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# NOMINATION OF ADMIRAL THOMAS H. MOORER, USN, FOR REAPPOINTMENT AS CHAIRMAN, JOINT CHIEFS OF STAFF

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## HEARING

BEFORE THE

## COMMITTEE ON ARMED SERVICES
## UNITED STATES SENATE

NINETY-SECOND CONGRESS

SECOND SESSION

ON

ADMIRAL THOMAS HINMAN MOORER, USN, FOR REAPPOINTMENT AS CHAIRMAN, JOINT CHIEFS OF STAFF, FOR AN ADDITIONAL TERM OF TWO YEARS

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JUNE 22, 23, AND 29, 1972

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# NOMINATION OF ADM. THOMAS H. MOORER, U.S. NAVY, FOR REAPPOINTMENT AS CHAIRMAN, JOINT CHIEFS OF STAFF, FOR AN ADDITIONAL 2 YEARS

THURSDAY, JUNE 22, 1972

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, D.C.*

The committee met, pursuant to call, at 10:50 a.m., in room 212, Old Senate Office Building, Hon. John C. Stennis (chairman).

Present: Senators Stennis (presiding), Symington, Jackson, Cannon, Byrd, Jr., of Virginia, Smith, and Saxbe.

Also present: T. Edward Braswell, Jr., chief counsel and staff director; John T. Ticer, chief clerk; R. James Woolsey, general counsel; L. R. Garcia, Hyman Fine, Don Lynch, George Foster, Charles Cromwell, and John A. Goldsmith, professional staff members; and James Kendall, chief counsel, Preparedness Investigating Subcommittee.

The CHAIRMAN. The committee will please come to order.

Admiral Moorer, I think you already know that you have a warm welcome here before this committee at any time, and especially on an occasion like this.

Members of the committee, Admiral Moorer has served with distinction as chairman of the Joint Chiefs now for 2 years and has been renominated for an additional term of 2 years. You will recall that the terms are set by law for the Chiefs of Staff at 4 years but the chairman is a little different situation, it is 2 years, subject to renomination. So I am pleased with what has happened. I think every member is pleased.

(The nomination reference and service record of Admiral Moorer follow:)

NOMINATION REFERENCE

IN EXECUTIVE SESSION,
SENATE OF THE UNITED STATES,
*June 20, 1972.*

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

Adm. Thomas Hinman Moorer, U.S. Navy, for reappointment as Chairman, Joint Chiefs of Staff, for an additional term of 2 years.

RÉSUMÉ OF SERVICE CAREER OF ADM. THOMAS HINMAN MOORER. [redacted]

*Date and place of birth.*—9 February 1912, Mt. Willing, Ala.
*Years of active service.*—Over 39.
*Present assignment.*—Chairman of the Joint Chiefs of Staff, Washington, D.C., since July 1970.

*Military schools attended.*—United States Naval Academy; Flight Training, Pensacola; Naval War College.

*Educational degrees.*—BS (Naval Science) U.S. Naval Academy, 1933.

*Major permanent duty assignments* (Last 10 years): Director, Long Range Objectives Group, Office of Chief of Naval Operations, Washington, D.C. Nov 1960–Oct 1962.

*Commander, Seventh Fleet, Oct 1962–Jun 1964.

**Commander in Chief, United States Pacific Fleet, Jun 1964–Apr 1965.

**Commander in Chief, Atlantic and Atlantic Fleet and Supreme Allied Commander, Atlantic, Apr 1965–Aug 1967.

**Chief of Naval Operations, Washington, D.C. Aug 1967–Jul 1970.

| Promotions: | *Date of rank* |
|---|---|
| ENS | 1 Jun 1933 |
| LTJG | 1 Jun 1936 |
| LT | 23 Nov 1940 |
| LCDR | 1 Oct 1942 |
| CDR | 1 Jan 1944 |
| CAPT | 1 Jan 1952 |
| RADM | 1 Aug 1958 |
| *VADM while serving in this billet | 5 Oct 1962 |
| **ADM while serving in these billets | 26 Jun 1964 |

*Medals and awards:*

Distinguished Service Medal with three Gold Stars in lieu of subsequent awards.

Silver Star Medal.

Legion of Merit.

Distinguished Flying Cross.

Purple Heart.

Presidential Unit Citation awarded Patrol Squadron 22.

China Service Medal.

American Defense Service Medal with Fleet Clasp.

American Campaign Medal.

European-African-Middle Eastern Campaign Medal.

Asiatic-Pacific Campaign Medal.

World War II Victory Medal.

Navy Occupation Service Medal with Asia and Europe Clasps.

National Defense Service Medal with one bronze star in lieu of second award.

Armed Forces Expeditionary Medal (Vietnam).

Philippine Defense Ribbon.

*Foreign decorations:*

Silver Naval Medal, First Class by Greece.

Medal of Pao-Ting by the Republic of China.

Medal of Cloud and Banner with Special Grand Cordon by the Republic of China.

Order of the Double-Rays of the Rising Sun by Japan.

Legion of Honor (Commander) by the Republic of the Philippines.

Military Order of Aviz (Grand Cross) by Portugal.

Order of Naval Merit (Grand Officer) by Brazil.

Grand Star of Military Merit by Chile.

Order of Naval Merit, First Class by Venezuela.

Order of National Security Merit, First Class by the Republic of South Korea.

Grand Cross Order of Orange-Nassua with Swords by the Netherlands.

Knight Commanders Cross of the Order of Merit by the Federal Republic of Germany.

Knight of the Grand Cross by Italy.

Republic of Vietnam Armed Forces Meritorious Unit Citation (Gallantry Cross).

Distinguished Service Cross with star by the Federal Republic of Germany.

Grand Cross of Navy Merit by Spain.

Grand Cross of the Royal Order of Saint Olav by Norway.

First Class Order of the Grand Cordon of the Rising Sun by Japan.

## STATEMENT OF ADM. THOMAS H. MOORER, U.S. NAVY, NOMINEE FOR REAPPOINTMENT AS CHAIRMAN, JOINT CHIEFS OF STAFF

Admiral MOORER. Mr. Chairman, I do not have a formal statement because I feel that this committee knows me better than I know myself.

I am highly honored and certainly grateful to the President for having submitted my name to the Senate for confirmation for a second term as Chairman of the Joint Chiefs of Staff. I am now beginning my 40th year of commissioned service. This is the fourth time my name has been submitted to this committee.

