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NOMINATION OF PHIL G. GOULDING

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HEARING BEFORE THE COMMITTEE ON ARMED SERVICES UNITED STATES SENATE NINETIETH CONGRESS FIRST SESSION

ON NOMINATION OF PHIL G. GOULDING TO BE AN ASSISTANT SECRETARY OF DEFENSE

FEBRUARY 16, 1967

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HEARING

BEFORE THE

COMMITTEE ON ARMED SERVICES

UNITED STATES SENATE

SEVENTH CONGRESS

FIRST SESSION

COMMITTEE ON ARMED SERVICES

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- | | |
|-----------------------------------|--------------------------------|
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NOMINATION OF PHIL G. GOULDING TO BE AN
ASSISTANT SECRETARY OF DEFENSE

THURSDAY, FEBRUARY 16, 1967

UNITED STATES SENATE,
COMMITTEE ON ARMED SERVICES,
Washington, D.C.

The committee met, pursuant to call, at 10:30 a.m., in room 212, Old Senate Office Building, Senator Richard B. Russell (chairman) presiding.

Present: Senators Russell (presiding), Stennis, Symington, Jackson, Byrd of West Virginia, Young of Ohio, Byrd of Virginia, Smith, Thurmond, Miller, and Tower.

Also present: William H. Darden, chief of staff; T. Edward Brasswell, Gordon A. Nease, professional staff members; Charles B. Kirbow, chief clerk, and Herbert S. Atkinson, assistant chief clerk.

The CHAIRMAN. The committee will come to order.

The fact that the committee has been enlarged to 18 members has made it necessary to extend the committee table. The carpenter shop in the Senate is working on the extension, but until it is finished additional seating space has been improvised by adding a table to the end of the committee table. The Chair apologizes to the members for the inconvenience, and to the witness, too.

Mr. Phil G. Goulding of Maryland has been nominated to be an Assistant Secretary of Defense vice Arthur Sylvester, resigned.

The office to which Mr. Goulding has been nominated is one that calls for a personal appearance by the nominee under the precedents of the committee.

Mr. Goulding has addressed a letter to the Chair indicating that he owns no interest in any company doing business with the Department of Defense.

Mr. Goulding, we are glad to have you before the committee this morning, and we congratulate you on your appointment.

If you will give us a brief oral summary of the biography that has been furnished to the committee, committee members may then ask such questions as they desire to propound.

(The nomination reference and report follows:)

NOMINATION REFERENCE AND REPORT

IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
January 11, 1967.

Ordered, That the following nomination be referred to the Committee on Armed Services:

Phil G. Goulding, of Maryland, to be an Assistant Secretary of Defense, vice Arthur Sylvester, resigned.

**STATEMENT OF PHIL G. GOULDING, NOMINEE TO BE AN
ASSISTANT SECRETARY OF DEFENSE**

Mr. GOULDING. Mr. Chairman, gentlemen, I was born in San Francisco, Calif., the 28th of March 1921.

The first 10 years of my life I lived briefly here in Washington; Baltimore, Md.; New York City; Evansville, Ind.; and St. Louis, Mo.

My family settled in Cleveland, Ohio, in 1931, when I was 10, in Shaker Heights.

I went to the public schools in Shaker Heights. I graduated from Shaker Heights High School, and attended Hamilton College, in Clinton, N.Y., for 4 years. I was graduated from Hamilton with a bachelor of science degree in 1943.

I then joined the Navy, where I served until 1946. Then I went back to Cleveland and went to work for the Cleveland Plain Dealer as a reporter. After 3 years in Cleveland, I was transferred to the Washington Bureau, in 1950.

I spent the next 7 or 8 years covering chiefly Congress and politics, including politics in Ohio, and in presidential election years the presidential conventions and campaigns.

In 1957 and 1958 I shifted to military affairs and between 1957 and April of 1965 I spent almost all of my time covering military affairs, except for presidential conventions and presidential campaigns. That duty included trips either to NATO installations or to the Far East or both, every year from 1957 until 1965, as well as a good many trips around this country, covering defense installations in the United States.

In April of 1965, Mr. McNamara, Mr. Vance, and Arthur Sylvester asked me to join Arthur as his Deputy. I have since that time been Deputy Assistant Secretary of Defense for Public Affairs.

I live in Bethesda. I am married to the former Anne Wright of Cleveland, and have five children.

I believe that is a short summary, Mr. Chairman.

Chairman RUSSELL. Senator Smith.

Senator SMITH. I don't have any questions, Mr. Chairman.

Chairman RUSSELL. Senator Stennis.

Senator STENNIS. I thought maybe the chairman had some questions.

Chairman RUSSELL. I will have some later on.

Senator STENNIS. I would like Mr. Goulding to make a statement as to what his concept of his duties are. As you see it, what will be your duties?

