are firmly united in support of humane treatment of U.S. prisoners of war.

Mr. ZWACH. Mr. Speaker, there is no aspect of the conflict in Vietnam that is not distressing, but among the most heart-rending are the conditions regarding persons missing in action and prisoners of war.

The North Vietnamese absolutely refuse to give out any information in regard to prisoners held in captivity, their condition, or their whereabouts.

They do not abide by the rules of war in regard to prisoners as outlined in the Geneva Conference to which they are a signatory.

Over 1,300 of our boys are either missing in action or being held prisoner. Some of these have been missing for a longer period of time than any other Americans have ever been held prisoner in the entire history of our country.

Think of the anguish and doubt in the minds of the families, the wives and sweethearts of these soldiers. They wait and pray and hope. There are lonely days and lonely nights. Are their loved ones still alive? Are they well or are they suffering torture and privation?

The Defense Department has been trying to get information about these prisoners but obtains very little. Probably not even Hanoi has a true picture because many of the prisoners are held in small isolated stockades by the guerrillas.

Very occasionally, a prisoner will escape and he will be thoroughly questioned by Defense personnel, but because of the dispersal of prisoners, he usually has little information to offer except to tell the conditions under which he, himself, lived.

My heart bleeds for the families, the friends, and sweethearts of those who must live in this doubt and uncertainty. This is a condition which we must not allow to continue. We must bring world opinion to bear to end this disgraceful episode in the history of man.

Mr. Speaker, I wholeheartedly concur in this resolution.

Mr. COUGHLIN. Mr. Speaker, a little over 5 years has passed since the first American pilot was shot down over North Vietnam and taken prisoner. Since then, nearly 400 other Americans are known to

have been captured by the North Vietnamese and Vietcong. The families of over 900 more lack even the slightest assurance that their husbands, brothers, or sons are alive in prison. Over 1,300 innocent families wait in anguish for a rare letter or for a shred of information in propaganda reports.

The Hanoi government states that American prisoners are treated humanely, yet it has prevented impartial inspections. It has exploited prisoners for propaganda purposes in direct violation of the Geneva Convention. It has not allowed the repatriation of the seriously sick and wounded as provided by the convention. It has obstructed the flow of mail, despite the faithful correspondence of thousands of relatives. And, worst of all, it has refused to reveal even the names or number of prisoners.

The North Vietnamese have rejected appeals by two administrations to discuss prisoner of war exchanges despite the U.S. bombing halt and the beginning of unilateral troop withdrawals.

Such intransigence cannot aid Hanoi's cause; callousness toward helpless prisoners must only incense the world and the American public, causing us to doubt the good faith and honorable intentions of the North Vietnamese regime.

There is no military justification for the mistreatment of members of Armed Forces who have fallen into enemy hands and no longer present any military threat. There is no political justification for causing grave suffering to their families by withholding information. Because prisoners are unable to help themselves, international law demands that their persons and honor be respected and that they be protected from physical and mental abuse. The Geneva Convention of 1949, to which North Vietnam is now a signatory, provides such protection. Universal standards of humanity require such respect.

The Department of Defense has repeatedly expressed serious concern over the welfare of those Americans in North Vietnamese hands. There are indications that prisoners have been mistreated and have suffered extreme weight loss. Many have been denied the companionship of any other human beings. They are not allowed regular exercise, and packages from home are returned or never acknowledged. Too many wives and parents have waited years with no information at all. If Hanoi wants the world to accept its public declarations of rectitude, the solution is simple and obvious.

I call upon the North Vietnamese regime to honor the international commitment it made in signing the Geneva Convention.

I urge Hanoi to release the names of its prisoners and to allow the free flow of mail and packages.

I implore the North Vietnamese to provide decent living conditions and medical care for these prisoners and to allow inspection by impartial observers.

And I ask Hanoi to head the White House's willingness to discuss the release of American prisoners at any time, in any way, and through any means.

Mr. ANDERSON of California. Mr. Speaker, one of the disturbing elements

of the Vietnam war, in addition to the conflict, is the withholding by North Vietnam of information regarding prisoners of war. This is especially disturbing since North Vietnam in 1957 signed and agreed to the requirements of the Geneva Convention of 1949 and has now violated the minimum humanitarian provisions of conduct on prisoner matters.

Apparently, our Government's efforts thus far to aid our prisoners of war, to achieve their early release, and even to obtain their names have not been effective. I, therefore, on August 25, 1969, called upon President Nixon as our Chief Executive to exercise further efforts and stressed that the challenge is his to find means and ways so that the stalemate will not continue. It is with the above in mind and my sincere conviction that renewed effort must be taken by our executive branch of Government that I have cosponsored a resolution offered by the Honorable WILLIAM L. DICKINSON, Congressman from Alabama.

Mr. BENNETT. Mr. Speaker, our country should do everything possible to free prisoners of war now held by North Vietnam; and further to minimize the suffering of those still held; and further to secure full disclosure of all the facts concerning those listed as missing or as prisoners. We must here in Congress do all we can to accomplish these objectives; and I am glad to join this day with others here in an expression of our convictions in this and our determination to see that something is done and done promptly.

Mr. REIFEL. Mr. Speaker, on August 7 of this year Seaman Douglas Hegdahl of Clark, S. Dak. was released from a North Vietnam prison camp. He had been a prisoner of war for 28 months.

After returning to the United States Doug felt compelled to tell about some of his experiences in hopes that his description of life in the POW camp might in some small way stir U.S. action and world opinion so that the North Vietnamese would more closely "abide by the Geneva Accords regarding prisoners of war."

I would like to share with you some of the statements made by Seaman Hegdahl regarding his confinement.

During his imprisonment and especially while in solitary confinement it was necessary to establish a routine. As Doug stated:

I spent my time trying to keep my mind occupied, trying to keep from losing my mind. . . . I would recite the Gettysburg address or the names of the state capitals. . . . I did a lot of pacing, keeping track of the paces. . . . I fed rats that came into the room.

While refusing to comment on any possible torture to himself, Doug stated that he had "known people who have been burned with cigarettes, who have had broken arms tied and then were dropped into bomb shelters, and people spending months or years in solitary."

Statements such as these, together with other sources of information, continue to point out the inhumane mental and physical treatment American POW's are receiving in North Vietnam.

We can be thankful that some of our fellow Americans have been released and

others are receiving at least a subsistence diet. Nevertheless, POW conditions in North Vietnam can and should be improved for those who remain captive.

The names of all prisoners of war who are members of the Armed Forces of the United States should be released.

A regular flow of mail to and from prisoners should be established.

Humane treatment to all prisoners should be accorded.

Full inspection of the facilities in which prisoners are being held should be possible.

Prompt release of all U.S. citizens now being held should be sought.

It is my hope that action will be taken by the Congress to assist in mobilizing world public opinion to bring about improved living conditions for prisoners of war and to ease the minds of their loved ones at home.

Mr. RUPPE. Mr. Speaker, in a resolution introduced today, we appeal to the North Vietnamese to abide by the Geneva Convention in their treatment of our prisoners of war. We wish, simply, through this resolution, to secure for our prisoners fair treatment, to secure for our brave men the rights that should be accorded them.

The North Vietnamese, in their propaganda films and press statements, would have us believe that they have treated our men fairly. We have feared otherwise. Because the North Vietnamese will issue no "captured" list, we have witnessed the anguish of families who know not if their husbands, their sons, their fathers are living or dead. Because the North Vietnamese will not allow the free flow of mail, we share the sorrow of men totally cut off from their faraway homes. Because the North Vietnamese will not permit neutral inspection of prison camps, we hear of malnutrition, of poor medical treatment, and of torture from the all-too-few prisoners who have been returned. The North Vietnamese have told us of fair treatment, but we know otherwise.

Our Nation has tried, quietly, to alleviate the plight of our imprisoned men. We ceased bombing North Vietnam, and hoped that our action might foster a substantial prisoner exchange. But there has been none. We unilaterally released over 100 prisoners, and hoped for reciprocity. Again, there has been little. Finally, our Secretary of Defense asked simply for the names of our prisoners, so that we might know, at least, if our missing men were alive. But, unless we withdrew our troops from Vietnam, we were told that no list would be forthcoming. It is shockingly evident that the North Vietnamese do not know the bounds of war.

In this resolution, which I am proud to cosponsor, we appeal to the North Vietnamese before all nations. We ask only that North Vietnam abide by the rules of the Geneva Convention, and that it take such steps as may be appropriate to obtain the prompt release of our men. We ask only for humanitarianism.

At the Paris peace talks, Ambassador Lodge has given a high priority to the settlement of the prisoners-of-war prob-

lem. Today, in Paris, the wives of several missing men await word from North Vietnamese officials on their husbands' fate. With this resolution, we make clear to the North Vietnamese, and to all men, that the people of the United States stand behind the Ambassador, and these long-suffering families. We simply will not tolerate this barbaric treatment of our prisoners of war.

If the North Vietnamese cannot act with humanitarianism, then it must be implied that they do not truly seek peace among men. If they cannot treat men with respect, then all must question their good will at the Paris talks. If the North Vietnamese expect the nations of the world to believe they sincerely desire peace in Paris, then they will comply with our appeal.

Mr. ICHORD. Mr. Speaker, I want to add my voice to those of my colleagues who have expressed concern, alarm, and indignation over the deplorably inhumane treatment being given our gallant servicemen who are held captive in North Vietnam. Of all the major problems and difficulties now confronting us in Southeast Asia none is more agonizing and frustrating. The recently released reports of atrocities cited by returning prisoners give a graphic picture of the enormity and seriousness of this problem.

Only the enemy knows how many Americans have been taken prisoner in Southeast Asia. The Department of Defense estimated last month that the North Vietnamese hold 336 American prisoners, and that 967 other American servicemen are listed as missing under circumstances suggestive of capture by the North Vietnamese. Exact figures are unavailable since Hanoi has not provided names and serial numbers of prisoners of war as required by the Geneva Convention.

INHUMANITY TREATMENT

Recently returned prisoners have vividly portrayed the cruel and inhumane treatment given American prisoners of war in North Vietnam, prisoners living in a cage for 3 years, prisoners being hung from the ceiling by straps and ropes, prisoners with cigarette burns over their bodies and fingernails pulled out, torture employed to force prisoners to sign statements testifying to good treatment. There is also evidence that some prisoners have been subjected to diabolic psychological torture in order to extort false confessions from them. The enemy has shown us what happens to a man held in isolation for long periods of time. Such isolation in some cases reduces a man to a state of half animal, half human, battered with lies until the truth is wholly unreal. This was the fate of Navy Lt. Comdr. Richard Stratton, for one, who when put on display by his Communist captors, behaved like a robot, bowing deeply on command, otherwise standing motionless, eyes blank. These atrocities are primarily aimed at disrupting the morale of our Armed Forces. While our brave men fighting in Southeast Asia seldom mention the fact, all are keenly aware that the specter of torture and inhumane treatment, if taken prisoner, rides at their side during combat.

CAUSE FOR CONCERN

I am gravely concerned as to whether officials of our State and Defense Departments have done all they could in their efforts to obtain better treatment for American prisoners in enemy hands. I am aware that some of these officials have indicated a reluctance to detail incidents of brutality for fear of jeopardizing the chances of an early release of prisoners. This I believe has been a great mistake despite the good intentions. World opinion should have been brought to bear against these atrocities long ago.

GENEVA CONVENTION DISREGARDED BY THE NORTH VIETNAMESE

The Geneva Convention provides for a neutral third nation to serve as a "protecting power" to inspect the conditions under which prisoners of war of both sides are held. Hanoi rejected initially an offer of the United Arab Republic to serve in that capacity. In May 1966, the International Committee of the Red Cross offered to act as a substitute for the "protecting power." That offer too was turned down by the North Vietnamese who claimed they were affording humane treatment to prisoners of war.

The humane treatment claim of the North Vietnamese is a travesty. There is abundant evidence to show that the North Vietnamese are subjecting our prisoners to torture, starvation, even murder. In 1965, three of our servicemen held captive by the North Vietnamese were executed in stated reprisals for the execution of terrorists by the South Vietnamese Government. The United States protested these "acts of wanton murder" to the International Committee of the Red Cross which adopted a resolution condemning the reprisals and calling for the North Vietnamese to abide by the provisions of the Geneva Convention. This appeal was completely ignored by the North Vietnamese.

North Vietnam, a signatory to the 1949 Geneva Convention, obviously has no respect for the provisions of the Convention and has nothing but contempt for those who question its actions. In a feeble attempt at explanation, the North Vietnamese have insisted that captured American servicemen are not war prisoners but war criminals" and as such are not subject to the provisions of the Geneva Convention. This claim is patently absurd. Article 4A(1) of the Convention defines prisoners of war as members of the armed forces of a party to the conflict." Article 2 specifically states:

The Convention applies in all cases of a declared war or of any other armed conflict which may arise between two or more of the contracting parties . . .

In contrast, the U.S. Government and the Government of South Vietnam have carefully complied with all provisions of the Geneva Convention. North Vietnamese forces captured in South Vietnam by the allies are detained in prisoner of war camps which are inspected regularly by the International Committee of the Red Cross. In accordance with the Geneva Convention, sick and wounded prisoners have been released and repatriated to North Vietnam. We have provided

such treatment not only because it is required by the Geneva Convention but also because it is the civilized thing to do. Regrettably, the North Vietnamese have not followed our example. Many months have passed since the bombing of North Vietnam was halted as a humane act. However, during that period the North Vietnamese have released almost no information on American prisoners of war.

ENEMY PROPAGANDA

Important propaganda victories are being won by the antiwar forces in the United States whose leaders have taken custody of American prisoners released by the North Vietnamese. This procedure is utilized by the enemy to lower the morale of the American people by showing that the antiwar forces in the United States have been more successful in negotiating than our State Department. In addition, the North Vietnamese have sent propaganda films to the antiwar forces in this country. These films indicate that our prisoners were being well treated and were permitted to correspond freely with their families. Available information, of course, reveals that the opposite is the case and the provisions of the Geneva Convention are being flagrantly violated. I am particularly concerned that Rennie Davis, one of the founders of the revolutionary Students for a Democratic Society, who accompanied three American prisoners of war home from North Vietnam last month endeavored to use some 50 letters from other imprisoned Americans as propaganda for the antiwar movement in this country. Davis was thwarted in his attempt to get some propaganda value from the letters when Time magazine refused to publish them.

HARDSHIP ON FAMILIES OF AMERICAN PRISONERS OF WAR

The persistent refusal of the North Vietnamese to furnish a list of all U.S. prisoners of war, to release those who are sick and wounded, to permit impartial inspection of prison facilities and to permit the regular flow of mail to prisoners has caused untold grief for thousands of American families. Their grief is further aggravated by reports of released American prisoners who have described the poor diets and lack of medical care in North Vietnamese prison camps. The refusal of the Hanoi Government to disclose the names of prisoners of war evidences a callous disregard of the provisions of the Geneva Convention. It not only causes needless uncertainty and anguish to the families of the missing servicemen, but it also provides a basis for suspicion that the North Vietnamese do not wish to be held accountable for the prisoners they capture.

As attention is directed to peace overtures, the American servicemen imprisoned in North Vietnam appear to be forgotten. For their families at home who go their quiet way there continues to be no word; just continued anxiety. Nothing short of knowing with certainty that their men are alive and being treated decently will relieve the anxiety of these families. The Department of Defense should insure that the families of these servicemen are receiving all possible assistance.

NEED FOR ACTION

The deplorably inhumane treatment of our captive servicemen must be brought to an end. I do not agree with those who contend that any people barbaric enough to commit such acts of atrocities against our prisoners of war cannot be forced to engage in acts of humanitarianism. I am certain that the North Vietnamese are sensitive to world opinion. I favor an immediate public appeal to all nations of the world in an effort to bring incidents of gross brutality against our imprisoned servicemen to the judgment of the world community. I recall that in 1966, North Vietnamese authorities paraded captured American pilots through angry crowds in the streets of Hanoi. At that time the North Vietnamese declared their intention of putting the captured pilots on trial as "war criminals." World opinion was outraged. A number of governments and statesmen as well as the International Committee of the Red Cross spoke up in protest. Both Secretary-General U Thant of the United Nations and His Holiness Pope Paul VI made pleas against North Vietnam's proposed action. As a result of the pressure of world opinion, the late President Ho Chi Minh of North Vietnam announced there was no "trial in view." I strongly urge the Secretary of State and the Director of the U.S. Information Agency to immediately take the necessary steps to bring to the attention of the world community the deplorably inhumane treatment being given American prisoners of war in North Vietnam.

In addition, I call upon the Secretary of Defense to make new and vigorous efforts to bring about the speedy release of our captive servicemen, particularly the sick and wounded. Further, I call upon the Secretary of State to see that the cruel and inhumane acts against our prisoners of war are forcefully brought to the attention of the North Vietnamese negotiators in Paris. I know that this proposed course of action will not be popular with those who favor peace in Vietnam at any cost. However, this is a matter that has been overlooked too long. We must not permit the American prisoners of war and their families to become the forgotten people of the war.

Mr. ZION. Mr. Speaker, North Vietnam stands condemned before the eyes of the free world and all those who champion human decency.

That tiny handful of young American fighting men who have found their way back to us from the confines of Communist prison camps north of the DMZ relate a tale of unimaginable savagery and cruelty. The Hanoi government and their puppet arm of the south, the National Liberation Front, refuse to recognize the moral precepts laid down in the Geneva Convention of 1949 regarding prisoner-of-war treatment. While the parents, wives, sweethearts, and friends of American POW's suffer the long agony of uncertainty, the cruel Government of North Vietnam refuses to reveal the names or even the very existence of their prisoners. This Government will neither confirm nor deny the names of those missing in action tendered to it;

will not at least set the sad hearts of these loved ones at rest on the matter of the existence of life or death.

Mr. Speaker, I rise to join with many colleagues in condemning this conduct, this wanton disregard of human decency. I have enthusiastically added my own name to legislation condemning the reported atrocities being practiced on our young men who suffer the agonies attendant on Communist imprisonment. Hopefully, Congress will respond to the fervent prayers of the families who wait. Let us now assert the demand of this Nation for some minimal response from North Vietnam. Let us call forth some deep, lingering spark of humanity that must exist even in godless Hanoi. Let us marshal the opinion of an outraged world against a government, a power so callous that it would deny to the families of these men the simple knowledge of the continued existence of a human life.

I call today upon this common humanity which I believe does exist in all men. I implore North Vietnam to show some degree of care and concern for the American servicemen in their custody.

Mr. CHAPPELL. Mr. Speaker, the shocking conditions that prevail today in North Vietnam with regard to prisoners of war has caused a great stir in my district of Florida.

Within our State, 81 families sit waiting for some word about a husband, a son, a brother, a father—who has been cast into a world that lies between the living and the dead. The torment of this situation is thrust not only on these fighting men, but on their families who must live and dream and hope in the midst of their agonies of suspense.

Through the President we are urging, under House Concurrent Resolution 332, that every possible step be taken to require the North Vietnamese Government to abide by the Geneva Convention in their treatment of prisoners. Specifically, we ask that they give us a list of the prisoners that they hold and that they release sick prisoners. It is inhumane to hold these men for long months and years and not allow them to correspond with their loved ones—and so we ask that there be a free exchange of mail. Another requirement would be the impartial inspection of prisoner camps.

The other resolution I am cosponsoring, which is being introduced today, calls for an appeal to North Vietnam to comply with the terms of the Geneva Convention in their treatment of prisoners of war and an effort by our Government to obtain the release of these prisoners.

The families of these men who are prisoners of war and who are missing in action are looking to us for support in the most cruel situation imaginable for both the men and their families. We cannot fail them.

I urge the support and passage of both these resolutions.

Mr. BARING. Mr. Speaker, the figures available today show that there are some 1,400 American soldiers either missing or being held as prisoners of war by the North Vietnamese in connection with the Vietnam war. The best figures from

the Pentagon and American Red Cross indicate as many as 350 to 400 are known prisoners.

I join with several of my colleagues today in urging the President of the United States to instruct our military and diplomatic corps, or any other channel of communication to begin an immediate drive to insure the safety of those American prisoners according to the Geneva Convention of 1949 which the Government of North Vietnam signed in 1957.

I have numerous letters from my State of Nevada from parents and wives who are deeply concerned for their sons' or husbands' welfare while retained as prisoners. The entire American public has concern for the well-being of our servicemen held as prisoners.

An announcement by the North Vietnamese Red Cross this past weekend was deeply irritating to me. It stated, according to the news reports, that North Vietnam does not recognize the Geneva Accord on the treatment of prisoners of war and notably, not to the American airmen who are being held by the Communists in North Vietnam and South Vietnam.

Furthermore, two of the three American servicemen miraculously released by North Vietnam recently were allowed to hold a press conference at which time the two told of inhumane treatment to themselves and to other American prisoners by the Communists.

The House Concurrent Resolution 332, which I speak in support of at this time, must be initiated by the American Government.

I wish to point out that the resolution requires North Vietnam and its allies to identify prisoners they are holding, release seriously sick or injured prisoners, permit impartial inspections of all prisoner of war facilities and to permit the free exchange of mail between families and prisoners.

I urge that while we are pulling our troops out of Vietnam in hopes for a peaceful settlement, we must not allow the Communists to keep America in the dark regarding the whereabouts and welfare of those men who were captured, some as long as 5 years ago.

Mr. ADAIR. Mr. Speaker, today we are discussing the problem of our prisoners in North Vietnam. Here with this issue Americans are face to face with the barbarity of communism. Some of these men have been prisoners for 5 years. As our concurrent resolution states, we can only estimate how many men are imprisoned in North Vietnam. Their poor treatment is a matter of record. The treatment of our men, in violation of the Geneva Convention of 1949, is not a new thing. The fact that the Government of North Vietnam signed this convention in 1957 and does not abide by it is shocking, but not surprising.

For just a moment let us look at the history of the treatment of prisoners of war by the Communists. For the record, it should be recalled that Communist nations have a consistently poor record as regards the treatment of anyone they capture as well as a distinct lack of concern for their own people who are captured. After the Russo-Finnish war of

1939, we are told that the Soviets shot or imprisoned every returning soldier that had been held prisoner by the Finns, no matter what the circumstances of his capture were. During World War II, the Soviet Union would not admit that any Red Army men were prisoners of the Germans. In fact, when they were confronted with the evidence by the International Red Cross, the Soviet authorities would not even give permission for the Red Cross to send their men either food or medicine. As regards the Japanese and Germans they captured, their treatment was poor, and some of these people are still unaccounted for. Thousands of them were held for as long as 10 years after hostilities ended to perform forced labor on Soviet projects. We also need to recall the Korean conflict and the ill treatment of our prisoners during that time. The term "brainwashing" received wide publicity at that time as the Communists beat and starved our prisoners in order to have them make propaganda statements. The *Pueblo* incident also proved how little the North Koreans have changed since that time. After the Korean conflict, as after World War II, thousands of these Communist soldiers did not wish to return to the "Socialist motherland." However, we sent many Russian soldiers back at the point of a bayonet, but having learned this lesson, thousands of Chinese and Koreans were permitted to stay in the free world, following the Korean conflict.

Thus, nothing has changed with the Communist world. Life is cheap and a prisoner of war is a cipher—a cheap labor unit and a propaganda instrument, in the eyes of a Communist government. Therefore, I am convinced that only a worldwide outcry against the barbarous treatment of our men in North Vietnam can help these men and their suffering families. I strongly urge the passage of this concurrent resolution.

Mr. BYRNES of Wisconsin. Mr. Speaker, the failure of North Vietnam and the Vietcong to adhere to the Geneva Convention relating to the treatment of prisoners of war should be condemned by all humanity.

Refusal even to release the names of those being held has brought untold anguish to the families and loved ones of those missing in action.

Refusal to permit prisoners to receive and send mail on a regular basis can only be considered cruelty for cruelty's sake.

Refusal to allow inspection of prison facilities only reinforces belief in the stories of inhuman treatment now being brought to light.

I join in this plea to the leaders of North Vietnam and the Vietcong to live up to the Geneva Convention and, even more basically, to their responsibility as human beings. The cruel, inhuman treatment of men captured in combat serves no military purpose. Deliberately adding to the misery of their families invokes only the hate of civilized men everywhere.

I urge prompt action on the resolution I join in sponsoring today asking the world to appeal to North Vietnam and the Vietcong to comply with the Geneva Convention and to cooperate in steps leading to the prompt release of American prisoners of war.

Mr. PIRNIE. Mr. Speaker, I have joined in introducing legislation expressing the sense of the Congress that our Government appeal to the North Vietnamese Government and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to take appropriate steps to obtain release of our prisoners of war.

Our Government has always and will continue to abide by the Geneva Convention relative to the treatment of war prisoners. Our tradition and heritage, as well as our value of human life demand that we do no less. Unfortunately, we have no assurance from the other side that it does likewise. In fact, recent statements from released POW's indicate that the treatment of prisoners is less than humane. Of course, all of us find these reports incredible and we are angered by the thought that other countries do not abide by the minimum requirements of the Geneva Convention.

Unfortunately, there are at least 340 and possibly as many as 1,300 American servicemen interned as prisoners of war by North Vietnam and the NLF. Some have been captive for as long as 5 years. Sources indicate that in many cases these brave men have been subjected to physical abuse, mental torture and insufficient medical treatment. I am familiar with one case which serves to underscore the terrible difficulties attendant to the family of a POW.

Navy Lt. Paul Galanti is 30 years old now. On June 17, 1966, then 27 years old, he was shot down by North Vietnamese antiaircraft during a bombing run over Vinh in North Vietnam. An Annapolis graduate of 1962, Lieutenant Galanti had flown several bombing missions over North Vietnam and had received several Air Medals. His wife, Phyllis, did not know whether he was dead or alive until October of 1966 when his picture appeared in *L'Humanite*, a French Communist newspaper. Considering that many of the wives and families of these prisoners have waited as long as 4 years to learn of the fate of their husbands or loved ones who have been captured, Mrs. Galanti thinks she is lucky. She points out that she has received three letters from her husband since that time, one in February of 1967, the second in April of 1969, and the last in June of 1969. Here again, she has been relatively fortunate in light of the fact that of the possible 1,300 American POW's in North Vietnam, only 100 families have received mail from their husbands or sons. Yet, according to the Geneva Convention, the prisoners are supposed to be able to send and receive one letter per month.

In December of 1967, Mrs. Galanti sent a Christmas package to her husband. It went all the way to Hanoi and was returned—unopened. In a supposedly friendly gesture, Hanoi made it known that the prisoners would be able to receive a package for the Fourth of July this year. Mrs. Galanti sent another package but has received no word whether her husband received it.

This fine young lady considers herself very fortunate to have as much information about her husband as she has

been able to obtain. She points out that her husband's picture on the front cover of *Life* magazine on October 20, 1967, revealed that he looked reasonably well considering what he had obviously undergone. However, she adds that there are hundreds of other wives and loved ones of American servicemen in Vietnam who know nothing about the condition of these men, who have received no letter, no picture, nothing.

This is a frightening existence for these young wives and these mothers and fathers. North Vietnam's failure to provide a simple list of prisoners or to allow an impartial agency such as the Red Cross to inspect the prison camps is inhumane. In my view, it merely reflects the failure of the North Vietnamese leaders to place any value on the individual human life. They are violating more than an agreement—they are guilty of inhuman treatment which should be stopped. This is a terrible tragedy and all humanity should call upon the North Vietnamese to recognize the spirit and the law of the Geneva Convention. We appeal to them to do so now.

Mr. WHITE. Mr. Speaker, I am proud to have joined with many of my colleagues and with 40 Members of the U.S. Senate in a statement protesting the inhumane and inexcusable treatment of American prisoners in North Vietnam. I am proud, also, to be a cosponsor of a concurrent resolution being presented to the House stating it to be the sense of Congress that the President, the Department of State, the Department of Defense, and all other concerned departments or agencies of the U.S. Government, the United Nations, and the peoples of the world should appeal to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war.

Mr. Speaker, the stories of cruelty and inhumane treatment of our prisoners have been well documented, as have the failures of the North Vietnamese and the National Liberation Front to abide by even the most fundamental principles of the Geneva Convention. In view of this situation, some of the most cruel treatment imposed upon the families of imprisoned American servicemen consists of silence. Not even the names of prisoners held are being announced. There is no information as to their food or medical care, nor even the names of those who may have died while in captivity. There is nothing but silence.

These families have tried in every way possible to secure some news of the fate of their loved ones, but their appeals go unanswered. I am sure the sentiments of more than 1,300 families throughout the Nation are reflected in a letter I have received from my constituents, Mr. and Mrs. Howard Hill, 8835 Mount Elbert, El Paso, Tex.

Their letter reads, in part:

We are taking this means of requesting your assistance. Our son, an Air Force F-4 pilot, Howard John Hill, was shot down in North Vietnam on 16 December 1967. We have never had any mail from him, and though we write as we have been instructed,

we are not certain that he has been able to receive the mail directed to him.

The United States Air Force has been wonderful in trying to furnish us with whatever information they can, and we have no complaints to voice against them. We can honestly say that we are not "forgotten" and the people in Randolph are some of the finest in the world.

Actually, our complaint (if such it would be called) is that Hanoi has not been more strongly pressed to obey the Geneva Convention. We only want that our men be furnished proper care, i.e., food, medical care, mail from home and first and foremost, a list of the men that they hold prisoners.

How can you help, and what can you do? Won't you please speak up in Congress and get other Senators and Representatives to voice their ideas and see if Hanoi won't follow through and adhere to the rules of the Geneva Convention? It would lighten the hearts of many of us who wait if we knew that our men were, indeed, receiving humane treatment. Thank you again.

Sincerely,

Mr. and Mrs. HOWARD HILL.

Mr. and Mrs. Hill enclosed with their letter a copy of a letter that was addressed to the chief negotiator for North Vietnam at the Paris peace talks. A copy was sent to Ambassador Henry Cabot Lodge, chief negotiator for the United States. I would like to include that letter in the RECORD at this time:

CHIEF NEGOTIATOR FOR NORTH VIETNAM,
Paris Peace Talks,
Paris, France.

DEAR SIR: I am directing this letter to you as I believe you represent the Government of Hanoi there at the peace talks in Paris. The following is a letter that I would like for Hanoi to be aware of:

"HELLO, HANOI: May we hear from our son, Howard John Hill? We know that he has been a prisoner of war for over 19 months and that he is there with you. Why can't you let us hear from him? Are you giving him the mail and medicine that we send? We have followed your instructions and have directed our letters to him through you, Hanoi. We trust the mail service in the United States, but if you do not deliver the mail there how can we trust the Hanoi post office?"

"Another question we are asking is why aren't you letting the relatives know when you capture one of our men? Are you afraid of what the mothers, fathers, wives, and children will do to you? How could we possibly hurt you in any way by knowing that our loved ones are there?"

"Also, how can we believe you when you tell us that you are giving them humane treatment? Why won't you allow the Red Cross to inspect your prisoner of war camps?"

"As Howard's parents, we ask no special favors, but only that you allow us to hear from our son—the same request that anyone else who has a loved one in Hanoi would ask."

"We worry about Howard's health, Hanoi, because he is bothered by a skin fungus which requires medication during the hot weather. Is he getting medicine for the ailment?"

"We were so happy when you announced to us that we could send one package per prisoner and that it could contain medicines. Elizabeth, our son's wife, recently sent a package to Howard with medicine for the fungus included. Would you please see that he gets the medicine?"

"Hanoi, would it be possible for you to release the list of American men that you are holding as prisoners? If you won't allow Howard to write to us, won't you please let him write to Elizabeth, his wife. She misses him very much."

Sincerely,

Mr. and Mrs. HOWARD HILL.

Mr. Speaker, the representatives of North Vietnam and of the National Liberation Front have tried to indicate at the Paris peace talks that they are modern, civilized nations, deserving of respect and recognition among the nations of the world. If they would ask support for such a viewpoint, then let them demonstrate in this most fundamental manner, by adherence to the rules of the Geneva Convention, that they are deserving of respect. Failing this, they should be considered as international brigands and outlaws.

Mr. SCHADEBERG. Mr. Speaker, the current conflict in Southeast Asia, known to history as the Vietnamese war, has been the source of much personal, national and international suffering. War is, by its basic nature, the degradation of all that man stands for as a human being. But, there is one aspect of this conflict that is especially repugnant—North Vietnamese treatment of prisoners of war.

As an effort to make war a bit more tolerable, and in order to create rules of conduct for the nations which fight over basic principles, the 1949 Geneva Convention Relative to the Treatment of Prisoners of War was formulated. This Convention was conceived as an international agreement designed to protect the integrity and the well-being of the individual through whom a war is fought. Under international law, each nation which signs this treaty is bound to adhere to its principles.

This Convention was signed by the Government of North Vietnam in 1957, thereby signifying its acceptance of the following international obligations: Prisoners are to be humanely treated and identified, the sick and injured are to be released, the International Red Cross is to be allowed to inspect prison camps, and the prisoners are to be allowed to receive and read their mail.

It has recently come to the attention of the people of this Nation, and to the peoples of the world, through the release of three of the more than 1,300 prisoners currently held by North Vietnam, that this Government of North Vietnam is intentionally violating the provisions of the agreement to which they are a signator. Hanoi has refused to give definite word of whether a loved one of an American family is dead or alive, and is subjecting those in its custody to inhumane, illegal, and severe emotional and physical duress.

Efforts to reach these captured Americans have been pursued with vigor by the past and present administrations. All efforts to secure compliance with the terms of international law have been rebuffed by North Vietnam on the grounds that these men have no rights since they represent the aggressor in the war.

While most citizens of the world are naturally appalled by this ill-conceived conduct, I have had the experience of personally knowing the torment of a family whose son is a presumed captive of the North Vietnamese, officially listed as missing in action.

The parents of this young American, who reside in my congressional district, were first apprised of their son's disap-

pearance in September of 1967. They were told that their son was on a search and destroy operation when his company became engaged in combat with an enemy force, and that because of the intensity of the battle, many casualties were suffered. A thorough and extensive search of the battle area for the dead and wounded was made later that day. Although the search continued for 3 days, their son was not found. The hospitals in the area were checked to determine whether any unreported wounded personnel had been admitted, but their son was not among the hospitalized personnel.

In a letter later that month, the parents stated to me:

We will never give up hope. With the faith and prayers which have kept us going, we know and feel our son will come home one of these days.

Twenty-one months went by without any word from the Government of North Vietnam as to whether the son was a captive.

Then, in July of this year, the parents recognized, from a photograph taken by a foreign news correspondent, the face of a prisoner they feel is their son. This had the effect of lifting a great load from the hearts of these wonderful people, but not entirely, since they must now live with the half-comfort that a thin and sickly looking person could be their son. If he is fortunate enough to be alive, then they know that he has not been treated properly.

This fine American family still lives on hopes and half-truths, not knowing if their son is alive or not, injured or not. Why? Because the North Vietnamese refuse to release a listing of the names of the prisoners, and to allow those who are held captive to receive the basic necessities of life as guaranteed prisoners by the Geneva Convention.

Mr. Speaker, it is with my firmest determination to resolve this untenable situation that I join in strong support of the congressional resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President of the United States to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment. By this action I hope that world opinion will be sufficiently stirred so that our servicemen can soon receive their full human rights, and that peace can be brought to the more than 1,300 American families who live in the twilight zone between hope and despair for the safety and well-being of their sons.

Mr. Speaker, the Government of North Vietnam is conducting itself with callous self-righteousness, believing that they are morally right in their actions. We in the United States and the world know otherwise.

Let it be known, that through this congressional display being undertaken today, warning is given the North Vietnamese that their actions will not be tolerated by this august body, by this Nation, or by this world.

Mr. PRICE of Texas. Mr. Speaker, I rise today to join with the distinguished gentleman from Alabama in sponsoring a

concurrent resolution on the treatment of U.S. prisoners of war by North Vietnam. I strongly believe that this resolution is a timely and a much needed one.

Both our Government and the Government of the Republic of Vietnam have placed great emphasis on the proper treatment of prisoners of war interred in South Vietnam. This emphasis was motivated partly by our adherence to the terms of the 1957 Geneva Convention dealing with the treatment of prisoners of war, and partly by our belief in basic principles of decency and humanity.

Neither North Vietnam nor the Vietcong have followed the example that has been set for them on this matter. On numerous occasions the United States has unsuccessfully appealed to the enemy to respect the terms of the 1957 Geneva Convention, which North Vietnam endorsed; however, despite repeated attempts by the U.S. Government and neutral organizations, the North Vietnamese and the Vietcong have consistently refused to release even the names of the U.S. prisoners they hold. In fact, Xuan Thuy, chief of the North Vietnam delegation in Paris, has declared that he would never release a list of American prisoners, "as long as the United States continues its aggression and does not withdraw its troops from Vietnam."

At present, there are more than 1,350 U.S. servicemen classified by the respective services as being either prisoners of war or missing in action. Of this number, nearly 800 were downed over North Vietnam. Most of these individuals are pilots and it is believed that a substantial number are prisoners of war.

With each passing month the situation has deteriorated. There are at present more than 250 U.S. servicemen listed as prisoners or missing in action who have been listed as such for more than 3½ years. This is longer than any U.S. serviceman was held a prisoner during World War II. In addition, there are now more than 650 American servicemen who have been listed as POW's or missing in action for more than 2 years.

The families of our missing servicemen live in daily torment and anxiety. The information they receive regarding the missing is skimpy at best, and non-existent at worst. In the past 5 years, approximately 100 captured servicemen have been allowed to write to their families; however, letters have only trickled in at the average rate of two letters a year per prisoner. If these few writers had been allowed to write the number of letters and cards as permitted under the Geneva Convention, their families would have received 18,000 letters and cards, as opposed to the less than 800 pieces of correspondence they actually received from their captured husbands and fathers.

On an official level, most information regarding the status of American prisoners has come in the form of propaganda films and photographs which the North Vietnamese have sold or made available to various news outlets throughout the world. The distortions and misrepresentations made by the North Vietnamese are obvious, but it still does not resolve the question of just what is happening to our captured fellow Americans.

Although we regrettably do not have all the facts, according to the Department of Defense, clear evidence that North Vietnam has violated even the most fundamental standards of human decency in its treatment of our captured American servicemen. U.S. News & World Report has published a compelling article on this subject, which I would like to insert in the Record at this point.

Even more compelling is the firsthand testimony provided by two of the three U.S. servicemen who recently were released by the North Vietnamese. This testimony was given in news briefings held at Bethesda Naval Hospital earlier this month. I know the transcript of the proceedings will be of great interest to my colleagues and the American people, for this is what is happening to our countrymen.

Mr. Speaker, the concurrent resolution I am cosponsoring would call upon North Vietnam to observe its solemn commitment to the tenets of the Geneva Convention, and would call upon it and the National Liberation Front of South Vietnam to take the appropriate steps to obtain the prompt release of all American prisoners of war.

Our need is great and our cause is just. I urge my distinguished colleagues to support this proposal. Our Nation and our people will be the beneficiaries.

The U.S. News & World Report article and the news briefings follow:

NEW MOVES TO HELP CAPTIVE GI'S IN VIETNAM

(NOTE.—The full story of how Communists in Hanoi mistreat American POW's is now coming to light—

(Men are denied medical care, held in solitary, used for propaganda stunts. Reds will not even tell which of 1,300 missing GI's are still alive.

(U.S. officials, deeply worried, are determined to get action.)

Deep official concern is starting to break into open over 1,300 "forgotten Americans," missing in the Vietnam war and presumably in enemy hands.

More than three years of negotiations, carried on through "normal" diplomatic channels, have failed to produce even a list of names of those held as prisoners. No one in Washington knows even roughly how many of the missing Americans have survived and are living in captivity.

Now a change in U.S. policy is under way. Responsibility for getting action on these captured servicemen has been shifted from the State Department to the Pentagon, where officers are prodded by the Pueblo crewmen's description of their brutal captivity in Communist Korea.

Defense Secretary Melvin Laird, on May 19 and again on June 6, made an open appeal for the North Vietnamese to release names of their American prisoners, repatriate the wounded, permit inspection of prison camps, and begin to abide by the Geneva Convention on prisoners. Hanoi immediately refused. But more steps are in the offing, with a resort to world public opinion to be tried next.

INCREASING EVIDENCE

Behind this growing U.S. concern is evidence, accumulating from several sources, that the American captives of this war are not receiving the humane treatment spelled out in the Geneva Convention and "endorsed" by North Vietnam with reservations. Many are reported to be undernourished, denied adequate medical care, kept in solitary confinement for long periods, refused

communication with their families, and often used for trumped-up propaganda stunts.

Says Secretary Laird: "There is clear evidence that the enemy is treating the U.S. prisoners it holds inhumanely."

No inspection of the Communist prison camps in Vietnam has been permitted by non-Communists. Only six pilots, of the 800 shot down over North Vietnam, have been returned in the past two years. A few U.S. prisoners have escaped from Viet Cong hands in South Vietnam, but none from compounds in North Vietnam.

Little real information has come from the heavily censored letters received so far from about 100 U.S. prisoners who have been permitted to write home. These have averaged about two letters a year, most of them of postcard length. They total roughly 600.

From propaganda films and magazine articles in the Communist press, some information is available about the physical setup of the main prison camp used for Americans, evidently located on the outskirts of Hanoi.

This is called the "Hanoi Hilton" by its inmates, and houses an undetermined number of captured U.S. pilots. It is surrounded by a red wall, topped by several strands of barbed wire, with an entrance gate on a "quiet street" of the North Vietnamese capital.

Inside is a large courtyard, and a long, low building that houses the camp staff and a special "interview room." That is where most of the endless propaganda films are made and interviews conducted by Red journalists from Poland, East Germany, Cuba and elsewhere.

There are clusters of "houses" inside the compound, each containing cells for one or two of the Americans. Every "house" has a loudspeaker that broadcasts English-language "news" and propaganda lectures.

In the "Hanoi Hilton," according to these reports, American prisoners are fed twice a day, and are permitted to wash six times a week and shave twice a week. Many Communist-line books and articles are available, translated into English.

Over all, the evidence thus far points to treatment not much different from that given to members of the Pueblo crew, held for 11 months in Communist North Korea. Pentagon officials say, however, that there is some reason for hope that at least beatings such as those inflicted in North Korea are not so common in the case of North Vietnam.

Heightening the official U.S. alarm over the prisoners in Vietnam is the lengthy period of captivity that many have endured. The first American shot down over North Vietnam was captured in August, 1964. At least 200 Americans have been missing for more than three and a half years—or longer than any U.S. serviceman was held prisoner in World War II. About 500 have been missing for two years or more.

At least some of the 1,300 missing Americans are known to have died of the treatment received as prisoners—particularly those who were wounded or injured when captured. A few such cases have been documented by Communist troops who have turned themselves in to the Allies.

PRIMITIVE MEDICINE

Medical treatment given to American prisoners apparently varies widely but is generally primitive. Recent propaganda photographs show that some prisoners still suffer from injuries incurred at the time they were shot down. Many appear on crutches months later. Some are pictured with badly set bones, shrunken arms or legs as a result of poor medical aid. Dysentery and stomach ailments are reported to be common.

In one case in recent weeks, a repatriated GI died shortly after he was returned to U.S. custody, and an autopsy revealed that his head wound had been treated with the crudest type of surgery.

How many Americans have survived of the 1,354 listed officially as missing is said to be a genuine mystery. Only 342 Americans actually are listed as "captured or interned." Each of these was either seen captured soon after he bailed out, or identified in a Communist film or propaganda report.

PROFITING FROM MISERY

There is evidence that the North Vietnamese may be making a substantial dollar profit from the propaganda films and pictures of their American PW's. Film footage of captured U.S. airmen, much of it obviously staged, has been distributed widely in Iron Curtain countries, and also sold to Western outlets through East German and Japanese firms.

The East German film agency "Deutsche Film Agentur," for example, offered U.S. television networks several hours of film of captive Americans for \$500,000. Other film has been bought by American magazines and TV for undisclosed amounts.

In most of these films, the same prisoners seem to show up time after time—being paraded through the streets, behind bars in solitary, listlessly playing table tennis, carrying trays of suspiciously large portions of food, even attending church services.

Of the treatment actually accorded most of the American captives, this much appears certain:

Solitary confinement seems to be imposed on nearly all, for at least some weeks or months. All six of the U.S. fliers repatriated thus far, for example, had been kept in solitary cells for months.

Undernourishment is common. Reports and pictures of U.S. prisoners indicate that most have lost from 10 to 40 pounds each, and some much more. Only one repatriate emerged at the same weight he had been captured. Food of the U.S. captives all seems to be Vietnamese, to which many Americans cannot adjust, and in portions that are small by U.S. standards.

Mail sent to and from their families, highly important to captive Americans, is either forbidden entirely or permitted capriciously.

Last October, for instance, all letters from prisoners to their families were cut off completely for six months. Delivery of the delayed letters was resumed gradually in April, possibly because of approximately 200 telegrams of complaint that were sent by wives of prisoners to Xuan Thuy, North Vietnam's representative in Paris.

Parcels sent by the families of prisoners are rarely, if ever, delivered. The Geneva provision for monthly packages is ignored. Last Christmas, Hanoi hinted that it would pass some Yuletide parcels, so 714 of them were mailed by hopeful families. Six months later, there had been no confirmation that any had actually reached the men.

No one knows how many letters get through to the prisoners. And the Pentagon reports that only 1 in 13 of the missing Americans has been able to get a message back to his family. Those who have all use the same return address: "Camp of Detention of U.S. Pilots Captured in the Democratic Republic of Vietnam." No stamps are used.

UNCERTAIN WHEREABOUTS

The actual location of most of the missing Americans is far from clear, even though much of the skimpy information appears to center on the "Hanoi Hilton." One pilot, recently returned, refers to a whole "Hanoi prison system." An article by a Hungarian correspondent tells of a number of "Hiltons" scattered around North Vietnam. A Cuban writer, in an article last month, describes a camp for U.S. prisoners, "composed of small clusters of houses without fences."

Captives of the Viet Cong in the South, fewer in number than the pilots captured in the North, usually are kept constantly on the move, rarely held in camps with more

than four other Americans. At least one prisoner of the Viet Cong escaped after being held for a year in a camp on Ca Mau Peninsula, near the southern tip of South Vietnam.