I want to express my appreciation to the committee for their fairness and consideration and cooperation in the past and I want to say to the committee that I will continue to be frank and assist the committee in every way I can in providing information necessary for them to carry on their duties, sir.

The CHAIRMAN. We all appreciate that statement. I have been in some tight places in making many decisions, and that is when I have called on you.

Admiral MOORER. Thank you.

The CHAIRMAN. I know you always give me the best you have in your professional and personal mind.

Are there any questions?

Senator SYMINGTON. No. I would like to associate myself with you, Mr. Chairman, and say that although Admiral Moorer and I don't agree on everything, I have been impressed with his dedicated service and wisdom in his field and it is a privilege. I know that the Senate is going to reappoint him and vote for his confirmation.

The CHAIRMAN. Thank you, Senator.

Senator JACKSON. Mr. Chairman, I just want to supplement the remarks here by saying that I have always had great admiration of Admiral Moorer as a very fine professional man of great integrity. I think he understands our constitutional obligation of trying to get the best possible professional information so that we can be assured that it is intellectually honest and that we can make decisions based on this advice, the counsel and the information that we need. I think this has been, of course, or should have been the test all through the years in trying to determine whether or not we have the right person nominated for the highest military position in our Government. I think Admiral Moorer actually understands our traditions and our law and Constitution and I have great confidence in him.

Admiral MOORER. Thank you, Senator Jackson.

The CHAIRMAN. Senator Saxbe?

Senator SAXBE. No questions.

The CHAIRMAN. Senator Byrd?

Senator BYRD. No questions, Mr. Chairman. I just want to say that again I am very enthusiastic about the President's choice and his continued confidence in Admiral Moorer which this committee certainly has and I am glad to see you this morning, Admiral.

Admiral MOORER. Thank you, Senator Byrd.

The CHAIRMAN. I make this additional observation, if I may. If you had needed to bring along a witness to vouch for you, the best one you could have brought was Mrs. Moorer.

Senator JACKSON. You southerners stick together.

The CHAIRMAN. The Admiral mentioned that his name has been up here several times and in Senator Smith's recent race someone else brought up her age, I didn't bring it up, you understand, so I wrote her a note after she was elected: "Since your age has been brought up, my observation is that the older you get the faster you run."

So, maybe that is your case, too, the more times you come up here.

Admiral MOORER. I certainly try, Mr. Chairman.

The CHAIRMAN. Thank you very much and we appreciate your coming up.

Admiral MOORER. Thank you, Mr. Chairman.

The CHAIRMAN. We have a rule requiring that a nomination must be before the committee a week before reporting.

Thank you very much. We are glad we had our guests here, too. We will now hear Dr. Foster's testimony, a great deal of which will be classified.

(Whereupon, at 10:55 a.m., the committee proceeded in executive session to other business.)

# NOMINATION OF ADM. THOMAS H. MOORER, U.S. NAVY, FOR REAPPOINTMENT AS CHAIRMAN, JOINT CHIEFS OF STAFF, FOR AN ADDITIONAL 2 YEARS

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FRIDAY, JUNE 23, 1972

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, D.C.*

The committee met, pursuant to call, at 2:35 p.m., in room 210, Old Senate Office Building, Hon. John C. Stennis (chairman).

Present: Senators Stennis (presiding) and Smith.

Also present: T. Edward Braswell, Jr., chief counsel and staff director.

The CHAIRMAN. This is a special meeting of Senator Smith and me and we will constitute a temporary subcommittee representing the full committee to continue this afternoon with the hearing on the nomination of Admiral Moorer for an extended term as Chairman of the Joint Chiefs of Staff.

I am going to present some questions from Senator Hughes who is a member of our committee, which arrived yesterday afternoon after our hearings were closed. I thought that these questions ought to be asked as soon as possible. In fact, if possible, the nomination needs to be confirmed before the recess of the Congress on June 30.

I got in touch with Senator Hughes and explained the situation to him, before I had read the questions, although I had been told that they were concerning the General Lavelle matter as to the bombing raids in North Vietnam. He very readily agreed that any proceeding that would expedite the matter would be satisfactory to him and I then proposed that he come this morning and meet and take the testimony from Admiral Moorer. He couldn't be here so we passed it over until Monday and he said that it would be all right. I would like to have the questions asked today. Senator Hughes wanted the answers and he thought Admiral Moorer should have a chance to answer the questions.

On that basis, we are meeting here to take this testimony and it will become a part of the record and be presented to the full committee.

I think I should say here if it should turn out that any member of the full committee should want to examine Admiral Moorer further, they would have that privilege. This is merely an opportunity to save time. We have so much else set for next week and we are going into recess, of course, next Friday.

## STATEMENT OF ADM. THOMAS H. MOORER, CHAIRMAN, JOINT CHIEFS OF STAFF

Admiral MOORER. I will be very happy to appear before any member, Mr. Chairman.

The CHAIRMAN. Thank you very much.

I just read the letter and I will read one question at a time.

Anything Senator Smith?

Senator SMITH. No.

Admiral MOORER. If I may, just before we get into the detailed questions, I would like to make a brief comment.

The CHAIRMAN. Certainly, that will be in order.

Admiral MOORER. The questions, as I understand it, will revolve around what has become known as the Lavelle case?

The CHAIRMAN. Yes.

Admiral MOORER. I think it would be helpful to the committee, Mr. Chairman, if I just give a little background on the subject of rules of engagement and authorities.

The CHAIRMAN. Yes. Pardon me a minute. Let me state that we do have the Lavelle case on our calendar. We are going to pass on it one way or the other. And in the course of that we doubtless will be taking testimony, regarding the various things that have been said about it. It may affect others, so we haven't reached a decision but I am seriously considering recommending that we do have a hearing.

Senator SMITH. You mean the Lavelle case as to his promotion and retirement?

The CHAIRMAN. That is right.

Senator SMITH. Not on the pending——

The CHAIRMAN. No; it will come up directly on the matter of his promotion.

Admiral MOORER. I understand that.

The CHAIRMAN. When you go into it that it is going to open up everything.

Thank you, Senator Smith, for clearing that up for the record.

Admiral MOORER. I think it would be helpful, Mr. Chairman, and Senator, if I simply give a little background here with respect to the way that the operations have been and are conducted in Southeast Asia. They are conducted on the basis of rules of engagement which were, of course, promulgated in 1965 when the activity first commenced.

As you can appreciate, over this extended period of time the rules of engagement have been modified and updated. For instance, the change in the status of Cambodia would generate a requirement to change the rules of engagement. And so they are continually updated depending upon the situation at the time.

