[61] Naber, Edward C. and George W. Ware, "Effect of Kepone and Mirex on Reproductive Performance in the Laying Hen," *Poultry Science*, 44:875–880, 1965.

[62] Gaines, Thomas B. and Renate D. Kimbrough, "Oral Toxicity of Mirex in Adult and Suckling Rats," *Archives of Environmental Health*, 21:7–14, July 1970.

[63] Ware and Good, *loc. cit.*

[64] *Report of the Secretary's Commission on Pesticides and Their Relationship to Environmental Health*, U.S. Government Printing Office, Washington, D.C. 1969.

[65] "Forty-Eight Pesticides Harnessed," *Sport Fishing Institute Bulletin*, 216:5, 1970.

[66] Butler, P. A., "Monitoring Pesticide Pollution," *Bio-Science*, 19:889–891, 1969.

[67] Bellinger, et al., *loc. cit.*

ORDER FOR TRANSACTION OF ROUTINE MORNING BUSINESS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday next, immediately following the order for the recognition of the distinguished senior Senator from Virginia (Mr. BYRD), there be a period for the transaction of routine morning business for not to exceed 30 minutes, with statements limited therein to 3 minutes.

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

ORDER TO LAY BEFORE THE SENATE THE UNFINISHED BUSINESS ON MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that on Monday, immediately on the close of the period for the transaction of routine morning business, the Chair lay before the Senate the unfinished business.

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

REQUEST FOR CONFERENCE CONCERNING PRICES OF WHEAT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Senate Resolution 136.

The PRESIDING OFFICER. The resolution will be stated by title.

The legislative clerk read the resolution (S. Res. 136) by title, as follows: "A resolution requesting a negotiating conference in reference to the prices of wheat."

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD of West Virginia. Mr. President, there will be no action on this measure today. It has been made the pending business for the purpose of its being laid before the Senate on Monday next at the close of morning business as the unfinished business.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, the program for Monday and the subsequent days of next week, as far as can be determined at the moment, is as follows:

On Monday the Senate will convene at 12 o'clock noon. Following the recognition of the two leaders under the standing order, the distinguished senior Senator from Virginia (Mr. BYRD) will be recognized for not to exceed 15 minutes. There will then be a period for the transaction of routine morning business, with statements therein limited to 3 minutes, the period not to exceed 30 minutes. The Chair will then lay before the Senate the unfinished business, Senate Resolution 136, the so-called McGee resolution.

Following action on Senate Resolution 136, the Senate will proceed, in executive session, to the consideration of the International Wheat Agreement, on which the yeas and nays have already been ordered. Therefore, there will be at least one yea-and-nay vote on Monday next and Senators are so apprised.

Also on Monday it is quite likely that the Senate will consider and dispose of the Federal boat safety bill, which is being reported today by the Commerce Committee.

I have been asked by the distinguished majority leader to announce that the vote to override the Presidential veto on the accelerated public works bill will be scheduled for Wednesday next. There will be a rollcall vote on the proposed veto override.

Two health manpower bills will be reported on Monday from the Committee on Labor and Public Welfare, and they may be taken up on Tuesday or Wednesday.

On Wednesday next, the Appropriations Committee will report a bill making appropriations for the Department of Agriculture. It is hoped that the Senate can proceed to the consideration of that appropriations bill on Thursday next.

On Thursday, the Appropriations Committee is expected to report the Department of the Interior appropriations bill, the Department of Housing and Urban Development appropriations bill, and the State-Justice-Commerce appropriations bill. So, three appropriations bills are expected to be reported from the committee on Thursday next, and it is the intent of the majority leader to attempt to schedule as many as possible of those bills for action on Friday next, with the hope that they may be disposed of on that day.

In view of the past practice, generally, of ordering the yeas and nays on the final passage of appropriations bills, therefore, Senators are on notice that undoubtedly there will be yea-and-nay votes on appropriations bills on Thursday and Friday of next week.

Other possible items for consideration late next week are the Atomic Energy Commission authorization bill, which has been reported today, as I understand, and on which action may be taken Thursday or Friday of next week, as well as reconsideration of the vote on the Veterans' Committee resolution, and it is my understanding that this may be taken up Thursday or Friday.

Senators will be aware, therefore, of the very busy week ahead of us, with a certain yea-and-nay vote on Monday, and with yea-and-nay votes to follow on days subsequent to Monday of next week.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 41 minutes p.m.) the Senate adjourned until Monday, July 12, 1971, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate July 8, 1971:

DEPARTMENT OF DEFENSE

Charles L. Ill, of Maryland, to be an Assistant Secretary of the Navy.

U.S. DISTRICT COURTS

Malcolm M. Lucas, of California, to be a U.S. district judge for the central district of California, vice a new position created by Public Law 91–272, approved June 2, 1970.

Lawrence T. Lydick, of California, to be a U.S. district judge for the central district of California, vice Thurmond Clarke, deceased.

EXTENSIONS OF REMARKS

THE UTTER WRONGNESS OF OUR PAKISTAN POLICY

HON. FRANK CHURCH

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Wednesday, July 7, 1971

Mr. CHURCH. Mr. President, the 4-month-old civil war afflicting the people of East Pakistan worsens, and no relief is in sight to heal the deep and festering wounds. Committing monstrous acts of inhumanity, the West Pakistan military regime, with an Army of 70,000 men, equipped, armed, and trained for the most part by the United States, still occupies the eastern wing of this bifurcated Asian country. Reports of atrocities continue to come in.

In turn, the Bengali sufferers, 75-million Muslims and Hindus, making up the majority of the country who won the majority of seats in the new National Assembly last December, continue to resist. Latest dispatches from Dacca, for instance, tell of the freedom fighters knocking out the electrical power systems of the biggest cities, Dacca and Comilla.

During this tragic period, the utter wrongness of American policy has become blatantly apparent. The United States supports the Government at Islamabad, the very creators of the widespread suffering in their own country. We keep shipping arms, ammunition, and spare parts and, although the U.S.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

bureaucracy has advised against filling the arms export licenses still outstanding, the President has said to go ahead anyway.

Thus, the American Government gives tacit support to a regime at which even the British Conservative Government has openly expressed outrage. Sir Alec Douglas Home, the Foreign Secretary and a man noted for his high regard for the Pakistani oligarchy in the past, has urged:

> The creation of a framework in which civil government can be formed, that will give confidence to the refugees to return home.

Otherwise, he has warned:

> The danger of war is very real and could convert what is already a tragedy into a catastrophe.

American editorialists have unanimously labeled the regime in the harshest words possible, the Washington Evening Star rightly saying:

> The American people are not in a mood to finance experiments in genocide.

Others have said that the actions of the West Pakistanis are something like what Hitler did.

However, neither President Nixon nor Secretary of State Rogers have said one public word about the tragedy. The President has even reportedly sent "a very warm, kind personal letter" to the leader of the regime that has caused upward of 6½ million of its citizens to flee, and brought the possibility of war with India closer and closer. Why do we befriend such an Asian Minotaur?

We say in Vietnam that we are fighting for "self-determination" so that the people there can have the opportunity to choose their own government, yet in Pakistan we continue to give support to an authoritarian clique that conducts business by martial law and forcibly deprives its own citizens of the right of self determination, even after a free and fair election! A Bengali student recently asked what had his people done wrong to be treated to a 4-month campaign of violence; the answer is that an election was held and the Awami League won over 80 percent of the votes and 167 out of a possible 169 seats in the National Assembly, becoming the dominant political group in the country.

Our Government goes to great pains to warn us of a fearsome bloodbath that will befall the people of South Vietnam if the regime there is left to fight on alone, yet one of the worst manmade bloodbaths of our time is taking place in East Bengal, administered by the Pakistan Army. The martial law ruler, General Tikka Khan, has been quoted recently as saying:

> We will reduce you (the Bengalis) to a minority.

This supports the widespread conviction among the foreign community in Dacca that the huge exodus of refugees to India stems not from panic and false propaganda, as military spokesmen claim. Rather it stems from the fact that Pakistan army soldiers have shot and continue to shoot Muslim intellectuals and professionals plus much of the Hindu community as an expression of their fury at the outcome of last December's elections.

If the Nixon administration were really concerned about the principles of self-determination in Asia, the United States would do all it possibly could to end the gruesome tragedy in East Pakistan. At the very least, our policy would be one of total abstention.

However, the administration is so unconcerned about events in Pakistan, as well as voices of outrage in Congress, the press, and among private citizen groups, that the transfer of arms to the transgressors continues on a "business as usual" basis. I understand an estimated $35 million is still in the arms pipeline, and the President refuses to stop the flow.

The most embarrassing commentary is that while the United States takes no action to stop its intervention on the oligarchy's side in Pakistan, the Canadian Government stepped in, over the weekend, to try to do what it could to prevent further arms from being loaded aboard the Padma, one of the ships loaded in New York harbor with American arms, ammunition, and spare parts.

The best Congress can do is to suspend all U.S. moneys for economic assistance and transfer of military goods, in all shapes and in all forms, to Pakistan until an international relief effort takes place throughout East Bengal and a majority of the refugees in India are repatriated.

To build further a record relating to events in East Bengal, I ask unanimous consent that the following exhibits be printed in the RECORD:

Exhibit 1, editorial opinion as expressed in the leading newspapers and journals in the United States and United Kingdom.

Exhibit 2, articles dealing with U.S policy toward the Pakistan civil war.

Exhibit 3, news dispatches from Pakistan and India of development there.

Exhibit 4, a thoughtful analysis of the present crisis by Selig Harrison, longtime observer of the subcontinent.

There being no objection the exhibits were ordered to be printed in the RECORD, as follows:

EXHIBIT 1—EDITORIAL OPINION

[From the Washington Evening Star, April 21, 1971]

AID FOR PAKISTAN

In view of the tragic news from East Pakistan, it strikes us as odd that the government in Islamabad should pick this particular time to make a major pitch for $70 million in economic development loans from the United States. It strikes us as even odder that the plea has apparently been sympathetically received at the White House and the State Department.

American economic aid for Pakistan has been suspended since March 25 when West Pakistani troops were ordered to crush a movement for political independence by the predominantly Bengali population of East Pakistan. The program is "under review," with the implication that no new funds will be freed as long as the killing goes on.

And quite evidently it is going on at a horrifying pace. Western reporters who have recently visited East Pakistan have estimated the deaths on both sides at up to half a million. The Indian government reports that it is giving refuge to some 2.6 million Bengali refugees, with many more expected. Millions of others face death from disease and starvation, through the destruction of food stocks and transportation facilities. Willfully or not, conditions are being created that could result in the expulsion or extermination of a substantial portion of East Pakistan's population.

Until now, the government in Islamabad has refused to allow the distribution of aid for East Pakistan by any of the international relief agencies. It remains to be seen whether acceptance of an offer of help from the United Nations will change matters. A few days ago the provincial military governor declared bluntly that "the outside world will simply have to take our word that aid will be effectively distributed by us." Under the circumstances, the outside world will do no such thing.

It is not hard to understand why the Pakistanis want American loans. Their exercise in military repression has brought the nation to the brink of bankruptcy. The resumption of the aid program—which has been running at a rate of some $200 million a year—is believed essential to maintain the stability of Pakistan's currency.

What is hard to understand is why Secretary of State Rogers should have encouraged M. M. Ahmed, senior economics adviser to the Pakistan government, to take his pitch for aid directly to the American people in a public hearing of the Senate Foreign Relations Committee. The committee chairman, J. William Fulbright, quite correctly in our view, turned down that suggestion. The American people are not in a mood to finance experiments in genocide.

[From the New York Times, May 24, 1971]

RELIEF IS NOT ENOUGH

The tidal wave of refugees from East Pakistan into India, which is reported nearing the three million mark and growing by tens of thousands each day, presents humanitarian and political problems of staggering proportions to India and to the world.

There is hope that the humanitarian problem can be met, at least in the short run, especially now that Rawalpindi has agreed to accept international relief assistance inside East Pakistan itself. In spite of overwhelming domestic concerns of its own, India has responded generously to the needs of the pathetic Bengalis who have fled the military crackdown in East Pakistan. The United Nations already has an investigating team in the field in response to India's plea for international assistance. The United States has allocated $2.5 million to help the Indian relief effort.

But the political issues created by the suppression of East Pakistan's popular movement for regional autonomy and the exodus into India will be far more difficult to control. Already the influx of refugees is provoking resentment and intensifying the chronic condition of unrest in India's violence-prone state of West Bengal. The continuing persecution of Hindus in East Pakistan could touch off serious new communal conflicts between Moslems and Hindus in both Pakistan and India. The likely emergence of a fedayeen-type guerrilla movement among the refugees concentrated in India along the Pakistan border could in time provoke a new Indo-Pak conflict.

It will not be enough to provide food and shelter to the refugees. If grave international consequences are to be avoided, it is essential that the refugees return to their homes at an early date under conditions of security and confidence that obviously do not now exist. This can be achieved if the United States and other members of the Aid to Pakistan Consortium stick to their reported demand that the Yahya Government seek a political accommodation with the Bengalis as a condition for the resumption of assistance that the Pakistani economy desperately needs.

[From the New York Times, June 2, 1971]

BENGAL IS THE SPARK

Tariq Ali, a Pakistani radical who has been active in British left-wing student circles, turned up recently in Calcutta, where he was reported encouraging secessionist tendencies in both West Bengal and East Pakistan with the aim of promoting a united socialist Bengal.

"The revolutionary movement has a big opportunity in Bengal," Mr. Ali told a British reporter. "This is a heaven-sent opportunity which we should not miss. What I see in the future is the distinct possibility of India and Pakistan disintegrating—and Bengal is the spark."

Mr. Ali's radical vision of chaos on the Indian subcontinent cannot be taken lightly. The Pakistan military government's brutal crackdown on a popular democratic movement that sought a large measure of autonomy for East Pakistan has set the stage for an increasingly violent and radical reaction in the long-neglected and much-abused eastern state.

A prolonged guerrilla conflict in East Pakistan would have profound repercussions in the neighboring violence-prone Indian state of West Bengal, already shaken by the influx of more than three million refugees from the Pakistani Army's campaign of terror. Prime Minister Indira Gandhi is under mounting pressure to intervene to try to check this threat to India's own internal peace and integrity.

It is obviously in nobody's interest to allow the Bengali "spark" to explode into a major international conflict, one which might speedily involve the major powers. Nor is it wise to permit the situation in East Pakistan to continue to fester, inviting the gradual political disintegration of the entire subcontinent.

To deprive Tariq Ali and his like of their "big opportunity" it is essential that Pakistan's President Yahya Khan come to terms speedily with the more moderate Sheik Mujibur Rahman and his Awami League, which won an overwhelming popular mandate in last December's national and state elections. Such an accommodation with East Pakistan's elected representatives should be a prerequisite for the resumption of United States aid, except for relief assistance, to Pakistan.

[From the Washington Post, June 8, 1971]

EAST PAKISTAN: A WOUND UNHEALED

An outbreak of cholera among Pakistani refugees in India's West Bengal region has cost 1,000 or more deaths and threatens to take a larger toll before adequate medical supplies can be gathered and—more to the point—before they can be put to use among the hordes of refugees, many of whom are simply on the roads, their suffering not even contained within camps. Since the Pakistani army suppressed the East Pakistan autonomy movement in March, the flow of terrorized and uprooted Bengalis has reached an estimated four or five million. And despite the government's claim that normality has returned, the refugee flow goes on. The government has set up 20 "refugee reception centers" in East Pakistan to "help rehabilitate Pakistanis returning to the country," but there are no reports these centers are being patronized.

As a result, India, whose West Bengal region hardly had resources to spare before the Pakistani explosion, is being overwhelmed. International contributions for Pakistani refugees have come in relative dribs and drabs; the lesser disaster of the East Pakistan cyclone touched the world's heart, and its pocketbook, far more deeply. It is a sobering comment that the refugee pileup had become so normal and accepted that it took an outbreak of cholera to restore it to world consciousness. Meanwhile, India has had to cope. It deserves far more help than it has so far received in accommodating its Pakistani wards.

The need persists to enable the refugees to return to their homes. A few weeks ago President Yahya Khan appealed conciliatorily to them to do so, but no significant number seems to have heeded his call. Press censorship remaining as rigid as it has, one can only guess why. Only the other day did his government finally agree to let the United Nations establish itself as a funnel for world relief inside Pakistan proper; until this time, the requirements of "law and order" and, one suspects, of army pride have kept the government from this overdue step.

President Yahya has made some effort to restore political life in the eastern wing. However, having outlawed the Awami League, the vehicle of the East Pakistani independence movement, he has had trouble locating local politicians of any stature willing to collaborate. The United States and other important providers of aid to Pakistan continue quietly to withhold assurances of further support. They should keep the pressure on until President Yahya is in a position to demonstrate that his government intends to do a good deal more than it has to heal the wounds of March.

[From the Christian Science Monitor, June 18, 1971]

THE WORLD COMMUNITY MUST HELP

Only a few days ago the number of East Pakistani refugees in India was put at 5,000,000. Now it has risen to 6,000,000—a figure so huge that it beggars the imagination.

No wonder Indian Prime Minister Indira Gandhi cries out to the world for more help in coping with this human tidal wave. She told her parliament: "No other country has ever had to face an influx of such magnitude. No country in the world has had to face even one-tenth of the situation before." And poignantly she added: "They have come to a country which is itself one of the poorest in the world."

Unhappily it is a fact that the world community as a whole has been slow in responding to the refugees' plight.

True, magnificent efforts have been made by private relief organizations. United Nations specialized agencies are getting into operation. Britain has made a virtually open-ended relief commitment. The United States has pledged $17 million in aid, and other countries have made generous gestures. But it is only in recent days that international aid has begun to arrive on a scale sufficient to make any impact, and even then it falls far short of the massive, overall needs.

Once more the acuteness of the human problem points up the necessity for a centralized international agency to coordinate relief in the event of an emergency of such dimensions and to see that the aid is channeled in swiftly and used to the best advantage.

Last year, after a series of natural disasters—the earthquakes in Peru and Turkey and the cyclone in East Pakistan—Turkey and other countries sponsored a move to get such an agency established under UN auspices. Their proposal was endorsed by the UN General Assembly last December. Now Secretary-General U Thant has gone a stage further and prepared a comprehensive plan for a UN disaster relief center.

The plan will be submitted to next month's meeting in Geneva of the UN Economic and Social Council and hopefully it will be acted on by the General Assembly in the fall. Under it relief supplies would be stockpiled at various locations around the world ready to be drawn upon when needed.

The relief center would be intended to deal with man-made disasters, whereas the refugee drama in Bengal is the result of a political disaster. But surely the agency's provisions could apply to this kind of an emergency too where the human need is so great.

[From the Washington Evening Star, June 21, 1971]

PAKISTAN PROBLEM GOES DEEPER THAN POVERTY

(By William F. Buckley, Jr.)

LIECHTENSTEIN.—I know it's hard to remember exactly where it is. But it exists, calm and exquisite—just east of Zurich—and Tresonier, which looks down on the Rhine, sits by the little ski resort recently made fashionable by the Prince of Wales and his sister, who went there to learn how to ski.

Skiing is the most egalitarian of sports, in that it renders ungainly its novitiates notwithstanding the color of their blood. In England there is a great debate going on over the question whether Her Majesty should get the extra couple of million dollars she had requested in order to continue to perform her duties in the traditional way. Her principal critic is Richard Crossman, the indomitable socialist editor of the New Statesman, who, however, distinguishes his position from that of the anti-monarchists. He is, to begin with, a royalist. More, he does not want his queen to go about on bicycles, like the Scandinavian monarchs. He wants her in skirts, surrounded by plumed guardsmen and chariots and gilt and the rest of it, though he does believe that she could afford to continue in the royal manner using her money, not England's, and that is what they are talking about in England.

There are the darker subjects being discussed. The spectre of Willy Brandt's Realpolitik. The larger implications of Sen. Mike Mansfield's recent proposal to demand that U.S. troops be withdrawn from Europe. The fate of the United States dollar. The coming Soviet hegemony in the Mediterranean.

In Europe, the concern is far greater than in America over the developments in India and Pakistan. As regards this particular disaster, there is the additional moral humiliation being felt in England that much of the suffering is the conscious policy of a country whose reigning spirit, Pandit Nehru, brought so many Westerners to their knees during his lifetime, bowled over by his simple, untechnologized benignity. It is his daughter who now presides over the holocaust.

Listen to the disillusionment. The following paragraphs are from a column by the editor of the Sunday Telegraph, Peregrine Worsthorne:

"If the British raj still ruled in India, the dreadful human tragedy that now darkens that subcontinent would not be taking place . . . It was of course always understood that in the immediate aftermath of the white man's withdrawal there would be an awkward time of adjustment.

". . . Hitherto this has been conceived as mainly a problem of poverty, to be met by furnishing economic aid through agencies like the World Bank. But the agony of Bengal today, like the agony of Biafra a year ago, has very little to do with the problem of poverty. It does not result from material deficiency or technological backwardness, fit objects for sympathy and charity, but from terrorism and oppression which spring from moral deficiency and human savagery, to which the normal Western reaction would be fierce indignation and anger.

". . . The white man's immense material superiority, in short, was qualified by a feeling that this was really nothing to boast about; almost the opposite. Indeed, the moral advantage has rested with the coloured world, which succeeded in presenting itself as poor but honest, innocently impractical, charmingly feckless, as against the white man's ruthless lust for power. This moral

advantage exercised an astonishing influence in world affairs since the war.

". . . It is no crime to be poor and backward. Indeed, the underdeveloped world has in recent years enjoyed a certain strength from this kind of weakness.

"But to be poor and backward and morally repulsive as well—that is something very different! If Hitler had set up the gas ovens and practiced genocide from a posture of abject military and economic weakness, and had combined an attitude of outrageous moral provocation to the sensibilities of the Western world with humiliating material dependence on its charity, how long would it have been before something was done to put an end to such a monstrous absurdity? . . . It is not going to be enough to give material aid, since the problem goes much deeper than poverty. How can the World Bank cope with genocide?"

[From the New York Times, June 23, 1971]

ABETTING REPRESSION

Responding to public and Congressional shock and anger over the Pakistan Government's savage repression of Bengalis seeking autonomy in East Pakistan, the State Department sent a letter to the Senate Foreign Relations Committee last April 23, saying:

"We have been informed by the Department of Defense that no military items have been provided to the Governments of Pakistan or its agents since the outbreak of fighting in East Pakistan on March 25 and nothing is now scheduled for such delivery."

Similar assurance reportedly was given last week to the Foreign Minister of India.

But yesterday a Pakistani freighter sailed from New York bearing military equipment from United States Defense Department excess stocks sold to Pakistan under State Department license. At least one other ship bearing American military equipment for Pakistan sailed from this port last month. According to the bills of lading, equipment for the earlier shipment was delivered at a New York dock on the same date that the State Department sent its letter to the Senate committee saying no deliveries were scheduled.

These shipments represent a breach of faith with the American public, with Congress and with a friendly foreign power. They serve further to undermine the credibility of the United States Government. And they put the United States in the position of abetting an act of repression that is not only morally repugnant but which constitutes a serious threat to this country's own long-term interest in peace and democratic development on the Indian subcontinent.

[From the Washington Post, June 23, 1971]

WHEN AN EMBARGO IS NOT AN EMBARGO

Repeatedly the State Department has said that "no military items have been provided to the Government of Pakistan or its agents since the outbreak of fighting in East Pakistan March 25 and nothing is now scheduled for such delivery." Many Americans—naive souls—took that to mean that the American government had embargoed arms shipments to Pakistan, whose bloody repression of the autonomy movement in East Pakistan shocked even the Russians. But no. It turns out that at least two shiploads of arms have left American ports for Pakistan, one on May 8 and the other yesterday. How can this be?

The first part of the answer is that the bureaucracy was being very slippery and misleading. When the State Department said no military items were being provided, it hedged: it said it had been so "informed" by the Defense Department. When it said no such items had been "provided" since March 25, it was excluding weapons and equipment which had already passed a certain point in the pipeline. So shocked were many Americans by the spectacle of Pakistan's using American-supplied arms against its own citizens that they read State's words too quickly. They did not realize that the Department, far from trying to close loopholes, was trying to keep them open.

And why? The specific answer is contained in the Department's letter of May 6 to Senator Fulbright. It repeated earlier language about new sales and deliveries, and it went on: "The continuing military supply program . . . continues to be an important element in our overall bilateral relationship with Pakistan." And: "It would, therefore appear desirable for the U.S. to be able to continue to supply limited quantities of military items to Pakistan to enable us both to maintain a constructive bilateral political dialogue and to help ensure that Pakistan is not compelled to rely increasingly on other sources of supply." In other words, business as usual.

Well, from what is known so far, the United States is entitled to claim some success in its policy. Doubtless continued arms deliveries have contributed to a "dialogue" with Pakistan and kept it from straying to other suppliers. But this is, of course, to ignore the shame of helping a military regime suppress a democratic autonomy movement. Why is it so important to be cozy with Karachi? Would it not be just as well to let a few signs of coolness and disapproval enter into official American-Pakistani relations? Senator Church suggests that the United States halt the second arms ship, which is due to touch at Baltimore on its way from New York to Pakistan. That's a good idea.

[From the Baltimore Sun, June 28, 1971]

PAKISTAN-BOUND

It well may be, as the United States declares, that the acknowledged presence on two ships at sea of American military equipment for Pakistan involves only certain radio material and spare parts for aircraft engines. It well may be too that the equipment, though loaded after the March 25 ban on arms sales to Pakistan, had been purchased by the Pakistan government before that date. (A State Department spokesman says he has discovered that two licenses were issued after that date, one on March 31 and one on April 6, since "the decision to cut off assistance as of March 25 was not taken until shortly after April 6, when it was communicated to the munitions control" section of the department.)

It could easily be, further, that as stated in a news release by the American Embassy in New Delhi, the United States had not been aware that the Pakistani ships were loading until the New York *Times* reported the fact. In other words, a picture of confusion.

It may still serve to bring sharply to mind the increasingly desperate situation that has developed in South Asia since the troops of the government of Pakistan, armed principally by the United States and by China, savagely cracked down on East Bengal on the evening of March 25. It is a situation of a continued suppression of East Pakistan; of an India intolerably burdened with millions of refugees from East Pakistan; of epidemic cholera; of a West Pakistan virtually sealed from outside scrutiny; not to mention an East Pakistan so sealed, but for hints of famine.

It is a situation that cannot be forgotten and will not be ignored.

[From the Nation, June 28, 1971]

THE ARMS HARVEST

From 1954 to 1965 we sold considerable quantities of weapons to West Pakistan, including forty-eight light tanks and sixteen Sabrejet aircraft. When hostilities broke out between West Pakistan and India, we embargoed further shipments. In 1967, however, the embargo was eased to permit West Pakistan to buy spare parts and ammunition for the weapons we had furnished. All the evidence at hand indicates that these weapons, and the auxiliary equipment more recently furnished, were used in the blood bath the West Pakistani army inflicted on East Pakistan when that colony—which it is in fact—had the temerity to vote overwhelmingly for a measure of independence (167 out of 169 seats assigned to East Pakistan in the 313-seat national assembly—which never met).

As the massacres and rapine were taking place, Washington looked the other way. True, we had not furnished all the arms; Chinese and Soviet weapons also saw action. But it was not until June 12 (more than two and a half months after the carnage began) that the State Department took public notice. Since the influx of refugees was causing serious disturbance in India, our State Department appealed to India and Pakistan to exercise restraint and urged the Pakistanis to restore normal conditions in East Pakistan through "peaceful accommodation."

The potential for further mischief in this region can hardly be exaggerated. East Pakistan was not 100 per cent Muslim. It contained some 10 million Hindus, many of whom would now prefer to live in India, where their misery and insecurity could scarcely be worse than in East Pakistan. There is reason to believe that the West Pakistani army is exerting pressure on these people, while also perpetrating mass murder on their own coreligionists.

In *The New York Times* of April 18, Chester Bowles urged that we lodge a strong protest with the West Pakistani Government over the misuse of U.S. military equipment and cut off all aid except medical supplies and food. He also urged United Nations intervention. In the U.S. Senate, Senators Church and Saxbe have introduced an amendment to the Foreign Assistance Act that would suspend economic and military assistance to West Pakistan, pending establishment of an international relief agency to give aid to East Pakistan, and until the majority of East Pakistanis are repatriated.

How seriously this will be taken by the Nixon Administration remains to be seen. Unless relief action can be organized quickly and efficiently, and all the diverse interests and malignant hatreds of the region be at least temporarily allayed, the prospect for epidemics and famines in the future is nothing short of terrifying.

[From the Baltimore Sun, June 30, 1971]

HELPING PAKISTAN

Most other members of the Aid to Pakistan Consortium are in favor of withholding further assistance until a political solution is found to that country's convulsion of terror and turmoil. Not so the United States. A spokesman for the State Department says that by providing economic aid the United States would be able to exert leverage on President Yahya Khan for a "political accommodation" with East Pakistan on the basis of autonomy, thus promoting conditions under which millions of refugees who have fled to India might return.

The spokesman declares further that continued shipments of American "nonlethal" military equipment, under licenses previously granted, is proper. Not to permit shipment of this licensed stuff, he says, and not to continue economic assistance, in a situation of "civil strife," would be seen "as sanctions and intrusion" in the internal problems of another nation. He says still further that if the United States didn't send along the military materiel, Yahya Khan might turn to other sources, such as Communist China.

It is a dubious case, as the spokesman himself admits it to be when he acknowledges that any leverage is not yet measurable, that few refugees have returned home and that Pakistan has for some time been getting military supplies from China—since 1966 anyway, he might have added.

As to a Yahya accommodation with East Pakistan, a dispatch by John E. Woodruff printed on this page today analyzes sharply the sort of accommodation the Pakistani president seems to have in mind. As to the refugees' return, a slight lifting of the veil in East Pakistan in recent days discloses there an iron reign of intimidation and of continued killing, with the victims more likely to be Hindu than not: and the great majority of the refugees were, before they fled, members of the Hindu minority in East Pakistan.

As to whether or not what happens in Pakistan is internal, to see it so may be theoretically proper, but in fact the refugees and the circumstances that caused them to become refugees have made it a matter of international concern, threatening the stability and the peace of all South Asia.

Precisely what American policy ought to be is indeed difficult to say, but formulation of a policy will hardly be made easier by a refusal to see what the elements of the situation actually are.

[From the Baltimore Sun, June 30, 1971]

YAHYA KHAN'S FORMULA FOR PAKISTAN

(By John E. Woodruff)

HONG KONG.—President A. M. Yahya Khan's announcement of new plans for governing troubled Pakistan constitutes a final repudiation of the majority rule he said was his goal when he seized power two years ago.

Instead, he has chosen to make indefinite the 12-year-old rule of both wings by the West Pakistan-dominated army. The main new element will be an attempt to give the army some civilian camouflage and thus hand the country's free-world money donors an excuse to back away from the *de facto* aid suspension they adopted in Paris last week, with the United States aside. But even without foreign aid, he warned, the army intends to work its will.

His decision seems certain to set up an intense behind-the-scenes debate among member countries of the Pakistan-aid group during the four months he says it will take to put his plan into effect.

President Yahya's new plan will have these major effects:

1. Abandonment of any effort to have the National Assembly draft the constitution that was to be its first major task and assignment of that job to a committee of experts instead. This will effectively wipe out the results of last December's elections. The Awami League had won its absolute majority in the Assembly on a platform demanding broad constitutional autonomy that would have enabled East Bengal to wrest control of its economy from the 22 industrialist families that share control of West Pakistan with the army.

2. Advance warning that the constitutional experts must provide a strong central government. This will assure that East Bengal's economy and government will remain under control of West Pakistan, 1,000 miles away.

3. Indefinite extension of the ban that was imposed on the Awami League—Pakistan's majority political party—on March 25, the night the army shot and burned its way into control of Dacca. But individual Awami Leaguers who did not partake of what the army calls "anti-state activities" may still take any offices to which they were elected—in effect, a call for any collaborationists among the Bengalis to step forward. So far, the army claims to have won over some two dozen of the more than 300 Awami Leaguers elected to the national and provincial assemblies.

4. Use of by-elections to put men acceptable to the army in the seats of the autonomists and any uncooperative or dead Awami Leaguers. Coupled with President Yahya's renewal of the treason accusation against Sheikh Mujibur Rahman, head of the Awami League, this means that the only man who has led a majority party in Pakistan since the Muslim League disintegrated nearly 20 years ago will be stricken from the assembly roster in favor of someone yet to be approved by the army.

To the Bengalis who gave the Awami League 167 of East Pakistan's 169 seats in the National Assembly last December, such a program can only reconfirm what became obvious the night the army struck: their choice must be between total subservience and total independence.

Several impartial observers who have visited East Bengali recently have privately given varying estimates of the carnage, but all guess that the number killed by the army alone runs into hundreds of thousands.

Their guesses may ultimately prove to be better indicators of the horror of what they saw than of the actual numbers dead.

But when the thousands of non-Bengalis killed by the enraged East Pakistanis are added to the tens of thousands apparently killed by the army, at least one prospect seems certain: The middle road attempted by the Awami League—economic freedom for East Bengal but a loose political and defense association under a united Pakistan—is no longer thinkable for either side.

In these circumstances, General Yahya's plan promises to become a formula for prolonged carnage on both sides—and very likely for continuing increases in the number of Bengali refugees in India, which claims it already has more than six million of them.

What already stands as one of the greatest man-made catastrophes in history thus promises to grow still greater rather than to diminish.

But there is no sign yet that the outside world will persuade itself to do anything but wring its hands, send token relief aid and seek absolution by invoking the provisions of international law that make the suffering of millions on both sides of the India-Pakistan border an "internal" affair and thus the exclusive concern of the generals and industrialists in West Pakistan.

When the army moved in last March to crush the elected leaders' attempt to exercise the power they had won at the polls, American diplomats on the Indian subcontinent cautioned newsmen that the U.S. must act carefully to retain whatever "restraining influence" it might have with the generals in Islamabad.

Now, three months later, Pakistani ships are still carrying fresh ammunition and equipment from American ports to resupply the army that the State Department claimed it was trying to restrain.

The State Department even felt obliged last week to leak a denial of the published accounts of the World Bank-led aid consortium's informal decision to withhold aid to Pakistan. It offered no explanation of what other meaning could exist for the consortium's postponement of any further meetings without taking action on urgent Pakistani pleas for aid.

That aid is the easiest lever the outside world has to press for relaxation of the East Bengal terror, for Pakistan's economy was a shambles even before the army's costly move into East Pakistan.

Today that economy is virtually shattered. A proposed $250 million foreign-exchange infusion—now suspended by the aid group—would have relieved the only pressure that promised to have any restraining effect on the army.

Even that pressure will be eased considerably by Peking's recent decision to hasten its own large infusion of aid to Islamabad's military-industrial oligarchy.