Mr. GOULDING. I think, Senator, my primary duty and responsibility is to expedite to the American people the fullest possible flow of news—as rapidly as possible, and as accurately as possible, consistent with national security.

Senator STENNIS. Do you include the Congress in "the American people?"

Mr. GOULDING. I do, indeed, sir.

Senator STENNIS. What about your duties toward the Congress?

Mr. GOULDING. I would include them, certainly, among the American people, and very high among the American people, as far as informing them is concerned.

Senator STENNIS. I don't mean that critically at all; but what is your idea about a special duty to actively cooperate with Members

of the Congress, especially the Armed Services Committees of the two Houses, with reference to matters they want to know about?

I think you have something to do with setting the tone of affairs over there in that respect. I imagine your office does.

What is your idea about that?

Mr. GOULDING. As you know, Senator, there was a time, I guess Fred Seaton was the last one, when this job was Assistant Secretary for Public and Legislative Affairs. That latter function, as you know, is divorced from it. Mr. Stempler is now the Secretary's Assistant for Legislative Affairs. We work very closely with Mr. Stempler. We will, I hope, be responsive to requests from Congress just as rapidly as we can. I believe his office, rather than ours, is the primary point of contact, and I think it should be.

Senator STENNIS. Your position is that he and his group are primarily responsible to the Congress.

Mr. GOULDING. Yes, sir.

Senator STENNIS. And you defer to him, then, on these matters. Is he an Assistant Secretary?

Mr. GOULDING. He is not an Assistant Secretary, sir.

Senator STENNIS. So you have really more of a position of authority than he has.

Mr. GOULDING. In the area of public affairs, yes.

Senator STENNIS. But you are going to delegate that authority you have to him—is that right?

Mr. GOULDING. I am not Mr. Stempler's superior. I think the Secretary has delegated it to him.

Senator STENNIS. But anyway, as far as you are concerned, we are to look primarily to him rather than to you?

Mr. GOULDING. I would think so, yes, sir.

Senator STENNIS. Is that your position?

Mr. GOULDING. Yes, sir.

Senator STENNIS. That is fair enough.

Thank you, Mr. Chairman.

Chairman RUSSELL. Senator Young.

Senator YOUNG of Ohio. Thank you, Mr. Chairman.

I have a strong prejudice in connection with this nomination for the reason that Phil and I have lived in Shaker Heights together and Phil has been a close personal friend of mine for many years.

I respect and admire him for his fine work as a newspaper correspondent for the Plain Dealer in Cleveland, which is one of the great newspapers in our country—or was before Phil left it.

I hold him in high admiration.

I believe he is an excellent public servant.

I am very glad he was nominated, and I will be glad to see him confirmed by unanimous vote.

I wish him Godspeed and happy landings in his job.

And I don't think he will keep anything from us on the Armed Services Committee. I have enough confidence in him to know that he will deal fairly and completely with us to the extent of his authority.

That is all I have to say.

Chairman RUSSELL. Senator Thurmond.

Senator THURMOND. Thank you, Mr. Chairman.

Mr. Goulding, I just have a couple of questions.

You are succeeding Mr. Sylvester, I believe.

Mr. GOULDING. Yes, sir.

Senator THURMOND. Just what responsibilities are you going to assume that he did not assume or that he did assume. Do you have the exact same duties?

Mr. GOULDING. I have the exact same duties—I am operating under the same charter that Mr. Sylvester was operating under, sir. The job is the same job.

Senator THURMOND. Mr. Sylvester made a speech in New York several years ago in which he said the Government had the right to lie to protect itself. I was not in accord with that statement. My judgment is that an official of the Government does not have to say anything, but if he does make a statement, it ought to be the truth. I think the people ought to be able to rely on what the people in the Government say as being the truth.

I just wonder how you feel about this.

Mr. GOULDING. I was still a reporter, Senator, when Mr. Sylvester made the New York speech.

Senator THURMOND. I am not asking you to comment on what he said or did now, but I am asking you your opinion, in your position—is it going to be your purpose that when you make a statement, it shall be the truth?

Mr. GOULDING. Yes, sir.

Senator THURMOND. The next thing I want to ask you is this. I realize you will be working under Secretary McNamara, and you have to carry out his orders, and I think you should.

On the other hand, when you come before Congress, I think you ought to be perfectly frank, you ought to be completely truthful, and you should not try to hide anything if questions are propounded to you about anything pertaining to your duties or of which you have knowledge in the Defense Department.

I would like to know what view or position you would take on these matters.

Do you expect to be perfectly frank with the Congress and give us the unvarnished truth in response to questions that may be propounded to you by Members of the Congress?

Mr. GOULDING. I do, indeed, sir. In fact, aside from my own feelings, I believe I am under instructions from the Secretary of Defense to do so.

Senator THURMOND. The Secretary of Defense has instructed you to do that?

Mr. GOULDING. The Secretary of Defense has instructed all Defense Department witnesses appearing before Congress to be fully responsive to the questions, sir.