EFFORTS FOR EXCHANGE

As a consequence of secret negotiations with Hanoi in 1968, Washington had expected to begin talks with the North Vietnamese about a mass exchange of prisoners, soon after the U.S. ended the bombing of North Vietnam last November 1. But since then, Hanoi has consistently refused to discuss the issue further.

Until he was replaced at Paris, all attempts to deal with Hanoi about the missing Americans were handled by W. Averell Harriman, who had "responsibility for prisoner affairs" for the U.S. His negotiations were carried out largely through third countries and organizations with pipelines into Hanoi.

On one occasion the Swiss Ambassador to Red China visited the State Department in Washington and then took a trip on his own to Hanoi, a visit since presumed to be an effort to get Ho Chi Minh to abide by the Geneva Convention. It, like others, was unsuccessful.

Dissatisfied with State Department results, the Pentagon itself asked—and received—White House permission to take over efforts to make contact with the missing Americans, to find out who is alive, and try to get them back.

A straight swap of prisoners with Hanoi is ruled out. U.S. forces have captured some 5,000 North Vietnamese troops, but all have been turned over to the South Vietnamese—for imprisonment supervised by the International Red Cross. Hanoi, thus far, has shown no interest in getting back any of its imprisoned troops.

In past months, the Allies have released 103 of the PW's to North Vietnam, in the hope of getting some reciprocity. This has brought no action from Hanoi except a propaganda blast at the U.S. for its "piratical acts."

Defense officials make it clear that they continue to plan to press hard for a breakthrough on the issue of the missing 1,300 Americans. Most, they believe, are still alive in compounds like the "Hanoi Hilton."

One senior officer emphasized:

"Nothing short of knowing with certainty that their men are alive and being treated decently will relieve the growing anxiety of their families."

NEWS BRIEFING, BETHESDA NAVAL HOSPITAL

Spokesman: Ladies and gentlemen, we have had queries in the past few weeks regarding the three U.S. servicemen who recently returned from having been captured in North Vietnam. This is the first opportunity, this afternoon, that we have had available for the men to meet with the news media. We have had numerous requests along the way. Lt. Robert Frishman on your right, and Seaman Douglas Hegdahl on your left, are stationed here at the Bethesda Naval Hospital and are continuing to receive medical observations.

Captain Wesley Rumble, the third U.S. serviceman returned several weeks ago, is stationed at Travis Air Force Base Hospital and is on convalescent leave at this time.

As you know, Secretary Laird and the Department of Defense have expressed deep concern for the welfare of the 1,355 U.S. servicemen who are listed either as prisoners or missing in action. This afternoon, Secretary Laird as part of his continuing interest and concern issued the following statement:

On numerous occasions I have expressed deep concern regarding the welfare of the U.S. servicemen who are prisoners of war or missing in action in Southeast Asia.

I also have been concerned about the anxiety of the hundreds of families who have lived up to five years with this most difficult problem. Steps have been taken to assure

that the family members of these prisoners and missing in action personnel receive all benefits to which they are entitled.

In addition, Defense officials personally have met with nearly 1,400 wives, parents, and other family members to assure them that I have assigned the highest priority to the prisoner matter.

The Department of Defense has undertaken a continuing review of information received regarding prisoner treatment, including the experiences of the three U.S. servicemen recently released by Hanoi.

There is clear evidence that North Vietnam has violated even the most fundamental standards of human decency. It consistently has claimed, through propaganda statements, that our men have been treated humanely.

Information the Defense Department has received clearly refutes those contentions.

It may be that top government officials in Hanoi are unaware of the shocking conditions within North Vietnamese prison camps. Nevertheless North Vietnam is accountable to every human being for these flagrant violations of human decency. North Vietnam also is accountable for its failure to release sick and injured prisoners and for its failure to permit the men to correspond freely with their families.

Hanoi knows about these violations.

Some of our men have been in Communist prison camps for more than five years. Over 200 have been there longer than three and a half years. We are concerned that the passage of so many months of captivity could have long term adverse effects on the well being of our men.

The nine men freed by North Vietnam in the past five years all have been released from the same prison camp. They personally have seen only a limited number of other prisoners.

We in the Department of Defense continue to be concerned for the hundreds of others believed to be held elsewhere. North Vietnam repeatedly has refused to identify these other prisoners, compounding the anxiety and despair of the hundreds of families who have now lived up to five years not knowing whether their loved ones are dead or alive.

We urge that North Vietnam and the Viet Cong release all prisoners. They must immediately:

1. Identify prisoners whom they hold.
2. Release the sick and injured.
3. Permit impartial inspections of prisoner of war facilities.
4. Permit the free exchange of mail.

These humanitarian actions are required by the Geneva Convention of 1949, which North Vietnam signed in 1957.

This convention calls for nothing more than minimum humanitarian conduct on prisoner matters. We call on the North Vietnamese and the Viet Cong to honor these principles.

At this time, Gentlemen, I would like to introduce two of the gentlemen who have just recently returned from having been captured in North Vietnam.

The procedures, I will introduce, both of these gentlemen. Lt. Frishman has a brief statement that he would like to make and he will be immediately followed by Seaman Douglas Hegdahl who also would like to make a statement and then, following that, these men are available for your questions.

Lt. Robert Frishman, USNR, 28, is a native of Long Beach, California; after graduating from Long Beach City College he attended the University of California Dental School and San Francisco State College.

He was commissioned an Ensign in the United States Naval Reserve in June, 1964, and was designated a naval officer in October, 1965.

Lt. Frishman reported to Fighter Squadron 121 in November, 1965, and was captured when his aircraft was shot down over North Vietnam on 24 October 1967.

Lt. Frishman's wife, Janet Lynn, has been living in Santee, California. Lt. Frishman has received the Distinguished Flying Cross, two Naval Commendations Medals and the Purple Heart.

Seaman Douglas Hegdahl, USN, is 22 years old, and was born in Watertown, South Dakota. He enlisted in the Navy on 28 October, 1966 and was assigned to the U.S.S. Canberra in February, 1967.

He was captured on 6 April, 1967. His parents are from Clark, South Dakota. Douglas Hegdahl on 28 August was promoted to Postal Clerk Third Class and he also has received the Navy Unit Commendation.

At this time I will turn the news conference over to Lt. Frishman.

Lt. Frishman: I'm Lieutenant Robert Frishman, one of the released prisoners of war from North Vietnam. Hanoi says the best proof of their treatment to American prisoners will come from those they have released.

I am here today to tell of the type treatment that I and other American prisoners of war have received. I feel a deep obligation to the other prisoners of war still in Vietnam to express myself straightforward and to tell the truth. What I say will be refuted by the North Vietnamese.

If they don't have statements of humane treatment, they have ways of getting them. They threaten that if I embarrass them in any way they have ways of getting even with me, and told me not to forget that they still have hundreds of my buddies in their hands.

I would like to relate some of my experiences and those of others and leave you to your own opinion.

I had two meals a day—pumpkin soup with pig fat in it and some bread. It may not sound good but you can live on it. Sometimes we would sweep the leaves and occasionally sit in the sun. They would give me some magazines and books, which, of course, were slanted along the North Vietnamese party line propaganda. But for the most part, I would just have to use American ingenuity to keep my mind busy and fight the isolation.

What about medical treatment?

The Doctors at Bethesda tell me that if you have to remove an elbow, the way they did seems to be professional. I still have a right arm and I'm thankful for that. However, they failed to remove the fragments of the SAM missile in my arm. It took six months just for my incision to heal over. I would wake up and find my arm stuck to the blankets by the dried scab. When I took the blanket off, the scab would come off and the wound would drain again. During the operation, they put serum in my left leg with a needle, and left string behind which resulted in a seeping sore which drained until my return to this country. In a few minutes at Bethesda, the Doctors removed the foreign object, and now it is healing.

I believe the North Vietnamese are capable of giving good medical care, but they are basically willing only in doing what is necessary to keep us alive. My case is not unique. I've seen LCdr McCain and others who have received this basic treatment to keep them alive but will require further treatment before they are in good shape again. I hope they get home in time for our doctors to effect a recovery.

The North Vietnamese told me that John McCain was the worst wounded pilot. He has many broken bones but he can walk with a very pronounced limp and a stiff arm. He has been in solitary confinement since April of 1968. It's hard enough just being in solitary confinement but when you're wounded like John is, it's even more difficult because you don't have anyone to help you wash yourself, or your clothes, or keep your room clean.

Are rebreaking broken bones in solitary confinement humane? Is sitting on a hot stool in a hot stuffy room with no sleep and mosquitoes biting you until they make their lousy statements humane? I know what it's like.

In two days your feet swell up and then it creeps up your legs until they're numb. Weather and your physical condition are determining factors on how long you can last. Some have gone for 150 hours. Others passed out from heat exhaustion in 48.

The North Vietnamese tried to get LCdr Stratton to appear before a press delegation and say that he had received humane and lenient treatment. He refused because his treatment hadn't been humane. He'd been tied up with ropes to such a degree that he still has large scars on his arms from rope burns which became infected. He was deprived of sleep, beaten, had his finger nails removed and put in solitary, but the North Vietnamese insisted that he make the false humane treatment statements and threw him into a dark cell alone for 38 days to think about it.

Facing future torture, Stratton did what I considered to be a very patriotic act. He got up before the press and intentionally walked around glassy-eyed, bowing as we were forced to do in camp, trying to give the impression that he is brainwashed and hoping that the Americans would get the message. They did and the rebound hit Hanoi right between the eyes. Since then they have forced Stratton to make appearances, statements saying that he wasn't tortured or brainwashed. He goes to those delegations but it makes him sick every time he does. He tells the North Vietnamese not to believe for one minute that he's cooperating with them. He then rolls up his sleeves and shows them the cigarette burns and rope scars and says this is the reason. While I'm in your hands I have to be obedient, but the first chance I get I'm going to blow the whistle and tell the truth.

I feel like I'm Stratton's chance to blow the whistle and get the facts out. Actually, I've seen Stratton and he's in fair shape despite the torture. He's a real example for me to follow. Stratton knows that I have been released. He told me not to worry about telling the truth about him. He said that if he gets tortured some more at least he'll know why he's getting it and he will feel that it will be worth the sacrifice.

You may ask why do we resist. I'll tell you why. It's because of pride. Not only your own self pride that you have resisted, but because the enemy has had to lower itself to such inhumane levels of conduct that you know that you are still resisting them even while you are in their hands.

I actually feel that possibly that the higher ups in North Vietnam may not know about the truth about our treatment. They only see the results of the phony statements and confessions forced out of us by their subordinates' labor. I noticed that when the really big men, I mean the Generals have come to the camp, things have gotten better. There were times that my physical treatment was good, especially that last month before my release. But you are still always under the mental strains of abuse and future reprisals.

My intentions are not to scare wives and families but Hanoi has given false impressions that all is wine and roses and it isn't so. All I'm interested in is for Hanoi to live up to their claims of humane and lenient treatment of prisoners of war. I don't think solitary confinement, forced statements, living in a cage for three years, being put in straps, not being allowed to sleep or eat, removal of finger nails, being hung from a ceiling, having an infected arm which was almost lost, not receiving medical care, being dragged along the ground with a broken leg, or not allowing an exchange of mail to prisoners of war are humane.

Why don't they send out a list of their prisoners of war? Why do they try to keep us from even seeing each other? Certain prisoners of war have received publicity. Others are kept silent. Why aren't their names officially released? If they don't have any secondary alternatives or motives in

mind, then release the names of the prisoners of war so their families will know their loved ones' status. I feel as if I am speaking not only for myself, but for my buddies back in camp to whom I promised I would tell the truth. I feel it is time people are aware of the facts.

I am Seaman Hegdahl.
I am very happy to be home after 28 months in captivity. The Navy provided transportation for my folks to come to New York to meet me and then go to Washington.

When I arrived at the hospital, I saw many doctors and underwent many tests. Except for ringworm and being underweight the doctors told me that I was in good health considering where I had been. I had my teeth taken care of and received new glasses.

I know that many people are wondering how I could fall from a 17,000-ton ship. The fact of the matter is I just don't know. Before dawn on April 6, 1967, I came up on the deck to watch the ship. The next thing I remember I was in the water. After five hours of swimming I was picked up by North Vietnamese fishermen. Of course I was hoping for a helicopter but beggars can't be choosers. I think I have the distinction of being about the only POW that cost the North Vietnamese more money after capture than before.

I did get two blankets, toothpaste and soap most of the time. I had two meals a day and we did get to wash. I was kept in solitary confinement for over a year—seven months and ten days at one stretch. I was made to stand with my hands over my head for trying to talk with other POW's, etc. The camp was infested with rats and mice but after I got used to it wasn't too bad.

Many POW's do not write or receive mail. But I did get about 16 letters from my folks and my folks got four from me. Many POW's have been in solitary confinement for years. In most cases POW's are not allowed to read western books or make or receive games. Since my return I have found out that the government shares my anxiety over the fate of the POW's still in Southeast Asia and is working for a speedy return of all POW's, especially the sick and wounded. Thank you.

Question: Lieutenant, why did they let you three go?

Lt. Frishman: I am wounded and I believe that they had pressure on them to release some of the wounded.

Question: Was there any attempt, as the Koreans did during that war, to divide you between the progressives and conservatives, that sort of thing?

Lt. Frishman: I don't know. They kept us mostly in isolated situations, although I did know some of the other people there, I really can't answer that truthfully, sir.

Question: Lieutenant, you mentioned from your statement that they hung you from the ceiling and you were in a small room.

Lt. Frishman: No, this was not related to me. Although these were related to some of the things which happened to the other men.

Question: My question is what were the conditions? Could you describe the room? Did you say pumpkin soup?

Lt. Frishman: Yes, they take a pumpkin, boil it and put a little bit of flour in it. But I tell you after you eat pumpkin soup for 90 days in a row it gets pretty tiresome.

Question: What were they after? Were you being punished on a whim or were they trying to get you to write up confessions? What was the pattern of punishment?

Lt. Frishman: At the beginning the real rough treatment came at first when they were trying to get military answers from you. After that they tried to force you into appearing before these delegations to say that you had received humane treatment.

Question: Was there any way to resist that or did everyone break down?

Lt. Frishman: I will tell you, you can only resist so long. If they want you to make a statement, you're going to make it.

Question: Having said that, do you think the code of conduct for American servicemen is viable and really makes sense?

Lt. Frishman: Yes, I do. I feel like it is a guideline. What you try to do is resist to the best of your ability. That is exactly what we've all done, I feel. I do not feel at any time that I did anything to endanger any of the other prisoners of war or my country.

Question: Were either of you exploited publicly after capture?

Lt. Frishman: I don't really know.

Question: Were either of you paraded or carried through cities?

Lt. Frishman: No, I wasn't.

Question: Mr. Hegdahl, were you?

Seaman Hegdahl: No.

Question: You were both at the same camp?

Lt. Frishman: Yes, we ended up in the same camp. I went in one other camp before I was in the second camp.

Question: I take it these camps are not the same as in Korea or World War II; a compound status where you are allowed to have any sort of military organization.

Lt. Frishman: No, you are kept in rooms. Generally speaking, some people are kept in solitary, some other rooms have two or three men in it, but you're kept in an isolated type of situation.

Question: Were there any attempts at indoctrination?

Lt. Frishman: Yes.

Question: Formal indoctrination.

Lt. Frishman: I consider it formal indoctrination, trying to convince you that they are right and you are wrong.

Question: I understand you were considered for release in previous years.

Seaman Hegdahl: Yes. I was considered as long ago as August, 1967. I think the reason they released me is because I was only a seaman, I did not threaten the country in any way after release.

Question: Do you feel that you had to cooperate in any way in order to get released?

Seaman Hegdahl: No, sir. I did not cooperate with them.

Question: Lieutenant, you mentioned that your treatment was a little better during the last month of captivity. Did they try to fatten you up a little bit?

Lt. Frishman: Yes, they did. On July 4 they took me out of my room and said I was going over to get an X-ray. They took me into what we call the big house. The camp commander was there and he had a real nice table with some fruit on it, things like that, and said I was going to be released and there was a chance I might be released. I knew then that I was going home.

Question: Lieutenant, did you say that you talked to other prisoners and told them that you were going to tell about the treatment or they said it was all right if you did?

Lt. Frishman: Yes, exactly.

Question: More than one?

Lt. Frishman: Yes.

Question: You do not feel that your buddies will suffer reprisals because of this?

Lt. Frishman: Like I said, I felt a strong obligation to get the truth out and I feel a strong obligation to the men back there. They know I am going to come back here and tell the truth and that is what they want.

Question: Lieutenant, in the camp where you were ultimately located, do you know its approximate location?

Lt. Frishman: Yes, I do. It's in Hanoi.

Question: Within Hanoi?

Lt. Frishman: Within Hanoi.

Question: Did you at any time either of you, were you visited by Red Cross representatives or ever contacted by the Red Cross at any time?

Lt. Frishman: No, we had no contact with the Red Cross.

Question: Were there any U.S. bombing raids near the camp?

Lt. Frishman: Yes, I was shot down on the 24th of October and they had some big raids around the Hanoi area at that time. It kind of made us feel pretty good because the bombs were going off all around us. We were not supposed to watch but we would look outside and watch the Vietnamese running around like they were really scared.

If you were never there it is funny feeling because the walls just shake. You don't see the bombs but you could feel them. It was a big morale booster for us.

Question: Lieutenant, how much weight did you lose?

Lt. Frishman: I lost about 50 pounds.

Seaman Hegdahl: I lost about 60 pounds.

Question: Could you give us an idea of what your feelings are now about pursuing the war, particularly since the American public is generally pressing to pull back troops and get out?

Lt. Frishman: To tell you the truth, I do not know too much about the truth. What I am trying to do here today is to see that the prisoners up there get some humane treatment and I would really like to see some of the sick and wounded get home while they still have a chance to effect some type of recovery. It is really hard on the men up there being in solitary confinement for as long as some of them have.

Question: Would you like to see us get out of Vietnam, United States withdrawal?

Lt. Frishman: No, but I would like to see the end of the war come.

Question: Could you describe the size of your room and specifically that point you made earlier about the temperature, that you could only hold out so many hours?

Was this a purposeful act to put you in a hot place or was it the climate?

Question: Could you describe the room, Lieutenant?

Lt. Frishman: The first room I was in was about 10 feet by 11 feet and it was brick and it had a tile roof. The second place I was in was a much bigger room. It was 14 feet by 26 and about 13 feet high, and was brick walled also and it had a galvanized tin roof. It had a few vent holes in there to let some air in.

The bad thing about it is during the summer time that hot tropical sun beats down on there and it is just kind of like an oven and it just retains the heat. You are covered from head to foot during the hot months with heat rash. All you do most of the day long is sit on your bed. You have kind of a hand fan and fan yourself but it doesn't do any good. You have the heat rash all over you.

During the winter time it only gets down to about 45 degrees but that's really cold if you try to live in 45 degree weather and I got pretty cold. I got shot down just as the winter was coming on and that is when I was real sick. I had a hard time with my arm because every time I put my arm under the blanket the darn scab would adhere to the blanket.

Question: Lt. Frishman, can you tell us about the type of interrogation to which you were subjected, particularly as to what kind of pressures they wanted to know about your equipment or your bombing techniques or anything like that? Could you tell us about the interrogation?

Lt. Frishman: I would rather not go into that right now.

Question: Could you tell us what kind of description you were given of the course of the war while you were captive and what you were told here, the comparison between the two?

Lt. Frishman: Yes, occasionally we would listen to the voice of Vietnam, which is the Hanoi Radio. We call it Hanoi Hannah. Of course they said we were losing all the time and in all that time I can't remember how many people they claimed that we had lost

but they only lost two Viet Cong in all the time that I was up there.

Question: Sorry to zero in on this same point but to get it straight. Were those tortures which you described, applied to you directly and why they were imposed and also could you explain whether this tin roof and the heat—is that the way that they live ordinarily or was this a purposeful kind of confinement to make it as uncomfortable on the Americans as possible?

Lt. Frishman: In answer to your last question first, the brick walls and tin roof—that was pretty good accommodations but the bad thing is that it's all closed off and there are just a few vent holes. If you could have open doors or something like that it would be not too bad but it is just like an oven.

Question: What was the connection, the linkage in your torture, no rhyme or reason to it?

Lt. Frishman: No, sir. Maybe there is. I never did catch any though. You were talking about the type of tortures which I specifically received. When I first got shot down—I am sorry, you mentioned something about being paraded around, I forgot about this. When I was shot down they had me in a truck and they were carrying me around in this truck.

They would get me out at the missile sites and gun sites. I was blindfolded but I could tell, your nose sticks out like this and I could see beneath the blindfold.

I could tell that I was in a gun site. They would throw rocks at you and hit you. One of the little ones came up and hit me on the side of the mouth and dislodged a filling. Then once I got to the camp they refused to give me medical treatment, saying I was going to die in four hours if I didn't give them information. I just finally passed out and they took me to a hospital.

Then even with my bad arm they tied me up with ropes. I was made to sit in a chair—you sit on a stool in this hot room and you just sit there and sit there and sit there. For punishment or for something that they would want you to do. After awhile you just pass out. It is really rough on you.

Question: Did they discuss with you why they would not provide a list of the sick and injured prisoners and why they would not provide any other list?

Lt. Frishman: They said that is something the United States Government wants to have and they are going to keep it from them. They came right out and said that.

Question: Did they attach any conditions to that, such as if the United States stopped the bombing or the B-52 flights that they would then provide such a list?

Lt. Frishman: Not to me.

Question: Have there been any escapes?

Lt. Frishman: I don't know of any.

Question: Seaman Hegdahl, there was a photograph in a Japanese newspaper showing you reading "Christmas Mail," yet the letter that you were reading and a blow up showed April 2, 1968, date at the top of it?

Seaman Hegdahl: That's about average.

Question: Do you recall the specific time that photograph was taken?

Seaman Hegdahl: Yes, I did get that letter that day.

Question: When was that photograph taken?

Seaman Hegdahl: That was taken December 24, 1968.

Question: You received a letter—

Seaman Hegdahl: I did receive that letter.

Question: You received that that day, the day before Christmas?

Seaman Hegdahl: They took pictures of me reading Newsweek Magazine, just long enough for them to take the picture and then they took the magazine away.

Question: Did they take the letter away also?

Seaman Hegdahl: No, sir, I got to keep it that day.

Question: Did they ordinarily take your mail away from you after you read it or had seen it?

Seaman Hegdahl: They read it of course, first. My mother sent money and cool aid and things like this, and I never received it. I did get a Christmas package but a great deal of it was missing.

Question: A great deal of what?

Seaman Hegdahl: A great deal was missing.

Question: Were either of you interrogated by anyone other than the North Vietnamese?

Lt. Frishman: No, sir.

Seaman Hegdahl: They could have been some Chinese, I could not tell.

Question: Did they require either of you to sign a confession or apology for bombing or in your case for participating in the war?

Lt. Frishman: I had to sign a statement asking to be released.

Question: Nothing else?

Lt. Frishman: It was a general statement of a request. It is a request to Ho Chi Minh to ask for release.

Question: Did you have to confess that you were wrong, that you were in error?

Lt. Frishman: No, but they do have, like I say, they have lots of statements. They force people into making all of these things and they've got them.

Question: Could you summarize the attitude and the morale of the men left behind? What is their feeling in general?

Lt. Frishman: I think the morale is still high but when the bombing stopped and we still remained up there, it was hard on them. There is no doubt about it, it is rough on you. You do get very depressed and you try to do things you can to occupy your mind and keep yourself going but it's real hard on the men. That's what I am trying to do, to improve things for the men and get the sick and wounded back.

Question: How many men did you become acquainted with or know were in your immediate vicinity who were Americans?

Lt. Frishman: I have seen around 150.

Question: In this one camp?

Lt. Frishman: No, sir, in all the two camps I have been in.

Question: Where was the first camp you were in?

Lt. Frishman: Hanoi.

Question: They were both in Hanoi?

Lt. Frishman: Yes, sir.

Question: Is this a fair summation, the first few days or first few weeks it was really rough treatment because they were trying to extract military information from you, but from then on it was a matter of solitary confinement under very uncomfortable conditions but a minimum of feedings and interrogations or was it different from that?

Could you give us the pattern?

Lt. Frishman: What you said was a very good summary, but I'll tell you this. I remember when I was a little kid and I did something wrong and my dad would ask, "Do you want to have a beating or you can't go out with the boys in the afternoon?" I would always take the beating. The isolation and that solitary confinement is the worst on you.

Question: Do you sleep good? Do they have a light on at night?

Lt. Frishman: They do have a light on. It's not a bright light and you accustom yourself to it. In the hot weather it's so hot, when it gets hot you can't even sleep at night.

Question: Can you give us one typical day, what you did in a typical 24-hour period?

Seaman Hegdahl: In the summer time you get up about five and in the winter time about 5:30. You take out your waste bucket and you come back to the room. Sometimes you hear the Voice of Vietnam, Hanoi Radio. That is at six o'clock or 6:30. They come

around and give you three cigarettes every day.

The first meal is about ten o'clock in the morning. The second meal is about four o'clock, and that's all of your activity.

Question: Can you go to bed any time you want or do you have to sit in the chair?

Seaman Hegdahl: When I was first there, they were real strict, but later on they didn't care—it depended a lot on the individual guard.

Question: Is there a guard standing outside your door?

Seaman Hegdahl: No, sir, they had a moving guard to check on you every so often.

Question: What kind of a layout is it? Was it two or three floor building?

Seaman Hegdahl: In the camp I was in, there were four or five different buildings.

Question: Of two stories and a guard patrolling the hall?

Seaman Hegdahl: No, just one story building. The interrogation building was a two story building.

Question: Was there a big fence around it? What was the escape possibilities?

Seaman Hegdahl: There was a fence around it.

Question: With guards and barbed wire fence?

Spokesman: I think we have time for two more questions and then we should conclude.

Question: Since you were one of the prisoners who was allowed to be interviewed by the foreign press, could you tell us what kind of ground rules they set down for you prior to the interviews?

Lt. Frishman: They would write out what you were going to say and then you practiced it with them. You try to do what you can to resist that thing, but like I say, they have ways of forcing you into doing that stuff. I thought that that interview I had with Mrs. Fallach—I thought she had a sincere feeling about my problems. She realized the circumstances that the entire thing was under.

Question: What is the immediate future, both of you gentlemen? Are you going on leave? Are you going to remain in the Navy?

Lt. Frishman: Like I say, I feel like I have a real obligation to bring the facts out as to what is really going on up there. I plan on taking a tour of the country, seeing some of the wives and after that, I will be stationed at San Diego to have my arm worked on.

Question: Seaman Hegdahl?

Seaman Hegdahl: I am stationed here at Bethesda now. I am going on leave tomorrow, and then I will be stationed at Bethesda.

Question: Could we see your arm?

Lt. Frishman: I don't have an elbow. I have about four inches of bone missing.

Question: Do you have use of it?

Lt. Frishman: I can move my fingers and move my arm a little bit. There are quite a few possibilities. It is quite a unique kind of deal, missing an elbow. They have artificial elbows, plastic things like that. I am sure our doctors will do the best they can. They say I will never have a real whole arm again, but chances to get partial use out of it look real favorable.

Question: Lieutenant, they officially say 1355 total POW's, of which they estimate 950 missing, 401 possible actually prisoners. How accurate are those figures and do you have any idea of the missing, what percentage might still be alive?

Lt. Frishman: I didn't see all of the prisoners up there. Just personally there are hundreds. You know, 600 or so like that. I hope there's more but I really don't know.

Spokesman: Thank you very much, ladies and gentlemen.

Mr. SATTERFIELD. Mr. Speaker, I wish to take this opportunity to congratulate the gentleman from Alabama (Mr. DICKINSON) for reserving this time

and for his remarks and efforts on behalf of American servicemen who are held captive by Hanoi.

It is indeed time for action by every available means to urge the North Vietnamese to fulfill their obligation under the Geneva Conventions to which they have subscribed.

Recent reports about the treatment of American prisoners of war in Vietnam are indeed shocking. This total disregard for the right of human dignity demonstrated by Hanoi constitutes a direct challenge to all of the people of this Nation and to the fundamental rights of U.S. citizenship and should not be permitted to continue.

This Congress should make it abundantly clear that it reflects the views of the citizens of this Nation in condemning this action by Hanoi. It should likewise make it abundantly clear that it not only supports but urges every effort by our Government to obtain for American prisoners that degree of treatment to which the nations of this world have subscribed.

To that end I wholeheartedly endorse the resolution which the gentleman has introduced and which I am happy to cosponsor, for its passage would eloquently voice the convictions of the people of this Nation.

Mr. SNYDER. Mr. Speaker, at this point there is little I can add to the remarks that my colleagues have spoken here today. I support and commend the gentleman from Alabama for his efforts today—in the past and in the future—in regard to prisoners of war and the missing in action in Vietnam.

There is one thing, however, that we can do affirmatively in the days ahead. I hope that my words now will fall on fertile ground here in the House. Every year when the foreign aid bill comes before this body—an amendment is offered to prevent aid being given to any country trading with or supplying the North Vietnamese. Thus far, such a provision has failed to be enacted into law. I urge this House to unanimously support that amendment and to insist upon its inclusion into any bill from conference with the other body.

Mr. COUGHLIN. Mr. Speaker, a little over 5 years has passed since the first American pilot was shot down over North Vietnam and taken prisoner. Since then, nearly 400 other Americans are known to have been captured by the North Vietnamese and Vietcong. The families of over 900 more lack even the slightest assurance that their husbands, brothers, or sons are alive in prison. Over 1,300 innocent families wait in anguish for a rare letter or for a shred of information in propaganda reports.

The Hanoi government states that American prisoners are treated humanely, yet it has prevented impartial inspections. It has exploited prisoners for propaganda purposes in direct violation of the Geneva Convention. It has not allowed the repatriation of the seriously sick and wounded as provided by the convention. It has obstructed the flow of mail, despite the faithful correspondence of thousands of relatives. And, worst of all, it has refused to reveal even the names or number of prisoners.

The North Vietnamese have rejected appeals by two administrations to discuss prisoner of war exchanges despite the U.S. bombing halt and the beginning of unilateral troop withdrawals.

Such intransigence cannot aid Hanoi's cause; callousness toward helpless prisoners and their families should cause other nations and peace-seeking groups in this Nation to question the sincerity of the North Vietnamese and bring pressure on Hanoi for inspection and exchange.

There is no military justification for the mistreatment of members of armed forces who have fallen into enemy hands and no longer present any military threat. There is no political justification for causing grave suffering to their families by withholding information. Because prisoners are unable to help themselves, international law demands that their persons and honor be respected and that they be protected from physical and mental abuse. The Geneva Convention of 1949, to which North Vietnam is now a signatory, provides such protection. Universal standards of humanity require such respect.

I call upon the North Vietnamese regime to honor the international commitment it made in signing the Geneva Convention.

I urge Hanoi to release the names of its prisoners and to allow the free flow of mail and packages.

I implore the North Vietnamese to provide decent living conditions and medical care for these prisoners and to allow inspection by impartial observers.

And I ask Hanoi to heed the White House's willingness to discuss the release of American prisoners at any time, in any way, and through any means.

But our voices raised here may not be enough to obtain the humane objective we seek.

In the name of humanity, I call upon the ambassadors of nations maintaining relations with North Vietnam to assist us in this cause. And I urge others to contact these ambassadors.

If Hanoi is, in fact, sincere in its claim to humanity, it should abide by spirit of the Geneva Convention. There can be no excuse for failing to release the names of prisoners or refusing to permit impartial inspection. Perhaps the voices of other nations would be heard in Hanoi.

In the name of humanity, I also call upon those groups in this Nation which actively seek an end to the war also to undertake actively the cause of our prisoners and their families. And I urge others to contact those groups.

If they seek an end to the war, in the name of humanity, they should seek to assist our prisoners in that same name. Perhaps, their voices would be heard in Hanoi.

The cause of our prisoners and their families is, in fact, the cause of all people of good will.

Mr. WINN. Mr. Speaker, today, in the United States, a feeling of anxiety and frustration hangs over the people.

The feeling is brought about because of a war in which our Nation has found itself and from which our Nation is now fervently trying to separate itself.

Standing far above the politics and policies of the war, is a strictly human dilemma. That is a problem of prisoners and what to do with them.

The first reaction is to keep all prisoners locked up until the war's end—then turn them loose. But this is no real solution.

Especially this is no real solution when you realize that the two sides of this bloody game of war are not playing by the same rules.

I have every reason to believe that American treatment of North Vietnamese prisoners is at least 2,000 percent better than the way in which our men are treated.

Recent facts concerning treatment of our men compel the American people to once again unite on the matter of humanitarian treatment of prisoners.

More than that, we are compelled to call for the immediate repatriation of American prisoners being held by Hanoi.

President Nixon, through the recent announcements of troop withdrawals, has demonstrated the good faith of the American people.

The leaders in Hanoi could show their good faith by immediate repatriation of American prisoners they hold.

The acts of cruelty which we know are going on in the Communist prisoner-of-war camps demand the return of our soldiers as a minimal sign of good faith.

Let us in Congress and throughout the country show Hanoi that we are united in our resolve toward an honorable peace and united in our demand of the return of American prisoners.

Mr. DANIEL of Virginia. Mr. Speaker, all Americans were gratified over the recent release of three servicemen who had been held captive by the North Vietnamese and we rejoiced with the families of these men over their safe return. But such happiness of necessity must be tempered with the stark, tragic fact that 1,300 other Americans could be in the hands of this callous enemy who refuses to extend even the basic tenets of a civilized country in this deplorable situation.

Repeated requests for a simple list of the names of those being held captive are arrogantly ignored, thus denying even this small measure of reassurance to the relatives and friends of the hundreds who have been listed as "missing." Since it is impossible to establish any sort of communication with the enemy in this matter, all these loved ones can do is to continue to wait—and hope.

Among such as these is the family of a young Army physician from Danville, in the Virginia district I have the honor to represent. They have a little something more tangible on which to base their hopes than most, however, for at least they have had official word that he is being held prisoner.

This young Army doctor is Maj. Floyd Harold Kushner, son of Dr. and Mrs. Robert L. Kushner, longtime residents of Danville. His lovely wife, Valerie, and their two children, are citizens of my district.

One of Major Kushner's children, a daughter, is 5 years old. The other child is a 16-month-old son whom the captured doctor has never seen.

Major Kushner was born in Honolulu 28 years ago—just a few months before the Japanese attacked Pearl Harbor. He returned to Honolulu, after graduating with honors from the Medical College of Virginia in 1966, to serve as intern at Tripler Army Medical Center.

This center is an air-evacuation hospital where the wounded are brought directly from the battlefield. He volunteered for duty in Vietnam, feeling he could better serve his country and his fellow man there.

Before he was captured, Dr. Kushner, as do other American medics, often worked in volunteer health clinics in Vietnamese villages, giving of his talent and training to the villagers.

Dr. Kushner was serving as a flight surgeon with the 1st Air Cavalry when the helicopter on which he was traveling crashed in Vietcong territory. He was reported missing in action on December 2, 1967. Subsequent investigation of the crash enabled military authorities to determine that the helicopter pilot apparently had been killed on impact and that the injured copilot, who had been professionally splinted, apparently by Dr. Kushner, had not survived the night. Still later, it was found that another occupant of the helicopter had died of drowning some distance from the crash site.

It was not until March 5, 1968, however, that the Army confirmed to Major Kushner's family that he was a prisoner of the Vietcong. This information was gained from two prisoners—Spanish-speaking Puerto Ricans—who had been released in January from a Vietcong camp where Major Kushner had been taken. But there has been no news from him since.

Like the Kushners, another who waits, and hopes and prays, is Mrs. Marian Blair, wife of Air Force Lt. Col. Charles Edward Blair of Pittsylvania County in the Fifth Virginia District.

Colonel Blair was the pilot of a plane on a visual reconnaissance mission in Vietnam on March 19, 1968. He never returned to the base and the Air Force has listed him as missing in action. As in the case of hundreds of others, all efforts to get word through the International Red Cross or direct with the North Vietnamese leaders have been futile.

Proud of his Pittsylvania County heritage, Colonel Blair purchased the Blair homeplace so that his family could live in the community he loved. It is there that Mrs. Blair and the four children now await some word of husband and father.

Colonel Blair attended Hargrave Military Academy and received a bachelor of science degree in agriculture from Virginia Polytechnic Institute. He was commissioned in 1945 by direct appointment. The missing Air Force officer served his country in World War II and the Korean war as well as in Vietnam. He has been highly decorated by his country for meritorious achievements.

Mr. Speaker, equally as pathetic and heartrending is the plight of another wife and mother of my district who waits and prays. She is Mrs. Trudy Smith Owen, wife of Army Sfc. Robert Duval Owen.

Sergeant Owen, a career soldier, was assigned to Vietnam on May 1, 1968. Twenty-two days later—on May 23—he was listed as missing in action. Mrs. Owen works part time at a Danville business firm as she keeps her young family—two children, one 8 and one 5—together, waiting and hoping for word from husband and father.

This dedicated young American has devoted half his life to military service. At 14 years of age he falsified his birth date in order to enter the military. After 2 years, when his true age became known, he was promptly discharged—but, just as promptly, when he attained the legal age for enlistment, he volunteered for the Navy and served 4 years. After a brief period as a civilian, he once again turned to the military, this time the Army, where he has served since 1962. Even as a civilian his affinity for the military regime exerted itself and he served for a year in the Virginia National Guard unit in his hometown.

Another from my district whose family and friends agonize over the uncertainty of his fate is Capt. Dufford Lee Harley, son of Mr. and Mrs. Lee Harley of Danville. Captain Harley's plane was shot down in May 1966 over Laos and was burning when last sighted. A second plane also was shot down when it attempted to get to Captain Harley's plane and enemy fire was so heavy other attempts at rescue could not be made.

Captain Harley was born January 21, 1940. He graduated from Virginia Polytechnic Institute in June 1961 and had been in service for 5 years when his plane was downed in 1966. He is married to the former Miss Patricia Jackson. Mrs. Harley and their daughter, Guida Virginia, 5, reside in Tacoma, Wash.

Capt. James R. Berger, whose father resides at Rustburg in Campbell County, Va., has been a prisoner of the North Vietnamese since his plane was shot down over Hanoi on December 2, 1966. After being notified that his son was missing in action, Captain Berger's family suffered 10 long months of tortuous uncertainty before finally hearing that he was alive.

Captain Berger is a graduate of Virginia Military Institute, getting his degree in 1961. He entered active duty in the Air Force in the fall of that same year. He is married to the former Miss Carol Wright of Lexington, Va. Mrs. Berger and their two children, William Howard, 6, and Scott Daniel, 4, reside in Lexington.

Current figures show more than 300 American prisoners in Southeast Asia. Another thousand are listed as missing in action and it is presumed that a great majority of these are indeed being held as prisoners.

The fate of these men is a matter of paramount importance to all of us and the callous disregard by Hanoi for the humane standards of treatment for prisoners of war is a matter of great concern to every American, as well as to civilized people everywhere.

The double standard of prisoner-of-war treatment which exists in the Vietnam war is both frustrating and infuriating. On the one hand, we recognize as legitimate prisoners of war all cap-

tured Vietcong, in spite of the fact they habitually conceal their identities as combatants in flagrant violation of the Geneva Convention. On the other hand, the enemy refuses to recognize our captured servicemen as prisoners of war who are entitled to the protection of the Geneva Conventions—a protection we unhesitatingly extend to the captured Vietcong. On the contrary, Hanoi brands as “war criminals” our captured servicemen, especially our airmen.

At least three American prisoners have been executed, as the enemy characterizes it—“in reprisal”—an act expressly forbidden by the Geneva Convention. Others have been tortured and murdered. Some appear to have been brainwashed in a manner reminiscent of Korea.

The enemy has adamantly refused to repatriate seriously sick and wounded prisoners. Hanoi has even denied prisoners the solace of packages or even mail from home. The enemy has disdained replying to requests that neutral observers, such as members of the International Red Cross, be permitted to inspect the prisoners and their places of confinement, all part of the provisions of the Geneva Conventions.

Actually there are four separate agreements included in the Geneva Conventions of 1949. The first and second deal with treatment of the sick and wounded of the armed forces in the field and at sea. The third Convention—agreement—relates to the treatment of prisoners of war. The fourth deals with protection of civilian persons in time of war.

This provision relating to civilians was prompted by the crimes against noncombatants which were perpetrated during World War II. Thus, anyone—combatant or noncombatant—falling into the hands of the enemy supposedly is protected under these conventions.

There are 20 articles common to all four conventions. One of these articles, No. 2, specifies that the conventions will apply in case of an armed conflict among those who have signed the conventions, even though a state of war may not have been recognized by one of them. Article 3 spells out certain minimum standards of treatment to be afforded prisoners taken in a war “not of international character.”

Just as all efforts to persuade the enemy to extend the humane provisions of the Geneva Conventions to the prisoners they hold meet with little or no success, so do the efforts to effect an exchange of prisoners. It is frustrating, yet we must continue our efforts in behalf of these disciples of freedom who answered their country's call to service.

In recent weeks I have received much mail on this subject—prisoners of war. Nearly 100 percent of these communications have stressed that no more American troops should be withdrawn from the combat zone until Hanoi agrees to abide by the Geneva Convention.

With humanitarian appeals ignored and all other avenues apparently exhausted, our sole remaining course of action is to exert the greatest pressure pos-

sible in the hope of convincing our adversary of the futility of his continuing the course he now pursues. Certainly we can do no less.

These noble young men went to Southeast Asia, filled with pride and patriotism. They thought they had the full support of their Government. They thought they were going forth once again to save the world for representative democracy.

They should—and must—have the unyielding support of the Government they represent.

These gallant young men must not be abandoned to a fate worse than death.

Mr. PICKLE. Mr. Speaker, our hearts go out today in tribute to the wives and loved ones of those who are reported missing in action. It is inhumane not to abide by the Geneva Conference. It is uncivilized not to inform the world about the conditions of prisoners of war.

The gentleman from Alabama is to be commended for arranging for this special order.

The agony of worry and fear, the frustration of uncertainty, the cruelty of silence, and the gnawing pain of loneliness tear at our heartstrings.

We demand that North Vietnam abide by rules of common decency. We want North Vietnam to know that a continuation of this brutality cannot be countenanced and that it can be expected that the United States with the full support of world opinion consider means to force the reporting of this information.

We urge our Defense Department to be firm and determined to be certain that North Vietnam knows of our intention to obtain the information—to change the present policy of the Vietcong.

The question is: What can we do to force this information? That is the frustrating question.

I am glad to hear the chairman of the House Armed Services Committee say that the Secretary of Defense has indicated that proposed U.S. troop withdrawals be contingent on an agreement by North Vietnam to abide by the Geneva Conference.

For 3 years I have tried to help wives of servicemen from my district, whose husbands were considered prisoners of war, obtain information of their conditions. We have met with nothing but silence. Three of these ladies are with us today and one is deeply impressed with their quiet courage and determination. We owe them all the help possible. We ought to do all we can to force this cooperation—primarily by world opinion—but to take some positive action.

Mr. WHITEHURST. Mr. Speaker, I am honored to join with my colleagues this afternoon to call attention to the brutal treatment of those brave Americans who are now held prisoner in North Vietnam. Although the Hanoi government has pledged itself to abide by international standards of humanity, the recent testimony of two of our released men indicates quite the contrary. We need not review here the details of their mistreatment. Too long we have remained

silent about what is taking place within Communist prisons. Too long we have kept silent about the hundreds of men whose families have waited through agonizing months with little or no word of their loved ones.

President Nixon has just taken the second step toward deescalation of the conflict and what can only be looked upon as ultimate withdrawal from South Vietnam of U.S. Armed Forces. Whether or not these steps will bring Hanoi to a point where its representatives will negotiate meaningfully, no one can say. I frankly have little hope in this respect. Like many Americans, our failure to prosecute the war in its initial phase has left me pessimistic that we will win any political objectives. But, the United States will commit the grossest breach of faith if it does nothing to secure the release of the men who are now held prisoner in North Vietnam. To me, their fate represents a paramount point in any settlement. Our responsibility is not only to these men and to their families, but to those fighting men who took the soldier's oath when they were sworn into uniform. A remarkably low percentage of Americans have ever been turncoats when taken prisoner. Even in the Korean war, with all of the subtle, diabolical methods of persuasion used by the Communists, only a tiny fraction of our prisoners defected to the enemy or betrayed our national honor. All reports indicate that the men currently languishing in Communist prisons have kept the faith traditional with our military forces. Can we do less, those of us who breathe the air of freedom and exercise responsibility for so many?

In order that the anxiety of those families whose husbands and loved ones are missing might be eased, I am asking the Department of State to seek through those governments that have official representation in Hanoi a list of those men who are currently held prisoner.

Mr. Speaker, I also recently communicated to the President my wish that he would declare a national day of prayer and concern on behalf of these men. The American people need to be aroused to the plight of these prisoners. We must show them and their families that we have not forgotten, that we will not turn our backs, that we will continue to insist that the Hanoi regime give these men humane treatment and, above all, Mr. Speaker, that this Nation will work to secure their release as an integral part to any settlement to the Vietnam war.

Mr. BLANTON. Mr. Speaker, on September 11, 100 of my colleagues joined with me in sponsoring concurrent resolutions condemning the treatment of American prisoners of war held by the Vietnamese Communists. Several other Members of this House have introduced the same resolution this week, because they were unable to join us last Thursday. I understand another resolution on this subject has been introduced today by more than a hundred other colleagues.

I would like to inform the sponsors of our resolution last Thursday that Ambassador Lodge presented the resolution to the Communist delegates at Paris last Saturday. In his formal statement, he

informed the Communists of the wide bipartisan support these resolutions have in the House, and the impact they have had on public opinion both here and abroad.

Regretfully, the Communist delegations have denounced this resolution. They deny any ill treatment of American servicemen held in their prisoner-of-war camps. However, in what I deem an obvious contradiction, the Communists went to great length to explain that the American captives are not viewed as prisoners of war, but as war criminals. This is their obvious attempt to justify the cruel and barbaric treatment of the American captives. This is their feeble attempt to justify the obvious disregard for the Geneva Convention of 1949 on war prisoners, which they signed in June of 1957. The Communist delegate at Paris told Mr. Lodge that they view the American captives as war criminals in the sense of the Nuernburg trials, rather than in the sense they are concerned with in the Geneva accords.

I interpret this reply to our resolution as an outright admission that our POW's are indeed being treated cruelly.