In addition to the standing rules of engagement, we also have what we call authorities of limited duration wherein the forces in the field are ordered to conduct a specific operation for a limited duration.

Now, the requests for these authorities or the genesis of these authorities can come from several places. For instance, the field commander can ask authority to conduct such and such type operation or the unified commander in Hawaii, Admiral McCain, may recom-

mend a certain type of action. The Joint Chiefs of Staff may recommend an action of a certain kind.

However, I want to emphasize to the committee, since this subject always comes up about the question of civilian control, since I have been Chairman of the Joint Chiefs of Staff, and I am sure this has been true in the past, not one directive has ever been given to the forces in the field without first receiving the approval of the Secretary of Defense, and I think that is an important point.

In order to follow operations so far as the air operations are concerned, we have a very, I think, complete and thorough reporting system. This system is called the operation reporting system, and for short the various reports are called OPREPS. There are five of these OPREPS. OPREP 1, 2, 3, 4, 5.

OPREP 1 indicates the intent to conduct the operation and the nature of the operation.

The OPREP 2 indicates that the operation is now underway, the aircraft have been launched, for instance.

OPREP 3 reports special events that are of particular interest which may occur during the progress of the operation.

OPREP 4 is the report that the pilots make immediately after they return from the flight.

We recognize that this report may not be complete and may be subject to reevaluation but it gives us immediate information on what has happened.

For instance, when the mining operation was conducted in Haiphong, within 30 minutes we had the OPREP 4 back telling us that the mines had been put in the proper position, that all aircraft had returned safely, and a brief outline of the enemy reaction. That type of thing is in OPREP 4.

And finally there is an OPREP 5 which gives a good summary of the verified information that has been reviewed and evaluated and more or less winds up the reporting on the particular operation.

These reports come, of course, to the senior commanders. They come to Hawaii where they are recorded and reviewed by Admiral McCain and they come to Washington where I keep a very detailed record of these reports which are placed in the automatic data processing system and in that way we are able to extract information and statistics concerning almost any operation that has been conducted under this system.

And I can assure you, Mr. Chairman and Senator Smith, that I watch these reports very carefully in order to evaluate what has taken place, the results of the operations and, of course, from that we develop recommendations concerning other operations of this type or perhaps different operations which might be indicated as desirable.

Last fall when the dry season developed in Laos it became quite apparent that the North Vietnamese were going to lay on a very heavy effort leading to military operations in South Vietnam.

For instance, they deployed south finally a large number of battalions of SA–2 missiles—that is the surface to air missiles—and possitioned them north of the DMZ and around their most valuable targets or rather most valuable facilities which were necessary in order to conduct this buildup.

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For instance, such a place would be the Mugia Pass or the Dong Hoi transshipment point.

In addition to these ——— battalions of SA–2 missiles, some of which were finally put in Laos, they also deployed south an exceptionally large number of triple A antiaircraft sites and regiments.

In addition to that, they commenced for the first time to operate aircraft, their MIG aircraft, down south, and on frequent occasions they made excursions into Laos. South of Hanoi beginning with Baithuong airfield, they had three other good airfields and they commenced construction of two more, and so we had every indication that they were going to do everything they could to interfere with U.S. air operations.

That was the situation that existed during this period of time in question.

If I may at this point go back a bit. I think, as you recall, when the bombing was halted in 1968, one of the understandings was that we would continue unarmed photo reconnaissance of North Vietnam in order to observe any efforts on the part of the North Vietnamese to move men and material to the south and into South Vietnam.

As I recall, we first endeavored to conduct reconnaissance without any escort for the reconnaissance plane and very shortly after the bombing halt in November 1968 one of our unarmed photo reconnaissance planes was shot down even though the North Vietnamese had agreed that this reconnaissance could take place.

So at that point we began to escort these aircraft, sometimes with two planes, sometimes with four planes, the average I would say was something between two and four depending on what the anticipated threat was.

And the authority which permitted these planes to take counteraction in the event they were fired on, the reconnaissance plane was fired on, was an authority which termed such action as protective reaction.

In other words, the authority clearly states that before these aircraft can take action against either the missile or any antiaircraft that fires at them, that there must be evidence that they have in fact been fired upon. This has been the authority and I think it is crystal clear.

As you can appreciate, when the North Vietnamese added Migs to the missiles and antiaircraft and projected them as far south as they did last winter, this presented quite a threat. Therefore, in addition to the flak suppression aircraft, that is the escort aircraft, it was necessary also to provide high-altitude protection against any possible Migs that might come down and attempt to shoot down the reconnaissance plane, and that was done on occasions whenever the field commander felt that there was in fact a Mig threat present.

So you had in the reconnaissance effort a photographic plane which was escorted by two to four aircraft and one or two occasions six, but I don't recall ever having over six, and that is very rare, planes whose orders were in the event the photographic plane was fired upon they in turn were to react against the ground unit firing at the reconnaissance plane. And on occasion up at higher altitude above the photographic plane, we had other aircraft that we call a Mig cap, the Mig is the fighter aircraft that the North Vietnamese use which was charged with the responsibility of preventing the enemy Mig fighters from shooting down the photographic plane.

There were other types of operations which were labeled protective reaction. For instance, we have an aircraft missile which is an antiradiation missile. In other words, it homes on the enemy radar which directs either the guns or the SH–2 missiles. And this particular missile is what one would call a standoff missile. In other words, the plane that fires it does not have to be right at the radar, it can be several miles back, and so consequently the authority has been granted again to use these antiradiation missiles against the radars that directed the antiaircraft and the missiles against our aircraft, but that involves one missile at a time at one radar as compared to bombs that were dropped immediately over the missile site or the missile van or the antiaircraft site.

There was one other authority that dealt with protective reaction. As a matter of fact, two others. One permitted the aircraft, if they were operating in Laos, and were fired upon by antiaircraft or missiles just inside the North Vietnamese border, such as at the Mugia Pass, to take action against those guns or missiles. In other words, the enemy was not allowed to have a sanctuary where they could sit across the line and fire away as they chose without getting a reaction from our planes.

And, finally, we had protective reaction operations of limited duration. For instance, we noted that a large number of 130-mm artillery pieces were positioned just north of the DMZ system around last Christmas and we requested and received atuhority to attack these 130-millimeter artillery pieces and they were destroyed.

So those then were the authorities that were given the operating forces and which were used by them during this buildup period that the North Vietnamese used to put themselves in a position to commence this invasion on March 30, 1972.