Senator THURMOND. Is that instruction in writing or an oral instruction?

Mr. GOULDING. I believe it is in writing, sir.

Senator THURMOND. Would you get a copy of that and put it in the record?

Mr. GOULDING. Certainly.

(The information referred to follows:)

DECEMBER 24, 1966
NUMBER 5400.4
ATSD(LA)

DEPARTMENT OF DEFENSE DIRECTIVE

Subject: Provision of Information to Congress

- Refs.: (a) DoD Directive 5122.5, "ASD (Public Affairs)," July 10, 1961
(b) DoD Directive 5200.1, "Safeguarding Official Information in the Interests of the Defense of the United States," July 8, 1957
(c) DoD Directive 5200.6, "Policy Governing the Custody, Use and Preservation of Department of Defense Official Information Which Requires Protection in the Public Interest," March 22, 1957
(d) DoD Directive 5015.1, "Release and Authentication of Copies of Official Records," July 31, 1952
(e) DoD Instruction 5210.47, "Security Classification of Official Information," December 31, 1964
(f) DoD Directive 5500.1, "Preparation and Processing of Legislation, Executive Orders, Proclamations and Reports, and Comments Thereon," May 21, 1964
(g) DoD Directive 5148.5, "Assistant to the Secretary of Defense (Legislative Affairs)," November 13, 1961
(h) DoD Directive 5400.4, subject as above, March 22, 1957 (hereby cancelled)
(i) DepSecDef multi-DoD memorandum, "Replies to Congressional Correspondence," August 30, 1965 (hereby cancelled)

I. REISSUANCE AND PURPOSE

This Directive reissues reference (h) to incorporate provisions of reference (i) and update Department of Defense policies and procedures governing furnishing information, both classified and unclassified, to Congress. References (h) and (i) are hereby superseded and cancelled.

II. APPLICABILITY AND SCOPE

- A. The provisions of this Directive apply to all DoD Components.
B. Its provisions do not cover processing of legislation covered by reference (f) nor matters related to appropriations which fall under the cognizance of the ASD (Comptroller).

III. POLICY

It is essential to the proper functioning of the United States Government that Congress receive adequate information concerning all Government programs and operations.

A. In accordance with the DoD policy of making maximum information concerning its operations and activities available to both Government officials and the public in general, all DoD Components will:

1. make maximum information available promptly to, and cooperate fully with Members of Congress and Congressional Committees and their staffs; and
2. answer constituents' letters to Members of Congress as fully as possible, subject to the following limitations and provision of subsection IV.C., below:
 - a. classification of official information in the interests of national defense, pursuant to Executive Order 10501 and the Atomic Energy Act, as amended (references (b) and (e)); and
 - b. restrictions on official information which, in the best interests of the public as a whole, should not be given general circulation (see DoD Directives 5200.6 and 5015.1 (references (c) and (d))).

B. Information not available to the public (see paragraph III.A.2., above) will be made available to Congress, in confidence, in accordance with paragraph IV.B.2., below.

IV. FURNISHING INFORMATION TO CONGRESS

A. General

1. DoD personnel testifying as witnesses before Congressional Committees, or handling requests from Congress shall bear in mind the need

to protect certain types of information for public disclosure (reference (b), (c), (d) and (e)).

a. If the testimony is to be submitted in writing, it should contain an over-all classification to designate the security protection necessary. (reference (e)).

b. If the testimony is to be given orally, the Congressional Committee concerned shall be advised, in advance, of the security classification and the need for protecting the sensitive portions from public disclosure.

2. Procedures of Congressional Committees with respect to preparation and delivery of prepared statements shall be complied with to the maximum extent possible. When a written statement is used by a DoD witness the statement will be submitted to the Committee in advance of the appearance as provided for by the rules of that Committee.

B. Security Procedures

1. To insure military security, testimony concerning information requiring security protection shall be given only in closed sessions. Transcripts of such testimony may be released for publication only after they have been reviewed and cleared by the Assistant Secretary of Defense (Public Affairs) or his designee and approved for release by the Chairman of the Congressional Committee which held the hearing.

a. All such transcripts shall be reviewed for security, proof read, and corrected by the witness prior to being forwarded to the OASD(PA).

b. Written statements, charts, and other material prepared in advance for use before Congressional Committees shall be submitted to the OASD (PA) for review as far in advance of the scheduled presentation as possible.

c. All DoD Components shall, on request, provide prompt and full guidance and assistance to the OASD(PA) in the review of material related to their sphere of responsibility.

2. In the rare case where there is a question as to whether particular information may be furnished to a Member or Committee of Congress, even in confidence, it will normally be possible to satisfy the request through some alternate means acceptable to both the requestor and the DoD. In the event that an alternate reply is not acceptable, no final refusal to furnish such information shall be made, except with the express approval of the Head of the DoD Component concerned, or of the Secretary of Defense. The Assistant to the Secretary of Defense (Legislative Affairs) shall be informed of any such submissions to the Head of a DoD Component or to the Secretary of Defense.