The justification the Communists have given for violating their own pledge to the world community has already fallen on deaf ears. The International Red Cross met last weekend at Istanbul, and adopted resolutions calling for compliance with the Geneva accords. They made mention of the fact that the United States and the Government of South Vietnam were complying with the terms of this accord.

In light of recent statistics which show that in the first 8 months of this year alone, the Communist terrorists have slaughtered 4,283 South Vietnamese citizens, it is no wonder then that they have little reason to be decent to captives they hold who fought against them on the battlefield. For it is clear in their indiscriminate terror tactics and cruelty to even innocent people, that they have little regard for treaties or agreements which they pledge their word to, or to any civilized concepts of humanity. Their savagery, their cruelty, and their utter contempt for human life and decency depicts them as uncivilized barbarians.

I urge this administration to assure the Congress and the American people, that any peace agreement in Vietnam shall not be instituted before we know fully the names and condition of all prisoners of war held by the Communists, and that such a list be procured from the Communists as a condition before any meaningful settlement of this war can be achieved. It is not enough to have prisoners released after a peace treaty is signed—for if we do not know whom they hold as prisoners, then in light of their past falsehoods, can we truly trust them to turn over all prisoners they hold. Korea offers us a good example in point. The Communist side failed to satisfactorily account for 944 U.S. servicemen whom we had good reason to believe were at one time prisoners of war.

We owe an obligation to the families of the prisoners of war in Vietnam now, and to every serviceman in Vietnam now and who can expect to be there in the future, to make sure that we protect their

interests in this regard. Let there be no repeat of the Korean situation. The only way to make sure there is no repeat of this situation is that the question of prisoners of war should be settled before all other questions are settled at Paris.

Mr. Speaker, I insert at this point in the RECORD the following material, which I ask my colleagues to give careful attention to.

A letter dated January 16, 1969, from the Department of State addressed to me, concerning the failure of the Korean Communists to account for prisoners of war after the Korean truce agreement was signed.

A letter from the Provost General of the United States, addressed to me, verifying that the United States and her allies do give humane treatment to our prisoners, and abide by the provisions of the Geneva Convention of 1949.

The full transcript of a recent news conference by two of the three recently released American POW's, verifying the cruel and inhumane treatment the Communists afford our servicemen who are at their mercy.

The article from Parade magazine of September 14, 1969, which describes the ordeal the families of our POW's must endure, as they await word on their husbands, fathers, and brothers.

Mr. Speaker, I believe it is the duty of this House to insist that this Nation be constantly informed of the tragedy of our servicemen who are captives of the Vietnamese Communists. While we dramatize their plight today, we must diligently pursue this matter, and see that these servicemen are not forgotten in the mad rush for a quick settlement to the horrible war which has engulfed Asia for so long.

The material follows:

DEPARTMENT OF STATE,

Washington, D.C., January 16, 1969.

HON. RAY BLANTON,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN BLANTON: I have received your letter dated January 9 requesting on behalf of a constituent information as to whether or not North Korea still holds as prisoners a number of United Nations servicemen who fought in the Korean War.

The question of United Nations servicemen who remain unaccounted for since the end of hostilities in Korea has been a matter of deep and continuing concern to the United States Government and to the Government of the Republic of Korea. The issue arose when, after hostilities ended in Korea, the Communist side failed to give a satisfactory accounting for 944 United States servicemen and 2,400 other United Nations Command personnel who we had reason to believe had at one time been alive in the hands of the Communist forces. Every possible effort has been made to ascertain the fate of these individuals. We have demanded of the Communists the accounting they were obligated to give, and we have sought information through all other available channels.

During the Geneva Conference of 1954 the United States delegation requested the assistance of the International Committee of the Red Cross on behalf of the missing men. The Central Tracing Agency of the International Red Cross made inquiries, on behalf of relatives of over a thousand missing military personnel, of the Chinese Communist and North Korean authorities, but without result. The American Red Cross, which is aware of our continuing interest in this mat-

ter, was informed in 1961 that the Department of State would be very grateful for any further inquiries the International Committee of the Red Cross might find itself in a position to make.

Largely as a result of the work of United States Graves Registration units working in Korea, the number of Americans remaining unaccounted-for has been reduced to 389.

Neither the United States Government nor the Government of the Republic of Korea has ever received any reliable information or intelligence to indicate that any of the men listed as unaccounted-for may yet be alive and held prisoner by the Soviet Communists, the Chinese Communists, or the North Korean Communists.

The Department of Defense and the Department of State continue to seek from the Communists the accounting which they are obligated to provide under the terms of the Military Armistice Agreement. The United States representatives have pressed the question at the ambassadorial-level talks (at Geneva, and more recently at Warsaw) with the Chinese Communists, as have the United Nations Command representatives at meetings of the Military Armistice Commission in Panmunjom. Although the Communist side has consistently rejected such approaches, our efforts to obtain a satisfactory accounting will continue.

I hope the above information will be helpful to you.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional
Relations.

SEPTEMBER 15, 1969.

HON. RAY BLANTON,
House of Representatives,
Washington, D.C.

DEAR MR. BLANTON: The following and attached information concerning the treatment of enemy prisoners of war and detainees in Vietnam is provided in response to a request by Colonel Work of the Office of the Assistant Secretary of Defense (International Security Affairs).

The Department of State document at Inclosure 1 includes general information concerning the prisoners of war situation, including U.S. and allied policies and practices through August 1967. At Inclosure 2 are extracts from monthly reports by the International Committee of the Red Cross (ICRC) reporting on their inspection activities in the Republic of Vietnam.

For purposes of contrasting U.S. and allied prisoner of war/detainee policies and procedures, with those of the North Vietnamese and the Viet Cong, the following information is provided.

a. *Lists of PW:* The Government of Vietnam regularly transmits timely lists of prisoners of war held by the Republic of Vietnam to the Central Tracing Agency in Geneva for transmittal by the ICRC. (See extract from April 1969 International Review of the Red Cross, attached).

b. *Release of Sick and Wounded:* Medical commissions from the Government of Vietnam and the ICRC have identified over 800 enemy PW who qualify for direct release and repatriation as sick and wounded; for almost two years, a group of 40 sick and wounded POW have been provided special internment facilities at Bien-Hoa, RVN awaiting repatriation to their homes in North Vietnam. The enemy has refused to negotiate in public or private regarding the repatriation of these sick and wounded PW and refuses to acknowledge that they do exist. (Note extract from March 1969 International Review of the Red Cross, attached).

c. *Neutral Inspection:* Delegates of the ICRC in the Republic of Vietnam continue recurring inspection visits to detention centers, collecting points, hospitals, and other facilities operated by the ARVN, U.S. or

Allied Armed Forces wherein enemy POW are in custody. The ICRC formally reports the results of such visits to Geneva and the governments concerned on a regular basis. (Note attached extracts from the International Review of the Red Cross).

d. Humane Treatment: Enemy PW are humanely treated at all times, strictly in accordance with the standards of the Geneva Conventions of 12 August 1949, as verified by the ICRC.

e. Mail: Enemy PW are afforded the opportunity to exchange mail with their homes, and in the month of June dispatched some 1,718 pieces of mail; in addition, special visitation arrangements are provided PW and their families.

Further, in the 19 May 1969 press release, the DOD stressed that "the U.S. Government and the Government of the Republic of Vietnam have placed great emphasis in the proper treatment of enemy prisoners of war held in South Vietnam. We have recognized the requirements of the Geneva Conventions relative to the treatment of prisoners of war. At the same time, we repeatedly have expressed our desire that the enemy honor its obligation under the Convention and that it properly treat U.S. personnel captured by them".

If this office can be of further assistance, please feel free to contact us through Colonel Work, OASD(ISA), or Colonel Reid, Office of the Chief of Legislative Liaison, United States Army.

Sincerely yours,

JAMES C. SHOULTZ, Jr.

NEWS BRIEFING, BETHESDA NAVAL HOSPITAL, BETHESDA, Md., SEPTEMBER 2, 1969

SPOKESMAN. Ladies and gentlemen, we have had queries in the past few weeks regarding the three U.S. servicemen who recently returned from having been captured in North Vietnam. This is the first opportunity, this afternoon, that we have had available for the men to meet with the news media. We have had numerous requests along the way. Lt. Robert Frishman on your right, and Seaman Douglas Hegdahl on your left, are stationed here at the Bethesda Naval Hospital and are continuing to receive medical observations.

Captain Wesley Rumble, the third U.S. serviceman returned several weeks ago, is stationed at Travis Air Force Base Hospital and is on convalescent leave at this time.

As you know, Secretary Laird and the Department of Defense have expressed deep concern for the welfare of the 1355 U.S. servicemen who are listed either as prisoners or missing in action. This afternoon, Secretary Laird as part of his continuing interest and concern issued the following statement:

On numerous occasions I have expressed deep concern regarding the welfare of the U.S. servicemen who are prisoners of war or missing in action in Southeast Asia.

I also have been concerned about the anxiety of the hundreds of families who have lived up to five years with this most difficult problem. Steps have been taken to assure that the family members of these prisoners and missing in action personnel receive all benefits to which they are entitled.

In addition, Defense officials personally have met with nearly 1400 wives, parents, and other family members to assure them that I have assigned the highest priority to the prisoner matter.

The Department of Defense has undertaken a continuing review of information received regarding prisoner treatment, including the experiences of the three U.S. servicemen recently released by Hanoi.

There is clear evidence that North Vietnam has violated even the most fundamental standards of human decency. It consistently has claimed, through propaganda statements, that our men have been treated humanely.

Information the Defense Department has received clearly refutes those contentions.

It may be that top government officials in Hanoi are unaware of the shocking conditions within North Vietnamese prison camps. Nevertheless North Vietnam is accountable to every human being for these flagrant violations of human decency. North Vietnam also is accountable for its failure to release sick and injured prisoners and for its failure to permit the men to correspond freely with their families.

Hanoi knows about these violations.

Some of our men have been in Communist prison camps for more than five years. Over 200 have been there longer than three and a half years. We are concerned that the passage of so many months of captivity could have long term adverse effects on the well being of our men.

The nine men freed by North Vietnam in the past five years all have been released from the same prison camp. They personally have seen only a limited number of other prisoners.

We in the Department of Defense continue to be concerned for the hundreds of others believed to be held elsewhere. North Vietnam repeatedly has refused to identify these other prisoners, compounding the anxiety and despair of the hundreds of families who have now lived up to five years not knowing whether their loved ones are dead or alive.

We urge that North Vietnam and the Viet Cong release all prisoners. They must immediately:

1. Identify prisoners whom they hold.
2. Release the sick and injured.
3. Permit impartial inspections of prisoner of war facilities.
4. Permit the free exchange of mail.

These humanitarian actions are required by the Geneva Convention of 1949, which North Vietnam signed in 1957.

This convention calls for nothing more than minimum humanitarian conduct on prisoner matters. We call on the North Vietnamese and the Viet Cong to honor these principles.

At this time, Gentlemen, I would like to introduce two of the gentlemen who have just recently returned from having been captured in North Vietnam.

The procedures, I will introduce, both of these gentlemen. Lt. Frishman has a brief statement that he would like to make and he will be immediately followed by Seaman Douglas Hegdahl who also would like to make a statement and then, following that, these men are available for your questions.

Lt. Robert Frishman, USNR, 28, is a native of Long Beach, California; after graduating from Long Beach City College he attended the University of California Dental School and San Francisco State College.

He was commissioned an Ensign in the United States Naval Reserve in June, 1964, and was designated a naval officer in October, 1965.

Lt. Frishman reported to Fighter Squadron 121 in November, 1965, and was captured when his aircraft was shot down over North Vietnam on 24 October 1967.

Lt. Frishman's wife, Janet Lynn, has been living in Santee, California. Lt. Frishman has received the Distinguished Flying Cross, two Naval Commendation Medals and the Purple Heart.

Seaman Douglas Hegdahl, USN, is 22 years old, and was born in Watertown, South Dakota. He enlisted in the Navy on 28 October, 1966 and was assigned to the U.S.S. Canberra in February, 1967.

He was captured on 6 April, 1967. His parents are from Clark, South Dakota. Douglas Hegdahl on 28 August was promoted to Postal Clerk Third Class and he also has received the Navy Unit Commendation.

At this time I will turn the news conference over to Lt. Frishman.

Lieutenant FRISHMAN. I'm Lieutenant

Robert Frishman, one of the released prisoners of war from North Vietnam. Hanoi says the best proof of their treatment to American prisoners will come from those they have released.

I am here today to tell of the type treatment that I and other American prisoners of war have received. I feel a deep obligation to the other prisoners of war still in Vietnam to express myself straightforward and to tell the truth. What I say will be refuted by the North Vietnamese.

If they don't have statements of humane treatment, they have ways of getting them. They threaten that if I embarrass them in any way they have ways of getting even with me, and told me not to forget that they still have hundreds of my buddies in their hands.

I would like to relate some of my experiences and those of others and leave you to your own opinion.

I had two meals a day—pumpkin soup with pig fat in it and some bread. It may not sound good but you can live on it. Sometimes we would sweep the leaves and occasionally sit in the sun. They would give me some magazines and books, which, of course, were slanted along the North Vietnamese party line propaganda. But for the most part, I would just have to use American ingenuity to keep my mind busy and fight the isolation.

What about medical treatment?

The Doctors at Bethesda tell me that if you have to remove an elbow, the way they did seems to be professional. I still have a right arm and I'm thankful for that. However, they failed to remove the fragments of the SAM missile in my arm. It took six months just for my incision to heal over. I would wake up and find my arm stuck to the blankets by the dried scab. When I took the blanket off, the scab would come off and the wound would drain again. During the operation, they put serum in my left leg with a needle, and left string behind which resulted in a seeping sore which drained until my return to this country. In a few minutes at Bethesda, the Doctors removed the foreign object, and now it is healing.

I believe the North Vietnamese are capable of giving good medical care, but they are basically willing only in doing what is necessary to keep us alive. My case is not unique. I've seen LCdr McCain and others who have received this basic treatment to keep them alive but will require further treatment before they are in good shape again. I hope they get home in time for our doctors to effect a recovery.

The North Vietnamese told me that John McCain was the worst wounded pilot. He has many broken bones but he can walk with a very pronounced limp and a stiff arm. He has been in solitary confinement since April of 1968. It's hard enough just being in solitary confinement but when you're wounded like John is, it's even more difficult because you don't have anyone to help you wash yourself, or your clothes, or keep your room clean.

Are rebreaking broken bones in solitary confinement humane? Is sitting on a hot stool in a hot stuffy room with no sleep and mosquitoes biting you until they make their lousy statements humane? I know what it's like.

In two days your feet swell up and then it creeps up your legs until they're numb. Weather and your physical condition are determining factors on how long you can last. Some have gone for 150 hours. Others passed out from heat exhaustion in 48.

The North Vietnamese tried to get LCdr Stratton to appear before a press delegation and say that he had received humane and lenient treatment. He refused because his treatment hadn't been humane. He'd been tied up with ropes to such a degree that he still has large scars on his arms from rope burns which became infected. He was deprived of sleep, beaten, had his finger nails removed and put in solitary, but the North

Vietnamese insisted that he make the false humane treatment statements and threw him into a dark cell alone for 38 days to think about it.

Facing future torture, Stratton did what I considered to be a very patriotic act. He got up before the press and intentionally walked around glassy-eyed, bowing as we are forced to do in camp, trying to give the impression that he is brainwashed and hoping that the Americans would get the message. They did and the rebound hit Hanoi right between the eyes. Since then they have forced Stratton to make appearances, statements saying that he wasn't tortured or brainwashed. He goes to those delegations but it makes him sick every time he does. He tells the North Vietnamese not to believe for one minute that he's cooperating with them. He then rolls up his sleeves and shows them the cigarette burns and rope scars and says this is the reason. While I'm in your hands I have to be obedient, but the first chance I get I'm going to blow the whistle and tell the truth.

I feel like I'm Stratton's chance to blow the whistle and get the facts out. Actually, I've seen Stratton and he's in fair shape despite the torture. He's a real example for me to follow. Stratton knows that I have been released. He told me not to worry about telling the truth about him. He said that if he gets tortured some more at least he'll know why he's getting it and he will feel that it will be worth the sacrifice.

You may ask why do we resist. I'll tell you why. It's because of pride. Not only your own self pride that you have resisted, but because the enemy has had to lower itself to such inhumane levels of conduct that you know that you are still resisting them even while you are in their hands.

I actually feel that possibly that the higher ups in North Vietnam may not know about the truth about our treatment. They only see the results of the phony statements and confessions forced out of us by their subordinates' labor. I noticed that when the really big men, I mean the Generals have come to the camp, things have gotten better. There were times that my physical treatment was good, especially that last month before my release. But you are still always under the mental strains of abuse and future reprisals.

My intentions are not to scare wives and families but Hanoi has given false impressions that all is wine and roses and it isn't so. All I'm interested in is for Hanoi to live up to their claims of humane and lenient treatment of prisoners of war. I don't think solitary confinement, forced statements, living in a cage for three years, being put in straps, not being allowed to sleep or eat, removal of finger nails, being hung from a ceiling, having an infected arm which was almost lost, not receiving medical care, being dragged along the ground with a broken leg or not allowing an exchange of mail to prisoners of war are humane.

Why don't they send out a list of their prisoners of war? Why do they try to keep us from even seeing each other? Certain prisoners of war have received publicity. Others are kept silent. Why aren't their names officially released? If they don't have any secondary alternatives or motives in mind, then release the names of the prisoners of war so their families will know their loved ones' status. I feel as if I am speaking not only for myself, but for my buddies back in camp to whom I promised I would tell the truth. I feel it is time people are aware of the facts.

Seaman HEGDAHL. I am Seaman Hegdahl. I am very happy to be home after 28 months in captivity. The Navy provided transportation for my folks to come to New York to meet me and then go to Washington.

When I arrived at the hospital, I saw many doctors and underwent many tests. Except for ringworm and being underweight the doctors told me that I was in good health considering where I had been. I had my teeth taken care of and received new glasses.

I know that many people are wondering how I could fall from a 17,000-ton ship. The fact of the matter is I just don't know. Before dawn on April 6, 1967, I came up on the deck to watch the ship. The next thing I remember I was in the water. After five hours of swimming I was picked up by North Vietnamese fishermen. Of course I was hoping for a helicopter but beggars can't be choosers. I think I have the distinction of being about the only POW that cost the North Vietnamese more money after capture than before.

I did get two blankets, toothpaste and soap most of the time. I had two meals a day and we did get to wash. I was kept in solitary confinement for over a year—seven months and ten days at one stretch. I was made to stand with my hands over my head for trying to talk with other POW's, etc. The camp was infested with rats and mice but after I got used to it it wasn't too bad.

Many POW's do not write or receive mail. But I did get about 16 letters from my folks and my folks got four from me. Many POW's have been in solitary confinement for years. In most cases POW's are not allowed to read western books or make or receive games. Since my return I have found out that the government shares my anxiety over the fate of the POW's still in Southeast Asia and is working for a speedy return of all POW's, especially the sick and wounded. Thank you.

Question. Lieutenant, why did they let you three go?

Lieutenant FRISHMAN. I am wounded and I believe that they had pressure on them to release some of the wounded.

Question. Was there any attempt, as the Koreans did during that war, to divide you between the progressives and conservatives, that sort of thing?

Lieutenant FRISHMAN. I don't know. They kept us mostly in isolated situations, although I did know some of the other people there, I really can't answer that truthfully, sir.

Question. Lieutenant, you mentioned from your statement that they hung you from the ceiling and you were in a small room.

Lieutenant FRISHMAN. No, this was not related to me. Although these were related to some of the things which happened to the other men.

Question. My question is what were the conditions? Could you describe the room? Did you say pumpkin soup?

Lieutenant FRISHMAN. Yes, they take a pumpkin, boil it and put a little bit of flour in it. But I tell you after you eat pumpkin soup for 90 days in a row it gets pretty tiresome.

Question. What were they after? Were you being punished on a whim or were they trying to get you to write up confessions? What was the pattern of punishment?

Lieutenant FRISHMAN. At the beginning the real rough treatment came at first when they were trying to get military answers from you. After that they tried to force you into appearing before these delegations to say that you had received humane treatment.

Question. Was there any way to resist that or did everyone break down?

Lieutenant FRISHMAN. I will tell you, you can only resist so long. If they want you to make a statement, you're going to make it.

Question. Having said that, do you think the code of conduct for American servicemen is viable and really makes sense?

Lieutenant FRISHMAN. Yes, I do. I feel it is a guideline. What you try to do is resist to the best of your ability. That is exactly what we've all done, I feel. I do not feel at any time that I did anything to endanger any of the other prisoners of war or my country.

Question. Were either of you exploited publicly after capture?

Lieutenant FRISHMAN. I don't really know.

Question. Were either of you paraded or carried through cities?

Lieutenant FRISHMAN. No, I wasn't.

Question. Mr. Hegdahl, were you?

Seaman HEGDAHL. No.

Question. You were both at the same camp?

Lieutenant FRISHMAN. Yes, we ended up in the same camp. I went in one other camp before I was in the second camp.

Question. I take it these camps are not the same as in Korea or World War II; a compound status where you are allowed to have any sort of military organization.

Lieutenant FRISHMAN. No, you are kept in rooms. Generally speaking, some people are kept in solitary, some other rooms have two or three men in it, but you're kept in an isolated type of situation.

Question. Were there any attempts at indoctrination?

Lieutenant FRISHMAN. Yes.

Question. Formal indoctrination.

Lieutenant FRISHMAN. I consider it formal indoctrination, trying to convince you that they are right and you are wrong.

Question. I understand you were considered for release in previous years.

Seaman HEGDAHL. Yes, I was considered as long ago as August, 1967. I think the reason they released me is because I was only a seaman, I did not threaten the country in any way after release.

Question. Do you feel that you had to cooperate in any way in order to get released?

Seaman HEGDAHL. No, sir. I did not cooperate with them.

Question. Lieutenant, you mentioned that your treatment was a little better during the last month of captivity. Did they try to fatten you up a little bit?

Lieutenant FRISHMAN. Yes, they did. On July 4 they took me out of my room and said I was going over to get an X-ray. They took me into what we call the big house. The camp commander was there and he had a real nice table with some fruit on it, things like that, and said I was going to be released and there was a chance I might be released. I knew then that I was going home.

Question. Lieutenant, did you say that you talked to other prisoners and told them that you were going to tell about the treatment or they said it was all right if you did?

Lieutenant FRISHMAN. Yes, exactly.

Question. More than one?

Lieutenant FRISHMAN. Yes.

Question. You do not feel that your buddies will suffer reprisals because of this?

Lieutenant FRISHMAN. Like I said, I felt a strong obligation to get the truth out and I feel a strong obligation to the men back there. They know I am going to come back here and tell the truth and that is what they want.

Question. Lieutenant, in the camp where you were ultimately located, do you know its approximate location?

Lieutenant FRISHMAN. Yes, I do. It's in Hanoi.

Question. Within Hanoi?

Lieutenant FRISHMAN. Within Hanoi.

Question. Did you at any time either of you, were you visited by Red Cross representatives or ever contacted by the Red Cross at any time?

Lieutenant FRISHMAN. No; we had no contact with the Red Cross.

Question. Were there any U.S. bombing raids near the camp?

Lieutenant FRISHMAN. Yes, I was shot down on the 24th of October and they had some big raids around the Hanoi area at that time. It kind of made us feel pretty good because the bombs were going off all around us. We were not supposed to watch but we would look outside and watch the Vietnamese running around like they were really scared.

If you were never there it is a funny feeling because the walls just shake. You don't see the bombs but you could feel them. It was a big morale booster for us.

Question. Lieutenant, how much weight did you lose?

Lieutenant FRISHMAN. I lost about 50 pounds.

Seaman HEGDAHL. I lost about 60 pounds.

Question. Could you give us an idea of what your feelings are now about pursuing the war, particularly since the American public is generally pressing to pull back troops and get out?

Lieutenant FRISHMAN. To tell you the truth, I do not know too much about the truth. What I am trying to do here today is to see that the prisoners up there get some humane treatment and I would really like to see some of the sick and wounded get home while they still have a chance to effect some type of recovery. It is really hard on the men up there being in solitary confinement for as long as some of them have.

Question. Would you like to see us get out of Vietnam, United States withdrawal?

Lieutenant FRISHMAN. No, but I would like to see the end of the war come.

Question. Could you describe the size of your room and specifically that point you made earlier about the temperature, that you could only hold out so many hours?

Was this a purposeful act to put you in a hot place or was it the climate?

Could you describe the room, Lieutenant?

Lieutenant FRISHMAN. The first room I was in was about 10 feet by 11 feet and it was brick and it had a tile roof. The second place I was in was a much bigger room. It was 14 feet by 26 and about 13 feet high, and was brick walled also and it had a galvanized tin roof. It had a few vent holes in there to let some air in.

The bad thing about it is during the summer time that hot tropical sun beats down on there and it is just kind of like an oven and it just retains the heat. You are covered from head to foot during the hot months with heat rash. All you do most of the day long is sit on your bed. You have kind of a hand fan and fan yourself but it doesn't do any good. You have the heat rash all over you.

During the winter time it only gets down to about 45 degrees but that's really cold if you try to live in 45 degree weather and I got pretty cold. I got shot down just as the winter was coming on and that is when I was real sick. I had a hard time with my arm because every time I put my arm under the blanket the darn scab would adhere to the blanket.

Question. Lieutenant Frishman, can you tell us about the type of interrogation to which you were subjected, particularly as to what kind of pressures they wanted to know about your equipment or your bombing techniques or anything like that? Could you tell us about the interrogation?

Lieutenant FRISHMAN. I would rather not go into that right now.

Question. Could you tell us what kind of description you were given of the course of the war while you were captive and what you were told here, the comparison between the two?

Lieutenant FRISHMAN. Yes, occasionally we would listen to the voice of Vietnam, which is the Hanoi Radio. We call it Hanoi Hannah. Of course they said we were losing all the time and in all that time I can't remember how many people they claimed that we had lost but they only lost two Viet Cong in all the time that I was up there.

Question. Sorry to zero in on this same point but to get it straight. Were those tortures which you described, applied to you directly and why they were imposed and also could you explain whether this tin roof and the heat—is that the way that they live ordinarily or was this a purposeful kind of confinement to make it as uncomfortable on the Americans as possible?

Lieutenant FRISHMAN. In answer to your last question first, the brick walls and tin roof—that was pretty good accommodations but the bad thing is that it's all closed off

and there are just a few vent holes. If you could have open doors or something like that it would be not too bad but it is just like an oven.

Question. What was the connection, the linkage in your torture, no rhyme or reason to it?

Lieutenant FRISHMAN. No, sir. Maybe there is. I never did catch any though. You were talking about the type of tortures which I specifically received. When I first got shot down—I am sorry, you mentioned something about being paraded around. I forgot about this. When I was shot down they had me in a truck and they were carrying me around in this truck.

They would let me out at the missile sites and gun sites. I was blindfolded but I could tell, your nose sticks out like this and I could see beneath the blindfold.

I could tell that I was in a gun site. They would throw rocks at you and hit you. One of the little ones came up and hit me on the side of the mouth and dislodged a filling. Then once I got to the camp they refused to give me medical treatment, saying I was going to die in four hours if I didn't give them information. I just finally passed out and they took me to a hospital.

Then even with my bad arm they tied me up with ropes. I was made to sit in a chair—you sit on a stool in this hot room and you just sit there and sit there and sit there. For punishment or for something that they would want you to do. After awhile you just pass out. It is really rough on you.

Question. Did they discuss with you why they would not provide a list of the sick and injured prisoners and why they would not provide any other list?

Lieutenant FRISHMAN. They said that is something the United States Government wants to have and they are going to keep it from them. They came right out and said that.

Question. Did they attach any conditions to that, such as if the United States stopped the bombing or the B-52 flights that they would then provide such a list?

Lieutenant FRISHMAN. Not to me.

Question. Have there been any escapes?

Lieutenant FRISHMAN. I don't know of any.

Question. Seaman Hegdahl, there was a photograph in a Japanese newspaper showing you reading "Christmas Mail," yet the letter that you were reading and a blow up showed April 2, 1968, date at the top of it?

Seaman HEGDAHL. That's about average.

Question. Do you recall the specific time that photograph was taken?

Seaman HEGDAHL. Yes, I did get that letter that day.

Question. When was that photograph taken?

Seaman HEGDAHL. That was taken December 24, 1968.

Question. You received a letter—

Seaman HEGDAHL. I did receive that letter.

Question. You received that that day, the day before Christmas?

Seaman HEGDAHL. They took pictures of me reading Newsweek Magazine, just long enough for them to take the picture and then they took the magazine away.

Question. Did they take the letter away also?

Seaman HEGDAHL. No, sir, I got to keep it that day.

Question. Did they ordinarily take your mail away from you after you read it or had seen it?

Seaman HEGDAHL. They read it of course, first. My mother sent money and cool aid and things like this, and I never received it. I did get a Christmas package but a great deal of it was missing.

Question. A great deal of what?

Seaman HEGDAHL. A great deal was missing.

Question. Were either of you interrogated by anyone other than the North Vietnamese?

Lieutenant FRISHMAN. No, sir. Seaman HEGDAHL. They could have been some Chinese, I could not tell.

Question. Did they require either of you to sign a confession or apology for bombing or in your case for participating in the war?

Lieutenant FRISHMAN. I had to sign a statement asking to be released.

Question. Nothing else?

Lieutenant FRISHMAN. It was a general statement of a request. It is a request to Ho Chi Minh to ask for release.

Question. Did you have to confess that you were wrong, that you were in error?

Lieutenant FRISHMAN. No, but they do have, like I say, they have lots of statements. They force people into making all of these things and they've got them.

Question. Could you summarize the attitude and morale of the men left behind? What is their feeling in general?

Lieutenant FRISHMAN. I think the morale is still high but when the bombing stopped and we still remained up there, it was hard on them. There is no doubt about it, it is rough on you. You do get very depressed and you try to do things you can to occupy your mind and keep yourself going but it's real hard on the men. That's what I am trying to do, to improve things for the men and get the sick and wounded back.

Question. How many men did you become acquainted with or know were in your immediate vicinity who were Americans?

Lieutenant FRISHMAN. I have seen around 150.

Question. In this one camp?

Lieutenant FRISHMAN. No, sir, in all the two camps I have been in.

Question. Where was the first camp you were in?

Lieutenant FRISHMAN. Hanoi.

Question. They were both in Hanoi?

Lieutenant FRISHMAN. Yes, sir.

Question. Is this a fair summation, the first few days or first few weeks it was really rough treatment because they were trying to extract military information from you, but from then on it was a matter of solitary confinement under very uncomfortable conditions but a minimum of feedings and interrogations or was it different from that?

Could you give us the pattern?

Lieutenant FRISHMAN. What you said was a very good summary, but I'll tell you this. I remember when I was a little kid and I did something wrong and my dad would ask, "Do you want to have a beating or you can't go out with the boys in the afternoon?" I would always take the beating. The isolation and that solitary confinement is the worst on you.

Question. Do you sleep good? Do they have a light on at night?

Lieutenant FRISHMAN. They do have a light on. It's not a bright light and you accustom yourself to it. In the hot weather it's so hot, when it gets hot you can't even sleep at night.

Question. Can you give us one typical day, what you did in a typical 24-hour period?

Seaman HEGDAHL. In the summer time you get up about five and in the winter time about 5:30. You take out your waste bucket and you come back to the room. Sometimes you hear the Voice of Vietnam, Hanoi Radio. That is at six o'clock or 6:30. They come around and give you three cigarettes every day.

The first meal is about ten o'clock in the morning. The second meal is about four o'clock, and that's all of your activity.

Question. Can you go to bed any time you want or do you have to sit in the chair?

Seaman HEGDAHL. When I was first there, they were real strict, but later on they didn't care—it depended a lot on the individual guard.

Question. Is there a guard standing outside your door?

Seaman HEGDAHL. No, sir, they had a roving guard to check on you every so often.

Question. What kind of a layout is it? Was it two or three floor building?

Seaman HEGDAHL. In the camp I was, there were four or five different buildings.

Question. Of two stories and a guard patrolling the hall?

Seaman HEGDAHL. No, just one story building. The interrogation building was a two story building.

Question. Was there a big fence around it? What was the escape possibilities?

Seaman HEGDAHL. There was a fence around it.

Question. With guards and barbed wire fence?

Spokesman. I think we have time for two more questions and then we should conclude.

Question. Since you were one of the prisoners who was allowed to be interviewed by the foreign press, could you tell us what kind of ground rules they set down for you prior to the interviews?

Lieutenant FRISHMAN. They would write out what you were going to say and then you practiced it with them. You try to do what you can to resist that thing, but like I say, they have ways of forcing you into doing that stuff. I thought that that interview I had with Mrs. Fallachi—I thought she had a sincere feeling about my problems. She realized the circumstances that the entire thing was under.

Question. What is the immediate future, both of you gentlemen? Are you going on leave? Are you going to remain in the Navy?

Lieutenant FRISHMAN. Like I say, I feel like I have a real obligation to bring the facts out as to what is really going on up there. I plan on taking a tour of the country, seeing some of the wives and after that, I will be stationed at San Diego to have my arm worked on.

Question. Seaman Hegdahl?

Seaman HEGDAHL. I am stationed here at Bethesda now. I am going on leave tomorrow, and then I will be stationed at Bethesda.

Question. Could we see your arm?

Lieutenant FRISHMAN. I don't have an elbow. I have about four inches of bone missing.

Question. Do you have use of it?

Lieutenant FRISHMAN. I can move my fingers and move my arm a little bit. There are quite a few possibilities. It is quite a unique kind of deal, missing an elbow. They have artificial elbows, plastic things like that. I am sure our doctors will do the best they can. They say I will never have a real whole arm again, but chances to get partial use out of it look real favorable.

Question. Lieutenant, they officially say 1355 total POW's, of which they estimate 950 missing, 401 possible actually prisoners. How accurate are those figures and do you have any idea of the missing, what percentage might still be alive?

Lieutenant FRISHMAN. I didn't see all of the prisoners up there. Just personally there are hundreds. You know, 600 or so like that. I hope there's more but I really don't know.

SPOKESMAN. Thank you very much, ladies and gentlemen.

[From Parade magazine, Sept. 14, 1969]

HANOI'S PRISONERS

Three freed American prisoners of war flew out of Hanoi last month, making three families here at home very, very happy. But nearly a thousand American military wives are as worried as ever. Their husbands are "Missing," which means at best that they are prisoners of North Vietnam, and at worst that they are dead.

Mrs. James Bond Stockdale, one of the lucky few who knows her husband is alive, though a prisoner, serves as national coordinator of the League of Families of American Prisoners in Southeast Asia. With a delegation of 13 relatives of POW's and MIA's

(missing in action), she called on the Secretary of Defense, Melvin Laird, in July.

Having spent several years knocking on doors in Washington and getting nowhere, the group had no high expectations this time. They were surprised.

"He was very reassuring," says Mrs. Stockdale. "He told us that he and the President had been concerned about our problem for some time."

Mrs. Stockdale told Parade of Secretary Laird's promise that the bulk of American forces in Vietnam would not be withdrawn until the prisoner question is resolved satisfactorily.

For what seems like an eternity Mrs. Stockdale and her four young sons have lived with worry. Her husband's F-8 Crusader jet was shot down over North Vietnam in September of 1965, but it was not until two months later that she had even a hint he was alive. A captured pilot named "Stockdel" was mentioned in an article appearing in the Russian newspaper *Pravda*.

Then, in April of 1966, came two letters from Captain Stockdale. They had been written in December and February. His weight, he said, had dropped 30 pounds in three months. He had been put in solitary confinement. She subsequently learned that in July he and several other American pilots were handcuffed and led through the streets of Hanoi, among jeering, hostile crowds.

Mrs. Stockdale has received only one of two letters a year from her husband. She writes him at least every month, but few of her letters get through.

It was obvious, for instance, from a letter received by Mrs. Stockdale last June, that her husband had not learned of his mother's death a year and a half earlier. Of course, his wife had been mentioning it in all her letters, not knowing which ones would get through. None of them did.

"But I want to emphasize how fortunate I am," says Mrs. Stockdale. "I am among the less than 10 percent of us who have ever received any information of mail of any kind. Most of the women literally don't know whether their husbands are dead or alive."

"I'm living in limbo," says Mrs. Gloria Netherland, whose husband was reported missing over two years ago, at which time she left her home in California and moved to Washington, D.C., to be near friends.

"I represent one of many who simply want to know whether or not we are widows," says the Navy wife, whose husband was in Captain Stockdale's class at Annapolis. "If my husband is dead, I'll exchange my present problems for new ones, but at least I'll know."

The League of Families has about 350 members, many of whom belong as well to organizations in their home towns. They have sent innumerable telegrams to Xuan Thuy, Hanoi's man in Paris, challenging him to prove that his government is treating its prisoners humanely. No response. They have written to editors all over the world, trying to enlist help in stirring up world opinion against Hanoi.

The wives and relatives urge as a first step that Hanoi supply a list of all prisoners. This is, incidentally, required by the Geneva Convention, to which North Vietnam agreed.

Hanoi protests that the war in Vietnam is undeclared and thus the terms of the convention do not hold, but opponents argue that the articles of the convention apply explicitly to any "armed conflict."

North Vietnam does not seem likely to help out the Mrs. Stockdales. In response to last spring's public request by Secretary Laird for a list of prisoners and free flow of mail between the prisoners and their families, Hanoi's spokesman in Paris refused to promise anything until U.S. troops are withdrawn from Vietnam.

Mrs. Stockdale is grateful to those in Washington, like Secretary Laird, who have listened to her. Maybe, at long last, something will be done.

"I can only hope," she says smiling, "and maintain my sense of humor. Otherwise I'd drown in my own tears."

Mr. HARVEY. Mr. Speaker, it is not my intention to make a lengthy presentation of my strong support of this concurrent resolution calling for North Vietnam to abide by the provisions of the Geneva Convention. The resolution spells that out clearly.

Further, many other sponsors will enunciate clearly and forcefully the vital points as we seek only decent, humanitarian treatment for American military captives.

In lieu of a long statement, I would rather bring to the attention of all Members of Congress two very moving and sincere letters from those deeply affected and gravely concerned, the wife and mother of Maj. Bruce G. Johnson, U.S. Army, who has been missing in action since June 10, 1965. Major Johnson is a native of Harbor Beach, Mich., a lovely community on the shores of Lake Huron in our Eighth Congressional District. His wife, Mrs. Kathleen Johnson, and his mother, Mrs. Claire E. Johnson, have said it better than any professional orator.

Although I urge you to read their complete letters which will follow, let me place particular emphasis on two thoughts that they have expressed. The mother, Mrs. Claire E. Johnson, of Harbor Beach, closed her letter by saying:

The time has come when we need to know what has happened to Bruce. We will appreciate any effort you can make in Bruce's and the other American boys' behalf in Vietnam.

Major Johnson's wife, Kathleen, now residing in Salina, Kans., wrote:

Please be concerned enough to speak out in the House of Representatives and Congress in behalf of my husband's rights as an American P.O.W.—please feel the concern I feel for my husband and enlist the interest and the support of your fellow Representatives—please with your combined voices and concern let the people of the N.L.F. and Hanoi know that the American people are concerned for its men held as prisoners in both the South and in the North. As a great united voice, I pray that the N.L.F. and Hanoi will hear that voice of the American people and respond in a positive manner to these simple and basic demands that we make for the rights of so many of America's finest men.

This Congress must and will accept an obligation to continue to do everything humanly possible to expedite the release of American captives and to see that they are treated justly. This is a responsibility we cannot shirk.

I will close by including the letters from Major Johnson's wife, Mrs. Kathleen Johnson, and his mother, Mrs. Claire E. Johnson:

SALINA, KANS.

September 5, 1969.

Mr. JAMES HARVEY,
Representative from the State of Michigan,
House of Representatives, Washington,
D.C.

DEAR Mr. HARVEY: I am writing to you to ask your help in a matter of complete and urgent concern to me. I am the wife of an American army infantry officer, Major Bruce G. Johnson. Bruce has been listed as missing in action by our Department of the Army since June 10, 1965. During all these years and months there has been no word from Bruce or any indication of his present circumstances or whereabouts. Bruce became

missing as the result of an ambush in South Vietnam and I believe that my husband is being held as a prisoner of war of the National Liberation front somewhere in South Vietnam.

As you perhaps, are well aware, the NLF and Hanoi rejects any requests to issue names of those they hold as prisoners and also distressing to us, is the calloused way in which they seem to disregard our attempts to get mail and packages to our loved ones.

I have been to Washington many times during these years that Bruce has been "missing" and am well aware of the frustration and desperation that members of the Red Cross, the Department of Defense, and the State Department feel in having door after door slammed in their faces by the N.L.F. and Hanoi as they seek to learn even such basic things as the names of those captured, as they strive to ascertain and work for the improvement of these conditions under which my husband and others must live and endure—day in, day out, month after month, year after year. We all seek through numerous addresses and means to get letters and packages to loved ones—year after year, my Christmas packages are returned. Year after year as a few prisoners are occasionally released or have the good fortune to escape, they bring word that letters don't reach them—mail doesn't reach us!!

We have three children, Mr. Harvey. Bruce is going to be ten next month. He was four when his father left to serve his country in Vietnam. Bruce started kindergarten the fall after Bruce left in 1964. This past week Bruce began the fifth grade. Bryan is eight now—he was three when Bruce left us. Colleen Joy was not quite two when her daddy left. Colleen will celebrate her seventh birthday tomorrow—her daddy will not be here. I'm sure that somewhere in Southeast Asia, Bruce will remember that it is his daughter's birthday and will try to think and visualize what his daughter looks like.

He'll spend the day remembering his sons—two little toddlers when he left and pray for that day when he'll be back with us again. For over five years, our children and I have shared that prayer—as the wife of an American man "missing in action"—each day, each night is a continuous prayer for God to meet his every need—to grant him the spiritual and physical strength to endure whatever must be endured. I am humbly grateful that God is indeed at his side—that God does hear and answer prayer.

As I began in this letter to you—I am writing to ask your help—please as a Representative of our home district of Harbor Beach, Michigan, please make a stand, a strong and firm stand demanding that the N.L.F. and Hanoi cease their cruel and inhumane treatment of our husbands, fathers, sons—please demand as a spokesman of your people that names of Prisoners be given, that there be an exchange of mail and packages between the men and their families that a Red Cross group or any neutral committee be allowed to examine POW camps in both North and South Vietnam, that those of our loved ones who are sick or wounded be returned in the name of humanity and basic decency—that physical and mental torture be stopped!!

I'm sure you may be asking yourself "What can I do as one man—as one representative of one district in these great United States?—I plead with you as one wife in behalf of my husband who has spent over five years of his life in Vietnam that you give voice to our demands—to the demands of thousands of wives, thousands of children thousands of American officers and men that the N.L.F. and Hanoi behave in a manner that is in accord with the rules of the Geneva Convention treaty (that North Vietnam had signed), that they respect the basic decency and rights inherent in all

men, deserved by all men, deserved by our men.

Please be concerned enough to speak out in the House of Representatives and Congress in behalf of my husband's rights as an American POW—please feel the concern I feel for my husband and enlist the interest and support of your fellow Representatives—please with your combined voices and concern let the people of the N.L.F. and Hanoi know that the American people are concerned for its men held as prisoners in both the South and in the North. As a great united voice, I pray that the N.L.F. and Hanoi will hear that voice of the American people and respond in a positive manner to these simple and basic demands that we make for the rights of so many of America's finest men.

Sincerely,

KATHERINE B. JOHNSON,
(Mrs. Bruce G. Johnson).

HARBOR BEACH, MICH.,
September 8, 1969.

Representative JAMES HARVEY,
Washington, D.C.

DEAR SIR: I am very much concerned about the treatment of American boys being held prisoner or listed as missing in Vietnam.

I realize and appreciate the fact that our representatives in Government are also concerned and that the issue of prisoners is to come before the House in the very near future.

As the mother of a missing son I urge you strongly to do all within your power to once again appeal to Hanoi and the N.L.F. of South Vietnam to comply with the Geneva Convention in treatment of prisoners and release of names of missing personnel.

I urge you also to work toward any action which will shorten the war and bring this conflict to a just end.

My son, Major Bruce G. Johnson, has been missing four years and three months during which time we have heard nothing from him. Our faith in God has sustained us during this time. The loyalty of our Government in furnishing monthly letters to us with available items of general or specific interest have greatly encouraged us.

The time has come when we need to know what has happened to Bruce.

We will appreciate any effort you can make on Bruce's and the other American boys' behalf in Vietnam.

Sincerely,

(Mrs.) CLAIRE E. JOHNSON.

Mr. VANDER JAGT, Mr. Speaker, our enemy in the Vietnam war is guilty of inhumane and inexcusable treatment of American war prisoners.

Snearing at world opinion, ignoring provisions of the 1949 Geneva Convention, threatening to put our brave men on trial as war criminals for fighting against Communist aggression, the enemy ignores pleas to act in a humane way.

More than 1,350 American families wait for the release of a husband or son, some of them seeking definite word whether a loved one is dead or alive.

The North Vietnamese could devise no subtler cruelty than to ignore provisions of the Geneva Convention. Military or other leaders in Hanoi maintain a callous position. This kind of cruelty imposed on innocent bystanders is both repugnant and virtually unthinkable.

It may be that our enemy hopes through such cruel pressure to influence the policy of the United States toward the Vietnam war.

Congress, the administration, the American people, and families directly

affected are not swayed by this crude attempt on the part of the enemy. The action of Hanoi strengthens our resolve.

A mobilized world opinion could force the enemy to name the men in captivity, to immediately repatriate sick and wounded, to permit impartial inspection of prison facilities, to permit a regular flow of mail, and to undertake serious negotiations for the prompt release of all American prisoners of war.

I join my colleagues in Congress in attempting to generate world opinion against the inhumane treatment of our war prisoners. We are standing solidly in support of the Commander in Chief as he attempts to induce from Hanoi greater respect for human decency and for the rule of law.

Mr. ANDERSON of California. Mr. Speaker, one of the disturbing elements of the Vietnam war, in addition to the conflict, is the withholding by North Vietnam of information regarding prisoners of war. This is especially disturbing since North Vietnam in 1957 signed and agreed to the requirements of the Geneva Convention of 1949 and has now violated the minimum humanitarian provisions of conduct on prisoner matters.