So that is a background, Mr. Chairman. I am now very pleased to answer your questions but I thought that would be helpful to understand what we are dealing with here.

The CHAIRMAN. That is a helpful background and we may come back to it and ask you more about that.

Do you have a question now?

Senator SMITH. No.

The CHAIRMAN. I will start reading the letter.

By the way, let me ask you, when does your present term expire? The term you are serving now?

Admiral MOORER. July 2, sir.

The CHAIRMAN. That is why I thought we ought to try to act quickly.

This is addressed to me as chairman, Committee on Armed Services. It is dated June 22, yesterday.

DEAR JOHN: I regret that storm damage prevented me from arriving before the hearing on Admiral Moorer's nomination that you concluded this morning. I prepared a number of questions which I believe would be helpful to the committee in developing certain facts basic to the inquiry into General Lavelle's retirement at a reduced grade. Because these are fundamental facts I respectfully request that Admiral Moorer be asked to answer them for the record of today's hearing.

When did you become aware of the unauthorized strikes against North Vietnam?

Admiral MOORER. You want me to answer them one at a time?

The CHAIRMAN. Yes.

Admiral MOORER. I was informed of this by General Ryan on March 8 who told me that he had received these letters, I believe, from Senator Case and Senator Hughes, which were transmitted through Senator Symington. General Ryan informed me he was immediately going to send his inspector general to Saigon.

The CHAIRMAN. And that was about when, to the best you can recall now?

Admiral MOORER. It was in late March—the 23d I believe.

Senator SMITH. Right there. General Ryan had not heard about this when you spoke to him?

Admiral MOORER. He informed me.

Senator SMITH. He informed you?

Admiral MOORER. Yes, Senator.

Senator SMITH. After the letters went to him?

Admiral MOORER. After he received letters he came down immediately to see me and told me what he was doing about it.

The CHAIRMAN. In this little paragraph there are several questions.

General Lavelle testified that he made numerous requests for authority to hit targets in North Vietnam and that he was turned down. I assume he is quoting now from the Laos hearings. He said he testified.

Did those requests come to your attention?

Admiral MOORER. The procedure for General Lavelle to follow in requesting these authorities is for him to submit them to General Abrams who, in turn, would submit through Admiral McCain to the Joint Chiefs of Staff and we would in turn request authority from the Secretary of Defense.

In other words, the point I am trying to make here, General Lavelle would not make a request directly to the Joint Chiefs of Staff, he would only make a request directly to General Abrams.

So, the answer is "Yes," I did receive requests from General Abrams which I am sure in many cases General Lavelle initiated.

The CHAIRMAN. And they were brought to your attention then by General Abrams?

Admiral MOORER. Yes, sir; that is correct via Admiral McCain.

The CHAIRMAN. But at that time you assumed they came from Lavelle?

Admiral MOORER. Generally—but not always—the requests for air authorities would come from General Lavelle and requests for the ground authorities would come from the Army commander; it works that way.

The CHAIRMAN. He was in charge of the Air Force in that area?

Admiral MOORER. That is right.

The CHAIRMAN. All right, the next question.

Admiral MOORER. If I may, I explained at the outset that the requests for authorities originate in many places. They could come from General Lavelle who, in turn, asked General Abrams at that point, COMUSMAC V—we call him to request from Admiral McCain, or Admiral McCain may originate this himself, or in some cases the Joint Chiefs of Staff may originate the request. We are all watching this all the time, but in the particular case we did receive requests from General Abrams for air authorities.

The answer to that question is "Yes," I did receive them.

The CHAIRMAN. Like a telephone call, it can originate anywhere along the line, it is coming to the same destination?

Admiral MOORER. Yes, sir; the decision is made the same way regardless of where it originates.

Senator SMITH. General Abrams did not identify the person who was making the request to you?

Admiral MOORER. No; he would not do that. It is not necessary and not expected.

The CHAIRMAN. His next question, how did you handle them, still referring to the requests?

Admiral MOORER. In the cases relating to air authorities, I, of course, prepared then a paper and forwarded them to the Secretary of Defense, sir, and requested his approval.

The CHAIRMAN. Suppose you denied the request?

Admiral MOORER. In that case, if the Joint Chiefs of Staff felt that this was not a proper action, we would simply not request approval.

The CHAIRMAN. Wouldn't pursue it further?

Admiral MOORER. Yes, sir; although the Secretary of Defense is informed of the request.

The CHAIRMAN. His next question: Did you communicate with General Abrams about the denial of the request?

Then he says, with Secretary Laird? With General Lavelle? The last three: Abrams, Laird, and Lavelle?

Admiral MOORER. We communicate with General Abrams through Admiral McCain. In other words, we always reply to the request but the Joint Chiefs of Staff send their reply for this, whether it is positive or negative, to the Commander in Chief, Pacific, an information copy goes to General Abrams. So the answer to that is "Yes," I communicated with Admiral McCain; and General Abrams was informed simultaneously what I was telling Admiral McCain and Admiral McCain picks it up and directs General Abrams to take action accordingly. I do not communicate with General Lavelle.

The CHAIRMAN. That is the ordinary course then that these requests take coming in and then going back?

Admiral MOORER. That is correct, sir. Because the Commander in Chief, Pacific, Admiral McCain, is of course, in command of overall operations in the Pacific. So the Joint Chiefs of Staff deal directly with Admiral McCain.

In order to expedite action and to keep everyone informed, we list General Abrams, sometimes General Lavelle, Admiral Clarey, and others that are involved, as we call them, information addresses, so they will know what I told Admiral McCain and that will expedite the action. But I would not give General Abrams a direct order. The order would be given to Admiral McCain who, in turn, would see to it that the action was taken by General Abrams.

The CHAIRMAN. That is just what I was going to ask you on my own question, if you ever skip McCain and just go direct to Abrams.

Admiral MOORER. No, sir. I am very careful not to do that.

The CHAIRMAN. You already said you didn't skip Abrams either and go to Lavelle.

Admiral MOORER. No, sir. I wouldn't have occasion to communicate directly with General Lavelle.

The CHAIRMAN. Going back to the question. To be sure that it's been fully answered I will repeat it: did you communicate with General Abrams about the denial of these requests, with Secretary Laird, with General Lavelle? I think you have answered those as to Lavelle and as to Abrams but what about Secretary Laird?

Admiral MOORER. Yes, sir.

The CHAIRMAN. If you approved them then, they went on to Mr. Laird?