C. *Information Requested for Constituents.* Information requested by Members of Congress for their constituents shall be tested for limitations on dissemination (see paragraph III.A.2., above) and handled in the same manner as if the Constituent himself had written directly to the DoD; if it develops that the information cannot be released the Member requesting the information shall be advised promptly of that fact and of the reasons for the determination.

D. Congressional Investigations

1. The Assistant to the Secretary of Defense (Legislative Affairs) has been assigned over-all responsibility (reference (g)) for assuring compliance with the policies and procedures governing legislative investigations of DoD activities, including liaison with Congress, and, in connection therewith, keeping appropriate DoD personnel currently informed on the status of such investigations (except for those affecting budgets and appropriations, and related to financial matters).

2. DoD Components shall furnish information copies of all direct written communications to and from Congress with respect to such investigations to the ATSD(LA).

V. HANDLING OF CONGRESSIONAL REQUESTS

A. General

1. Replies to all Congressional inquiries and requests shall be completely responsive and handled as expeditiously as possible. Should it become evident that a response to a request will be unduly delayed an interim reply should be made. The interim reply will indicate the steps being taken to obtain the information requested.

2. To facilitate prompt and adequate response to Congressional requests it is preferred that the requests be written and specify in detail the particular

information or documents desired. However, oral requests which are sufficiently specific to permit prompt and adequate response should be accepted.

B. *Written Requests addressed to the Secretary of Defense or Deputy Secretary of Defense.* Complete replies to Congressional correspondence addressed to the Secretary of Defense or Deputy Secretary of Defense shall be provided within five (5) working days of their receipt whenever possible; those of an urgent nature shall be answered more expeditiously, as appropriate.

1. If the information requested is not readily accessible or of such volume or complexity as to prohibit preparation of a complete reply within the five-day time limit, the requestor shall be advised, via an immediate interim reply, of a date by which the information will be supplied.

2. The Assistant Secretary of Defense (Administration), or his designee for the purpose shall be provided with the estimated completion date and an adequate explanation of the delay.

C. *Public Releases.* Replies to Congressional inquiries which may result in release of information which has significant public affairs implication will be coordinated in advance with OASD (PA) as required by reference (a).

VI. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Two (2) copies of implementing documents shall be forwarded to the ASD (PA) and ATSD (LA) within sixty (60) days.

CYRUS VANCE,
Deputy Secretary of Defense.

EXTRACT FROM TRANSCRIPT¹ OF NEWS CONFERENCE

Secretary of Defense Robert S. McNamara, February 2, 1961

"I have stated to the staff of the Office of the Secretary of Defense, to the Service Secretaries, and to the Joint Chiefs, my philosophy in management, and it is this: that (a) during the development of policies relating to the Defense Department, I expect full and open discussion within the Department by all leaders of the Department, military and civilian, without regard to whether their views conform to those of others in the Department, including my own; (b) that once a decision has been reached and a policy established representing the decision of the President, or other appropriate authorities, that all members of the Department, civilian and military, will be expected to support that decision, publicly and otherwise; (c) that when I say that they are expected to support it publicly, I do not mean that they should not express their opinions, particularly their disagreements, relating to policies, if queried by appropriate agencies of Congress; (d) there are additional provisions provided for in the Reorganization Act which permit the Service Secretaries, the three Service Secretaries, and the Joint Chiefs, to report to appropriate Congressional agencies their disagreement with specific policies of the Defense Department if, in their opinion, these policies do not permit them to carry out their responsibilities. I think that perhaps covers the question."

JUNE 11, 1963.

Hon. RICHARD B. RUSSELL,
United States Senate.

DEAR MR. CHAIRMAN: I have your letter of May 29, 1963, concerning congressional testimony by members of the Joint Chiefs of Staff.

Let me assure you that my position in this regard remains as it was when I first appeared before you more than two years ago. Congress is entitled to the full and frank views of the Chiefs and all other military and civilian personnel of the Department.

The method by which this objective is accomplished is, I believe, spelled out in existing law and policy. First, under the National Security Act, the Secretaries of the Military Departments and the members of the Joint Chiefs of Staff are entitled to present to the Congress on their own initiative any recommendations

¹ NOTE.—Public Affairs Guidance No. 16, dated 3 February 1961 directed the attention of the Secretaries of the Military Departments and the Commanders-in-Chief of the Unified and Specified Commands to this portion of the transcript, which was inclosed as a part of this Guidance.

relating to the Department of Defense that they may deem proper provided they first so inform the Secretary of Defense. I, of course, support the policy expressed in this statutory provision. I also support the long-standing policy of the Department that, except as provided in the National Security Act, military and civilian personnel of the Department should not volunteer pronouncements at variance with established policy. On the other hand, when queried by appropriate agencies of Congress, they certainly should express their opinion on matters within their areas of competence even if this opinion is in disagreement with established policy.