But China is just getting its own development going again after the Cultural Revolution and hardly has the spare money it would take to help Islamabad impose on 75 million Bengalis the kind of solution Washington tried in Vietnam.

And Pakistan is already so desperately in debt that high officials talk openly of defaulting outright even on World Bank low-interest loans.

For the moment, however, the aid from China has apparently emboldened the generals to increase their own share of Pakistan's budget and thus, presumably, their ability to impose their will on the Bengalis. Last week Islamabad announced that the military will get $26 million more next year than the $425 million it got this year.

[From the New York Times, June 30, 1971]

WHY AID PAKISTAN?

After months of equivocation and evasion, the State Department has finally made it clear that the Administration intends to keep on furnishing military and economic assistance to the Government of Pakistan despite continuing acts of repression in East Pakistan that have shocked the world. This incredible policy decision defies understanding.

The admission that aid is continuing as before undermines the credibility of the United States Government at home and abroad. The public, members of Congress and at least one vitally interested foreign government (India) had been led to believe—although always in evasive language—that all military assistance and any new development assistance for Pakistan would be held in abeyance until there was progress toward a political resolution of the crisis in East Pakistan. The exposure of this deception is likely to be particularly damaging to United States relations with India, whose foreign minister left Washington a few days ago with what he believed were firm assurances concerning American policy toward Pakistan that have now been thoroughly discredited.

The decision to continue economic aid puts the United States in defiance of the World Bank and the eleven-nation Aid to Pakistan Consortium, which has decided informally to refrain from making new aid commitments to Islamabad at this time. The Nixon Administration repeatedly in the past has indicated its policy would be to channel more and more United States aid through such international means in order to avoid the kind of unilateral decision it is now making in respect to Pakistan.

Administration officials say they opposed the consortium decision because it amounts to using aid as a political instrument. But at the same time they argue the United States must continue aid in order to gain leverage to persuade President Yahya Khan to seek a political solution in the East. They can't have it both ways.

Perpetuation of American aid to Pakistan is not, in fact, likely to help persuade the military regime there to move toward restoration of genuine democratic government any more than continuing American support for the Athens junta has helped restore democratic rights to the Greek people. It will, however, put the United States in the untenable position of underwriting policies of repression, which have led to the ruthless and continuing slaughter of hundreds of thousands of Bengalis in East Pakistan. These policies have already driven more

than six million East Pakistanis into exile in India where their presence creates grave political, social and economic tensions and a rising threat of domestic and even international conflict.

President Yahya's recent proposals for restoration of civilian rule offer little hope for significant change since they continue to exclude the outlawed Awami League, the party which won an overwhelming majority of the votes in East Pakistan and an absolute majority of the seats in the unconvened National Assembly in last December's elections. Under these circumstances, can anyone in Washington explain how additional military or developmental aid to Pakistan can be justified morally or in terms of this country's pragmatic self-interest in peaceful, democratic development on the Indian subcontinent?

[From the Washington Daily News, June 30, 1971]

HELPING TO KILL MORE BENGALIS

The Administration's decision to send more economic and military aid to the brutal, repressive regime in Pakistan is as shortsighted as it is inhumane.

In testimony before Congress, the State Department admitted its fear that shutting off the flow of arms to Pakistan would be resented "as sanctions and intrusion."

What, we ask, is so bad about sanctions against mass murder and genocide? For that is exactly what the West Pakistan-dominated army committed against the helpless Bengalis of East Pakistan.

In its treacherous attack starting March 25, the Pakistani army slaughtered 200,000 Bengalis and sent six million refugees fleeing for their lives into India. It is morally unjustified to send more weapons to such a regime.

With its talent for justifying the unjustifiable, the State Department explains that halting economic aid would remove our "leverage" with Pakistan—altho we have almost no leverage now.

Also, stopping our arms shipments would cause Pakistan to turn to other suppliers, like communist China. However, the department admits that China has never stopped furnishing weapons to Pakistan.

Sen. Edward M. Kennedy, D-Mass., has called all this "doubletalk, incompetence, or both"—and he's right.

Our partners in the international effort to prevent the Pakistani economy from collapsing are not as timid as the United States. The World Bank, Britain, Canada, Belgium and others favor withholding economic aid until the military regime reaches a political settlement with East Pakistan.

But not the United States.

Pakistan is, of course, desperately poor and can use all the help it can get. But the trouble with aid now is that it props up the government and helps it maintain the army of occupation in East Pakistan.

The Bengalis in the east voted overwhelmingly for home rule in the only free election in Pakistan's history. Instead they got the genocidal assault by the western army, which is still shamefully going on.

History suggests, however, that West Pakistan from 1,000 miles away cannot forever subjugate the Bengali people. What we are doing by sending arms to Pakistan is to make sure the Bengalis will remember American weapons murdered them during the birth pangs of their beloved Bangla Desh (Bengali nation).

[From the Christian Science Monitor, June 30, 1971]

A STEP TOWARD CONCILIATION

At this stage the extent of the physical and political damage done by the Pakistan Army's repressive measures in the unhappy province of East Bengal is still immeasurable.

And President Yahya Khan's long overdue effort at conciliation, announced in his speech to the nation June 28, will not be sufficient in itself to heal the wounds.

Much more will be needed in practical ways that the bewildered people of East Bengal can understand. The physical damage must be repaired, relief allowed to get through to where it is needed. And above all a sense of security must be achieved so that at least a substantial number of the six million refugees who fled across the border to India will feel encouraged to return to their homes.

In his speech President Yahya ruled out the possibility of new elections to replace the National Assembly elected with such high hopes last year. He announced that the task of drafting a new constitution would be removed from the assembly and given to a special commission. The assembly, he said, would meet for the first time when the constitution is complete in about four months' time.

The President maintained his ban on the popular Awami League of East Bengal which won a majority of seats in the National Assembly on a platform demanding virtual autonomy for the province. He said that league members elected to the federal and provincial assemblies would be allowed to take their seats except for those who have committed "antistate or antisocial activities or criminal acts." There is no knowing how many of the league supporters would want to come forward and accept this offer after the repression exercised against their province and the imprisonment of their leader, Sheikh Mujibar Rahman. The President said under the new constitution the provinces would have "maximum autonomy" but this is likely to fall far short of the goal set by Sheikh Mujib.

President Yahya denied that his promise of a return to civilian government was the result of pressure from the consortium of Western powers who coordinate financial aid for Pakistan. But the consortium's decision 10 days ago to postpone a discussion of fresh aid until the President defined his terms for a political settlement must have had some influence on his deliberations.

The East Pakistani crisis has put heavy strains on the Pakistan economy, and President Yahya badly needs the aid that flows through the consortium's pipeline both to shore up the economy and go ahead with his development projects. It remains to be seen whether the program he announced will be sufficient to reassure the Western aid donors.

President Yahya is undoubtedly sincere in his desire to return his country to civilian rule. Unfortunately the mishandling of the East Pakistani crisis and the ruthless methods employed by the Army in trying to solve it have only compounded his difficulties and made it that much harder for him to come up with valid solutions.

Now he has pledged to give the country a constitution in four months' time. If he is to convince his countrymen of his sincerity and enable them to build for the future in peace and calm, he must hold to that pledge.

[From the Washington Evening Star, July 2, 1971]

AIDING PAKISTAN

There are two schools of thought about how givers of foreign aid can better influence the government of Pakistan to stop killing and driving out citizens in the secession-minded eastern wing of the country.

Most members of the 11-nation consortium of donors to Pakistan, operating under auspices of the World Bank, are reported in quiet agreement to postpone new economic assistance pending a move toward political settlement between West and East Pakistan. The United States, however, disagrees with this tactic. We will continue aid-as-usual in the hope of maintaining "leverage" for persuading the Pakistani government to do right, according to Senate testimony by a State Department official.

The unpredictability of the government of President Yahya Khan, which carried out the sudden massacre of Bengali dissidents and untold thousands of miscellaneous citizens starting March 25, makes it impossible to assess the relative tactical merits of withholding or continuing aid. Perhaps neither approach has much chance of working. Holding back on aid is seen by Pakistani leaders as an attempt to interfere in their internal affairs, and might drive them into isolation from enlightened world opinion. Continuing aid might just encourage them to go on as before, while easing the financial burden on Islamabad of its policy of suppression in East Pakistan.

Tactics aside, we prefer the stance of our friends in the aid consortium, including Great Britain. The outrage in East Pakistan, with 6 million of its citizens in frightened and disease-ridden refuge in India, is too overwhelming to sanction an everyday diplomatic posture by the State Department. American taxpayers should not be asked—and must resent being asked—to help finance the repression of Pakistan's powerless majority. Our officials' equivocation about recent arms shipments to Pakistan, despite the general understanding that this was banned, is disturbing.

Yahya Khan's promise to convene a new national assembly is empty in the light of the outlawing and decimation of East Pakistan's Awami League, which won the last election and would be running that government now if the electoral process had been honored. The government has done little to restore normal living conditions in East Pakistan—a prerequisite for the return of the refugees—and humanitarian aid efforts have been hampered severely by government distrust of foreigners.

The United States and other aid-giving nations should not let the funds flow under present conditions. Yahya Khan should not regard such aid policies as outside interference so much as a refusal to take part in his folly.

[From the New York Times, July 3, 1971]

U.S. AID FOR PAKISTAN

TO THE EDITOR:

Your editorials of June 17 and 30, advocating that aid for Pakistan be withheld until there is a genuine political accommodation with democratically elected leaders, is based on some assumptions that need closer examination.

President Yahya's June 28 plan for the transfer of power does not include from the National Assembly members elected on the Awami League ticket. They are members in their individual capacities and can still be in absolute majority if they should decide to form a new group to work for maximum provincial autonomy within a single federal state.

In stressing the Awami League's presence in the National Assembly you have ignored the fact that its democratically elected leaders had by March 26 (when it was banned) gone far beyond its program approved by the East Pakistan electorate.

Their electoral mandate was for provincial autonomy and not secession. Their opposition to the process of transfer of power, starting with the meeting of the National Assembly, was the breaking point in the Dacca negotiations.

President Yahya's offer to withdraw martial law the moment the National Assembly met

and gave some form of validity to a central government was turned down. The Awami League extremists seemed not to want even a weak center which would in any way symbolize Pakistan's unity.

Had the National Assembly convened, its members, at the opening session, would have had to take the oath of allegiance to Pakistan. This obviously did not fit in with the post-election "mandate" drawn up by the extremists who, with third-degree methods, at this stage dominated the moderates.

You have charged that the Pakistan Government is "at war" with a large part of its population. But the action that the Pakistan Army was forced to take to put down a mutiny and an armed attempt at the dismemberment of Pakistan cannot in this context be described as the sort of war implied in your editorial.

Your position tends also to ignore the needs of a larger part of Pakistan's population and at the same time encourage the secessionists who are now operating from India and are not interested in a political settlement on the basis of one Pakistan.

And, finally, would Pakistani displaced persons in India be encouraged to return to their homes if development aid to Pakistan is delayed or denied? With the restoration of law and order, the assurance of continuing expenditure on rehabilitation and development will be an added incentive for all of them to respond to President Yahya's appeal and cover of general amnesty to return home.

HAMID JALAL,
Press Counselor, Pakistan Mission to the United Nations.

NEW YORK, *June 30, 1971.*

TO THE EDITOR:

Our Government has asked India to use restraint, meaning restraint from activities that would escalate the crisis in East Pakistan or provoke war there. Yet, our Government is doing the very thing it is asking India not to do. It is still supplying arms to Pakistan, which could escalate the crisis and provoke war.

The different echelons of our Government may justify each other's actions about shipments of arms to Pakistan after the declared ban on such shipments. But how do we look to the world? Why would the world take our excuse to justify such shipments? And how will India receive our advice for restraint?

It is time for our Government to show a sincere desire to stop the crisis in East Pakistan. Acting, as Senator Frank Church suggested, to halt the present shipment of arms would be an example.

A. K. AZIZ.

OXON HILL, MD., *June 22, 1971.*

[From The Washington Post, July 5, 1971]

U.S. ARMS FOR PAKISTAN: A SHAMEFUL RECORD

The Pakistani army undertook to crush the autonomy movement in East Pakistan on March 25. Soon after, as word of the army's appalling and indiscriminate slaughter began to seep out, the question was asked in Washington whether arms sold or given by the United States were being used and, further, whether the supply of these arms was continuing. Here is the record of the answers given in Washington.

April 2: The State Department said it could neither confirm nor deny reports from the scene that American equipment was being used.

On April 20, the fact no longer deniable, the Department informed Senator Kennedy that it had "expressed our concern over the use of American arms in East Pakistan"; it added that "arms acquired from a number of countries, including China, the U.S.S.R. and the U.K., also have been used."

Three days later: The Department specifically acknowledged to Senator Fulbright that "some M-24 tanks and F-86 aircraft have been observed in use in East Pakistan in recent weeks." It did not acknowledge that these tanks and planes had been employed against ragged desperate men armed with little more than rifles, if that.

April 6: Mr. Fulbright had asked Secretary of State Rogers for information on the "status of any current shipments" of military equipment to Pakistan. The following week a department spokesman, speaking to reporters, denied that the United States has "a large on-going military assistance program with Pakistan" and declared, "There is no—repeat—no equipment in the pipeline and none has been delivered" under a one-shot October, 1970, arms deal. Referring to a "modest" sales program dating from 1967 for "non-lethal military equipment, spare parts for equipment already in Pakistan hands and some ammunition," he said: "Insofar as shipments under these agreements are concerned, we have this matter under review."

April 14: An unattributed report appeared in The Washington Post saying that arms shipments were continuing but with minimum publicity. The next day, however, a department spokesman concluded a review of the subject this way: "In short, no arms have been provided to the Government of Pakistan since the beginning of this crisis, and the question of deliveries will be kept under review in light of developments."

April 20: The department told Senator Kennedy: ". . . none of these items [on the 1967 'non-lethal' list, including ammunition] has been provided to the Pakistan Government or its agents since the outbreak of fighting in East Pakistan March 25–26, and nothing is presently scheduled for such delivery."

May 6: Senator Fulbright was told: "In short, no arms have been provided since the beginning of the crisis and the question of deliveries is under review."

May 8: The Sonderbans, a Pakistani ship carrying arms to Pakistan, sailed from New York, without public announcement or public knowledge.

June 17: The State Department told reporters, as reported in this newspaper the next day, that "no deliveries of military equipment has been made to Pakistan since March 25, when the fighting began."

June 22: The department, responding to a story in the New York Times, acknowledged that two shiploads of arms were going to Pakistan and explained that they had been licensed before March 25. The same day the second ship, the Padma, sailed.

Six days later: The administration said it would allow further shipments of military material if licensed before March 25. The first reason cited was to apply "leverage" to induce the Pakistan Government (1) to bring about a political accommodation in East Pakistan (it has yet to do so) and (2) to take back the six million refugees who had fled to India (the flight continues, according to report, at a 40,000-a-day rate). The second reason cited by the administration—which had earlier downgraded use of American arms in the carnage by saying Soviet, Chinese and British arms also were used—was to discourage Pakistan from shifting to other arms suppliers.

June 29: It was revealed that four or five more arms ships were scheduled. The Kaptai sailed July 2.

This is, we submit, an astonishing and shameful record, with two meanings. The first is that, for the shabbiest of political reasons, the United States is supplying military equipment to a brutal regime that has killed an estimated 200,000 of its citizens and driven some six million others out of their country. The second meaning must be read in the context of the current controversy of the Pentagon Papers, which turns on the public right to know and the government's right to conceal. Here we have a classic example of how the System really works; hidden from public scrutiny, administration officials have been supplying arms to Pakistan while plainly and persistently telling the public that such supplies were cut off. We assume that this deception is due to a combination of organizational confusion and bureaucratic dissimulation and not to deliberate deceit. The fact is: arms ships still sail. It is up to the President to stop them—assuming the government is serious about its proclaimed policy.

[From the New York Times July 5, 1971]

SOUTH ASIA: THE APPROACH OF TRAGEDY

(By Chester Bowles)

ESSEX, CONN.—Unless two rather unlikely developments occur, South Asia is in imminent danger of erupting into a tragic, needless war.

These developments are: First, that the ruling West Pakistan Government turns away from the path of terror against its own subjects in East Pakistan and agrees to a settlement that will stem the flow of frightened, homeless refugees into India; and second, that the world community soon mounts a massive campaign to relieve India of the burden of supporting nearly six million refugees who have already crossed the border.

The Indian Government is making a Herculean effort to provide food, medical assistance and shelter to these destitute and frightened people. The cost, which is estimated at more than $10 million a week, is being assumed by India at a time when its economic assistance from the World Bank and the Consortium (the United States, Britain, France Italy, Germany, Japan and Canada) has been sharply reduced and more than $500 million in principal and interest on past debts is scheduled to be repaid this year alone.

These economic constraints are compounded by political factors. Prime Minister Gandhi has emphasized that the refugees belong to "every political persuasion—Moslem, Christian, Buddhist and Hindu." But reports are now spreading that the West Pakistan military has begun to focus its fury on the Hindu minorities throughout East Pakistan. If this is true it is bound to create religious tension with India's 65 million Moslem minority.

Finally, India fears that an independent East Bengal may encourage West Bengal, where the Communist party Marxists are the largest single element, to merge into a single Bengali nation and thereby create a target for Chinese intrigue and subversion.

In a recent speech in the Indian Parliament, Mrs. Gandhi asserted, "This is not as some say 'an internal problem' of Pakistan. It is a problem which threatens the peace of South Asia. Has Pakistan the right to compel at bayonet-point not thousands, not hundreds of thousands, but millions to flee their homes? This is an intolerable situation. This Government may have its faults, but it does not lack courage. It is not afraid to take a risk that is a necessary risk."

The possible sequence of events that may soon confront us is appalling: (1) India in a desperate effort to cut off the flow of refugees, return the present refugees to their own homes and prevent the establishment of an extreme left-wing government in East Pakistan may move troops into East Pakistan; (2) Pakistan may then be expected to reply by attacking India in Kashmir and the Indian Punjab; (3) China may deliver an ultimatum to India (similar to the one she delivered in October of 1965 toward the end of the East Pakistan war); (4) the Soviet

48-059 O - 72 - pt. 18 - 53

Union then supports the Indian position and wards China off, and the escalation continues.

This scenario may be dismissed by many as a bad dream, in my opinion it is a very real possibility, and if the situation continues to drift, a probability.

Mrs. Gandhi's government has acted responsibly in its handling of the crisis on its northeast border, but the financial and political pressures are rapidly pushing India to the breaking point.

The world community through the United Nations channel, by direct initiative or any other means, must act. What is happening in East Pakistan is an immoral and humanitarian outrage which must be condemned and stopped. At the same time India must be relieved of the responsibility for the care of the six million refugees. This long-suffering, struggling, democratic country which a few months ago seemed about to achieve economic self-sufficiency must not be allowed to suffer, perhaps go under, because of a situation not of its own making.

It is reported in the press that members of the Consortium and the World Bank with the exception of the United States have agreed to stop economic aid to Pakistan until a political understanding is reached with East Pakistan and the East Pakistanis are assured their full share.

Since the outbreak of the struggle in East Pakistan in late March the United States has shipped three cargoes of military equipment to Pakistan that can only be used against her own people in East Pakistan or against India. This step has been taken despite a solemn assurance to Congress that no arms would be sent. It was first accepted as just another bureaucratic blunder which did not represent United States policy. However, in the last few days there is evidence this was not an accident but a deliberate decision.

If this is in fact correct the United States, once again, has committed an abysmal error in Asia, one that historians may find even more difficult to condone or excuse than the debacle in Indochina.

[From the Washington Evening Star, July 6, 1971]

INDIA'S TRIAL

The arrival of 6 million East Pakistani refugees, with thousands more coming daily, is a potential tragedy for India as well as for the unfortunates who have fled the devastation of Pakistan's civil war.

For India, the cost of taking care of such staggering numbers of refugees promises to be immense—several hundreds of millions of dollars that an overburdened economy can ill afford. The $50-million international aid effort for the refugees has been described by Prime Minister Gandhi as "pitiable and a tenth of what is required," and no one has refuted her.

The drain on India's financial and administrative resources could put a serious crimp in the vast nation's promising efforts to develop its economy. The effectiveness of economic-aid programs sponsored by the United States and other relatively well-off countries could be seriously compromised.

Aside from financial considerations, the presence of the refugees in such numbers poses a threat to India's internal stability. Moslem refugees face resentment among India's dominant Hindus. And the appearance of Hindu refugees helps build up Indian feeling against the Pakistani regime, encouraging talk of a possible new India-Pakistan war. Ominously, it is noted that the 1965 war with Pakistan over Kashmir cost less than $70 million, a fraction of the prospective cost of handling the refugees.

For India, the need is two-fold: A massive increase in international aid for the refugees, and the creation of conditions in East Pakistan to permit their early repatriation. The United States should assume a full share of the aid responsibility, and apply all its influence toward the restoration of sanity in the stricken half of Pakistan, and the return of the refugees to their homes.

EXHIBIT 2—U.S. FOREIGN POLICY TOWARD PAKISTAN AND INDIA

[From the Wall Street Journal, May 20, 1971]

RANCID SURVIVAL BISCUITS MAKE A BIG HIT IN PAKISTAN

The Office of Civil Defense spent $147 million in 1962 to stock fallout shelters with medical and sanitation kits, water drums and 315 million pounds of food, including graham cracker-like "survival ration biscuits." The agency specified that the food have a shelf life of five years (although the manufacturers said it would last twice as long).

In some warmer climates, the water drums are starting to leak and the biscuits are turning rancid. This didn't stop the perhaps-unknowing State Department not too long ago from offering a supply of the biscuits to the Pakistani government as part of a disaster relief shipment.

The Pakistanis discovered the biscuits were rancid—and were delighted. It seems a national habit is dipping rancid yak butter in tea, and the biscuits were a perfect substitute, or so swears a high civil defense official.

[From the New York Times, May 20, 1971]

UNITED STATES AND BRITAIN SAID TO AGREE ON AID PROGRAM FOR PAKISTAN

(By Benjamin Welles)

WASHINGTON, May 19.—The United States and Britain are reported to have agreed to head an international effort to shore up the precarious financial position of Pakistan.

The United States decision was reported to have been made last month in discussions between Henry A. Kissinger, White House assistant for national security affairs, Secretary of the Treasury John B. Connally and Robert S. McNamara, president of the World Bank.

Mr. McNamara is understood to have won a British pledge of cooperation during discussions in London April 22 and 23 with Prime Minister Heath and the Foreign Secretary, Sir Alec Douglas-Hume.

As a result, the World Bank and the International Monetary Fund will send survey teams to Pakistan next month as the first step in a four-stage program aimed at restoring vitally needed international economic assistance.

ASSURANCES SOUGHT

The foreign aid, however, will be contingent on moves by Pakistan's central Government to seek a political accommodation with the Bengalis in East Pakistan and to permit an international relief effort to assist destitute civilians there.

Muzaffar M. Ahmad, senior economic adviser to the Pakistani Government, is understood to have given assurances that Pakistan would comply in talks here during the last ten days with President Nixon, Mr. Kissinger, Secretary of State William P. Rogers and Joseph J. Sisco, Assistant Secretary of State for Near Eastern and South Asian Affairs.

Qualified informants in the State Department said that delegates of the 11-nation Aid to Pakistan Consortium would meet in Paris in mid-June to study a standby loan to Pakistan reported to range between $85-million and $125-million.

Mr. Ahmad is known to have suggested during his discussions here that Pakistan urgently needs a standby loan of $100-million before July 1 and another of $500-million to $1-billion during the fiscal year ending June 30, 1972.

REPATRIATION SOUGHT

On March 25 Pakistani troops were ordered to suppress a movement for political autonomy backed by the predominantly Bengali population of East Pakistan. Since then Sheik Mujibur Rahman, head of the Awami League and leader of the autonomy movement, has reportedly been arrested, the economy of East Pakistan has been disrupted and an estimated 3 million refugees have crossed into neighboring India.

The State Department said today that it had impressed on Pakistani officials here the need for early voluntary repatriation of these refugees to East Pakistan. It also said that it was supporting the appeal issued today by Secretary General Thant for international aid to the refugees.

Charles W. Bray, 3d, the State Department spokesman, said that the United States had transferred $500,000 to the office of the United Nations High Commissioner for Refugees, Prince Sadruddin Aga Khan of Iran, to help feed the refugees in India. This sum, he said, had been taken from $5-million previously earmarked for refugee relief by United States voluntary agencies already working in India.

Pakistan has now indicated to the United Nations and to United States officials that she intends to admit United Nations and other international relief experts next month. The United States had warned Pakistan that its protracted resistance to doing so had harmed her international reputation and delayed the resumption of foreign aid.

All aid to Pakistan by the Aid to Pakistan Consortium—including United States loans, food and military equipment—has been suspended since March 25. In the last 17 years, Pakistan has received more than $4-billion in United States aid.

FOUR-STAGE PROGRAM

After the talks with Mr. Ahmad, State Department officials made it clear that the United States would not resume economic or military aid to Pakistan until completion of the program.

The first stage, they said, would involve the surveys to be made by teams from the World Bank and the International Monetary Fund next month.

Secondly, they went on, Pakistan would be expected to prepare a "realistic" development plan covering both West and East Pakistan.

In the third stage, the officials said, the consortium, which furnishes Pakistan with approximately $450-million annually, would review the reports by the World Bank, the International Monetary Fund and Pakistan.

The consortium comprises the United States, Japan, Britain and other industrialized countries. The annual share of the United States is approximately $200-million.

Finally, State Department officials said, the consortium members would decide how much each would contribute.

[From the New York Times, May 20, 1971]

DEATH IN "GOLDEN BANGLA DESH"

(By Homer A. Jack)

KARACHI, PAKISTAN.—Poet Rabindranath Tagore wrote many years ago: "I love you my golden Bangla Desh . . . O Mother, during spring the fragrance of your mango groves maddens my heart with delight . . ." This spring there is only the stench of death in the mango groves of East Pakistan/Bangla Desh as many hearts are maddened by massacre.

Firm figures of massacre in East Pakistan, as anywhere, are hard to verify. Some say thousands, others insist on two hundred thousand. Probably 50,000 is a conservative estimate. Numbers of refugees are more obtainable: 650,000 in four Indian states on May 1.

The refugees from East Pakistan insist that those massacred were Bengalis—Moslems, Hindus, Buddhists, Christians living in East Pakistan who were systematically eliminated by the Pakistan Army immediately after March 25 when negotiations for the autonomy of East Pakistan broke down. The West Pakistanis insist those massacred in the "east wing" were Biharis—Moslems originally from Bihar and other Indian states who migrated to East Pakistan after partition but had not yet been absorbed into the Bengali culture.

A visitor to Karachi finds the Pakistan economy going downhill, martial law declared in the West and East, and a Government desperately trying to show a return to normalcy among the 75 million people in East Pakistan. All in Karachi are deeply upset about the massacre of the Biharis, not by the army, but by some members of the autonomy-cum-secessionist Awami League; however, almost all deny any massacre of the Bengalis by the army.

West Pakistanis feel the whole situation is an Indian plot—Indian "infiltrators" (soldiers without uniform), Indian ammunition, even Indian (not Pakistan) refugees—aided by a few "antistate elements."

A visitor to Delhi finds an India united as seldom before in recent history with the people pressing Prime Minister Indira Gandhi to recognize Bangla Desh (the independent state of East Bengal) and to give the "freedom fighters" arms. The Indian press emphasizes the massacre of Bengalis. India is obviously taking every political and psychological advantage of the situation, yet so far is acting with great restraint.

In Calcutta and especially at the border, one sees thousands of recent refugees—only one-quarter in camps. Optimistic cabinet ministers of the Bangla Desh Government plead for recognition and arms. Refugees show how West Pakistan has treated East Pakistan as an internal colony for 25 years. They feel their country can no longer remain as part of an integrated, two-wing Pakistan since the events of March 25.

Sheik Mujibur Rahman's Awami League won 98 percent of the seats for the National Assembly in East Pakistan during the first national election since independence in 1947. Sheik Mujib campaigned on a six-point platform calling for autonomy, not secession. Apparently the military rulers of Pakistan, aided by the powerful bureaucracy and some industrialists, refused to submit to this major transfer of power. On March 25 they declared martial law, banned the Awami League, arrested Sheik Mujib, and their army began the massacre. Before and after this army action, some elements in East Pakistan apparently indulged in their own massacre in this seldom nonviolent subcontinent.

Why the unconcern about East Pakistan in the U.S., the U.N. and the world? Are Americans unconcerned merely because Moslems are again killing Moslems and, in any case, no white Americans are involved? Or because, for once, no ideology appears involved, at least not Communism? Or are Americans unconcerned because East Pakistan could easily become a second Vietnam?

Why the unconcern at the U.N.? In an era of norms against genocide, are events in East Pakistan merely an "internal" matter and not a clear violation of the rights of man? Is this situation still "domestic" if it endangers the peace of the world, with Indian and Pakistani armed incursions into each other's territory, not to mention possible intervention by the big powers?

Why the unconcern from the nonaligned nations? Does each nation have its own Bangla Desh in its belly? Can no process be devised by the international community to face squarely the "autonomy plus" of peoples in the 1970's, so a people, such as the East Bengalis—separated by language, culture, and one thousands miles—can opt for freedom if it is truly a free choice?

Bangla Desh struggles to be born. The green and red flag, with an outline of the country's borders in gold, flies over the headquarters of Pakistan's former deputy high commissioner in Calcutta. And the "freedom fighters" have adopted Tagore's song for their national anthem: "I love you my golden Bangla Desh . . ."

Will the U.S., the U.N. and the world do nothing?

[From the Christian Science Monitor, May 25, 1971]

STANDBY LOAN?: PAKISTANIS PRESS UNITED STATES FOR AID

(By Lucia Mouat)

WASHINGTON.—Both sides in the Pakistani civil strife are telling Washington its pending decision of whether or not to give economic aid to the Pakistani Government is all-important.

Top West Pakistani economic advisers met earlier this month with President Nixon, his security adviser Henry A. Kissinger, Secretary of State William P. Rogers, and others to persuade them to help out on grounds that the Pakistani Government stands on the verge of bankruptcy.

The United States had been contributing some $200 million a year to Pakistan through the 11-nation aid-to-Pakistan consortium—aid suspended when civil war broke out March 25.

The U.S. now is reported ready to participate in a standby loan of roughly $100 million to be given by the consortium this summer. The offer is supposedly contingent on some kind of acceptable political settlement between the sides and development of a realistic economic program for spending it.

BANGLA DESH OPPOSES AID

Meanwhile, representatives of the secessionist Bangla Desh government, claiming to speak for 75 million Bengalis in East Pakistan or more than half Pakistan's total population, are working, largely through public-opinion channels in this country to persuade the U.S. Government to have no part in any aid effort. They reason it would only prolong the war.

Speaking to this point of view in a recent press conference, Rehman Sobhan, former economic adviser to Sheikh Mujibur Rahman, leader of the Awami League, said that despite government promises that much of the money would go for relief efforts in East Pakistan, the government lacks effective distribution machinery.

The net effect, he said, would be military rather than humanitarian aid.

Mr. Sobhan, an economics professor at the University of Dacca (now shut down under martial law), termed Army efforts to quash the Bengali independence move "genocide." He said the brutality of the methods used had done much to solidify Bengali commitment to its quest for nationhood.

UNION REJECTED

"There is absolutely no question of our union with them (the Pakistan Government)," he insisted. "We are fighting for the right of determination, and it is essentially a question of time now—what price has to be paid."

Asked to comment on current efforts of the Pakistan Government to achieve some kind of political settlement, he said that the government has been forced to "dig very deep into the political gutter" to find Bengalis willing to cooperate in any arrangement and that those chosen have almost no support from Bangla Desh supporters.

"How long the war goes on will depend on whether the world's aid donors choose to underwrite it," he emphasized.

Although the U.S. State Department is on record as deploring the heavy loss of life in East Pakistan and as hopeful that a peaceful political accommodation can be reached, it is pointing no fingers. The civil war is officially viewed as an "internal" matter.

EMBASSY TENSION NOTED

The depth of feeling involved in that "internal" fight is mirrored in the tension noted by Washingtonians in the Pakistani Embassy here.

So far this spring, two Bengali civil servants have been fired for their purported participation in rebel activities.

Gousuddin Ahmad, an assistant in the accounts division since 1965, was dismissed in April when he admitted he participated in March 29 demonstrations in front of the Capitol and White House.

A. R. Khan, an assistant education officer with the embassy since February, 1964, was fired earlier this month for having attended a congressional subcommittee hearing May 11 on the East Pakistan situation.

Mr. Khan says he had permission to take a leave of absence that day, that an embassy counselor and other West Pakistani staff members were present at the public hearing and received no criticism, and that he took no active role in the hearing.

INQUIRY STARTED

"His job is to look after education problems of Pakistani students in this country," retorts the press spokesman for the Pakistan Embassy. "He has no business attending Senate or House debates."

A hand-circulated communiqué from the embassy's second secretary has gone out to the staff asking if anyone has knowledge that two staff members, both Bengalis, participated in the March 29 antigovernment demonstrations in Washington.

The memo notes that both men have denied participation and that the ambassador decided to institute an inquiry. The information is requested by Monday, May 24.

Akm Fazlu Bari, one of the two men, says: "I did not participate physically in the demonstration. I may have passed by, but I was a spectator—I wasn't carrying a placard or making speeches."

OPEN LETTER CIRCULATED

Mr. Bari is one of three Bengali employees of the embassy to sign an open letter protesting the firing of Mr. Khan for alleged "misconduct." They termed the action "humiliating and discriminating."

The writers say it makes "explicitly obvious the intention of the Government of Pakistan to extend its persecution of Bengalis even to those employed by that government here in the U.S."

The Pakistan Government interprets its actions differently:

"The point is that Pakistan's Government servants have, since the foundation of the country, been prohibited from participating in any political demonstration," says the embassy press spokesmen. "Governments may change, people may change—but that is an iron rule which stays the same. Anyone who wants to participate in politics is offered a simple choice: resignation."

As to the charge raised by some that Bengalis have been given menial work in the embassies since the difficulty because they are not trusted, the press spokesman points out that the embassy minister (second in authority only to the ambassador), a counselor, an economic secretary, and an economic adviser are all responsible positions and are held by Bengalis from East Pakistan.

While there have been no reports of similar tension in other Pakistani embassies around the world, the Washington case is regarded by some as one of the more blatant

examples of what must be a fairly typical situation.