Apparently, our Government's efforts thus far to aid our prisoners of war, to achieve their early release, and even to obtain their names have not been effective. I therefore, on August 25, 1969, called upon President Nixon as our Chief Executive to exercise further efforts and stressed that the challenge is his to find means and ways so that the stalemate will not continue. It is with the above in mind and my sincere conviction that renewed effort must be taken by our executive branch of government that I have cosponsored a resolution offered by the Honorable WILLIAM L. DICKINSON, Congressman from Alabama.

Mr. CEDERBERG, Mr. Speaker, I wish to join my colleagues today in expressing my deep concern regarding the treatment of the men of the U.S. Armed Forces who are held as prisoners of war by the North Vietnamese Government and the National Liberation Front—NLF.

The United States has consistently followed the directives of the Geneva Convention in its treatment of those members of both the North Vietnamese and NLF forces who have been captured in the course of the Vietnam conflict. We have been joined in this effort by the South Vietnamese Government and by the other nations which have troops stationed in Southeast Asia. These directives have been ignored by the other side.

It is a cause of grave concern that each time a member of our Armed Forces escapes or is released by the North Vietnamese we are visited with tales of horror about the treatment of men who were their fellow prisoners.

The human suffering of the men who are being held captive in this manner is certainly enough of a cause for our indignation. The fact that the Geneva Convention is not followed by the North Vietnamese or the NLF extends this suffering to the members of our soldiers' families and to their friends. It is a constant source of amazement to me that a gov-

ernment which professes that it is prosecuting a war "for the people" would so blatantly disregard the call for the recognition of simple human needs.

We are not asking for the release of men so that they may return to the battlefield, we are asking for recognition that these men are human beings.

We are asking that it be recognized that they have a right to medical treatment for their injuries; that their loved ones have a right to know if they are alive; that they have a right, a human right, to be allowed to communicate with those they love.

I wish to express to the thousands of people who are members of the families and friends of our men who are being detained in North Vietnam my sincerest sympathy in their suffering and pledge my wholehearted support for any initiatives which can be taken to see that the North Vietnamese Government and the National Liberation Front honor the requirements of the Geneva Convention.

Mr. POFF. Mr. Speaker, I commend the gentleman from Alabama (Mr. DICKINSON) for his fine leadership in arranging this special order to publicize the prisoner-of-war problem, and I fully support his efforts to call this matter to the attention of the other nations of the world. I am pleased to be a cosponsor of the resolution he has introduced today.

Mr. Speaker, other Members of the House have called attention to the inhumanities inflicted upon the prisoners in North Vietnam's prison camps. This is an intolerable situation, almost unbelievable in the 20th century, and I call upon the Government of North Vietnam and the National Liberation Front to abide by the terms of the Geneva Convention.

North Vietnam claims that the prisoners it holds are war criminals and, therefore, not covered by the Geneva Convention, but the resolution adopted by the 21st International Conference of the Red Cross in Istanbul last week completely refutes Hanoi's contentions. The resolution calls upon all parties to an armed conflict, no matter by what it may be characterized, to abide by the terms of the Geneva Convention. This resolution was adopted by a 114 to 0 vote, and I am including, as a part of my remarks, a copy of the statement Ambassador Graham Martin made to the conference:

STATEMENT BY AMBASSADOR GRAHAM MARTIN

Those of you who were present at the Twentieth International Conference of the Red Cross in Vienna in October 1965, will recall that the Conference expressed its concern for the treatment of prisoners of war whose confinement removed them from combat and whose presence presented no threat to their captors. The armed conflicts that existed at that time and the conduct of some governments who have acceded to the Geneva Conventions in failing to honor their obligations under the Conventions to provide humane treatment to prisoners of war, showed the need for the resolution which the Conference passed four years ago.

Now four long years have passed since the adoption of that resolution, which called "upon all authorities involved in an armed conflict to ensure that every prisoner of war is given the treatment and full measure of protection prescribed by the Geneva Conven-

tion of 1949. . . ." In the case of the Communist authorities in southeast Asia, the solemn appeal of the last conference fell on deaf ears. North Vietnam and the Viet Cong have refused consistently to observe even internationally recognized minimum standards of humanitarian treatment for prisoners they hold as a result of the armed conflict in Vietnam.

The concern of the United States about these prisoners has been expressed by President Nixon and also by Ambassador Lodge at the Paris Peace Talks. Secretary of State Roger and Secretary of Defense Laird also have repeatedly publicly expressed urgent concern about the failure of the Communist authorities in Vietnam to live up to the humanitarian standards of the Convention and to treat humanely personnel who have fallen into their hands.

The concern of these highest officers of the United States is universally shared by all the American people. I am glad to note that we are not alone in our concern. Speaking in London on March 19, Jacques Freymond of the ICRC, said concerning the work of the committee:

"In Vietnam, it has so far had limited success. In fact, in spite of repeated representations, it has not been able to obtain the agreement of the Democratic Republic of Vietnam to the installation of a delegation in Hanoi nor even to the visiting of prisoners of war.

"The Hanoi authorities have, it is true, assured the ICRC that these prisoners are treated humanely by them. The committee has therefore had to content itself with sending medicines, medical equipment and, more recently, two field hospitals to the Democratic Republic of Vietnam.

Mr. Freymond went on to say:

"On the other hand, the ICRC is represented in Saigon and the delegates are able to visit all prisoner of war camps. They also regularly receive nominal rolls of these prisoners."

I might add that the Government of the Republic of Vietnam, in cooperation with its allies, has placed great emphasis on proper treatment of prisoners of war captured by allied forces.

Today, in September 1969, I have the sad duty to report to you that we have seen that the Communist authorities in southeast Asia have refused to cooperate with the ICRC. We also know as a fact that North Vietnam is violating every basic provision of the prisoner of war convention it signed and is in fact seriously mistreating our men it holds as prisoners. We are deeply concerned and outraged by this grave affront to human dignity and international responsibility.

When I said that we know that our men who are captured in Vietnam are being mistreated, I spoke with the assurance of unmistakable evidence—a touching witness provided by one who had himself actually been subjected to this savage and inhuman treatment. Since the time of the last conference we have known that North Vietnam was refusing to provide the names of all the men it held as prisoners, and that they have refused to permit impartial inspection of its prisoner facilities by the ICRC or any other impartial intermediary. It has long been obvious that prisoners have been denied or severely restricted in their right to communicate with their families. The hundreds of waiting families who do not even know if their man is alive today are sad witnesses to this fact. We also have seen the North Vietnamese release photographs of seriously sick or wounded prisoners who should be repatriated immediately.

Today we have confirmation of what has been an even greater concern for us—our men are being seriously physically and mentally mistreated. The men whom North Vietnam recently chose to release have, in spite of threats by their captors, felt duty bound to tell the world how North Vietnam treats

its prisoners. Their story is not a pleasant one and it pleads for prompt and strong action by this Conference. North Vietnam denies universally accepted standards of humanitarian treatment for prisoners and violates the provisions of the Geneva Conference to which it acceded by:

- (1) Refusing to identify the prisoners it holds and account for those missing in North Vietnam.
- (2) Torturing prisoners both physically and mentally.
- (3) Keeping prisoners in isolation cut off from their fellow prisoners and from the outside world.
- (4) Failing to provide an adequate diet.
- (5) Failing to repatriate the seriously sick or wounded.
- (6) Refusing to permit impartial inspection of prisoner facilities by the ICRC or another appropriate intermediary.
- (7) Using prisoners for propaganda purposes.
- (8) Denying regular exchange of mail between all prisoners and their families.
- (9) Failing to provide adequate medical care to all prisoners in need of treatment.

May I ask you to hear the actual words of Lt. Robert F. Frishman, USN, one of the prisoners recently released by North Vietnam. On September 2, 1969, less than a fortnight ago, from our Naval hospital in Bethesda where he is recovering from his ordeal, he had this to say:

"My intentions are not to scare wives and families but Hanoi has given false impressions that all is wine and roses and it isn't so. All I'm interested in is for Hanoi to live up to their claims of humane and lenient treatment of prisoners of war. I don't think solitary confinement, forced statements, living in a cage for three years, being put in straps, not being allowed to sleep or eat, removal of fingernails, being hung from a ceiling, having an infected arm which was almost lost, not receiving medical care, being dragged along the ground with a broken leg, or not allowing an exchange of mail to prisoners of war are humane.

"Why don't they send out a list of their prisoners of war? Why do they try to keep us from even seeing each other? Certain prisoners of war have received publicity. Others are kept silent. Why aren't their names officially released? If they don't have any secondary alternatives or motives in mind, then release the names of the prisoners of war so their families will know their loved ones' status. I feel as if I am speaking not only for myself, but for my buddies back in camp to whom I promised I would tell the truth. I feel it is time people are aware of the facts."

Lt. Frishman was addressing his own people in America. But it is time for the world to know these facts. Therefore, I share Lt. Frishman's words with you gathered here in this Conference.

In the most recent provisional activity report submitted to this Conference by the ICRC, it is stated that "on 3 June 1969 the ICRC again wrote the Government of the Democratic Republic of Vietnam to remind it of the obligations incumbent on it in accordance with the 1949 Geneva Conventions for the protection of war victims." And at our opening session the distinguished new President of the ICRC reported to us that North Vietnam had not yet allowed any representative of the ICRC to enter its territory.

Each of us has a moral duty to see that signers of the Convention honor the internationally accepted principles of humane treatment of prisoners of war. We trust that this conference, which has a fundamental and abiding interest in the Geneva Prisoner of War Convention will declare itself clearly and unequivocally concerning the humane treatment of prisoners—all prisoners in all parts of the world. The resolution before us was carefully drafted by the co-sponsors to

insure the universality of its coverage to all prisoners of war wherever held, by whatever nation, great or small. We hope, therefore, that all national delegations and all national societies will join those nations and national societies which have already sponsored this resolution. We believe, Mr. Chairman, it should be supported unanimously.

Mr. SMITH of New York. Mr. Speaker, I join with my colleagues in voicing the outrage and indignation of this House, of the people of this country, and of the people of the world against the inhuman treatment of American prisoners of war by the North Vietnamese.

The purpose of our resolution is to mobilize public opinion against North Vietnam's blatant and cruel violation of the Geneva Convention and to demand that Hanoi give an account of their prisoners. I am hopeful that Congress' strong support of this resolution will force North Vietnam, through world opinion, to grant American prisoners of war their full rights under the terms of the Geneva Convention.

We can no longer ignore the pleas of the relatives and friends of prisoners of war and those missing in action. Their concern is ours and that of all Americans, and that of all the people in this world who have any pretensions to decency.

Mr. PELLY. Mr. Speaker, the revelations made by our returning prisoners of war from North Vietnam have been a shock to all men of conscience throughout the free world. The barbaric and uncivilized treatment these men received, and, as is indicated, the remaining Americans are receiving, is an affront to humanity.

The Defense Department has listed 342 servicemen as known captives in Communist POW camps, and there are more than 1,200 servicemen listed as "missing in action" and could be captives. Yet, the Vietcong or the North Vietnamese have never officially released the names of prisoners they hold. Our only source of information is the nine Americans who have been released or who have escaped, and they tell terrible tales of torture and harsh and cruel treatment.

As a cosponsor of the resolution for the relief of American prisoners of war, and I sincerely hope it will sufficiently stir world opinion so that our servicemen can soon receive not just their full rights under the terms of the Geneva Convention, but the treatment that can be expected to be afforded human beings.

Mr. WYATT. Mr. Speaker, today I have joined with nearly 100 other Congressmen of both parties in introducing a concurrent resolution for the relief of American prisoners of war and men missing in action in the Vietnam conflict.

It has long been obvious in this campaign that we are engaged against a crafty and virtually heartless enemy. North Vietnam sends new troops across the border into South Vietnam daily, yet brazenly continues to deny its aggressive actions. This same nation now sits across from our negotiators in Paris, talking about peace possibilities in a war it has yet to officially admit.

The strange, convoluted and aggressive characteristics of this enemy have

made it virtually impossible to deal with in a fair and straightforward manner. Time and again these North Vietnamese have violated truces and broken agreements.

We are not fighting an honorable enemy. Among the greatest losers in this fight are those men who have been taken prisoner in this fighting and their families and the families of those men who are listed as "missing in action."

Since they do not acknowledge that they are even engaged in combat, North Vietnamese leaders feel no compunction to abide by the terms of the Geneva Convention. They will not even provide lists of our men being held as POW's.

As a result, nearly a thousand American families are denied the knowledge of whether relatives and loved ones are alive or dead, sick or well. They live under the terrible fear of not knowing, and their anguish is great.

It is for these men and their families that I have joined in cosponsoring today's concurrent resolution. The North Vietnamese must be persuaded to give the families of these men the information that simple humanity demands. World opinion must sway this enemy so that our prisoners of war and their families are allowed their rights under the Geneva accords. I join with my colleagues here today in urging that this relief be granted.

Mr. ABBITT. Mr. Speaker, I wish to associate myself with the concern being expressed today in connection with the families of those Americans who are now being held prisoner by the North Vietnamese and the National Liberation Front.

Last week I introduced House Concurrent Resolution 327 in support of efforts that are being made to try to bring about some resolution of this problem. I realize that our State Department and other agencies of this Government have made extensive efforts to apply pressure to the North Vietnamese to provide more information and better conditions for those that are being held by the enemy. So far these efforts have not been successful and it is only a matter of some embarrassment to this Government that those prisoners who have been released have been turned over under circumstances which afforded the enemy the maximum propaganda value.

I feel that we should demand that the North Vietnamese and the National Liberation Front abide by the provisions of the Geneva Convention and be required to release the names of prisoners of war, to permit the regular flow of mail to or from those prisoners, to accord humane treatment to the prisoners, and to permit inspection of the facilities in which those prisoners are held. The enemy leaders have contended hypocritically that they are complying with the provisions of the Geneva Convention. But all of us know that this is not true and personal testimony from the families of those being held prisoner is graphic evidence of the lack of cooperation which has been extended.

Hanoi should be required to prove the "humane and generous" policy it claims to follow in the treatment of prisoners

by naming the men in captivity, immediately repatriating the sick and wounded and permitting impartial inspection of prison facilities. Although the question of releasing the prisoners now being held is presumably a part of the negotiations now being engaged in in Paris, the provision for a regular flow of mail between the prisoners and their families is something which could be allowed overnight.

The families of these men live in a cloud of uncertainty over the fate of loved ones who are presumably held by the North Vietnamese or the Vietcong but about whom they get little or no information. This is clearly inconsistent with the provisions of the 1949 Geneva Convention relative to the treatment of prisoners of war and steps should be taken forthwith to demand compliance.

To the best of our knowledge approximately 300 U.S. servicemen are now known to be in the custody of the North Vietnamese and more than 1,000 others are missing and thought to be held as prisoners. It is not clear how many of these men are actually held by the North Vietnamese and how many are prisoners of the National Liberation Front but these are facts which should be readily available and which the Geneva Convention was designed to cover. It is obvious from reports that have come to us that the prisoners are not being properly treated, that they are not allowed the basic privileges which prisoners of war are generally accorded and that only the pressure of public opinion has deterred the enemy from trying them as war criminals.

It is high time that this Government make clear its position on this issue more forcefully than has heretofore been the case. Families of these servicemen have suffered incalculable emotional stress and strain and they are deserving of the best attention which this Government can give to the matter in question.

I strongly support the efforts being made to bring about a resolution to this issue and hope that sooner or later we can prevail upon the North Vietnamese to live up to the provisions of the Geneva Convention.

Mr. MYERS. Mr. Speaker, I join with our colleagues, the families of missing servicemen, and the Nation in thanking the gentleman from Alabama, Mr. DICKINSON, in bring to the attention of the world that there are today an unknown number of young men being held as prisoners of war by North Vietnam. Throughout history we have had wars and there has always been a problem over the mistreatment of prisoners held by warring countries.

Reports from the few prisoners that North Vietnam has released as well as our intelligence reports from interrogation of our Vietcong prisoners indicate that mistreatment, torture, and other inhumane actions have reached a new low. This country expects the same respect of the rules of the Geneva Convention as it applies to the treatment of prisoners of war from North Vietnam as we are now following in the treatment of their prisoners.

How can North Vietnam expect this country to believe their requests and

demands that they will halt their aggressions as soon as we withdraw all of our troops, if they will not honor their agreement which they made in signing the Geneva Convention in 1957? How can they expect our President, our country, to believe their offer to withdraw? I believe the burden is clearly on North Vietnam to show its good intention to carry out its latest offer by abiding with the Geneva Convention.

I introduced a resolution last week calling for prompt action by North Vietnam to abide by the terms of the Geneva Convention. We realize that any action we might take today will have little impact directly upon North Vietnam, but we have exposed to our country and to the world that a country that will treat its prisoners in the inhumane fashion that it has, cannot be trusted and must be dealt with accordingly.

Our prayers and the prayers of civilized people around the world are for these prisoners and their families.

Mr. ROGERS of Florida. Mr. Speaker, I am proud to join with my distinguished colleague from Alabama, BILL DICKINSON, in sponsoring this resolution calling for a concerted effort on the part of this Nation, and all the freedom-loving people of the world, to have North Vietnam and the National Liberation Front of South Vietnam comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war and to gain the early release of those prisoners.

One thousand three hundred and thirty-five men are either missing and unaccounted for or are confirmed prisoners of war.

These prisoners deserved to be treated as human beings and must be given the right to communicate with their families and loved ones. Surely this is asking very little and I am confident that what we say here today will help to realize such objectives and the release of these men.

I congratulate Mrs. Pat Mearns, with whom I have corresponded, who represents the Association of Wives and Families of Captured and Missing American Military Men, and the members of that association for their devotion, patriotism, and patience under such trying circumstances.

Mr. CHAMBERLAIN. Mr. Speaker, I rise to commend the gentleman from Alabama (Mr. DICKINSON) for introducing a resolution condemning the Hanoi regime's unconscionable failure to adhere to even the most minimal humanitarian provisions of the Geneva Convention concerning the treatment of prisoners of war which North Vietnam agreed on June 28, 1957, to faithfully follow. I fully support the gentleman's resolution and share his indignation for the enemy's blatant disregard for international law and his concern for the sorrow and grief it brings to the loved ones of the nearly 400 U.S. servicemen known to be captive in Southeast Asia as well as of the nearly 1,000 U.S. fighting men who are missing in action. I believe the RECORD today would be incomplete if it did not include a recent speech on this very subject by the Honorable James D. Hittle, Assistant Secretary of the Navy

for Manpower and Reserve Affairs, delivered before the Commonwealth Club of California in San Francisco on August 29, 1969. I ask unanimous consent that it be inserted immediately following my remarks. This speech constitutes a major administration policy statement designed to inform the American people of the plight of U.S. prisoners by spelling out in detail Hanoi's specific violations of the Geneva Convention. It further very clearly reveals North Vietnam's deliberate policy of subjecting the wives and families of these men to unwarranted worry and torture by refusing to disclose the names of prisoners and permit the exchange of mail, and pays special tribute to the brave manner in which those waiting here at home, who have already given so much, are carrying on under this heavy burden.

REMARKS BY HON. JAMES D. HITTLE, ASSISTANT SECRETARY OF THE NAVY, MANPOWER AND RESERVE AFFAIRS

A few weeks ago, on my way to the West Coast, I stopped at the U.S. Naval Air Station at Lemoore, California. I had breakfast there with 16 lovely ladies. They are also brave and valiant ladies. They are, unfortunately, members of a growing group who share a common torture and a common tragedy.

They are wives of U.S. servicemen who are prisoners of war or who are missing in action in South Vietnam.

Their common tragedy is that each of their husbands is missing in action or is a prisoner of the Communist regime in Hanoi. The common torture to which they are continually subjected—every moment, every day, every week, every month—is the lack of communication with their husbands who are prisoners of war, or the lack of any information from the enemy, in the case of those missing in action, as to whether they are dead or alive.

The paradox and the cruelty of the situation is that their suffering could be avoided. All it takes to relieve the torture, the anxiety, the sorrow, the uncertainty, is for North Vietnam to provide the most rudimentary humanitarian information concerning the U.S. prisoners of war held captive by the Hanoi government.

This, the enemy refuses to do.

One of the most unfortunate aspects of this sad situation with respect to the prisoners of war and their loved ones at home is that theirs is a widely overlooked, little understood, quickly forgotten plight as far as too many Americans are concerned, and certainly as much as the Free World is concerned.

The most elementary essentials of the situation regarding U.S. prisoners of war should generate intense indignation on the part of every American and every inhabitant of the Free World.

Today I want to tell you some things that I believe you should know about the plight of U.S. prisoners of war who are held captive by the Hanoi government. At this moment, as near as we can ascertain on the basis of diverse and fragmentary information from sources—which I know you will forgive me for not mentioning—there are 396 U.S. servicemen who are captives of the Communists in Southeast Asia.

There are, in addition, nearly 1,000 U.S. servicemen who are missing in action about whom no conclusive information has been received so as to classify them either dead or as prisoners.

It's high time that many people come to the realization that Hanoi is using U.S. prisoners of war in a deliberate and cruel manner for Hanoi's own propaganda and policy purposes. And in so doing, Hanoi is subjecting the wives, the children, the par-

ents of these valiant U.S. servicemen to unimaginable and unending torture.

For instance, some U.S. fighting men have been prisoners of war in North Vietnam longer than any U.S. serviceman was held a prisoner of war in World War II. And, the end of their ordeal is certainly not in sight; for, there are no indications that Hanoi intends to change its policy of cruelty to one of consideration. Repeatedly, the President of the United States and Secretary of Defense Laird have urged the enemy to respect the requirements of the Geneva Convention.

This the enemy has steadfastly and stubbornly refused to do.

Why should they respect and abide by the requirements of the Geneva Convention on the treatment of the prisoners of war? For the very simple moral reason that on June 28, 1957 the Hanoi government signed the 1949 Geneva Convention.

The President and the Secretary of Defense continue, in the name of humanity, to call on North Vietnam and the Viet Cong to live up to the Geneva Convention relative to the Treatment of Prisoners of War. There is nothing complicated about this. There is nothing unreasonable about these requirements. What should be done can easily be done—providing the enemy wants to do it. All that the enemy has to do is to live up to his agreement under the Geneva Convention, which he signed.

1. Release of names of prisoners held.
2. Immediate release of sick and wounded prisoners.
3. Impartial inspections of prisoner of war facilities.
4. Proper treatment of all prisoners.
5. Regular flow of mail.

What is Hanoi doing about these simple humanitarian requirements of the Geneva Convention which Hanoi signed and agreed to? Well, let's see. We'll take the requirements one by one.

1. Release of names of prisoners held.

North Vietnam has refused to identify the hundreds of men whom they hold. As a result, thousands of wives, children, and parents, have lived for over five years not knowing whether their loved ones are dead or alive.

2. Immediate release of sick and wounded prisoners.

North Vietnam has refused to release the sick and injured as is required by the Geneva Convention. We know that some of our men have suffered many months from injuries at the time of captivity.

3. Impartial inspections of prisoner of war facilities.

North Vietnam also has refused to permit impartial inspections as is required by the Geneva Convention. The North Vietnamese have claimed that they are treating our men humanely. If that is the case, why have they refused to allow even the International Red Cross into the prisoner facilities? Why should they be afraid to allow such inspections if, in fact, they are treating our men humanely?

4. Regular flow of mail.

North Vietnam consistently has refused to permit the free exchange of mail. In the past five years, only about 100 prisoners have been allowed to write letters to their families. Even those few who have written have only been allowed to write infrequently—something less than two letters per year.

5. Proper treatment of all prisoners.

Many of the films, photographs, and broadcasts have implied that all our prisoners were being well treated, that they were permitted to communicate freely with each other, that they were allowed to correspond regularly with their families, and that they were receiving proper medical treatment.

Information which we have received raises serious questions as to whether such has been the case. In fact, our analysis indicates that these minimum humanitarian provi-

sions of the Geneva Convention consistently are being disregarded by North Vietnam.

On several occasions, North Vietnamese propaganda has generated false hopes among the American families involved. They have released photographs of men who could not be clearly identified. In one case, 20 different wives believed that a prisoner shown in a propaganda photograph was their husband. The prisoner remains unidentified.

The heartless actions of the North Vietnamese were further illustrated in the recent release of three U.S. servicemen. Radio Hanoi announced that North Vietnam would free three U.S. prisoners but it did not identify the names of those men for 32 days.

Thus, the hopes of hundreds of families were needlessly prolonged for more than a month, and then tragically shattered for 1,342 of the 1,345 families who have lived for so long in such a tragic atmosphere of uncertainty.

Much of the information concerning U.S. prisoners of war held by the enemy has come to us in the form of propaganda broadcasts and obviously staged photographs. These, of course, are not the proper means of disclosing the true status of prisoners. These are not the means by which a signatory nation adheres to the requirements of the Geneva Convention. Yet, these are the means by which the enemy is deliberately and cruelly exploiting U.S. prisoners of war for enemy purposes. These films, photographs, and broadcasts have carried the implication that our prisoners were being well treated, that they are permitted to communicate freely with each other and to correspond regularly with their families. The enemy, by these means, also sought to convey the impression that U.S. prisoners were receiving proper medical treatment.

Any such assumptions are, when tested by the facts, clearly unfounded. Actually, our analysis indicates that these minimum humanitarian requirements of the Geneva Convention are constantly being disregarded by North Vietnam. And if any of the admirers of the Hanoi government think that North Vietnam is, for instance, providing the names of the U.S. prisoners of war or letting those prisoners correspond with their families, then such apologists for the enemy should ask the wife or parent of one of those captives.

Such a question would get a ready answer and that answer would disclose again the callous disregard that has so constantly characterized the enemy's attitude toward the Geneva Convention, which the enemy signed.

Here are a few more facts that underline the genuine seriousness concerning U.S. prisoners of war held by the enemy. Five hundred have been missing or held prisoners for two years or more. More than 200 have been prisoners or missing for three and one-half or more years. This is longer than any U.S. serviceman was held prisoner in all of World War II.

Even from the sparse information we received from propaganda films and photographs, we can see U.S. prisoners suffering from injury incurred many months ago. We can see trends of substantial weight loss in several cases. And, we know that some of the prisoners have been held in isolation.

I can assure you that the U.S. Government is not going to forget U.S. prisoners of war held by the enemy. I assure you that President Nixon and Secretary of Defense Laird are continually seeking ways to obtain more information concerning these captives in enemy hands as well as means of alleviating their plight.

Of course, again it should be emphasized and recognized that this tragic situation would be readily resolved if North Vietnam would keep its word with respect to the requirements of the Geneva Convention.

Personally, I simply cannot understand how those in this country who condemn our Nation's policy in Vietnam and who express

such admiration for Ho Chi Minh and the Hanoi government can idolize an enemy regime that brutalizes U.S. prisoners of war.

Personally, I cannot understand how some freedom loving people in other free nations can advocate accommodation to the Hanoi government, while at the same time North Vietnam is flagrantly violating the most fundamental human rights in its treatment of U.S. prisoners of war.

It would, indeed, be little enough to expect from U.S. citizens and from some people in our allied nations for them to express justified indignation over the manner in which Hanoi is mistreating U.S. prisoners of war in violation of the Geneva Convention, which, let us not forget, Hanoi signed.

And, it would be extremely helpful too, if in the name of simple humanity, the governments of those nations which consider themselves humane and civilized should send Hanoi a protest in the most vigorous and pointed terms as to the shocking manner in which North Vietnam is mistreating U.S. prisoners of war. This is the least that those who consider themselves decent, humane, and civilized can do for those U.S. prisoners of war who have done so much in the cause of freedom.

I can assure you also, that the wives, the children, and the parents of those who are missing or prisoners of war are not being forgotten nor will they be forgotten. A special and continuing active policy committee has been established at the highest level within the Department of Defense in connection with the prisoners of war problem.

Secretary of Defense Laird is in direct and frequent contact with members of that committee. Its purpose is to obtain as much information as is available concerning those listed as prisoners of war. Such information is speedily provided to the wives and parents concerned.

It is the clearly established policy of President Nixon and Secretary of Defense Laird that every possible assistance be accorded the wives and families of those who are listed as prisoners of war. I can tell you, for instance, how this works with respect to the families of Navy and Marine Corps personnel listed as missing or prisoners of war, as this is one of my highest priority responsibilities.

Throughout the United States, there is a designated Navy or Marine Corps officer assigned to assist each Navy or Marine Corps wife whose husband is missing or a prisoner. This assistance extends to any matter—medical, housing, continuation of pay—that may arise. These casualty assistance officers are on call at any time. In the event that one of these wives does not contact the designated officer within a specified period, that officer will either personally or by telephone check with the wife to ascertain if there is any problem with which he can be of assistance.

As soon as any information is received concerning any prisoner of war, that information is provided the wife and family.

You who reside in California have the largest portion of these brave wives living in your state. There are 375 wives or parents of those missing and prisoners of war residing in California. This is more than any other state in the country.

As I said at the beginning of my remarks these wives are indeed a valiant group. I have met with them in California and at various occasions throughout the country. I would like to relate to you a recent conversation with one of them.

While having breakfast with one of these wives who lives at the Naval Air Station at Lemoore, California, she told me, in a very factual straightforward manner some of the problems she and the other wives face bringing up the children without their fathers, who are either missing or prisoners of war.

She said that a few nights previous, she and her two children, one of whom was a baby when his father left for Southeast Asia, were watching TV. During the program, a

commercial concerning a type of headache medicine came on. The theme of it was, "It's a full-time job being a father," and showed the father playing with the youngster. She felt a cold chill as her young son, sitting beside her, began to shake with sobs. She comforted him and asked him why he was crying. He said, "Because I miss my father so much."

The next day at breakfast the youngster was still apparently thinking about that matter. In a very matter of fact way he asked his mother, "Why do they make pictures like that when it makes people so unhappy?" The mother had to explain that there were very, very few people who have the reasons they had to be unhappy because there were only a very, very few whose daddys were prisoners of war.

When she finished telling the story, I could see a tear on her cheek.

But this is the kind of soul-searing sorrow that these wives live with every moment of every day of every year. And the years continue to add up.

This is the kind of sorrow which Hanoi has deliberately created, fostered, and exploited. This is the very kind of sorrow that Hanoi could eliminate if it adhered to the basic provisions of the Geneva Convention. All of which, brings us to a very fundamental point.

All Hanoi really promised in signing the Geneva Convention in 1957 was that North Vietnam would not mistreat prisoners of war in a barbaric manner.

Because the North Vietnam government still arrogantly refuses to abide by the Geneva Convention, every American and every Free World citizen should ask this question: If North Vietnam does not live up to the very rudimentary humane requirements of the Geneva Convention, which Hanoi signed, how can we expect that Hanoi would ever live up to an agreement signed in the course of the current negotiations in Paris?

If Hanoi ever wants to take a place among the respected nations of the world and if Hanoi ever hopes to walk with dignity in the community of world nations, then Hanoi must stop cruelly mistreating and exploiting U.S. prisoners of war for Hanoi's purposes. Hanoi must stop these deliberate violations of the Geneva Convention, which violations in turn mean that Hanoi is using the families, the wives, and the loved ones of the prisoners of war as pawns.

There is no question in my mind but that the plight of the U.S. prisoners of war is one of the most serious and continuing issues of our times. There is no question in my mind but that the United States Government will continue to press, by every practicable means, to induce North Vietnam to adhere to the Geneva Convention. We can be assured that the United States Government will continue to work unceasingly for the return of U.S. prisoners of war.

The plight of the wives and children of those missing and prisoners of war is a constant reminder of the tragedy that is in our midst.

It is a reminder of our responsibility which our Nation has toward them.

It is a sacred responsibility.

It is a responsibility that I assure you the U.S. Government will continue to discharge fully.

Mr. HECHLER of West Virginia. Mr. Speaker, I am proud that I have an opportunity to join with my many other colleagues and do my small part toward correcting a most distressing situation which is unparalleled in the record of man's inhumanity to man. Public opinion throughout the world is aroused by the inhuman treatment accorded our brave Americans being held as prisoners in circumstances which flagrantly violate the terms of the Geneva Convention. In

fact, not only is public opinion aroused, but it is fair to state that the conscience of human beings throughout the world has been aroused by the mistreatment of other human beings in a manner which must be corrected.

This serious problem is personally epitomized for me by two noble West Virginians, Lt. Hayden J. Lockhart, Jr., and Lt. John S. Albright. There are many others who are either known to be prisoners of the North Vietnamese or technically listed as "missing in action" and not presently confirmed to be prisoners of war. Lieutenant Lockhart, a graduate of Point Pleasant High School and the Air Force Academy, was shot down over North Vietnam 5 years ago. His family has received two letters from him during that period, although it is certain he has attempted to write more often. It is difficult to understand how any civilized nation can stoop to the practice of cutting off communication, not providing the proper food and medical care, as well as fair treatment to those held in captivity.

I had the honor to appoint Lt. John S. Albright to the Air Force Academy in 1963. "Scotty" is the son of Air Force Col. and Mrs. John S. Albright, who attended Marshall University in Huntington, W. Va. Mrs. Albright is a former resident of Huntington also, and this fine family has many relatives in Logan, W. Va., in my congressional district. "Scotty" always had his heart set on the Air Force Academy, and his parents who are here today related to me the many attractive scholarship offers which he turned down in the hopes that he would eventually qualify for the Air Force Academy—which I am proud that he did. At the Academy he made a brilliant record, and it was always a source of pride to me to receive the periodic reports of his progress at the Air Force Academy.

Lieutenant Albright was a navigator aboard a C-123K aircraft which was in a mid-air collision with a B-57 over hostile territory at 3 a.m., December 13, 1968, his father's birthday. All of us hope and pray that "Scotty", officially listed as missing in action, is still alive and well as a prisoner of war. Yet it is impossible to obtain any type of hint from the North Vietnamese Government concerning those prisoners which are in their hands.

Following the reported accident, Colonel Albright went to Thailand and learned that there was time left for the crew of the plane to parachute. The pilot of the plane did get out and was rescued, and although it was dark, he reported seeing one other parachute open. Yet we can obtain no information about whether "Scotty" was indeed taken prisoner, and so the uncertainty persists.

Mr. Speaker, I know that the President of the United States has expressed concern. I know that the Secretary of Defense and the Secretary of State have expressed concern. This outpouring of support in the Congress reveals the concern of Congress. But we must do far more than merely express our concern. This situation calls for concerted action by all nations in order to restore decency and dignity to a situation which offends the very essence of humanity's concern

for fellow men. Injured prisoners should be released immediately, the names of prisoners should be published, prisoners should be allowed to exchange mail with their families, and impartial inspections should immediately be made of prison facilities, and prisoners should receive proper food and medical care and steps taken to insure they not be subjected to inhumane treatment.

I have confidence that if we join with the leaders of other nations these basic rules of humanity can be honored. It goes without saying that as long as wars persist, there will be prisoners and it is unfortunate that all nations have not honored the terms of the Geneva Convention equally. I do not feel that the solution to this tragic situation is an escalation of the war in Vietnam, because such steps could lead to even less humane treatment of present and future prisoners of war. We know that when hostilities cease and peace has been restored, it is customary to release prisoners for their return home. I firmly believe that our best course of action, after taking all possible steps to mobilize world action to enforce the terms of the Geneva Convention, is to bring this cruel war in Vietnam to a speedy close and thereby hasten steps for the return of all prisoners.

Mr. RANDALL. Mr. Speaker, today I introduced a companion resolution to that introduced by the gentleman from Alabama (Mr. DICKINSON) calling attention of the world to the plight of our prisoners of war and those missing in action in North Vietnam.

When I was on the floor of the House during the special order arranged by the gentlemen from Alabama (Mr. DICKINSON and by Mr. EDWARDS), I was saddened on the one hand because of the plight of our prisoners of war. On the other hand, I was thrilled that at the late hour of 6:30 p.m. the galleries were filled with those who were repeatedly permitted to breach the rules of the House and to applaud at the end of the remarks of each of those who participated in the special order, to put in perspective the plight of our prisoners of war.

I commend and congratulate the gentlemen from Alabama (Mr. DICKINSON and Mr. EDWARDS) for their forthright and resolute action. May I suggest that this resolution by those who cosponsored it, including myself, is our way of communicating to the heads of state of North Vietnam that they should observe the terms and provisions of the Geneva Convention.

It is our hope that the press and all the media of communication will give widespread coverage to this happening on the floor of the House of Representatives this afternoon, so that the message may reach Hanoi that the American people are concerned. Let them know that we are adamant. They should know we will accept no less than a complete and full observance of the terms of the Geneva Convention.

It is my considered conclusion there may be some serious doubt as to whether it would be appropriate for Members of Congress to communicate directly to the head of state of a Communist country. The reason I say this is because of the hangup a few years ago involving the

gentleman from South Dakota, when he was involved in a procedure of personal diplomacy. Because it may not be appropriate for Members of Congress to communicate directly with another government, I suggest there is a way and a means, that our people can communicate with the head of state of North Vietnam. That is by letter, brief and to the point, addressed to the office of the President of the Democratic Republic of Vietnam, Hanoi, North Vietnam—via Hong Kong.

This special order which happens late in this day of Wednesday, September 17, will let the world know of our concern about our prisoners of war and those missing in action. We address ourselves to the tragic plight of about 1,300. We are all distressed that most of these may be airmen. We are more distressed that North Vietnamese say the Geneva Convention does not apply to airmen. Regardless of what the North Vietnamese may say they admit they cannot account for over 400 of our missing in action.

The plight of our U.S. prisoners in Vietnam is alarming. None of us know exactly what treatment they have received. There has been some photographs of airmen with bandaged faces and walking bare feet, marched by two enemy guards down the streets of Hanoi. If this is the treatment our seriously injured American prisoners are being subjected to it is certainly inhumane.

There have been ample and sufficient signs as well as some substantive evidence that the North Vietnamese are treating our U.S. prisoners inhumanely. Here are some examples:

Our American prisoners, many of whom are seriously wounded have been paraded through the streets of Hanoi and subjected to the jeering of the North Vietnamese.

Some of our airmen continue to suffer their injuries incurred when they were shot down and have not been given adequate medical care.

Our American prisoners have been held in solitary confinement for extended periods. There is evidence that some have not been permitted to speak to anyone for as long as a year and a half. Our prisoners have lost weight not only because of mistreatment, but because of inadequate diet.

One of the most discouraging and truly deplorable situations is that the first U.S. pilot was captured more than 5 years ago, in August 1964 is still believed to be a prisoner. That is an accurate statement, because there is no information as to his whereabouts or whether he is a prisoner or not. In spite of repeated attempts by our Government, and other organizations, the North Vietnamese and the Vietcong have consistently refused to release the names of our prisoners that are being held.

The only information which we have which would in any way shed light on the status of our American prisoners has come from North Vietnam in the form of propaganda films which have been made available to news sources. Once again, this is deplorable. It is inhumane because these photographs have generated false hopes among the families of those who are missing. They have tried to read into the photographs the identity of the pris-

oners shown, as being their relatives, when in truth these could not be truly determined to be a fact.

To cite the true tragedy, more than 20 different wives believed the prisoners shown in the propaganda photo was her husband. The true facts are that even to this day the particular person remains unidentified.

Remember that the families of the hundreds of those who have been listed by the military service as prisoners have lived for months and years with the continuing anxiety and the constant pressure of uncertainty as to the whereabouts, the well-being, or even the existence of their loved ones.

If there is any doubt about the breach of the Geneva Convention by the North Vietnamese, it should be recalled that the North Vietnamese Government freely endorsed the Geneva Convention in 1957. The terms of that convention require that: names of all prisoners of war be published, all prisoners receive proper medical care and adequate food, regular and impartial inspection of prisoners of war facilities, the free flow of mail between the prisoners and their families be allowed.

The facts are that North Vietnam has welched out, reneged, and refuses to honor its earlier commitment to comply with the Geneva Convention.

Today, the Members of the House who cosponsored the concurrent resolution, with the gentleman from Alabama (Mr. DICKINSON) are using this means to communicate with North Vietnam. This is, in fact, our letter to North Vietnam. Personal diplomacy by Members of Congress is frowned upon whether in letter or by personal visitation. Those of us who are elected officials in the legislative branch are really a part of the Government. We may be under a kind or sort of restraint against such personal diplomacy. However, so far as I know, the great majority of our people are not bound by any such restraint.

It is for that reason that I take this time to salute and publicly applaud the full-page advertisement which appeared on page D8 of the Washington Post for Wednesday, September 17, 1969, which was paid for by Fairchild-Hiller Corp. It was headed in bold type "Ignore Him"? Below was a picture of Lt. Comdr. R. A. Stratton, U.S. Navy, showing him in a barren North Vietnamese prison cell sitting in solitary confinement. Some prisoners have not been permitted to speak to anyone for as long as a year and a half. Some prisoners, while seriously wounded, have been paraded through the streets of Hanoi, taunted and reviled by spectators.

The point is we cannot ignore our American prisoners of war. They have been held without proper food and medical care, in disregard of the Geneva Convention applying to war prisoners. The chances are his own family has no word of him. They do not know whether he is alive or dead.

Let me refer again to the full page ad of Fairchild-Hiller. The main thrust of that ad is that individual citizens may send their own letter to North Vietnam. More than 3,000 employees of Fairchild-Hiller have already mailed their letters

asking for humane treatment for our prisoners. The average American citizen can encourage a letter writing campaign where they work or in the neighborhood where they live. These letters must be brief. They must be to the point. They should be written in easy English or in French if they have a command of that language. They should be on a single piece of ordinary writing paper because in this way the total weight is kept to under half ounce and thus come within the provision of a 25-cent airmail stamp which is required. Your letters should say you are deeply disturbed about the condition of our American prisoners of war. They should ask in the name of humanity that the head of State in North Vietnam furnish the International Red Cross a list of all prisoners. Ask that there be an inspection of prisoner of war facilities by the International Red Cross or some other impartial agency. Point out the failure to transmit the identity of American prisoners is a violation of the Geneva Convention. Urge our prisoners receive proper medical treatment and adequate food as is required by the provisions of the Geneva Convention. It would be well to mention that pictures released by the Government of North Vietnam show our prisoners to be sick and undernourished which prove the North Vietnamese are violating the terms of the Geneva Convention.

It should be suggested that because the Government of North Vietnam endorsed the Geneva Convention in 1957 they should permit our prisoners to be given complete freedom to write their families and receive letters from them.

Now, Mr. Speaker, what I have proposed to this point is that all our fellow Americans take the time to urge North Vietnam to treat our U.S. prisoners of war humanely. I think it is important the North Vietnam Government be made aware the overwhelming majority of American citizens are deeply concerned. True there are many Americans who are disenchanted with the war in Vietnam. Regardless of their individual beliefs about the war, everyone of us is deeply concerned about the treatment of our prisoners.

It is my considered conclusion that there are some sterner measures that could be applied in the event there is no response to those letters from our fellow Americans. One very effective measure would be for our State Department to call upon the entire free world to enter into an economic boycott against North Vietnam or any country which is now trading with North Vietnam. I am sure all the leaders in our union movement are patriotic men. If we fail by our letter writing efforts the leaders of our unions could call upon every union man to cease to handle goods shipped either to Vietnam or that which comes from any nation which continues to deal with North Vietnam. This kind of economic clout should prove completely effective. It could very well be stern measures may have to be applied in the future.

For the time being I am proud there have been so many Members of the House of Representatives who have seen fit to cosponsor this concurrent resolu-

tion. I have a feeling the leaders of North Vietnam in the past have indicated they are sensitive to world opinion. I am convinced that letters from the people of our Nation to North Vietnam will have great influence toward the better treatment for our U.S. prisoners.

Once again I commend the cosponsors of this resolution. I hope widespread publicity will be given to this effort in order that the North Vietnamese Government may be made aware that the overwhelming majority of our American citizens have not forgotten the plight of our U.S. prisoners of war in North Vietnam.

Mr. LOWENSTEIN. Mr. Speaker, I want to join in this discussion today because I think it is important to make it clear that all Americans, regardless of their views about the policy of this country in Vietnam, are united in their anger and indignation about the way the Government of North Vietnam has treated its prisoners of war. I should think for that matter that all human beings who want to live in a world at peace and blessed by justice and compassion would share this indignation.

There was a time when some apologists for the way that North Vietnam has treated its American prisoners maintained that it was unreasonable to expect Hanoi to accord even minimal consideration to the plight of these men or their families while the United States was bombing North Vietnam. This explanation of the behavior of the North Vietnamese Government always seemed to me an especially demeaning one, for it suggested that North Vietnam is unwilling or unable to implement rules of conduct by which she herself had freely agreed to abide. Be that as it may, the United States has long since stopped bombing North Vietnam, and the behavior of the North Vietnamese Government on this matter has not changed. Surely there can be no excuse whatever for the continued refusal of that government to disclose the names of the men who are being held prisoner and to accept the responsibilities for these prisoners that evolve upon it as a signatory of the Geneva Convention.

The simple fact is that the policy of this North Vietnamese Government is stupid as well as cruel. It makes peace more difficult to achieve, not less. It undermines efforts everywhere to introduce minimal elements of compassion and minimal standards of behavior in a situation which cries out so desperately for both. It discredits the voice of Hanoi among civilized men everywhere, for the decent opinion of mankind is outraged whenever individuals—to say nothing of their families—should be punished for the policies of governments.

Because it does all these things without adding one whit to the security or military strength of North Vietnam, I cannot believe that that government will not realize upon reflection that it is long since past time for it to abide by the Geneva Convention. Such a decision now would have wide impact, not only among those of us who have loved ones directly concerned, but among men of good will everywhere in the world.

GENERAL LEAVE TO EXTEND

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the subject of this special order.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER pro tempore (Mr. ANNUNZIO). The time of the gentleman from Alabama has expired.

Mr. DICKINSON. I thank the Speaker.

As I previously announced, out of an abundance of caution and knowing the great interest that was evident on the floor, I asked my colleagues to back me up for 1 hour, so I yield the floor. The gentleman from Alabama, JACK EDWARDS, from Mobile, will assume the floor and will not leave until all are recognized.

In the meantime, I go to prepare a place for you in the caucus room.

TREATMENT OF AMERICAN PRISONERS BY THE NORTH VIETNAMESE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama (Mr. EDWARDS) is recognized for 1 hour.