I believe these standards provide a proper accommodation of the need for effective management of the Department and the desire of Congress to be informed of differing viewpoints which may exist within the Department. Further, I believe that officials of this Department, military and civilian, have in general adhered to these standards. During my term as Secretary of Defense no adverse action whatever has been taken against any official for so acting and, as long as I am Secretary of Defense, none will be.

Sincerely,

ROBERT S. McNAMARA.

Senator THURMOND. That is all, Mr. Chairman.

Chairman RUSSELL. Senator Symington.

Senator SYMINGTON. Mr. Goulding, do you know when the report I made of my trip will be declassified?

Mr. GOULDING. No, sir, I don't.

Senator SYMINGTON. I think you have had it about a week.

Mr. GOULDING. Yes, sir.

Senator SYMINGTON. Well, would you care to estimate when it will be?

Mr. GOULDING. I will be glad to check with our security review people, Senator, and get in touch with you.

Senator SYMINGTON. When do you think it will be?

Mr. GOULDING. I just simply don't know, sir. I have not followed it since I sent it down to them with a note to get it through as quickly as possible.

Senator SYMINGTON. Thank you. I have no further questions, Mr. Chairman.

Chairman RUSSELL. Senator Jackson.

Senator JACKSON. Mr. Chairman, I have had an opportunity to take up a couple of matters with Mr. Goulding and found him to be very helpful and very forthright and frank. I am sure he will do a good job.

I have no questions.

Chairman RUSSELL. Senator Miller.

Senator MILLER. Thank you, Mr. Chairman.

Mr. Goulding, I was pleased with your responses to Senator Thurmond. I would like to clarify one thing, however.

As I detect it, your position would be that rather than give erroneous information, you would just withhold information.

Mr. GOULDING. Well, I certainly would not want to give—you are talking about the right to lie?

Senator MILLER. In other words, as I understand your response—

Mr. GOULDING. Yes, sir. I do not believe the Government should ever put out erroneous information.

Senator MILLER. If a question came up with respect to the release of information, your position would be that you would under no circumstances release erroneous information and that if it was in the national security you would simply not release the information.

Mr. GOULDING. Yes, sir. I believe, since Mr. Sylvester's name was brought up—I think when he was testifying before the Fulbright

committee last year, this was the position that he very clearly stated—that he thought no Government official ever had the right to lie, but that every Government official had a responsibility to safeguard the national interests.

Senator MILLER. Now, I don't think that there is any concern about the withholding of information in the interest of national security. But I detect that there is concern where the public does not know that there is not full information being given because of national security interests. What I am getting at is this:

Suppose a release is made on, let's say, the number of aircraft losses, and the release covers only some of the aircraft losses. Now, that would be a truthful release insofar as the particular losses were concerned, but it might not reveal whether or not there was additional information that was not being made available in the interest of national security. Would it be your position that you should let it be known that this is accurate information that is being released, but other information is not being released, so that those who receive the news know that not all of the information is being made available, rather than just going along, not realizing that not all information is being made available.

Mr. GOULDING. I do, indeed, sir. And if I may, I would like to address myself to this particular case, because I am familiar with it.

Senator MILLER. Before you address yourself to that case—do I understand that your position would be that you would let it be known that not all information is being made available?

Mr. GOULDING. My position is that if we did not do that, we would be deliberately misleading the people, and that I would be a thousand percent opposed to. Yes, sir, that's my position.

Senator MILLER. Now, if you want to address yourself to that case, I would appreciate it.

Mr. GOULDING. If you are interested, sir, I would, indeed.

The tabulations that have been put out at MACV on aircraft losses for the last year and a half or so have been put out as fixed-wing aircraft lost to hostile action—combat-type aircraft lost to hostile action over North Vietnam, and combat-type aircraft lost to hostile action over South Vietnam. The totals have been very carefully kept.

In addition to those tabulated announcements they have made at MACV in Saigon on a day-to-day basis, announcements of individual aircraft shot down. They will say a C-123 was lost today, or two C-47's were destroyed by mortar fire, et cetera.

Now, those have not been put out in tabulated form. And nobody asks for them in tabulated form. I don't think this is a matter of security at all. It is just a matter of request.

The MACV people—and I talked to them—estimate that 80 percent of the losses other than the tabulated announcements have been announced on a plane-by-plane basis. So we did not suddenly disclose a new group of aircraft losses. There are a small percentage of classified operations which have not been announced before.

Senator MILLER. May I say it was my understanding that is precisely what was done and I have so stated when I have been asked by members of the press to comment on it. But don't you think it might have been a little better, when the tabulations were issued on the fixed-wing aircraft lost to hostile fire, if perhaps the comment had

been added that this does not include other plane losses which have been given day-to-day releases on?