STATEMENT OF ROBERT DORFMAN BEFORE THE SUBCOMMITTEE ON ASIAN-PACIFIC AFFAIRS, FOREIGN AFFAIRS COMMITTEE, HOUSE OF REPRESENTATIVES, MAY 25, 1971

My name is Robert Dorfman. I am Professor of Economics at Harvard University, a Member of the Council of the American Economic Association, past president of the Institute of Management Sciences. I have published a number of books and articles and in short have all the usual academic credentials.

For the past dozen years I have been concerned professionally with the economic problems of the less developed countries particularly Pakistan. My interest in these problems began in 1960 when I had the honor of serving as a member of a panel appointed by President Kennedy to advise the government of Pakistan about the serious problems then confronting the irrigated agriculture of the Indus Basin. I flatter myself that this presidential panel made a substantial contribution to reversing the downward course of agriculture in that region. We proposed a sensible plan for increasing the yields of irrigated agriculture, while arresting the ominous progress of environmental decay, building on much excellent work that the Pakistanis had already done. That plan, together with the introduction of high-yield Mexican wheat a few years later and with some essential economic reforms, laid the foundation for the so-called green revolution, which brought hope to communities where there had been only despair.

Subsequent to that work I retained my interest in Pakistan in various capacities, serving as a consultant for the Agency for International Development, the Development Advisory Service of Harvard University and most recently the World Bank.

In order to dispel any suspicion that I am biased in the current conflict between East and West Pakistan I should mention that virtually my entire association with that country has been concentrated on the problems and development of West Pakistan. When I have occasion to criticize the policies that foster the economics of West Pakistan to the neglect to the problems of the East I am criticizing myself among others. I was a party, a small party, to those policies. Throughout the long period of my concern my attitude was typical of many others. I visited East Pakistan only twice in all that time and regarded it as an unfortunate backward province of the country, whose problems were so intractable that I averted my gaze from them. That was hardly a humane attitude to take to the 70 million or more people who live in East Pakistan, but it was my attitude and it was prevelent. That attitude was quite properly resented by the people of East Pakistan, a resentment that led eventually to the tragic events that occasioned this hearing.

As an economist I can speak to you with any authority only about the economic aspects of the current crisis. It has of course many ramifications, political, cultural, religious, ethnic. But the economic aspects are peculiarly important, as is indicated by the fact that three of the six points in the program of the Awami League, which won a ten-to-one majority in the recent elections in East Pakistan—half of their program as I said is devoted to economic and fiscal reforms. The current crisis, then, is largely economic in its genesis, economic in its objectives, and its resolution too will depend large largely on economic factors. I should like to address my remarks first to the economic circumstances that lie behind the uprising and then to the economic factors that will determine its outcome. These latter factors are of a special concern to this committee because unfortunately, they imply that the attitude and actions of the United States will have a significant and perhaps decisive effect on the struggle. So our country has an inescapable though unwelcome responsibility in the matter. I believe also that our national interests are involved.

I am not going to take your time to review a lot of technical information about the economic problems of Pakistan, East or West, but there are a few crucial facts that I am anxious to put before you, mostly relating to the poverty of East Pakistan and to the problem of income disparity between East and West Pakistan. The poverty of East Pakistan is so appalling that I cannot describe it straight forwardly. From an economic point of view East Pakistan is simply a mistake. There are more than 70 million people trying to wrest a living from about 22 million acres and very little else by way of natural resources. That works out to about an acre-and-a-half per farm family, which is approximately one half of one percent of the average size of an American farm. On top of that they have the cyclones, the floods and the droughts. Last year's cyclone which killed at least 300,000 people and devastated hundreds of thousands of acres was only an especially bad instance of a periodic catastrophe. The floods are not as lethal, but are more crippling economically. In each annual monsoon, approximately one third of the land area of East Pakistan is inundated and its crops lost or severely damaged. Between the monsoons, in much of the land there is not enough rain to grow crops without irrigation, for which facilities are lacking. Farm yields and incomes are as low as this recital of difficulties would lead you to expect, and this is particularly grim in a country where about 60 percent of all income is derived from farming. The result is a per capita income of not much more than $45 a year, which is a figure so far below our experience that it is meaningless.

West Pakistan is poor also. Per capita income there is about $75 a year, but low as that is, it is at least 60 percent higher than per capita income in the East. This great gap between the levels of income in the two parts of the country—or better the degrees of poverty—is one of the main, longstanding economic problems of Pakistan as well as the principal underlying cause of the current crisis. The stated official policy of Pakistan has been to annihilate this gap and to achieve income equality, but absolutely no progress has been made in executing this policy. On the contrary, the discrepancy has been growing: over the last decade total national income in West Pakistan rose by about six percent per year while in East Pakistan income increased by only four percent a year, most of which was eaten up by population growth.

One of the most bitterly contended issues in Pakistan is whether the official policy of eliminating the income disparity has been implemented sincerely. No one contests that the policy has been completely frustrated. There are instances and shreds of evidence on both sides of the debate and I cannot resolve it in the few moments available to me. The best indication in my view is the allocation of investment between East and West Pakistan, because public investment is directly controlled by the government while private investment is indirectly controlled to a very large extent by the systems of industrial licensing and foreign exchange allocation. Public investment in East Pakistan has never been as great as in West Pakistan, though 55 percent of the people live in the East. In the past half-dozen years public investment in East Pakistan has climbed from about half of what it is in West Pakistan to approximately 90 percent of the amount in the West. Private investment is even more disproportionate; it is about three times as great in West Pakistan as in East Pakistan. So all together more than 60 percent of investment occurs in West Pakistan where only 45 percent of the people live. This distribution of investment appeals to me as a strong indication that the day-to-day activities and programs of the government have not implemented the announced policy of closing the income gap. There are other indications too, as well as some contrary ones. At any rate, the East Pakistanis find the results disheartening and are convinced that the great preponderance of government programs favors the West at their expense, almost as if they were an economic colony. I have to say that I personally agree with them.

It should be mentioned in extenuation that the bulk of promising investment opportunities, both public and private, are located in West Pakistan. The United States and other donor nations have tended to allocate their funds in accordance with the normally sound principle of supporting the projects which promised to contribute most to economic development. So West Pakistan received a disproportionate share of foreign aid. We rarely asked whose economic development they contributed to. But that is a critical question in a bifurcated country such as Pakistan since projects in one part of the country make virtually no contribution to the advancement of the other part. By following this normally sound principle, we have contributed to the economic deprivation of East Pakistan. We can see now that that policy was a grievous mistake and bears some of the responsibility for the current crisis.

So much for history. I mentioned in my opening paragraph that we cannot avoid heavy responsibility for the course and outcome of the current struggle. In principle, of course, this is an internal Pakistani affair and the United States ought to try to avoid intervening however we may feel about the rights and wrongs. The problem is that we are so heavily involved already in the economy of Pakistan that whatever we do in our efforts to maintain neutrality will affect the balance of forces to a significant degree. To make this clear, I have to digress from economics for a moment to summarize the current state of military affairs. The pitched battles are now over for awhile, and West Pakistan's tanks, planes, artillary and disciplined soldiers have won all of them. The troops now occupy Dacca, Chittagong and all the principal cities and towns, and all they now have to do is subjugate the rest of the countryside where most of the people live. But we know that that can be quite a task. In fact, it is more of a task than Pakistan can afford to carry out. It requires them to maintain an expeditionary force of upwards of 50,000 troops at the end of a supply line 3,000 miles long and they are already a poor country in deep financial difficulties. In the past year, their foreign exchange reserves have been drawn down from over $300 million to less than $170 million. Their annual foreign trade deficit, even without the expenses and disruptions of warfare, is over $500 million, so that their current reserves are less than a third of their annual requirements or scarcely an adequate working balance. In fact, at the moment it appears that Pakistan is desperately seeking a moratorium on its debt installments that fall due this month. This means that if the war is to go on for more than a few months and essential imports are to be procured, outsiders are going to have to provide the resources, and the United States is the principal traditional source of external funds for Pakistan. By and large, American grants and loans have amounted to about $250 million a year, not counting our contributions to IDA and UNDP. This covers about

half of Pakistan's adverse balance of trade. Therefore, the continued flow of American grant and loans is the most important immediate objective in West Pakistan's strategy, more important by far than any military operation.

So part of America's dilemma in this tragic conjuncture is how to follow a neutral course, when continuing the flow of aid dispersements will provide indispensible support to the suppressive efforts of the government of Pakistan, while discontinuing the flow will interrupt a traditional relationship on which the government of Pakistan has come to rely. Since either policy is consequential we are involved inexorably no matter how earnestly we wish we could stand apart. Besides, our own national interests are engaged. East Pakistan is in the corner of the Indian subcontinent and what goes on there is of vital concern to Pakistan, India, mainland China, and Burma at least. It affects political alignments and the balance of power throughout South Asia. Our national interest in South Asia is principally to maintain peace and tranquility. I don't say that out of high-minded or of humanitarian motives, but for two entirely selfish reasons. A protracted struggle in East Pakistan will engage the attentions of both India and Pakistan, will weaken both of them, will inflame their animosities to a dangerous degree, and will divert their energies from the peacetime solution of their political and economic problems. It will, in short, endanger the stability of the whole subcontinent with consequences that cannot be foretold. Second, the longer the struggle goes on the more likely it is that it will take a sinister as well as a tragic turn. At the moment, the movement toward autonomy in East Pakistan is led by a Western-educated, Western-oriented middle-class. It is confined to a sectional struggle with only slight ideological overtones. But experience teaches that it is very hard for moderates with democratic aspirations to keep control of an inflammatory, violent, hate-breeding struggle. In such struggles, the leadership tends to gravitate into the hands of extremist factions who feel no constraints against exploiting the hatreds that the struggle engenders. Such factions are already present in East Pakistan, notably certain elements of the National Awami Party and the "Naxalites," an illegal West Bengali party with Maoist connections. The danger that these elements will take control of the rebellion if it continues unresolved for very long is much more than fifty-fifty. You can picture for yourself the implications of a Maoist-led rebellion in East Pakistan.

So America's overwhelming concern must be to restore peace in East Pakistan as promptly as possible. We cannot intervene nor should we even want to. But we have already seen that we are in a position in which we cannot avoid influencing the course of events. We should use our influence to work toward a compromise rather than an attempt at military suppression. We can do this by refusing to finance the military operations.

I do not believe that neutrality obliges us to make our funds and resources available for prosecuting an internal war, funds and resources that can be used properly only for fostering economic development and defending the country against external aggressors. We ought to make it perfectly clear that our policy is that no American funds should be diverted from development purposes to military purposes. To this end we should attach effective safeguards to all future American disbursements in order to assure that they will not be used directly or indirectly to further the war effort. In addition, of course, we should discontinue military assistance forthwith. Of course we should nonetheless stand ready to provide food and medical relief to East Pakistan, where the disruption is virtually certain to cause a famine of serious proportions. Such relief also should be safeguarded against diversion to military purposes.

These are the objectives that I strongly recommend that we pursue. I have not thought through the ways and means for attaining them. They probably entail a virtual cessation of commodity and program aid to Pakistan and a substantial restriction of project aid. The crucial difficulty is that almost any commodities or funds that we might provide to Pakistan for development purposes can be used to meet requirements for military support that otherwise would have to be met by foreign exchange purchases. So, in effect, giving development aid in such forms is an indirect way to finance the war effort. Any substantial reduction in development support would have unfortunate consequences, but continued development aid would be largely fruitless anyhow until a political settlement is reached and attention can once more be concentrated on economic development.

I believe that if this policy is followed the Government of Pakistan will be under irresistible pressure to seek a political settlement, and one that will assure to East Pakistan genuine equity in the pursuit of democracy and economic development. It would contribute to the stability of the entire continent, and be in everyone's interest.

I want to thank you for the opportunity to express my views.

[From the Frontier, May 29, 1971]

LETTER FROM AMERICA: UNITED STATES AND EAST BENGAL

(By Robi Chakravorti)

Recently, I received a letter from a friend of mine in Calcutta asking me why America is silent over the massacre in East Bengal. At about the same time, I came across an article published in *The Statesman* which claimed that the average American was "deeply moved" by the army action against unarmed freedom fighters in East Bengal.

Both reactions are typical of the confusion that, I assume, prevails in West Bengal regarding the U.S. posture on East Bengal. The confusion, I suppose, has been made worse by the action of the Senate Foreign Relations Committee calling for suspension of all military aid and military sales licenses to Pakistan until the conflict in East Bengal is resolved.

The confusion stems from our muddled thinking on some simple facts of life about the United States, its political process and its foreign policy assumption. When we criticise, support, oppose or adore the "United States," we do not know what we are talking about. Are we referring to the Foreign Policy executed by the Administration, or to newspaper editorials in a handful of great newspapers or magazines? Are we thinking of some Congressmen and public opinion leaders, assuming that their views can influence Congressional deliberations and, eventually, the White House?

To avoid confusion, it is necessary to make a separation between three factors relevant to the making of U.S. foreign policy. First, there is the executive branch of the United States Government. Second, there is Congress. Third, there is the vague thing called public opinion which is supposed to be reflected in or moulded by the mass media. When we discuss the United States' silence on the atrocities in East Bengal, we must remember to make a clear distinction between these three factors.

Let me take the third factor first. *The Statesman* article is very much on my mind, and I would like to use it as an illustration of how journalists often mislead people in their ignorance combined with a lofty opinion of their own vocation. *The Statesman's* reporter—K. K. Katyal is his name—wrote, "A recent visit to the USA and Britain revealed surprising gaps between official postures and popular sentiments. In both countries, there was no mistaking the non-official mood—expressions of horror at the genocide in East Bengal were forthright and sincere. The Government, however, dithered—or so it seemed." In another part of the article, Katyal talked glibly of the "average" American, and sermonised, "Whatever the Government or politicians may or may not do, the average American, it was clear, was deeply moved by the army action against unarmed freedom fighters."

Katyal seems to have accepted the people he must have met during his short visits to big cities as representative of the "average" American. He must have, also, read editorials and newspaper reports in great "national" newspapers and magazines and quickly concluded that they reflect the views of the "average" American. It is not that simple; if it were, the Vietnam war would have been over by now and the Negroes in this country would have had real, substantive equality in all walks of life, not merely in the small area of schooling. In fact, Nixon and his political strategists are making the point that the mass media do not accurately reflect the views of the "middle America", the "average" American, if you please, and they are not all that wrong in their estimate.

Newspapermen from India and other "underdeveloped" countries, visiting this country on Government or Foundation auspices, often make the easy mistake of equating the views of great newspapers as representative of the "average" American. They forget that these great newspapers are few in number, straddling a country geographically much larger than India and population-wise about two-fifth of India's size.

AVERAGE AMERICAN

The "average" American, if there is one, reads his hometown newspaper, which is fatter than Indian newspapers and frequently, leaner in coverage of foreign news. He works from eight to five, and if you take into account the time for commuting, his household worries, his downpayment problems, etc., he is a pretty harassed fellow who does not only lack time for absorbing foreign news carefully, but often, also, intellectual capacity, interest or motivation to do so. Whatever the "average" American may do or think, he certainly does not sit behind a typewriter in the office of the *New York Times* or the *Washington Post*.

American public opinion, thus, cannot be judged from opinions and news reports published in a few newspapers and magazines, such as the *New York Times* or *Newsweek*. Secondly, even if these handful of publications did reflect the opinion of the "average" American, we have to recognize the fact that public opinion is a vague, elusive thing, and that unless it is aroused on an issue that affects the interest of the country directly, it is unlikely to have any influence on the machinery of policymaking. The "average" American has only peripheral interest in East Bengal; he will have a great deal of difficulty even in locating the country on the map. East Bengal is not an issue which falls in the area of the "average" American's interests—cultural, political or economic. The situation would perhaps have been different if there were large pockets of American residents of East Bengal ancestry who could have compaigned for public interest or put pressure on Congressmen.

Public opinion in this country may have taken into cognizance the events in East Bengal with a mixture of curiosity, puzzle-

ment and some compassion. On some sensitive minds, the reports and pictures from East Bengal may have left scratches. But it would be outright folly to claim, as the writer in *The Statesman* has done, that the "average" American has been "deeply moved" by the events in East Bengal.

The elites are, however, another matter. They consist of intellectuals, writers, journalists, old India hands, such as former Ambassadors or Fulbright scholars and Congressmen. The Senate Foreign Relations Committee's action on the military aid to Pakistan was taken, independent of any pressure from the "deeply moved" average American. The Senators on the Committee were moved, not their constituents. Likewise, Chester Bowles exposed the folly of the U.S. arms aid to Pakistan. Peggy Durdin wrote an excellent article in the *New York Times Magazine*. The AP correspondent, one of the six foreign newsmen to visit East Bengal under army escort, described the horrors of carnage there. Popular magazines like *Newsweek* and *Time* published reports which can be interpreted as critical of the Yahya regime. Left-wing journals such as the *New Republic* and *I.F. Stone's Bi-weekly* have called for suspension of aid to Pakistan.

It is one thing, however, to claim that these opinions exist; it is another to argue that they reflect a deep concern on the part of the average American, and that, consequently, the U.S. policy towards Pakistan is likely to change. The Senate Foreign Relations Committee has spoken as did a number of newspapers and magazines; but there is little indication that policymakers in Washington are going to change their thinking towards Pakistan.

At the moment of writing, the U.S. Government—different from the Senate Foreign Relations Committee and some newspapers and magazines—seems to be unflinching in its military and economic support of the Yahya government. The State Department's answer to the Senate Foreign Relations Committee's vote against continuance of military aid to Pakistan is evidence of the U.S. Administration's official attitude to the problem. The suspension of aid, the State Department argued, "would not significantly affect the military situation in East Pakistan and could have a strongly adverse political impact on our relations with Pakistan." If the logic appears Machiavellian, it is so only in the eyes of those who are emotionally involved in the struggle for Bangladesh. To policy-makers in Washington, it is realism.

The parameter of U.S. "realism" in foreign policy is, of course, a balance of power that favours its interests and endangers Communists. It is not that intellectuals in the State Department and the White House and strategists in the Pentagon do not have emotions and sentiments; they do not take them into account in making decisions. The killings in East Bengal are not likely, therefore, to weigh as much in the thinking of the U.S. policymakers as they do on the minds of Bengalis. If a Bengali reader is shocked by this statement and angrily point out the U.S. contradiction in harping on the theme of "bloodbath" in Vietnam and official ignorance of the same in East Bengal, he is confusing the rhetoric of foreign policy with its reality, superficiality with substance. The United States is a Big Power and like all Big Powers, it controls its tear ducts like a ham actor and tells fairy tales like a governess. As Richard Barnet, author of *Intervention and Revolution*, pointed out, the U.S. policymakers are highly selective in the violence they notice and inconsistent in the moral judgments they make about them.

"On November 23, 1946, for example," Barnet wrote, "at the very moment when the State Department was preparing a major U.S. intervention against Greek 'terrorists', a French naval squadron turned its guns on the civilian population of Haiphong and killed more than six thousand in an afternoon. The United States did not protest, much less intervene. Violence in behalf of the established order is judged by one set of criteria, insurgent violence by another. When established institutions kill through their police or their armies, it is regrettable but, by hypothesis, necessary. When the weak rise up and kill, their violence threatens order everywhere. Sympathetic as U.S. bureaucrats were with the objectives of the Hungarian freedom fighters in 1956, they breathed a sigh of relief when they were disarmed."

The State Department's position on the military aid to Pakistan shows once more what Barnet has so forcefully pointed out and what any dispassionate observer of the U.S. foreign policy must have known. Bengalis are not, however, dispassionate on the issue of East Bengal and continue to equate righteousness with the impulse for success. What they forget is that violence can be successful when used by the unscrupulous. Hitler had succeeded with his reign of terror in Europe and although the movies and magazines later made folklores out of the partisan struggle in Europe, the fact remains that the underground movement by itself could not topple Hitler. A massive invasion army organized from abroad defeated him.

The U.S. Government which has used violence throughout history may have overestimated its value in Vietnam; but certainly it knows its use better than the greenhorn fighters for Bangladesh who died heroically but uselessly. The latter's fault was underestimating the power of organized violence and terrorism.

The State Department's position on the military aid to Pakistan reveals its philosophy of realpolitik. It shows that the U.S. policy is not going to change simply because thousands of people were killed in East Bengal. In his recently published book, *Promises to Keep*, Chester Bowles has confessed that after eight years of effort as Ambassador to India he has encountered no success in persuading the State Department to revise the U.S. policy in South Asia. Yahya and the ruling clique in Pakistan know this; the freedom fighters for Bangladesh do not. That is why Pakistan has always gotten away with murder—in its conflicts with India and now, in its genocidal policy in East Bengal.

It appears that Pakistan may pull it off again—over the dead bodies of thousands in East Bengal and aided by the opportunistic policies of Big Powers, including the United States which may deplore the use of violence privately but knows its efficacy in international affairs. After all, as I. F. Stone pointed out, the methods West Pakistan are using in East Bengal are "fully as cruel as those we have been using in Vietnam."

[From the Washington Post, May 30, 1971]

"WARM" LETTER TO PAKISTAN?

President Yahya Khan of Pakistan, in his first meeting with the foreign press since the tragic events occurred in East Pakistan, recently said that he received "a very warm, kind personal letter" from President Nixon. Much that comes out of West Pakistan these days is hyperbole, but certainly the President of the United States cannot be "warm" or "kind" to a regime which has massacred upward of 50,000 persons and caused upward of 2 million of its citizens to flee. These conservative figures are not hyperbole from India, for I was on the India/East Pakistan border late in April and heard tales of massacre from refugees and saw, even then, thousands of refugees fleeing from the West Pakistan army. The White House, in view of President Khan's statement, should release the actual text of its message and, more important, end promptly all material and moral aid to West Pakistan.

HOMER A. JACK,
Secretary-General, World Conference of Religion for Peace.
UNITED NATIONS, N.Y.

[From the Boston Sunday Globe, May 30, 1971]

KENNEDY ISSUES PAKISTAN WARNING

(By Matthew V. Storin)

WASHINGTON.—Indifference by the US and other nations to millions of East Pakistani refugees is bringing the South Asia region "towards the brink of war," Sen. Edward M. Kennedy charged yesterday.

In a letter to Secretary of State William P. Rogers, Kennedy said reports to his subcommittee indicate that at least 3.5 million refugees have already crossed into India.

The exodus began two months ago when the Pakistani government moved to put down the Bengali independence movement.

Prime Minister Indira Gandhi of India also estimated this week that the refugee total had reached 3.5 million.

Kennedy said: "Their number increases daily at a rate approaching 100,000 a day."

Mrs. Gandhi's estimate of the daily flow was 60,000.

Kennedy said: "Our national leadership seems tragically immobile while a whole region moves towards the brink of war. . . ."

Earlier this week a State Department spokesman said the United States is planning to assist the East Pakistanis on a "high priority basis," including the deployment of coastal vessels to move supplies.

Faced with logistical difficulties, the United States is prepared to send a specialist from the Agriculture Department to survey port facilities for off-loading, the spokesman told reporters.

The United States has also promised 150 metric tons of food grain as soon as arrangements for delivery are complete, and has set aside 200,000 metric tons of surplus foods in Karachi to be shipped to East Pakistan when conditions permit. Another 170,000 metric tons of food is available in the US for eventual shipment, the State Department said.

Kennedy, whose subcommittee has prodded the government on refugee activities in Southeast Asia and Nigeria said:

"The situation continues to deteriorate. Nearly all reports, including those to our government, tell of growing human need, sporadic military conflict, lack of government services and deepening divisions between the central government and the people of East Pakistan."

Growing political tensions between Pakistan and India "escalate daily," Kennedy said, and threaten "great power confrontations." The government of Pakistan has strong ties with China.

In his letter to Rogers, Kennedy:

Asked for stronger efforts by individual governments and by the United Nations to encourage political accommodation between the central Pakistan government and the rebels of East Pakistan.

Called on the US to respond immediately to Pakistan's food, water and medical needs.

Suggested immediate initiatives by the United States and other governments to cool "escalating tension" between Pakistan and India.

Urged the United States to take unilateral action to aid India's appeal for refugee assistance even if the UN continues to be unresponsive to India's requests.

PAKISTAN REFUGEES HIT BY CHOLERA

NEW DELHI.—Cholera has claimed 150 lives in the past two days in border area refugee camps where tens of thousands of refugees have fled into India from the civil war in East

Pakistan, the Press Trust of India reported, yesterday.

So far an estimated 3.5 million refugees have entered India's West Bengal state bordering East Pakistan. The PTI said the cholera outbreak centered in several refugee camps in Karimpur town in the Nadia district of West Bengal state.

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14 PAKISTANIS DIE IN DUST STORM

LAHORE, PAKISTAN.—Fourteen persons died in a severe dust storm which hit Lahore at 70 m.p.h. on Thursday, it was reported here yesterday. About 80 people were reported injured but the condition of 11 now under treatment at hospitals was said to be improving.

[From the New York Times, May 30, 1971]

PAKISTANIS' TIES WITH U.S. SOURING; DIPLOMATIC AND ECONOMIC RELATIONS AFFECTED

(By Malcolm W. Browne)

ISLAMABAD, PAKISTAN, May 29.—The troubles that have shaken Pakistan recently are being compounded by a general souring of life-giving economic and diplomatic relations with the United States.

American aid, amounting to more than $4-billion, has brought about the beginnings of a "green revolution" in both East and West Pakistan, introducing new high-yield strains of wheat and rice to fight nearly unbearable population pressures.

In West Pakistan, Western aid, mainly from the United States, is helping build a canal system greater in extent than the Panama and Suez Canals. This vast irrigation and power system will include the two largest dams in the world, scheduled for completion in 1976.

In the East, among many other projects, American aid is helping to build a 2,300-mile dike to protect low-lying paddy lands from the tides and storms of the Bay of Bengal.

SITUATION CHANGED IN MARCH

Over the years American aid has been heavily committed to health, education, industrial development and every other phase of development in Pakistan, as well as sustaining the nation's budget and currency.

But on March 25 a national army made up mostly of West Pakistanis stormed into East Pakistan to crush the Bengali separatist movement. Since then, Western countries have heaped criticism on the Government in Islamabad for its policies and its heavy-handed tactics in East Pakistan.

In addition to the criticism there has been a curtailment of foreign aid that will have serious repercussions.

"We feel hedged in on all sides by our fair-weather friends in the West," one Pakistani said. "Thank God for real allies, especially the Arab lands and People's China."

But the Arabs themselves depend on foreign aid and China has yet to demonstrate ability or willingness to fill the vacuum. Government communiqués here glowingly praised recent Chinese commodity loans and the arrival of a planeload of powdered milk in East Pakistan from Peking, but such assistance falls far short of real requirements.

RELIEF AID GOES ON

The United States has not discontinued relief aid in the form of food and emergency supplies to East Pakistan, although shipping has been almost impossible because of disrupted communications.

Neither is the United States likely to terminate assistance to partly-finished projects such as the Indus River basin irrigation and power plant; too much already has been invested to let such projects fall by the wayside, some officials say.

But American and other Western aid is under close review and even continuation of major building projects is strongly criticized in some quarters.

An American technical expert said: "We may not be able to change Pakistan's internal policies, but we don't have to go on supporting them, especially in the teeth of what has happened in East Pakistan. Why should we continue any aid at all?"

This line of thinking is not shared by top American officials, who generally feel that some midway point should be established between business-as-usual and a total cessation of aid.

The outstanding borderline case is a projected $80-million commodity-import loan. An American decision on the loan must be made within the next few weeks or all or part of it will be lost to Pakistan.

VITAL FOR PLANNING

The American commodity loan is a vital part of Pakistan's planning, and the national budget will have to be austerely reduced without it. Pakistan already has asked for a six-month moratorium on repayment of her foreign debts, and gloomy technical talks with missions from the International Monetary Fund and World Bank are expected soon.

All the foreign criticism has stung West Pakistanis perhaps even more than the curtailments of aid. The United States in particular has been charged with paternalism and imperialistic designs on Pakistan.

A surprisingly common view was expressed by a Western educated refinery engineer who said: "The American banks are controlled by Jews so of course Washington supports Israel against the interests of the entire Islamic world. Right now Pakistan is the target. We Pakistanis think the Germans were right in World War II."

A more moderate opinion was expressed by a high Government official. "There are some nations which I shall not mention by name," he said, "who have no moral right to speak to us. They are taking their pound of flesh in the form of servicing our debts, tied aid which must be repaid in convertible currency and shoddy goods they sell us.

"We are ready to listen to criticism but there are limits beyond which we will not go."

[From the Baltimore Sun, June 3, 1971]

UNITED STATES CALLED READY TO HELP INDIA MOVE REFUGEES; SAID TO BE LOOKING INTO AIRLIFT FOR RELIEF OF CROWDED AREAS

WASHINGTON, June 2.—The United States is prepared to help India fly Pakistani refugees out of overcrowded areas, an official source said today.

Through the United Nations high commissioner for refugees India asked for airlift assistance to shift refugees now in Tripura—which is east of East Pakistan—to other less crowded areas of eastern India. India said there were now 500,000 refugees in Tripura, which has a population of 1.5 million.

The United States has agreed in principle to the request, the official said, and is now checking on its feasibility, looking into such matters as the suitability of airfields for large cargo aircraft, such as C–130's.

The Indian request came to light when Senator Edward M. Kennedy (D., Mass.) accused the government of failing to respond "to India's appeals for relief supplies, such as tents and for logistical support, such as C–130's and helicopters."

"How much longer," he asked in a statement inserted in tomorrow's *Congressional Record*, "will our government point with satisfaction to the meager efforts it is making and to an international relief program that so far remains on paper?"

Senator Kennedy, the chairman of the Judiciary Committee's subcommittee on refugees, urged the government to "respond immediately" to the need of feeding 4 million refugees—the Indian figure—without waiting for the U.N. relief operation to begin.

Mr. Kennedy said that the State Department had advised him it would cost $30 million to feed 4 million refugees for three months and that the U.S. was prepared to carry half the cost. But, he complained, only $2.5 million has been allocated to date.

He criticized the Pakistani government for contending "that conditions are 'normal' in East Pakistan, when each day sees tens of thousands of its citizens fleeing across the border into India."

Senator Kennedy asserted: "It is clearer every day that a massive human tragedy is developing as a result of unrest and conflict in East Pakistan. How much longer will the world stand idle while the region plunges toward the brink of disaster?"

[From the New Republic, June 5, 1971]

THE UNITED STATES AND BANGLA DESH; BAILING OUT PAKISTAN

(By Rehman Sobhan)

As Pakistan slides towards disintegration, the United States is being forced to do some fundamental rethinking of a policy dating back to the days of Dulles diplomacy which inaugurated Pak-US relations through a Mutual Security Pact in 1954. Pakistan did well out of the relationship, receiving $1.5-to-2 billion in armaments and $3 billion in economic aid up to 1969. It is less certain what the US got out of it, apart from a U-2 base in Peshawar, since Pakistan never made any bones about the fact that it needed American arms to face India.

The ostensible purpose of this investment, however, was to contain Communism in Southeast Asia and the Middle East and Pakistan was happy to subscribe to this illusion by making anticommunist noises at international forums. While the US sold its aid package to Pakistan in Congress as part of its containment strategy, the pacts were sold in Pakistan as an expedient to get arms to defend the nation against Indian designs. No one on either side sought to question these contrary assumptions until Pakistan actually became embroiled in a shooting war with India in September 1965, when a large quantity of US gifted hardware was seen in action on the plains of the Panjab.

Washington's reaction to this failure of policy was to suspend all arms shipments to both sides, but the denial was far more severely felt in Pakistan where the entire military machine had been geared to the United States. The move soured Pak-US relations which had already been strained by the US decision to send arms to India following the Sino-Indian border war in 1962. Pakistan moves to strengthen ties with China on the assumption that "my enemy's enemy is my friend" had knocked out another key assumption underlying US policy, and the Pak-Indian war merely wrote *finis* to that phase in the relationship .

As history has shown, US arms are far more likely to be used to suppress popular movements at home, than to reisist external aggression. The rise of the military whose numbers and strength within Pakistan grew with every shipload of American weapons received gave testimony to this truth. By October 1958 the armed forces under Ayub Khan felt strong enough to take over the country and frustrate the prospects of a genuine return to democracy imminent in the general elections set for early 1959.

While the Pak-Indian war in 1965 led to a suspension of arms shipments to Pakistan, the US continued pumping in economic aid. The emphasis on aggregate growth rates concealed the fact that during the Ayub decade inequalities increased sharply both between social classes and between East and West Pakistan. Disparities in per capita income in favor of West over East Pakistan increased from 32 percent in 1959–60 to 61 percent in 1969–70. This followed from the fact that

less than one-third of the development financed by aid, took place in the East, though 55 percent of the population lived there. $2.6 billion worth of resources in the way of East Pakistan's foreign exchange plus its legitimate share of foreign aid were transferred to West Pakistan between 1948–49 and 1968–69. Such policies were possible because power in Pakistan, whether indirectly before 1958 or directly since, rested with the armed forces and bureaucracy which was overwhelmingly drawn from West Pakistan. To the extent that the US underwrote these military regimes, it perpetuated a set of power relationships which permitted the West wing based army-bureaucratic complex to dominate the more numerous East.

The war of liberation now raging in East Pakistan stems from an attempt by the Bengalis to break free of the hegemony of West Pakistan's ruling groups. They thought they could do it within the framework of Pakistan by seeking a loose federal relationship which put all decision-making and resources into the hands of the regions. But this was seen as a threat not only to the captive markets of West Pakistan's inefficient industrialists but as a threat to the westward flow of resources. And to the army it appeared as a menace to their privileged budget: East Pakistani revenues and foreign exchange were vital, particularly since arms had to be bought for cash from the French and other suppliers after the suspension of large-scale US arms shipments in 1965. The refusal of the army to come to terms with the peaceful attempt to restructure power relations within Pakistan has now compelled it to use force to suppress the Awami League which won 80 percent of the votes and 98.5 percent of the seats in the East wing on its autonomy platform. Since the entire eastern population of 75 million is united in its support for its elected representatives, the army has had to resort to genocide. Visiting foreign journalists estimate that this has led to over half a million Bengali dead within the first 6 weeks of fighting. It is hardly surprising that a political struggle by East Pakistan for autonomy within Pakistan has been transformed into a full-scale war of independence for the creation of Bangla Desh.

The United States remains an uneasy but by no means uninvolved spectator. Its economic aid strategy which favored the west wing has now culminated in a drive for freedom by 55 percent of the population, and the arms Washington gave are being used by the West Pakistani army to crush this drive.

The US is further involved by the recent request from West Pakistan to rescue it from economic catastrophe. All exports from East Pakistan being suspended, Pakistan's foreign exchange earnings are cut by 50 percent and their reserves are expected to be down to zero in another two months. A business recession threatens West Pakistan due to the loss of captive markets and a price inflation of up to 100 percent is imminent because of the drop in production. This plus the loss of all revenues from the East promises that only half of the next Pakistan budget can be financed. A war now costing the improverished economy $2 million a day will have to be financed by creating paper.