Mr. EDWARDS of Alabama. Mr. Speaker, I am joining with the gentleman from Alabama (Mr. DICKINSON) today in cosponsoring this concurrent resolution condemning North Vietnam and the National Liberation Front for their cruel and heartless treatment of American prisoners of war.

These rulers of North Vietnam claim they want to free the Vietnamese peoples from the so-called cruel oppression of the Saigon government, yet they systematically mistreat and oppress those Americans they have taken captive during the course of armed conflict.

And the National Liberation Front, which claims it seeks to protect the rights of the South Vietnamese people, flagrantly disrespects the rights of the American prisoner of war by denying him any communication with his family and by perpetuating inhuman conditions in the prison camps.

As a nation we all suffer over the barbaric treatment of our American fighting men and the conditions under which they must continue to live while in the hands of the enemy. But none of us can know the amount of suffering borne by their wives and families, many of whom are here with us today.

Those that know their son or husband is a prisoner of war, hearing the reports of the inhuman conditions in the prison camps, can only hope and pray that he will be able to withstand the cruel punishment at the hands of the enemy. But our hearts especially must ache for those poor women who do not know whether their loved ones are dead or alive. Nothing can be more inhumane than for the North Vietnamese to withhold the names of those taken prisoner. This is the cruelest treatment of all and it is aimed unmercifully at the families of our military men.

Mr. Speaker, no amount of sympathy will be able to substitute for the return of the husband or the son to the family. And it is to go one step further than just an expression of sympathy that we have introduced this resolution today.

Mr. Speaker, the North Vietnamese are apparently concerned about world and national opinion with respect to their conduct of the war. They very carefully try to show that they are treating our prisoners kindly. They make propaganda statements alleging great atrocities on the part of the allied troops, but say nothing of the many atrocities they have committed and continue to commit—the most glaring of which is their cruel treatment of the American prisoners of war.

What they hope to gain from this, I do not know. They only deceive themselves if they think they can continue to deceive the rest of the world with their lies and false claims.

I hope that our action today coupled with similar action in the other body will bring to bear the pressure of world opinion on these perpetrators of such cruel and vicious treatment of fellow human beings.

We Members of Congress, as the freely elected representatives of the free people of the greatest Nation in the world must voice our strong opposition to the continued cruelties suffered by our American soldiers at the hands of the North Vietnamese and the National Liberation Front. We must urge all free thinking people of the world to join with us in the condemnation of those reckless individuals who have no respect for the decency of a fellow human being.

How little we ask here today, Mr. Speaker. We seek only that the rulers of North Vietnam grant—not a diplomatic courtesy, not an international courtesy—but a simple human courtesy and permit the families of captured men to correspond with their husbands or sons. Let those who still have such great hope that their husband is alive, know the truth. They have that basic human right. And above all, let the families of the American soldiers captured by the enemy know that their husband or son will at least be afforded the basic rights and dignities required of an individual and affirmed in the Geneva Convention.

If there is to be peace in this world it must begin with the mutual recognition by all peoples of the basic rights of mankind. War results when these basic rights are violated and war will continue to plague the world until these basic rights are restored to their proper place in the world.

Mr. Speaker, in North Vietnam a citizen reads what his government wants him to read. The outside world knows little of what goes on in that country. In our beloved country everything that is said or done is known to the world. Therefore, I know the North Vietnamese rulers will be listening to what is being said here today. And so I say to them, loud and clear, "If you have any decency, if you have any feeling for humanity at all, any real interest in a peaceful world—release the names of those held

prisoner. And having done that, give these men the fair and proper treatment that is the basic right of every human being. This is the least you can do."

I am glad to share this special order with the able gentleman from Alabama.

Mr. LUJAN. Mr. Speaker, will the distinguished gentleman from Alabama yield?

Mr. EDWARDS of Alabama. I yield to the distinguished gentleman from New Mexico.

(Mr. LUJAN asked and was given permission to revise and extend his remarks and to include telegrams.)

Mr. LUJAN. Mr. Speaker, as a cosponsor of this concurrent resolution for relief of prisoners of war and personnel missing in action, I wish to comment briefly on the plight of the wives and families of our captured servicemen.

North Vietnam's total disregard for the Geneva Convention has resulted in years of painful heartache for thousands of American women and children who have no way of knowing whether their husbands and fathers are alive or dead.

One such wife, a resident of New Mexico, is Mrs. James Lindberg Hughes, whose husband has been a prisoner of the Vietcong for nearly 3 years. Lieutenant Colonel Hughes, a career officer, electrical engineer, and Air Force pilot, has been held incommunicado by the Vietcong since his capture.

Mrs. Hughes waited patiently for her Government to act, firm in the belief that the Nation for which her husband was fighting would not stand by and permit such actions by the enemy. After 2½ years of waiting, Mrs. Hughes attempted to obtain permission from the U.S. Government and the Government of North Vietnam to visit her husband. She went to neutral countries with pleas for their assistance, to no avail. She received no reply from the Communist dictators of North Vietnam.

I interceded on her behalf with the President of the United States and was successful in obtaining a commitment from the State Department that she would be granted a passport to go to North Vietnam if the Government of that country would grant her a visa.

To date, after appealing again to neutral countries to intercede with North Vietnam, she has received not even the courtesy of a letter of refusal.

Mr. Speaker, I join my colleagues in denouncing this inhuman disregard of common decency on the part of the Vietcong and I urge unanimous passage of this resolution.

Further, Mr. Speaker, I insert two telegrams into the RECORD. Each bears on this resolution and contains language to which I wholeheartedly subscribe:

LOS ALAMOS, N. MEX.,
September 15, 1969.

MANUEL LUJAN,
House of Representatives,
Washington, D.C.:

The Los Alamos, New Mexico, Republican Central Committee, Box 832, urges your consideration of the plight of our prisoners-of-war in Southeast Asia. The unbearable suffering and hardship resulting from their imprisonment is inhumane. We strongly encourage your support in every way to effect the release of our men and to gain humani-

tarian treatment for them while they remain prisoners.

E. R. Grilly, Vernon E. Kerr, Bob E. Watt, William Overton, Harold Shattuck, Mrs. Helen Furchner, John Furchner, Mrs. Robert Fultyn, R. V. Fultyn, Dale Henderson, Mrs. Caren Kershner, Mrs. James Lindberg Hughes, Mrs. Jean Donham, Mrs. Lois Blondeu, J. M. Bunch, Mrs. Sue Quackenbush, John Mendius, G. H. Mottaz, David Shaffer, John Warren, Glenn Vogt, Mrs. John Malik, H. H. Scenke, Adam Schuch, Al Patrick, Jerry Morgan, Mrs. Harold Naveaux, Mrs. Winnie Berry, Summers Coxis D. Gardner, Mrs. Joann Stoddard, Mrs. Marie Ziegner, Mrs. Bee Atwood, Mrs. Dorothy Hoard.

We believe the citizens of the United States and the peoples of the world must be made aware that there are some 1300 human beings being held prisoner in North Vietnam, some of whom have been there for four and five years. And, they are being treated as animals despite all the propaganda to the contrary.

As members of the world community, with human compassion in our hearts, we are obligated to rescue them. We must have support state by state in our nation . . . and country by country throughout the world before this can be accomplished."

Mrs. James Lindberg Hughes, Santa Fe, New Mexico.

Mrs. Donald M. Russell, Albuquerque, New Mexico.

Mrs. Charles R. Brownlee, Albuquerque, New Mexico.

Mrs. Bobby G. Neeld, Albuquerque, New Mexico.

Mrs. Tommy E. Gist, Albuquerque, New Mexico.

Mrs. Wilma A. Johnson, Albuquerque, New Mexico.

Mrs. Charles M. Dusing, Mountainair, New Mexico.

Mr. EDWARDS of Alabama. I thank the gentleman for his contribution.

Mr. MARSH. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Virginia.

Mr. MARSH. Mr. Speaker, I would like to commend the gentleman (Mr. DICKINSON) and those who have worked with him in preparing the resolution which has been introduced and also for providing this time for Members of the House to express their support of this worthwhile effort.

Wars are tragic events and the Vietnam war is no exception.

In every conflict, it seems there are those who bear a disproportionate burden—make a greater sacrifice—grieve a deeper loss than others. Although the tragedy of conflict is national in scope, the agony of that conflict is visited most heavily on a relatively few individuals—those who bear the pain and death of the battlefield or the deprivation of a prisoner of war—and the members of their immediate family.

And some nations pay a greater price in the defense of freedom, so some individuals inevitably render a greater service to meet the nation's price. To those who fall in battle or those who in battle fall into the enemies' hands, this Nation and its people have a pledge. That pledge demands not only aid and assistance to their families, but to those who are held prisoners an unceasing effort to see that

they are treated humanely and provision made for their release and freedom as promptly as possible.

To the extent that we ignore this pledge, we downgrade the citizenship of those who, in serving their country by performing their military duties, fall into enemy hands. To the extent that they thereby lose their citizenship, each of us in the long run loses a part of our own.

In the long run, what is ultimately involved is the security of every American citizen who travels or has occasion to go beyond the borders of these, our 50 States. What is involved is the security of each American who finds himself in a foreign land, regardless of the circumstances that causes him to be there. What is at stake here is the quality and measure of American citizenship, not for just a few, but all Americans. It is not simply a question of national honor and national prestige. It is, finally, a question of individual security and individual rights that we enjoy and others recognize because we are citizens of this land.

The families of those who are prisoners of war are paying a double price—the price of agony and uncertainty even as to the identity, whereabouts, and condition of a member of their family and perhaps, an even more difficult price to pay, which is the fear and helplessness that their sons or husbands or fathers are the lost men the Nation has seemed to have forgotten or for whom it is no longer concerned. If they are lost and forgotten men of America, then it follows that their loved ones are the lost and forgotten families of our Nation. This we cannot tolerate—otherwise, we shall ultimately be lost ourselves.

When confronted with those to whom the individual means nothing, we must daily prove he means everything.

Let us show this now and let us continue to press for that which is right and just for these, our American brothers. Let us demand an accounting and a commitment from those who challenge us on the field of battle. Let us make known that we will not tolerate neglect and abuse of those who become captives. Let us be unflagging and unceasing in pressing for a reckoning of those the enemy holds and an ultimate release of these men who are being held as hostages of war.

To the extent that we let ourselves compromise, then we, in effect, compromise our own conscience. Let us have the determination and the dedication to do our duty to these, our fellow countrymen.

Mr. EDWARDS of Alabama. I thank the gentleman from Virginia for his comments.

Mr. ERLÉNORN. Mr. Speaker, will the gentleman yield to me at this point?

Mr. EDWARDS of Alabama. I am glad to yield to the distinguished gentleman from Illinois.

Mr. ERLÉNORN. Mr. Speaker, some say that we Occidentals do not understand the Oriental mind; and this probably is partly true. In one regard, however, I believe we understand it completely.

We are in conflict with the North Vietnamese, and they have captured some of our fighting men. They are pledged to

observe certain amenities—certain rules of war—in their treatment of those men; and they have not done so.

They have refused to tell us or anyone else the names of the captured men. They have refused to permit an exchange of mail between them and their loved ones. They have refused to permit the International Red Cross to see them, or even to visit their prison camps.

There is no mystery in the workings of the Oriental mind in this. The North Vietnamese are using the weapon of cruelty, expressly condemned by the world community.

Those captured men may or may not be undergoing physical torture, but we are certain of this much: Their families here at home are undergoing unnecessary mental and spiritual torture.

By calling this to the attention of the world through the concurrent resolution many of us have introduced today in the House, I believe we may speed the day when the North Vietnamese will feel compelled to live up to their treaty pledges, when they will account for the men they have taken prisoner, when they will open their prison camps to international inspection, and when they will give evidence that they are taking proper care of the sick and injured men.

The world community should judge harshly this enemy which uses torture as an instrument of national policy.

Mr. EDWARDS of Alabama. I thank the gentleman from Illinois very much for his comments.

Mr. FLOWERS. Mr. Speaker, will my distinguished colleague yield?

Mr. EDWARDS of Alabama. I yield to my colleague, the gentleman from Alabama (Mr. FLOWERS).

Mr. FLOWERS. Mr. Speaker, I thank my distinguished colleague from Alabama for yielding. I would like to commend all Members for their efforts toward this occasion.

It is a great privilege for me to participate in this discussion and voice my support for the resolution offered. I feel certain that the broad support by Members of this House is an indication of the deep feeling of concern shared by all Americans over the untold and unnecessary suffering by American servicemen and their families at the hands of the Government of North Vietnam and the Vietcong.

Our Government could be commended for the proper and humane treatment of enemy prisoners of war now held in South Vietnam. Having just returned from an inspection tour of Southeast Asia which included South Vietnam, I have firsthand knowledge that the United States of America recognizes its duties and responsibilities under the Geneva Convention relative to the treatment of POW's. Enemy North Vietnamese and Vietcong forces captured in South Vietnam are held in prisoner-of-war camps regularly inspected by the International Red Cross. Sick and wounded prisoners have been released and repatriated to North Vietnam. There is a regular exchange of mail and personal items. However, our Government is deserving of no special commendations because of its treatment of POW's, as what we do we are obligated to

do by the Geneva Convention and by the unwritten laws of society and all mankind.

But when compared with the treatment of American and South Vietnamese POW's by the Vietcong and the North Vietnamese, our policy stands out as a glowing humanitarian example.

The Government of North Vietnam endorsed the Geneva Convention in 1957, and it has been our hope for years that some effort would be made by them to come within the reasonable and humane requirements of those accords. But these hostile and savage adversaries have regularly and systematically refused to respect even the minimum requirements of the Geneva Convention.

On the one hand, we can hear the hue and impassioned cry of the Communists, and their sympathizers over the world—some of them citizens of this country—in denunciation of what they claim is American imperialistic intervention in Vietnam and Southeast Asia. While we hear some so-called peace groups in this country praise the late Ho Chi Minh and condemn our own Government, the needless suffering goes on in Vietnam as the determined Communists press toward their goal of conquering all of Southeast Asia.

But, Mr. Speaker, let us not be deceived by those who say our cause is unjust and our objectives are wrong. Let us not for one moment forget that both the facts and justice are firmly on our side. Americans are fighting and dying for freedom in South Vietnam today, just like they have been doing in South Korea for almost 20 years, and just like they did in the European and Pacific theaters in the worldwide struggle against Nazi Germany and imperialistic Japan in the 1940's. This particular struggle is a half a world away, but the forces at work against us and freedom in South Vietnam are the same as elsewhere in the world: In Cuba, in Communist China, in North Korea, in the Soviet Union, in Czechoslovakia and so on. It is the concept of international communism versus freedom and a democratic way of life.

In no way can the justice of our cause and the injustice of their objectives be better illustrated than in the comparative treatment of prisoners of war.

To date, more than 1,350 U.S. servicemen have been classified as either prisoners of war or missing in action—some dating back as far as 1964. Of this total, nearly 800 are pilots or other aircrew members who were downed over North Vietnam and we believe that a substantial percentage of these men are in fact prisoners.

The families of these hundreds of servicemen have lived for months and years under the anxiety and pressure of uncertainty as to the status and well-being of their loved ones. Despite continuing attempts by the U.S. Government and neutral organizations such as the International Red Cross, the North Vietnamese and the Vietcong have not seen fit to release even the names of some prisoners whom they hold. Mr. Speaker, what manner of men would choose to inflict such torment and suffering on the

families and loved ones of their fellow human beings? The magnitude of this unnecessary inhumanity by man to his fellow man increases with each passing day.

Defense Secretary Laird has reported that there are now more than 200 servicemen classified as prisoners or missing in action longer than any U.S. serviceman was held prisoner during World War II.

Today, as we attempt to focus worldwide attention on this great problem, we are fortunate to have with us in Washington many members of families of missing American servicemen. These wives, parents, and children have come from near and far to tell their personal stories and lend support to our efforts here. One of these brave people is a young wife and mother of my congressional district. Her name is Rosalind Alexander Apodaca, the wife of Victor J. Apodaca, a captain in the U.S. Air Force and a graduate of the U.S. Air Force Academy, and an Air Force pilot who was shot down over North Vietnam in June of 1967. She told her moving story just this morning for all of the world to hear. She knows not whether she is a wife or a widow and whether their two sons have a father living in prison somewhere in North Vietnam. The heartbreaking story of the Apodaca family is not unlike that of hundreds of others, many of whom are here today.

Surely we can do no less as Representatives of the people of these United States than to adopt the resolution offered and by so doing, resolve further that these men and their loved ones will not become the "forgotten Americans" of our time.

Mr. EDWARDS of Alabama. Mr. Speaker, I now yield to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I rise today to join my colleagues in expressing my support of the concurrent resolution, now before the House, which appeals to North Vietnam and the National Liberation Front to comply with the requirements of the Geneva Convention of 1949 relating to the treatment of prisoners of war and to take such steps as may be necessary to secure the release of American servicemen now held as prisoners of war.

I share the uncertainty and apprehension which face the families of those American servicemen whose fates are not known. I do not believe that it is too much to ask one government to release the names of those servicemen who have become its prisoners, permit the regular flow of mail and accord them humane treatment. This is not a matter of loss of prestige or military advantage, but rather a matter of common decency to one's fellow man.

Mr. Speaker, in his inaugural address, the President urged that our words be heard as well as our voices. I would hope that the leaders of the North Vietnamese Government and the National Liberation Front would heed our words today as we voice our great concern over the treatment of our American prisoners of war.

As a newspaperman, I regret that the Press Galleries are not as full this evening as are the Visitors' Galleries and this Chamber. But I am pleased that the

Secretary of Defense, a former Member of this body, did consider our efforts today significant and worthy enough to join in it physically, even though the rules of this body prohibit his speaking to the issue. I am sure that his presence indicates the concern of the present administration for those who are prisoners of war, those missing, and those who now wait and wonder.

My heart goes out to those who have loved ones imprisoned as a result of this war, just as it does to those who have lost loved ones. But in particular, I sympathize with those who do not know—those at home who have heard nothing more than their men are missing, and those men who are prisoners who are not permitted word from their loved ones. One of my good friends was missing in the Korean war and I know the suffering his wife and mother experienced by not knowing. I know, therefore, the anxiety which is being experienced by families from my district who are in this circumstance. I congratulate the gentlemen in the well, the gentlemen from Alabama (Mr. DICKINSON and Mr. EDWARDS). Letters maintain this pressure of public opinion and make it national and world opinion. The barbarism of the North Vietnamese Communists demands no less. The sacrifice of those who have been lost or captured and those who share their suffering deserves no less.

Mr. MESKILL. Mr. Speaker, today I want to take this opportunity to go on record along with a number of my distinguished colleagues in deploring the cruel and inhumane treatment that has been accorded American prisoners of war by their North Vietnamese captors. Statements by recently released American prisoners of war raise grave concern about the welfare of the more than 1,300 American GI's reported "missing in action." Because of Hanoi's failure to confirm the names of men being held captive, knowledge of whether these "missing" Americans are alive or dead is unavailable.

Of course, the release of every American prisoner of war is a relief and a blessing, but the release of an occasional prisoner, without disclosing the names of the men still held in captivity is a cruel act of torture for the families of those still imprisoned in North Vietnam.

It is an international crime that the North Vietnamese, who signed the Geneva Convention along with the United States and South Vietnam, have refused to abide by the provisions of the Geneva Convention regarding the treatment of prisoners of war. A simple and basic requirement of these conventions is that the names of prisoners be given to their families and to an appropriate agency in a neutral country. Hanoi has refused to observe even this civilized requirement.

Other provisions of the convention required the immediate release of sick and wounded prisoners, impartial inspection of prisoner of war facilities, proper treatment of all prisoners, and provisions for sending and receiving mail. North Vietnam has conspicuously failed to comply with these provisions while maintaining that American prisoners of war are being treated humanely. Intelligence reports and testimony from servicemen who

have been released or who have escaped indicate that this is simply not true. The reports confirm the charge that prisoners of war are treated harshly and cruelly by their North Vietnamese captors.

If it is true that Hanoi's leaders have their fingers on the pulse of American public opinion, then let them read loud and clear America's indignation at the abusive treatment rendered American prisoners of war.

Passage of the concurrent resolution sponsored by the distinguished gentleman from Alabama appealing to North Vietnam and the National Liberation Front of South Vietnam to comply with the requirements of the Geneva Convention relating to the treatment of prisoners of war is the least that Congress can do to put America on record condemning the atrocious behavior of the North Vietnamese. I lend my wholehearted support to this effort.

Mr. DOWNING. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from Virginia.

Mr. DOWNING. Mr. Speaker, I am proud to be one of the cosponsors of the resolution which we discuss today. Perhaps all of our efforts here will not be meaningful, but, if there is the slightest possibility that our voices will be heeded, then it is well worth the try.

Our country is at war, whether it is formally declared so or not. But our war is one of defense and not invasion. We do not seek—and we never have—the lands or peoples of any other country. We are simply trying to aid the South Vietnamese in the defense of their country. We are honoring an international commitment made many years ago. Again, I emphasize we have no desire to conquer the country of North Vietnam and to decimate its people in so doing. I have no doubt that we have this capability. I have no doubt that we could literally destroy all that is North Vietnam in a very few days if this was our wish.

In the honoring of our commitment, it has been necessary to send over one-half million of our finest young men to Southeast Asia. These brave human beings did not wish to be involved in the bloodshed of war but they answered their country's call, as patriotic Americans have since the dawn of our country's existence.

Some of these men have been killed, wounded, or captured. This is the price of war, we know. But it is the status of the captured Americans that we cannot understand. If our enemy was a nation of barbarians, savages, or crazed people, it would not lessen our sorrow, but it would be more understandable. But North Vietnam is not such a nation and how she can permit this inhumane treatment of her prisoners, I cannot understand.

I sympathize deeply with the wives and loved ones of our boys who are imprisoned in North Vietnam. They have been brave and patient and there is no question that they love their country as deeply as their men. The actions of the Hanoi Government is cruel and inhuman to these wonderful people. They deserve much better.

I hope and pray that by raising our voices today in this great Hall, it will serve notice on Hanoi that the world expects more of a nation which is supposed to be a part of a humane civilization.

Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. WATSON. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Speaker, I commend the gentleman and others of our colleagues who have taken these special orders to focus the attention of the American people and the civilized world upon the tragic plight of these some 1,350 families of our imprisoned or missing in action servicemen.

I think, as one speaker earlier stated, that such an expression as this is long overdue and I wish we had expressed it earlier.

I do not know that in my 7 years I have been so inspired as when I listened to the Speaker of the House, the majority leader, and as I listened to our minority leader and others who have spoken. It really was a thrill and I wanted to get up and wave the flag that for once we were speaking up in behalf of those who are carrying the banner of America and of those who unfortunately have been captured by the enemy and of those who perhaps are even dead at this time.

By this message here today, I believe we are letting the world know as well as letting the people of North Vietnam know that we do condemn such barbaric and even such diabolical conduct such as they have engaged in with reference to the treatment of these prisoners.

But I remember this, Mr. Speaker, as I will conclude, I believe one of the finest patriots—one of the finest living Americans today is the gentleman from my district, the Honorable James F. Byrnes who even at this moment is in a hospital. He has been seriously ill. He is 90 years of age. He is a man who has served in all of the branches of government. He has served as the Secretary of State of this Nation, and in that capacity he gained extensive experience in dealing with the Communists. I remember repeatedly hearing the Secretary, Mr. Byrnes, say that there is one language the Communists understand and that is language of power.

They are not influenced by spiritual or verbal appeals. I hope in this instance that we may be wrong, that the leaders of North Vietnam will hear this message from Congress that we are concerned, and that we are speaking out in a strong, forceful manner in condemning their inhumane activities in reference to these 1,350 men. But, Mr. Speaker—may I say this—that if the North Vietnamese do not get the verbal message that we are giving them today in condemning their diabolical conduct, I hope some of our leaders—those responsible for the conduct of the war—will be considering the possibility of telling them that we in America do have the ability to speak other than words. In trying to help our men over there, we should be willing to let the Communists know that our words

today are not idle talk but the determination to implement these words is also there. These families have suffered too long; for too long have we avoided the "get tough" approach.

So while we are speaking today—and I hope and pray they will get the verbal message—but, if they do not, Mr. Speaker, then we must be willing to back up our message with action. To refuse to do so only prolongs this agonizing and frustrating war and actually encourages the Communist leadership in Vietnam.

I thank the gentleman.

Mr. EDWARDS of Alabama. I thank the gentleman for his contribution.

I yield to the gentleman from Illinois (Mr. PUCINSKI).

Mr. PUCINSKI. Mr. Speaker, I certainly want to associate myself with the remarks of my colleague in the well and the other Members who have taken the time today to raise their voices in indignation against the inhuman treatment of American prisoners of war by the North Vietnamese.

It is ironic that we should be here today on the 30th anniversary of Communist infamy in World War II. It was 30 years ago today, on September 17, 1939, that Soviet Russia's troops crossed over into Poland and started three decades of treachery against human dignity, topped off last Sunday in Hanoi in an announcement which I think has escaped most public attention—an announcement by the North Vietnamese Red Cross that the Geneva Convention on treatment of prisoners of war does not apply to American airmen.

We have reason to believe that the 401 known American prisoners of war are airmen, and that leads me to believe that the North Vietnamese Communists have destroyed these men or perpetrated such indescribable atrocities on these men that they are now saying the Geneva Convention does not apply. Why else would they say to the world that the Geneva Convention on the treatment of prisoners does not apply to airmen? Because they cannot account for those 401 Americans—and I am telling you right now, the time for protest is over. I am a cosponsor of this resolution. But I fear this resolution will be just hollow words. I called upon the Secretary of State yesterday to rally the free world into a boycott, an economic quarantine against Hanoi until Hanoi agrees to have the rules of Geneva apply to American prisoners of war.

And if the State Department cannot do it, then I call upon every union in this country to cease handling immediately every piece of goods that comes in international trade to ports in America from any country, Communist or otherwise, that deals with Hanoi.

Finally, Mr. Speaker, the agony of Vietnam cannot continue. We have made every single concession to the Communists.

A great President, President Johnson, took a gamble and called for a bombing halt. There were those who were saying, "Just stop the bombing. Just stop the bombing and it will all be over." During this bombing pause we have lost almost as many American soldiers in combat as we did in the preceding 7 years of

our involvement in Vietnam. In another 2 or 3 weeks, our death losses during the bombing pause, will exceed our losses in the whole war up to the pause.

We agreed to a number of cease-fires including the Tet holidays, and even as late as last week, during funeral services for Ho Chih Minh this great Nation of ours agreed to a cease-fire, in order to show good faith.

Mr. Nixon has withdrawn two elements of troops in order to show good faith and take some reasonable risks for peace.

Finally, our negotiators in Paris have used every humane device to try to bring peace.

Each of these efforts has met with a rebuke, just as we have been met with a rebuke last Sunday, when the North Vietnamese Red Cross said the rules of Geneva do not apply to our American airmen.

So I say, Mr. Speaker, the time has come when the President of these United States ought to serve notice on the North Vietnamese that if they do not move toward some meaningful peace gestures by the first of October, or the first of November, we are going to stop this charade and resume the bombing of the north and bring the tragic war to a successful conclusion.

Mr. EDWARDS of Alabama. Mr. Speaker, I yield to the gentleman from California (Mr. TALCOTT).

(Mr. TALCOTT asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. TALCOTT. Mr. Speaker, I was a prisoner of war. I was missing in action for some weeks before I was reported captured. It was some additional weeks before my physical condition was reported, through the Red Cross, to my wife and family. I, therefore, know a little about the agony of war, being captured and held prisoner of war.

My wife and family have related to me in an incomplete and limited way the grief, the anxiety, the agony, the despair, the worry, the loneliness, the mental and emotional terror of not knowing the whereabouts, the condition, the thoughts of a missing airman. No matter how we try, we cannot fully appreciate the grief, worry, and anxiety of the wives of POW's, and especially the wives, family, and loved ones of those missing in action.

I was fortunate. I was imprisoned for only 14 months. My physical injuries were healed. I kept my sanity. My captors were not so evil. They permitted me to lose only 45 pounds. They only baked millions of human beings in ovens. They only made lampshades out of human skins. In comparison with our enemy in Vietnam, my captors were decent men and honorable warriors. They at least reported my capture, they at least permitted me to correspond biweekly with my family, they at least permitted the Red Cross to inspect our prison camps occasionally, they at least repatriated the seriously ill, the mentally deranged, and the dangerously wounded.

Our Communist enemy in North Vietnam is the most inhumane, most heinous enemy in the history of warfare.

Not only are they cruel to innocent ci-

vilians caught up in the battle in the south, they are diabolically cruel to prisoners and they are purposely brutal to the families of their captives. They know full well the mental and emotional effects their maltreatment of prisoners has upon the wives, children, and parents of airmen missing in action.

This Communist enemy employs the cruelest of tactics to carry out their war against South Vietnam.

The captured airman can stand so much physical cruelty—then he will die and his pain will be gone. Of course, this physical torture can be prolonged viciously—and the evidence is accumulating that physical tortures beyond our beliefs have been perpetrated upon our prisoners. Even mental torture can be prolonged only so long as sanity remains—and fortunately there is a merciful human limit to mental torture.

But the mental and emotional torture of the families is indefinite and indiscribable. It continues day after anxious day, night after sleepless night.

Time after time the family hopes are raised. Time after time these precious hopes are dashed. It is uncomprehensible to me how these wives and families can carry on—but they have and they do.

This group of wives is probably our most courageous soldiers, our most gallant warriors. I cannot praise them highly enough. But praise is absolutely worthless to them.

Something effective must be done. They ask so little. "Please, just tell me whether I am a wife or a widow." Can you imagine such a plea? None of us can imagine the pathos of such a plea? Who can imagine a captor so cruel, so barbaric, so mean that he would refuse to answer such a pathetic plea of a wife or mother. No one has been able to express in words the cruel attitude and bestial behavior of our enemy in Vietnam.

The world should know. The Communists, the Communist sympathizers, apologists, and assisters here in the United States and elsewhere should have a taste of the barbaric behavior of their Communist colleagues in North Vietnam. Communists in this country and abroad ought to take a stand—either support or condemn the behavior of the North Vietnamese toward prisoners. Those in this country who support the North Vietnamese and the Vietcong ought to at least condemn their bestialities toward POW's and their families and do it clearly and unequivocally.

Many points have been covered by my colleagues. I concur with most of their remarks and associate myself with them. I hope this discussion is widely reported. The atrocities of the battlefield are reported with alacrity and drama—but the news media have neglected this aspect of the war.

The news media neglect the POW and MIA stories for several reasons: First, they are difficult to cover; second, a relatively few of our citizens are involved; third, the last administration showed little interest or concern; fourth, any fair and thorough report would show the Communist enemy to be so barbaric and uncivilized that even the far left would be embarrassed; and, fifth,

the mainstream of U.S. and world opinion would be so revolted that support for the Vietcong sympathizers and supporters in this country would evaporate.

I challenge the news media to ferret out and tell the POW and MIA story to the world. I challenge the United Nations to schedule a discussion of this issue before the General Assembly or the Security Council. I challenge the North Vietnamese to permit the Red Cross to inspect prison camps in North Vietnam. I challenge the World Court to entertain a motion for habeas corpus on behalf of the U.S. airmen known to be missing in action in North Vietnam. I challenge the Quakers to request of the Communist captors a simple list of the names and locations of U.S. prisoners and read them aloud on the Capitol steps. I challenge the Members of the House and the Members of the other body who by word and deed sympathize with and support the Government of North Vietnam to urge that Government to comply with the Geneva Convention as it relates to prisoners of war. If Communist sympathizers and Communist assisters here accept the Communist line that this is not a declared war and, therefore, the captives are not prisoners of war, I challenge them to urge the North Vietnamese Communists to treat their American captives as they would any common criminal. Certainly the "compassionate" and "ethical" Communist would permit even a common criminal to correspond with his family. Certainly the Communist creed would disclose whether or not a certain person was confined in one of their prisons. Certainly the Communist creed would require the humane treatment of even the most common of criminals. Communists who claim to be interested in the welfare of human beings certainly would not intentionally perpetrate mental and emotional anxieties and cruelties upon women and children who have done nothing. Or would they?

For a clearer insight into the Communist mind and behavior, I suggest a thorough study of the treatment of our POW's and MIA's.

There is another comparison that is fresh on my mind that may give us Americans a better perspective concerning this matter of treatment of prisoners.

Remember the historic meeting in this great Hall yesterday. It was one of my most thrilling moments. I was enormously proud of my Nation, its people, the astronauts and their wives. Did you not experience a wonderful feeling when the Speaker asked the proud and courageous wives to stand even though they and we were already standing—and as if by an invisible direction everyone near the three ladies sat down so that everyone else could see them more clearly. They were proud, as well as beautiful and pleasant. We all applauded sincerely. Many eyes must have clouded, many hearts must have beat faster, many thoughts must have flooded through our minds.

These young wives shared the risk of the daring space exploration. We all know they could have been widows. Who could not have thought these and other such thoughts? I did.

But I also thought about other courageous, gallant wives of other airmen—the wives of our POW's. They are similarly young, vital, beautiful, proud, courageous; their lives were quite parallel. Their husbands, too, had volunteered to serve their country. They too are skilled pilots. They too have endured the joys and hardships of the military services. They too loved their families. They too looked forward to lives at home together.

The comparisons are not fully parallel. Our country spends a great deal more to insure the safety of the astronauts. Safety is the byword of our space program. Redundancy after redundancy is built into our spacecraft to minimize the risk to our small space crews. This safety requirement costs billions of dollars—and I support the concept.

But the missions of our flight crews in Southeast Asia are much more hazardous and no such safety is built into our tactical aircraft. The crews are often asked to take enormous risks. I would spend more to guarantee the safety of our flight crews.

The astronauts are heroes—bona fide heroes. They are heaped with honors—whether they only partially orbit the earth or walk on the moon. They are the toast of the world. I join in the toasting and the hero worship. But I believe our flight crews in Vietnam are equally, if not more, heroic.

The astronauts earn considerable outside income because of their role as astronauts. I am glad for them. Their wives enjoy solid economic security. I am pleased it is available to them.

These and other comparisons should be remembered when we proudly applaud the astronauts and their wives, we really owe them an equal or greater expression of our gratitude.

While I join in the plaudets for the wives of the astronauts, I urge you to remember the wives of our POW's and MIA's who really have very little in return for their inestimable contributions, courage, and patience.

The astronauts' wives and family shared the risk of death and the heartache of widowhood—but they did not risk or suffer the agony of separation and the interminable worry about the condition or whereabouts of their husbands.

The astronauts risked death and injury, but not the unspeakable torture of Communist imprisonment.

Today in our galleries are many of the most heroic women I know. They are gallant warriors. They are devoted wives. They have been patiently respectful of our Government's efforts on their behalf although it has accomplished nothing. They are brave beyond words.

They deserve our gratitude. They deserve our help. Their plight should be known to us, every American and to all the citizens of this planet.

Mr. Speaker, at this point I wish to place in the RECORD a proposal I made last year when the Paris talks were just getting underway. This proposal was in the form of a telegram on October 17, 1968, to Ambassador Harriman in Paris, with copies to President Johnson and Secretary of State Rusk. The telegram was as follows:

HANFORD, CALIF.
Ambassador W. AVERELL HARRIMAN,
U.S. Embassy, Paris:

Respectfully suggest you propose that North Vietnamese negotiators as an act of good faith agree to immediate exchange of all prisoners of war. Such proposal could serve as a meaningful response to bombing halt.

More importantly prisoner exchange or even prisoner information exchange could provide effective first step in assuring success in peace negotiations and help to establish precept of man's humanity to man.

BURT L. TALCOTT,
U.S. Congressman, California 12th
District.

On October 23, 1968, Averell Harriman wrote me the following letter from Paris:

EMBASSY OF THE
UNITED STATES OF AMERICA,
Paris, October 23, 1968.

HON. BURT L. TALCOTT,
Member of Congress,
Hanford, Calif.

DEAR MR. CONGRESSMAN: I have received your thoughtful telegram proposing a prisoner exchange. I appreciate your concern which I share deeply.

I can give you my personal assurance that I am doing everything in my power to see that no opportunity is missed which could conceivably lead to constructive action to free Americans held by North Viet-Nam.

I am sorry to have to inform you that so far the North Vietnamese have not shown any interest in an exchange of prisoners such as you propose. Nevertheless, the occasional releases of our men are a sign that the enemy is affected by U.S. and world opinion. We will continue to exert every effort to encourage further releases as well as their acceptance of their obligations under the Geneva Convention. Of course, progress towards peace is the best assurance for the release of our men.

I welcome your interest and support in this endeavor.

Sincerely,

W. AVERELL HARRIMAN.

On October 29, 1968, the Assistant Secretary of State for Congressional Relations responded for Secretary Rusk and President Johnson acknowledging receipt of copy of my telegram to Ambassador Harriman.

His letter follows:

DEPARTMENT OF STATE,
Washington, D.C., October 29, 1969.
HON. BURT L. TALCOTT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN TALCOTT: Secretary Rusk has asked me to thank you for sending him and President Johnson copies of your telegram to Ambassador Harriman proposing a prisoner exchange with North Vietnam as a step towards peace. I understand that Ambassador Harriman has replied to you directly from Paris.

I would only add to his reply the assurance that our Government is fully committed to taking every action which can contribute to a just settlement and progress towards peace in Vietnam. As you note, prisoner exchange could be such an action. We regret that North Vietnam has shown no interest so far in such a proposal.

Sincerely,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

Mr. Speaker, in light of the above, I hope that the North Vietnamese and the Vietcong will not treat our present proposal in the manner in which they treated the proposal of last October as set forth above.

Mr. EDWARDS of Alabama. Mr. Speaker, I yield at this time to the gentleman from Oklahoma (Mr. EDMONDSON).

Mr. EDMONDSON. Mr. Speaker, it is high time that Members of this body spoke up emphatically to register our indignation and anger over North Vietnamese treatment of Americans who are prisoners of war. I commend those Members who have led this special order today.

The North Vietnamese record is outrageous, and should be deplored by all civilized nations.

Certainly our Government is obligated to use every power and resource at its command to secure detailed information regarding the names and health of our men who are prisoners, and should insist that this information be provided without further delay.

Refusal of the North Vietnam Government to make available such basic and easily obtainable information can only be described as needless cruelty and inhumanity.

I commend the President for all efforts being made to obtain such information, and to improve the conditions under which these Americans are imprisoned. I hope and pray those efforts will be redoubled and will continue until success has been achieved.

Mr. EDWARDS of Alabama. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, at this time I yield to the gentleman from Idaho (Mr. McCURE).

Mr. McCURE. Mr. Speaker, I commend the gentleman from Alabama (Mr. DICKINSON) for his initiative and leadership in sponsoring the resolution and in taking this time to discuss the very real problem of the treatment of our servicemen who are held by the Government of North Vietnam. For too long, we have refrained from discussing the matter in detail and in public. It is heartening, indeed, to see that our Government and those who guide and direct public information have reached the point where this sordid conduct by the rulers of North Vietnam will be exposed in the full glare of public discussion. This resolution and this discussion here today will help focus attention in a manner which I believe will be helpful.

The temptation is great to discuss the broader aspects of foreign policy and our relationships with other nations of the world, but I will not do so except as it affects this particular problem. Likewise, it is difficult to talk about the prisoners of war without discussing the war itself, but this I will not do. And while there are disagreements on our foreign policy and wide differences of opinion on the war, there is no disagreement on this question.

As our resolution states, we are not asking the North Vietnamese for anything more than the basic requirements of humane treatment as set forth in the Geneva Convention. That we would also like to see the release of these men is a foregone conclusion. Surely, the refusal of the North Vietnamese

Government to honor the convention, to which they are signatory, must be held up to the world as evidence of the character of that regime. Surely, the refusal of the North Vietnamese Red Cross to stand behind this solemn agreement cannot be viewed in any other light by the whole world than as evidence of the dictatorial hold of the rulers of Hanoi. And surely, the refusal of other Governments to call upon their friends in Hanoi to observe this minimum of human decency illustrates the failure of our efforts to cultivate their friendship and the bankruptcy of our hopes that they may somehow assist us in any other way in solution of the larger problems of Vietnam.

The statements being made today on this resolution have an even more personal meaning for me. Maj. Don Waltman is a personal friend of mine. We were students at college together and lived in the same house. As is usually the case, working, playing, and arguing together, we had the opportunity to know each other and I came to admire and respect the strength of character of this fellow—a strength which has been so sorely tested for 3 long years.

Don was flying an F-105 on a mission over North Vietnam, September 19, 1966, just 3 years ago this coming Friday. His plane was hit and disabled by enemy fire, but Don safely parachuted to the ground. It was not until 3 months later that it was learned that he had been taken prisoner. His family has received a couple of letters and travelers have interviewed him, so something of his personal situation has been known.

In this respect, his family is more fortunate than many who have heard nothing. His wife is one of those who have journeyed here today to participate in a joint effort to focus attention of the world on the treatment these men receive at the hands of the North Vietnamese. They also serve who stand and wait—and the examples of courage and fortitude given us by the brave women who stand waiting for the return of their men—or even just word of their men—humbles each of us.

President Nixon called for the release of prisoners of war "at the earliest possible time" by saying:

While I will never raise false expectations, my deepest hope . . . is that we shall be able to look back on this day as the critical turning point when American initiative moved us off dead center and forward to the time when this war would be brought to an end.

Today, we do not want to bring false expectations to the families of the Americans held by the North Vietnamese. Considering the grief they have endured, they understand the realities of this terrible war far more than the rest of us do. But I do hope that this day, like Mr. Nixon's day, will be remembered as the time when the Congress of the United States spoke with one voice and appealed to an enemy in a far-off land for the decent treatment of the Americans they hold. And that this was the day when the Government of the North Vietnam finally listened.

Mr. EDWARDS of Alabama. Mr.

Speaker, I yield to the gentleman from South Carolina (Mr. McMILLAN).

Mr. McMILLAN. Mr. Speaker, I want to congratulate and thank the gentleman from Alabama for all the efforts and time he has spent in getting permission for the Members of the House to express themselves on this most important subject. I realize this matter should have had priority over everything else many years ago. Some of the finest young men in my congressional district have given their lives in Vietnam and numerous others are suffering in the dungeons and so-called dirty jails in North Vietnam.

We are fighting one of the cruelest breed of people known to mankind. This Congress and the Army generals should demand that our prisoners be treated humanely. Mr. Speaker, we have thousands of wives and mothers who have unnecessarily suffered. They cannot communicate with their loved ones, and cannot get any information as to the welfare of their sons and husbands. In the gallery this moment is one of our finest mothers who comes from my district. Her son, Captain Hackett, a graduate of the Air Force Academy, was shot down over North Vietnam and his mother does not know whether her son is a prisoner or dead.

I want to congratulate the gentleman from Alabama and his colleague on giving us an opportunity to express ourselves here this afternoon. I feel very strongly that a nation which is supposed to be the strongest nation in the world should, without delay, go into North Vietnam and take these prisoners, if nothing less will do.

I certainly feel compassion for these mothers and wives who cannot hear from their husbands.

At the present time the mother from my hometown who lost a son serving as a captain in the Air Force, who was lost over North Vietnam, has heard nothing from him, and that has been over a year ago.

Mr. EDWARDS of Alabama. Mr. Speaker, I am glad to yield to the gentleman from New Jersey.

Mr. SANDMAN. I thank the gentleman.

Mr. Speaker, I want to commend both of my colleagues from Alabama for doing something I feel is very outstanding. I am very hopeful that what they have done, which is so worthy, is going to get a real press, which it deserves. I believe it is far more important for the American people to read tomorrow morning and this evening what happened here tonight, many times more important, than what some "wise guy" had to say on a college campus this afternoon or tomorrow afternoon. This is something that deals with great values.

I have a constituent here, with seven little children. Her husband was shot down 2½ years ago. She does not know where he is. The youngest child was only 1 week old when this man went to take his part in the combat.

This I do not believe anybody can say is right. It has to be wrong.

I believe it is high time that some of the people who feel we are dealing with

somebody who is not a tough enemy should be here today and meet those people who suffer the most, the families left behind.

I know how they feel, because 25 years ago I was one of the people at Stalag Tuft III. It was many, many months, almost a year, before my parents knew whether or not I was alive. But, regardless of all other things the German people did not do, they did live up to the Geneva Convention.

The people in the Far East today are not doing that, and I think they must do it.

One thing which inspires me which I heard today was the comments of the chairman of the Committee on Armed Services (Mr. RIVERS). I think they were really good remarks and should register with the people in North Vietnam. Before we withdraw one more man from that part of the world something has to be done for these families to rectify what has not been done in the past.

I ask two questions. First, where are all of these men, and, second, why do not the North Vietnamese live up to the Geneva convention rules? They are no different than anybody else. If they want to show some sign of good faith, I think this should be their first move.

Mr. Speaker, I never felt so proud to be a Member of this House as I have this afternoon. I have sat here and listened to many special orders being taken. Usually there are only about a half a dozen Members of Congress on the floor and almost nobody in the galleries. Today each person who took time out of his busy schedule to be here was heard by a large group, and I am sure that each Member means what he said. I am looking forward with great anticipation to the fact that your good endeavors here will have a justified result.

Mr. EDWARDS of Alabama. Mr. Speaker, I want to thank the gentleman from New Jersey for his very kind remarks.

I would like to remind all Members before we go any further that there is a reception presently going on in the Cannon Building caucus room. It will be going on until about 7:30 p.m. I hope when you finish here you will participate in the reception.

I now yield to the gentleman from New Jersey (Mr. GALLAGHER).

Mr. GALLAGHER. Mr. Speaker, I rise to join with the distinguished gentleman from Alabama in support of a resolution condemning the treatment of American prisoners of war in Hanoi.

I rise further to vigorously protest the treatment accorded our captive serviceman by the Hanoi regime in violation of every principle of international law and simple human morality.

We Americans may have many differences of opinion about the conflict in Vietnam. However, there is no hawk or dove position on this issue; there is only a common bond of humanity which reaches even beyond the boundaries of this Nation, and which deplors the despicable and disgraceful actions of Hanoi.

So, let there be no mistake about our

unity on this issue; let there be no doubt that we stand firm together in our resolve that Hanoi give up its inhuman treatment of our captured servicemen.