Mr. GOULDING. Indeed it would have been better. And as of now we are announcing not only the losses to hostile action, but all losses in southeast Asia, either rotary wing or fixed wing, due to any cause whatever.

Senator MILLER. Thank you, Mr. Goulding.

No further questions.

Chairman RUSSELL. I hope you make it perfectly clear how the loss occurred. Personally, I have no criticism of the Department of Defense. They issue these statements periodically, telling the number of planes and helicopters being blow up by sabotage, for example, in the airfield. They did not appear in the combat losses.

Mr. GOULDING. That is right, sir.

Chairman RUSSELL. Because they were supposed to be on a mission if it was a combat loss.

Mr. GOULDING. Yes, sir.

Chairman RUSSELL. If you are going to issue them all together, I hope you will have two lists.

Mr. GOULDING. We are going to continue the same list—

Chairman RUSSELL. Those lost in combat, and those lost due to accidents or miscalculations of the pilot, sabotage on the airfield.

Mr. GOULDING. Yes, sir.

Chairman RUSSELL. And how it happened. Our losses are bad enough over there as it is. Apparently these people have very effective antiaircraft fire. But it looks worse than it really is just to lump them all together.

Mr. GOULDING. I agree, sir.

Chairman RUSSELL. Senator Byrd.

Senator BYRD of Virginia. Thank you, Mr. Chairman. First, I would like to say that everything I have heard about Mr. Goulding has been very favorable. The newspapermen with whom I have discussed Mr. Goulding's qualifications are very high in his praise. I have been impressed, too, with his frank response to Senator Thurmond and to Senator Miller and to other members of the committee.

What I am going to say has nothing to do with you as an individual Mr. Goulding, but I must say that I have not had complete confidence in the information that I have received from the Department of Defense over the past year. I have the feeling that the information is submitted in a form calculated to be most helpful to the Department rather than presenting accurately and frankly the information—the actual information.

I gather from your testimony today that you will seek to see that the American people and the Congress are given actual and full and frank information, even though it may be detrimental to the Secretary of Defense, or other high-ranking officials in the Department.

Mr. GOULDING. I will, indeed, sir. I think we are too slow in the executive branch of Government to admit we have made an error when we have made one. We are going to make errors. I am going to make them, in my office, certainly. And I certainly hope that I would admit them freely, and if the information you request discloses an error that has been made, I hope that it gets disclosed and that we get it behind us and get on to the new business.

Senator BYRD of Virginia. I think all of us make errors. Certainly Senators make a lot of errors.

Now, in regard to classification of information. At the present time would the number of American ships carrying military supplies to South Vietnam—either awaiting to be unloaded at the docks in South Vietnam or just offshore—be considered classified information?

Mr. GOULDING. No, sir, it is not. We are not in the classification business. We have no authority to classify or to declassify in our office. But I do have knowledge that that information is not classified.

Senator BYRD of Virginia. In other words, the number of American ships waiting to be unloaded, or which are now unloading military supplies for our men in South Vietnam, is not classified information?

Mr. GOULDING. No, sir. You should be able to get the number at the docks; the number, if any, that are in the ports waiting to get to the docks, and the number that are offshore in the Philippines or in holding areas waiting to get there. There is no reason whatever—in fact, we put them out, sir.

Senator BYRD of Virginia. Now, what about enemy ships or ships flying the flag of United Nations members which are unloading cargo and taking cargo out of the Port of Haiphong. Is that classified information?

Mr. GOULDING. I simply don't know the answer to that, Senator. I would assume—and this is just an assumption—I would assume that since it is information we could only get from intelligence sources that it would be classified information. This would be a matter for the Defense Intelligence Agency.

Senator BYRD of Virginia. In other words, the number of ships which are supplying the enemy—and the enemy knows, of course, when those ships come into their own harbor—is classified information and not available to the Congress or the American people. But the ships carrying American supplies to American men in South Vietnam, which the enemy presumably does not know about, and certainly not in the detail that they know about those going into their own ports, is not classified information and can be made available to the American people and to the world and to the enemy.

Mr. GOULDING. Certainly the latter is true. Now, I simply do not know and will have to look and furnish for the record, or for you, sir, personally, whether the enemy ships are classified or not. I just don't know. My assumption is since our information on it is purely from intelligence sources that it probably is classified. But I just simply do not know.

The reason for that, if it is, of course, is not that the enemy does not know what ships are being brought in, because he does. The question is what we reveal of our intelligence collection methods when we say that we have this information.

But I really do not know the answer to your question, sir.

Senator BYRD of VIRGINIA. Would you either supply it for the record or see that it gets to me?

Mr. GOULDING. Yes, sir.

Senator MILLER. Would the Senator yield at that point? Can we have the reasons, if it is classified—the reasons why such information would be classified? Not only whether it is classified or not, but if it is classified, then the rationale behind it.