In this predicament Pakistan has asked aid donors for up to $1 billion to bail her out. She needs $70 million in commodities aid from the US, plus $100 million as ready cash. A further $300–$400 million will be required by the year's end, just to stay afloat.

How Washington will respond to this request depends on how determined the Americans are to go on compounding their failures in Pakistan. Indications are that the US has bought time to make up its mind and is taking cover behind a World Bank-IMF mission being sent out early this month to look over the situation.

Meanwhile, Pakistan presses for a "political" solution to the war and speaks of the need to get relief to Bengalis faced by famine. But both these issues are tied up with a willingness by Pakistan to come to terms with reality and to negotiate disengagement with the elected leaders of Bangla Desh.

Only an inclination to resume business with old friends could persuade the Americans to buy Pakistan's proposed solution of setting up a Quisling Administration in Bangla Desh, on the pretense of returning Pakistan to civilian rule. If the US chooses under these circumstances to resume aid and agrees to put relief into the hands of the Pak army, it will neither be tranquilizing the crisis nor saving the Bengalis from famine. It will merely hand another weapon —relief—to the Pakistan army and will foster the illusion that Washington can insulate West Pakistan from the costs of this war. By doing so, the Americans will ensure that the war goes on with a mounting expenditure of Bengali lives and resources and eventual disaster for West Pakistan as the price for its refusal to negotiate a political disengagement before it is too late. An open-ended crisis of this dimension transcends the frontiers of Bangla Desh and threatens not just a subcontinental war but because of the interest of both China and the USSR in the area, possibly another global confrontation. The United States, today, can buy disengagement cheaply by refusing to underwrite Pakistan's military adventure in Bangla Desh. Tomorrow it may find itself in yet another quagmire not of its own making.

[From the Washington Post, June 7, 1971]

United States, Britain Withdrawing Diplomats From E. Pakistan

Karachi, Pakistan, June 6.—The United States and Britain are withdrawing senior diplomats from Dacca, capital of strife-torn East Pakistan, foreign diplomatic sources said here today.

American Consul General Archer K. Blood leaves for Washington Thursday and will not return, they said.

Britain's deputy high commissioner, Frank Sargent, will leave for London a week later, they said. Neither has completed a normal tour of duty.

American sources explained that Blood went to Dacca on direct transfer from Athens and the time spent in both posts totaled an average assignment.

British sources would make no comment on the move of Sargent, who took up his post in Dacca late last year.

Observers here recalled that Blood was thrown into controversy following the Pakistan army's March 25 crackdown of the eastern provinces breakaway efforts.

URGES EVACUATION

[On March 30 Blood urged Washington to evacuate all American women and children in East Pakistan and some men. There were fears for the safety of Americans in what was described privately by U.S. officials "as a massacre."]

In related developments elsewhere Reuter reported:

In Lucknow, India, Indian Prime Minister Indira Gandhi described the bloodshed in East Pakistan "as the most unabashed example of the use of governmental violence in human history."

"The international community has a duty to impress upon the rulers of Pakistan that democratic urges cannot be suppressed through armed might," she said.

NOT JUST INTERNAL

Mrs. Gandhi made her statement in a message to a national convention of minorities being held in this northern Indian city.

Mrs. Gandi said: "When 4 million people are forced to flee from their homes and their country into our territory though terror, obviously the matter cannot remain an internal matter of Pakistan."

Meanwhile Indian Foreign Minister Swaran Singh arrived in Moscow the first stop on his six-nation tour to tell the world that India cannot cope with the influx of East Pakistanis fleeing across its borders.

He is due in Bonn on Wednesday; Paris, Thursday; Ottawa, Sunday; Washington, June 15 and London June 18.

[Estimates of the cholera death toll in eastern India ranged from a conservative 4,000, according to West Bengal State officials, to as high as 10,000, according to unofficial sources in close touch with the relief work, AP reported.]

Calcutta Fears Refugees' Cholera

Calcutta, India, June 6.—East Pakistani refugees have carried the cholera epidemic inside the limits of this city of 12 million poverty-stricken inhabitants, leading to fears today of a massive outbreak.

About 12,000 refugees have slipped past government cordons around the city and set up a camp at the Salt Lake city housing project in northern Calcutta since Wednesday. Tens of thousands of other refugees are crowding all approaches to Calcutta in their bid to reach the city.

At a refugee tent city of 40,000 on the city's outskirts, doctors said they were dealing with about 300 cases of cholera and gastro-enteritis. They said 14 persons had died there from what they called "choleric diahhrea" in the past 48 hours.

To make matters worse, rain today turned the tent area into a lake of mud, adding the threat of typhus and typhoid to the cholera and gastro-enteritis already in the camp. Doctors also feared an outbreak of pneumonia.

[From the Baltimore Sun, June 9, 1971]

Two Senators Ask Cut-Off In Aid To Pakistan

(By Adam Clymer)

Washington, June 8.—All American aid to Pakistan should be halted until its government changes its policies enough so that refugees return to that country, Senators William B. Saxbe (R., Ohio) and Frank Church (D., Idaho) urged today.

They announced they would offer an amendment to the foreign aid bill next week to bar any military or economic aid to Pakistan until a majority of the estimated 5,000,000 refugees now in India are repatriated and international relief efforts are begun.

Senator Church contended the amendment was necessary to eliminate American support of one side—the government—in a "civil war." He said it was "neutral" and not an effort to interfere in Pakistan's internal affairs. But under questioning he conceded the amendment sought to force a change in Pakistan government policies toward East Pakistan citizens—a change broad enough so that the refugees would feel safe in returning home.

UNITED STATES TO PROVIDE $15 MILLION

Meanwhile, Charles Bray, a State Department spokesman, announced that the United States was providing another $15 million in aid to India to cope with the Pakistani refugees. This is in addition to $2.5 million announced earlier.

Of the allotment, $10 million will go for food, and the remainder for medical supplies and other needs, Francis L. Kellogg, special assistant to the secretary of state for refugees affairs, announced.

Mr. Kellogg said that refugees are continuing to cross the border at a rate of 50,000 to

100,000 a day, and the U.S. is committed to feeding 1,250,000 of them. He said the Indian government's current estimate of the number of refugees was 4.7 million.

He said the latest report of cholera deaths was 3,000 and the U.S. would send 1,000,000 anti-cholera shots in later this week.

MILITARY MISSION ARRIVES

In New Delhi, a 27-man U.S. military mission arrived in an Air Force C–130 transport. They will check out airfields in Tripura, to the east of East Pakistan, to see whether an airlift mission can be mounted to move refugees (now totalling 500,000 compared to the state's basic population of 1.5 million) into less crowded Indian areas. Three other C–130's will be sent if it proves feasible, they said.

The two senators will propose their amendment when the Senate Foreign Relations Committee takes up the foreign aid bill next week. The committee earlier approved a resolution—not yet acted upon by the Senate—which would bar further military aid to Pakistan. The South Asian country is basically armed with U.S. equipment, but only spare parts and ammunition have been sent to it since the 1965 Indo-Pakistani war.

Senator Church estimated that the current pending economic aid would total about $80 million. He said he did not know how much military aid was in prospect. Sales of planes and armored personnel carriers authorized last October have not yet been completed.

Both senators complained that American aid to the government of Pakistan put it in opposition to the Bengalis of East Pakistan. Senator Saxbe complained that the Army had "crushed" Sheikh Mujibur Rahman and his moderate, generally pro-Western Awami League, who had recently won national elections.

Senator Saxbe also put forward Dr. Jon E. Rohde, a physician who was in East Pakistan with the Agency for International Development. Dr. Rohde contended that relief had to be international because the Pakistan Army had shown during last December's cyclone and flood that it was incapable of handling relief operations.

He said American aid—which the State Department has said has been held up since the civil war began—meant "the U.S. is currently supporting one side." He added that "it is documented that mass slaughter has gone on."

[From Reuters, June 10, 1971]

WASHINGTON, June 10.—A bipartisan amendment to cut off U.S. economic as well as military aid to Pakistan was introduced in the Senate today.

The measure was co-sponsored by Senators Frank Church (Democrat, Idaho) and William Saxbe (Republican, Ohio).

It would suspend military and economic aid to Pakistan until food and medical relief supervised by international agencies is provided on a regular basis throughout East Pakistan and the majority of the five million Pakistani refugees now in India are repatriated.

Senator Church, a member of the Foreign Relations Committee which will consider the measure, said in a Senate speech that "a full scale international relief operation is mandatory."

He also told the Senate that the refugee situation not only imposed an unbearable burden upon India but could threaten peace.

"The creation of another refugee problem along the Indian border, like that which plagues the Middle East, would be alarming in its implications for the future," he declared. "Under these circumstances the United States must apply such leverage as it can to alleviate this human tragedy through the implementation of essential international relief and the speedy repatriation of refugees."

Earlier this week, Senator Church told a press conference that an estimated 80 million dollars (33 million sterling) was in the economic aid pipeline to Pakistan and the proposed legislation would cut off future American contributions to the international consortium providing economic assistance to that country.

Meanwhile, Dr. Jon (RPT Jon) Rohde, an American doctor who until recently worked in East Pakistan, told the Foreign Relations Committee that "Through continuance of economic assistance of any kind to the military Government of Pakistan, we are a partner to what may become the greatest loss of human life in one area in this century."

Urging the committee to cut off economic aid as it began hearings on the administration's foreign aid bill, he said: "One is reminded of other situations in southeast Asia in which massive U.S. support of a military elite has dragged us into a continuing commitment of unforeseen magnitude."

AID-FINANCED BOATS WILL SUPPLY EAST PAKISTAN CYCLONE SURVIVORS

The Agency for International Development will provide $1 million for coastal shipping in East Pakistan to move food grains and other supplies to survivors of last November's cyclone, it was announced today (June 10).

The funds will enable the Government of Pakistan to charter six to eight boats and crews from other countries for four months for the distribution of supplies.

Cyclone survivors in the more than 3,900 square miles of devastated area are in dire need of food as a result of the crop losses created by the cyclone, which swept away about 400,000 tons of rice crops along with 470,000 cattle, goats and sheep and 9,000 fishing boats.

Cyclone survivors will continue to need outside food supplies throughout this year until their principal rice crops can be harvested.

Within a few days, the Government of Pakistan is expected to issue an international request for bids for shallow-draft vessels of less than 1,000 tons, with crews.

Altogether, including the $1 million for the boats, the United States has provided about $10 million worth of supplies and money for cyclone disaster relief in East Pakistan.

[From the New York Times, June 10, 1971]

BRITON URGES EAST PAKISTANI SETTLEMENT

(By John M. Lee)

Special to The New York Times

LONDON, June 9.—The British Foreign Secretary, Sir Alec Douglas-Home, made a strong appeal today for a political settlement in East Pakistan, terming an essential condition for any permanent solution to the Pakistani refugee disaster.

Speaking in an emergency debate in the House of Commons on the relief situation in East Pakistan and India, Sir Alec said the real tragedy lay in the fact that this was not a natural disaster but a political one.

He said the relief of immediate suffering should be followed "very soon by the creation of a political framework in which civil government can be formed and which will give confidence to the refugees to return home."

Sir Alec also urged continued restraint in the tense relations between Pakistan and India. Otherwise, he said, "the danger of war would be very real and would convert what is already a tragedy into a catastrophe."

Politicians of all parties rose to deplore the disorders in East Pakistan and to express concern at the plight of the refugees. The refugee flow began last March after the Pakistani Army moved against East Pakistani secessionists.

Mrs. Judith Hart, the Labor party spokesman on overseas development, said: "The Government must not for one moment feel limited in any efforts they can make about who is going to pay the bill at the end of the day."

Sir Alec, who reported yesterday that the Government had so far given $4.2-million for food and relief, said "We are ready to do substantially more as soon as we can assess the need and the opportunities unfold."

He recalled that Britain had pressed the Pakistani President, Agha Mohammad Yahya Khan, to open East Pakistan to relief efforts and added that as soon as this is done, "we'll be making contributions there."

It is the Government's intention that all future development aid to Pakistan should be spent in East Pakistan, he said, but the Government feels unable to authorize new projects until normal civil life is restored.

RELIEF PROGRAM PLANNED

GENEVA, June 9.—A special representative of Secretary General Thant of the United Nations today requested the cooperation of the Food and Agriculture Organization and the League of Red Cross Societies in a large-scale food relief program for East Pakistan.

According to reliable sources, the two agencies, together with the United Nations Children's Fund and donations from governments, are expected to provide the bulk of the grain and edible oils needed.

The United Nations official, Ismat Kattani, an Assistant Secretary General, stopped off in Geneva today on his way back to New York after conferences in Dacca, the capital of East Pakistan. He plans further talks with the officials of UNICEF after he reports to Mr. Thant tomorrow.

Reliable sources said Mr. Kattani felt that he had obtained the consent of the Pakistani Government, which had previously been unwilling to accept outside help, for aid under the "United Nations umbrella."

UNICEF ISSUES APPEAL

UNITED NATIONS, N.Y., June 9.—The head of the United Nations Children's Fund is making a worldwide plea for immediate assistance to refugees from East Pakistan.

The appeal by Henry R. Labouisse, UNICEF director, is twofold: for continued emergency aid such as drugs and foodstuffs now being supplied by UNICEF and for long-term assistance for the two million children living in the crowded refugee camps in northeastern India.

At least $5-million will be needed initially for this program, Mr. Labouisse advised the UNICEF committees in 27 countries. These committees raise funds from individuals, organizations and other non-governmental sources.

Secretary General Thant's May 19 appeal to governments has brought contributions or pledges of $32-million.

REFUGEE FLOW CONTINUES

CALCUTTA, INDIA, June 9.—East Pakistani refugees continued moving into the troubled Indian town of Barasat today as five foreign planeloads of medical supplies reached Calcutta to help fight the cholera epidemic.

Reserve policemen were called in yesterday to prevent Hindu-Moslem rioting from breaking out in Barasat, normally a town of 90,000 now flooded with more than 200,000 refugees. Some of the refugees had tried to set up camp in Moslem mosques.

The town, 15 miles north of Calcutta, remained tense today with East Pakistanis squatting by the roadside on muddy open ground and in official buildings.

[From the New York Times, June 12, 1971]

REFUGEE AIRLIFT CAUSING CONCERN; U.S. AIDES FEAR PAKISTANIS WILL MEET HOSTILITY

(By Sydney H. Schanberg)

CALCUTTA, India, June 11.—American officials here are growing concerned about their planned airlift of East Pakistani refugees to camps in India's extreme northeast.

The officials are worried that if the American planes carry more refugees into the northeast, the airlift will be met with hostile and perhaps violent demonstrations.

The airlift plan calls for four C–130 transports to move about 50,000 refugees from Tripura, which borders East Pakistan on the East, to the state of Assam, which borders it on the northeast.

A report in this morning's issue of The Hindustan Standard—the best informed newspaper here on refugee developments—said that 6,000 refugees had already left the northeast border state of Meghalaya and had returned to East Pakistan out of disgust, fear, grief and a feeling of uncertainty. More refugees were said to be making the return trek daily because of the hostility of the local tribal population.

The local resentment stems from the strains the refugees have placed on the poverty-level economy of the backward and hilly northeast region. The refugees have disrupted the sanitation system and have caused food scarcities that have driven prices up. They have brought cholera with them.

Two days ago, the Tribal Youth Welfare Association—a student group in Shillong, capital of Meghalaya—brought the city to a virtual standstill by calling a general strike to protest the influx of refugees and their unrestricted movement outside their camps.

Meghalaya is an autonomous state within Assam. The growing friction in Assam between the inhabitants and the refugees is reported to be nearly as bad as that in Meghalaya.

ATTEMPT TO EASE SITUATION

Tripura, a region of 4,000 square miles with a population of 1.5 million, has already absorbed more than 700,000 refugees. It is the least accessible of Indian border states, which have received more than five million Bengali refugees fleeing the Pakistani Army. Since March 25 Pakistan has been trying to crush the Bengali independence movement in East Pakistan.

The airlift was planned to ease the situation in Tripura by transferring some of the refugees there to areas that are easier to reach with relief supplies. It is expected to take about a month or so. The Soviet Union is reported to have promised a similar airlift, but no Russian planes have yet arrived.

The original enthusiasm for the Bengali independence movement and sympathy for the refugees has all but disappeared, particulary in the border states. The sentiment in the areas where the refugees are living is often close to anger—over cholera, the taking over of the schools as refugee camps, over many irritations.

The first of the American planes arrived this week and flew a trial run between Agartala, capital of Tripura, and Gauhati the capital of Assam, to see if the airlift was feasible.

After the flight over hilly territory where the weather is often bad, commander Col. Charles E. Turnipseed, said he was optimistic, but the final decisions on the airlift would have to await the report of the Air Force technicians who went on the trial run.

AID TO BE DISTRIBUTED

UNITED NATIONS, N.Y., June 11.—An official of the United Nations who has just returned from Pakistan said today that President Mohammad Agha Yahya Khan's Government would distribute United Nations relief supplies in East Pakistan.

Ismat Kittani, an Assistant Secretary General, said that he did not yet know how assurances could be obtained that the aid would actually reach the East Pakistanis but he indicated that he was counting for verification on foreign officials and on the United Nations staff workers who are returning to jobs here.

[From the New York Times, June 13, 1971]

INDIAN OPPOSING AID TO PAKISTAN; GANDHIAN TOURING CAPITALS IN SUPPORT OF BENGALIS

(By Joseph Lelyveld)

The one Indian leader with a record of having spoken out over the years for conciliation and compromise with Pakistan is now touring world capitals to ask that the Government of President Agha Mohammad Yahya Khan be cut off from all forms of foreign assistance.

He is Jayaprakash Narayan, now the leading spokesman for the Gandhian viewpoint in India and, before he turned his back on party politics in 1957, his country's most prominent Socialist.

Before and after India's war with Pakistan in 1965 over Kashmir, Mr. Narayan labored for a settlement between the two countries on the basis of autonomy and self-determination for Kashmir—a stand that, he says, "earned me intense unpopularity in my own country."

Now Mr. Narayan, who is 70 years old, has been trying to generate international outrage over the denial of self-determination to the Bengalis of East Pakistan by the Pakistan Army, which since March has been seeking to crush the province's separatist movement.

"I have been very deeply hurt by what the Government of Pakistan has done," he said in an interview at the Indian Consulate here. "It is something like what Hitler did. I'm emotionally involved, I admit, but not as an Indian, as a democrat, as one who believes in peace."

The first stop of his unofficial mission was Cairo, where he failed in his attempt to meet any important figures in President Anwar el-Sadat's Government. He thinks that his failure was caused by the political crisis then taking place in Egypt but is not sure. Other Indians wondered whether it was because leaders in Cairo were reluctant to seem to be criticizing another Moslem government.

MET ARAFAT, TITO, POPE

But he did meet Yasir Arafat, the Palestinian commando leader who, he said, was "bubbling" with support for Bangla Desh, or Bengali nation, as the advocates of independence call it. Mr. Narayan said Mr. Arafat had told him that his forces had clashed with units of the Pakistan Army serving in Jordan. He quoted him as having said, "I can quite imagine what they must be doing to those Bengalis."

Later Mr. Narayan conferred with President Tito of Yugoslavia, Pope Paul VI and Chancellor Willy Brandt of West Germany. He also stopped in Moscow, Helsinki, Paris and London before arriving in Washington, where he met Joseph J. Sisco, Assistant Secretary of State for Near Eastern and South Asian Affairs, and Henry A. Kissinger, President Nixon's adviser on national security.

Mr. Narayan has argued against the contention of Western officials that a total halt in aid to Pakistan would end any constructive influence they might have in the crisis.

On the contrary, he told them "putting the screws" on Pakistan would make it impossible for the military regime to continue its operations against the Bengalis. Giving aid, he contends, involves the donor nations in "the guilt of the Pakistan Army."

Mr. Narayan said he had been told in some capitals that aid must continue because of agreements made before the army moved against the Bangla Desh movement. He said he replied: "Those agreements were made by Pakistan. Where is that Pakistan today when there is no administration in East Pakistan where 60 per cent of all Pakistanis live?"

For Mr. Narayan, the tour has been a necessary distraction from his main preoccupation—an effort to promote rural democracy in an obscure corner of the improverished state of Pihar where the Maoist terrorists known as Naxalites have been active.

[From the New York Times, June 13, 1971]

U.S. URGES INDIANS AND PAKISTANIS TO USE RESTRAINT

(By Tad Szulc)

WASHINGTON, June 12—The United States appealed today to India and Pakistan to exercise restraint and urged the Pakistanis to restore normal conditions in East Pakistan through "peaceful political accommodation."

It was the first public statement by the United States on the situation in the subcontinent since the Pakistani Army last March 25 began quelling the East Pakistani movement for autonomy and later for independence. The statement reflected the increasing concern here that hostilities may erupt between India and Pakistan if the massive movement of East Pakistani refugees into India is not halted.

The latest figures available to the State Department indicated that more than five million refugees have crossed the borders into India. This represents more than 7 percent of East Pakistan's population. Refugees were reported still entering India at a rate of more than 100,000 a day.

CHOLERA VACCINE SENT

A cholera epidemic is spreading among the refugees, and the State Department announced today that three United States Air Force planes were delivering a million doses of anticholera vaccine to India. The planes are to participate in a refugee airlift.

The United States concern is that peace may be threatened by the pressures generated by the refugee problem in India and by Indian fears that the East Pakistani independence advocates may move toward the extreme left.

Officials here said India feared that such a move to the left might affect the political stability of her West Bengal State, and the American concern is that she may decide to intervene in the East Pakistani conflict.

A related concern is whether West Bengal can much longer withstand the economic and social tensions created by the refugees and the frictions between them and Indians in that state.

In a statement, the Assistant Secretary of State for Near East and South Asian Affairs, Joseph J. Sisco, said, "Because of the possibility that the situation in East Pakistan and Eastern India could escalate dangerously, we have counseled restraint on both sides."

"We have made clear our belief that normalcy can be restored in East Pakistan only within the context of a peaceful political accommodation," Mr. Sisco said.

He emphasized that such a political accommodation was essential to stem the flow of * * * permitting their return home.

Other United States officials said that this view had been privately communicated twice recently to the Pakistani Government "on the highest level" by the American Ambassador, Joseph S. Farland. It was also communicated by Mr. Sisco to the Pakistani Ambassador here, Agha Hilaly.

Today the State Department chose to publicize these diplomatic efforts. Another opportunity to try to stabilize the situation on the subcontinent will come next week when the Indian Foreign Minister, Swaran Singh, meets here with President Nixon and Secretary of State William P. Rogers.

In conversations with Pakistani officials, American diplomats have reportedly suggested that the peaceful political accommodation that Mr. Sisco called for would involve

the acceptance by President Agha Mohammad Yahya Kahn of the "six points of autonomy" proclaimed by the Awami League, the major East Pakistani political party, after its victory in elections for a National Assembly last December. The Assembly, in which the Awami League would have had a majority, never convened.

Under the league's autonomy formula, the central Government would retain control only over defense and foreign affairs in East Pakistan. Officials here noted that on May 24 President Yahya expressed hope of returning power to elected leaders, but they indicated some doubts whether this would be feasible since the Awami League has been permanently banned.

Officials made it clear, however, that the United States did not plan to withhold economic development assistance from Pakistan to force the central Government into an accommodation with East Pakistan.

THREE TRANSPORTS LEAVE

The United States also announced today that the three C–130 Air Force transport planes were leaving for India tonight from Pope Air Force Base in North Carolina to begin an airlift of refugees from the tiny border state of Tripura, on the eastern border of East Pakistan, to Assam to the north. The airlift is to include a fourth C–130 already in India.

Expected to take about a month, the airlift is to more some refugees to areas that are easier to reach with relief supplies.

In addition to the anticholera vaccine being carried by the three planes, the United States will also provide air transport for 300 tons of rehydration fluid used in treating cholera that are now being collected in Geneva by the World Health Organization, the State Department said. The United States Air Force is to fly in 10 Japanese ambulances for work among the refugees.

So far, the United States has provided $17.5-million in relief aid to the Pakistani refugees. Of this total, $10-million is earmarked for food for 1,250,000 refugees in the next three to six months and the balance for medicine and other assistance.

Commenting on reports that the airlift may encounter hostility by the refugees, American officials said that it had been arranged at India's bequest. But they said the United States would not attempt to move refugees against their wishes.

Four Soviet AN–12 aircraft and Indian planes are to join the airlift. It is planned to move 50,000 people from Tripura to Assam, and the American aircraft, scheduled for two flights daily, can move between 800 and 1,000 refugees a day.

Meanwhile, a report received here through private channels from Dacca, the East Pakistani capital, described continuing unloading of Pakistani war materiel in East Pakistani ports.

The report on May 24 said that six ships at Narayangani were unloading military vehicles and a seventh was unloading ammunition. Pakistan has to supply its 60,000 troops in the east by sea since India has banned overflights by Pakistani military planes. East Pakistan and West Pakistan are separated by 1,000 miles of Indian territory.

The report said that in the town of Barisal "for the last weeks they have been executing 10 to 20 people a day."

"The towns and roads have been secured," the report said, "and the army is now fanning out from the main centers into the villages on a virtual house-to-house hunt for Hindus."

American officials here said that other reports indicated that Pakistani repression was continuing against East Pakistanis—especially against Hindus, who comprise 10 percent of the population. They privately expressed concern that this might lead to reprisals in India against Moslems.

[From the New York Times, June 17, 1971]

ATTACK IN DACCA ON AID OFFICIALS REPORTED

(By Malcolm W. Browne)

ISLAMABAD, Pakistan, June 16—Knowledgeable sources reported today that officials of an international aid consortium narrowly escaped death in East Pakistan last Thursday from bombs presumed to have been thrown by Bengali separatist extremists.

The incident reportedly occurred in front of the Intercontinental Hotel in downtown Dacca, capital of East Pakistan. According to the sources, one American and two British officials were about to get into a car when three bombs were thrown, one of which exploded in the car. Bomb fragments were said to have caused some minor injuries, and the car was demolished.

A mission of the 11-nation consortium is in Pakistan to study prospects of peace and political stability as one of the prerequisites to full-scale resumption of aid to this country.

The consortium, which includes the United States, is headed by the International Bank for Reconstruction and Development, or World Bank. [A spokesman for the World Bank headquarters in Washington said he knew nothing about the bomb report. He said the bank was in daily contact, by cable, with the consortium and had received no reports of any violence directed against the financial mission.]

AID DOWN TO A TRICKLE

United States aid to Pakistan is largely channeled through the consortium, on which Pakistan's economy is heavily dependent. Since March 25, when the Pakistani Army began suppressing the secessionist movement in East Pakistan, with heavy resultant loss of life, international aid to Pakistan has been reduced to a trickle.

Foreigners concerned with the situation report that terrorist resistance to martial-law authority in East Pakistan has increased markedly in recent weeks. They say that members of Government "peace committees" have been assassinated and that officials cooperating with the military regime there have been receiving threatening letters on official stationery overprinted with the words "Bangla Desh."

Bangla Desh, meaning Bengali nation, is the name separatists have given East Pakistan. A Bangla Desh underground government is said to be functioning both in neighboring India and in a few isolated border areas in East Pakistan.

Some foreigners report that installers of irrigation wells, rural agricultural teams and other local technicians on whom the administration of aid to East Pakistan is dependent are too frightened to leave the main towns to work in the countryside.

Pakistan's financial and economic position, in the opinion of foreign economists, verges on the desperate. Government officials are rushing preparation of a new annual budget scheduled for presentation on June 26.

Largely as a result of the East Pakistan situation, Pakistan's exports of such commodities as jute are understood to have fallen sharply in recent months, as has revenue from taxes.

At the same time, military spending is believed to have soared. Government officials have indicated privately that the new budget will include a very large increase in military appropriations, ostensibly because of fear of a war with India.

The resulting economic strains have produced an especially great need for foreign aid at a time when donor nations are extremely reluctant to maintain largescale aid programs.

The consortium mission, headed by I.P.M. Cargill of the World Bank, has just completed a series of talks with the Pakistani Government, including President Agha Mohammad Yahya Khan.

The substance of the talks was secret but it is believed in diplomatic circles that donor nations are insisting on a rapid political accommodation that would give the people of East Pakistan grounds for hoping they could go back to work and cooperate with the Islamabad Government.

In the absence of such popular cooperation, it is felt, no amount of aid to East Pakistan is likely to ameliorate conditions much.

TEXT OF THE SPEECH AT THE NATIONAL PRESS CLUB OF WASHINGTON, D.C., BY THE FOREIGN MINISTER OF INDIA, SARDAR SWARAN SINGH, AND QUESTIONS AND ANSWERS

JUNE 17, 1971.

VERNON LOUVIERE. Just yesterday, the Washington Post carried a disturbing story about the plight of some six million refugees of the recent civil war in East Pakistan. Our guest of honor today is on a world mission to acquaint statesmen with the inhuman suffering of these people, some of whom are still in refuge, and others who have fled in search of shelter and food.

The Foreign Minister of India, Sardar Swaran Singh, has spent his entire life in Indian state and national service. A physicist and lawyer by profession, he began his career in the Legislative Assembly of the Province of Punjab prior to Indian independence in 1947. In 1952, he moved to New Delhi, capital of independent India, to join the Indian cabinet under the late Prime Minister Nehru, whom he served as Minister of Work, Housing and Supply, as well as Minister of Commerce and Consumer Industries.

In 1957, he was elected to the Lok Sabha, the lower house of India's National Parliament. Again, he accepted important political assignments, serving in a number of cabinet positions. He became Minister of Foreign Affairs in 1964 and, except for his stint as India's Minister of Defense, resumed this post in June of 1970. He has represented his country at the United Nations Economic and Social Council and led the Indian delegation to the United Nations General Assembly.

Today, he is here to talk about the Pakistani situation and hopefully about the current status of U.S.-Indian relations.

Ladies and gentlemen, His Excellency, the Foreign Minister of India, Sardar Swaran Singh.

(Applause.)

Foreign Minister SARDAR SWARAN SINGH. Mr. President, I value and appreciate the invitation to address the National Press Club. There is a special reason for this. I've come here to seek, together with your leaders, a just, peaceful and enduring solution of the problem which has been reported upon so well and in such detail by your press. So I'm happy to have this opportunity to speak to this distinguished gathering of the representatives of the American press who play such a vital role in shaping public opinion.

The tragedy of East Bengal looms large on the horizon of India today. It looms large on the horizon of Asia. It poses a great threat to peace and progress in our region. The facts of the situation in East Bengal are well known to you all. But I wish to draw your attention to the dangerous potential of this problem for us and for our region. We should also consider the consequences that the world may have to face tomorrow if today, due to a sense of indifference or helplessness, or out of some misplaced feeling of delicacy toward the perpetrators of the tragedy, we permit the situation to drift further.

The concern and anxiety which this situation in East Bengal causes to us in India are not ours alone. They are yours too. The character and the magnitude of the happenings in East Bengal are such that they are bound to have repercussions beyond the

frontier of Pakistan and be a source of concern to the international community. Besides our two countries have a common commitment to democratic principles and values. These same values and principles are being brutally suppressed in East Bengal. The suppression of democratic principles by the army in East Bengal, I would remind you, cannot be defended on the ground that it is an attempt to deal with a secessionist movement.

The elections took place in Pakistan in December last for an assembly to frame a constitution for that country. The Awami League, led by Sheikh Mujibur Rahman, swept the polls on a program demanding greater control over state affairs in East Bengal within the union of Pakistan. The League's Six Point Program was not a manifesto for secession or independence. The demand for independence for Bangla Desh came, it should be remembered, in the wake of the bloodbath which began on March the 25th. The case is, therefore, clearly one of a minority, with gifts of money and arms from abroad, trying to undo, through the use of brute force, the verdict of popular vote.

One of the results of this reign of terror unleashed by the army is that six million people have fled their homes in East Bengal and have sought refuge in India. There is no end yet in sight to this mass exodus. Each day some hundred thousand East Bengalis are driven by the Pakistan Army across the border of East Bengal into our territory. The dimension of this exodus will perhaps be better understood if I say that we are receiving one refugee every second. Every second of day and night both. We offer these refugees such succor and relief as we can afford. In our states bordering on East Bengal the schools of our children have had to be closed down to provide shelter for the refugees. Our health services are stretched thin, and there are shortages of transport and tents, food and medicine, and other resources needed to cope with this grim tragedy.

In the Indian state of Tripura today—this is one of the adjoining states which adjoins Pakistan territory—there is one refugee from East Bengal to every two local inhabitants. West Bengal, already heavily populated, is groaning under the weight of this endless influx. Clearly the humanitarian job of providing food, shelter and medicine must have high priority. The cost of relief will run into hundreds of millions of dollars. We have made a token provision of eighty million dollars in our budget for the current year. But even this token provision represents thirty percent of the additional tax burden which our people will have to bear this year. And while I'm away from India, I read a speech of a finance minister on the plight of the refugees where he has said that this token provision will have at least to be trebled to meet the additional bodies that have already come over to India.

While we are doing the best we can within our resources, the financial burden of looking after the refugees is beyond our resources. We have welcomed such assistance as has been forthcoming from foreign governments, from voluntary organizations and agencies, and from private citizens. Even though these contributions may not be very large, our government and people appreciate the sentiment behind them.

Nevertheless, the task is a very large one, and we in India have our own pressing problems of poverty and unemployment to attend to. We, therefore, hope that the United States, a prosperous country of generous humanitarian instincts, and indeed other countries of the world may before long address themselves more adequately to the problems and needs of relief. But necessary as the relief is, it is a palliative and not a solution to the problem which lies at the root of the situation. It is immediately necessary to stop further influx of refugees from Pakistan, and that will come about only if the military action in East Bengal is ended forthwith. The international community must persuade and pressurize the government of Pakistan to that end.

Equally, conditions must be created for the return to East Bengal of those who were forced out of their homes and had to take shelter in India. The government of Pakistan must be made to accept its proper responsibility for the rehabilitation of these refugees in their home. In the meantime their properties in East Bengal should be preserved and protected under international supervision, pending their return. The return and resettlement of refugees in their homes will obviously take a while, and relief measures will be necessary and camps will have to be set up for the purpose.

It seems to us that temporary relief camps should be set up in East Bengal itself and the refugees now in India should be transferred to those camps. The Pakistan government claims to have set up camps or reception centers in East Bengal. But refugees are not returning there, because they apparently do not trust the Pakistan government's declaration of amnesty or for reason of security.

It is, therefore, necessary to restore their confidence that they will be well treated on return; that they will enjoy safety of person and property and that bona fide measures will be taken to rehabilitate them and protect their rights and interests.