Even more, we deplore the tactics of terror aimed by Hanoi at the families of missing American servicemen. There is, of course, no way to relieve their pain at the absence of a husband, father, or son. But there is no justifiable reason for adding to this awful torment by refusing to acknowledge whether the missing serviceman is indeed in captivity. Yet, Hanoi has refused to furnish even a simple list of those Americans which it holds as prisoners. Such barbarous behavior, such conscious cruelty to innocent bystanders, such callous indifference to human emotions can only be resoundingly condemned by decent men around the world.

As the Members of this and the other body have previously indicated, if it is the intention of Hanoi to influence American foreign policy through its reprehensible actions against missing servicemen and their families, then Hanoi is doomed to failure. No individual or governing institution on this earth could be influenced by such monstrous behavior.

Today all mankind calls the Hanoi regime before the bar of world justice. We call upon the Hanoi regime to answer for its repugnant course of action.

If Hanoi would give substance to its professed dedication to peace, then let it begin by giving meaning to the tenets of international law. The world community cannot exist if barbarism replaces law as the guide for national policy.

Men of good will around the globe must be moved to protest the policies of Hanoi and demand that, at the very least, Hanoi immediately provide a list of those American servicemen which it now holds captive.

Then, Hanoi must open the doors of its POW camps to international inspection.

And finally, let both sides move toward a mass exchange of war prisoners as soon as possible.

Notice has been served, Mr. Speaker. Notice that this Congress and the American people pledge their full support to the administration's efforts to achieve these vital goals.

It is time that Hanoi acknowledged this notice and accepted its responsibility.

I serve on the Foreign Affairs Committee and I often hear of the subtlety of signals between the international powers, and the difficulty of reading them.

The United States has clearly conveyed its desire for peace and we look for some such signal from Hanoi. Well one big signal would be to release the prisoners. One small but very clear signal would be to at least publish the list of those held prisoner. It could be the most meaningful gesture yet made in the search for peace on this planet.

To the ladies I congratulate you for remarking national policy and hopefully I believe you will influence international policy in a meaningful way.

Mr. BLACKBURN. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Alabama. I am glad to yield to the distinguished gentleman from Georgia.

Mr. BLACKBURN. Mr. Speaker, I wish

to thank the gentleman in the well and to congratulate him and his colleague, the gentleman from Alabama (Mr. DICKINSON), for providing the leadership in this most vital area.

Mr. Speaker, I shall not abuse the time of the Members of the House and its guests by reiterating sentiments which have already been so eloquently expressed.

However, I would not be satisfied without stating my own personal, very great concern about the welfare of our prisoners, about my great concern for the families that they leave behind.

Mr. Speaker, I join in the sentiments which were expressed by the distinguished gentleman from New Jersey (Mr. GALLAGHER) when he stated that the ladies who brought about this occasion, in cooperation with the gentlemen from Alabama, have had a great impact upon American policy. I think this action has been long overdue and that many of us have stood silently by on many occasions with reference to this problem and have supported our President when, perhaps, we should have taken more affirmative action. Also, when we speak out we should say in no uncertain terms that we do support our men in Vietnam and support our President in the use of whatever forceful means is necessary to assure the humane treatment and general well being of our prisoners who are held by the North Vietnamese.

Mr. EDWARDS of Alabama. I thank the gentleman for those very fine comments.

Mr. HAGAN. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Alabama. It is my pleasure to yield to the gentleman from Georgia (Mr. HAGAN).

Mr. HAGAN. Mr. Speaker, I certainly wish to thank my colleague for yielding to me at this time and for him and our distinguished colleague, the gentleman from Alabama (Mr. DICKINSON), for arranging for this event.

Mr. Speaker, I rise as a cosponsor of House Concurrent Resolution 333 condemning the barbaric and uncivilized treatment of American prisoners of war by the North Vietnamese and the Vietcong and urging every effort to assure the well-being of these men.

There are basic principles of human life which cannot be ignored particularly when the spotlight of public attention is focused on a situation.

These basic principles apply even in wartime and this was recognized in 1949 by the Geneva Convention.

North Vietnam signed this Convention on American prisoners of war in 1957 thereby pledging to the world her intent to abide by the minimum standards for treating American servicemen held as POW's.

We have learned of physical and mental torture of POW's by both North Vietnam and the Vietcong.

We have heard stories of total neglect of health, sanitary conditions, and forced compliance with propaganda campaigns.

We have heard tales of the breaking of the will and spirit of POW's.

Today, there are somewhere between

340 and 1,200 U.S. POW's held by North Vietnam and the Vietcong.

While many of these may be listed as "missing in action," we do not know their names, their state of health, their whereabouts, or anything about their treatment.

There are several young men from my congressional district listed as "missing in action" while serving our country in Vietnam and the wife of one of them, Mrs. Barbara S. Smith, of Savannah, Ga., is here in Washington today.

In talking with Mrs. Smith, I am humbly impressed by the courage she displays throughout these months of waiting.

The resolution simply urges the President to make every effort to assure "fair and humane" treatment of these men in accord with the 1957 Geneva Convention and to require North Vietnam and its allies to:

First. Identify prisoners whom they hold.

Second. Release seriously sick or injured prisoners.

Third. Permit impartial inspections of all prisoners of war facilities, and

Fourth. Permit the free exchange of mail between families and prisoners.

I hope this resolution will create an outpouring of indignation across the country, which will mobilize public opinion as a tool to secure better treatment of American POW's in Communist prison camps.

We know that Hanoi is highly influenced by American public opinion and it is quite possible that if American public opinion expressed outrage at the barbaric and uncivilized treatment our POW's are receiving, then improvements might be made by the Communists.

In addition, I hope this resolution can also favorably influence the North Korean Communists to release Capt. David Crawford of Pooler, Ga., and two other soldiers who have been held captive since their helicopter was shot down August 17.

Captain Crawford and one of the others were reportedly seriously injured in the crash.

It is time the Congress made its concern over the POW situation clear.

This issue is without question one upon which Members of both parties can agree.

It requires the active attention of the President whether through private negotiation, public negotiation, or the United Nations.

I urge the House to make its feelings known quickly on this important question.

Mr. EDWARDS of Alabama. I thank the distinguished gentleman from Georgia for his contribution.

Mr. ROTH. Mr. Speaker, will the distinguished gentleman yield to me?

Mr. EDWARDS of Alabama. I am glad to yield to the gentleman from Delaware.

Mr. ROTH. Mr. Speaker, I am happy to join my distinguished colleague (Mr. DICKINSON) on the important concurrent resolution he is introducing today. Over 1 month ago, I wrote to President Nixon expressing dismay at the prisoner-of-

war situation and asking the President to exert all possible pressure on North Vietnam to secure a list of the names of prisoners of war and then to negotiate for their release. I was assured, in a response to that letter, that the administration would continue to bring pressure on Hanoi to comply with the Geneva Convention and to respect the rights of prisoners of war. I would like to include a copy of my letter at the end of my statement, since my sentiments on this subject are unchanged.

In addition, I would like to point out to my colleagues that two women from my State, Mrs. John Martin, and Mrs. William Nellans, both of Dover, have come to Washington today to speak personally with me and air their hopes that our Government can provide them with some information about their husbands—both men are assumed to be prisoners of war. These women, like thousands of people all across the country, live from day to day in uncertainty, not knowing if their loved ones are alive.

News reports up to now indicate that North Vietnam is unmoved by these grief-stricken cries. It is evident to me, however, that we must see this situation through to its conclusion: the humane treatment and eventual release of our troops overseas. This is one problem where the entire country, including the President, must raise its voice.

The letter to the President follows:
AUGUST 15, 1969.

HON. RICHARD M. NIXON,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: While you are making every effort to bring the Vietnam War to an honorable conclusion, one aspect of the war has gone largely unnoticed. Two letters have come to my desk over the past month which point out one of the less honorable aspects of the war: I refer to the fact that many Americans are being held prisoners of war by the North Vietnamese, and these men are being held incommunicado. To compound the gravity of the situation, the North Vietnamese will not release the names of these men, so that many families here in the United States have no idea whether their loved ones are alive.

Let me cite a paragraph from one of the letters I received. "Every country, even including Vietnam," the letter says, "likes the respect of world opinion. Thus exists the need to impress upon Hanoi that the free world feels North Vietnam should be obligated to abide by the Geneva Convention in the treatment of war prisoners and to release a list of all such prisoners held. They should further be urged to negotiate immediately for an exchange of prisoners regardless of further pursuit of the war."

Mr. President, I agree wholeheartedly with these sentiments. When an outraged world cried out against the North Vietnamese action of bombing civilian areas around Saigon, the bombing was sharply curtailed. I think world opinion should be similarly mobilized to convince the North Vietnamese of the hardship they are inflicting on many American families, families that live day in and day out in uncertainty.

Accordingly, Mr. President, I urge you to take all possible steps to support our prisoners, requesting first of all that North Vietnam release a list of prisoners' names and following that by immediate negotiation for release of our men overseas.

Let me stress that I fully support your efforts to bring an honorable end to the Viet-

nam conflict, but I do feel this is one area that needs your fullest attention.

Sincerely,

WILLIAM V. ROTH, JR.,
Member of Congress.

Mr. EDWARDS of Alabama. Mr. Speaker, I now yield to the gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the fact that so many of our colleagues have joined today in this expression of concern should demonstrate beyond any reasonable doubt to the Hanoi government the degree of repugnance with which their cruel treatment of U.S. prisoners is regarded in this country.

I anticipate the RECORD will show that few special orders have attracted more participants, and Mr. DICKINSON deserves our commendation for arranging this session.

In this body, there are many honest differences of opinion over the conduct of the war in Vietnam, and the North Vietnamese have tried to capitalize on these differences.

But we are united, as on few issues, in our abhorrence at North Vietnam's total disregard for the 1949 Geneva Convention and its protections for prisoners of war.

In the court of world opinion, North Vietnam already stands convicted as an outlaw nation. What other judgment can be handed down to a country which refuses even to identify its captives? And what penalty can compensate for the anguish and heartache endured by hundreds of American families who, lacking any additional information, know only that their loved ones are missing in action?

Possibly, just possibly, there may be a ray of hope in the announcement from Paris that North Vietnamese delegates at the peace talks are at least amenable to the idea of meeting with the wives of four missing U.S. fliers. These women, like many of the ladies gathered here in the galleries today, do not even know whether their husbands are dead or alive. A civilized nation would have told them long ago, and perhaps the leaders of the Hanoi government can be persuaded, at long last, to change their ways. I, for one, will remain skeptical, however, until I see some manifestation of good will, however small, on the part of Vietnamese Communists.

Some of our more than 1,300 missing men are presumed to have been held captive for more than 3½ years—longer than any U.S. serviceman was held prisoner during World War II.

North Vietnam should immediately release the names of prisoners held, return sick or wounded captives, allow a regular flow of mail, assure proper treatment for all prisoners and permit impartial inspection of prisoner-of-war facilities—all as called for by the Geneva Convention.

Mr. EDWARDS of Alabama. Mr. Speaker, I yield to the gentleman from Ohio (Mr. TAFT).

Mr. TAFT. Mr. Speaker, I would just like to join in the comments made by the

gentlemen in the well for bringing this matter before us, and to associate myself with their remarks.

I have already cosponsored the resolution, and have filed a full statement on that today.

Mr. Speaker, I do believe it is appropriate to say that this is the culmination of an effort that must be carried on further, but nevertheless a very real culmination of the effect that I believe it will have upon public opinion.

I know that not only is the Congress concerned in this matter, but I know personally also that the President of the United States has had a very, very deep and continuing concern in it, and that he has been asserting maximum pressure. Many of the Members already know of the efforts of our Defense Department in connection with this in an effort to arouse public opinion and to draw upon every resource possible in attempting to bring about a change through world opinion, and any other proper pressures that we can bring to bear to bring about a change in this situation.

I feel also that all of us must express our personal sympathy and our concern and our understanding and to say that we will not forget these men, and that we commit ourselves to continuing in every way that we possibly can in the performance of our duties to bring about a resolution of this war and bring about the return to these men from the harsh treatment that they have received, and to relieve their families from the uncertainty and the strains to which they have been subjected.

Mr. Speaker, I thank the gentleman for allowing me this time.

Mr. EDWARDS of Alabama. Mr. Speaker, I thank the gentleman for his contribution, and I now yield to the gentleman from Louisiana (Mr. RARICK).

(Mr. RARICK asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. RARICK. Mr. Speaker, I thank the gentleman for yielding, and I salute the gentlemen from Alabama (Mr. DICKINSON and Mr. EDWARDS), for assuming the long overdue initiative in focusing public attention and informing our people of the plight of American prisoners of war who are being held not only in North Vietnam, but also in North Korea and in Red China.

In recent weeks the American people have learned first-hand from the shocking testimony of the few released American prisoners from the camps of North Vietnam and North Korea of the inhuman treatment and barbarianism practiced against our captured servicemen.

As a former prisoner of war in Europe, I know all too well the desolate feeling of loneliness in imprisonment. However, those of us held prisoner in Europe never experienced total despair. We were confident that our countrymen at home supported us 100 percent; that we were not forgotten and that the leaders of our Government would never rest until we were freed and restored to our homeland. We knew that never in the history of the

United States had Americans ever been deserted by their country.

We could hear the sounds of military action from our troops, the distant rumblings of artillery, the frequent bombing of the enemy in his base of operations, and we knew America had the will and the positive leadership to win. But most of all our morale was bolstered with the confidence that we would never be abandoned or deserted by our country. As prisoners of war in Europe, we were always heartened and reassured by the knowledge that freedom was only a matter of time.

Life in a prison camp in Germany was not pleasant—no man takes pleasure at the loss of his freedom—but as prisoners of war held by a civilized Christian nation we were at least treated within the minimum standards—with isolated exceptions—prescribed by the Geneva Convention. Further, we were captives of a nation which had not made it their national policy to mistreat prisoners of war.

How much more dismal and grim the condition of our men held captive in North Vietnam, Korea, and China. They can detect no evidence of attack on their captors. They hear no falling bombs, no advancing artillery, no evidence of impending rescue. Their only contact with the outside world is through enemy propaganda. The constant barrage of propaganda is reinforced by films, pictures, and recordings which show public demonstrations in the United States—including to our eternal shame, a few Members of this body on the steps of the U.S. Capitol—to help convince our captive Americans they have been forsaken.

Against this background they hear the repeated statements of our national leaders that we do not seek a military victory. They are also taunted by announcements of troop withdrawal without any announced consideration of PCW rescue.

In recent weeks, as occasionally over the past years, the Red propaganda outlet of Hanoi has informed the world that Americans held in their country would not be regarded as military prisoners but will be treated as war criminals.

In fact, Hanoi has even threatened to place our captured fighting men on trial as war criminals.

Just what is a "war criminal"? "War criminal" is a quasi-legal designation found expedient at the Nuremberg trials to except certain military captives from the protection assured them by the Geneva Convention so they could be punished for propaganda purposes by ex post facto laws.

According to U.S. precedent, the "war criminal" is a person who can be treated outside international law and the reasonable norms expected by humanity to serve the current political purposes of those in power.

The American people need only turn back the pages of history 25 years to the tragic error of the Nuremberg expediency which necessarily produced this result—that a military prisoner can be either a prisoner of war or a "war criminal" depending entirely upon the whim of his

captors. In order to mistreat prisoners, it became only necessary to prepare public opinion by denouncing them as war criminals. Compare Hanoi's threats to the actions at Nuremberg. The show case trials at Nuremberg set the precedent which resulted in literally thousands of enemy soldiers being brought to trial as "war criminals" not only in Germany and Italy but in the Pacific as well.

Americans are aghast at the thought of Communist terrorists trying American captives as war criminals. We should consider a classic example of a military prisoner of war found guiltless of any military crimes, but convicted as a "war criminal." He remains in prison today, 24 years after cessation of hostilities.

The example I refer to is 54-year-old Maj. Walter Reder, the only Austrian officer still in prisoner status in Italy at the Reclusorio Militare, Gaeta.

The Reder case is well known to students of the prisoner-of-war problem. It has been described at length in both articles and books by F. J. P. Veale, distinguished British lawyer and authority on the laws of war. The record shows that Major Reder was arrested by U.S. authorities in Austria on request of Italian authorities. Although he was an American prisoner for 2 years—September 1945 to September 1947—at Glesensback and U.S. authorities found the charges against him entirely lacking in substance, they did not release him. Under the regulations then prevailing, he was turned over to British military authorities in Austria, who likewise found the charges baseless and even gave him an opportunity to escape. This proffer he refused as he felt prepared to face trial. Instead of British military authorities trying him, they handed him over, on May 13, 1948, to Italian authorities.

Three years later, in October, 1951, at Bologna, and 7 years after the alleged offenses in 1944, he was sentenced to life imprisonment as a war criminal. His military superiors whose orders he carried out have been released but their subordinate, Major Reder, still languishes in prison.

The case of Major Reder is strikingly parallel to the situation of Americans held in Vietnam, because he was branded a "war criminal" from an action in which his conventional military unit attacked a guerrilla position.

Again, Mr. Speaker, I remind this body that I was a prisoner of war of the German Government and my only purpose for the mention of the Reder case is to point out the inequities of the treatment of some military prisoners as "war criminals." Certainly no American can sleep with an untroubled conscience realizing that the design of the Hanoi government is to exploit such examples as the Reder case for which we share responsibility to justify mistreatment of Americans who have fallen into their hands. The prospect that these men may never be recovered unless the concept of "war criminals" is eradicated is the problem we now face.

We cannot allow the errors of the past to jeopardize our own men.

Since we have an announced national policy of ending the war in Vietnam without victory, those responsible for that policy must accept their responsibility to utilize other methods to assure the safe return of Americans held by the enemy. Perhaps world public opinion can correct the mistake of Nuremberg, expose the false label of "war criminal," and assure that all nations which claim to be civilized will accord civilized treatment to prisoners of war.

Mr. Speaker, I again call on the President to use all of the power and prestige of his office, through the United Nations or by direct negotiations with other civilized governments, to assure the humane treatment and safe return in accordance with the terms of the Geneva Convention of all Americans held by the North Vietnamese who are signatory to that convention. As an indication of our good faith, I suggest that the prestige of the United States be placed behind an international movement to grant amnesty to all prisoners—of all countries—whose sole crimes are in the fictitious category of "war crimes."

Mr. Speaker, with all sincerity, I commend the many mothers and wives, and relatives of American prisoners of war in North Vietnam who have journeyed to Washington at great personal hardship and expense—in the finest tradition of American womanhood—to do everything within their power to gain support to free their men.

Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. WYLIE. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS of Alabama. I yield to the gentleman.

Mr. WYLIE. Mr. Speaker, I commend the gentleman from Alabama (Mr. EDWARDS) and the gentleman from Alabama (Mr. DICKINSON) for their concurrent resolution supporting our servicemen who are held prisoners by the Communist forces in Vietnam.

I am proud and pleased to be a co-sponsor of this resolution.

We have all been shocked by the recent accounts of inhumane treatment and flagrant violations of international law inflicted upon our men by the North Vietnamese and the Vietcong. But probably the most inhumane treatment of all is the withholding of information so that we do not know whether these prisoners are dead or alive. If they are alive, the wait would not be so difficult. If the loved ones of those who are not alive knew it, then adjustments could be made for their future. But not knowing is the worst kind of unimaginable, barbaric, animal inhumanity.

I trust that this resolution will be instrumental in securing the rights guaranteed under the Geneva Convention to our brave captive servicemen in Vietnam and to their loved ones here at home. I thank the gentleman.

Mr. EDWARDS of Alabama. I thank the gentleman.

I yield to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, I thank the gentleman in the well for

yielding to me. I appreciate the opportunity to be one of the coauthors of the resolution sponsored by the gentleman from Alabama (Mr. DICKINSON) and the gentlemen in the well.

Early this morning I received a long distance call from a constituent and warm friend, whose son was shot down over North Vietnam in October 1967.

My friend said he felt better that Congress had taken the time to let the rest of the world know that Congress is concerned and shocked over the treatment shown over captured American fighting men.

I hope and pray, Mr. Speaker, that this movement here in this Chamber will reach the new leadership in North Vietnam and they will take notice and make the humane corrections to our American fighting men.

You know, Mr. Speaker, we will be most thankful when we get all of the captured Americans back home but, Mr. Speaker, never will we forgive or forget how our Americans were treated while captured in North Vietnam.

Mr. EDWARDS of Alabama. I thank the gentleman.

I yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I commend the gentleman from Alabama and his colleague (Mr. DICKINSON) with whom I cosponsored this resolution.

There are two officers in my district I would like particularly to mention, for they symbolize those brave men who are in the situation to which we are referring.

One is Lt. Hayden Lockhart, who has been a prisoner for 5 years, and from whom we have received only two letters at Point Pleasant, W. Va., and in a missing-in-action category is Lt. John S. Albright. Both of those men are graduates of the Air Force Academy. I had the great honor to appoint Lieutenant Albright to the Air Force Academy. He is the son of Colonel Albright, now living in Camp Springs, Md. Lieutenant Albright attended Marshall University. Lieutenant Albright was a navigator in a C-123-K aircraft which was in a midair collision in hostile territory on December 16, 1968.

Mr. Speaker, public opinion throughout the world is aroused by the inhuman treatment accorded our brave Americans who are being held as prisoners in circumstances in violation of the Geneva Convention. Not only is public opinion aroused, but the conscience of mankind is aroused, and I believe it is high time that action be taken by the nations of the world in concert to bring an end to these inhuman practices. I know that the President of the United States is concerned, that the Secretary of Defense is concerned, and that Congress is concerned. But we must be more than concerned, and we must work unceasingly and unstintingly until these inhumane conditions are ended, the war is ended, and our brave Americans are brought back home.

Mr. EDWARDS of Alabama. I thank the gentleman.

Mr. Speaker, I am told we are just about out of time. I would like to say

that, in my opinion, what we have heard today and what we will hear has been eloquent testimony of the genuine feeling of Members of Congress. I hope that there is an ear in Hanoi listening and that what has been said will be taken to heart.

Mr. Speaker, I include at this point in the RECORD the statement on prisoners of war by U.S. Ambassador Henry Cabot Lodge at the Paris meetings on Vietnam, September 13, 1969.

The SPEAKER pro tempore (Mr. PUCINSKI). Without objection, it is so ordered.

There was no objection.

The statement is as follows:

STATEMENT BY MR. LODGE

At the last Plenary Session, I repeated our request for the humane treatment of Americans held prisoner in North Vietnam, stating that international custom, the Geneva Convention, and humanitarian considerations all require that there be impartial inspection of the prisoner of war camps, a guarantee of a regular flow of mail to and from the prisoners, and a release of the sick and wounded prisoners on both sides. In addition, a minimum regard for the peace of mind of the prisoners' next of kin requires that a list of names of the prisoners be made available so that the next of kin—who are assuredly innocent of any warlike act—at least know whether their relative is alive or dead.

To this request, the representative of the Democratic Republic of Vietnam at our last session responded—and I quote—"The question of captured American military personnel will be settled at the same time as all the other elements of the overall ten-point solution, it cannot be separated."

Let us now consider this answer.

In the first place, it is unresponsive. Our request at the last meeting was concerned solely with the treatment of prisoners during captivity—not with the broader question of the repatriation of prisoners. You repeat your statement that you give humanitarian treatment. But you refuse to talk about camp inspection, flow of mail, release of sick and wounded, and lists of prisoners.

In the second place, your answer is not only unresponsive; it also partakes of the irrelevant. I say this for the following reason: You say that you will not discharge your responsibilities regarding prisoner treatment until you are willing to repatriate the prisoners. But, ladies and gentlemen, when that time comes, your policy concerning treatment of prisoners will be largely academic since the prisoners will have either been repatriated or will be awaiting repatriation. The point is that prisoners are entitled to humane treatment under the protection of the Geneva Convention at all times and under all circumstances—and particularly during the period before repatriation. That is the time that counts. The point is so obvious that it should not require any statement. But your declaration at the last Plenary Session requires us to state it.

While I am on the subject, let me add that we have long been concerned by your refusal to permit impartial inspection of your prison camps. Frankly, this refusal inevitably brings up the thought that you fear that an inspection would not confirm your claims of humane treatment.

This concern has now been deepened by statements which have recently been made by two of the Americans recently released from captivity in North Vietnam. One of these Americans, Seaman Douglas B. Hegdahl, said on September 2nd—and I quote—"I was kept in solitary confinement for over a year—

7 months and 10 days at a stretch. I was made to stand with my hands over my head for trying to talk with other prisoners of war." Seaman Hegdahl said—and I quote—that "many of the prisoners of war have been in solitary confinement for years"—end of quotation—and he also said—and I quote again—that "many prisoners of war do not write or receive mail." End of quotation.

Another prisoner of war, Navy Lieutenant Robert Frishman, on the same date, pointed out your failure to make available the best medical treatment and to repatriate immediately the sick and wounded. He said that the removal of his elbow had been done in a professional way, and that he was thankful still to have the right arm. However, he also pointed out—and I quote—"They failed to remove the fragments of the SAM missile in my arm. It took six months just for my incision to heal over." End of quotation. He also indicated Lieutenant Commander John McCain will require further medical treatment as soon as he returns to the United States. His remarks underline how important it is for sick and wounded prisoners to be repatriated as soon as possible.

Let me also quote what Lieutenant Frishman said about the condition of Lieutenant Commander Richard A. Stratton, another prisoner of war. He said—and I quote—"The North Vietnamese tried to get Lt. Commander Stratton to appear before a press delegation and say that he had received humane and lenient treatment. He refused because his treatment hadn't been humane. He's been tied up with ropes to such a degree that he still has large scars on his arms from rope burns which became infected. He was deprived of sleep, beaten, had his fingernails removed and put in solitary, but the North Vietnamese insisted that he make the false 'humane treatment statement' and threw him into a dark cell alone for 38 days to think about it." End of quotation.

Lieutenant Frishman also said—and I quote again—"Stratton knows that I have been released. He told me not to worry about telling the truth about him. He said that if he gets tortured some more, at least he will know why he is getting it and will feel that it will be worth the sacrifice." End of quotation. We certainly hope that neither Commander Stratton nor any of the other prisoners will suffer as a result of Lieutenant Frishman's statements.

Lieutenant Frishman further indicated that prisoners of war have been made to sit on a stool for days in a hot room until they make statements conforming to the wishes of their captors.

I can do no better than to repeat the words of Lieutenant Frishman, when he said—and I quote—"I don't think solitary confinement, forced statements, living in a cave for three years, being put in straps, not being allowed to sleep or eat, removal of fingernails, and not allowing exchange of mail to prisoners of war are humane." End of quotation. Any impartial observer—and even you yourselves, who do not consider yourselves to be impartial—must agree with this statement.

You should cease this inhuman treatment. You cannot escape the responsibility therefor.

You should also realize that your failure to act in accordance with humane practice flies in the face of world opinion as a whole.

Just this week, 101 Members of the Congress of the United States, including both Democrats and Republicans, have presented in the House of Representatives a resolution condemning your side—and I quote—for "violating the fundamental standards of human decency and grossly deviating from civilized concepts of international accords and agreements on prisoners of war." End of quotation. In addition, 96 Members of the House of Representatives have signed a statement protesting your—and I quote—"inhumane and inexcusable"—unquote—

conduct with regard to the Americans you hold prisoner.

The Twenty-First International Red Cross Conference, composed of the parties to the Geneva Conventions of 1949 and Red Cross and Red Cross Societies, is now meeting in Istanbul, Turkey. The International Humanitarian Law Commission of that Conference has adopted without dissent a resolution calling for humane treatment of prisoners of war. The resolution states that the Geneva Prisoner of War Convention—and I quote—"applies to each armed conflict between two or more parties to the Convention without regard to how the conflict may be characterized." End of quotation. The resolution also calls up—and I quote—"all authorities involved in an armed conflict to ensure that all uniformed members of the regular armed forces of another party to the conflict and all other persons entitled to prisoner of war status are accorded the humane treatment and the full measure of protection prescribed by the Convention, including free access to the prisoners of war and all places of their detention by a protecting power or by the International Committee of the Red Cross.

If I may, I will depart from my prepared statement for just a moment to say that I have just received word during the recess that the International Red Cross Conference in Istanbul this morning passed this resolution without dissent by a vote of a hundred fourteen to nothing.

In contrast with your treatment of the prisoners whom you hold, consider the many thousands of your military personnel held in prisoner of war camps administered by the Republic of Vietnam. In accordance with the Geneva Convention, the Government of the Republic of Vietnam has provided lists of prisoners' names to the International Committee of the Red Cross. The prisoners are allowed to correspond with their families. These camps conform to the standards established by the Geneva Convention, and they are visited frequently by representatives of the International Committee of the Red Cross, who inspect them thoroughly and hold private interviews with prisoners. A number of sick and wounded prisoners have been released, and our side has expressed willingness to make arrangements for the release of all seriously sick or wounded prisoners.

The SPEAKER pro tempore. The Chair reminds the gentleman in the well that there is probably sufficient time to recognize the two Members who are seeking the opportunity to speak.

Mr. EDWARDS of Alabama. I thank the Chair.

At this time I would like to yield to the gentleman from Mississippi (Mr. GRIFFIN).

(Mr. GRIFFIN asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. GRIFFIN. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to our brave American servicemen imprisoned in North Vietnam. Further, I consider this occasion as an opportunity to commend the courage and valor, and patience of the wives and families of American prisoners of war.

I pay particular tribute to the wives of prisoners and those missing in action because in the last few months these noble women have been able to arouse the conscience of America. For too long, our Government made only scattered references to North Vietnamese's violation of the Geneva Convention. For too long, our Government showed little in-

terest in our heroes who were captured or missing.

It has been only in the last few months that our Government has spoken out against the treatment of prisoners and I commend this administration for this new direction of humanitarianism.

I agree thoroughly with the recent editorial in the Washington Star which said:

The Administration should redouble its efforts to make the immediate release of the U.S. prisoners remaining in North Vietnam—particularly the seriously wounded and gravely ill—concomitant with these (troop) withdrawals.

The basic responsibility for any mistreatment, which has occurred, lies with the Hanoi government.

It has been rare over the last 60 years that Communist governments have shown compassion for suffering humanity. It has been rare that Communist governments have shown any concern for human life or human value.

The treachery, the dishonesty, and the deceitfulness of Communist governments are well documented in history. Therefore, I believe, Mr. Speaker, that the United States must take forceful and perhaps even drastic measures to insure the health and welfare of Americans held captive by the North Vietnamese Government. This will require bold action and courageous decisions in view of the fact that the North Vietnamese will not even acknowledge that any of their own soldiers are involved in the conflict in South Vietnam. Thus, Hanoi has abandoned its own.

To protect in an effective manner the health and lives of American prisoners, our Government must be prepared to state in the most forceful manner that all the leaders of North Vietnam will be forever held accountable for the mistreatment of even one American.

Mr. Speaker, I have a very special personal interest in the treatment of prisoners of war. One of my close friends, Air Force Capt. Thomas E. Collins III, was shot down over North Vietnam on October 18, 1965. It is believed that he is a prisoner but his wife has never heard from him. Another friend, Cmdr. Robert Byron Fuller was shot down in July 1967. His sister, Mrs. Herschel Brickell, resides in Jackson, Miss.

It is impossible for anyone not directly affected to realize the agony and mental suffering which families of American prisoners undergo. There is no information as to their health. There is no information as to their treatment. There is no information as to whether they receive adequate food and medical attention. There is no information as to whether they are treated with dignity or even whether they are abused.

Returning prisoners have told tales of horror and terror which border on inhumanitarian treatment. This is an awful burden which families must bear because they have no information on their own loved ones.

It is the duty of this administration, this Congress, and the American people to demand incessantly that the Hanoi government permit the International Red Cross to see and talk with prisoners.

Further, there must be an incessant demand that information on prisoners be provided the U.S. Government and that gifts and packages be received by prisoners. And there must be a demand for prisoner exchange.

All that is decent and all that is humane require a favorable response from North Vietnam.

On July 25, 1969, the Washington Evening Star printed an Associated Press article stating that the United States had arranged to send packages to American prisoners of war in North Vietnam by way of Moscow.

The article further stated that Hanoi said on July 3 that gifts for POW's would be accepted.

On July 29, 1969, I wrote a letter to Anatoly F. Dobrynin, the U.S.S.R.'s Ambassador to the United States enclosing a personal letter to my friend Tom Collins and also enclosing a copy of his hometown newspaper and the current issue of U.S. News & World Report.

I did not receive a reply until last week. The First Secretary of the Embassy of the Union of Soviet Socialist Republics in which he curtly stated that "we regret to inform you that we are not able to fulfill your request." With his letter, he returned my letter to Collins and the publications.

Mr. Speaker, in my judgment, this is irrefutable evidence that the entire community of Communist nations support the cruel practices of North Vietnam. It is high time that the United States of America assert its leadership role and bring to bear every pressure to insure humane treatment and the eventual healthy return of American prisoners of war. We must use every economic and diplomatic means at our command. We should exert pressure on every non-Communist nation to exert pressure in turn on every Communist nation.

Mr. Speaker, the burning question of the hour is: What honor do we bring to ourselves by allowing 300 to 1,500 Americans to suffer indignities perhaps worse than death?

Under unanimous consent I include at this point in the RECORD a letter dated May 5, 1969, addressed to me by Mrs. Thomas E. Collins III; an article from the Evening Star to which I alluded previously; the letter addressed to Ambassador Dobrynin along with a copy of my letter to Thomas E. Collins who was promoted to major in the U.S. Air Force last summer; and, the response I received from the Soviet Embassy:

MAY 5, 1969.

Congressman CHARLES H. GRIFFIN,
Longworth Building,
Washington, D.C.

DEAR CONGRESSMAN GRIFFIN: Four years ago this coming October 18, 1969, my husband, Air Force Captain Thomas E. Collins, III was shot down over North Viet Nam. All indications were that he ejected safely and was taken prisoner by the North Vietnamese. I have never heard from him! As I write this letter to you I am deeply distressed, discouraged, disheartened, disappointed, disillusioned and disgusted. We, you and I and all Americans have betrayed Tom—yes, betrayed him! He has suffered a fate worse than death—the loss of his freedom—a commodity so precious that patriotic Americans have suffered and died for it. Now he rots in a

North Vietnamese prison camp and while he rots he cannot understand why nothing has been done to bring him home to his country and loved ones. He and all the other captured Americans are the epitome of young manhood America has to offer—brave, patriotic, intelligent and forgotten! Do you know that most Americans do not realize that North Viet Nam has never released the number nor a list of Americans it is holding? Nor do these people realize that mail from prisoners of war is virtually non-existent or that the North Vietnamese have continuously barred the International Red Cross from its prison camps so that we do not know the vile conditions under which these men are being forced to live—if they are still living. The apathy of all government officials and the American public grieves me deeply.

All these years Congressman Griffin, I have been asked and then told "for the sake of my husband" I must remain silent.

Well, I refuse to remain silent any longer. I am in contact with other wives in this same "unique" situation and they feel as I do—that the time has come to speak up and speak out—loudly. I do not wish to threaten the American government but something *must be done* and now! Yes, I do realize the complexity of the problem! I have been told over and over that "everything possible is being done to return our men" but I don't believe that! I challenge President Nixon and Under Secretary of State Richardson to tell me personally to my face that they are doing anything but biding their time! We are "negotiating" now with an enemy who has not honored any agreements they have signed in the past. What makes us believe they will honor any they may sign in the future?

Congressmen Griffin, I am asking you to request a meeting with President Nixon and Mr. Richardson for me and representatives of the other services involved in this terrible dilemma. Will you do this for me? I would like to speak with them personally and have them answer some questions for me. I have run out of answers for my son Martin who will be six this July. He was only two years and two days old when his Daddy went off to war. Edward was born seventeen days after his daddy was shot down so Tom never knew about him! But even though Daddy is only a word and a picture to our sons, they talk constantly about their "hero" Daddy who flies jets and pray each night for his safe return. And they ask questions such as "When is Daddy coming home"? I have tried to explain as best I can but still the questions come. "Why is it taking so long?" "Are we winning." I want someone who has some answers to answer their questions for awhile. I've run out of answers! Do you know what it is like not to be able to tell your sons whether their Daddy is alive and coming home or whether he's dead and they are not even left with a memory of their wonderful father? Oh, yes, I think I deserve a chance to speak with the President and Mr. Richardson, the man he has appointed to handle the prisoner problem.

And Congressman Griffin, I expect you to do your share to express my deep concern for the welfare and safe return of these fine men to the other members of the House and the Senate. I expect you to bring this situation before them and the American people. They must be made aware! Pressure must be brought to bear—here and in North Viet Nam.

Need I remind you that each day we delay fine men could be dying in those hell holes that could have been saved if we had put our minds and hearts together to find a solution. Each day you continue to bide your time is an eternity to these prisoners who are counting on you and on me. Let us not fail them, I beg of you.

Sincerely,

Mrs. T. E. COLLINS.

HANOI POW'S WILL GET GIFTS VIA MOSCOW

The United States has arranged to send packages to American prisoners of war in North Vietnam by way of Moscow, the State Department announced yesterday.

In a statement, the department appealed to North Vietnam to deliver the packages to the men even if they were received in Hanoi after Aug. 15—a cutoff date announced by North Vietnam on Wednesday.

The State Department said the original declaration permitting POW packages did not specify any cutoff date.

Furthermore, the department said that while 1,400 men, including civilians, are "missing or captured in Southeast Asia" many families are uncertain about sending gifts because the names of those held have never been released—nor has the total number been given by Hanoi.

"Families of missing and captured men," the statement said, "have received mailing information from the military services and arrangements have been made by the U.S. Post Office to get the packages to Hanoi by way of Moscow as quickly as possible.

"We would certainly hope, however, that packages received after Aug. 15 would not be turned back."

Hanoi said on July 3 that gifts for POWs would be accepted. At the same time it announced that it would release three U.S. pilots. They have not been freed and press officer Carl Barch said they have not been identified.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 29, 1959.

HON. ANATOLY F. DOBRYNIN,
Ambassador Extraordinary and Plenipotentiary,
Union of Soviet Socialist Republics,
the Russian Embassy, Washington, D.C.

DEAR MR. AMBASSADOR: I am attaching herewith a personal letter to Major Thomas Collins, an American prisoner of war in North Vietnam, along with a copy of his home town newspaper, and a current national weekly magazine.

It is submitted to you for forwarding in consonance with the Associated Press article which appeared in *The Evening Star* on July 25, 1969.

I would be highly honored to have your assurances that the attached would be delivered to Major Collins.

Sincerely yours,

CHARLES H. GRIFFIN.

HOUSE OF REPRESENTATIVES,
Washington, D.C., July 29, 1959.

MAJ. THOMAS COLLINS,
U.S. Air Force,
North Vietnam.

DEAR TOM: I have taken the liberty of asking the Ambassador of the Union of Soviet Socialist Republics to the United States to cooperate in delivering to you this letter and a copy of our mutual home town newspaper, and a copy of this week's U.S. News and World Report. These are being sent to you under the provision of North Vietnam's offer to deliver packages to prisoners of war.

Tom, you may not remember the last time that we were together. To refresh your memory, it was at my home near Utica the night before the second Democratic Primary Election for Governor in 1959. We watched the last minute broadcast by the two candidates, Ross Barnett and Carrol Gartin. You came over with Bo Taylor.

An awful lot of water has passed under the bridge since then. Bo is married and is living in Savannah, Georgia. He is still with IBM, has one son and is expecting another child in November.

Ross was defeated for Governor in 1967 by John Bell Williams. Carrol Gartin died unexpectedly in December 1966 with a heart attack.

After John Bell's election as Governor in

1967, he resigned his seat in Congress, and I was elected to succeed him. One of the most faithful and loyal workers in my campaign was Donnie. Since my election, Angle and I see her frequently and I try to talk with her on trips back home. She and the two boys are doing real fine. They have a home in West Jackson, off Robinson Street. Although I have not been there, I understand it is a very nice neighborhood.

We all pray that we can settle the conflict in Vietnam and that you will be home soon.

We also pray that you are enjoying good health and that we will see you soon.

Warmest personal regards.

Sincerely yours,

CHARLES H. GRIFFIN.

EMBASSY OF THE UNION OF SOVIET
SOCIALIST REPUBLICS,
Washington, D.C., September 9, 1969.

HON. CHARLES H. GRIFFIN,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR SIR: I am returning herewith your personal letter to Major Thomas Collins along with the printing material attached.

We regret to inform you that we are not able to fulfill your request.

Sincerely yours,

VICTOR N. KRASHENINNIKOV,
First Secretary.

Mr. EDWARDS of Alabama. Mr. Speaker, I thank the gentleman from Mississippi for his comment.

Mr. Speaker, I am happy to yield at this time to the gentleman from Florida (Mr. CHAPPELL).

Mr. CHAPPELL. Mr. speaker, I thank the gentleman from Alabama for yielding.

Mr. Speaker, I am pleased to have a part in this presentation today and to have the opportunity of making one of the concluding statements.

Mr. Speaker, the shocking conditions that prevail today in North Vietnam with respect to the prisoners of war has caused a great stir in my district of Florida, as it has in most of the districts of the United States of America.

Within our State, 81 families sit waiting for some word about a husband, a son, a brother, a father who has been cast into a world that lies somewhere between the living and the dead. The torment of this situation is thrust not only on these fighting men, but also on their families who must live and dream and hope in the midst of their agonies of suspense.

Mr. Speaker, I have here a telegram which I think epitomizes the agony which goes on in the hearts and minds of those who wait:

My husband is missing in action. He transmitted he was alive and uninjured after being shot down over North Vietnam. My four children and I have now spent 15 anguished months praying he's still alive and well. Please help us. Sincerely,

Mr. Speaker, I cannot pass by the opportunity to read now a letter which was received by a mother of one who fights today in Vietnam, and I read it to show the spirit of the fighting men and their love of America, and their spirit while they are penned up in the prisons of North Vietnam:

Thank God I lived in America. If more people came to this country, there would be fewer riots and protests. This country could be a beautiful one, but, it's like a body ridden

with disease. There's disease and filth everywhere. So if you hear someone smite Ole Glory and what She stands for, tell him or her to join the Army or the Red Cross and come to Vietnam and here they will be able to see "HOW SWEET AMERICA IS"

Before you go to bed each night, you might say a little prayer of thanks to the Old Man Upstairs for taxes, speed limits, more taxes and what God has wrought.

Mr. Speaker, through the President we are urging under this resolution that every possible step be taken to require the North Vietnamese Government to abide by the Geneva Convention in their treatment of prisoners, that they give us a list of the prisoners they hold, that they release the sick prisoners, that there be a free exchange of mail, and that there be an impartial inspection of prisoner camps.

Mr. Speaker, the families of these men who are prisoners of war and who are missing in action are looking to us for support in this, the most cruel and crucial situation imaginable for both the men and their families. We cannot fail them. We must not fail them.

Mr. Speaker, I am pleased to take part in the passage of this very great resolution.

Mr. EDWARDS of Alabama. Mr. Speaker, I thank the gentleman for his comments.

BIAFRA

The SPEAKER pro tempore (Mr. PUCINSKI). Under a previous order of the House, the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 30 minutes.

Mr. KASTENMEIER. Mr. Speaker, the news of the latest failure to come to agreement on the resumption of Red Cross flights into Biafra comes as a bitter disappointment to all of us concerned over the continuing tragedy in that part of the world. It also serves as a stark reminder of our own country's failure to effectively exercise its influence to alleviate the suffering and put an end to the bloodshed there. The humanitarian issues involved have been too conveniently shunted aside by our policymakers and too lightly treated so far by the highest levels of our Government. While it has been easy to shift the blame on one side or the other and decry the situation in general terms, the tragedy of the dying children remains an unmistakable fact which refuses to be forgotten by decent people everywhere. By now it should be clear that the problem of Biafra will not disappear by just waiting a little longer for a "final push."

I believe that our Nation's performance during the unfolding of this pathetic drama has been indifferent at best. We seem unable to get off dead center in effecting a change in the current stalemate in which those most immediately affected have the least to say. Our shortsighted and, by now, demonstrably foolish, support of British goals and actions in the area has limited our options and has seriously impaired our ability to influence both sides in the direction of a cessation of hostilities.

The time has come when we must ask

ourselves in all candor whether this Nation with the immense resources at its disposal is really so impotent that it must limit itself to hand wringing and polite letter writing after all these months of terrible suffering. Should protection of British oil interests and fear of an increase in Russian influence in Nigeria so effectively close our eyes to the very real human tragedy going on?

Mr. Speaker, I have waited in vain to see a marked shift in the wholly ineffectual way our State Department had been handling the problem. Once again, we seem to be exercising that wonderful knack we have for antagonizing both sides to a conflict simultaneously while doing nothing to enhance our own interests. Biafra by its stubborn tenacity has to my mind demonstrated its will to survive as some form of entity independent from the Federal Nigerian Government. If we have learned anything from the African experience of the past decade, it is that the artificially imposed boundaries of the new African nations are totally inadequate as a basis of securing national identification and loyalty. Why then must they be considered so sacrosanct in the Nigerian context?

I realize that we have a stake in the preservation of "one Nigeria" because of our Government's past concentration of aid and developmental assistance to this country. But, it is the measure of a nation, as it is for an individual, to concede past mistakes and to act in the light of radically changed circumstances. Why should this be so difficult with regard to the Nigerian situation? It seems to me there is no threat to our national interest here, no domino theory to explain, no sacred commitment to honor, and no loss of American lives to justify our obdurate stance. More and more Americans are becoming impatient with the diplomatic niceties involved and are beginning to realize that we are in the midst of a human tragedy whose scope and magnitude may soon be comparable to the slaughter of World War II. Increasingly, concerned citizens are beginning to raise their voices in an appeal to our Nation's leadership to do something about this blot on the conscience of mankind.

Mr. Speaker, I am not an expert on Nigeria. I have never lived in that part of the world, nor have I any deep understanding of its peoples. I am, therefore, understandably reluctant to offer counsel in very specific terms. But, I must assume that we do have experts on West Africa and seasoned diplomatic and intelligence gathering personnel who have access to the latest information on what is happening in both Nigeria and Biafra. If this is in fact the case, I hope that conflicting recommendations for action and differing evaluations of the options available to us are not being fudged together to produce a bland end product recommending that we take the path of least resistance by adopting a wait-and-see attitude. While there is some indication that this might very well be the case within our State Department, I have sufficient faith in the ability of the administration to be able to realize the moral implications of standing by and

watching a million children and civilians starve to death.