Admiral MOORER. That is correct. I prepare the rationale explaining why we want approval and I send the rationale plus a message, a proposed message to Admiral McCain and others involved, to Secretary Laird and if he approves the message he signs. He may deny it or he may modify it on occasion. But I want to repeat what I said at the outset, that since I have been chairman of the Joint Chiefs of Staff I have never sent an order to the field without getting approval of the Secretary of Defense.

The CHAIRMAN. All right.

Did you read any of the operations reports or damage assessments filed after the unauthorized raids or any summary reports of them?

Admiral MOORER. Yes, sir. As I explained to you, Mr. Chairman, I keep a very careful record, a machine run. General Pauly, for instance, whom you are well acquanted with through your regular Vietnam briefings, is one of the officers responsible for this, and so the answer to that question is "Yes."

The CHAIRMAN. The next question. Did those reports raise any suspicion in your mind that the 7th Air Force was striking unauthorized targets?

Admiral MOORER. No, sir. The reports do not indicate that the strikes were other than in accordance with current instructions.

There was one case which occurred in December, and this is rather involved, if I may start at the beginning.

The authority for the standoff missiles that I explained to you—the antiradiation missiles—was such that they could be used against the radars that control the missiles and the radars that controlled the antiaircraft. They did not provide authority to strike the radars that are used to control fighters at that particular time.

It became evident to us that the enemy was using the radars that are used to control fighters to aid in directing their missiles. They had developed a system wherein they used the radars that controlled the fighters to pick up the targets and this meant that the radar controlling the missile also was on the air a very short time and, consequently, was not as vulnerable to the antiradiation missiles as it had been before. That was the purpose of tie-in between these various radars systems.

One of the aircraft, as a matter of fact there were one or two of the aircraft, I have forgotten the number, did fire at a radar that is used to control the fighters. Because we were all working on the feasibility of what we suspected the enemy was doing and in the eyes of the pilot, I think he felt that the fighter control radar was part of the missile system. In fact, it was, but literally he did not have authority to do that because we only covered the two types. We are talking about three types: One that controlled the missile,

one that controlled antiaircraft and one that controls the fighters. At the moment this strike took place the authority actually covered only two of the radars. I am only talking about one missile; I am not talking about a large formation of airplanes, I am talking about one airplane firing one missile at one radar.

The CHAIRMAN. Pardon me. That is almost a distinction without a difference, isn't it, because it was a converted radar.

Admiral MOORER. Yes, sir.

The CHAIRMAN. Converted?

Admiral MOORER. Yes, sir. We had suspected this and we were examining it technically. I am bringing this up because I wanted to show you that we had picked this firing incident up immediately, that they had fired at this radar. We called the field commander's attention to it. In the meantime we had taken it up with the Secretary of Defense and on 26th of January he expanded this authority to permit firing at all three radars, and this is the case now.

I only mention this to show you and to answer your question that we do review the reports and that we did pick up immediately from the reports, and in this case that there was a misinterpretation, but it was a minor one and was corrected right away.

The CHAIRMAN. With that exception then of this special radar that was being misused, you didn't have any other suspicions that the 7th Air Force was striking unauthorized targets?

Admiral MOORER. None whatever, sir. And I don't think there is anything in these reports that would cause me to have any suspicion.

I should point out that when General Ryan informed me of these letters he received and the fact that he had ordered his Inspector General to go to Southeast Asia, I was concerned about this and in order to be sure what the interpretation was, that it was correct, and that the order was clear, I sent General Pauly to Southeast Asia to go aboard our carriers because they are also conducting air operations under the same identical rules, and I wanted to cover all aircraft in Southeast Asia, not only the 7th Air Force that General Ryan was inspecting, but I wanted to inspect the Navy, too, to be sure that they had not misinterpreted the intent of the directive, that the directive was in fact clear. And so I have been looking into this continuously in terms of the reporting system—by sending one of my key officers out to take a look, by talking to Admiral McCain about this problem, and we are still in the process of trying to analyze and evaluate and improve the reports, if we can, so that we can properly monitor these things.

The CHAIRMAN. I judge that to be a significant step that you took and that was when General Ryan told you these facts, that was the first information?

Admiral MOORER. First information.

The CHAIRMAN. From reports or from word of mouth or any other way.

Admiral MOORER. Any source, yes, sir.

The CHAIRMAN. From any source.

All right, back to the letter from Senator Hughes. The question is this: General Lavelle as Deputy Commander of MACV had operational authority over Naval Air Forces and B–52's operating in Indo-

china as well as the 7th Air Force fighter bombers. Before I go to the question part, is that a correct fact he has there?

Admiral MOORER. It is partially correct. As Deputy to General Abrams, he has operational authority and cordination authority over those aircraft that operate in what we call the battlefield area and the extension of the battlefield.

In other words, in South Vietnam in the area immediately north of the DMZ and in Laos, which is just across the border from South Vietnam. The operations that are conducted in the northern part of North Vietnam, for instance, are conducted by Admiral McCain as commander in chief Pacific. General Abrams does not conduct the operations in the air Hanoi-Haiphong area. So, if Senator Hughes is speaking of the air operations over the battlefield and the area contiguous to the battlefield, he is correct.

The CHAIRMAN. Contiguous to what?

Admiral MOORER. To the battlefield.

The CHAIRMAN. The rest of the question, was naval aircraft involved in any unauthorized attacks.

Admiral MOORER. I believe I have answered that already. That was one of my main concerns and I sent General Pauly to investigate this specific point and his report when he returned was that they were not.

The CHAIRMAN. You don't have any other knowledge that contradicts that?

Admiral MOORER. No, sir.

The CHAIRMAN. The rest of the question: What about the B–52?

Admiral MOORER. Absolutely not. The B–52's have been the subject of special control. As you recall, they did make one strike in the north in the Haiphong area. I believe that was on April 16. Subsequent to that time their activities have been confined to the previous areas where they had been operating and so I can categorically state that the B–52's were not involved in this.

The CHAIRMAN. Very good.

The next question by Senator Hughes. In your opinion were the rules of engagement sufficiently specific that they could not be mistaken?

Admiral MOORER. In my opinion the rules of engagement were very clear. They said that the escort aircraft could react immediately. In other words, it was necessary for them to be on the spot. The rules said that you could not retaliate later. The aircraft had to be right there present when the action took place, when the enemy fired at the aircraft. And in my opinion the rules were clear.

The CHAIRMAN. All right.

The next question by Senator Hughes. During the period in question, November 1971 to March 1972, the rules of engagement were specifically modified by the President on certain occasions to permit the "limited duration protective reaction strikes"?