As a measure in that direction, an area in Pakistan may have to be set aside for temporary camps to be administered by the refugees themselves under international supervision. The basic problem is a political one and it calls for a political solution. Without such a solution, the atmosphere of confidence and security, which is necessary for the return of refugees, will not be generated. There are two essential prerequisites. First, the necessary political solution must be found urgently. And, secondly, the solutions, to be effective and enduring, must be in accord with the wishes of the people of East Bengal, which means what is desired by their elected representatives.

Any effort to set up a regime in East Bengal which is not truly representative will only prolong the agony and harden attitudes, and pose hazards to peace of the entire region.

We feel great concern for the personal safety and well-being of Sheikh Mujibur Rahman. He's a leader of very high stature and rare human qualities who commends the affections of the entire people of East Bengal. We hope that the international community will spare no effort to persuade the rulers of Pakistan to release Sheikh Mujibur and to join with him in search of a political solution acceptable to the people of East Bengal. He symbolizes the ideas, aspirations and hopes of seventy-five million people, which are expressed as late as December last. These will not be extinguished by his incarceration.

We will ask the international community as a whole and countries friendly to Pakistan, in particular, to bring their influence to bear on the Pakistan government for a political solution on these lines. Our views with regard to the grant of military aid to Pakistan are well known. A situation has now arisen in which even the grant of economic aid to that country in present circumstances is bound to be used for the suppression of the majority of Pakistan's people. It is, therefore, not out of any ill will for the people of Pakistan, but in the desire that the agony of strife in Pakistan shall end as quickly as possible, that we urge that all countries should suspend all military and economic assistance to Pakistan till a political solution acceptable to the people of East Bengal is found.

I hope that the people of this country will understand and appreciate our grave anxiety over the situation in East Bengal.

We in India have been at the receiving end of the results of the reign of terror and killing that has gone on in East Bengal since the 25th of March. The point has now been reached where the actions of Pakistan's military government threaten to disrupt the economic, social and political fabric of our society and of our state. These actions threaten to engulf our region in a conflict the end of which it is not easy to predict.

We have acted with patience, forbearance and restraint. But we cannot sit idly by if our political stability and economic well-being is threatened.

In the twenty-three years since our independence we have struggled to give economic and social meaning to our political democracy. We have not succeeded in eliminating poverty and hunger and disease from our land. But the lives of our people are a little better than they were two and a half decades ago. We have doubled our food production; we have vastly expanded the availability of education, medical care and the opportunities of work to our people. The rate of annual increase in our exports touched the high of seven percent last year, and our growth rate has moved up to five percent per annum. The United States has helped us in our endeavor, and I'm sure you share our pride in these achievements.

After our general elections in February which gave our Prime Minister, Indira Gandhi, and our party, the Indian National Congress, a massive verdict of popular support for our program, we were getting ready for a powerful assult on our economic and social problems. And then came this crisis of Pakistan's making which threatens to wipe out our gains and destroy the prospect of peace and progress for our children.

To any responsible government, this would be an intolerable situation. Hence our anxiety that a political solution should be forced in East Bengal, which is acceptable to the Bengali people and their elected representatives, so that peace may return to that troubled land and the refugees who have come to our country should go back to their homes. We face a grave situation. But we continue to have faith and hope that concerted and determined action of the world community will help find a satisfactory solution and lift this threat to India's stability and to the peace of the region. It was in that spirit that I undertook this tour which has brought me to Washington. I have found here understanding of our apprehension and sympathy with our objectives.

Thank you, Mr. President. (Applause.)

LOUVIERE. Thank you, Your Excellency.

Congressman Gallagher, I'm glad that you could be with us. Would you stand, please. (Applause.)

Your Excellency—Your Excellency, you stated last night that you're going to take care of six million refugees for six months. What happens if Pakistan refuses to take back these refugees?

FOREIGN MINISTER. Each question is separately answered?

LOUVIERE. Yes.

FOREIGN MINISTER. The question is important. What happens if there are additions to six million? That is the precise reason that we are doubly anxious about this issue. And our first demand is that whatever else happens or does not happen, this further movement of refugees must stop. And in this respect, even a change in the political situation is not absolutely necessary to put a stop to the movement of refugees. If those who happen to be now in charge of the administrative and military apparatus which can systematically push out people, if they start applying that machine and that apparatus in the reverse direction and produce conditions of confidence, at any rate cease to put pressure on these various sections of the East Bengal community, this will result in stopping of movement. And the conditions

which are already so grave will become even more grave if this does not happen and this movement does not stop.

And I hinted in a portion of my speech that if this thing continues we will not be able to watch helplessly this addition to our troubles and this increasing threat to our security and stability of not only our territory, but of the entire region.

QUESTION. Mr. Minister, why do you refer to East Pakistan as East Bengal? Does this indicate eventual unification of West and East Bengal?

FOREIGN MINISTER. I call it East Bengal because originally it was East Bengal. Bengal was divided into two parts, the East and West. And this also to a certain extent we use in order to satisfy the ideas of the people in East Bengal who, seventy-five million of them, are engaged in the mighty task of ending the military domination and suppression of the Pakistan Army, which is predominately West Pakistani in its content and contitution.

The use of this expression does not mean that there is any risk of West Bengal, which is a state of Indian union, at any time thinking of joining East Bengal, even if it becomes independent. They know the value of being equal partners in the great country of ours, India, where they have played a significant role in the political field, in the social and economic field. And thus I do not realize that there is ever any risk of people of West Bengal, a constituent state of India, ever thinking of opting out of India, whatever is the future of East Pakistan, whether it succeeds in attaining the type of autonomy which is contained in the six point program of the Awami, or whether it emerges in course of time as an independent state, mostly on account of the continued oppression by military means of the wishes and aspirations of the people of East Bengal.

QUESTION. President Nixon has not so far publicly condemned genocide in East Bengal. Did he condemn it in your private talks with him?

FOREIGN MINISTER. I am sure this sophisticated audience will not like me to speak on behalf of President Nixon. You have, perhaps, better means of knowing what is in the mind of President Nixon. And it's farthest from me that I should comment upon what he should or should not do. It's my duty to put across my viewpoint as precisely, but as forcefully, as possible to you as I have to President Nixon and other important leaders of your government. And it's for them to take up attitudes, public or private. And I would not like to have any quarrel with them on that score.

QUESTION. Your Excellency, what pressures, beside diplomatic protest, if any, could the United States bring to bear on the West Pakistani government to force them toward humanitarian treatment of the Bengalis?

FOREIGN MINISTER. I have no doubt in my mind that without even making a diplomatic protest—the expression used in the question—if the disapproval of the government and people of the United States is expressed in a forthright manner, that will have a powerful impact upon the military rulers, even upon the people in West Pakistan, who, on account of rigorous imposition of various types of controls on the press, are unaware of what is happening in East Pakistan. And a forthright and clear expression of disapproval will go a long way in not only applying the necessary solace, giving comfort to the sufferers, but will be a strong deterrent against the continued military action by the perpetrators of these heinous crimes against democracy and against liberal traditions.

QUESTION. By saying India "will not sit idly by" if the refugee flow continues, do you mean India will declare war on Pakistan?

FOREIGN MINISTER. There are other ways of enforcing our wish than declaring war. And I hope we will not be compelled to resort to those other means, which perhaps you cannot expect me to spell out at this stage.

At the present moment, we are engaged in the tasks of mobilizing public opinion, both governmental as well as private, to focus their attention on the basic issues, the moral issues involved. And I have no doubt that by paying a very small price at this stage of expressing this assessment in a clear manner, and also applying such levers as there may be—some of it I've entered—the situation can be retrieved. And it is our earnest hope and it is our fond hope, at any rate, that this situation can be corrected only if the international community, both at the official and nonofficial level, wakes up to their responsibility and do not by their silence connive or acquiesce in the continued military action which will surely lead to much graver and much more disastrous results.

QUESTION. Mr. Minister, why do you think that the foreign offices in the Western nations have had so little to say about the massacre in East Pakistan?

FOREIGN MINISTER. I wish I could speak on their behalf. But the hard reality is that they are reticent. And the day has come when this conscience should be stirred. And they should speak out really and should view the situation in view of the gravity of the situation in its proper perspective and try to tackle the roots rather than touch the periphery.

QUESTION. Should Hindu refugees also be asked to return to East Bengal? And what do you think about a united Bengal, independent of India and Pakistan?

FOREIGN MINISTER. My reply to the first question is that no one will return merely because he's asked to return, be he a Hindu refugee, a Muslim refugee. And I would like to add to your information that there are, besides these two communities, Christian refugees and Buddhist refugees also. They have been quite impartial in their acts of oppression against various communities.

And the refugees will not return simply because they are being asked to return. They will return only if the crisis of confidence which has overtaken the people there—this crisis of confidence is ended and in its place an atmosphere and a situation of confidence and hope is regenerated. This can come about not by asking an individual to go or not to go, but by induction in East Pakistan—an administrative setup which represents the ideals and aspirations of the people, so unmistakably demonstrated at the time of the last election, giving a hundred sixty-seven seats out of a hundred sixty-nine to the Awami League; I think a record of success, by any standard in the world, in any part of the world.

So it is really the establishment, the reestablishment of an administration there which inspires the confidence of the people that the return of the refugees will be facilitated.

With regard to the second question, I have already touched upon it. I do not realize that in West Bengal, of our valiant members of the great Indian community, who with their rich historical and cultural heritage have played such a significant role in the reconstruction and development of the country, and who have taken such prominent part in the mainstream of public life in India, after seeing what has happened to people in East Bengal, would ever dream of, or think of, opting out of the Indian territory, and would ever dream of taking a step which, to us, appears to be borne out of a complete misunderstanding and misjudgment of the situation.

QUESTION. Your Excellency, would you please comment on a radio network report that your government is preventing or hindering press coverage of American airlifts of Pakistani refugees while allowing coverage of similar Soviet airlifts?

FOREIGN MINISTER. We are completely nonaligned within these two superpowers. And I would like to dispel any such feeling in any quarter that we are discriminating in the matter of coverage of C–130 planes as compared to AM–12 or AM–14 planes. We—I have myself seen a full and complete report of the sorties undertaken by the American planes. And I'm sure that in India, which has traditions of a free press which most of the time is not too charitable to us—even they've never complained that there has been any discrimination on this call.

QUESTION. Do you feel confident that the government of Pakistan would equitably distribute relief supplies given to it on a bilateral basis?

FOREIGN MINISTER. I have my grave doubts about their capacity to dole out even the least in an impartial manner. And I have grave doubts if it will reach the real needy individuals. And this concern of mine is broadly shared by the international community, by the U.N. circles. And it's for this reason that they have been insisting on supervision by the international community, U.N. organization, of the distributive arrangements—distribution arrangements with regard to such relief that might be made available to the government of Pakistan.

There is no substitute for experience. And by now it is well known that even the relief that was given to the Pakistani government for the relief of the sufferers of a cyclone some months back—a good part of it has remained unutilized. And I can say on good authority that the boats for relief work, which were given at that time to Pakistan authorities, came in very handy for the Pakistan military authorities when they were dealing with the freedom fighters.

QUESTION. Mr. Minister, do you think it at all possible that the two sections of Pakistan can be continued under one government?

FOREIGN MINISTER. I would not like to comment upon the future course of events. I would like to clarify our stand with regard to this issue; that we consider, and we have taken the stand, that this is a matter between whatever may be the central authority of Pakistan and the people of East Bengal. It's for the people of East Bengal to work out their future. And so far as we are concerned, we'll be perfectly satisfied if the elected representatives who represent the wish of the people—almost unanimously the wish of the people—if they work out any arrangement. It's for them to take a view of the future course of events. And the quantum of autonomy or the nature of the relationship, whether it's independent or semi-independent, autonomous or whatever, is their future—it's for those people to decide. And we have not taken any fixed stand with regard to this issue.

QUESTION. In response to any earlier question as to whether India might act to absorb East Bengal, you said that West Bengal would not want to quit India to form a new state of both Bengals. Can you answer the original question, please?

FOREIGN MINISTER. Can you repeat, Mr. President?

QUESTION. Apparently someone was not content with the earlier question as to whether India might act to absorb East Bengal and would probably want you to comment further, if you will.

FOREIGN MINISTER. I think East Bengal freedom fighters, who are so keen to gain their own independence—I do not think that they will readily like again to become nonindependent by becoming a part of India. This does not appear to be consistent with the ideas of freedom which today are swaying in such a powerful manner the people—almost unanimously the people in East Bengal.

QUESTION. Your Excellency, how much, in a specific figure, does India believe it needs in international humanitarian aid for the remainder of the year?

FOREIGN MINISTER. In this connection, I

would like to state one or two points. One, our view has always been, and continues to be, that, in the first place, the care of the East Pakistani citizens who happen now to be temporarily in India—the entire responsibility is clearly that of the government of Pakistan.

In the second place, it is the responsibility of the international community. And India will be prepared to contribute their share, even more than their pro rata share, in discharging this international obligation towards the victim of oppression.

And if that is given to look after these refugees, we never regard it as aid to India. It might be aid to Pakistan, because, to that extent, partially it reduces the direct responsibility of the government of Pakistan to look after these refugees.

Now in the quantum thereof, we know that the amounts that have been indicated so far will meet only a small fraction of the entire expenditure that may have to be incurred in looking after the refugees. But the most important thing to be kept in mind is that the social, economic tensions that have been generated in our area, the element of instability and the long-range risk of this instability continuing are factors which cannot be determined in terms of money. And it is this aspect which has to be kept in mind.

And it is for this reason that we have always stressed and highlighted the importance of a necessary political corrective to be applied. Because there's no use dealing with a symptom if you don't deal with the root cause.

We are conscious of the fact that even the most generous response of the international community is likely to reach only a small fraction of the total burden that we will have to carry, even in terms of money. But we still value it, because it's the thought behind it rather than the actual quantum thereof.

QUESTION. What is your assessment of the effect of Chinese support of the government of Pakistan's action in East Pakistan on China's credibility and influence in the Third World?

FOREIGN MINISTER. Surely any support that Pakistan military rulers might get from any quarter, which gives a pat on their back when they're engaged in this task of suppressing by military means an unarmed and innocent people, this will encourage them in their intransigeance. And to that extent, this support from the government of the People's Republic of China is something which encourages them to continue upon their path of repression; and to that extent is definitely a negative factor in the entire situation.

QUESTION. Mr. Minister, what is the cholera situation among refugees and others?

FOREIGN MINISTER. There were cases of cholera. And I think that, by and large, the action taken so far has resulted in halting the spread of cholera. And in our vast country where we deal with such vasts numbers, the steps that our health organizations have taken in controlling cholera have, by and large, been successful. And we would not like the international community to feel too much concern about the spread of cholera. We have sometimes an uneasy suspicion that highlighting cholera may have been hit upon as one of the methods of diverting attention from the core of the problem. And we would like you to concentrate on the core of the problem rather than be too much obsessed by this risk of an epidemic spreading.

QUESTION. Has Communist China issued any warning to India with regard to any future conflict between India and Pakistan?

FOREIGN MINISTER. For once I want to reply with one word, and that is, no.

QUESTION. What if any economic expenditures will India cut back to finance refugee relief?

FOREIGN MINISTER. I think it's quite obvious that the entire expenditure on refugees will be nonproductive. And it will definitely cut into our expenditure which had been earmarked for developmental purposes. And it is from that point of view the impact of this upon our advance on the economic front which is the source of concern.

QUESTION. Mr. Minister, how can Indo-American relations be improved at this point?

FOREIGN MINISTER. It's difficult to answer that. But one method is that if all of you support me in this, they will be very greatly improved. (Laughter.)

QUESTION. A questioner wants to know, candidly, what percentage of your people go to bed hungry every night? Is your country making maximum use of fishmeal to provide needed protein in the diet of your people? And do you view the population explosion as the leading problem facing the world community of nations today? And on the same subject, what can you tell us about the progress of birth control in India?

FOREIGN MINISTER. Several question rolled into one. And perhaps a full-dress debate on our economic planning and development will be initiated or triggered off if I deal with these matters in any great detail.

But I'll try to answer as briefly as I can. And the first question is as to how many people sleep without a meal. My reply is none, because our food production last year crossed a hundred million ton mark. And I think in cereal our position is fairly comfortable. And we have drastically reduced our food imports. We are importing some small quantities, more to build up a reserve than for current consumption.

The second question is about utilization of fishmeal, or what is it?

QUESTION. Yes, sir. Is your country making maximum use of fishmeal to provide needed protein in the diet of your people?

FOREIGN MINISTER. Well, we haven't got enough of fish, and we want to catch more. And we are prepared to go even to troubled waters for that. (Laughter.)

And we have no inhibitions in consuming fish. And if you have served it and you have watched the Indians handling their fork in in relation to fish, you probably would have got the answer for this.

And what is next . . . ?

QUESTION. Do you view the population explosion as the leading problem facing the world community of nations today?

FOREIGN MINISTER. I agree. And it is for this reason that we also urge in all international forums that just as peace is indivisible, it should be increasingly realized that poverty also is indivisible. And, therefore, a great burden lies on the affluent society to watch this situation very carefully and to willingly contribute their share in ameliorating the lot of the people. So that an increasing number of bodies in comparatively poor countries surely will create a problem for those countries. But the other part of the countries who are having all the good things of life and abundance will not remain unaffected by this increasing difference between the levels of living of people.

And we on our side are fully convinced of taking effective steps for controlling the population. And I would like to share this thought with you, that there is no resistance to this. It depends on the methods and the wherewithal that will enable us to push ahead in a more effective manner our population control program.

QUESTION. Your Excellency, you have been talking of political problems. The U.S. government has been talking of relief and money and aid. Is this a dialogue of the deaf?

FOREIGN MINISTER. If it were a dialogue of the deaf, then probably nothing will be heard. And it requires two deaf people to block a dialogue. And I do not think that the two attitudes are inconsistent. And the United States government has been mentioning the relief measures that they have taken. We welcome them.

We have also pointed out to them the necessity of dealing with the root problem and not touching only the symptom. And I will not be reporting faithfully if I were to say that all this fell on deaf ears.

CHAIR. Your Excellency, before asking the final question, I would like to present you with a certificate of appreciation to commemorate your visit with us today.

FOREIGN MINISTER. Thank you very much. (Applause.)

CHAIR. As well as the official necktie of the National Press Club, which I'm afraid you'll have to wear with Western dress. (Laughter and applause.)

FOREIGN MINISTER. Thank you very much.

QUESTION. The final question, sir, is it true that you once presented Ambassador Ken Keating with an alarm clock? (Laughter.)

An alarm clock.

FOREIGN MINISTER. An alarm clock? (Laughter.)

CHAIR. I don't know the significance.

FOREIGN MINISTER. This is a very pleasant subject that has been raised. First of all, I would like to thank you, Mr. President, for your thoughtfulness in screening the questions and trying to 'club' them in as presentable and palatable form as possible. And I greatly appreciate your thoughtfulness and your consideration.

In the second place, I greatly value these souvenirs which have been presented to me. And they will be a constant reminder of a very pleasant function in which I had a dialogue and I could see the free press in action. And I was missing this for some time because I've been away from my Parliament and my press for now over ten days. And this perhaps was very hospitable to what is awaiting me when I return to my own country. And these will be very valuable reminders of the very excellent opportunity that I had to put across my viewpoints and the viewpoints of my country.

And the last question is about presentation of an alarm clock to Ambassador Keating. I would like to say that Mr. Ambassador Senator Keating is one of the most loved and respected ambassadors in our diplomatic corps. And I would like to . . . (Applause.)

I would like to acknowledge that he has been doing excellent work for improving relations between our two countries, strengthening them, and trying to consolidate the areas in which there has been fruitful collaboration and cooperation between our two countries. And I would like to assure you that as people we are reasonably courteous and we do not embarrass any person by presenting such ridiculous items as alarm clocks. (Laughter.)

And Mr. Keating is so alert that he doesn't require the chime of a clock to awaken him. He seldom sleeps on important issues. And, therefore, he need not be subjected to the agony of the ticking or the chime of the clock to wake him up. Because on all important issues he's awake all the time. (Applause.)

And maybe perhaps I'll purchase some sleeping pills for him from here. But I would like to say that Mr. Keating is coming up to the highest traditions of American life. And it's my pleasure to say that he's doing very excellent work. But still there is room for frivolity in framing this question or putting out a news item of that type.

Thank you very much. (Extended applause.)

[From the Washington Post, June 18, 1971]

PEACE IN PAKISTAN CALLED FIRST TASK

(By Marilyn Berger)

Indian Foreign Minister Swaran Singh said yesterday that he had found "near unanimous agreement" in world capitals that the

Pakistani government must negotiate a political accommodation with East Pakistan and end the fighting that has driven millions of refugees into India.

In an interview at the Indian ambassador's residence here, Singh, who held talks in Moscow, Bonn, Paris, Ottawa and New York before coming to Washington, conceded that governments are "reluctant" to say, what measures they are prepared to take.

But he said he believed that diplomatic representations, combined with public sentiment, would "in itself have a powerful effect on the Pakistani military regime and is bound to make them consider seriously the futility of continued action."

State Department spokesman Charles W. Bray, meanwhile, discussing Singh's Wednesday meeting with Secretary of State William P. Rogers, said that in the talks it was recognized that ending the flow of refugees into India "would be greatly facilitated by the restoration of peaceful conditions in East Pakistan and a political accommodation." He said the department welcomed India's "restraint" in the situation.

Singh, in an appearance before the National Press Club yesterday, also refrained from outlining any specific formula for a political accommodation.

The burden of Singh's remarks, both in the interview and at the press club, was that aid to feed and clothe the refugees was only a palliative; what is needed is international pressure on Pakistan to stop seeking a military solution in East Pakistan.

Singh also called on all countries to cut off military and economic aid to Pakistan. "In our view," he said in the interview, "any aid, economic or military, given to Pakistan at the present juncture would only prolong the agony of innocent people and would amount to condoning the acts of repression and would make the military rulers even more intransigent."

The State Department said no deliveries of military equipment had been made to Pakistan since March 25, when the fighting began.

[From the New York Times, June 19, 1971]

INDIAN ASKS WORLD PRESSURE ON PAKISTAN

(By Tad Szulc)

WASHINGTON, June 18.—Foreign Minister Swaran Singh of India said here today that the international community must "utilize its leverage to compel Pakistan to work out a political solution" for the crisis in East Pakistan and abandon "the military method."

He met with President Nixon and Secretary of State William P. Rogers here this week after having carried India's diplomatic campaign on the Pakistani question to Moscow, Bonn, Paris and Ottawa.

Before leaving for London, he said in an interview that any form of military aid to Pakistan would only strengthen its military rulers in attempts to "subvert democracy" and "undo the results of the elections" last December. This was a reference to the election of a constitutional assembly, in which the Awami League of East Pakistan won a commanding majority.

Also today, authoritative sources here reported that a survey team of the International Bank for Reconstruction and Development, or World Bank, and the International Monetary Fund had counseled in a preliminary secret recommendation that the International Consortium studying Pakistan's economic needs refrain from providing assistance to the regime of President Agha Mohammad Yahya Khan.

CONSORTIUM TO MEET

The survey team, now in Islamabad, Pakistan's capital, is scheduled to present its full report to the 11-nation consortium, which includes the United States, at a meeting in Paris next Monday.

It was understood that the mission, headed by Peter Cargill, a Briton, had urged that the consortium's aid to Pakistan, running about $500-million a year, be stopped until President Yahya Khan had found the "political solution" for East Pakistan.

The United States, which so far has taken the view that economic aid should not be reduced for political reasons, provides $200-million of the annual package.

The Nixon Administration, however, has also pressed Pakistan to solve the East Pakistani crisis politically through the granting of autonomy to the region and the restoration to power of the Awami League.

The Indian Foreign Minister's visit was made as concern continued to mount here that the flow of East Pakistani refugees to India might result in military clashes between India and Pakistan. The number of refugees now in India was put at six million by Mr. Singh. He said that they continued to enter at the rate of 100,000 daily.

PRESSURES CITED

United States officials said that Mr. Singh had indicated in his talks here that the point may already have been reached where the Indian State of West Bengal could no longer withstand the political, economic and social pressures created by the refugees.

In the interview, Mr. Singh insisted that relief to refugees was only a palliative" and that "the root cause has to be tackled."

He said that the first essential step was the creation of conditions in East Pakistan that would allow the flow of refugees to be halted.

On behalf of the Indian Government, Mr. Singh said, he had urged the international community to come up with "a clear expression of disapproval of the military repression by the rulers of Pakistan."

He said that the community should also insist publicly on the implementation by Pakistan of measures conducive to the refugees' return. Finally, he said, all forms of aid should be refused.

"My thesis is that to give aid to the Pakistani military rulers before they apply correctives [in East Pakistan] is interference in Pakistan's domestic affairs," he said. "It is giving aid to a minority, a dictatorial regime."

Pakistan, he said, had not created proper conditions for the refugees' repatriation because of the "continued military action" against the East Pakistanis. He added that according to information reaching the Indian Government, Pakistan proposed to place in power "elements opposed to the Awami League."

ARMS TO PAKISTAN REVEALED

Mr. CHURCH. Mr. President, in the New York Times this morning, there is a disturbing report that U.S. military equipment is being shipped to Pakistan in violation of the administration's officially proclaimed ban on such shipments.

I have seen the bills of lading and Air Force delivery listings covering these shipments, and I can personally affirm the accuracy of the Times article.

I have today called upon the President of the United States to direct appropriate U.S. agencies and officials to take prompt action to halt this shipment of military items which still remain within our reach by intercepting and removing them. The Pakistani ship Padma left New York harbor this afternoon and is due, I am informed, to dock in Montreal tomorrow.

If the Coast Guard is unable to intercept the Padma in American waters, then we should solicit the cooperation of the Canadian Government in recovering these forbidden shipments.

The seriousness of the disclosures by Mr. Tad Szulc of the New York Times cannot be overemphasized. These shipments of arms to the Government of Pakistan are in direct violation of U.S. policy, as declared and defined by the Nixon administration.

In a letter to the chairman of the Senate Foreign Relations Committee on April 23, 1971, the Department of State explicitly stated that—

we have been informed by the Department of Defense that no military items have been provided to the Government of Pakistan or its agents since the outbreak of fighting in East Pakistan on March 25 and nothing is now scheduled for such delivery.

Mr. Szulc's revelation contradicts the State Department's official statement of American policy, raising new questions about the credibility of this administration.

At this point, Mr. President, I ask unanimous consent that the following documents be printed in the RECORD:

First. Mr. Szulc's article from the New York Times.

Second. A bill of lading from the National Shipping Corp. of Karachi, sent to the Embassy in Pakistan, dated April 8, 1971, covering shipment of military goods aboard the Pakistani ships Sunderbans, which sailed from New York on May 8.

Third. A similar bill of lading, from the same corporation, covering shipment of additional military items on the Sunderbans, dated April 16.

Fourth. A copy of the deck receipt, from East-West Shipping Agencies, Inc., to the Defense Procurement Division of the Embassy of Pakistan, dated May 21, listing military items received for shipment to Pakistan, apparently on the Padma.

Fifth. A copy of a letter I today sent to President Nixon, requesting that he take necessary steps to enforce his declared policy.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 22, 1971]

U.S. MILITARY GOODS SENT TO PAKISTAN DESPITE BAN

(By Tad Szulc)

WASHINGTON, June 21.—A freighter flying the flag of Pakistan was preparing today to sail from New York for Karachi with a cargo of United States military equipment for Pakistan, apparently in violation of the Administration's officially proclaimed ban on such shipments.

Senior State Department officials, in response to inquiries, acknowledged that at least one other ship was now on the way from the United States to Pakistan carrying what they described as "foreign military sales" items.

These items, they indicated, came from excess Defense Department stocks and apparently were shipped as a result of confusion within the Administration as to how the three-month-old ban on shipments of military equipment to Pakistan should be applied.

"There has evidently been some kind of slippage here," an official said.

TO KARACHI IN AUGUST

The Padma, the ship that was preparing to sail from New York, is scheduled to arrive in Karachi in mid-August with a cargo that is said to include eight aircraft, parachutes and hundreds of thousands of pounds of spare parts and accessories for planes and military vehicles.

The Sunderbans, another ship of Pakistani registry, sailed from New York on May 8 with other items of military equipment for Pakistan, including parts for armored personnel carriers, according to the ship's manifesto and the accompanying State Department export license. She is due to arrive in Karachi Wednesday.

All this equipment has been sold to Pakistan by the United States Air Force under provisions of the Foreign Military Sales Act.

After troops of the Pakistani Army, mainly West Pakistanis, were ordered to crush the self-rule movements in East Pakistan last March 25, the State Department announced that all sales of military equipment to Pakistan had been suspended and that the program, initiated in 1967, had been placed "under review."

Today, State Department officials, responding to queries about the sailings of the Padma and the Sunderbans, said that it remained the official policy of the Administration that sales of all types of military equipment to Pakistan were prohibited under the ban imposed shortly after the severe repression of the East Pakistani independence movement began early in the spring. The State Department estimates that at least 200,000 East Pakistanis have died in the subsequent fighting and that about six million refugees have fled to India.

Senior State Department officials said in interviews today that they were not aware of shipments of military equipment to Pakistan after March 25.

They acknowledged that such shipments would constitute a violation of the proclaimed policy.

The State Department officials said they had been informed by the Defense Department that no military equipment under the foreign sales program had been delivered "to the Government of Pakistan or agents of the Government of Pakistan" since March 25.

NO EXPLANATION OFFERED

They said the Defense Department "reaffirmed" this policy today in discussions with the State Department. They could not explain how this Pentagon statement could be reconciled with the fact that, according to the bills of lading submitted to the Pakistani Embassy here, the equipment to be loaded on the Sunderbans was received at the dock in New York on April 23 and the equipment for the Padma on May 21.

A communication from the shippers to Lieut. Col. M. Amram Raja at the defense procurement division of the Pakistani Embassy covering the dock receipts for the two ships was sent on May 21.

The Defense Department, asked about the shipments last Saturday and again today, referred all inquiries to the State Department. Officials appeared to be at a loss for an explanation of the shipments.

State Department sources quoted the Defense Department as saying that no sales or deliveries to Pakistan had been authorized since March 25 and that the equipment aboard the two freighters had been purchased prior to the official prohibition.

INQUIRY BY SENATOR CHURCH

But they offered no comment as to why the dockside deliveries and actual shipments had been made after March 25.

The State Department has not yet replied to a letter sent on June 17, by Senator Frank Church, Democrat of Idaho, to Secretary of State William P. Rogers requesting information about "certain items of military equipment" being shipped to Pakistan under State Department licenses.

Senator Church, who is a member of the Senate Foreign Relations Committee, advised Mr. Rogers that he understood that the State Department had issued License No. 19242 for some of this equipment.

A check of the bills of lading of the cargo aboard the Sunderbans showed that this license covered an item described as "28 skids, parts," weighing 11,895 pounds. No further description of these items was available.

But another license issued by the State Department for the Sunderban's cargo specified "parts and accessories for military vehicles." The Sunderbans carries a total of 21 items, according to the dockside delivery listings, identified on these documents only as cases and cartons of "auto parts and accessories," "skids and parts," "boxes" and "parts."

PLANES AND PARACHUTES LISTED

The dockside delivery listings for the Padma include two entries of "four aircraft" each, 113 parachutes and parts, and auto parts, accessories, skids and "wooden boxes."

An item described as "crates, bundles and parts" is listed as weighing 14,133 pounds.

The program of military sales to Pakistan, begun in 1967, had been running at nearly $10-million a year, according to Robert J. McCloskey, the State Department spokesman. The United States agreed in that year to sell "nonlethal" equipment to both Pakistan and India, lifting in part the embargo placed on military deliveries after the 1965 Indian-Pakistani war.

In October, 1970, the Administration agreed, as an "exception," to sell Pakistan an undisclosed number of F–104 fighter planes, B–57 bombers, and armored personnel carriers. However, the State Department said today that none of this "exception" equipment had been delivered.

But authoritative sources here, who cannot be identified, said that the flow of military equipment to Pakistan from Air Force sales alone had reached $47,944,781 between 1967 and April 30, 1970.

A communication sent on May 28 to the defense procurement division of the Pakistani Embassy by the headquarters of the Air Force accounting and finance center in Denver enclosed a "status report . . . listing all your open foreign military sales cases, showing case value, amounts collected, delivered and undelivered."

The letter—signed by Elaine B. Loventhal, chief foreign military sales branch comptroller at the Denver headquarters—was headed: "USAF statement of military sales transactions and detail delivery listings."

The "status report" noted that previous charges on Pakistani military purchases were $25,679,654.10, that undelivered items totaled $21,730,740.07 and that "cash received to date" was $24,342,782.37.

State Department officials were unable to say precisely what period this report covered.

The Air Force report said, however, that the Pakistani Government had to remit "on or before 31 May, 1971" the sum of $3,376,-253.51 for further "total cash requirements."

A notation on the report showed that a check from Pakistan for $404,116.49 had been received "in May, 1971."

Authoritative sources here said that "in all likelihood" additional sales to Pakistan might have been made by the Army and the Navy.

Spokesmen for the East West Shipping Agency, the New York agents for the Padma and the Sunderbans, indicated that the Padma had carried military equipment to Pakistan on a number of recent voyages, most recently delivering it in Karachi on March 22, three days before the troop action in East Pakistan.

The voyage for which the Padma is now preparing is her first to Karachi carrying military equipment since the ban was imposed after March 25. The current trip by the Sunderbans is also her first with such equipment since the ban. But authoritative sources said that other ships with military equipment for Pakistan might have sailed since March 25 from East and West Coast ports.

BILL OF LADING

Forwarding agent—shipper's references: Ref Exp: 63942MVF Inter-Maritime Forwarding Co., Inc., 30 Church St., N.Y.

Shipper: Embassy of Pakistan (Defence Procurement Div.), Washington, D.C.

Consigned to order of: C/O Embarkation Headquarters, Karachi, Pakistan.

Address arrival notice to: Commandant Officer, Central MT Stores Depot Golra, C/O Embarkation Headquarters, Karachi, Pakistan.

Also notify: None.

Vessel: S.S. Sunderbans (National Shipping Corp.).

Pier: No. 36 East River.

Port of loading: New York, N.Y.

Mark and numbers: EXP:63942; BAC–1/19, BAF–1/8, BAD–1.

Number of packages: 28.

Description of packages and goods: Skids, parts and accessories for military vehicles (claw screw cam control).

Gross weight in pounds: 11,895.

Dated at New York: 4/8/71.

BILL OF LADING

Forwarding agent—shipper's references: REF EXP: 53950MVP, Inter-Maritime Forwarding Co., Inc., 30 Church St., N.Y.

Shipper: Embassy of Pakistan (Defence Procurement Division), Washington, D.C.

Consigned to order of: C/O Embarkation Headquarters, Karachi, Pakistan.