Without devising an instant and all-embracing solution to end the conflict, is it too much to expect that our country would be able to devise and implement a scheme to bring food and medicine into Biafra as a start?

While this task might well involve promises of future assistance, or the threat of diplomatic action by the United States, such efforts would fall far short of the active roles being played by others, more basely motivated nations. I am not proposing at this time that we extend diplomatic recognition to Biafra or withdraw our diplomatic mission from Lagos. I am not requesting that we help arm one side or the other. What I am suggesting is that we assume a more active role motivated by the overriding desire to ease human suffering, particularly on the part of the children who did not choose to be either Biafran or Nigerian. I am not asking that the United States act as a world policeman here. Certainly not after our bitter and bloody experience with this role elsewhere. All that should be required is the forceful application of diplomatic skills along with the will to commit ourselves to bringing about a speedy end to the death and suffering. If this humane result is attained I think that we as a Nation could endure the possible displeasure of one side or the other. The risk is certainly minute in global terms especially when measured against the certainty that many thousands of lives would be spared.

Mr. Speaker, I fully recognize the validity of arguments that an all-African solution to an African problem would be preferable to a solution imposed or arranged from without. But, given the failure of OAU peace attempts and the extensive involvement of non-African nations, we must formulate our own proposals in cooperation with the parties directly involved or independently, if need be. If four-power action is considered feasible for the Middle East, it is certainly as appropriate here. If a U.N. approach is feasible, let us take the lead in sponsoring it.

If we fail in our efforts, let it not be from lack of exploration of all the alternatives. It is with the greatest skepticism that I react to the position of the State Department that we lack influence with both sides. If we lack credibility, it is because our inertia and past indifferences are now being taken for granted. Our status as the most rich and powerful nation flies in the face of an assertion of international impotency. Further, this is not an area in which the vital interests of the Soviet Union are involved and the solution is one which does not endanger any strategic balance. If the Soviets wish to demonstrate their desire to settle conflicts peaceably, the Nigerian impasse presents them with an ample opportunity.

Mr. Speaker, the Nigerian conflict calls for analysis not in terms of "realpolitik," but in terms of human values and lives. Our actions as a nation do not always have to involve the calculation of increments of political and economic advantage. I dread the day that we succeed in

insulating ourselves from the suffering and death of others and refuse to involve ourselves unless a clear gain can be envisioned.

Mr. Speaker, I call upon President Nixon, who has in past statements expressed his own desire to bring an end to the conflict, to raise this issue before the United Nations which he will be addressing tomorrow. I can think of no more appropriate forum for the discussion of this tragedy and no more suitable spokesman to voice the concern of the American people. The President should make it clear that we are prepared to take the initiative, hopefully with the cooperation of all member nations, to get a resumption of mercy flights into Biafra, followed by negotiations between both sides. Our commitment to preserving lives and bringing peace must be forcefully enunciated.

Our Nation will ultimately be judged by future generations for our concern for human life during an age when its value has been cheapened. It is far better to my mind that the motives behind our efforts be impugned than our inaction be considered as an indication of the low estimate we place upon the value of human life.

A MORATORIUM ON FOREIGN AID EXPENDITURES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SAYLOR) is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, the Congress is rightfully being called upon to cut taxes, halt inflation, reduce Federal spending, end the balance-of-payments deficit, find ways to channel tax money back to the States, and reduce the size of the Federal debt.

The public is also insisting that we tackle—and solve—problems of mass transit, ghetto rejuvenation, air and water pollution, rationalize the welfare programs, and hundreds of other pressing domestic needs. These programs take plenty of money. The question is, where does it come from?

It is derived solely from the pockets of the American taxpayer who is disgusted with seeing hundreds of domestic needs taking a back seat to the international giveaway program this country has engaged in since the end of World War II. The foreign aid program should be the highest priority target for expenditure reduction. Twenty-five years of U.S. foreign assistance, including the interest paid on what we have borrowed to give away, has cost American taxpayers the gigantic sum of \$182.5 billion.

The people are justified in contemplating how many of our domestic needs could have been fulfilled with those type of funds. It is long past time for the Congress to put a halt to foreign aid. I propose that appropriations be prohibited for this fiscal year and steps be taken to phase out the program.

Recognizing that it will do no good to lament over previously wasted taxpayers' money, we should do something about the amount earmarked for foreign aid in the

current fiscal year. The budget calls for expenditures, covering loans, grants and credits in the sum of \$10.5 billion. If that figure is added to the amount of money already in the so-called pipeline, the total funds available would amount to \$29.3 billion.

The United States plans 4,408 projects and subprojects in 99 nations and five territories to be administered by 51,000 individuals on the Federal payroll. Statistics such as these certainly do not give one the impression that the administration or the Congress has really taken to heart the depth of the taxpayers' revolt.

There is approximately \$18.8 billion in the foreign assistance pipeline and that amount should be sufficient to carry out foreign aid commitments at their present level for at least another 18 months without further appropriations. I say enough is enough.

We hear constant warnings from the President and his advisers about economic dangers. Yet, in an era of spiraling inflation, no request is made of Congress to cut down or eliminate foreign aid expenditures. It just does not make sense and no amount of rationalization will convince me that it was necessary to increase taxes this year in the form of an extension of the surtax designed to produce about \$9 billion in revenue, and at the same time ask Congress to spend \$10 billion in foreign nations.

I would like to include at this point in my remarks a list of countries that have already received foreign assistance from the United States since 1946:

TOTAL NET FOREIGN ASSISTANCE TO 121 NATIONS AND 7 TERRITORIES OF THE WORLD, FISCAL YEARS 1946 THROUGH 1969

Afghanistan.....	\$370,500,000
Albania.....	20,400,000
Algeria.....	193,500,000
Argentina.....	447,500,000
Australia.....	697,000,000
Austria.....	1,106,000,000
Barbados.....	200,000
Belgium-Luxembourg.....	1,747,500,000
Bolivia.....	532,000,000
Botswana.....	16,500,000
Brazil.....	2,772,500,000
Burundi.....	6,800,000
Burma.....	84,700,000
Cambodia.....	341,400,000
Cameroon.....	32,900,000
Canada.....	46,900,000
Central African Republic.....	4,600,000
Ceylon.....	158,900,000
Chad.....	8,800,000
Chile.....	1,410,000,000
China, Republic of.....	5,006,900,000
Colombia.....	962,700,000
Congo (B).....	2,000,000
Congo (K).....	440,900,000
Costa Rica.....	172,600,000
Cuba.....	43,800,000
Cyprus.....	20,300,000
Czechoslovakia.....	189,500,000
Dahomey.....	12,000,000
Denmark.....	875,900,000
Dominican Republic.....	461,500,000
East Germany.....	800,000
Ecuador.....	268,900,000
El Salvador.....	123,200,000
Ethiopia.....	357,000,000
Finland.....	30,200,000
France.....	7,014,300,000
Gabon.....	7,500,000
Gambia.....	1,600,000
Ghana.....	268,700,000
Germany and Berlin.....	3,675,600,000
Greece.....	3,681,200,000
Guatemala.....	318,800,000
Guinea.....	107,700,000
Guyana.....	61,200,000
Haiti.....	108,800,000
Honduras.....	109,400,000
Hungary.....	13,500,000
Iceland.....	67,300,000
India.....	7,464,400,000
Indochina.....	1,535,200,000

TOTAL NET FOREIGN ASSISTANCE TO 121 NATIONS AND 7 TERRITORIES OF THE WORLD, FISCAL YEARS 1946 THROUGH 1969—Continued

Indonesia.....	\$940,100,000
Iran.....	2,047,100,000
Iraq.....	96,800,000
Ireland.....	122,900,000
Israel.....	860,200,000
Italy.....	5,393,700,000
Ivory Coast.....	69,000,000
Jamaica.....	76,400,000
Japan.....	3,606,900,000
Jordan.....	635,300,000
Kenya.....	62,700,000
Korea.....	7,817,200,000
Kuwait.....	49,400,000
Laos.....	643,300,000
Lebanon.....	86,200,000
Lesotho.....	4,800,000
Liberia.....	228,600,000
Libya.....	221,500,000
Malagasy.....	13,400,000
Malawi.....	25,900,000
Malaysia.....	76,300,000
Mali.....	21,300,000
Malta.....	6,700,000
Mauritania.....	3,300,000
Mauritius.....	1,400,000
Mexico.....	569,000,000
Morocco.....	685,300,000
Nepal.....	129,600,000
Netherlands.....	2,050,500,000
New Zealand.....	66,800,000
Nicaragua.....	158,000,000
Niger.....	16,700,000
Nigeria.....	275,000,000
Norway.....	1,130,200,000
Pakistan.....	3,527,300,000
Panama.....	221,200,000
Paraguay.....	116,900,000
Peru.....	476,300,000
Philippines.....	1,839,900,000
Poland.....	453,800,000
Portugal.....	477,100,000
Rwanda.....	7,400,000
Saudi Arabia.....	70,300,000
Senegal.....	36,200,000
Sierra Leone.....	40,900,000
Singapore.....	33,900,000
Somalia.....	76,200,000
Sou. Rhodesia.....	2,000,000
Spain.....	1,960,000,000
Sudan.....	97,200,000
Surinam.....	10,000,000
Swaziland.....	500,000
Sweden.....	156,000,000
Syrian Arab Republic.....	60,400,000
Tanzania.....	65,400,000
Thailand.....	1,144,900,000
Togo.....	14,900,000
Trinidad-Tobago.....	55,400,000
Tunisia.....	606,600,000
Turkey.....	5,391,200,000
Uganda.....	35,800,000
United Arab Republic.....	900,900,000
United Kingdom.....	7,690,700,000
U.S.S.R.....	186,400,000
Upper Volta.....	12,100,000
Uruguay.....	154,600,000
Venezuela.....	361,500,000
Vietnam.....	5,856,000,000
Western Samoa.....	42,800,000
Yemen.....	2,593,400,000
Yugostavia.....	9,800,000
Zambia.....	34,700,000
Bahamas.....	5,200,000
British Honduras.....	8,000,000
West Indies.....	43,800,000
Hong Kong.....	399,100,000
Ryukyu Islands.....	225,300,000
Trust Territory of the Pacific.....	54,700,000
CENTO.....	14,896,500,000
W/W Regional.....	

Total net disbursements to foreign nations, 1946 to 1969..... 122,048,200,000
Total net interest paid on what we have borrowed to give away, 1946 to 1969..... 60,535,175,000

Grand total, cost of foreign assistance, 1946 through 1969..... 182,853,375,000

Mr. Speaker, there appears to be an assumption on the part of some Federal officials that our citizens cannot add and another that they do not care how their money is spent. What other conclusion can one draw from the yearly foreign aid requests? I, for one, am convinced that the American public is beginning to add and our citizens are concerned about how their money is being spent. The result of this awakening process has been the demand for tax relief this year.

The people know their taxes are too high and, in spite of opinions to the contrary, they know that to cut Federal taxes, programs must be sacrificed. Responding to this demand, Congress is suffering through some "agonizing reappraisals." There have been cutbacks in some programs and personnel and I envision more to come. I detest the persistent wailing from the State Department when one attempts to cut the foreign aid budget. Though other programs in the United States were cut during the last fiscal year for lack of funds, not a single foreign aid project suffered as much as a \$1 reduction.

Heretofore, the Congress has tinkered with the foreign aid request each year, eliminating a little here and there. But the response to congressional budget cutting is very simple for the foreign aid advocates—they simply propose a larger request. In short, the congressional "message" is heard, but ignored. I say that the Congress should make its voice very emphatic this year.

Following the recent announcements of President Nixon for a moratorium on Federal construction projects to fight inflation, I will support any move that would prohibit the appropriation of any funds for foreign aid for the current fiscal year. Such a spending moratorium is imperative to keep faith with the American people. The taxpayer expects Congress to meet his demands for anti-inflationary action and I can think of no better way to reduce the size of Federal expenditures for nonessential items than in this manner. I contend that foreign aid certainly fits into this category.

GREAT LAKES MARITIME ACADEMY IS VICTORY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. VANDER JAGT) is recognized for 5 minutes.

Mr. VANDER JAGT. Mr. Speaker, the establishment of a new Great Lakes Maritime Academy at Northwestern Michigan College in Traverse City, Mich., is a victory for community leaders and others with deep faith in the development of my State.

The campaign to create the academy is led by Les Biederman, president of Midwestern Broadcasting Co., of Traverse City. He worked long and hard giving of himself to lead the way toward realizing a dream.

Mr. Biederman has publicly thanked those who worked with him to establish the new Maritime Academy. I believe that Mr. Biederman deserves congratulations for his outstanding achievement.

Traverse City and Michigan are proud of the new educational facility. They, like me, also are proud of Mr. Biederman and those who helped him along the way.

THE PROGRESSIVE RECORD OF THE DEMOCRATIC 91ST CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oklahoma (Mr. ALBERT) is recognized for 30 minutes.

Mr. ALBERT. Mr. Speaker, reports in the morning press indicate that Republican colleagues are hoping President Nixon will try to pin the "do-nothing" label on Democratic Members of the 91st Congress. The same reports indicate that the President may be reluctant to use this style of politics. If anyone should be shy about raising the "do-nothing" issue it should be the Nixon administration. I would not blame President Nixon for being cautious about the possibility of having his legislative recommendations to the Congress compared to those of President Johnson. The comparison would be interesting. President Johnson in 1965 sent 25 messages during the first 3 months. These included such meaty topics as medicare, voting rights, water pollution, elementary and secondary education, juvenile delinquency, aeronautics and space, and housing. This enabled the House by midyear to pass 14 bills based on these messages. In 1967, President Johnson sent 23 significant messages to Congress during the first 3 months. These messages included Elementary and Secondary Education Act extension, Teachers Corps, selective service, and investment tax credit. The House by midyear had passed seven of his proposals. In contrast, in 1969 during the first 3 months, the President sent only 12 messages to the Congress. The bulk of these were of the housekeeping variety and contained almost no substantive recommendations.

During the Johnson years we saw the enactment of practically all of the legislative reform recommendations which had been pending since the end of World War II. We are now engaged in the equally important, if somewhat less glamorous, task of implementing these programs by adequate funding. For example, over the vigorous opposition of the Nixon administration and the Republican leadership in the House, the House on July 24 increased the appropriation for the various educational programs for fiscal year 1970 by over a billion dollars. This included additional funds for the vitally needed title I of the Elementary and Secondary Education Act. The rollcall vote was 293 to 120 in favor of the increase. The total provided by the House in the Labor-HEW appropriation bill was approximately \$17,575,000,000. In addition, in the Housing-Independent Offices bill, the House appropriated \$15 billion. This included \$500 million for model cities and \$50 million for rent supplements, the largest amount the House has ever provided for this program. In addition, there was provided \$150 million for the new moderate-income housing program authorized in last year's housing law for both sales and rental housing. The sum of \$135 million was provided for water and sewer facilities, the largest amount the House has ever provided for this item.

The truth about the Nixon administration is that it wants Republican control of the 92d Congress, and far more, it wants to win the 1972 presidential election, not by doing things for the American people but by moving backward

where the interests of the American people are concerned. This was pointed up clearly in the administration's recent approach to tax reform.

The tax reform bill passed by the House on August 7 was the culmination of months of painstaking labor by the Committee on Ways and Means. The bill in its final form was a genuine attempt to correct many of the inequities in the Nation's tax structure. This was basically accomplished by closing certain tax loopholes and by granting relief to low- and middle-income taxpayers.

The President in his initial tax message to the Congress on April 21 of this year said:

Reform of our Federal income tax system is long overdue. Special preferences in the law permit far too many Americans to pay less than their fair share of taxes. . . . The Administration working with Congress, is determined to bring equity to the Federal tax system.

The revised administration tax proposals submitted to the Senate Finance Committee on September 4 represent a distinct and tragic step backward from the bill that passed the House in early August. Overall, the administration urged Congress to grant less tax relief to low- and middle-income taxpayers and to reduce tax increases for business. In spite of rumors to the contrary, the Nixon administration, after all, consists of people who think and act like Republicans. Republicans are still far more interested in Wall Street than Main Street, far more concerned about financial centers than poverty centers.

Like Pavlov's dog, Wall Street howled and the administration reacted. The Republican Party has wound up where it always was, the guardian angel of vested interests. After all its lipservice to the poor, to them the minimum tax on the ultrawealthy is now wrong. In their thinking, tax-free interest on municipal bonds must remain in all cases a haven for the rich. To the Republican administration, short-term capital gains are inviolate.

More Republican than all the rest is the proposal dealing with corporate tax relief—2 percent down for the corporations—more taxes for the average American. In the words of a distinguished Member of the other body:

The President believes that the forgotten American is the president of a giant corporation.

We just this afternoon received reports that the President has recommended a 10-percent social security increase to be effective April 1. We are not going to take the President's cold winter message to the people of this country. We are not going to be satisfied with a 10-percent increase, and we are not going to wait until April 1. The issue is too important. The matter is too urgent.

I believe that when the curtain falls on the 91st Congress, on every issue in which the overwhelming majority of the American people are vitally interested—tax reform, housing, social security increases, consumer protection, conservation, interest rates, education, health, and a host of others—the Democratic record in Con-

gress will be far more progressive, far more constructive, far more in line with the desires and needs of the American people, than the record made by our friends across the aisle.

This Congress is at work. If it has done any waiting, that waiting has been on the executive agencies and the Bureau of the Budget for reports on the bills introduced by Democrats and referred to committees of Congress. This Democratic Congress is at work, working where it has always worked, working for all the people, for little people as well as big, working for poor people, working for the disadvantaged, working for the underprivileged, working for the farmers and laborers, working for the average American.

The Democratic Party's policy is and always has been to provide for a progressive, productive economy with everyone having an opportunity to live with dignity.

This is the history of the Democratic Party; this is the philosophy of the Democratic Party; this will be the record of the Democratic 91st Congress. This record has won for us again and again since the first days of the great depression; it will win again for us in 1970.

OUR ISTHMIAN QUESTION-ANSWER: "NO SEA-LEVEL CANAL"

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, the Sunday Star of Washington, D.C., on August 17, 1969, published an article by Jeremiah O'Leary, Latin American writer of the Star, in which he discussed the fifth annual report of the Atlantic-Pacific Interoceanic Canal Study Commission, of which the Honorable Robert B. Anderson is the Chairman.

While the article correctly discloses that opposition in the Congress to the proposed new 1967 canal treaties with Panama has mounted, its overall effect is distorted, reflecting the confusion that features the report, which I discussed at length in the CONGRESSIONAL RECORD of September 9, 1969, under the title of "Atlantic-Pacific Interoceanic Canal Study Commission—Fifth Annual Report Commentary."

In a letter to the editor of the Star, I made a critical analysis of the O'Leary article pointing out some of the distortions and omissions in it. This letter aimed at clarifying the issues and emphasizing the plan for modernization of the Panama Canal that will best meet them. One of the issues is biological which was extensively covered in my statement in the CONGRESSIONAL RECORD of August 4, 1969, on "Sea-Level Canal: Potential Biological Catastrophe."

[From the Washington (D.C.) Evening Star, Sept. 4, 1969.]

NO SEA-LEVEL CANAL

SIR: The recent article by Jeremiah O'Leary on the inter-oceanic canal question was significant, not so much for what it related as for what it failed to present, thereby creating a distorted picture of the realistic problems involved.

The two key points in United States Isthmian canal policy are site and type. The best site was determined after prolonged investigation, and the Canal Zone territory acquired on May 4, 1904. The United States paid for this territorial possession twice, once to Panama and once to Columbia. In addition, it purchased all land and property in the Zone from individual owners, making the Zone our most costly acquisition.

After further investigation and fullest consideration, our government decided the question of type in favor of the high level lock and lake plan. From 1904 through June 30, 1968, the United States expended on the Panama Canal project, including defense, a total of \$6,368,009,000. Recoveries during the same period were \$1,359,931,421.66, leaving a net investment of over \$5 billion, all supplied by the American taxpayer.

Despite the crucial importance of the Panama Canal to interoceanic commerce and hemispheric security, and the magnitude of the investment in it, the negotiators of proposed treaties, which are supported by Mr. O'Leary, ignored the provisions of Article IV, Section 3, Clause 2 of the U.S. Constitution. This clause specifically vests the power to dispose of territory and property of the United States in the Congress, not just in the treaty making power of the President and the Senate.

My views on the interoceanic canal problem and how to meet it have been extensively covered in numerous addresses to the Congress, and have won support from eminent independent and informed authorities in various parts of the nation, who have but the single motive of doing what is best for the United States, Panama and the world at large. These authorities include biologists, who warn that construction of a sea-level waterway across the American Isthmus would enable the interchange between the oceans of thousands of species of marine life, and lead to a biological catastrophe, with direful consequences for nations dependent upon the sea for food, and posing one of the most important, if not the most important, conservation problems of our time.

The interoceanic canal problem transcends all questions of personal and partisan consideration and must be dealt with on the basis of merit. Legislation that would meet the problems involved has been introduced in both Houses of the Congress in the form of identical bills calling for a "Panama Canal Modernization Act," the text of which was quoted by me in a statement to the House on February 19, 1969. These measures would provide for the completion of an improved third locks project, which was authorized by the Congress in 1939 and on which our Government expended more than \$75 million, mainly on locksite excavations at both ends of the canal, where work was stopped in May, 1942, after the end of World War II. The proposed legislation would supply a set of larger locks at both ends of the canal to handle larger vessels. The plan would not require a new treaty with Panama for a new site, as the work would be entirely within the Canal Zone. Moreover, such solution would preserve and enlarge the present economy of Panama and would be of undoubted benefit to that country.

The so-called sea-level plan would require tidal locks that would be more complicated than the existing locks. In addition, a sea-level project would require lowering the present bottom of the canal about 100 feet with overwhelming slide dangers involved. Moreover, advocates of the sea-level plan propose that not only the Canal Zone and the existing Panama Canal, but also any canal constructed to replace it be eventually given to Panama. Does Mr. O'Leary approve such giveaways?

Mr. O'Leary should obtain information

from all sources, not only from sea-level advocates.

DANIEL FLOOD,
Member of Congress.

[From the Washington (D.C.) Sunday Star, Aug. 17, 1969]

MAIN BAR TO NEW CANAL IS NATIONALISTIC LOBBY

(By Jeremiah O'Leary)

The latest report of the Atlantic-Pacific Interoceanic Canal Study Commission to President Nixon makes it clear, between the lines, that the political obstacles are greater than the engineering challenge to construction of a new sea-level water passage across the narrow waist of the Americas.

Although it's not quite spelled out in the report, the United States today is further away from a decision than it was five years ago when and where the canal will be built, and whether it will be excavated by nuclear or conventional means.

As Nixon said in a letter accompanying the report to Congress, the canal investigation is entering its final phase and the commission soon will be able to reach general conclusions as to the feasibility of using nuclear explosives for canal excavation. What the report did not say is that engineers and scientists are dealing in absolutes but the diplomats and politicians are not.

"HILL" ENEMY

Even if Panama had not undergone one revolution in October, 1968, and another sub-revolution a few months later, the canal project has attracted a strong, coherent enemy on Capitol Hill. Succinctly put, there is a powerful lobby in Congress against the canal concept as it now stands and no balancing group interested in or favorable to the new canal. The opponents are led by Rep. Daniel Flood of Pennsylvania and Sen. J. Strom Thurmond of South Carolina, backed by a vociferous assembly of former military men and ultranationalist Americans.

The canal project would have faced formidable odds in Congress, both for funds to build it and for ratification of the treaties, even if the Republic of Panama had remained tranquil as Gatun Lake. But the overthrow of President Arnulfo Arias last autumn just 11 days after his inauguration and subsequent ouster of one of the co-coup leaders by the other strengthened the hands of the anti-canal cabal in Washington.

The State Department had negotiated three pretty fair treaties with Panama before Arias' election victory, acceptable at least to the regimes of Presidents Johnson and Marco Robles. They, in essence, were diplomatic agreements on: (A) disposition of the existing but obsolete lock canal, (B) terms for excavation and operation of a new sea-level canal and (C) a military bases agreement by which the U.S. would be allowed to maintain forces on the isthmus.

The treaties required ratification by the Senate of the United States and the Congress of Panama but, at least, they satisfied the negotiators. It was at that point that opposition began to jell at the Capitol here and the situation became more complicated when Cols. Omar Torrijos and Boris Martinez ousted President Arias. When Torrijos turned on Martinez early this year and exiled him as Arias was exiled, things started looking even worse.

Now there is evidence that Torrijos, who rules as a military dictator, is not satisfied with the concessions Panama had obtained from the U.S. and wants to reopen the discussions. In the eyes of the American opponent, far too many concessions had been granted in the first place and the prospect for agreement in the foreseeable future is bleak indeed.

Foggy Bottom is so concerned that it has ordered an ambassadorial swap which sends Ambassador to Panama Charles Adair to Montevideo, Uruguay, and brings able Ambassador Robert M. Sayre to Panama City. Sayre was Deputy Assistant Secretary of State for Inter-American Affairs before going to Uruguay and before that was the State Department's liaison man for Latin American affairs with the White House. He is a new face to Panama's ruling group and was in on the planning of the original aspects of the new canal. Some observers believe he may present a tougher facade to any new demands by Panama than the discreet, courtly Adair.

Meanwhile, the U.S. is still playing something of a poker game with Panama about the sea-level canal by continuing to operate on the assumption that the excavation may be located at any one of five crossings, only three of which are in Panama. Route 8 crosses through Nicaragua and Costa Rica. Route 25 through the narrow northwest neck of Columbia. Routes 10, 12 and 14 lie wholly within Panama.

The U.S. has options to select any one of five routes and to build the new canal either by conventional means or by atomic explosion. As a practical matter, however, the Nicaragua-Costa Rica crossing is so remote as to be nearly out of the question.

Nixon's report to Congress said the employment of nuclear explosives for a sea-level canal on the "Nico-Tico" route does not appear practicable because large groups of people would have to be evacuated. Further cost of constructing a canal by mechanical means on Route 8 would be several times the cost of available alternatives.

For all practical purposes, the choice seems to lie between Colombia and Panama and many observers are known to feel that if engineering and cost problems are equal, Colombia would seem to offer a more stable political climate. At any rate, it is a good bargaining technique for Panama to know that it could conceivably lose its geographical vantage point astride the inter-ocean waterway.

COULD MOVE

American officials are not fascinated by the idea of returning Panama to the status of hemispheric backwater by taking the canal elsewhere but it could happen if Panama makes unacceptable new demands or shows no signs to achieving more internal stability than it has demonstrated since the three-day "war" with the U.S. in 1964.

The commission report notes that it completed data collection on four of the five routes in the year that ended June 30 and all field operations have now been terminated.

The investigation of Route 10, five miles outside the western border of the Canal Zone, indicates that conventional construction there is feasible. Preliminary estimates are that the cost for conventional digging at Route 10 would be about the same as for Route 14 in the existing Canal Zone. The major advantage seen by the commission of Route 10 over Route 14 is that it would not interfere with the operating of the existing canal in the estimated 15 years the excavation would take.

The commission studied two alignments of Route 14, both contemplating mechanical digging. One combines a new cut with the present one through the Continental Divide. The other requires a separate cut.

HIGHWAY SAFETY: COMMENTARY NO. 15

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, begin—
CXV—1633—Part 19

ning June 5, I have been offering a series of commentaries on the drastic and immediate need for highway safety. These commentaries have covered funding and research; the driver, the vehicle and the road; the problem of alcoholism as it relates to driving; the incompatibility of safety standards; the threat from animals; the development of safety devices; and many other important aspects of this problem. I have taken the time to express my thoughts on this because I consider the need for safer streets and highways to be of importance, and directly or indirectly affecting every man, woman and child in this country.

As any one who has read my remarks in the RECORD can testify, I feel strongly about this matter. A country with the potential for growth and development such as America, cannot afford to lose 55,000 lives and more billions in economic waste each year. This is a proud and able country, whose history has shown its ability to conquer problems that would have been fatal to a lesser nation. American technology has reached a point where it is capable of landing and safely returning men from the moon. But, at the same time, its technology has so far shown its inability, or unwillingness, to cope with the seemingly simple problem of attaining safety on our highways.

I have included for the benefit of my colleagues the following testimony heard before the Subcommittee on Roads of the House Public Works Committee earlier this summer, during the hearings on the Highway Safety Act. This exchange was between myself and Mr. Howard Pyle, president of the National Safety Council.

Our dialog brought out some interesting aspects of the problem. For instance, Mr. Pyle confirmed that traffic accidents are the No. 1 cause of death to young people. This is true even when we consider the number of young Americans who lost their lives in Vietnam. We also discussed the bright spots of the problem, the oasis in a desert of disaster.

I think this exchange was meaningful and should be shared with the many people, both in this body and throughout the Nation that are concerned with highway safety.

The excerpt from the hearing follows:

Mr. CLEVELAND. Thank you, Mr. Chairman, I do have a couple questions.

Yesterday, in the testimony of Mr. Welch, who was here as Governor's representative for highway safety in the State of Arkansas, and also representing a group of such representatives, in his testimony he made the following statement:

The traffic crashes are the No. 1 cause of deaths for all persons under 37 years of age.

My question, you perhaps cannot answer it, but perhaps you can get me the answer—specifically, would that include taking into account the fact that many young men under the age of 37 are dying in Vietnam. Is that an all-inclusive statement that this is the No. 1 cause of deaths for all persons under 37 years of age?

Mr. PYLE. Absolutely. Absolutely.

May I amplify the information you have, just because I think it is important.

For youths aged 15 to 24 years, accidents claim more lives than all other causes combined.

Mr. CLEVELAND. That includes military service?

Mr. PYLE. Yes, except the military incident that happens statewide—that would be in this figure. The foreign operations, that is a different story.

But if, shall we say, in your State there is a military establishment and some boy going to and from is killed, he becomes a part of this record.

But, to conclude, this is eight times more than the next leading cause, and three out of four of the victims are male. That is God-awful, if you will forgive the expression.

Mr. CLEVELAND. It is, indeed, and of course at this time we are having our Memorial Day observances, and we are very mindful of the fact that young men once again are dying in the service of their country.

I think it adds perspective to this problem when you take into consideration that apparently more young men are being killed by automobile accidents than are being killed by enemy accidents in Vietnam.

Mr. PYLE. That is right. I do not like to be redundant, we have kicked this figure around a lot. Our battlefield casualties in Vietnam up to now have probably been less than 35,000.

Mr. CLEVELAND. 36,000; almost 36,000.

Mr. PYLE. We killed on the highways of this country last year 55,600 people in one year, and we have been in Vietnam since the early 1960's. So all you have got to do is separate these things out, and you find the answer to your question is pretty grim.

Mr. CLEVELAND. I was encouraged in this morning's paper to note one of the major oil companies carried an advertisement—I believe it was Mobil Co. I believe they had, a pedestal and a wrecked car on top of the pedestal. Did you happen to see the ad?

Mr. PYLE. I am going to be part of the unveiling in New York tomorrow afternoon. It is a monument to 1,700,000 men, women, and children.

Mr. CLEVELAND. I think this is an important point. It seems to me your coming here today and telling us that Congress is not doing its job, in so many words that is what you meant—what you meant to say although we authorized some money, the Appropriations Committee—we could pass the buck to them—has not appropriated it.

We are not complacent here in Congress. But I have been a little bit sorry to see so many of the witness before this committee keep bearing down on the fact that what we need is more money from Congress, which we agree, and more programs, federally oriented, which we agree; but there still seems to be too much talk about what Congress can do by waving a wand and putting more money into the pot—there still must be the terribly important role of private business, local communities, leaders of education, and church, and for some of these other people.

Mr. PYLE. Absolutely.

Mr. CLEVELAND. And you, by addressing most of your remarks to our shortcomings in this field, are not by any chance, implying that there is not much that can be done at the local level and by States?

Mr. PYLE. No. The closing passage of my testimony addresses itself to this program, it is called States program. I am leaving a set of these documents with you. The objective of this program is to marshal the Nation behind what you are trying to do.

And I have been in politics long enough to know that the public official is only able to get done what the people will accept in the way of disciplines and challenges and go along with it.

We have a monumental responsibility here. And this is one of the things I also want to talk to Mr. Volpe about. I want him to tell me what are we not doing that we ought to be doing, in his judgment, and how do we put the whole thing together, as in the case of a baseball team or whatever, and get the kind of results we want.

You are so right.

Mr. CLEVELAND. Let me enlarge a little bit on this discussion and dialog in this area which I think is helpful. You have told us the bad news. We are well aware of this, and we are becoming more aware of it. And you have told us that Congress has not done its job, and we are aware of that. We will try to do our best.

But now in this spectrum of activity and safety, is there any good news?

Mr. PYLE. Absolutely.

Mr. CLEVELAND. Let's have a little bit of good news. What has been done without a lot of Federal money, without our help, that sheds some light on the problem?

Mr. PYLE. In the first place, let me commend again the Congress for establishing a national policy in this field.

Mr. CLEVELAND. Even if we did not fund it?

Mr. PYLE. Well, yes. In 1966, this Congress did an absolutely indispensable piece of work, when they established a national policy on traffic safety.

The fact that we have not gotten the wheels under it, quite yet, and we are all guilty of some dereliction in not completely fulfilling our mission, and the Congress is not alone in this regard, we still have a national policy. We have people now who understand what vehicle inspection is all about. They may not like it yet, but they understand it. They understand the disciplines of the alcohol problem. We just recently conducted a piece of specific examination of this problem, and when we got down to the next to the last question, we asked what more do you need to know about the alcohol problem in relation to traffic that we should give you, before we do whatever we do next?

Over 90 percent of the answers said we now have the message, now tell us what to do about it.

And that is where it gets back to the traffic safety bureau and those of us in the private community. We have made remarkable strides in familiarizing American communities with the aggravations of this problem.

So in terms of public understanding, public knowledge, not necessarily public acceptance with—that comes a little later—I campaigned on issues that took me 4 or 5 years to get it across to people, but they finally got the message, and they accept it.

To some extent, gentlemen, this is a disciplinary movement.

I know what that entails in terms of time, to get everybody in the act.

Mr. CLEVELAND. Particularly at this time when we have so much permissiveness?

Mr. PYLE. Yes. I wish I had time to do another piece of testimony on the pluses, they are very much here.

Mr. CLEVELAND. Governor, you have said there is some good news and it is not all bad news. For example, we had a witness the other day that said some States have a stricter rule on what is considered being under the influence of alcohol in testing standards.

They also said some States were strict, some were very lax, some had none—what I want to know is: In those States that have had very strict standards, do statistics show there were less deaths?

Mr. PYLE. They do.

Mr. CLEVELAND. Some people say there have been States where the law enforcement has been very lax, others where it has been very strict. Do the statistics show that in those States with a beefed-up law enforcement program, highway law enforcement program, that this is reducing fatalities?

Mr. PYLE. It does. In other words, going back to the plus illustration at this point, is what Senator Ribicoff did in Connecticut when he was Governor. He bore down and produced satisfactory results. The only difficulty with these things is it has to be constant. There is no such thing as status quo in this business. It is either getting better or getting worse.

Mr. CLEVELAND. I happen to be aware of what Governor Ribicoff did in Connecticut. For the record, will you tell us what he did?

Mr. PYLE. He made enforcement a very emphatic piece of business, as though to say to the driving public in Connecticut: "We mean business."

And to use the vernacular, they threw the book at the violator and it did help tremendously.

But I am afraid that that emphasis did not continue on and on and on. During the course of it, you saw appreciable change in the consequences of the violator.

Mr. CLEVELAND. Have there been published studies on that, do you happen to know?

Mr. PYLE. I will search the record and provide you with the answer to that.

Mr. CLEVELAND. This is the type of thing that I think would be helpful to the committee to know about, because these are tangible things that we can see and understand and touch. Much of this, as you know, at the planning stage, is very vague and is not very concrete. Can you think of any other examples, other than Connecticut and Ribicoff?

Mr. PYLE. Yes. Let me give you an example that is particularly exciting to us. We have been pushing our defensive driving course. This is what the little red automobile is about [indicating].

Mr. CLEVELAND. By the way, pardon me for interrupting, you might be interested to know that I was recalled during the Korean conflict. I was lucky. I was stationed in Germany, and at that time the Army had a very strict defensive driving course. I could not drive in Germany until I passed the defensive driving course. And that was back in 1951.

I mention that now because the military is coming under a great deal of criticism. But in some respects they are ahead of people in some areas.

Mr. PYLE. They really are, and they are working with us.

Let's take Pensacola Naval Training Station for an example. Since the inception of our program, they have been putting all civilians related to the base and all military connected personnel through this program, and they report to us that their statistics show a 50-percent improvement in the accident rate, based strictly on what they believe to be the effects of the defensive driving program.

So there are a lot of pluses scattered all through this thing. What we have to do is put them together and make it more universal. Of course I hope that the Bureau can be persuaded to do some direct research in these areas, to dig out the success stories and why they were successful, so that other States can have the continuing proof of research to underwrite the kind of actions that can be taken and should be taken in order for them to do the job we want done.

Mr. CLEVELAND. Thank you, Mr. Chairman.

EDITORIAL OPINION ON THE WEST FRONT EXTENSION

(Mr. STRATTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STRATTON. Mr. Speaker, whatever may be the pressures on Members of the House to vote for the costly west front extension project, the fact is that the people back home are not in favor of such an elaborate and costly project. They feel, as I do, that we should do what needs to be done to keep the west front from collapsing, but they do not think

we need to add restaurants and elevators to save the front from falling apart.

As evidence of this grassroots sentiment, I include herewith editorials from the Binghamton, N.Y., Press, of September 11, 1969, the New York Times of September 14, 1969, and the Washington Post of September 7, and September 17, 1969:

[From the Binghamton (N.Y.) Press, Sept. 11, 1969]

MEANWHILE, IN THE CAPITOL

George Meany's prescription for inflation has not been the only example of unintentionally sardonic humor on the subject.

It was only a few days after the Nixon Administration announced a 75 per cent cut in federal building and highway construction to fight inflation, that J. George Stewart, architect of the Capitol, renewed his campaign to rebuild the Capitol's West Front.

He was joined in the effort by House Speaker John McCormack, as little inclined to lightly abandon a boondoggle as Mr. Stewart.

Their timing was funny in the sense of being ridiculous.

They want to get moving on the project that Mr. Stewart, who generally is about half right in his estimates, says will cost \$45,000,000, because building costs are rising steadily. Strictly ignored has been the advice of real architects, historians and traditionalists in general that the West Front should be restored only, and not made larger and grander.

Also ignored, of course, was the Nixon Administration's effort to signal the building trades unions and the construction industry that the joyride is almost over.

Construction costs certainly are out of hand, paced by inflated wage rates that in another era could have been described only as a scandal.

Many private customers have deferred or canceled their building plans as the government now threatens to do.

It seems the only solution when an industry and its unions price themselves out of the market.

[From the New York Times, Sept. 14, 1969]

CAPITOL OUTRAGE

According to the Architect of the Capitol, the only way to prop up the crumbling West Front is with two restaurants, two cafeterias, two private dining rooms, conference committee and documents rooms, offices, a barber shop, a visitors' center—at a cost of \$45-million, up from \$34 million and no top in sight. At approximately \$300 a square foot of usable space, this is not exactly a bargain. It is, in fact, an outrage.

The whole gigantic boondoggle is an outrage in terms of history, architecture, construction, esthetics and economics. It is preposterous as preservation. The considered judgment of the American Institute of Architects, which prepared a feasibility study, and of the National Trust for Historic Preservation, backed by most of the country's experts, is that the only proper service of art and history is to restore the West Front as it is, not turn it into something that isn't. To mutilate a national monument of an extravagant extension to provide space and facilities that belong elsewhere, at a price completely out of line with other construction, is inexcusable.

Even more inexcusable are the "esthetic improvements" that are part of the plan. Great monuments, particularly historical monuments, are made up of exactly those imperfections and eccentricities that record the passage of taste and time. To "improve" the documentation of the centuries is midget-minded murder. This same fiddling with the fragile reality of the past destroyed

the East Front for an embalmed marble corpse. Strengthening the present facade will be difficult, because the structural weaknesses are serious, as any study of the engineering reports makes clear. But it will cost a lot less money and make a lot more sense than sabotage.

It is outrageous that this extravagant scheme should be proposed now, just after the President has announced a 75 per cent cutback on all Government construction to fight inflation. It is unthinkable that the Speaker of the House and the members of Congress should oblige Mr. Stewart, so-called Architect of the Capitol, with a \$2-million appropriation to get the destructive busy work going, against the informed and exasperated protests of most professional opinion in the United States. It is even more outrageous that in his stubborn adherence to his pet plan, Mr. Stewart and his henchmen have dismissed out-of-hand any alternate solution.

The final outrage is that the Capitol is allowed to deteriorate further while Mr. Stewart spends years trying to ram through his wrong-headed scheme. The only proper Congressional procedure is to vote considerably less than \$2 million of the Stewart request for a first-step, working study of costs and methods of the most direct way to restoring the historic West Front. The next step is to do it.

[From the Washington Post, Sept. 7, 1969]
WOULD YOU BUY A USED CAPITOL FROM . . . ?

Sooner or later, the grandiose plans to expand the West Front of the Capitol would have been revived. Speaker McCormack and the Architect of the Capitol, J. George Stewart, are not the sort of men who lightly abandon a boondoggle. But why these plans should be resurrected at this particular time is not clear. An economy wave is on. The President has ordered a major cutback in federal construction. Congress is trying to hold down appropriations. Yet, here comes Speaker McCormack and Mr. Stewart urging that a start be made on a project that they say will cost \$45 million but which, if prior pets of Mr. Stewart are any guide, will wind up costing closer to \$90 million.

We do not propose at this time to go into the merits of expansion vs. restoration, of whether, indeed, something must be done or the building will fall down. Those members of Congress who were here in 1966 and 1967 will remember that Mr. Stewart's expansionism was defeated then when architects and historians joined in opposition with newspapers and traditionalists. Those members of Congress who missed that brawl need only dig out what the American Institute of Architects had to say about Mr. Stewart's plan at that time.

At this point, it seems more appropriate to ask why the fate of the Capitol is in the hands of a commission composed of Vice President Agnew, Senator Dirksen, Speaker McCormack, Representative Ford and Mr. Stewart. So far as we can tell, and so far as past projects on Capitol Hill give evidence, none of these men knows much, if anything, about architecture—and that is what changes in the West Front principally involve. Mr. Stewart's connection with architecture rests solely in his title and the other four men are surely too busy running the political business of the nation to spend much time worrying about such things as the historical value of the Capitol, the weaknesses in the present structure, the possibilities of restoration, and the impact of the proposed expansion on the building's appearance. One look at the Rayburn Office Building ought to convince anyone that architecture is not one of Capitol Hill's long suits; the most optimistic appraisal of that building yet made was Bob Hope's remark that it

is so heavy it will gradually sink into the ground and disappear.

Tampering in any way with the Nation's Capitol is serious business and ought not to be undertaken by amateurs. Would the nation allow a commission composed of Messrs. Agnew, Dirksen, McCormack, Ford and Stewart to be the prime source of advice on expanding Williamsburg, renovating Mount Vernon, or rebuilding the Jefferson Memorial? Would Congress approve an expansion of the Washington Monument to get more room for tourists based on the report of the Speaker's favorite engineering firm?

Congress, in its wisdom, saw fit years ago to create the Fine Arts Commission to oversee construction that might impinge on the esthetic values of much of the District of Columbia. But it has not been willing to give that same measure of protection to the historic building on the Hill it calls home. This might be the time for it to begin that protection. Wouldn't it be wise to establish a commission of the nation's finest architects and engineers to study the problem of the Capitol? It may be that something must be done to the west wall to keep it from crumbling away. But the history of Capitol Hill projects has resulted in such a crumbling of whatever prestige and credibility the present commission and the Architect of the Capitol once had that it would be foolhardy for Congress to follow their advice blindly.

[From the Washington Post, Sept. 17, 1969]

CAN THE WEST FRONT BE RESTORED?

It was hardly surprising that the House Appropriations Committee voted \$2 million for the preparation of plans for an extension of the West Front of the Capitol. It is hard for members of the House to turn down an urgent plea from their Speaker. But it will be a sad day—for the House, for history, and for common sense—if the appropriation is approved as it now stands when it comes before the full House this week.

Speaker McCormack may well be right when he says that something must be done about the deterioration in the Capitol's west wall. Certainly the wooden braces and the evidence of surface decay indicates that some sort of action is needed. But that something is not necessarily an addition to the building that would cost at least \$45 million, would alter the handsome terraces planned by Frederick Law Olmstead, and would wipe out the last remaining walls of a building that withstood the efforts of the British to destroy it a century and a half ago. Before taking such a step, Congress ought to be sure that no other resolution to the problem of deterioration is feasible. It would ask no less from a government agency that sought to expand any of the historically important buildings under its control.

The proper steps for Congress to take this year are to appropriate funds to have a study made of the possibilities for restoration and to establish a commission of prominent architects, historians and others to work out a long-range development program for the Capitol grounds. The American Institute of Architects, whose members know far more about the problems of restoration and construction than do any of the members of the existing Commission for Extension of the United States Capitol, is arguing that restoration can be done with standstone from the same quarry from which the original walls were built. Although that group concedes it does not have the money to make a thorough study on its own, surely its recommendations are entitled to more weight than the *ipse dixit* of the Capitol's non-architect, J. George Stewart, that restoration is too difficult and too expensive to undertake. Only a careful study by experts—and there

are not likely to be found on Capitol Hill—can settle the question of whether restoration is feasible. Without knowing the answer to that question, Congress can vote for an extension of the West Front only if it ignores both history and common sense.

CONGRESSMAN BRADEMÁS PRAISES PRESIDENT NIXON'S APPOINTMENT OF MISS NANCY HANKS TO HEAD NATIONAL ENDOWMENT FOR THE ARTS

(Mr. BRADEMÁS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BRADEMÁS. Mr. Speaker, today I had the great privilege of delivering the keynote address at the 1969 Federal-State Conference of the Arts here in Washington attended by leaders of State arts councils from throughout the country.

I would like to insert at this point in the RECORD President Nixon's splendid words of greeting to the delegates at the Conference:

PRESIDENT NIXON WELCOMES DELEGATES TO 1969 FEDERAL-STATE CONFERENCE ON THE ARTS

It is a pleasure to welcome to our Nation's Capital those who attend the 1969 Federal-State Conference on the Arts.