Admiral MOORER. That is correct.

The CHAIRMAN. Against preplanned targets in North Vietnam? Is that correct?

Admiral MOORER. That is correct, sir. For instance, I have given you an example. That was the action against the 130-millimeter artillery pieces that were north of the DMZ and I mentioned the

fact we did have protective reaction of limited duration in my general outline I gave you and Senator Smith earlier.

The CHAIRMAN. Other than the limited duration strikes, did the general rules of engagement remain basically the same since the bombing halt of 1968, or were they progressively relaxed over a period of months?

Amiral MOORER. I don't feel that they were relaxed, sir. I would say that they remained essentially the same.

The CHAIRMAN. Certainly up through this period in question?

Admiral MOORER. Up until—I assume that Senator Hughes' cutoff date is March 30.

The CHAIRMAN. I assume that.

Admiral MOORER. The enemy came across the DMZ.

The CHAIRMAN. I assume that, too. The rest of the question. Did you ever allow pilots to strike in North Vietnam without some definite hostile action against them by the enemy prior to April 1972, of course?

Admiral MOORER. Sir, that feeds right back to the question as to whether the authorities were clear. The answer to that is an emphatic "No," except when holding specific authority for limited duration strikes.

The CHAIRMAN. Question No. 8, the next one. What is the responsibility of a flag or general officer with respect to the doctrine of civilian control over the Armed Forces?

Admiral MOORER. Sir, I feel that the civilian control over the Armed Forces in our form of government as specified by the Constitution is absolute, although I don't always agree with the civilian course of action, I can assure you that I always followed the directive to the letter.

The CHAIRMAN. That is the military rule?

Admiral MOORER. Yes, sir.

The CHAIRMAN. You approve of that as a citizen, too?

Admiral MOORER. Yes, sir; I think that is the way our country is organized, the way the Constitution sets forth the responsibilities, and I am in full support.

The CHAIRMAN. That is right. The next question is No. 9. Did you approve of General Ryan's action to remove General Lavelle?

Admiral MOORER. Yes, sir; I did. I would make this point at this time. As Chairman of the Joint Chiefs of Staff my responsibilities, of course, are in the operational and strategic direction field. The matter of discipline of an individual in any service is the responsibility of the service chief.

For instance, when I was Chief of Naval Operations I had a major concern with Lieutenant Commander Bucher, with respect to the *Pueblo* and at that time I had full responsibility. General Ryan advised me of what he was going to do with respect to General Lavelle, and I have no responsibility with respect to specifying what he should do. That is his total responsibility. I concurred with his action, however. It was my personal view that he was taking the correct action.

The CHAIRMAN. Here is this question, I will ask it and then just remark that I am not certain myself just which investigation he is talking about, over which case he is talking about. I know it is the Lavelle

matter generally. But he says are you satisfied with the extent of the investigation?

I am assuming he is talking about Ryan.

Admiral MOORER. I am satisfied with the extent so far as the area of my responsibility is concerned, namely, to insure that the orders are clear and that they have been approved by my civilian superior.

I come back to the point, if I may, Mr. Chairman, this discipline per se is the responsibility of the service chief.

The CHAIRMAN. Yes. It seems to me you have gone just the right distance and no farther on answering that question.

Admiral MOORER. Yes, sir.

The CHAIRMAN. Now the next one is related in a way.

Do you believe that this case should now be closed and why? If the Senator is referring to the case now before the Senate Armed Services Committee, I really don't think we have the right to ask you that question. But if he is referring to the case as a military case, purely, as you have said a while ago, discipline, you can answer it from that standpoint.

Admiral MOORER. Sir, as I said earlier, we are continuing to examine the authorities and procedures and the method of making reports and so on. I think that I would just like to assure the chairman and Senator Smith that we are making every effort to close any loopholes, if there are any—I haven't discovered any yet. I say that so far as the discipline of individual officers are concerned, again I think that is the responsibility of the service chiefs.

The CHAIRMAN. The matter of the promotion here and so forth is a matter for the committee, of course.

Admiral MOORER. Yes, sir.

The CHAIRMAN. That part of it.

Admiral MOORER. Yes, sir; I don't think it would be proper for me to pass judgment at this point.

The CHAIRMAN. I think you are right and I feel Senator Hughes will be satisfied.

No. 10. To what extent was our targeting for air strikes in North Vietnam coordinated with our secret diplomacy. For instance, did Dr. Kissinger's office know or approve of targets in North Vietnam?

Admiral MOORER. Sir, I think you always look at military operations in terms of the interface with other things that are taking place and the general activities of the military forces, of course, was a matter of knowledge on the part of Dr. Kissinger and the White House staff. That always should be the case because the President is Commander in Chief.

The CHAIRMAN. Yes. But your part of it was disposed of before it got there, as you described these requests coming in.

Admiral MOORER. Yes, sir. I make my recommendations to the Secretary of Defense.

The CHAIRMAN. He used the word "targeting for air strikes in North Vietnam, was that coordinated with our secret diplomacy. The targeting for air strikes, as I understand, that means the course of targeting that you have already discussed here.

Admiral MOORER. I don't think that the targeting itself is, if you are talking about whether to hit target A or target B, is coordinated in such a sense. Of course a major operation such as the mining of Haiphong would be. If the question deals with whether you hit a bridge

or a ferry slip or a supply center, of course it isn't. If the question has to do with the extent of the effort, then as you know, sir, we have—since the mining operation the President announced—authorized additional air actions in North Vietnam. In this case it is certainly coordinated with the political efforts but not in details of target A or target B wthin a given area.

The CHAIRMAN. All right.

Question No. 11. How was the bombing of North Vietnam handled differently from the bombing in South Vietnam, Laos, and Cambodia? Then he says was it subject to special scrutiny because of the diplomatic consequence?

Admiral MOORER. Sir, I think that all of the bombing is subject to special scrutiny in relation to the diplomatic consequences. There is an interface there, an interface that goes on all the time. If the question relates to the command structure, I think I have already explained that the air operations that are not contiguous to the battlefield area, namely South Vietnam. That is those air operations in the northern part of North Vietnam are conducted by Admiral McCain through his control in Hawaii whereas General Abrams is responsible for those air operations in South Vietnam and the immediate borders.

The CHAIRMAN. In South Vietnam and the southern part of North Vietnam?

Admiral MOORER. Southern part of North Vietnam and that part of the Lao border and Cambodian border and so on because it is very difficult to, as you can appreciate, to draw a line on the ground.

The CHAIRMAN. Abrams being in charge it makes that area Lavelle's responsibility.