Address arrival notice to: Commandant Officer, Central MT Stores Depot Golra, C/O Embarkation Headquarters, Karachi, Pakistan.

Also notify: None.

Vessel: SS. Sunderbans (National Shipping Corp.).

Pier: No. 36 East River.

Port of loading: New York.

Marks and numbers: EXP: 63950, BAG–1/9, UNI–1/13, BAD–1.

Number of packages: 23.

Description of packages and goods: Pieces (22 skids, lctn.), parts and accessories for military vehicles (shaft, screw, mount knob).

Gross weight in pounds: 18,171.

Dated at New York: 4/16/71.

EAST WEST SHIPPING AGENCIES, INC.,
New York, N.Y.

EMBASSY OF PAKISTAN,
Washington, D.C.

Attention: Lt. Col. M. Akram Raja, Attache (D.P.) *Defense Pres. Division*

DEAR SIR: We are pleased to forward copies of dock receipts together with a list covering that merchandise received for the past week, May 21, 1971.

Trusting you find the above in order, we remain,

Very truly yours,

EAST WEST SHIPPING AGENCIES, INC.

UNITED STATES SENATE,
Washington, D.C., June 22, 1971.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It has come to my attention that the Pakistan ship *Padma*, that left New York harbor this afternoon bound for Montreal, is carrying a load of United States supplied arms, weapons, and related spare parts which is in violation of our officially proclaimed policy banning all arms and weapons to the Government of Pakistan at this time.

I take the utmost objection at the failure of the United States to prevent these arms from being loaded on the *Padma*. Certainly we should be able to enforce the publicly declared policy of the government.

It is reported that the *Padma* will dock in Montreal before proceeding further. If the Coast Guard is unable to intercept the ship in American waters, then I urge you to solicit the cooperation of the Canadian Government in recovering these forbidden shipments.

I hope you will take prompt and necessary measures to see that American arms are removed from the *Padma*.

Very truly yours,

FRANK CHURCH.

[From the Baltimore Sun, June 23, 1971]

U.S. SAYS PAKISTAN CARGO DOES NOT VIOLATE EMBARGO

WASHINGTON, June 22—Two shiploads of military equipment are being sent to Pakistan, but this is not a violation of a United States arms embargo on Pakistan, the State Department said today.

The weaponry was purchased before the ban went into effect March 25, the department said.

Charles Bray, the State Department spokesman, said the two freighters contained military equipment, mostly spare parts and accessories for planes and vehicles.

TURNED OVER BEFORE EMBARGO

They were formally turned over to the government of Pakistan before an embargo was placed on military sales following the civil strife that accompanied independence demands in East Pakistan.

In announcing the arms embargo, the State Department said that all sales of military equipment to Pakistan was being suspended and that the arms aid program, begun in 1967, was being put under review.

SHIP SAILED MAY 8

One shipload of supplies sailed from New York May 8 and was due in Karachi tomorrow. The second ship was scheduled to sail from New York today with an estimated arrival in Karachi in mid-August.

Mr. Bray added that the arms sales were made under a long-term understanding that they be used for defense purposes. If they were used to put down the East Pakistani independence movement it would be of considerable concern to the United States, he said.

INDIA CITES U.S. PLEDGE

NEW DELHI, June 22—The Indian external affairs minister, Swaran Singh, said here tonight that the United States had given clear assurance to India that it would not supply military equipment of any kind to Pakistan.

At a press conference on his return from a tour of six world capitals, he said he felt that none of the countries he visited was likely to send aid to the military regime in Pakistan. His tour included stops at Moscow, Bonn, Paris, Ottawa, Washington and London.

Specifically answering questions about reports that two Pakistani ships, carrying surplus stores sold by the U.S. Air Force, were now bound for Karachi, Mr. Singh said that if the news item is correct, it is a "clear departure" from assurances given to India.

SEEKS HALT TO "REPRESSION"

Mr. Singh expressed "every hope" that the governments concerned will use their leverage and influence on Pakistan's rulers to stop the "military repressions" in East Pakistan.

Mr. Singh also appealed to these governments to help stop the flow of refugees into India—now estimated at about 6 million. He said the refugees were not only creating financial and organizational problems but were also causing social and economic tensions in eastern India, a politically sensitive area.

Outlining India's approach to the whole problem, he said a solution has to be reached between the minority rules of West Pakistan and the people of East Pakistan through their elected representatives, Sheikh Mujibur Rahman and his Awami League.

In anticipation of next Monday's broadcast by Pakistan's president, A. M. Yahya Khan—in which General Khan is likely to outline the political approach to the problem of East Pakistan—Mr. Singh warned that any attempt to bypass the accredited leaders of East Pakistan would complicate rather than resolve the crisis.

He said if this happens there will be a "grave risk" that the leadership of the East Pakistani Bengalis would pass into the hands of extremists and create additional problems for East Pakistan as well as all kinds of difficulties and complications for India.

[From the Washington Star, June 23, 1971]

CHURCH URGES NIXON TO HALT PAKISTANI SHIP

(By Tad Szulc)

The office of Sen. Edward M. Kennedy, D-Mass., says the State Department has informed the senator that two Pakistani freighters now en route from New York to Karachi are carrying ammunition for the Pakistani armed forces.

Sen. Frank Church, D-Idaho, urged President Nixon in a letter to order the Coast Guard to intercept the freighter Padma, which left New York yesterday, to prevent the delivery of military equipment to Pakistan.

He said that if this could not be accomplished, the United States should seek Canada's co-operation in halting the ship. The Padma's first port of call is Montreal.

A spokesman said Kennedy was advised by a ranking State Department official that the Pakistani freighter Sunderbans, due in Karachi tomorrow, carries munitions and other military equipment sold to Pakistan under the U.S. Foreign Military Sales program as well as through commercial suppliers.

Kennedy was told, the spokesman said, that the Padma carried munitions along with spare parts and other military-use items bought commercially by Pakistan and licensed for export by the State Department.

The State Department refused to comment on Kennedy's report. A spokesman said, "We do not know what there is aboard the ship" and announced that the State Department and the Bureau of Customs had launched a joint investigation to determine the nature of the Padma's cargo.

A State Department spokesman, Charles W. Bray II, said that "it is possible" that equipment purchased under the military sales program and turned over to the government of Pakistan in the United States before March 25 was aboard the Padma.

Bray took the view that the shipments aboard the Sunderbands and the Padma did not constitute a specific violation of the administration's ban on deliveries of military equipment to Pakistan impossed after the eruption of the civil war in East Pakistan March 25.

He said that this was so because the interruption of the military sales program and the licensing of commercially purchased equipment on the State Department's munition controls list had been made effective on that date and did not affect earlier transactions.

In New Delhi, Indian Foreign Minister Swaran Singh said today that if the United States is shipping munitions to Pakistan, "it is a clear departure from the assurances given me."

"I cannot comment on the correctness of the New York Times report," Singh said. "I got the clear impression from the United States authorities that there has been no supply of military equipment to Pakistan, especially, after the trouble started in East Bengal (East Pakistan)."

[From the Washington Post, June 23, 1971]

ARMS SALES TO PAKISTAN CLARIFIED

The State Department acknowledged yesterday that two shiploads of U.S. military equipment were being sent to Pakistan but said this was not in violation of an official ban on weapons sales.

State Department spokesman Charles Bray said Pakistan purchased the arms before the ban went into effect on March 25.

The spokesman added that the sales were made under a long-term understanding that the equipment be used only for defense purpose by the Pakistanis. If it were used to put down the bloody independence movement in East Pakistan this would cause consternation to the United States, he said.

The State Department has already acknowledged that Pakistan was using earlier U.S.-supplied tanks and jet planes to put down the rebellion.

The Assistant Secretary of State for Congressional Relations, David M. Abshire last month told a group of U.S. senators that Pakistan was under no obligation to consult with Washington on the transfer of weapons from one part of the country to another. He added that the American weapons were being used in the eastern wing of the country despite secret diplomatic pressures from the United States.

The State Department has frequently said that "no military items have been provided to the government of Pakistan or its agents since the outbreak of fighting in East Pakistan March 25 and nothing is now scheduled for such delivery."

In its Tuesday edition, The New York Times said one Pakistani vessel—the Sunderbans—sailed from New York on May 8 with military equipment, including parts for armed personnel carriers. The newspaper also reported that another ship, the Padma, was preparing to leave for Pakistan bearing eight U.S. military planes, 113 parachutes and mechanical spare parts sold to Pakistan by the U.S. under the Foreign Military Sales Act.

[From the Washington Post, June 24, 1970]

POLICY REVIEWED ON PAKISTAN ARMS

Senior U.S. officials are reviewing intensively the continued supply of U.S. arms to Pakistan despite a recently announced ban on such shipments, the State Department said yesterday.

Officials said the review would cover the two Pakistani freighters now carrying U.S.-supplied arms to Pakistan and a quantity of other weaponry being provided to Pakistan by Department of Defense subcontractors.

The State Department announced April 15 that an arms cutoff had been in effect since March 25, when civil strife broke out in East Pakistan.

The department said no additional armaments under military sales provisions would be turned over to Pakistan and that no additional sales licenses would be granted.

The New York Times disclosed Tuesday that two Pakistani vessels, the Sunderbans and the Padma, left New York with arms for Pakistan. It said the Padma left Tuesday. Sen. Frank Church (D-Idaho) sent a letter to President Nixon Tuesday urging interception by the Coast Guard.

State Department spokesman Charles Bray said Tuesday that the arms aboard the two ships had been turned over to the Pakistanis before March 25 and therefore were not covered by the cutoff.

[From the New York Times, June 24, 1971]

INDIA ASKS U.S. TO CLARIFY REPORT ON AID TO PAKISTAN

NEW DELHI, June 23.—The United States chargé d'affaires in New Delhi, Gallen L. Stone, was called to the Foreign Ministry today for clarification of a report in The New York Times that two Pakistani ships had sailed from American ports carrying United States military equipment, including aircraft and spare parts for army vehicles.

However, neither the embassy nor the Indian Government had any details or confirmation of the report.

Foreign Minister Swaran Singh, who returned early today after a visit to six world capitals, said that the contents of the report were "contrary to assurances" that he had

from American officials in Washington that military aid would not be provided to Pakistan.

Shown a copy of the report published in The Times, Mr. Singh said: "I cannot accept the correctness of the report. I got a clear assurance that no arms will be given to Pakistan."

Later, the spokesman for his ministry commented that the newspaper account contained "so much details and research work" that they could not dismiss its veracity.

Indignant Members of Parliament demanded a detailed statement from Mr. Singh, which he promised to make tomorrow.

Reports from Indian correspondents on Mr. Singh's visit to Moscow, Bonn, Paris, Ottawa, Washington and London, suggested that he had succeeded in impressing on world powers that they should discontinue military and economic aid to Pakistan to exert pressure on her to work out a political settlement in East Pakistan.

Twenty-five Members of Parliament marched to the United States Embassy today shouting anti-American slogans.

CRITICISM BY SYMINGTON

WASHINGTON, June 23.—Senator Stuart Symington, Democrat of Missouri, said today that the sailings of two ships carrying United States military items to Pakistan presented "an incomprehensible picture of insensitivity" and indicated either ignorance or deception on the part of the State Department.

[From the Baltimore Sun, June 25, 1971]

U.S. AIDE FEARS INDIA-PAKISTAN WAR OVER REFUGEES

(By Adam Clymer)

WASHINGTON, June 24.—The continuing flow of refugees from East Pakistan to India is likely to lead to war between India and Pakistan, an American diplomat told the Senate Foreign Relations Committee today, according to congressional sources.

Archer K. Blood, until a few weeks ago the United States consul general in Dacca, East Pakistan, appeared before the committee in closed session. The Congressional sources also said he called the refugee situation with 6,000,000 Pakistanis now in India, worse than the situation of Palestinian refugees.

He predicted the flow of refugees would continue unless the Pakistan government reaches a settlement with political leaders in East Pakistan.

AID CUT-OFF SUPPORTED

A congressional effort to put pressure on the regime to do that and to speed up relief programs gained significant support today from the Senate Republican leader and the chairman of the House Foreign Affairs Committee. They announced they supported efforts to cut off all American aid—military and economic—to Pakistan.

Senator Hugh Scott (R., Pa.), the minority leader, quietly put his name down as one of 24 who backed a cut-off amendment to the foreign aid bill that Senator William B. Saxbe (R., Ohio) and Frank Church (D., Idaho) proposed.

Representative Thomas E. Morgan (D., Pa.) whose House Foreign Affairs Committee is now preparing the final version of the aid bill, said in an interview he favored a ban comparable to one suggested by Representative Cornelius E. Gallagher (D., N.J.), chairman of that panel's subcommittee on Asian and Pacific affairs.

BACKS GREATER LOOPHOLE

But Dr. Morgan said he believed any ban should include a greater loophole for presidential discretion to continue aid than does Mr. Gallagher's version.

Action may come next week in the House panel. On the Senate side, sessions to prepare the final version of the bill are likely to begin July 6.

Meanwhile, the Secretary of State, William P. Rogers, announced that an additional $70 million in aid would be given to India to help that country deal with the 6,000,000 East Pakistan refugees. This brings to $90.5 million the total U.S. commitment.

Mr. Blood will be testifying in open session Monday before the judiciary subcommittee on refugees, which is also scheduled to go into the question of the recent arms shipment to Pakistan.

These shipments—in spite of repeated State Department assurances that no arms would be sold to Pakistan after the civil war began—have increased congressional chances of passing some sort of aid cut-off, Capitol sources believe.

"A VIOLATION OF POLICY"

Senator Edward M. Kennedy (D., Mass.), chairman of the refugee subcommittee, said Tuesday the arms shipments, whether "double-talk, incompetence or both . . . is a violation of policy . . . it will continue to fuel military actions which have already been the cause of over 6,000,000 refugees and countless civilian dead."

He said it appeared the United States is "more efficient in moving military hardware than in arranging humanitarian relief."

Senator Stuart Symington (D., Mo.), chairman of the foreign relations subcommittee on Near Eastern and South Asian affairs, told the Senate today the news of the shipments "indicates that the State Department either did not know what was going on or deliberately misled the committee." He cited an April 23 letter from David M. Abshire, assistant secretary of state for congressional relations, saying "nothing is in the pipeline" for arms to Pakistan.

[From the Baltimore Sun, June 25, 1971]

INDIA URGES U.S. TO STOP ARMS BOUND FOR PAKISTAN

(By Pran Sabharwal)

NEW DELHI, June 24.—India has asked the United States government to try to stop the delivery of American arms now en route to Pakistan aboard two of that country's ships.

Swaran Singh, Indian minister of external affairs, told Parliament today that the shipment of arms was a clear violation of assurances given to India by the U.S.

The American government came in for strong criticism in both houses of Parliament. Angry members called the U.S. action "hostile" and said that India should intercept the two Pakistani ships.

Mr. Singh said India has also asked the U.S. government for assurance's that there will be no further shipments of military stores to Pakistan even under authorization made before March 25—the day the Pakistan Army moved against the Bengali Nationalists who had asked for a democratically elected government on the basis of last year's elections in Pakistan.

Although, Indo-American relations did not suffer much of a setback as a result of the New York *Times* disclosures of the arms shipment, there was a strong anti-American reaction by the Indian public which was alarmed by developments in * * *

Quoting the recent disclosures of Vietnam war documents, members of Parliament charged that no American administration can be trusted.

[From the New York Times, June 25, 1971]

3D SHIP SAID TO HAVE LEFT U.S. WITH ARMS GOODS FOR PAKISTAN

(By Tap Szuic)

WASHINGTON, June 24.—The State Department said today that a third Pakistani freighter loaded with military equipment sailed from New York for Karachi after the United States had banned deliveries of arms to Pakistan.

Department officials said the vessel, the Kaukahla, left New York on April 2, a week after the Pakistani Army moved to crush the autonomy movement in East Pakistan.

The officials said they had "reasons to believe" that the freighter carried equipment for the Pakistani armed forces that United States foreign military-sales program and from commercial suppliers.

The other Pakistani ships known to have sailed with a military cargo after the ban on new deliveries were the Sunderban, which was due in Karachi yesterday, and the Padma, which sailed from New York last Tuesday.

The State Department reportedly discovered only yesterday that a third vessel was involved in the controversial shipments. But it was not able to identify the Kahkahla until late today. She reportedly arrived in Karachi late in May.

In the wake of these developments, Secretary of State William P. Rogers today ordered the creation of a special study group of senior officials to determine how the Administration's policy banning deliveries of arms to Pakistan was being implemented.

He acted as differing statements were made about the circumstances under which one of the ships—the Padma—had been boarded and searched by United States customs agents to determine her cargo.

Lieut. Gen. Robert H. Warren, who is Deputy Assistant Secretary of Defense for Military Assistance and Sales, testified this afternoon before the Senate Appropriations subcommittee on foreign operations that "we had the ship stopped at sea and United States customs officials went aboard to examine her cargo."

But a Defense Department spokesman said later that General Warren's remarks were misunderstood and that the boarding actually took place in the Port of New York before the Padma had sailed for Montreal.

Customs Bureau officials here were unable to provide a full account of the checking of the Padma cargo. But one official said his understanding was that customs agents in New York had simply compared the ship's manifest with State Department licenses authorizing the exports before the Padma sailed. There appears to have been no physical inspection of the cargo, he said.

The Padma, whose interception was requested today by the Indian Government, was reported late today to be in the St. Lawrence Seaway bound for Montreal.

General Warren told the subcommittee that the customs agents "found no aircraft" aboard the Padma. The New York Times reported Tuesday that the Padma's bills of lading had shown the loading of eight items marked as "aircraft."

But informed sources said today that the equipment described as aircraft were small, radiocontrolled pilotless "drones" designed to serve as practice targets for antiaircraft gunners.

Under question by Senator William Proxmire, Democrat of Wisconsin, General Warren testified that there was no military equipment on the Padma, "unless you consider parachutes as military equipment." The Times reported that the ship had carried 113 parachutes and military spare parts.

[From the Washington Star, June 25, 1971]

INDIANS BLAST U.S. ON PAKISTAN ARMS

NEW DELHI.—Demonstrators burned an effigy of President Nixon today and the Indian government demanded that the United States halt freighters carrying military equipment to neighboring Pakistan.

"Curse President Nixon!" and "Nixon may be destroyed!" shouted a crowd of 300 persons as they marched on the U.S. Embassy. The demonstrators were led by a member of

Parliament from President Indira Gandhi's ruling Congress party.

The State Department acknowledged yesterday that three Pakistani freighters loaded with military equipment had sailed from New York for Karachi after the United States announced a ban on deliveries of arms to Pakistan.

"REASON TO BELIEVE"

They said they had "reason to believe that the (first) vessel carried equipment for the Pakistani armed forces that was purchased under the United States foreign military sales program and from commercial suppliers" the New York Times reported.

A State Department spokesman acknowledged that while the administration order to halt the issuing of licenses for military sales to Pakistan was meant to have been effective on March 25 it did not actually go into effect until April 6. The first ship left April 2.

He said two additional export licenses were issued to Pakistan after the ban went into effect—one for frequency calibration equipment for radios, dated March 31, and another for aircraft engine spare parts, authorized on April 6. The licenses were canceled yesterday, he said, but he did not know whether the equipment had already been shipped.

PROTEST LETTER

The New Delhi protesters were halted outside the Embassy gates by police and a small delegation was allowed to deliver a letter of protest addressed to Nixon. The group included Parliament members, members of the Delhi State Congress Committee, students and workers. They set fire to a cardboard effigy of Nixon.

In Parliament, Foreign Minister Sardar Swaran Singh told a noisy session of the lower house today that India had asked the United States to try to stop two Pakistani freighters which have not yet delivered their military cargoes.

Singh said the U.S. government had agreed to take the matter under "urgent consideration" and said India was awaiting a reply.

Opposition members of parliament interrupted Singh repeatedly with shouts of "American Imperialists!"

[From the Washington Post, June 26, 1971]

11 NATIONS DECLINE AID TO PAKISTAN

(By Bernard D. Nossiter)

The major aid-giving nations, led by the World Bank, have quietly agreed to postpone indefinitely any new economic assistance for Pakistan.

A consensus of the 11 donors was reached at a meeting on Monday in Paris, it was learned yesterday. The informal decision was taken after a mission from the World Bank and International Monetary Fund reported after a visit that Pakistan was an administrative and economic shambles.

The agreement will not affect the humanitarian assistance that nations intend to give Pakistan or its refugees in India. It does, however, hold up several hundred million dollars in development funds on which President Yahya Khan's regime had been counting.

In the last year in which normal aid flowed, the budget year ending June 30, 1970, Pakistan received $316 million from the donors.

In addition, it was learned, the IMF has decided for now against giving the central government a $250 million package of foreign exchange that the Fund had been considering.

The Paris consensus was reached with the assent of the United States, despite strong urgings to the contrary from some U.S. quarters. Washington's ambassador to Pakistan, Joseph S. Farland, is known to believe the donor nations should meet soon to pledge assistance to greater influence the central government and lessen its dependence on China.

But the Paris meeting concluded that no early gathering of the aid consortium should be held because it would openly confirm the widespread opposition to assistance now.

According to reliable sources, Belgium, Canada and Britain argued strongly in Paris that public opinion in their countries deeply opposes aid to Pakistan and that none should be forthcoming until Yahya's regime reestablished civilian rule in East Pakistan.

Yahya is expected to pledge on Monday the eventual restoration of civilian government in East Pakistan. But knowledgeable officials are predicting that his promise will be hedged with too many qualifications to be taken seriously.

The 11 nations at Paris—the others were Japan, Norway, the Netherlands, France, Germany, Italy and Denmark, with Sweden as an observer—were strongly influenced by a devastating report from Peter Cargill; he is director of the World Bank's South Asia department, chairman of the Pakistan aid consortium, and has just led a Bank-Fund team to Pakistan.

Cargill and the other team members were permitted by the central government to travel freely through East Pakistan during the first two and a half weeks in June. According to those familiar with Cargill's report, the mission found:

A continuing reign of terror in East Pakistan conducted by the 70,000 West Pakistani troops there. The army had been given a free hand to deal with "secessionists." And Hindu or Awami League member is said to fall under this heading.

One team member was told of 50 Hindus who had been slaughtered and their corpses pushed into a river the day before his arrival in a town. A driver led him to two corpses whose submersion was incomplete.

The shattering of urban life. The mission found towns with only 10 per cent of the population remaining. The rest had been killed, had dispersed to India or had fled to villages. Troops had shelled and destroyed public buildings and bazaars at random, and commercial life was at a virtual standstill.

Paralysis of the East Pakistan economy. Although the central government has ordered the opening of mills, the mills typically work only half a shift daily. Jute and tea production, principal earners of foreign exchange, is at a fraction of its normal level.

Active guerrilla resistance by those favoring an independent East Pakistan. Collaborators with the martial law regime are in mortal danger, and two British tea planters have been murdered for attempting to continue normal operations. A bomb was thrown in the courtyard of the Intercontinental Hotel in Dacca while the Bank-Fund team was there, but no one was hurt.

A demolished transportation network. About 60 percent of East Pakistan goods normally move by rail, but the train system is barely functioning. At least 13 key bridges have been blown up by guerrillas, and the regime has made only *kutcha* or makeshift repairs.

A strong likelihood of widespread famine this fall. It will occur not because of a lack of rice, the staple diet of Bengali East Pakistan, but because the transportation network is so deeply damaged and distribution systems have broken down.

Ignorance by the Yahya regime as to the true conditions in East Pakistan and the state of world opinion. Pakistan's envoys abroad, with few exceptions, are said to be minimizing the widespread revulsion over the violence in their country.

Cargill himself is understood to have had a heated meeting with Yahya on June 14. Cargill is said to have disputed a Yahya forecast that life will return to normal by September.

The World Bank official reportedly said that Pakistan could not use aid effectively at this point. Yahya, who had indicated he wanted $100 million now and more to follow, is known to have exploded at this statement and hotly asserted that the conclusion amounted to interference in Pakistan's internal affairs.

Among other things, the Bank-Fund mission is known to be disturbed by Pakistan's rising military budget. Arms outlays last year were 3 billion rupees, or $630 million at the official exchange rate, and are planned at 3.4 billion rupees, or $710 million, this year.

The mission suspects that Pakistan is spending what is left of its foreign exchange to buy arms abroad, notably fighter planes and sophisticated antisubmarine weapons systems from France.

[From the Sunday Star, June 27, 1971]

INTERPRETIVE REPORT—IS U.S.-INDIA POLICY BRITISH?

(By Kuldip Nayar)

NEW DELHI.—Mrs. Indira Gandhi, the prime minister, told a meeting recently that America follows Britain when formulating policy on India, Pakistan and other countries in the region. She was answering a question why the United States was not openly siding with India on the question of East Bengal.

More or less, that is the quintessence of Indian opinion. There is a feeling here that despite the liberal traditions of America, Britain has been able to influence it in adopting an "anti-people" policy to preserve the status quo.

It is conceded that U.S. public and press are sympathetic to India's insistence that no refugee from East Bengal can go back unless there is an acceptable government in that part of Pakistan. But it also is alleged that the State Department and the Pentagon, particularly the latter, are unwilling to put enough pressure on Pakistan to alienate it or drive it completely to the Chinese side. And here, as far as India is concerned, is the land of London.

Both the government and the people of India are happy that the visit of Indian Foreign Minister Sardar Swaran Singh to Washington has brought about some change in the U.S. thinking in the sense that the government realizes that President Yahya Khan of Pakistan will have to make major political concessions to create a climate for the return of the refugees.

But the peductance of the United States to openly condemn Pakistan or to pressure it is deplored. Yet a segment of opinion in the Indian government and among the people believes that had it not been for behind-the-scenes activity by Britain, the United States would have come out on India's side in a more positive way.

U.S. assistance in the wake of cholera in the refugee camps has been appreciated, and the visit of Frank Kellogg, special assistant to the Secretary of State for refugees and migration affairs has been welcomed.

But the reluctance of the United States most countries in the world, has been tardy in its reactions.

And where Indian opinion feels most sensitive is that the United States has not as vehemently condemned the barbarities of the Pakistan army in East Bengal, particularly on the Hindus, as might have been expected.

"America has rightly felt angry over the My Lai incident; but it is surprising how scores of incidents like My Lai in East Bengal have gone almost unnoticed in the United States," says a top official of the Indian External Affairs Ministry.

However, the real disappointment of the Indian people is not so much from America as from the Arab countries which New Delhi has been supporting all along. Their complete silence over the happenings in East Bengal

has come under adverse notice both by the public and the press.

And some quarters are demanding a reassessment of the policy which, according to them has been tantamount to having no contact with Israel lest the Arab countries should feel offended. Indian officials say the fact of Pakistan being a Moslem country has weighed with the Arab countries more than the brutality and the influx of six million refugees into India.

[From the New York Times, June 27, 1971]

U.S. AND PAKISTAN—WHEN AMMUNITION IS A THEOLOGICAL QUESTION

(By Ted Szulc)

WASHINGTON.—The Nixon Administration discovered from newspaper disclosures last week that it has been violating the ban it had imposed on shipments of American military equipment to Pakistan following the outbreak of civil strife in that country's eastern region.

In finding out belatedly that at least three freighters laden with military equipment had sailed from New York for Karachi after the ban became effective on March 25, and that new export licenses had been illegally issued since that date, the Administration faced public embarrassment, Senatorial anger and political problems with India.

The incident also served to underscore Washington's ambiguous attitude toward the potentially explosive situation in East Pakistan, where Pakistan's military suppression of the Bengali independence movement is reported to have claimed nearly 200,000 Bengali lives and has sent six million refugees pouring across the Indian border.

Few observers believed that any deliberate official deception was involved. It was generally accepted that the arms shipments resulted from a breakdown in internal communications between those who make policy at the top and those executing it on the working level, a phenomenon that one harried bureaucrat described last week as "the price you pay for an elephantine government."

The bureaucratic confusion surrounding the shipments was monumental in every aspect. The State Department, which had assured a number of Senators only a few weeks earlier (in writing) that no arms shipments to Pakistan were scheduled, was surprised to learn of the sailing of two freighters (it later discovered the third one) and turned to the Defense Department for explanation.

The Pentagon checked its computers and produced the information, startling the State Department, that the March 25 ban on shipments took effect only on April 6. Then, the Administration explained that military equipment delivered to Pakistani officials in the United States before March 25 could be shipped anyway. It did not say why.

A special high-level task force was quickly formed to ascertain the facts, but four days elapsed before the State Department learned that the Padma, the Pakistani freighter loading in New York last weekend, had sailed with (1) $1.2-million worth of ammunition, (2) spare parts for military aircraft, armored vehicles and jeeps and (3) small radio-controlled pilotless drones for antiaircraft gunners' practice.

For three days, State Department spokesmen and newsmen argued over the official claim that ammunition was not a "lethal" item. This stemmed from an earlier State Department admission that the military sales to Pakistan, confined to "non-lethal" items, included ammunition. On the third day, a reporter asked: "When does ammunition become lethal?" The State Department spokesman replied: "This is a theological question."

Left unclear was the essence of United States policy toward the East Pakistani crisis against the background of what is recognized here as a very real threat of warfare between India and Pakistan unless a political solution is promptly found for the autonomy aspirations of the easterners.

This threat emanates from the severe strain that the refugee army has placed on India's resources, the mounting frictions between the refugees and the local Indian population and India's fear of political radicalization of the East Pakistan "freedom fighters." All these factors are seen by New Delhi as a direct menace to the political stability of the Indian state of West Bengal and to peace in the subcontinent.

Indian policy, strongly supported by Britain and Canada, is to bring enough international pressure to bear on President Yahya Khan to grant East Pakistan its demands for autonomy. India argues that this must be done if conditions are to be restored in East Pakistan for the return of the refugees. She insists that foreign economic aid must be denied Pakistan as an instrument of pressure.

The attitude of the United States on this point is ambiguous. The Administration's instincts, particularly at the Pentagon, are that reasonably good relations with Pakistan must be maintained at all costs so as to compensate for the close ties between India and the Soviet Union. This view is maintained even though Pakistan in recent years has drawn close to Communist China.

Although the State Department publicly counseled Pakistan earlier this month to seek "political accommodation" with the easterners—the first time it had done so after two months of bloody fighting—it rejects the argument that economic pressure should be applied.

However, a mission from the World Bank recommended last week, following a survey of the Pakistani situation, that no new funds be supplied by the international aid-to-Pakistan consortium until the Islamabad regime had turned to "political accommodation" in the East.

[From the New York Times, June 29, 1971]

U.S. SAYS IT WILL CONTINUE AID TO PAKISTAN DESPITE CUTOFF URGED BY OTHER NATIONS

(By Tad Szulc)

WASHINGTON, June 28.—The Nixon Administration reaffirmed today that it intended to provide economic aid to Pakistan despite international pressures to halt foreign assistance until the central Government reached a political accommodation with East Pakistan.

Most of the 11 nations forming the Aid to Pakistan Consortium have concluded that assistance, running at about $500-million a year, should be withheld pending a political settlement of the crisis that has resulted in the death of an estimated 200,000 East Pakistanis and the flight to India of about six million refugees.

The World Bank, which coordinates assistance to Pakistan, has recommended against further aid. Britain, Canada and Belgium, among other members of the consortium, have taken a similar stance.

Their positions emerged at an informal meeting of the consortium held in Paris last Monday to receive the report of a World Bank mission that toured Pakistan. Robert S. McNamara, the president of the bank, was reported to have approved this policy last Thursday.

Administration officials reported at Senate hearings today that the United States said in Paris that it disapproved of the policy of denying economic aid to Pakistan as a political instrument of pressure. This view was reaffirmed here today.

Testifying today before the Senate Judiciary Subcommittee on Refugees, the Deputy Assistant Secretary of State for Near Eastern and South Asian Affairs, Christopher Van Hollen, said that by providing economic aid the United States would have leverage in persuading President Yahya Khan to seek a "political accommodation" in East Pakistan on the basis of autonomy and to create conditions allowing the refugees to return.

He admitted, however, that such "leverage" was not yet measurable and that few refugees had returned home.

Mr. Van Hollen also announced that the Administration had no plans for placing a full embargo on shipments of military equipment to Pakistan.

He told the subcommittee, headed by Senator Edward M. Kennedy, Democrat of Massachusetts, that it was "likely that additional military equipment will be shipped to Pakistan."

He explained that while the Administration had halted the granting of export licenses for military items under its four-year-old program of credit and cash sales after the outbreak of hostilities in East Pakistan last March 25, the permits issued before that date would not be revoked.

Other Administration sources had reported, however, that this decision was made only last week by the National Security Council after newspaper disclosures showed that at least three Pakistani ships carried military equipment from New York to Karachi despite what the State Department had originally described as a ban on all shipments.

KENNEDY PROTESTS

The State Department later issued a clarification, saying that the ban did not apply to equipment purchased by the Pakistanis before March. Under questioning by Senator Kennedy, Mr. Van Hollen conceded that the State Department's earlier public statements on the matter were "confusing" and "misleading."

Later in the day, State Department officials confirmed reports that the Pakistani freighter Kaptai, due in New York today, would sail for Karachi about July 2, "presumably with items on the munitions control list," and that between four and five other ships would sail with similar cargos before mid-August.

This information led Senator Kennedy late in the afternoon to telephone Joseph J. Sisco, Assistant Secretary of State for Near Eastern and South Asian Affairs, to protest the new shipments.

Mr. Kennedy then issued a statement charging that the hearings before his subcommittee this morning had indicated that the Administration's policy on military supplies to Pakistan was "misleading and contradictory."

"In violation of the understanding conveyed to me and others in Congress, our Government has freely tolerated at least three shipments of military equipment to Pakistan over the past two months," he said.

"Today, after the hearings, we learned that still another ship, the Kaptai, is docking in New York to be loaded with still more military hardware for Pakistan and four to five more ships are expected to be loaded in the coming weeks.

"I've asked the Administration to stop the policy of shipping arms to Pakistan."

At the subcommittee hearing, Mr. Van Hollen justified the decision to continue economic aid to Pakistan and to maintain the validity of the military export licenses on the ground that to do otherwise in a situation of "civil strife" in East Pakistan would "be seen as sanctions and intrusion in internal problems."

He said that the United States had decided to keep selling "nonlethal" military items to Pakistan so that President Agha Mohammad Yayha Khan would not turn to other sources of supply, such as Communist China.

He acknowledged, however, that China had been supplying arms to Pakistan all along.

[From the Washington Post, June 29, 1971]

KENNEDY, U.S. AIDE CLASH ON PAKISTAN

(By Lewis M. Simons)

The United States has not halted shipment of all military weapons to Pakistan because this would turn the regime of President Yahya Khan to "other areas of supply," a senior State Department official said yesterday.

