

Introduced: 2/12/70
Referred: Rules

BY ALL THE MEMBERS OF
THE HOUSE

1 IN THE HOUSE

2 HOUSE JOINT RESOLUTION NO. 92

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SIXTH LEGISLATURE - SECOND SESSION

5 Urging the enactment of legislation
6 for the protection of American person-
7 nel captured in military operations
8 other than in a "declared war".

9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

10 WHEREAS Article VI of the United States Constitution specifically states
11 that provisions of treaties ratified by the United States government become
12 the "supreme law of the land"; and

13 WHEREAS notwithstanding solemn promises ratified at the international
14 conference at Geneva that all prisoners of war captured would be given the
15 respect of humane treatment; that Article 2 of the convention provides that
16 it "shall apply to all cases of declared war or any other armed conflict
17 which may arise between two or more of the High Contracting parties, even
18 if the state of war is not recognized by one of them"; and

19 WHEREAS the government of North Vietnam acceded to the convention on
20 June 28, 1957, and the government of South Vietnam acceded to the convention
21 on November 14, 1953, and the government of the United States acceded to
22 the convention on August 2, 1955; no pretense of compliance has been advanced
23 by North Vietnam or the National Liberation Front (Viet Cong) despite the
24 reminder to do so on June 11, 1965, by M. Jacques Freymond, Vice President
25 of the International Committee of the Red Cross; and

26 WHEREAS repeated appeals on the part of wives, parents, relatives, and
27 dependents of those unfortunate victims of Communist violence have proven
28 ineffective through the United States Department of State;

29 BE IT RESOLVED by the Alaska State Legislature that the United States

1 government is requested to undertake a more determined effort to obtain the
2 release of names of prisoners now held; to effect the immediate release of
3 sick and wounded prisoners; to achieve impartial inspections of prisoner of
4 war facilities; to assure proper treatment of all prisoners; to facilitate
5 the regular flow of mail; and most importantly, to obtain the release and
6 freedom from captivity of those American men of this "undeclared" war with
7 North Vietnam; and be it

8 FURTHER RESOLVED that there be enacted by the Congress of the
9 United States a code of protective legislation similar to the Uniform Code
10 of Military Justice, Public Law 506, applicable to American personnel cap-
11 tured in military operations other than in a "declared war" to assure that
12 the full force, authority, and power of the United States of America shall
13 henceforth be publicly committed to the attainment of freedom from captivity
14 of all Americans captured in such military actions, past and future.

15 COPIES of this Resolution shall be sent to the Honorable Richard M.
16 Nixon, President of the United States; the Honorable William P. Rogers,
17 Secretary, Department of State; the Honorable Richard B. Russell, President
18 Pro Tempore of the Senate; the Honorable John W. McCormack, Speaker of the
19 House; the Honorable J. W. Fulbright, Chairman of the Senate Foreign Rela-
20 tions Committee; the Honorable Thomas E. Morgan, Chairman of the House
21 Foreign Affairs Committee; and to the Honorable Ted Stevens and the Honorable
22 Mike Gravel, U. S. Senators, and the Honorable Howard W. Pollock, U. S.
23 Representative, members of the Alaska delegation in Congress.