The future opportunities of America's state arts councils are as diverse and unlimited as the arts themselves. They are matched only by their corresponding responsibilities to help make the arts accessible to each citizen and to enable the artists of America to contribute fully to preserving our cultural heritage and enriching it by sustained accomplishment.

As you further these vital tasks, you will have occasion to marshal the assistance of the volunteers who have already contributed so much to the development of arts in this country. And you will have the further chance to recognize and encourage the creative talents of our youth.

The advancement of our cultural legacy is one of the high points on this Administration's agenda. And I hope that future generations will judge our accomplishments in this area as one of its hallmarks.

A basic concept of the National Endowment for the Arts embraces our determination to stimulate state action through federal incentive. By an increasing emphasis on such federal-state cooperation, we can—I am confident—succeed in making the boundless cultural resources of America available to every citizen who seeks the beauty, artistic fulfillment, contentment, and inner-peace they offer.

Mr. Speaker, let me also take this opportunity to congratulate President Nixon on his appointment of Miss Nancy Hanks to be Chairman of the National Endowment for the Arts. As executive secretary of the special studies project of the Rockefeller Brothers Foundation and later as president of the Associated Councils of the Arts, Nancy Hanks has won the respect of legislators and artists alike with her intelligence and imagination. The President has appointed an outstanding person to succeed Roger L. Stevens, who during his years as Chairman, was an extraordinarily effective champion of the arts in America.

Mr. Speaker, I would also like here to insert the President's statement on the

arts at the time he announced the appointment of Miss Hanks. In this statement, President Nixon committed his administration to an effective role for the Federal Government in support of the arts.

The complete text of the President's statement follows:

STATEMENT BY THE PRESIDENT ON THE APPOINTMENT OF NANCY HANKS AS CHAIRMAN OF THE NATIONAL ENDOWMENT FOR THE ARTS

One of the important goals of my Administration is the further advance in the cultural development of our nation. We build on strong foundations; in almost every artistic field our country has had monumental achievement in this century. But the Federal government has a vital role as catalyst, innovator, and supporter of public and private efforts for cultural development and its specific agency for this purpose is the National Endowment for the Arts to which I have today appointed Miss Nancy Hanks of New York as Chairman. I anticipate that soon she will be joined by a deputy of equal stature.

Miss Hanks has my full confidence and will have my full cooperation.

The concept of the National Endowment for the Arts accords with the Administration's policy of stimulating state action through federal incentive. It is to be noted that a most important part of the national arts program is support of the arts councils of the various states. One major result of the activities of the Endowment is that every state now has an arts council.

Also, the Endowment seeks to assist both public and private cultural activities worthy of its support which would otherwise fall below the margin of feasibility. This cooperation with public entities on state and local levels and with private activities is another tenet of this administration.

Finally, the Endowment is designed to give special attention to areas of the country which would not otherwise be adequately reached by modern development in arts, theatre, design, and other cultural activities, and this again—the broadening and deepening of the intellectual and cultural life of all areas of our country—is a fundamental objective of this Administration.

It is my expectation that the states, colleges and universities, civic groups and public cultural institutions at every level will both see and seize this new, historic opportunity for realizing the finest qualities of artistic creativity and enjoyment through our country. I shall hope to give leadership to this effort and urge the Congress to do the same, so that we may have the full benefit of what is for us a relatively new governmental activity in the cultural field but which has vital importance for the welfare of our people and the future of our nation.

INCREASE IN AIR FARES

(Mr. VANIK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. VANIK. Mr. Speaker, yesterday, before the Ways and Means Committee, Secretary of Transportation John A. Volpe, accompanied by Administrator John H. Shaffer of the Federal Aviation Administration and Chairman John H. Crooker, Jr., of the Civil Aeronautics Board, urged the adoption of legislation to increase the commercial air passenger fare from 5 to 8 percent and an increase in the gasoline tax on general aviation to help fund the costs of expanding airport facilities and monitoring the airways.

During the course of these hearings, I advised Chairman John H. Crooker, Jr., of the Civil Aeronautics Board, that I was very much disturbed at the recent decision of the Board authorizing a 6½-percent increase in commercial air fares on October 1, 1969. This increase in air fares coupled with a 3-percent across-the-board increase earlier this year provides a rate increase to the carriers totaling 9½ percent. When this rate is added to the proposed 3-percent increase in the tax on commercial air travel proposed by Secretary Volpe, the cost of commercial air travel would be increased to 12½ percent within the course of 1 year. In addition, some States like Ohio, are adding a 4-percent sales tax on flights beginning or ending within the State.

If this trend toward escalating air fares is not reversed, the air traveler will be forced to return to the highways.

I want to remind the Civil Aeronautics Board of its responsibility to the air-traveling public: to insure safety, convenience, and also to provide for reasonable fares.

Some of the heavy airline overhead results from waste and inefficiency which is built in the system. It is ridiculous for two trunk carriers to leave Dulles Airport or Friendship Airport at exactly the same time and race to the same California destination—these planes operate at the same fares and are usually one-third filled—dividing the few available passengers. It is incredible that these airlines should compete on the size of a steak or on the quality of the in-flight movie. Who wants to exercise a choice on in-flight movies between a Jerry Lewis or a John Wayne movie?

The present rate formula encourages wastefulness and inefficiency and continually escalating prices. The commercial airlines have staked out their claim on revenue-losing route extensions at the expense of the regular air traveler. The long-range effect of fare increases will be a drifting away from the high intensity use of the airlines which has developed primarily because of promotional fares, such as the student rate, standby, and military discounts.

I hope that the Civil Aeronautics Board will seriously return to its earlier policy which was directed toward high volume-low cost utilization of the commercial airline facilities.

The air controller system monitors the airplanes on a 24-hour basis. This monitoring service is inefficiently used, since air travel is almost suspended during the nighttime hours. It seems to me that the Civil Aeronautics Board should supplement its current pricing policies with an order for 50-percent discount flights in the night hours, to provide low-cost travel to those segments of our economy which cannot afford air travel at the regular daytime prices. This would provide a travel opportunity for students, military personnel, and the elderly, and any other group of travelers who cannot afford either the congestion or the cost of daytime travel. Such a program would stimulate air travel and point out the advantage of price incentive in addition to more fully utilizing the airports, the aircraft, and the air controller system.

CLEVELAND TAKES SHOE IMPORT FIGHT TO SENATE SUBCOMMITTEE

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, yesterday, I had the privilege of being the leadoff witness in shoe import hearings being conducted by the Small Business Subcommittee, Senate Banking and Currency Committee.

I told the chairman, who is the junior Senator from my own State of New Hampshire, Mr. MCINTYRE, that I felt very strongly that the Congress should move swiftly to pass and send to the President strong, effective import quota legislation. In my view, only positive action of that dimension would convince other nations, notably the Japanese, that we mean business when we insist on fair competition. An action like that would give Secretary of Commerce Stans a really useful tool in negotiating trade agreements with other countries. Armed with the power of a strong congressional mandate he would be enabled to accomplish new arrangements of real value. Without such firm backing from the Congress, I am fearful that his protestations and our protestations will simply be received and discarded by foreign negotiators.

Congress must signify clearly that we are serious.

In the course of my presentation, I recommended to the subcommittee its endorsement of the Orderly Footwear Marketing Act, of which I am a sponsor on the bill bearing the name of the able gentleman from Massachusetts (Mr. BURKE), who has given such valuable leadership in this campaign.

As with other trade issues with which I am associated and am actively pursuing, the question is not protectionism, Mr. Speaker. It concerns fair trade, rather than free trade.

In addition to the Orderly Footwear Marketing Act and urging swift adoption of legislation, I outlined another approach to which I have given considerable thought over the past several years.

I asked the subcommittee, and I ask my learned colleagues in this House, to consider whether we should not amend our tariff laws so as to fix rates on a country-by-country basis, in accordance with the wages and working conditions prevailing in the foreign countries. Another factor which would be taken into account is the extent of subsidy given by their governments to the various industries exporting to the United States. It is very wrong for our industry to be required to compete against cheap foreign labor—sometimes slave labor. American workers have a high standard of living. We intend to improve it. We should not throw our workers into uneven competitive situations where they have no chance. As a matter of national policy, we should encourage other countries to upgrade working conditions for their people. Instead, our present laws put us in the position of actually endorsing and encouraging the continuation of bad conditions and low wages in those lands.

CHANGE IN COMMAND AT THE CENSUS BUREAU

(Mr. BETTS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. BETTS. Mr. Speaker, a prominent figure in statistical circles stepped down recently as head of an agency that is renowned as the largest collector of information in the world. He is Dr. A. Ross Eckler, Director of the Bureau of the Census, who has served the American public for 34 years, 30 of which has been with the Census Bureau. Dr. Eckler, a Phi Beta Kappa graduate of Hamilton College and former instructor at the Harvard Business School, first came to Washington to become Chief of Special Inquiries and Assistant Director of Research at the Work Projects Administration. Four years later he left to work for the Bureau of the Census where he became Deputy Director in 1949 and finally Director in July 1965.

While I have often disagreed with this distinguished gentleman on certain premises and procedures of census policy, I have found him to be a man of uncommon patience who has cooperated to the fullest extent possible to accommodate what must have seemed to be endless requests from me and my staff. I certainly have a keen respect for his judgment and have always found that he presented his views in a candid and forthright manner. I share the esteem in which he is held by his fellow peers and know that his competence, cordiality, and helpfulness will be missed.

His successor is Dr. George Hay Brown, formerly manager-director of marketing research at the Ford Motor Co. For those who have indicated an interest, if not a commitment to census reform, I think a brief summary of Dr. Brown's background is in order. He is a graduate of Oberlin College and obtained his M.B.A. from Harvard and Ph.D. from the University of Chicago. From 1931 to 1936, he was divisional sales representative for the Mallinckrodt Chemical Works in St. Louis. He left to become professor of marketing at the University of Chicago where he also served as marketing consultant to a number of major firms. For the past 15 years he has been with the Ford Motor Co.

Dr. Brown has extensive experience in short- and long-term market forecasting and has utilized census data to assist him in conducting feasibility studies. An important note in his biography which is of particular interest to me is the fact that he developed and conducted a sample census of the city of Chicago for the Chicago Tribune. I assume it was successful and, therefore, wonder whether Dr. Brown would agree with a basic contention of mine that voluntary surveys produce meaningful results.

Mr. Speaker, while I harbor no misconceptions as to where Dr. Brown stands with regard to the current census debate, I am hopeful that he will note the genuine, nonsynthetic value of census reform. Determining the proper balance between an individual's private rights and public needs is the foundation of this

issue. Far from being a threat to the outcome of obtaining data to form public policy, I firmly believe the present congressional inquiry into the census will have beneficial results. Census reform is a subject of substance and merits the Bureau's continued consideration.

I wish Dr. Brown a successful tenure in his challenging position and look forward to continuing the excellent relationship with the Census Bureau that I have enjoyed in the past.

ONCE AGAIN TONY BOYLE HAS VIOLATED THE LAW

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, there have been so many flagrant and persistent violations of the law by the current president of the United Mine Workers of America, W. A. Boyle, that it would take many court judgments to correct these actions. Already, as a result of four consecutive court actions, the current leadership of the United Mine Workers of America has been found to be in violation of the law. Federal courts have repeatedly ruled that the United Mine Workers Journal has been used as a propaganda organ for promotion of the reelection of the present officers.

In a decision dated September 15, 1969, U.S. District Judge John H. Pratt issued an opinion that equal space must be accorded to Joseph A. Yablonski, who is a bona fide candidate for president of the United Mine Workers of America. The news article in the September 16 New York Times, and the text of Judge Pratt's decision follow:

JUDGE FINDS BIAS IN UMW JOURNAL—SAYS OFFICERS USED PAPER AS A "PROPAGANDA ORGAN"

WASHINGTON, September 15.—A Federal judge here ruled today union's publication, the U.M.W. that the officers of the United Mine Workers of America have been using the union's bimonthly newspaper "as a propaganda organ" to promote their re-election.

Judge John H. Pratt of the United States District Court ordered in effect that the union publication, the U.M.W. Journal, henceforth give equal space to Joseph A. Yablonski, the challenger in the campaign to unseat W. A. (Tony) Boyle, the union's president since 1963.

The judge noted that The Journal had failed to mention Mr. Yablonski so far in the campaign, except in a routine list of nominees for union offices that was printed last May 29. The election will be held Dec. 9.

The dispute over Mr. Boyle's campaign tactics has involved more than 100 allegations by Mr. Yablonski of illegal moves by union officials to prevent the union's 160,000 members from learning of the challenger's candidacy or his platform.

In seeking the injunction against The Journal, which Judge Pratt granted him today, Mr. Yablonski had asserted that one recent issue of the newspaper contained 38 pictures of Mr. Boyle on its 34 pages, but not one mention of Mr. Yablonski.

Judge Pratt noted that much of the injunctive relief that Mr. Yablonski had asked of the court—for example, an order requiring two successive issues of The Journal to give over "the entire first half" to text supplied by Mr. Yablonski—"would be a clear

violation of the First Amendment," which guarantees freedom of the press.

AN UNUSUAL STEP

"It should be understood that this court is not attempting to tell The Journal what it can and cannot print," Judge Pratt added. But he suggested that The Journal could avoid violations of provisions of the Landrum-Griffin Act of 1959, which forbid discriminatory use of union membership lists for election purposes, by giving "fair and comparable treatment to both candidates in the future."

The Journal is mailed twice a month to all members of the union.

Judge Pratt also said that he would take the unusual step of requiring the union to publish in full "the entire text" of his findings and conclusions.

If his ruling is not reversed on an appeal that the union's lawyers are expected to file, the effect would be to order the union to print a document in which Judge Pratt is expected to repeat many of the unfavorable assertions about the union that he made in writing today.

In his memorandum today, for example, the judge said that "a line must be drawn between the use of The Journal to report the activities of defendant Boyle as president, which is permissible, and the use of The Journal, in such a way in reporting such activities, as to promote the candidacy of said defendant." He concluded:

"We find that this line has been breached. . . . In support of this conclusion, we cite specifically the excessive coverage column-wise and pictorially, given the defendant Boyle in relation to other matters contained in The Journal."

[U.S. District Court for the District of Columbia]

JOSEPH A. YABLONSKI, PLAINTIFF, v. UNITED MINE WORKERS OF AMERICA, ET AL., DEFENDANTS

(Civil Action No. 2413-69)

MEMORANDUM

On August 26, 1969, plaintiff filed a complaint, the gravamen of which is that defendant Boyle, President of the United Mine Workers of America (UMW) and defendant McCarthy, Editor of the UMW Journal (Journal) are using the Journal as a propaganda organ to advance defendant Boyle's candidacy for reelection as President of the UMW. This is alleged to be in violation of several provisions of the Labor-Management Reporting and Disclosure Act of 1959 (LMRDA). Jurisdiction is claimed under Section 401(c) and Section 501 of said Act (29 U.S.C. 481(c) and 501). On August 28, 1969, and after a hearing, Judge Waddy of this Court issued a temporary restraining order holding that a *prima facie* case had been made by plaintiff and enjoining defendants "from using the membership lists of the defendant United Mine Workers to discriminate against plaintiff by the utilization of the United Mine Workers Journal as a campaign instrument in favor of defendant Boyle." Defendants appealed promptly and the United States Court of Appeals for the District of Columbia affirmed the grant by Judge Waddy of the temporary restraining order.

This matter is now before this Court upon plaintiff's motion for a preliminary injunction directing that the defendants:

- (1) provide plaintiff Yablonski with sufficient space in future issues of the Journal to present his positions and actions to the membership until such presentation neutralizes the alleged previous presentations of defendant Boyle's positions and actions;
- (2) provide equal space and treatment for plaintiff Yablonski in future issues of the Journal until the election takes place;

(3) in carrying out the above, print copy supplied by plaintiff Yablonski to constitute the entire first half of the issue of September 1, 1969, and the entire first half of the issue of September 15, 1969, the remainder of said issues to require fair and equal treatment to plaintiff Yablonski and defendant Boyle; and

(4) provide plaintiff Yablonski with final proof of each forthcoming edition 72 hours prior to printing.

JURISDICTION TO GRANT RELIEF

Several criteria must be met to establish jurisdiction to issue a preliminary injunction. *Virginia Petroleum Jobbers Assn. v. F.P.C.*, 104 U.S. App. D.C. 106, 110; 259 F.2d 921, 935 (1958); see also *A. Quaker Action Group v. Hinkel*, — U.S. App. D.C. — (slip opinion, June 24, 1969). The first is whether the plaintiff can establish, by a preponderance of the evidence, that he is likely to succeed ultimately when the case is tried on its merits. This, in turn, is dependent on whether (1) defendants have been shown to have used the Journal as a campaign instrument in behalf of the candidacy of defendant Boyle and thereby discriminated in the use of said membership lists to distribute said Journal, and (2) assuming that such has been demonstrated, whether there is relief which can be granted by the Court.

After hearing testimony and upon examination of numerous exhibits, some of considerable volume, we find that the defendants have used the Journal as a campaign instrument in favor of defendant Boyle. This is a judgment decision which is made with full appreciation of the character of the Journal and similar publications of other national unions. We are aware that defendant Boyle, as the President of the union running for reelection, will in the nature of things be an important participant in many matters of interest to the membership and be more likely to have his participation in these matters the subject of inclusion in any report to the membership through the Journal. A line must be drawn between the use of the Journal to report the activities of defendant Boyle as President, which is permissible, and the use of the Journal, in such a way in reporting such activities, as to promote the candidacy of said defendant. We find that this line has been breached and that the Journal in many respects has been used as a campaign instrument to promote defendant Boyle's candidacy.

In support of this conclusion, we cite specifically the excessive coverage, column-wise and pictorially, given to defendant Boyle, in relation to the coverage of other matters contained in the Journal; and the failure since May 29, 1969, to make any reference to plaintiff's activities as an Acting Director of Labor's Non-Partisan League, to his candidacy for President, and, except for the report on nominations (Journal, August 15, 1969, page 3) to even mention plaintiff by name. It is no answer to say that the format and style of the Journal have always been the same and have not changed since May 29, 1969 or that such format and style are not much different than those of other union publications. The fact is that, in the context of a bitterly contested election, the contents and emphasis of a union periodical such as the Journal must be judged in the light of the Landrum-Griffin Act. It should be understood that this Court is not attempting to tell the Journal what it can and cannot print; this would violate the First Amendment and is beyond our statutory authority. Irrespective of the question of remedy, it is our conclusion that the conduct of defendants is in violation of Section 401(c) of the LMRDA and that plaintiff has made a strong showing that he is likely to prevail on the merits.

The remaining criteria may be briefly dis-

cussed. The plaintiff will be irreparably injured and has no adequate remedy at law. The machinery set forth in Section 402 which provides for the filing of a complaint with the Secretary of Labor, who after investigation and finding of probable cause may sue to set aside the election, is cumbersome, doubtful, and calls for delay. It is not an adequate remedy for the wrongs which plaintiff is presently suffering. Further, the issuance of injunctive relief will not be harmful to others. Finally, the public interest in fair union elections as expressed in the Landrum-Griffin Act is clearly on the side of injunctive relief. The standards prerequisite to the issuance of an injunction have been met in this case.

THE RELIEF TO BE GRANTED

The LMRDA, the Landrum-Griffin Act of 1959, amended the Taft-Hartley Act of 1947 and was designed to eliminate certain improper practices on the part of labor unions and employers, including officers and representatives, which interfere with the holding of fair union elections. It attempted to combine a reluctance to interfere in the internal affairs of unions and its philosophy of furthering democratic procedures in union elections through the device of giving much of its enforcement procedure to the Secretary of Labor, acting upon a complaint after an election has been held. This is true with respect to Title IV of the Act, which includes Sections 401, 402, and 403 (29 U.S.C. Sections 481, 482, and 483). Section 402(c) permits a direct suit by a candidate to enjoin certain violations, but the balance of the provisions of Section 401 are to be enforceable through a complaint to be filed by the candidate with the Secretary of Labor. *Calhoon v. Harvey*, 371 U.S. 134 (1964).

With this brief background of the purpose of the legislation, it is clear that the specific injunctive relief requested by plaintiff (see page 2 hereof) cannot be granted by this Court for several reasons:

(1) The relief requested would in effect require defendants to print certain material supplied by plaintiff. As desirable as this might be from a public interest and union viewpoint, such requirement would be a clear violation of the First Amendment insofar as it relates to the freedom of the press. Citation of cases should be unnecessary.

(2) This Court lacks the statutory authority to compel this action. Section 401(c), which permits suits by candidates to achieve certain results, does not authorize this type of relief.

(3) Section 401(g), which prohibits the use of union funds to promote the candidacy of any person and therefore would make unlawful the use of union funds to support publication of the Journal when used as a campaign instrument, does not confer this authority. This is because actions for violations of Section 401(g) are enforceable only through suit by the Secretary of Labor under Section 402. *Wirtz v. Independent Workers Union of Florida*, 272 F. Supp. 31 (1967); see also *Wirtz v. Hotel, Motel and Club Emp. Union, Local No. 6*, 391 U.S. 492 (1964).

(4) To grant the injunctive relief requested by plaintiff might be to compel defendants to commit further violations of Section 401(g).

The "fairness doctrine" of the *Red Lion* case is not applicable. The airwaves are part of the public domain and the Federal Communications Commission in granting a private monopoly to a broadcasting station may properly condition such a grant. A union newspaper or periodical has a specialized circulation and is not in the public domain.

In summary, the specific relief requested by plaintiff, however desirable it would appear to be in the interests of promoting fair and democratic union elections, is beyond our statutory authority to grant and involves

serious constitutional questions under the First Amendment.

On the other hand, we have previously found by a preponderance of the evidence that the UMW Journal has been used as a campaign instrument to promote the candidacy of defendant Boyle. Since the distribution of the Journal utilizes the membership lists of the UMW, such a use of such membership lists is a discrimination in favor of the candidacy of defendant Boyle as against the candidacy of plaintiff Yablonski. This is the relief contained in the temporary restraining order and this Court is prepared to order such relief by way of preliminary injunction. The burden will be on the defendants to refrain from discrimination in the use of the membership lists. Since this concerns the present style and format of the Journal, it would appear that fair and comparable treatment of both candidates in the future would avoid the discriminatory use of the membership lists without violating the provisions of Section 401(g), which prohibit the use of union funds to promote the candidacy of any person. This, of course, is a matter for the defendants to decide.

Fair and comparable treatment or publicity is not promotion of one candidate over another as witness the reporting of political news by newspapers.

We are further prepared to order that defendants use said membership lists to distribute to the union membership the entire text of the findings of fact, conclusions of law and order to be issued in accordance with this memorandum. It is believed that this course will mutually assist in insuring defendants' compliance with the provisions of the order to be entered herein.

Counsel for plaintiff within five (5) days will submit such proposed findings of fact, conclusions of law and order.

JOHN H. PRATT,
U.S. District Judge.

SEPTEMBER 15, 1969.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PRICE of Texas (at the request of Mr. GERALD R. FORD), for September 18, on account of official business as a member of the House Committee on Agriculture.

Mrs. SULLIVAN, for Wednesday, September 17, after 2 o'clock p.m., and Thursday, September 18, on account of attending a funeral in her district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. KASTENMEIER, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. SAYLOR, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. VANDER JAGT (at the request of Mr. BURKE of Florida), for 5 minutes, today; to review and extend his remarks and include extraneous matter.

Mr. MORSE (at the request of Mr. WYLIE), for 1 hour, on September 24.

(The following Members (at the request of Mr. DANIEL of Virginia):

Mr. ALBERT, for 30 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. FLOOD, for 15 minutes, today.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

All Members to extend their remarks on the 1-minute speech of Mr. GERALD R. FORD of today on the President's announced troop withdrawal from South Vietnam.

Mr. EDWARDS of California and to include extraneous matter.

Mr. DORN and to include extraneous matter.

Mr. SMITH of Iowa.

Mr. BROYHILL of North Carolina during general debate today on House Joint Resolution 681.

To follow Mr. POFF in Committee of the Whole: MESSRS. GERALD R. FORD, DON H. CLAUSEN, SEBELIUS, THOMPSON of Georgia, GROSS, WAGGONER, SCHADEBERG, and PRICE of Texas.

Mr. MESKILL (at the request of Mr. BROWN of Ohio) to extend his remarks following Mr. BROWN of Ohio.

(The following Members (at the request of Mr. BURKE of Florida) and to include extraneous matter:)

Mr. HALL.

Mr. ROUDEBUSH.

Mr. GUDE.

Mr. PETTIS.

Mr. LUJAN.

Mr. CARTER in 11 instances.

Mr. WINN.

Mr. McEWEN.

Mr. BUSH.

Mr. REIFEL.

Mr. SCHWENDEL.

Mr. WYMAN in two instances.

Mr. CEDERBERG.

Mr. RUPPE.

Mr. COUGHLIN in two instances.

Mr. PELY in two instances.

Mr. BURKE of Florida.

Mr. DERWINSKI.

Mrs. MAY.

Mr. ASHBROOK.

Mr. ROBISON.

Mr. TAFT.

Mr. HOGAN.

Mr. DICKINSON.

Mr. BROYHILL of North Carolina.

Mr. LANGEN.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. LONG of Maryland in two instances.

Mr. DONOHUE in two instances.

Mr. EILBERG.

Mr. KASTENMEIER in two instances.

Mr. HÉBERT.

Mr. PICKLE in four instances.

Mr. VANIK in two instances.

Mr. GONZALEZ in two instances.

Mr. RARICK in two instances.

Mrs. SULLIVAN in two instances.

Mr. JACOBS.

Mr. VAN DEERLIN.

Mr. BYRNE of Pennsylvania.

Mr. BROWN of California in two instances.

Mr. HUNGATE in two instances.

Mr. EDWARDS of California in two instances.

Mr. MINISH.

Mr. BIAGGI in two instances.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 83. An act for the relief of certain civilian employees and former civilian employees of the Bureau of Reclamation;

S. 85. An act for the relief of Dr. Jagir Singh Randhawa;

S. 348. An act for the relief of Cheng-huai Li; and

S.J. Res. 149. Joint resolution to extend for 3 months the authority to limit the rates of interest or dividends payable on time and savings deposits and accounts.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4658. An act for the relief of Bernard L. Coulter; and

H.J. Res. 250. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and joint resolutions of the House of the following titles:

H.R. 4658. An act for the relief of Bernard L. Coulter;

H.J. Res. 250. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1969, General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; and

H.J. Res. 775. Joint resolution to authorize the President to award, in the name of Congress, Congressional Space Medals of Honor to those astronauts whose particular efforts and contributions to the welfare of the Nation and of mankind have been exceptionally meritorious.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 21 minutes p.m.), the House adjourned until tomorrow, Thursday, September 18, 1969, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

(H. Doc. No. 91-159)

1154. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated July 8, 1968, submitting a report, together

with accompanying papers and illustrations, on streams in the vicinity of Fairfield, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted May 10, 1962 (H. Doc. No. 91-159); to the Committee on Public Works and ordered to be printed with illustrations.

(H. Doc. No. 91-160)

1155. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated August 22, 1968, submitting a report, together with accompanying papers and illustrations, on New Jersey coastal inlets and beaches, Great Egg Harbor Inlet to Stone Harbor, in response to section 110 of Public Law 87-874, approved October 23, 1962, concerning Corson Inlet; resolutions of the Committees on Public Works, House of Representatives, adopted March 30, 1955 and August 25, 1960, concerning Great Egg Harbor River and Townsend Inlet, and section 2 of Public Law 520, approved July 3, 1930, as amended and supplemented, pertaining to cooperative beach erosion control investigations (H. Doc. No. 91-160); to the Committee on Public Works and ordered to be printed with illustrations.

1156. A letter from the Comptroller General of the United States, transmitting a report on the effectiveness and administrative efficiency of the Neighborhood Youth Corps program under title IB of the Economic Opportunity Act of 1964, Los Angeles County, Calif., Department of Labor; to the Committee on Education and Labor.

A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according certain beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONES of Alabama. Committee of Conference. H.R. 6508. A bill to provide assistance to the State of California for the reconstruction of areas damaged by recent storms, floods, etc. (Rept. No. 91-495). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H.R. 13831. A bill to provide that the imposition of taxes the proceeds of which are appropriated to the highway trust fund shall be suspended during any period when amounts in the fund are impounded or otherwise withheld from expenditures; to the Committee on Ways and Means.

By Mr. ADAMS (for himself, Mr. BING-

HAM, Mr. BLANTON, Mr. BOLAND, Mr. BUTTON, Mr. CULVER, Mr. CUNNINGHAM, Mr. ECKHARDT, Mr. FOLEY, Mrs. HANSEN of Washington, Mr. HASTINGS, Mr. HICKS, Mr. HOWARD, Mr. KOCH, Mr. MEEDS, Mr. MOSS, Mr. PELY, Mr. REES, Mr. REID of New York, Mr. ROBISON, Mr. STOKES, Mr. THOMPSON of New Jersey, Mr. TIERNAN, Mr. UDALL, and Mr. VAN DEERLIN):

H.R. 13832. A bill to authorize the Interstate Commerce Commission to prescribe minimum standards for railroad passenger service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS (for himself, Mr. BROWN of California, Mr. DANIELS of New Jersey, Mr. EVANS of Colorado, Mr. EVINS of Tennessee, Mr. GALIÑO, Mr. GONZALEZ, Mr. HANSEN of Idaho, Mr. HECHLER of West Virginia, Mr. LEGGETT, Mr. LUKENS, Mr. McDADÉ, Mr. McFALL, Mr. MILLER of California, Mr. OBEY, Mr. PEPPER, Mr. PETTIS, Mr. POWELL, Mr. ST. ONGE, Mr. SCHWENDEL, Mr. STEIGER of Wisconsin, Mr. TUNNEY, Mr. VIGORITO, Mr. WAGGONER, and Mr. WOLFF):

H.R. 13833. A bill to authorize the Interstate Commerce Commission to prescribe minimum standards for railroad passenger service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS (for himself and Mr. DINGELL):

H.R. 13834. A bill to authorize the Interstate Commerce Commission to prescribe minimum standards for railroad passenger service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BEALL of Maryland (for himself and Mr. GUDE):

H.R. 13835. A bill to provide for the expansion of the Antietam Battlefield in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H.R. 13836. A bill to repeal the Gun Control Act of 1968; to the Committee on the Judiciary.

By Mr. FUQUA (for himself and Mr. BROYHILL of Virginia):

H.R. 13837. A bill to amend the Healing Arts Practice Act, District of Columbia, 1928, to revise the composition of the Commission on Licensure to Practice the Healing Art, and for other purposes; to the Committee on the District of Columbia.

By Mr. GOODLING (for himself and Mr. DEVINE):

H.R. 13838. A bill to provide for the distribution to the several States, for display to the public in museums and other appropriate institutions, samples of the lunar rocks and other lunar materials brought back by the Apollo 11 mission; to the Committee on Science and Astronautics.

By Mr. HALEY:

H.R. 13839. A bill to amend title 10, United States Code, to permit the recomputation of retired pay of certain members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. GILBERT:

H.R. 13840. A bill to amend the Social Security Act to provide increases in benefits under the old age, survivors, and disability insurance program, to provide health insurance benefits for the disabled, and for other purposes; to the Committee on Ways and Means.

By Mr. HOGAN:

H.R. 13841. A bill to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries, and for other purposes; to the Committee on the District of Columbia.

By Mr. McCLORY:

H.R. 13842. A bill to provide injunctive relief to prevent serious disruption of federally assisted institutions of higher education; to the Committee on the Judiciary.

By Mr. MOORHEAD (for himself, Mrs. CHISHOLM, Mr. DIGGS, Mr. HALPERN, Mr. HAWKINS, Mr. HELSTOSKI, Mr. KOCH, Mr. PEPPER, Mr. REES, and Mr. TUNNEY):

H.R. 13843. A bill to amend section 3 of the Housing and Urban Development Act of 1968; to the Committee on Banking and Currency.

H.R. 13844. A bill to authorize the Small Business Administration to guarantee any bid, payment or performance bond under an

agreement entered into by a small business concern which is a construction contractor or subcontractor; to the Committee on Banking and Currency.

By Mr. MOORHEAD (for himself, Mrs. CHISHOLM, Mr. DIGGS, Mr. HALPERN, Mr. HAWKINS, Mr. HELSTOSKI, Mr. KOCH, Mr. PEPPER, Mr. REES, Mr. STOKES, and Mr. TUNNEY):

H.R. 13845. A bill to increase the participation of small business concerns in the construction of industry by providing for a Federal guarantee of certain construction bonds and authorizing the acceptance of certifications of competency in lieu of bonding in connection with certain Federal projects, and for other purposes; to the Committee on Banking and Currency.

By Mr. MOORHEAD (for himself, Mrs. CHISHOLM, Mr. DIGGS, Mr. HALPERN, Mr. HAWKINS, Mr. HELSTOSKI, Mr. KOCH, Mr. PEPPER, Mr. REES, and Mr. TUNNEY):

H.R. 13846. A bill to amend the act of August 24, 1935 (commonly referred to as the "Miller Act"), to exempt construction contracts not exceeding \$20,000 in amount from the bonding requirements of such act, and for other purposes; to the Committee on the Judiciary.

By Mr. MORTON:

H.R. 13847. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. MURPHY of New York:

H.R. 13848. A bill to amend title III of the Narcotic Addict Rehabilitation Act of 1966 to permit anyone who believes a person to be a narcotic addict to file a petition to have such person admitted to a Public Health Service hospital for treatment of his addiction; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 13849. A bill to amend the Federal Water Pollution Control Act, as amended, to provide adequate financial assistance and to increase the allotment to certain States of construction grant funds; to the Committee on Public Works.

By Mr. ROSENTHAL:

H.R. 13850. A bill to provide more efficient and convenient passport services to citizens of the United States of America; to the Committee on Foreign Affairs.

By Mr. ROUDEBUSH:

H.R. 13851. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 13852. A bill to require the Interstate Commerce Commission to prescribe minimum standards for railroad passenger service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 13853. A bill to provide that the U.S. District Court for the Eastern District of New York shall be held at Brooklyn, Mineola, and Hempstead; to the Committee on the Judiciary.

By Mr. ALEXANDER:

H.R. 13854. A bill to strengthen voluntary agricultural organizations, to provide for the orderly marketing of agricultural products, and for other purposes; to the Committee on Agriculture.

By Mr. ANDREWS of Alabama:

H.R. 13855. A bill to provide additional assistance for the construction of areas in the States of Alabama, Florida, Louisiana, Mississippi, Virginia, and West Virginia which were damaged by Hurricane Camille of 1969; to the Committee on Public Works.

By Mr. BINGHAM:

H.R. 13856. A bill to incorporate College Benefit System of America; to the Committee on the Judiciary.

By Mr. BRINKLEY:
H.R. 13857. A bill to amend title II of the Social Security Act to provide a 15-percent across-the-board increase in benefits thereunder, with a minimum primary benefit of \$125, and to increase to \$3,920 a year the amount of outside earnings permitted a beneficiary without any loss of benefits; to the Committee on Ways and Means.

By Mr. FRASER:
H.R. 13858. A bill to establish within the Executive Office of the President a Council of Health Advisers in order to improve the organization of agencies within the executive branch of the Government concerned with health programs and to strengthen the coordination of health programs; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLAGHER:
H.R. 13859. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without any deductions from benefits thereunder; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:
H.R. 13860. A bill to repeal the first section of the act of July 15, 1968, relating to the land and water conservation fund; to the Committee on Interior and Insular Affairs.

H.R. 13861. A bill to provide for public disclosure by Members of the House of Representatives, Members of the U.S. Senate, Justices and judges of the U.S. courts, and policymaking officials of the executive branch as designated by the Civil Service Commission, but including the President, Vice President, and Cabinet members; and by candidates for the House of Representatives and the Senate, the Presidency, and the Vice-Presidency; and to give the House Committee on Standards of Conduct, the Senate Select Committee on Standards of Conduct, the Director of the Administrative Office of the U.S. Courts, and the Attorney General of the United States appropriate jurisdiction; to the Committee on the Judiciary.

By Mrs. MAY:
H.R. 13862. A bill to authorize the naming of the reservoir to be created by the Little Goose lock and dam, Snake River, Wash., in honor of the late Dr. Enoch A. Bryan; to the Committee on Public Works.

By Mr. QUILLEN:
H.R. 13863. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. SCHNEEBELI:
H.R. 13864. A bill to amend section 5701 (a) (2) of the Internal Revenue Code of 1954 so as to adjust the rates of tax on cigars; to the Committee on Ways and Means.

By Mrs. SULLIVAN:
H.R. 13865. A bill to establish an Office of Consumer Affairs in order to provide within the Federal Government for the representation of the interests of consumers, to coordinate Federal programs and activities affecting consumers, to assure that the interests of consumers are timely presented and considered by Federal agencies, to represent the interests of consumers before Federal agencies, and to serve as a clearinghouse for consumer information; to establish a Consumer Advisory Council to oversee and evaluate Federal activities relating to consumers; to authorize the National Bureau of Standards, at the request of businesses, to conduct product standard tests; and for other purposes; to the Committee on Government Operations.

By Mr. ADAIR (for himself, Mr. WILLIAMS, and Mr. ROBERTS):
H. Con. Res. 348. Concurrent resolution calling on the interim leaders of the government established at Hanoi, North Vietnam, to provide for free and open elections to choose a successor to the late chief of

state of such government; to the Committee on Foreign Affairs.

By Mr. BURTON of Utah:

H. Con. Res. 349. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. HANLEY:

H. Con. Res. 350. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. LOWENSTEIN:

H. Con. Res. 351. Concurrent resolution terminating the joint resolution of August 10, 1964, relating to the maintenance of international peace and security in Southeast Asia; to the Committee on Foreign Affairs.

By Mr. McMILLAN:

H. Con. Res. 352. Concurrent resolution condemning the treatment of American prisoners of war by the Government of North Vietnam and urging the President to initiate appropriate action for the purpose of insuring that American prisoners are accorded humane treatment; to the Committee on Foreign Affairs.

By Mr. BROWN of California:

H. Con. Res. 353. Concurrent resolution relative to American prisoners of war; to the Committee on Foreign Affairs.

By Mr. DENT (for himself, Mr. VIGORITO, and Mr. FLOOD):

H. Con. Res. 354. Concurrent resolution expressing the sense of Congress relating to films and broadcasts which defame, stereotype, ridicule, demean, or degrade ethnic, racial, and religious groups; to the Committee on Interstate and Foreign Commerce.

By Mr. DICKINSON (for himself, Mr. ADAIR, Mr. ANDERSON of California, Mr. ANDREWS of Alabama, Mr. ANDREWS of North Dakota, Mr. ANNUNZIO, Mr. BEALL of Maryland, Mr. BELCHER, Mr. BELL of California, Mr. BETTS, Mr. BEVILL, Mr. BIAGGI, Mr. BOLAND, Mr. BRAY, Mr. BROCK, Mr. BROWN of Ohio, Mr. BROYHILL of North Carolina, Mr. BUCHANAN, Mr. BURKE of Florida, Mr. BYRNES of Wisconsin, Mr. CAMP, Mr. CASEY, Mr. CEDERBERG, Mr. CHAPPELL, and Mr. CLARK):

H. Con. Res. 355. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. DON H. CLAUSEN, Mr. DEL CLAWSON, Mr. CLEVELAND, Mr. COLLIER, Mr. COUGHLIN, Mr. CORBETT, Mr. CRAMER, Mr. DANIEL of Virginia, Mr. DELANEY, Mr. DENT, Mr. DEVINE, Mr. DOWNING, Mrs. DWYER, Mr. EDWARDS of Louisiana, Mr. EDWARDS of Alabama, Mr. ERLBORN, Mr. ESHLEMAN, Mr. EVANS of Colorado, Mr. FISHER, Mr. FLOWERS, Mr. FLYNT, Mr. GERALD R. FORD, Mr. FOREMAN, and Mr. FRELINGHUYSEN):

H. Con. Res. 356. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. FREY, Mr. FULTON of Pennsylvania, Mr. GALIFIANAKIS, Mr. GARMATZ, Mr.

GIBBONS, Mr. GONZALEZ, Mr. GROVER, Mrs. HANSEN of Washington, Mr. HARVEY, Mr. HASTINGS, Mr. HARSHA, Mr. HECHLER of West Virginia, Mr. HENDERSON, Mr. HICKS, Mr. HORTON, Mr. ICHORD, Mr. JOHNSON of California, Mr. KLEPPE, Mr. KUYKENDALL, Mr. KYL, Mr. KYROS, Mr. McCLOSKEY, Mr. McCLURE, and Mr. McDade):

H. Con. Res. 357. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. LATTI, Mr. LENNON, Mr. LUJAN, Mr. LUKENS, Mr. MCEWEN, Mr. MACGREGOR, Mr. MAILLIARD, Mr. MARSH, Mrs. MAY, Mr. MAYNE, Mr. MESKILL, Mr. MICHEL, Mr. MIKVA, Mr. MILLER of Ohio, Mr. MIZE, Mr. MONTGOMERY, Mr. NICHOLS, Mr. PELLY, Mr. PEPPER, Mr. PETTIS, Mr. PICKLE, Mr. PIRNIE, Mr. POLLOCK, and Mr. PRICE of Texas):

H. Con. Res. 358. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. RAILSBACK, Mr. RABICK, Mrs. REID of Illinois, Mr. REIFEL, Mr. RHODES, Mr. RIEGLE, Mr. ROBISON, Mr. ROGERS of Florida, Mr. RUPPE, Mr. SANDMAN, Mr. SATTERFIELD, Mr. SCHADEBERG, Mr. SCHERLE, Mr. SEBELIUS, Mr. SHRIVER, Mr. SLACK, Mr. SMITH of New York, Mr. STAFFORD, Mr. STRATTON, Mr. SYMINGTON, Mr. TAFT, Mr. TALCOTT, Mr. TEAGUE of Texas, and Mr. TUNNEY):

H. Con. Res. 359. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. BARING, Mr. BROYHILL of Virginia, Mr. BUTTON, Mr. CUNNINGHAM, Mr. DELLENBACK, Mr. DULSKI, Mr. ESCH, Mr. FASCELL, Mr. FEIGHAN, Mr. FREY, Mr. FULTON of Tennessee, Mr. GALLAGHER, Mr. GAYDOS, Mr. HALPERN, Mr. HUNT, Mr. HUTCHINSON, Mr. JONES of Alabama, Mr. KEITH, Mr. MONAGAN, Mr. MORTON, Mr. MYERS, Mr. O'HARA, Mr. ROTH, and Mr. SAYLOR):

H. Con. Res. 360. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. CONABLE, Mr. DERWINSKI, Mr. FINDLEY, Mr. KEITH, Mr. KOCH, Mr. McKNEALLY, Mr. STEIGER of Arizona, Mr. VANDER JAGT, Mr. VAN DEERLIN, Mr. WAGGONNER, Mr. WALDIE, Mr. WAMPLER, Mr. WATSON, Mr. WHALLEY, Mr. WHITE, Mr. WHITTEN, Mr. WIDNALL, Mr. BOB WILSON, Mr. CHARLES H. WILSON, Mr. WINN, Mr. WRIGHT, Mr. WYATT, and Mr. WYDLER):

H. Con. Res. 361. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. HALEY, Mr. MAHON, Mr. POFF, Mr. STUCKEY, Mr. WYLLIE, Mr. ZION, Mr. ZWACH, and Mr. CHAMBERLAIN):

H. Con. Res. 362. Concurrent resolution expressing the sense of Congress with respect to

North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DORN (for himself and Mr. GETTYS):

H. Con. Res. 363. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. RANDALL:

H. Con. Res. 364. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DICKINSON (for himself, Mr. SKUBITZ, Mr. SNYDER, Mr. DENNIS, Mr. MORSE, Mr. ANNUNZIO, Mr. GUDE, Mr. ALBERT, Mr. BRINKLEY, Mr. BENNETT, Mr. LANDGREBE, Mr. DUNCAN, Mr. EDMONDSON, Mr. McMILLAN, and Mr. PUCINSKI):

H. Con. Res. 365. Concurrent resolution expressing the sense of Congress with respect to North Vietnam and the National Liberation Front of South Vietnam complying with the requirements of the Geneva Convention; to the Committee on Foreign Affairs.

By Mr. DELANEY (for himself and Mr. ADDABBO):

H. Res. 547. Resolution to establish a select committee of the House of Representatives to investigate the relocation of the Naval Applied Science Laboratory in Brooklyn, N.Y., to the Committee on Rules.

By Mr. DIGGS:

H. Res. 548. Resolution condemning discrimination, prejudice, and violence against the Catholic minority in Northern Ireland, and requesting the President of the United States to seek a meeting of the United Nations Security Council; to the Committee on Foreign Affairs.

By Mr. MCCARTHY (for himself, Mr. HALPERN, Mr. SCHWENGLER, Mr. VAN DEERLIN, and Mr. WOLFF):

H. Res. 549. Resolution urging the President to resubmit for ratification the Geneva Protocol of 1925 banning the first use of gas and bacteriological warfare; to the Committee on Foreign Affairs.

By Mr. PODELL (for himself, Mr. SCHEUER, Mr. ROBISON, Mr. WOLFF, Mr. BINGHAM, and Mr. BUTTON):

H. Res. 550. Resolution to establish a select committee of the House of Representatives to investigate the relocation of the Naval Applied Science Laboratory in Brooklyn, N.Y.; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FALLON:
H.R. 13866. A bill for the relief of Virginia Villa; to the Committee on the Judiciary.

By Mr. GRAY:
H.R. 13867. A bill for the relief of Egan Smallpage Goodacre; to the Committee on the Judiciary.

By Mr. HALPERN:
H.R. 13868. A bill for the relief of Vasilios Fragias; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:
H.R. 13869. A bill for the relief of Genisco Technology Corp.; to the Committee on the Judiciary.

By Mr. DEL CLAWSON:
H. Res. 551. Resolution to refer the bill, H.R. 13869, entitled "A bill for the relief of Genisco Technology Corp." to the Chief Commissioner of the Court of Claims in accordance with sections 1492 and 2509 of title 28, United States Code; to the Committee on the Judiciary.