Mr. GOULDING. I may be completely wrong. It might be free and open information. I just simply do not know but I will be glad to look into it, sir.

Senator MILLER. But if you find that it is classified, then I think to be responsive to the Senator's point, if you could give us the rationale why.

Mr. GOULDING. Yes, sir.

Senator MILLER. Thank you.

Senator BYRD of Virginia. What about the number of tons of bombs that are scheduled to be dropped on North and South Vietnam during the year 1967?

Would that be classified information as of today?

Mr. GOULDING. I just don't know, Senator. I would have to look at it and see.

Senator BYRD of Virginia. I raise these two questions because, to some extent, they substantiate my view expressed earlier that the Department in the past—and again I will emphasize it has nothing to do with you, since you were not involved—has put out the figures and the statistics which put the Department in the best possible light, even though they may not be factually and completely accurate, and even though they may involve national security.

Several months ago—on April 15—the Washington Post published statements by Mr. McNamara and by Mr. Vance, and one of the statements was that during 1966 a total of 600,000 tons of bombs was scheduled to be dropped on North and South Vietnam.

Now, it seems to me if anything is going to be classified, that would be classified. I would be interested to know whether I could or whether anybody else could ascertain today now many tons of bombs we plan to drop during 1967 on North and South Vietnam. This press conference was held a year ago because the Defense Department had been attacked by the Republican leadership in the House for "shocking mismanagement," and they were trying to show it was not mismanagement.

I am not saying whether it was or was not mismanagement. All I am trying to get my mind clear on is when information should properly be classified and when information is going to be classified because it is to the advantage of the Department to classify it, or declassified when it is to the advantage of the Department to declassify it.

Mr. GOULDING. I understand, sir.

Senator BYRD of Virginia. Thank you, Mr. Chairman.

Chairman RUSSELL. Senator Tower.

Senator TOWER. Thank you, Mr. Chairman.

Mr. Goulding, as I understand it, then, you have no direct influence over the determination of what will or will not be classified?

Mr. GOULDING. No, sir. I would not put it that way. We have no authority to declassify or to classify.

Senator TOWER. You have no authority to classify or declassify?

Mr. GOULDING. That is correct, sir. I would not say we have no influence.

Senator TOWER. In other words, you can make recommendations, but you have no direct control or authority over what is either classified or declassified. And therefore it is incumbent upon you to release only that which is not classified.

Mr. GOULDING. Yes, sir.

Senator TOWER. That is for the general public.

Mr. GOULDING. Yes, sir. And I think we have another responsibility. It is incumbent upon me to take that which is classified, which

I personally think should not be, and then if it is the Defense Intelligence Agency, to talk to them, to get the pros and cons on it, and make a recommendation to the Secretary of Defense that perhaps this should be declassified.

Senator TOWER. Yes. But your personal opinion as to whether something should or should not be classified, if it is either classified or declassified, would not enter into any decision you would make to release it. In other words, if it was declassified, it would not be incumbent upon you to make a decision to withhold it.

Mr. GOULDING. That is right, sir.

Senator TOWER. And you do not determine the propriety yourself of either classifying or declassifying something. That is again up to someone that is not under your direct control or authority.

Mr. GOULDING. That is correct, sir.

Senator TOWER. Secondly—some things are classified for public consumption, are they not, but not classified, let us say, for Members of Congress, because relative to the question the distinguished Senator from Virginia asked, I know as of Saturday how many ships of what flags were in the ports of North Vietnam. I got this information from the Navy. But this was not—it was classified at that time. Now, whether it will be released later, I don't know.

Mr. GOULDING. It is still classified information but obviously should be made available to Members of Congress in classified form.

Senator TOWER. Who are cleared on a need-to-know basis. So actually this would be essentially the responsibility of the legislative man in the Department who would probably be the liaison with Congress on such matters.

Mr. GOULDING. Yes, sir; that would be.

Senator TOWER. Because your job is primarily dealing with the public.

Mr. GOULDING. Yes, sir.

Senator TOWER. Mr. Chairman, I would simply like to say I have known Mr. Goulding for some time. He happens to be a neighbor of mine out in the low-rent district. As a matter of fact, his children know mine. I have dealt with him on two or three occasions and I found him to be always very candid and cooperative. I might note also in his official capacity Mr. Goulding has traveled in Vietnam and understands something of the situation there. I think he is eminently qualified by virtue of his background as a newspaper man obligated to give the public the information they have a right to have, to serve in this capacity. And I want to heartily endorse his confirmation.

(The information requested by Senator Byrd, Junior, of Virginia, follows:)

FEBRUARY 20, 1967.

HON. HARRY F. BYRD, JR.,
U.S. Senate, Washington, D.C.

DEAR SENATOR BYRD: This is in response to your questions put to me Thursday, February 16, at my confirmation hearing, regarding ships arriving in North Vietnam.