Admiral MOORER. Yes, sir. General Lavelle is also working for the Air Force component commander in Hawaii. In this case General Clay provides aircraft and is responsible for the attacks in North Vietnam.

In other words, the resources, the air resources in Southeast Asia are composed of those provided by the Air Force, and those provided by the Navy. Both Navy resources and Air Force resources operate inside South Vietnam and both Navy resources and Air Force resources operate in the northern part of North Vietnam. But this is easily handled and well coordinated. We don't have any problem there.

The CHAIRMAN. All right, let's drop over to Laos now.

What is the situation in Laos, the bombing, who is in charge?

Admiral MOORER. The bombing, it is the same way. That area is contiguous to the South Vietnamese border and so that part is controlled from MACV headquarters.

The CHAIRMAN. The same answer applies to Cambodia?

Admiral MOORER. Yes, sir, that is right.

The CHAIRMAN. Was it subject, meaning the three countries I have named, subject to special scrutiny because of the diplomatic consequences?

Admiral MOORER. Yes. I come back to the point that we never lose sight of the relationship between the diplomatic aspects of the situation and the military aspects. I don't think you can. We don't think you can separate them really.

The CHAIRMAN. This third and last question of Senator Hughes.

If your nomination is confirmed, do you plan to take any additional steps to insure command and control and adherence to orders.

Admiral MOORER. Sir, I think I reported to you that we are continuing to check on the reporting system and I have sent General Pauly down to talk to the people in the fleet and I answer that as "Yes," I am going to continue to do what I can to refine and improve the reporting system and to insure that the orders are clear.

However, I would go on to say that I feel that the orders are clear now, Mr. Chairman, and that we have very excellent records and that as soon as deviation of the orders became apparent action was taken to correct it.

The CHAIRMAN. I think now that one of the key questions as far as you are concerned is did you know or have knowledge or information about these irregularities prior to the time that General Ryan and you talked about this subject matter?

Admiral MOORER. No, sir; I did not.

The CHAIRMAN. Sometime this year, whether it was February or early March or late January.

Admiral MOORER. I am sorry my memory is so bad but I can look it up. I can answer your question—absolutely not. There is nothing in the reports that would have permitted me to detect such an irregularity.

The CHAIRMAN. And all of this consideration of this matter since the so-called Lavelle case arose and down to now, this question that hasn't revived your memory with the exception of what you have just said?

Admiral MOORER. It has not.

The Chairman. Let me ask this. Why the severity of these rules, that is, these pilots were going out there, this is a practical question for me—they were going out there to do this bombing, and you had them restricted, this attack had to be on them. That was in keeping with the understanding that was had?

Admiral MOORER. Yes, sir.

The CHAIRMAN. Explain that.

Admiral MOORER. That all flowed from the agreement which brought about the cessation of bombing in 1968.

The CHAIRMAN. Relate for the record the substance of that understanding.

Admiral MOORER. Yes, sir. The understanding was that in payment for the North Vietnamese agreement to negotiate we would agree to stop the bombing. However, associated with the cessation of bombing was the understanding that we would continue to conduct photo reconnaissance, that the North Vietnamese would not violate the DMZ, that they would not fire rockets and artillery at cities, and that they would commence, I think the word was, meaningful negotiations. Of course, most of these were violated immediately.

The CHAIRMAN. But that is why then, even though we were at war, these restrictions were on your men, that is, pilots, because of this agreement?

Admiral MOORER. We have bent over backward not to violate the understandings, as they are called, and I might say, Mr. Chairman, since I have the opportunity, certainly during this Vietnam war we have operated under the severest kind of restrictions and we have required the young pilots in particular, who are flying around at 500

miles an hour or more, to comply with a very complicated set of instructions or restraints or operating authorities, or whatever you want to call them, and I think it is to their great credit that they have been able to operate in such a professional manner because it is a very difficult thing for them to do.

The CHAIRMAN. Oh, yes, I can understand that clearer now than I have before.

Senator Smith, do you have any questions?

Senator SMITH. I only have one question or one observation. I have never been able to understand at all with the intelligence we have, and many people think too much and too costly, why such an irregularity is not discovered before they get to public notice.

Admiral MOORER. You are referring to the strikes?

Senator SMITH. Yes.

Admiral MOORER. Senator Smith, there are several, I think, explanations of this question with respect to this particular situation. I think I should make the point that in many cases, in most cases you are only talking about two to four aircraft that were involved.

In the second place, we were experiencing and anticipated that the enemy would be very alert to fire on our aircraft at every opportunity because they did not want us to detect the buildup that was going south, and I think that thirdly we were trying to get this information, and if you look a the records from previous years you will see that the number of missions that were involved over North Vietnam during this period compare equally or in some cases less than we had had over previous years, so there was no indication at least at this level that there was any radical change in the pattern of operations or anything like that.

I keep coming back to the point that these strikes that were made were made by a very few aircraft. They are not comparable to the types of strikes we are making today on such targets, for instance, as a railroad bridge or yard or something of that kind designed to stop the flow of material down south. They were strikes made by very small units of aircraft that were escorting these photographic planes and they were not reported except in the context of being within the authorities.

The CHAIRMAN. In other words, the reports were false reports?

Admiral MOORER. The reports did not indicate that there was—it was impossible to tell from the reports that there was a violation. I think I outlined for the committee the one case with respect to the radar. We picked it up right away and corrected it. But as far as the other air strikes there was no way to tell from the reporting, there was nothing in the report to indicate it was outside the bounds of the authority.

The CHAIRMAN. The fact that you picked that one up so quickly shows there was rather close scrutiny?

Admiral MOORER. Yes, sir, we watched them very carefully.

Senator SMITH. And the false reports, the problem?

Admiral MOORER. So far, at this level, and at the level of the Commander in Chief Pacific, there was no way, judging fom the reports, to determine that the operations were not in strict accordance with the orders.

Senator SMITH. And that goes back directly to General Lavelle and then to the individual pilots?

Admiral MOORER. Yes, Senator. They did not report the fact that——

Senator SMITH. The individual pilots did not report them?

Admiral MOORER. I don't know exactly how General Lavelle got the information. He was the one that was responsible for sending the report up the line to Admiral McCain and to the Joint Chiefs of Staff.

Senator SMITH. Is there anything anywhere to indicate that he did not know what was going on?

Admiral MOORER. No, Senator. I would think that he certainly was on the scene and I think in most, let me say in most, cases I would think that he knew what operations were being flown by his aircraft. I am sure he knew that.