Deputy Assistant Secretary of State Christopher Van Hollen told a Senate subcommittee hearing on refugee problems in Pakistan and India that an outright embargo on arms shipments would be interpreted by Pakistan as "a sanction and intrusion into internal problems."

In response to sharp questioning by subcommittee chairman Sen. Edward M. Kennedy (D-Mass.), Van Hollen said such an embargo would undermine U.S. efforts to persuade the Pakistani government to establish favorable conditions for the return to East Pakistan of a reported six million refugees now in India.

Showing impatience with his witness, Kennedy shot back, "The reason for our supplying arms is that if we don't, China or Russia will and we want to keep our leverage. Well, where is our leverage now?"

Van Hollen said the "other areas" to which Yahya could turn included Western Europe and Communist China. China, he said, has never ceased supplying Pakistan with arms.

When fighting between East Pakistani dissidents and government forces broke out last March, Van Hollen said, the United States "began a close review" of its policies and "made certain adjustments and took certain steps."

This "interim action" included placing a "hold" on sales of military equipment under Defense Department control and a freeze on issuing new licenses to ship arms to Pakistan as well as renewing expired permits.

Kennedy termed government explanations to date "highly misleading" and said he was planning to submit legislation to halt all weapons shipments to Pakistan "at the earliest possible moment."

Van Hollen conceded that official statements had caused "some confusion," but he denied that there was any attempt to "mislead" the public.

[In a report from New Delhi, Reuter quoted Indian Foreign Minister Swaran Singh as saying U.S. government spokesmen were contradicting themselves over the sale of arms to Pakistan. "The more I have looked into it deeply, the greater is the concern," he said.]

Another government witness, John W. Sipes, director of the Office of Munitions Control, denied recent news reports that two Pakistan flag carriers were sailing from the United States to Pakistan with military weapons including four planes. The only munitions aboard either ship were 2,000 rounds of "sporting type" .22 cal. ammunition, he said.

As to whether there were any rifles aboard, Sipes said, "if there are, they're sporting type too, for use in safaris."

"Safaris in East Pakistan," Kennedy retorted, to laughter from about 70 persons attending the session.

At a separate briefing, State Department spokesman Charles Bray denied reports that agreement was reached by an 11-nation consortium in Paris last week to halt all aid to Pakistan.

"Formal aid commitments to Pakistan were neither invoked nor considered and, contrary to press reports, no agreement was reached to postpone indefinitely new economic development assistance to Pakistan," Bray said.

[From the Washington Post, June 30, 1971]

MORE U.S. WEAPONS WILL GO TO PAKISTAN

Four or five ships carrying licensed United States military equipment will sail for Pakistan in the next month or two, U.S. officials said yesterday.

But, State Department press officer Charles Bray said, the equipment was all licensed for sale to Pakistan prior to the March 25 arms clampdown.

Bray said one ship was already being loaded. Other officials said four or five vessels would set sail in the next one to two months.

Bray denied published reports that Secretary of State William P. Rogers would visit India and Pakistan for a first hand view of the civil strife in East Pakistan and the resultant refugee crisis in India.

In New Delhi, Prime Minister Indira Gandhi rejected demands from some of her Congress Party members in Parliament that India go to war against Pakistan. She said her government would not "embark on any adventurist policies."

"Do not talk loosely of war or similar adventurist policies," Mrs. Gandhi reportedly told a party caucus. The meeting was closed to the press, but several members gave newsmen a summary of her remarks.

They said she reacted strongly to a suggestion from Y. S. Mahajan that West Pakistani forces "should be thrown out by military methods" from East Pakistan to enable "democracy to be restored and a popular government under Sheik Mujibur Rahman to be formed."

Mrs. Gandhi replied that the situation in East Pakistan is "a problem for the 75 million people of the area to decide themselves."

She said President Agha Mohammed Yahya Khan's speech Monday night which ruled out any political compromise with Sheik Mujibur "vindicated India's stand that the military rulers in Pakistan are isolated from the people and have failed to respond to their democratic and secular urges."

She added that the speech "betrayed the failure of the military regime to install a puppet government" in East Pakistan.

Government sources said India's policy toward the crisis in East Pakistan would probably "stiffen" because of Yahya's speech, which was considered unconciliatory toward the East Pakistanis and hostile toward India.

Rebel East Pakistani leaders condemned Yahya Khan's announced plan to return civilian rule to Pakistan.

"Yahya's speech once again confirmed the fact that democracy is dead in Pakistan," a rebel Bengali said in Calcutta.

Mrs. Gandhi's government took over the administration of West Bengel State under "President's rule," yesterday for the third time in three years, enabling New Delhi to deal directly with the influx of millions of East Pakistani refugees into the region.

[From the Washington Post, July 1, 1971]

KISSINGER ON MISSION TO VIETNAM, PAKISTAN

President Nixon is sending Henry A. Kissinger, assistant for national security affairs, to Vietnam and other countries for a first-hand foreign policy report, the White House announced yesterday.

Kissinger is scheduled to leave today for two or three days in Saigon. He will then visit Thailand, India and Pakistan, completing his trip with a stop in Paris to consult Ambassador David K. E. Bruce, chief U.S. delegate to the Vietnam peace talks.

Press Secretary Ronald L. Ziegler said that Kissinger would return to the United States about July 10 and report to the President and Secretary of State William P. Rogers at San Clemente, Calif.

The President will go to California Tuesday and stay about two weeks, Ziegler said. While there he will work primarily on budget planning, but Rogers will be there part of the time for a foreign policy review, Ziegler said.

Ziegler said plans for Kissinger's trip had been under discussion "for some weeks." He insisted that no major change in policy was indicated by the visit and that no untoward developments at home or abroad prompted it.

There was widespread speculation, nevertheless, that the President wanted to explore possible new moves in the Vietnam war. Official sources, however, maintained that the trip was one more attempt to bring information up to date on Vietnamization, Hanoi's military intentions, the economy and prospects for the presidential election Oct. 3.

Kissinger is expected to confer with President Nguyen Van Thieu, but officials here discouraged speculation he may also meet with Communist officials at the Paris peace talks.

The stops in India and Pakistan will enable Kissinger to obtain the latest information on the Pakistan refugee problem and to express the President's hope for a peaceful solution to the problem.

Ziegler said that en route to California Tuesday Mr. Nixon would stop in Kansas City to brief Midwestern editors and publishers on his domestic legislative proposals.

Among officials who will confer with the President in San Clemente will be, in addition to Rogers and Kissinger, Secretary of the Treasury, John B. Connally and George P. Schultz, director of the Office of Management and Budget.

Ziegler said that "the President used this period last year" in San Clemente to work on the 1972 budget, which he sent to Congress last January. He will begin work on the 1973 budget on this trip, the press secretary said.

[From the Washington Post, July 1, 1971]

CANADA BLOCKS SHIPMENT OF WEAPONS FOR PAKISTAN

The Canadian government stopped a shipment of spare aircraft parts to Pakistan and said that no Canadian arms were to be loaded aboard the Padma, which arrived in Montreal Tuesday from New York.

Customs officials said that the order blocked the loading of 46 crates of parts for F-86 Sabre jets; an official of the firm shipping the parts said that the contracts went back as far as five years.

In Calcutta, a British doctor said that a fresh outbreak of cholera had struck the West Bengal district of Bangaon, 60 miles northwest of Calcutta, with 500 new cases being reported in one day alone. Although medical authorities said cholera appeared to have been contained elsewhere, the physician who headed an inoculation team in the area earlier this week, said that "The number of cholera victims is doubling every day" in Bangaon.

The London office of The New York Times announced yesterday that the paper's correspondent Sydney Schanberg had been expelled from East Pakistan after being given 12 hours' notice. He had been in East Pakistan for nine days.

[From the Sunday Star, July 4, 1971]

PAKISTAN SEEKS U.S. BOMBERS DESPITE EMBARGO

President Mohammad Yahya Khan asked the United States to sell Pakistan seven B57 reconnaissance-bombers on June 9, three months after the government imposed a ban on all military sales to his country, diplomatic sources said yesterday.

Even though Pakistan is near bankruptcy because of the civil war that erupted in East Pakistan in late March, Yahya apparently is willing to pay the $1,250,000 that each of the sophisticated jet planes would cost, or a total of $8,750,000.

State Department officials, acknowledging Yahya's request, said it was being held in abeyance while the United States reviews its entire military assistance program to Pakistan.

The request heightened the anger of Indian diplomats already smarting from disclosures that military equipment was shipped

from New York aboard Pakistani vessels in late June in violation of the sales ban.

Both incidents are considered certain to be discussed when Dr. Henry A. Kissinger, President Nixon's national security affairs adviser, visits India and Pakistan next week on his way to Paris from Saigon.

Pentagon officials would not comment on the Pakistani request.

The B57, which was manufactured until 1959, can be used as a tactical bomber with a 6-ton bomb load or for reconnaissance at altitudes of 50,000 feet.

There was concern here that the jet request indicates that Pakistani officials do not take seriously the ban imposed by the United States in early April, retroactive to March 25, the date the East Pakistan civil war began.

State Department officials acknowledged June 23 that the embargo had been violated. It was understood that about $2,000 worth of aircraft engine parts and accessories had been shipped on a Pakistani vessel from New York despite revocation of the sale license.

The department indicated it was a case of a Defense Department subcontractor making a delivery agreed upon before the ban went into effect.

Some officials believe Yahya has interpreted such shipments as a signal of tacit endorsement by the Nixon administration of his stern measures against East Pakistan.

There also was concern here that Pakistan envoys are misinforming Yahya about the real extent of international criticism of his methods of putting down the civil strife. This, they fear, could undermine world pressure on Yahya to restore civil government in East Pakistan.

[From the Washington Star, July 6, 1971]

AGNEW SPEAKS ON AID TO INDIA

BOMBAY.—Vice President Spiro T. Agnew expressed U.S. sympathy today for India's burden in caring for 6 million refugees from the fighting in East Pakistan and said Washington probably will seek to give New Delhi "the additional economic assistance to handle this matter."

He said he brought no specific promises of assistance, but told newsmen aboard Air Force Two as it flew here from Singapore for a 90-minute refueling stop that he believes more U.S. aid to India will be under "continued consideration" by the State Department. He is en route to the Middle East.

Outside Bombay Airport, several hundred Indians demonstrated against continued U.S. military shipments to Pakistan. Police kept the demonstrators from the airport, which was cordoned off to everyone except persons with plane tickets.

Agnew, on a 10-nation, month-long goodwill tour, said an improved attitude in the Arab world toward the United States has strengthened chances for a major U.S. role in settling Middle East problems.

The vice president, whose next scheduled stop is Kuwait, said he will not try to play a role in the Middle East negotiations but will try to get more understanding and sympathy for the Nixon administrations' peace efforts.

Agnew is to spend nearly two days in the oil-rich little Persian Gulf kingdom of Kuwait, the highest-ranking American official ever to visit there. On Thursday he will cross the Arabian peninsula to Jidda, on the west coast of Saudi Arabia.

The vice president is carrying to Kuwait and Saudi Arabia a message that the U.S. government seeks a balance of power that will assure the security of all nations.

He told newsmen in Singapore yesterday that in the Middle East the Nixon administration has tried to counter the increased Soviet naval presence in the Mediterranean and Moscow's aid to Egypt by keeping "the Israeli government supplied with sufficient disincentive to anyone to attack them" while at the same time "attempting to maintain a non-hostile posture toward the Arab republics."

[From the Evening Star, July 6, 1971]

KISSINGER GREETED IN INDIA BY ASSAULT ON U.S. POLICY

(By Henry S. Bradsher)

NEW DELHI.—Dr. Henry Kissinger arrived in India from Thailand today during the most angry outburst of disgust with U.S. policy to occur here in many years. A few airport demonstrators greeted him.

Indian government opinion and informed public opinion feel that Washington has betrayed promises to New Delhi and violated basic moral principles by allowing military equipment to be shipped to Pakistan and leaving the door open to give it more economic aid despite the suppression of East Pakistan.

Kissinger, President Nixon's security adviser, came here on a Far East tour to discuss the "Bangla Desh" problem, which has flooded India with more than 6 million refugees.

DIVERGENCE SEEN

There is little enthusiasm here for the visit, a leading newspaper declared today. The Times of India said, "The sharp divergence now revealed between Indian and U.S. viewpoints vis-a-vis the developments in East Bengal scarcely permits a meaningful dialogue."

A columnist writing separately in the same paper said Kissinger should see "that America's credibility here has suffered enormously in the past two weeks . . ."

Kissinger will meet Indian Prime Minister Mrs. Indira Gandhi and other top officials, including the defense and economic planning ministers. He is scheduled to fly Thursday to Islamabad for talks with Pakistani government leaders.

Public accusations of U.S. perfidy began in India recently when the foreign minister, Swaran Singh, returned from Washington. About the time he got home, it became known that the United States was shipping military equipment to Pakistan, although Singh thought he had understood otherwise.

"Washington's highest policymakers from the President down," the Washington correspondent of the Indian Express wrote today, "led us up the garden path and betrayed us."

The Times of India's Washington correspondent wrote that the U.S. government has shown it "will be happy to continue business as usual with the killers and rapists, once the dust has settled on the East Bengal scene."

In Bangkok, Foreign Minister Thanat Khoman said Kissinger had assured Thai leaders there will be no change in U.S. commitments to Thailand, the Associated Press reported.

Thanat said Kissinger brought a message from Nixon reaffirming the U.S. government's intention to support Thailand's efforts to maintain peace and security.

Kissinger conferred with Premier Thanom Kittikachorn and other leaders on the general situation in Indochina and "particularly exchanged ideas" on the latest Viet Cong peace proposal, the foreign minister said.

Both sides were "satisfied" at their common approach, Thanat said.

KISSINGER SILENT

Kissinger refused to talk to newsmen. Ambassador Leonard Unger said the talks included discussion of "the whole question" of U.S. relations with Communist China as well as Washington's view of the future in Vietnam.

"I can't tell you any details," Unger added.

Sources in Washington said earlier that Kissinger would assure the Thais that the U.S. program of military withdrawal from Vietnam would not leave Thailand exposed to Communist attack.

United Press International quoted Saigon diplomatic sources as saying Kissinger gave President Nixon's assurances to President Nguyen Van Thieu during his visit there that the United States is "not going to be stampeded" out of Vietnam.

[From the Wall Street Journal, July 7, 1971]

Indians protesting U.S. arms sales to Pakistan shouted slogans as President Nixon's security adviser, Henry A. Kissinger, arrived in New Delhi for a two-day visit. Other demonstrators turned out in Bombay where Vice President Agnew stopped to refuel en route to the Mideast. Indian Foreign Ministry sources said there is a "crisis of confidence" in India's attitude toward the U.S. as a result of disclosures that Pakistan is still receiving U.S. military supplies. It's believed that Kissinger's main task is to regain new Delhi's trust.

EXHIBIT 3—EVENTS RELATING TO PAKISTAN CIVIL WAR

[From the Far Eastern Economic Review, May 15, 1971]

MAOISTS ON THE MOVE

(By Nayan Chanda)

Calcutta: "In this cold world of diplomacy, nothing counts" said a student leader from Bangla Desh; "neither the electoral majority of a government nor the bloodbath of a people". If the euphoria which greeted the first split with West Pakistan, and which was sustained by last month's proclamation of the new state, has faded under the crushing artillery of Punjabi troops, courage and determination remain. But resistance is falling in political terms ever more under a leftist influence.

The first organised move to override the Awami League and establish a National Liberation Front took place in Bangla Desh in the last week of April. While the League and the government it has set up are busy trying to win diplomatic recognition, the leftist groups under the banner of the Liberation Front are preparing for "protracted people's war".

The only absentee at the April 25 meeting of leftist parties was Mohammed Toha's EPCP-ML (East Pakistan Communist Party-Marxist Leninist). Participating were Maulana Bashani's NAP (National Awami Party), the Matin-Sikdar group which calls itself the EBCP (East Bengal Communist Party) and the Zafar-Menon group which had always been particularly militant and operated underground. Leaders of some peasants' and workers' unions were also present.

The meeting is reported to have drawn up a broad programme which listed imperialism and feudalism as enemies to be fought. According to an EBCP leader, "the primary contradiction at this stage is between the West Pakistani army and big bourgoisie and the East Bengal people as a whole. The contradiction between feudalism and the people takes second place, the orientation of the whole fight being anti-imperialist."

This leader was critical of Mohammed Toha for relegating the struggle against West Pakistan to second place, but he refused to criticise Peking. "The Chinese stand is perfectly logical and consistent," he said. "In their recent statements they have scrupulously avoided pledging support to the integrity of Pakistan. Peking will certainly support a genuine anti-imperialist people's war by the Bangla Desh people." (It seems this particular leader had not heard Chou En-lai's message to Yahya Khan in which he said "the unification of Pakistan and the unity of the people of East and West Pakistan are the best guarantees for Pakistan to attain prosperity and strength".) However, the formal coming together of the left parties shows that events are moving towards what many commentators had predicted: development

of a guerrilla situation, ideological radicalisation of the struggle and the eventual takeover of the leadership by hardened revolutionaries, possibly even Maoists.

ISLAMABAD'S BLIND ALLEY

(By a Correspondent)

Calcutta: Some seven weeks after General Yahya Khan struck at East Pakistan, in a military operation supposed to end within 72 hours, neither side is anywhere near the kind of victory that makes sense to the outside world. And it is almost impossible even to speculate what lies ahead, both for Bangla Desh and for West Pakistan's military regime.

At this stage, what matters most to Islamabad is a clear military victory over the liberation forces of the self-proclaimed Bangla Desh government. Without such a victory, there can be no attempt to restore any form of civil administration to the province, never mind establish the kind of puppet government which was attempted early in April with the help of some rightwing Dacca politicians, including former chief minister Nurul Amin and former foreign minister Hamidul Huq Chowdhury.

It is said that when Yahya launched his offensive, hoping to get the situation well under control in a matter of days, he still had a vague tentative political time table in mind. The formation of an interim government in East Pakistan headed by one of these rightwing leaders figured prominently in this schedule, which envisaged organising a fresh election in the province. A similar government would have been formed in West Pakistan, headed by PPP (Pakistan People's Party) leader Zulfikar Ali Bhutto or his nominee. Bhutto supported the plan because it offered him certain clear political advantages. Without the participation of the banner Awami League and National Awami Party in the election, the representatives elected from East Pakistan would probably be split into small factions. This would offer him an opportunity to form the government on the basis of a coalition with one or two East Pakistan groups.

For all practical purposes, this plan (disclosed by a non-Awami politician who has escaped to Calcutta) is now as good as dead. There can be no move in the political field prior to a military "solution".

The government troops have undeniably gained the upper hand, but it is anything but a victory. They have captured all the district headquarters and the majority of sub-divisional towns and have successfully sealed much of the border with the Indian state of West Bengal. But they have not yet established their authority on the border with the Indian province of Assam, where the frontier lies partly through the Khasi Jainta hills and partly along the river Kushiara.

The extremist Naxalites, Maulana Bashani's organised peasantry and the militant Awami League workers are now consolidating their position in the countryside, organising the pockets of resistance, something they should have done right from the beginning, instead of fighting pitched battles against the federal troops in such big towns as Rajshahi, Jessore, Pabna and Sylhet and losing precious men and ammunition. Again, the border with Assam is essentially rural. The nearest towns are Sylhet and Maulvi Bazar, both some 30 miles from the frontier. In other words, if the Pakistan army wants to seal off the border with Assam, it must move into the villages.

This is easier said than done. The army can carry out a few raids on scattered villages as long as it does not go very far from its urban bases. The monsoon will affect road communications and the Pakistani army has few motorised patrol boats. In monsoon conditions, government troops may only control areas within 5 or 10 miles of each major town. The rainy season will hamper troop movements, aerial bombardment and fire-power.

Another major problem is the usefulness of army raids. At this stage, pacification can hardly be the aim of an army which has already killed far too many people to inspire any kind of trust and confidence anywhere in East Bengal. Obviously it can hunt out pockets of resistance, hidden arms and rebel leaders. But civil intelligence and co-operation from the local population, both non-existent, would be essential for the troops to lay their hands on Maoist leaders—Toha or Abdul Huq, Rashid Menon or Sikdar, or countless others—who may well be hiding in the villages.

The villagers can shelter members of the liberation forces, hide arms and weapons in the paddyfields and, when necessary, transport them from place to place by river. In this respect, among others, Yahya Kahn's troops operating in East Bengal are in an infinitely more difficult situation than the Saigon government troops which are out to destroy all the NLF (National Liberation Front) strongholds in South Vietnam.

The hazards government troops face in the second phase of their operation are pretty clear; the position of the Bangla Desh Mukti Fauj (liberation army) is vague. So far the Mukti Fauj is made up of scattered guerrilla groups rather than an army taking its orders from a well-knit military command. "General" Usmani, named by the provisional government of Bangla Desh as the military commander, is operating without any communication facilities. He has developed a courier service of his own, but it may still be too slow-moving to help him maintain effective coordination with his "troops." Even when supplies are organised from outside, how can he ensure their use and distribution inside the country?

The liberation forces cannot yet work on the basis of a province-wide coordinated plan. The most they can do—and this would be worthwhile—is to develop local plans of action and carry out commando operations against government troops: ambushes, harassment and disruption of the army's communication lines. Success in these fields could mean the resistance fighters came to exercise control over hundreds of villages within a defined territory, perhaps in the district of Sylhet along the border of Assam, consolidating the position of the Bangla Desh government. At the moment, this is the best chance for Usmani's under-fed barefooted soldiers.

The supporters of Bangla Desh face more serious problems elsewhere—in the field of policy direction, and the ideological approach to the struggle. It was a tactical mistake on the part of the Awami League to exclude Maulana Bashani and Mohammad Toha from their provisional government set up in Mujibnagar early last month (in all probability, these two leaders were not then contactable); but at the local level all the groups appear to be working together. There may be some differences at the top, but probably not serious enough to cause serious concern to the leadership.

Despite their ideological differences, they obviously accept that the present struggle has all the characteristics of a national liberation movement calling for a unified national leadership. Toha, a highly educated, intelligent person, is unlikely to regard it as a socialist revolution (which it is not) just as Awami League leaders who have proclaimed the "independent republic of Bangla Desh" are no longer in a position to return to a moderate approach.

However, it may prove hard to thrash out possible differences among these groups on the issues of military tactics, obtaining help from outside, relations with the big powers or even the kind of arms the liberation forces should use. The tactics of General Usmani, a retired trained military officer from the Pakistan army, may not always fit in within the framework of what could be loosely termed Maoist guerrilla strategy—and vice versa.

Again, extreme leftist elements like Toha, Abdul Huq, Rashid Menon and Sikdar may oppose attempts by the provisional government (and Maulana Bashani) to gain sympathy for the struggle from Delhi, Washington and Moscow. Their strong fear of big power intervention provides a psychological barrier between the militant left and the leadership of the provisional government.

With time, the militant millions in East Bengal may well develop a strategy of their own which can accommodate differences about tactics, political divergencies and even the ideological clashes. The struggle is unlikely to follow any established pattern. In this sense, the extreme leftists may be totally mistaken in assuming that it will eventually develop in an out-and-out guerrilla war, Vietnam style. To their dismay, they might discover many of the ingredients are absent. One thing is certain. The struggle will be long and bitter. Having raised a new flag over a devastated land, no one in East Bengal dares lower it.

AID DILEMMA

(By Werner Adam)

Islamabad: Depression symptoms were scarring the Pakistan economy long before Sheikh Mujibur Rahman's eastern wing drew blood, but last week there was growing evidence the nation was confronted with an economic crisis of monolithic proportions. The symptoms, in fact, had culminated in a liquidity crisis, compelling the government to end all payments in foreign exchange—both principal and interest—on Pakistan's debts for six months from May 1.

Members of the Aid-Pakistan consortium—the U.S., Canada, Britain, Sweden, West Germany, the Netherlands, Belgium, France, Italy and Japan—and other donor nations were told of the step only days before it was implemented. Islamabad frankly admitted that Pakistan's reserves would be "wholly exhausted before too long if all foreign exchange commitments, including those of debt service, are to be met in full," but vowed to meet all obligations. With foreign exchange reserves insufficient even to cover necessary imports during the next two months, the country clearly was in no position to continue its debt redemption.

The government blames the economic strife on disturbed conditions—"particularly in East Pakistan"—resulting in an interruption of jute exports from the first week of March. It anticipates that foreign exchange earnings in 1970–71 will be much lower than earlier estimates: officials speak of an expected shortfall of Rs500 million. The government already has moved to reduce strains on its foreign exchange position by imposing new import restrictions. However, this measure is likely to be swallowed by military expenses in the eastern sector and by the upward price trend resulting from such restrictions. Industry faces increasing difficulties in importing raw materials and spare parts.

Small wonder then that Islamabad is relying on the donor nations rather than on its own limited resources in overcoming the crisis. In its aide memoire to the Aid-Pakistan consortium, the government reminded members of a longer-term question for Pakistan's external debt. The memorandum declared: "It is imperative that the whole question of debt service payments be examined before too long in order to maintain a reasonable rate of growth of Pakistan's economy, for it is only such growth which will make it possible for Pakistan to repay its debts."

Thus confronted, the World Bank immediately sent South Asia Director I.P.M. Car-

gill to Islamabad for talks with President Yahya Khan and economic adviser M. M. Ahmed. Whether the consortium members will sanction Pakistan's unilateral decision will depend on Cargill's report to his boss, Robert McNamara, and on a special session of the Aid-Pakistan consortium scheduled for Paris next month.

Diplomats in Islamabad who are directly concerned with the matter say consortium members have little choice but to accept. But they foresee considerable difficulties in winning new aid pledges from the donor countries. Each government, these diplomats point out, will have to take into account criticism expressed by their parliaments and public during the civil war in East Pakistan—taking care to avoid any charges of financing a "military adventure", as one Western ambassador put it.

FEELING THE IMPACT

(By A. Hariharan)

NEW DELHI.—The arrival in India last week of a three-man UN team, headed by Deputy High Commissioner for Refugees Charles Mace, has set the stage for the international aid for which India has desperately appealed. The problem is already on the scale of two million—the estimated number of Bengalis who have already fled to West Bengal, Assam, Tripura, Meghalaya and Manipur. And the flow of refugees continues at probably a minimum rate of 60,000 a day; if Pakistan does not allow relief missions to operate in East Bengal more are bound to come as the food situation there worsens.

Meantime the first major load of relief supplies from British charities arrived in Calcutta; and UNICEF (United Nations Children's Fund) announced that gravely concerned over the plight of refugee mothers and children, it was providing a similarly large shipment of food and drugs. It also financed a charter flight which left Calcutta last weekend for Agartala carrying milk powder. Most officials believe the chief problem is likely to be transport, particularly to camps in remoter areas where cholera is already a problem.

India has impressed upon the international community that it cannot undertake relief operations single-handed; it has set up medical units, and poured nearly Rs10 million into relief supplies. But more outside help is vital—as India points out, it could have avoided the burden on it by closing its frontiers. International agencies now seem alive to the scale of the problem and but for unforeseen calamities, it may be possible to avoid famine and widespread pestilence. All the same, the prospects of the refugees' early return home look bleak, and the strain on India's economy will be severe.

[From the New York Times, May 20, 1971]

CHINESE PRESENCE IN PAKISTAN IS MORE NOTICEABLE

(By Malcolm W. Browne)

RAWALPINDI, Pakistan, May 19—The Chinese presence in Pakistan has become increasingly noticeable as new aid from Peking is announced, newspapers praise Chinese policies and columns of blue-uniformed Chinese officials march through airport waiting rooms.

Last week China pledged a new interest-free loan to Pakistan of about $20-million, bringing total pledges to date of Chinese aid to about $307-million.

Western officials note that of $450-million pledged over the years to Pakistan by all Communist nations, including the Soviet Union, only about one-third has actually been disbursed.

China's loans to Pakistan, which are repayable in commodities rather than cash, are evenly divided into two categories. The first is to provide the means of buying commodities, especially coal, coke, rice and some raw materials. The second is for various projects.

One of the projects was for an arms factory at Ghazepur, near Dacca, in East Pakistan, employing upwards of 1,500 workers. When massive civil disobedience by Bengali separatists disrupted East Pakistan in March, the plant had to halt production for lack of workers. The Government has since reported that work there has resumed.

The type of equipment manufactured at the plant has not been disclosed, but it is understood to include small arms and ammunition of Chinese design. Some of this equipment was probably used by the army in East Pakistan in suppressing the separatist rebellion.

U.S. AID POLICIES CRITICIZED

Other Chinese projects include a heavy-machinery complex at Taxila in West Pakistan and a 380-mile blacktopped road linking Thakot, West Pakistan, with Sinkiang Province in China.

But the Chinese presence in Pakistan has acquired special signifiance since the United States suspended aid in March. Newspapers and Government officials daily draw unfavorable comparisons between United States aid policies here and those of China.

When a plane load of powdered milk arrived from China last week, officials pointedly noted that the milk was to be distributed by Pakistani officials themselves without foreign supervision. The United States insists that foreign observers be present when goods are distributed to insure that they are actually delivered to the intended recipients.

A Pakistani official whose views reflect those of the Government recently told an American, "If you Americans tell us to go to hell, you must expect that we will turn increasingly to China."

FOOD IS A PROBLEM

Chinese aid to Pakistan dates from 1965, the year Pakistan and India fought a brief war over the disputed Rann of Cutch area. There is a feeling here that the struggle between Pakistan and India has to some extent involved the Soviet Union as a friend of India and China as a friend of Pakistan.

Only South Vietnam has received more American aid than India and Pakistan. Since 1954, Pakistan has received more than $4 billion.

Bengali separatists and others have condemned United States aid as one of the main props of the Pakistani central Government. The Government, on the other hand, has charged that the suspension of aid was a political act motivated by a wish to meddle in Pakistan's domestic affairs.

The presence of uniformed Chinese officials has not gone unnoticed by the local population. And, privately, some Chinese have expressed a certain sense of discomfort at living in Pakistan.

A minor problem is food. Moslem law, which is practiced rigidly in Pakistan, precludes the eating of pork. The Chinese miss this and also vegetable cooking oils from home and other specialties.

Pakistan, currently governed under martial law by the army, is not a socialist country. For the most part, the Chinese diplomatically avoid political discussion here.

But most experts feel that China will assert a cautious but increasingly important role in Pakistan.

[From the New York Times, May 23, 1971]

EAST PAKISTAN: THREE MILLION LINKS IN A CHAIN OF MISERY

(By Sydney H. Schanberg)

NEW DELHI.—The frightened refugees pouring into India from East Pakistan have posed for New Delhi a problem perhaps as serious as any it has faced since independence in 1947.

According to Indian figures, the number of Bengalis who have crossed over to escape the Pakistan Army—which since March 25 has been trying to crush the Bengali independence movement in East Pakistan—has topped three million. Tens of thousands more arrive every day—pitiful, dazed, broken people carrying a few salvaged belongings. Some are wounded. Others have died on the way.

They are now massed, like a human chain, in schools, public buildings and open fields along India's 1350-mile border with East Pakistan. India is trying to provide adequate shelter and care, but camps of tents or bamboo-and-thatch barracks cannot be erected fast enough to keep up with the flow. Schools have been shut down to house some of the refugees, but these cannot be kept closed indefinitely.

CHOLERA THREAT

Sanitary facilities are inadequate, adding to an already severe health problem. Indian hospitals are overflowing with the wounded and sick, many of whom have to lie on mats in the corridors and aisles. Dysentery is rife. Cholera and smallpox have broken out. And much of this is taking place in difficult-to-reach border regions—Assam, Meghalaya and Tripura—where medical care in normal times is either inadequate or nonexistent. The problem of getting enough food to these remote areas is also straining India's limited resources.

And in the one easily accessible area, West Bengal state, the refugee influx has caused food shortages and forced prices up. At the same time, refugees offering to work in the fields at any price have driven the daily wage rate down. Resentment among local poor Indians has already surfaced, and in an overcrowded tinderbox state like West Bengal, one quarter of whose 45 million population is of earlier refugee origin, this could be explosive.

Hindu-Moslem tensions are also feared. Over-all, the refugee breakdown is 60 percent Hindu and 40 percent Moslem. Though Moslems predominate in East Pakistan, the Pakistan Army appears to be striking hard at the minority Hindus, who have always been regarded by the West Pakistanis as pro-Indian and who gave overwhelming support in last December's election to the autonomy-minded Awami League party, which has now been outlawed.

The Indians are worried, and not without cause. Prime Minister Indira Gandhi's Government feels that the Pakistanis are deliberately terrorizing Bengali Hindus and other potential dissidents into fleeing across the border to place grave strains on India's economic and social fabric. The Indians also fear that large numbers of Pakistani agents are crossing over, undetected, with the refugees. Further, New Delhi is concerned that the refugee camps might eventually become military staging aeras for the independence struggle, thereby becoming a target for the Pakistan Army and turning the border into a battle arena.

As a result, India last week mounted a massive diplomatic and publicity campaign to try to mobilize world pressure against Pakistan. The Indian message being spread in world capitals is that unless other governments persuade Pakistan to halt its "deliberate campaign of terror" and "deliberate expulsion" of Bengalis, India will be "forced to act to protect our national interests." What "forced to act" means is not clear, and most diplomats here do not think India has actually mapped out in any detail what she will do if the world response is disappointing.

WORSE THAN CYCLONE

Though the civil war has caused more human disruption than the killer cyclone that struck East Pakistan last November, foreign governments have been far less responsive with relief. Within days of the cyclone, tens of millions of dollars in relief goods had been flown in, and much more

had been pledged for long-range rehabilitation. The war refugees started flowing into India nearly two months ago and foreign aid still totals only a few million dollars. The cost of maintaining the refugees for just one year will run into the hundreds of millions, which India clearly cannot handle alone.

The apparent reason for the sluggish foreign response is that the United States and other Western nations were reluctant to give much aid unilaterally for the refugees, fearing that this might imply support for the Bengali independence movement and thus alienate the Pakistan Government—which has insisted that the civil war is entirely an internal matter and that most of the refugees are "Indian infiltrators" who have been routed by the Pakistan Army.

The Western nations were looking for an international relief effort, a less offensive conduit through which to channel their donations. The appeal last week by U Thant, United Nations Secretary General, "for humanitarian assistance . . . on an emergency basis" has presumably provided this umbrella. Yet even if the immediate relief problem is eased, and with it India's financial burden, the much more crucial question will remain—when will it be safe for the refugees to go home again?

[From the Washington Sunday Star, May 23, 1971]

PAKISTANI REBELS SEIZE RIVER BOAT, CONDEMN 17

RAWALPINDI, PAKISTAN.—East Pakistani dissidents have seized the passenger river steamer The Rocket and sentenced 17 of its non-Bengali passengers to death in a "people's court," diplomatic sources said yesterday.

This indicated resistance is continuing in the East despite army claims of crushing it, they added.

