

Mr. HADDOCK. Has no control over whatever.

Mr. CALHOON. I would like to address myself to one question you raised a little while ago about what to do about the pollution. Apparently from the hearings on the Senate side and the frustration of not being able to pin a liability onto a foreign-flag shipowner was the motivation for putting these onerous penalties into the bill. But where there has been large spillage in this country in the last few years has all been by foreign-flag operators, and as soon as that ship leaves you have nothing to get ahold to. I would suggest to the committee that that oil which is polluting the waters of our coasts and streams belongs to somebody, and cannot a liability be placed on the owner of the oil?

Mr. BLATNIK. Mr. Schwengel.

Mr. SCHWENGEL. Mr. Chairman, I think we have had some very interesting and valuable testimony here. Mr. Calhoon, I would like to ask a question about a statement you made. I think you added to your script on page 8 where it reads: "that he 'discharged or permitted the discharge of oil' where such conduct was neither negligent or willful." And added "may have been caused by the Federal Government."

Mr. CALHOON. Yes, sir.

Mr. SCHWENGEL. Will you explain how that may have been caused by the Federal Government.

MSTS DIRECTIVE

Mr. CALHOON. It was brought to my attention no later than yesterday that the Military Sea Transport Service which operates vessels for the military service by civilian crews has put out a directive ordering the chief engineer not to be aboard when the ship was bunkered and taking on fuel. Now the ships' officers and crews through long tradition have taken the bunkering of the ship as one of the most important and careful jobs and it was always under the supervision of the chief engineer. This directive took the supervision away from the chief engineer and gave it to the junior officer who has not had the experience in bunkering that a chief has. And it was solely to prevent the payment of overtime and so stated.

Mr. SCHWENGEL. And in the process probably increased the hazard—

Mr. CALHOON. Yes, sir.

Mr. SCHWENGEL. Or opportunity for violation that if the bill left as it is would be an additional responsibility of the seaman.

Mr. CALHOON. That is correct, sir.

Mr. SCHWENGEL. Mr. Chairman, that is an important point and a very valuable suggestion made on that point. That is all I have.

Mr. BLATNIK. Thank you very much, gentlemen, for your extensive and helpful testimony based on years of experience.

The next witness is Capt. Robert Wilcox of the Maryland Port Authority.

OIL POLLUTION CONTROL

STATEMENT OF CAPT. ROBERT WILCOX, U.S. COAST GUARD (RETIRED), DIRECTOR, PORT OPERATIONS, MARYLAND PORT AUTHORITY

Mr. BLATNIK. Captain, I notice you have a prepared statement and you have heard a lot of the previous testimony. Would you want to