I am informed by the Defense Intelligence Agency that the United States does have information on total shipping of this nature. I am further informed that individual identification of the ships, whether Free World or Communist, is classified information. The Defense Intelligence Agency also tells me that a numerical breakdown of Communist shipping is classified but that a similar breakdown of Free World shipping is not.

I am, of course, in total agreement with you that the disclosure of this information would be giving the enemy no information which it does not already have

about shipping arriving in North Vietnam. The problem, as I suggested during the hearing, is that such disclosure could give the enemy knowledge of U.S. intelligence collection techniques and capabilities.

May I suggest that my Military Assistant, Brigadier General David I. Liebman, brief you on the reasoning applicable to this problem. This could be done in your office at your convenience. If this is satisfactory to you, your people could call either General Liebman or me to arrange a time.

Sincerely,

PHIL G. GOULDING,
Assistant Secretary of Defense
(Public Affairs)-Designate.

Chairman RUSSELL. The Chair offers for the record a biographical sketch furnished the committee by Mr. Goulding. Either through inadvertence or excess modesty he did not advise the committee that he served in both the European theater and the Pacific theater during World War II.

Senator TOWER. Mr. Chairman he was the commanding officer of precisely the same type of ship that I was a boatswain's mate on.

(The biographical data follows:)

PHIL G. GOULDING

Born: March 28, 1921, in San Francisco, California.

Marital Status: Married to Anne C. (Wright) Goulding; three sons: Barry W., 16; Kent A., 14; Philip L., 7; and two daughters: Laura D., 12; and Nancy N., 9.

Education: B.S., Hamilton College, Clinton, New York, 1943. Ensign, U.S. Naval Reserve Midshipmen's School, Columbia University, 1943.

Positions Held: January 1947-June 1950: City Reporting Staff, Cleveland Plain Dealer, Cleveland, Ohio.

June 1950-April 1965: Newspaper Correspondent, Washington Bureau, Cleveland Plain Dealer, Washington, D.C. (Washington Military Correspondent 1957-1965).

April 1965-to date: Deputy Assistant Secretary of Defense (Public Affairs).

Military Service: November 24, 1943: Commissioned Ensign, USNR.

January 1944-1945: U.S. Amphibious Forces, European Theater.

1945-June 1946: Commanding Officer, Landing Craft Support Ship III, Pacific Theater.

June 21, 1946: Released from active duty.

Organizations: Member, Episcopalian Church.

Member, National Press Club.

Former Member, Aviation/Space Writers Association.

Address: 7210 Glenbrook Road, Bethesda, Maryland.

Chairman RUSSELL. Any other questions of Mr. Goulding?

If not, we are glad to have had you here, Mr. Goulding.

Mr. GOULDING. Thank you very much.

Senator STENNIS. Excuse me, Mr. Chairman, I have one matter to discuss, if I may, please.

Chairman RUSSELL. Very well.

Senator STENNIS. I just wanted to be specific on one thing—about the reports that the Preparedness Subcommittee sends over for clearance. I don't know whether you have handled any of those or not.

I know you have a great volume of work over there, as well as a lot of speeches that generals make, which have to be passed on in a hurry and given to them, and also many other things to pass on.

But when these reports are received, they already represent the work of competent staff members, some of which have been with the subcommittee 15 years. They represent the work of several Senators,

some of whom have been here a great number of years, and represent tedious work, and are as complete as we can make it.

Under those facts and circumstances don't you think that those reports—and the same thing would apply to the House, of course—are entitled to some priority of time, and should be moved along as fast as possible?

Mr. GOULDING. Yes, sir. I think they should be handled as expeditiously as we can handle them.

Senator STENNIS. Will you do that?

Mr. GOULDING. Yes, sir.

Senator STENNIS. And then on matters that you feel cannot be approved, will you take it up with us immediately and let us discuss it with your men.

Mr. GOULDING. Yes, sir.

Senator STENNIS. We have made a good start, I think. I hope we can get along fine. We certainly will carry on our end of it.

Thank you, Mr. Chairman.

Chairman RUSSELL. Anything further?

If not, we thank you, Mr. Goulding.

Mr. GOULDING. Thank you, Mr. Chairman.

Chairman RUSSELL. The committee will now proceed to executive business.

(Whereupon, at 11:05 a.m. the session was concluded and the committee proceeded in executive session.)

(The nomination of Mr. Goulding to be an Assistant Secretary of Defense was subsequently approved by the committee in executive session and confirmed by the Senate on February 17, 1967.)



some of whom have been here a great number of years, and perhaps
 others will, and are a consolation as we can make it.

I like these laws and think you don't yet think that these
 reports - and the same thing would apply to the House of Repre-
 sentatives - to some extent, and should be carried out as
 far as possible.

The Governor, I think, I think they should be handled as they
 are, and we can handle them.

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