The CHAIRMAN. His line of duty required him to know as a general proposition.

Admiral MOORER. He was the air commander so he was doing a very thorough job, I am sure, of following every mission.

Senator SMITH. That is all.

Mr. BRASWELL. Admiral Moorer might wish to clarify one of these questions with respect to the relationship between the diplomatic and negotiations. Would it be fair to say that any major change in bombing policy would be known at the appropriate White House level?

Admiral MOORER. Oh, yes.

Mr. BRASWELL. Just to tie that in.

Admiral MOORER. Of course. I mean I come back to the point the President is Commander in Chief and we are certainly not going to move out independently without having his approval.

The CHAIRMAN. I suppose.

Admiral MOORER. I would say that I feel the coordination is very good.

The CHAIRMAN. I assume that the President feels free to originate any orders that he sees fit that are different from the others and in turn if you thought you should suggest a change why you would feel free to suggest a change to him?

Admiral MOORER. Yes, sir.

The CHAIRMAN. That is the flow of the opinions that pass.

Admiral MOORER. Yes, sir, the President doesn't hesitate to give his orders.

Senator SMITH. Does he give those directly to McCain?

Admiral MOORER. He would give them to the Secretary of Defense.

Senator SMITH. He would not go direct, he would not bypass the Secretary?

Admiral MOORER. All orders to the operating forces pass through the Joint Chiefs of Staff but the President would not go down into the system. Neither would I. I would not bypass Admiral McCain and I would hope the Secretary of Defense wouldn't bypass me.

Senator SMITH. It has to come from the civilian head?

Admiral MOORER. Absolutely, yes, Senator.

Senator SMITH. There is no getting around that.

Admiral MOORER. There is no getting around that, that is right. That is a good point, Senator Smith.

Senator SMITH. I think it is a pretty important point. Off the record.

(Discussion off the record.)

The CHAIRMAN. Senator Smith, I will call this to Admiral Moorer's attention, too. I am going to hand this to Senator Hughes the first thing. He originated the questions. Then they will be incorporated in the printed hearings. That was an open hearing, and this will be a continuation of the open hearing. There is nothing in here that is classified, is there?

Admiral MOORER. I would like to review it if I could. But I think generally speaking there may be one or two things but I don't think in general, no, sir.

Senator SMITH. It seems to me the admiral has answered those very clearly and to the point.

The CHAIRMAN. Here is the way I feel about our responsibility to the others. If Senator Hughes or any other member is not satisfied with this record, and they want to question you further that will be their privilege.

Admiral MOORER. Yes, sir, any time.

The CHAIRMAN. I believe that we have saved some time here.

Senator SMITH. I am sure we have.

Thank you very much.

Admiral MOORER. Thank you.

The CHAIRMAN. Senator Smith, thank you.

(Whereupon, at 3:15 p.m., the committee adjourned subject to call.)

# NOMINATION OF ADM. THOMAS H. MOORER, U.S. NAVY, FOR REAPPOINTMENT AS CHAIRMAN, JOINT CHIEFS OF STAFF, FOR AN ADDITIONAL TERM OF 2 YEARS

THURSDAY, JUNE 29, 1972

U.S. SENATE,
COMMITTEE ON ARMED SERVICES,
*Washington, D.C.*

The committee met, pursuant to call, at 10 a.m., in room S–126, the Capitol, Hon. John C. Stennis (chairman).

Present: Senators Stennis (presiding), Symington, Jackson, Cannon, McIntyre, Byrd, Jr., of Virginia, Hughes, Bentsen, Smith, Thurmond, Tower, Dominick, Goldwater, and Schweiker.

Also present: T. Edward Braswell, Jr., chief counsel and staff director; John T. Ticer, chief clerk; R. James Woolsey, general counsel; L. R. Garcia, Hyman Fine, Don Lynch, George Foster, Charles Cromwell and John A. Goldsmith, Edward B. Kenney, professional staff members; and Fran Funk, staff aide.

The CHAIRMAN. All right, gentleman, the committee will come to order.

First I would like to call up the nomination of Admiral Moorer for appointment for another 2-year term as Chairman of the Joint Chiefs. You remember we had him before the committee on June 22. Questions from Senator Hughes came in later and they were handled by our subcommittee of two, Senator Smith and me on June 29. We had Admiral Moorer come before us, with a reporter, and sent his testimony over to Senator Hughes. Senator Hughes said before our committee the other day that he was satisfied.

Do you want to say a word about that, Senator Hughes?

Senator HUGHES. I had a series of questions that were asked and responded to. I am satisfied Admiral Moorer had no knowledge of anything in the Lavelle affair and I am prepared to move his nomination.

Senator GOLDWATER. I second it.

Mr. GARCIA. Senator Smith has Senator Saxbe's proxy.

The CHAIRMAN. We just brought up the Moorer matter and the motion is that we recommend the confirmation.

I want to be sure, Mr. Braswell, has any Senator voiced any reservations at all?

Mr. BRASWELL. No.

The CHAIRMAN. All right, any further discussion?

Those favoring the approval of the nomination and the recommendation for confirmation and that it be reported today raise your right hand, please.

All right, take the count.

Mr. BRASWELL. You have the proxy for Senator Thurmond, Senator Dominick, and Senator Saxbe.

The CHAIRMAN. All right.

Senator SMITH. I have Senator Schweiker.

The CHAIRMAN. I have a proxy for Senator Ervin.

Opposed, by the same sign?

[No response.]

Mr. BRASWELL. Fourteen yeas, none opposed.

Senator SMITH. Are the printed hearings ready to be released?

The CHAIRMAN. Yes. They are in print. This is the part to be released?

Mr. BRASWELL. Yes. Normally we wait and put the Senate action in, which will be available tomorrow. We now have them in galley form.

Senator SMITH. I wanted one to give out to one of the Senators who had asked for it, so I will give one of these.

The CHAIRMAN. We will report the nomination favorably to the Senate. I certainly appreciate the members being here this morning. We do have other nominations of a number of general officers.

The names have been here for the required time; there are no objections filed or heard of?

Senator GOLDWATER. I move their approval.

The CHAIRMAN. Is there objection?

All right, we have a unanimous vote. I might note they include Gen. William C. Westmoreland to be placed on the retired list of the Army in the grade of general. He had a long and honorable career.

(Whereupon the committee proceeded to other business.)

(The nomination of Admiral Moorer was reported to the Senate on June 29, 1972, and confirmed by the Senate on June 30, 1972.)

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