The sources said such incidents maintained a "climate of terror," preventing politicians from collaborating with the regime and frightening West Pakistani civil servants who have been assigned to work in the East since the army crackdown against Shiek Mujibur Rahman and his now-banned Awami League.

According to the diplomats, dissidents are also seizing barges and burning cargoes of jute on their way to market towns.

According to the informants, dissidents in early May halted the steamer which makes regular runs between Dacca and Khulna, 40 miles southwest of Dacca and the home territory of Sheik Mujib, as he is familiarly known.

They selected 17 persons to be tried at a people's court in Jaynagar High School in Gopalganj. According to one witness, 12 of the 17 sentenced to death were executed.

The Rocket, which often carried foreign tourists on pleasure cruises through part of the Sunderban Jungles, was operated by a private Pakistani river service.

Sources said the identity of the dissidents were not known. They speculated the resistance movement was being taken up more by radical groups not connected with the Awami League.

[From the New York Times, May 23, 1971]

INDIA SEEKS HALT IN REFUGEE FLOW

(By Sydney H. Schanberg)

NEW DELHI.—India has mounted a broad diplomatic and publicity campaign to try to mobilize world pressure on Pakistan to halt the refugee flow from the East Pakistan.

More than three million Bengalis have poured into India, and the Indians charge that the refugees have fled as a result of the two-month-old drive against the Bengali independence movement in the east.

The message that is being spread with unusual vigor in the local press here and by Indian diplomats abroad is that unless the world community persuades Pakistan to stop her "deliberate campaign of terror" and "deliberate expulsion" of Bengalis, India will be "forced to act to protect our national interests."

Indian officials do not elaborate on what "forced to act" means, and foreign diplomats here doubt that New Delhi has made any definite plans for its next step if world response proves disappointing.

But the refugee and border situation is becoming more serious, and while it is clear that neither India nor Pakistan wants another war, observers here do not rule out the possibility. Should a military clash erupt, India is hoping that both Indian public opinion and world opinion will have been prepared for it and will understand India's case.

PRESSURE ON GOVERNMENT

Another apparent reason for the tough stance is to satisfy the wide public sympathy in India for the Bengali independence struggle and to relieve some of the resultant pressure on the Government to grant recognition to the recently proclaimed government of Bangla Desh, or Bengal nation, the Bengali name the insurgents have given to East Pakistan.

Prime Minister Indira Gandhi has said she feels recognition at this time would be a mistake because it would lend credence to Pakistan's charge that the independence movement was engineered by India in order to dismember Pakistan. The pressure for recognition will be renewed by opposition parties when the next session of Parliament opens on Monday, and Mrs. Gandhi will now enter the session with fresh ammunition.

The Indian diplomatic offensive, which began this week, was preceded by a protest note to Pakistan, which said that the military action in East Pakistan "has created a human problem of unparalleled magnitude which is capable of producing serious repercussions in the area leading to a threat to peace in the region."

In a speech last Tuesday, Mrs. Gandhi said, "If a situation was forced upon us, then we are fully prepared to fight."

REFUGEES 60 PERCENT HINDU

The Indian Government believes—and its ambassadors reportedly have been instructed to convey to foreign Governments that the Pakistani Army is now calculatedly terrorizing certain unwanted elements in the East Pakistan population, such as the minortiy Hindus, so that they will flee across the border and place grave strains on India's economic and social fabric.

The refugees are about 60 percent Hindu and 40 percent Moslem. From their composition and their accounts of what happened in their villages, it would appear that the army's main targets are students, young people, intellectuals, party workers for the now-banned Awami League and Hindus, who voted strongly for the proautonomy Awami League in last December's election and who have always been regarded as pro-India by the West Pakistanis.

Some West Pakistani newspapers have been attempting recently to blame the Hindu vote for setting off the conflict. The papers argue that Hindus should never have been given an equal franchise in an Islamic state.

In a statement on the refugees yesterday, Pakistan's President, Agha Mohammed Yahya Khan, said that "bona fide Pakistani citizens are welcome to return to their homes."

President Yahya repeated Pakistan's contention that many of the refugees are Indian infiltrators who entered East Pakistan to help the insurgents. He said violence by antistate elements had forced a number of innocent persons to seek shelter in India, and he contended that other Bengalis "were encouraged by India to leave with the object of disrupting East Pakistan's economic life."

COST CONCERNS INDIA

Home of the refugees this correspondent interviewed on a recent three-day tour of refugee camps mentioned any factor but the Pakistan Army in explaining why they fled East Pakistan.

The cost of sheltering and feeding the Bengali refugees—estimated at hundreds of millions of dollars a year—is considered prohibitive for India, whose resources are already strained by a population of 550 million.

India is even more worried about the social tensions and security problems.

[From the New York Times, May 24, 1971]

A POLITICAL SOLUTION FOR EAST PAKISTAN IS URGED BY BHUTTO

(By Malcolm W. Browne)

KARACHI, PAKISTAN, May 23.—Zulfikar Ali Bhutto, leader of West Pakistan's majority party, warned today that Pakistan was in danger of disintegration unless a quick political solution was found for the crisis in East Pakistan.

"If the situation in Pakistan continues to deteriorate, and events are moving fast," Mr. Bhutto told a group of newsmen, "we cannot guess what will happen. The economic crisis in Pakistan was alarming even before the events in East Pakistan. The solution is urgent and it can only be found by the leaders and representatives of the people."

Mr. Bhutto leads the Socialist-oriented Pakistan People's party in West Pakistan, which won 88 seats in the election for a National Assembly last Dec. 7. Pakistan's military leaders never convened the assembly because negotiations over sharing of power between the Pakistan People's party and East Pakistan's dominant party, the Awami League, broke down.

On March 25, the army moved into East Pakistan to crush the Bengali separatist movement. The Awami League, which had won 167 seats, was banned and its leader, Sheik Mujibur Rahamadr, was imprisoned on charges of treason.

"To insist here that the elected representatives of the people are power hungry in wanting to assume office is like calling President Nixon power hungry for wanting to occupy the White House after he was elected," Mr. Bhutto said.

"On Dec. 7 the people made their choices and the result was three forces in the country try—the Government, the Pakistan People's party and the Awami League. Now the Awami League is banned so there are only two forces. We must accept that political reality."

Mr. Bhutto called for a moratorium on foreign debt repayment, but a more precise word is default. There is a food crisis. There is labor unrest. There is total loss of confidence on the part of the peasantry. There is a fall in production with no immediate likelihood of improvement. We speak a lot in this country about the hostile foreign press. Well, if we want a better press we must have a nation which is not a graveyard in the community of nations."

[From the New York Times, May 25, 1971]

YAHYA AGAIN SAYS AIM IS CIVIL RULE

(By Malcolm W. Browne)

KARACHI, PAKISTAN.—President Agha Mohammad Yahya Khan said today that he was determined to bring about "an orderly transfer of power" to a civilian government.

General Yahya told a group of foreign correspondents at the presidential mansion here that he would present a plan for doing so in "two or three weeks."

"I have been saying for the past two years that it [the transfer] would happen," he declared, "and last December [when elections for a constitutional assembly were held] I said, 'By God, I've done it.'

"Well, I'll still do it even though some of my countrymen don't like the idea. They say: 'What the hell's going on? This will lead to chaos.'

"But I am determined on an orderly transfer of power to the elected representatives of the people."

MARCH MEETING PLANNED

The National Assembly elected last December was to have met March 3 to start to write a constitution that would return Pakistan to civilian rule. But General Yahya postponed the session when the Pakistan People's party, the dominant political group of West Pakistan, which had won only a minority role in the assembly, said it would not attend.

A series of protest strikes followed in East Pakistan, whose principal party, the Awami League, had captured a commanding majority in the assembly on a platform of regional autonomy.

General Yahya was asked today if his plan for an "orderly transfer of power" would also apply to the Awami League, which led the Bengali separatist movement in East Pakistan. The league was outlawed in the early stages of the army crackdown, which began on March 25.

The President replied that the Awami League, as a political party, would "remain forever banned."

But he said that many members of the Awami League had been misled by the separatist cause and were welcome to assume their functions as representatives later.

"Some people have spoken of a general amnesty for the Awami League," the President said.

"For those who were genuinely misled, all right, but for those who committed rebellion, murder, looting, raping and arson, no. I shall deal with those criminals."

Today's meeting was the first President Yahya has had with the foreign press since the military action began in East Pakistan.

He spoke particularly bitterly about Sheik Mujibur Rahman leader of the Awami League, who is now believed to be imprisoned on charges of treason.

"He was plotting against me," the President said. "He even tried to have me arrested, I hear he confessed that himself."

"What did he have to lose, for God's sake? I offered him the Prime Ministry on a silver platter and he refused it, always talking of separate legislatures for East and West Pakistan and so forth."

"I'll be damned if I'll see Pakistan divided," the President added.

Asked about the fate in store for Sheik Mujib, the President replied: "Why is that of any interest to you? Sheik Mujib is a citizen of Pakistan and the Government of Pakistan will deal with him as it sees fit."

WON'T WHIP UP FRENZY

On the subject of Pakistan's hostile relations with India, the President said that "in their heart of hearts they [the Indians] don't want war," and added, "I could whip up a frenzy for war very quickly in my country but I refuse to do so."

Touching on the severe strains on recent relations between Pakistan and the United States, President Yahya said that he had recently received a letter from President Nixon.

"It was a very warm, kind personal letter in which Mr. Nixon offered to do anything he could to help," he said.

Today's meeting at the presidential mansion was held primarily for the 10 correspondents who are being permitted to enter East Pakistan tomorrow for a four-day visit. They represent United Press International, The Los Angeles Times, The Washington Post, the West German news agency D.P.A., Agence France-Presse, Le Monde, Far Eastern Economic Review, the Kyodo news agency and Asahi Shimbun and Yomiuri Shimbun of Tokyo.

This is the second such trip since all foreign correspondents were expelled from East Pakistan March 26. The New York Times was represented on the first trip earlier this month.

The President said that after the latest group returned all foreign correspondents would be invited to go to East Pakistan. He also asserted that censorship of dispatches sent by foreign correspondents in Pakistan had been lifted since the first trip to East Pakistan.

A number of correspondents here have complained of many deletions in their copy since then, however, and all press cablegrams still must be approved by a Government censor.

[From the New York Times, May 25, 1971]

MARTIAL PAKISTANI CHIEF—AGHA MOHAMMAD YAHYA

President Agha Mohammad Yahya Khan seldom ventures out in public without a swagger stick tucked under his arm, even when wearing a business suit.

Associates say he does it to preserve an image as military commander in chief with a caretaker role in public life. But time and the tides of Pakistani politics and civil strife have obscured the image of the man and the future of his country. When General Yahya replaced Mohammad Ayub Khan as President in March, 1969, one of his first orders of business was to pledge his determination to establish a civilian, democratic, constitutional government, disclaiming any personal ambition to continue the autocratic rule of his predecessor.

Yesterday—two years, one month and 28 days later—the President, meeting foreign correspondents for the first time since the outbreak of fighting in East Pakistan two month ago, again declared that he was determined to bring about a civilian government.

It was clear, however, that he was finding the deed more difficult than the word.

President Yahya, pronounced YA-YA, now 54 years old, had been a military man all of his adult life until he assumed power two years ago. The descendant of a long line of military men, he attended military schools, fought in World War II and in the 1965 war with India over Kashmir and rose rapidly through the ranks of the Pakistani Army.

YOUNGEST BRIGADIER

Known as "The Chief" to his men, he was, at 34, the youngest brigadier, at 40 his country's youngest general, and in June, 1966, at the age of 49, Pakistan's youngest commander in chief.

Since becoming President, he has wrought some changes: curbing business monopolies, bringing corruption charges against hundreds of former officials, raising minimum wages, increasing allocations for education and development, and fostering the election of a National Assembly last December—the first free national election in 23 years of Pakistani independence.

But in a nation of 130 million people, where more than 20 political parties compete for attention and where poverty is widespread, the very meaning of democracy and constitutional government is a matter of dispute.

Although the President says he seeks eventual civilian rule, he has repeatedly demonstrated that military power is the nation's cohesive force, at least for the time being.

AN EXACTING SOLDIER

A stocky, silver-haired man with heavy eyebrows and a big chin, President Yahya is described by fellow officers as an exacting professional soldier in public and a convival conversationalist in private.

He was born in Peshawar, on the Northwest Frontier of British India, on Feb. 4, 1917, into the historically important Quizilbash family, whose name means "red turbans." The family was descended from the elite soldiery of Naga Shah, the Persian ruler who conquered Delhi early in the 18th century.

At 18 he entered the Indian Military Academy at Debra Dun and was graduated with the title of King's Cadet, awarded for being first in his class. He later attended Junjab University.

In World War II, he saw action in Egypt, Libya and Italy, and when India was partitioned in 1947, he set up the Pakistani Staff College, having been promoted to lieutenant colonel.

As he rose quickly through the military ranks, he became closely associated with President Mohammad Ayub Khan and was reported by British sources to have been a key figure in the coup d'état that brought General Ayub to power in 1958.

In the 1965 border war, General Yahya was awarded the Hilal-i-Jurat, Pakistan's second highest military honor, for his performance in the Chamb sector.

The President is married, and has one son and one daughter. In keeping with Moslem custom, his family keeps discreetly in the background.

[From the Christian Science Monitor, May 25, 1971]

POWER SHIFT TO DACCA POLITICIANS?

(By Denzil Peiris)

NEW DELHI.—Pakistan's President Yahya Khan is expected to announce a transfer of power to politicians in the rebellious east wing of his country when he visits Dacca, its capital, early next month.

He is evolving a working arrangement with a group that includes compliant second-rung politicians from the Awami League.

These men did not join the breakaway Bangla Desh government announced by the resistance movement last month.

They surrendered to the Army after military action began following the breakdown of talks between President Yahya and Sheikh Mujibur Rahman, the Awami League leader.

Since then East Pakistan has been under a military governor, Gen. Tikka Khan.

When asked a few days ago by reporters whether there would be a transfer of power, the Pakistani President replied: "Who is there to receive it?"

A modified form of autonomy for the east wing now will probably be handed over to the "reasonable men" he had hoped to discover at the time he started military action.

Greater job opportunities will be given to East Bengalis, especially in the upper strata of administration, thus reducing their list of grievances.

The Pakistani President also hopes that the new move will appease the United States, which has been pressing him for some political accommodation to help it continue with its aid program.

[From the Washington Post, May 25, 1971]

NOBODY SEEKS WAR, SAYS YAHYA KHAN

KARACHI.—Pakistan President Agha Yahya Khan said today that "nobody wants war" since it would solve nothing. Yahya said he believes Mrs. Gandhi did not want a war despite her recent statements.

Yahya told journalists that he would announce a plan within a few weeks to turn over governmental power in Pakistan to representatives elected last December. He also offered amnesty to members of the secessionist Awami League who did not commit crimes in the initial fighting last March in East Pakistan.

He said President Nixon had offered Pakistan aid in what Yahya called a "warm-hearted, kind, personal letter of friendship," received Saturday.

[From the Washington Post, May 25, 1971]

INDIA RAPS POWERS OVER E. PAKISTAN

NEW DELHI.—Prime Minister Indira Gandhi accused the world powers today of not doing enough about the civil war in East Pakistan and said India may have to "take all means as may be necessary to ensure our own security."

As she spoke before Parliament, the Indian Army took over control of a border post in Assam after it was shelled by Pakistani troops, officials here said..

The mortar shelling of the post of Sutarkandi, about eight miles from the town of Karimgnaj, had died away by this evening, the Press Trust of India news agency reported.

The agency said the post had been manned by the border security force, two of whom were killed in the firing. It also said three civilians died and 25 were wounded.

Mrs. Gandhi said more than 3.5 million refugees have fled from East Pakistan into India and that the influx is continuing at the rate of 60,000 a day, threatening to disrupt the Indian economy and drain the government's resources.

"I have pleaded with all countries to recognize this threat to peace on the subcontinent," she declared.

"If the world does not take heed we shall be constrained to take all means as may be necessary to ensure our own security and for the preservation of the structure of social and economic life. I say this with full sense of responsibility."

She did not elaborate, but she hinted strongly that a military solution was one possibility.

"Our nation, our people are dedicated to peace and are not given to talking in terms of war or threat of war," she said. "But I should like to caution our people that we may be called upon to bear still heavier burdens."

Mrs. Ganhi spoke on the refugee situation after unruly scenes in the Lok Sabha (lower house) culminating in a walkout by most opposition members who wanted a full-scale debate in the East Pakistan situation and diplomatic recognition of the independent republic of Bangla Desh (Bengali nation), the secessionist name for the east wing of Pakistan.

Defense Minister Jagjivan Ram said Pakistani troops had crossed the Indian border seven times sinces the trouble began in East Pakistan on March 25. There had been 43 incidents of firing across the border and 11 violations of air space.

Instructions had been given that intruding aircraft were to be shot down if they disobeyed orders to return to Pakistan territory, he said.

Deputy Foreign Minister Surendra Pal Singh told Parliament that since the Pakistan civil war 38 Indian citizens had been killed, 19 injured and 14 kidnapped in border violations by the Pakistan army.

[From the New York Times, May 25, 1971]

PAKISTANI STRIFE SAID TO CONTINUE

(By Sydney H. Schanberg)

NEW DELHI.—Despite official descriptions of normality in East Pakistan, guerrilla activity and the army crackdown continue, according to reports from the area.

This picture of disrupted life has been provided by authoritative foreign sources inside East Pakistan, by foreigners who have recently visited the area and by information gathered by this correspondent on a recent tour of border regions. Foreign newsmen, except for six taken on a brief Government-guided tour early this month, have been barred from the province since the army crackdown began on March 25.

The foreign informants report that the Pakistani Army has been able to widen its control of vital installations and major towns and cities. But they said that guerrilla and terrorist activity by Bengali insurgents—buttressed by Bengali noncooperation in general—have prevented the army from establishing an effective civil administration in most of East Pakistan.

EVIDENCE OF FIGHTING

While the army asserts that "organized armed resistance has been liquidated all over the province," the foreign sources say there is considerable evidence to the contrary.

On May 12, they say, Bengali insurgents clashed with army troops only 15 miles northwest of Dacca, the provincial capital, at the town of Admin Bazar.

On the same day, insurgents reportedly captured the Rocket, a large well-known river steamer that plies between Dacca and Khulna to the southwest. Many foreign tourists used to take the Rocket for the leisurely and scenic ride.

The foreign informants say about 300 passengers were on board when the steamer was seized near Khulna. All were reported to have been robbed.

Foreign sources also say that Bengali activists are making and exploding fire bombs and grenades in Dacca.

Martial-law authorities last week announced the arrest of 10 persons for throwing grenades in Dacca.

The regime warned of "exemplary punishment" for creating "panic and a feeling of insecurity." The authorities have offered rewards for information leading to the capture of "saboteurs."

DESTROYING RAILS AND BRIDGES

Reliable informants also report that separatist forces have continued to destroy rail lines and bridges. The insurgents, informants say, are also seizing barges and destroying cargoes of jute, whose export provides the biggest share of Pakistan's foreign exchange.

The army, according to these sources, continues to carry out bloody reprisals against civilians wherever the insurgents are active. The particular targets are said to be young men, intellectuals, members of the now-banned Awami League, once East Pakistan's principal party, and the minority Hindus, who voted heavily for the Awami League in December's election for a constitutional assembly.

The army, the informants report, has been enlisting, and in many cases arming, anti-Awami League segments of the population to try to suppress the Bengali insurgence. These minority segments, it is said, include non-Bengali Bihari Moslems and supporters of traditionalist, religiously oriented parties.

The informants say some Biharis have been informing on and killing Bengalis. But the army, these sources say, has been much more sweeping and systematic in its attempts to force compliance from the hostile population—razing villages and sometimes killing large groups of Bengalis. Many Bengalis fleeing to India—more than three million have entered the country, according to Indian officials—have been shot at, and killed or wounded, the sources assert.

[From the Christian Science Monitor, May 28, 1971]

INDIA STUDIES ARMED AID FOR EAST PAKISTAN

(By Denzil Peiris)

NEW DELHI.—Indian military experts are offering three alternative solutions to the trigger-tense situation on the East Pakistan border.

1. To recognize the Bangla Desh provisional government in East Pakistan and send in trained refugee guerrillas.

2. To order the Indian Army to wage a "limited war" to clear a 50-mile deep strip in East Bengal for the $3,500,000 refugees who have streamed into India.

3. To give all-out military support to Bangla Desh and help the provisional government to clear the Pakistan Army from the whole of East Bengal.

All three plans have major flaws.

The first is handicapped by the refugees being unready for warfare for another three months. Prime Minister Indira Gandhi has also ruled out recognition of Bangla Desh for the present in spite of opposition pressure.

NEHRU REJECTED PROPOSAL

The second option is similar to a proposal rejected in 1951 by Mrs. Gandhi's father, the late Jawaharlal Nehru. There also is doubt about the willingness of refugees to return to an area of continuous fighting.

The countervailing view to the third plan is that while military experts think that India can easily fight a war on two fronts with East and West Pakistan, it cannot fight on a third front if Communist China came to the aid of its Pakistan ally.

India has launched a diplomatic offensive to persuade Pakistan to create political conditions for the refugees to return, and the United States also is urging Pakistan to make a political settlement.

Meanwhile, the border situation is worsening. The Indian Army has replaced the paramilitary border units in some sections, and antiaircraft guns have been placed in key areas of West Bengal.

[Meanwhile, Reuter indicates tension is high along Indian's frontier with East Pakistan after the Press Trust of Indian reported that Indian security forces killed 120 Pakistani troops who crossed the border on May 26.

[The news agency reporting from the northeastern Indian town of Shillong said the clashes occurred in the early part of the week.]

[From the Far Eastern Economic Review, May 29, 1971]

INDIA-PAKISTAN—HORROR IN STORE

(By A. Hariharan)

NEW DELHI.—By the end of the month some three million people from East Pakistan will have crossed into India as refugees, 60% of them Hindus, 30% Moslems and the balance Buddhists and Christians. They are not political refugees—these may number only a couple of thousand—but old people, women and children whose homes have been destroyed or who fear they will fall victim to the Pakistan military machine.

The bulk of the refugees are accommodated in camps in the border Indian states of Assam, Tripura, Meghalaya and Manipur. The camps are makeshift with no protection against the oncoming monsoon or possible outbreak of epidemics. For India it is a great burden but on humanitarian grounds it has not been possible to seal the long border or insist on valid papers for the refugees to enter India. Consequently eventual repatriation will be a serious problem.

Apparently Pakistan has been driving out all inhabitants from a 25-mile belt directly across the Indian border, perhaps with the intention of getting dependable West Pakistan settlers to occupy this strategic and sensitive area. Both the Indian government and the UN Refuge Relief Committee have organised relief measures on the optimistic assumption that the refugees will be able to return to their homland in about six months. Pakistan, which often has accused India of sending "intruders" into East Bengal, is bound to raise obstacles to prevent their return.

Prime Minister Indira Gandhi is worried about this situation and as India's motivations are based on humanitarian considerations, it looks certain that India will end up having to find homes and work for the bulk of the refugees. They will be able to return only if the bid to carve out a separate Bangla Desh (Bengal nation) is successful.

International response to Mrs. Gandhi's

appeal for generous help to feed and house the refugees was at first disappointing. But following the UN Refugee Relief Committee's findings and U Thant's appeal, large donations of cash, food, milk powder and medicines have been promised. India has told the UN that India's own effort, considerable in itself, will have to be underwritten to the extent of Rs2,000 million by other nations.

However, the main problem is not money. What is needed is an organisation efficient enough to distribute relief supplies and a team of doctors and nurses to look after the health of the migrants. Communication and transport in Tripura, Manipur and Assam will become increasingly difficult as the summer rains set in. Railway lines in some of these states are far from the border areas.

Because of the health hazard, some of the states have demanded that the refugees be spread out to other states. But Mrs. Gandhi has resisted this mainly because their continued encampment in the border zone will facilitate repatriation, if necessary under UN supervision. Neither is she sure that all entrants are genuine refugees. If some of them are agents and spies of the Pakistan government, Delhi feels they should be confined to specific areas where a check can be made of their movements.

If the refugees do not return soon, India will have many more serious problems to face. Social tensions are already building up in the border regions. The refugees already are in the labour market and there is competition for work as farm hands. The people of West Bengal feel they are being displaced by cheaper labour. Some refugees have crossed over with their hand-drawn rickshaws, others their tools of trade. In the acute employment situation already prevailing in the region, the sudden influx of a large number seeking jobs could lead to violence and chaos.

Attempts also will be made by interested parties to rouse communal passions. In Assam there have been some incidents since the East Pakistan exodus began. In the present context even a minor incident involving individuals could lead to a conflagration engulfing large groups of Hindus and Moslems.

Some people in India believe that the ultimate objectives of Pakistan are to eliminate all the minorities from the eastern wing and to place new strains on India's economy. There are approximately eight million Hindus in East Pakistan. If India has to undertake responsibility for all these, there will be demands in India that an equal number of Moslems be expelled from India. India has about 63 million Moslems.

There is no doubt that for peace in India and Pakistan, Islamabad must change its policy of repression in East Pakistan. Only by granting the democratic right of dissent can the situation be retrieved.

[From the New York Times, May 30, 1971]

PAKISTAN'S ROLE PONDERED AT U.N.

(By Kathleen Teltsch)

UNITED NATIONS, N.Y.—The dispute between political factions in East and West Pakistan that erupted into bloody fighting in March has left a legal problem for the United Nations to unravel:

What to do about Abu Sayed Chowdhury, a jurist and educator from East Pakistain who was named to the Human Rights Commission before the crisis?

The Pakistani Government last week notified the United Nations that it wanted Justice Chowdhury taken off the prestigious commission. In due course, the Government said, it would offer a successor.

However, Justice Chowdhury has now turned up here, talking to delegates in their offices and telling them his version of the March fighting.

The 51-year-old judge said during an interview that he would fight to keep his seat on the commission with one aim in mind:

"I want to be able in the United Nations forum to tell the world how the Pakastani Government of President Yahya Khan committed atrocities unparalleled in history against the people of East Pakistan."

Justice Chowdhury says that he now supports the provisional government of Bangla Desh (Bengal Nation) set up by East Pakistani separatists. He is working in Britain to rally support for the cause among the 100,000 Bengalis living there.

His status as a member of the Human Rights Commission is now being studied, say legal experts here. One diplomat predicted that it would lead to a "good fight" in the commission's parent body, the Economic and Social Council, later this year.

There are precedents for individuals continuing to serve on some council commissions after being disavowed by their governments. However, the 32 members of the Human Rights Commission traditionally are regarded as representatives of their governments.

"I still consider myself a member of the commission," Justice Chowdhury declared. He argued that since the council had confirmed his designation, the council would have to decide on his removal and that he was entitled to a hearing.

"It is a fundamental principle of jurisprudence that nobody can be condemned unheard," he said.

Justice Chowdhury was a member of the High Court of East Pakistan for 10 years and also served as vice chancellor of the University of Dacca.

In his talks here he has been particularly bitter that the casualties of the fighting included hundreds of students at his university. He refers to them often as "my children."

As he tells it, he had left meetings of the commission in Geneva and gone to London when news reports reached him that the Government of President Aga Mohammad Yahya Khan had outlawed the Awami League, which was pushing for autonomy in East Pakistan. Next came reports that West Pakistan troops had fired on civilians during the night of March 25, he said.

"When they killed my students and my teachers, I knew I could not go back," he added. "I could not serve under an administration that murdered in utter lawlessness. As a judge I, could not uphold the rule of law in a country where people are shot while they are sleeping.

[From the Washington Post, June 2, 1971]

REBEL BENGALI LEADERS MEET WITH INDIRA GANDHI

Indian Prime Minister Indira Gandhi for the first time met yesterday with rebel leaders from East Pakistan who sought support for their provisional Bengali government.

The three Bengalis said the meeting was "encouraging" but disclosed no details. The three, all officials of the Awami League, East Pakistan's majority party, were also guests of a reception held by the Indian parliament, which has sympathized with the separatist cause.

In Karachi, the government of President Yahya Khan lifted censorship of outgoing press dispatches. Censorship had been in effect since March 26 when federal troops moved to crush the East Pakistan breakaway movement.

Meanwhile 800 person were reported dead from cholera in the last five days in refugee camps for East Pakistanis who fled into adjacent districts of India. The chief medical officer of Nadia district of West Bengal said another 1,200 refugees wre being treated for cholera.

The World Health Organization and Red Cross in Geneva said they had received no request from India for help in fighting the cholera but that supplies of vaccine and health teams were ready.

[From the Christian Science Monitor, June 3, 1971]

PAKISTAN REFUGEES FLOOD INDIA

(By Abu Abraham)

ON THE EAST PAKISTAN BORDER.—Emaciated, silent, cheerless, the East Pakistani refugee children who have poured into India to escape war are a heartrending sight.

Together with their mothers, many of them with babies in their arms, they huddle in temporary shelters uncertain as to their future.

As Pakistani government troops spread along the Indian border to contain the East Pakistani secessionist revolt, the flow of refugees into the Indian states of Tripura, Assam, and West Bengal continues.

It is estimated that there now are three million refugees from East Pakistan in India.

POPULATION SURGE

Tripura's population, which was 1.5 million two months ago has increased by almost half as much.

There are more than a half million registered refugees in Tripura, and perhaps at least 100,000 are unregistered and living with relatives and friends.

The situation has led to a serious problem in food supply and has adversely affected the development projects in this Indian Union Territory.

But if the children depress, their grown up brothers in the Mukti Fauj (Liberation Front) see no need for despondency.

Somewhere on the border some miles from Agartala, the capital of Tripura State, on the fringe of a forest, I spent an hour at a training camp of the Mukti Fauj.

Past the armed guard in lungi (a piece of colored striped cloth worn below the waist) and shirt, I was led to an old wooden house. There I was met by a young boy who looked hardly 18, who introduced himself as the commander. He is a former cadet of the military academy in Dacca.

He introduced me to some of his fellow fighters, all of student age and wearing lungis and shirts.

As I sketched one of them, who sat guarding a stack of rifles, the commander talked to me about the daily exploits of his boys, about their regular encounters with Pakistani troops. He was confident of victory. "The morale of the boys is very high," he said repeatedly.

When I had finished the drawing, he came over and had a look. "Don't show him afraid," the commander said. "You must put some courage in his eyes. Our morale is very high."

LESS OPTIMISM VOICED

The situation on the refugee front is a lot less optimistic.

About half the refugees, it is estimated, have been provided with temporary shelter.

Many schools and some temples have been turned into camps, but thousands live in huts made of pleated bamboo screens and grass thatching.

The jungles of Tripura have plenty of bamboo groves and the screens are made by hundreds of refugees working at various construction camps.

The huts look pretty and neat, but they can be blown over in a storm. They will be poor protection when the heavy rains begin in June. Moreover, thousands of families now live in the open, under trees.

PITIFUL SCENE

The condition of the refugees is far worse in West Bengal than in Tripura. Because of the heavier local population, the congestion is more evident; besides, the weather in West Bengal is hotter and more humid.

Bangaon, about 60 miles from Calcutta and two miles within the Indian side of the border, presents a sad spectacle, with thousands of mothers with little children and babies in arms living along the roadside, cooking food or resting in the shade.

Despair is written on their faces. Long columns of people were waiting at different places for their ration of 400 grams of rice per day.

At Sabrum, 70 miles south of Agartala, is one of the biggest camps in Tripura. A town with a normal population of 2,000 now has several times that number. Eighty-thousand people have passed through Sabrum in the last month.

A few hundred yards away from the camp, the Fenny River flows, marking the boundary with East Bengal. A tapering, hooded Bengali boat lay moored on the Indian bank. A group of children were peering across to the other side. "There!" said one in a hushed voice. "There they go." Two Pakistani officers were marching in step in the compound of what was once a post office, now turned into an army camp.

BATTERED, DESERTED TOWN

This is the town of Ramgarh. There was not another soul in sight. Beyond the post office were wide open spaces. Next to it, a partly damaged school building and a half-destroyed mosque. Nearby were the charred remains of a few houses, a clump of burnt-out banana trees, and a couple of badly damaged coconut trees.

Back at the Circuit House in Agartala my bedroom windows rattled every night as Pakistani shells burst along the border. The shelling goes on during the day as well, though with less regularity. It is probably aimed at the guerrilla forces operating from the border, but it is also, no doubt, a way of intimidating the villagers in these areas and forcing them to leave.

[From the Times of London, June 4, 1971]

SECRET CATALOGUE OF GUILT AND DISASTER OVER EAST PAKISTAN

(By Peter Hazelhurst)

Within a space of a few short weeks both East and West Bengal have suddenly become international trouble spots. Millions of people have been uprooted by the civil war. Thousands have been killed. Famine and disease are already beginning to stalk the countryside and a full-scale war between India and Pakistan threatens to break out at any moment.

But even more disturbing is the fact that the situation can only deteriorate. The world leaders are, of course, talking glibly about the hope that the East Bengalis and the West Pakistanis will come to a "political settlement." But even the most naive student of Pakistani affairs knows that a political settlement is out of the question now.

CHRONOLOGICAL SEQUENCE

In the coming months, the legal aspects behind this man-made holocaust will be hotly debated in the capitals of the world and on international platforms. But many of the issues which precipitated this convulsion have been clouded by the cries of "secession" or "genocide" and other accusations and counter-accusations and if the accusing finger is to be pointed at any single Pakistani leader then one must at this juncture take a judicious look at the chronological sequence of events leading up to the rift.

It is worthwhile picking up the threads in January 1970 when President Yahya Khan, who had promised to hand over power to a popular Government, lifted the ban on political activity in both East and West Pakistan as a prelude to the election of a Constituent Assembly to hasten a Constitution-making process and to assuage the fears of the West Pakistanis who believed that the integrity of Pakistan might be jeopardized by the imagined East Bengali separatists. The President had earlier issued a Legal Framework Order (LFO) which gave him the right to ratify or reject the Constitution.

It has already been obvious that the former Foreign Minister Bhutto would emerge as the most popular leader in West Pakistan and the fiery East Bengali leader Sheikh Mujibur Rahman had already demonstrated his strength on the streets of East Pakistan.

HOPE OF DEMOCRACY RAISED

Political activity began in earnest the moment the ban was lifted and as both the leaders began to barnstorm their respective provinces, Pakistanis began for the first time to look forward to their first taste of democracy.

But as the two leaders launched their campaigns, it soon became clear that they were fighting elections on rigid and diametrically opposed grounds and that there would be hardly any common meeting ground in the Assembly. Bhutto, whose whole political base is essentially founded in militant Punjabis' obsession over the Kashmir dispute, began stomping up and down the Western province, talking of a thousand-year war with India. And to maintain this attitude he assured his voters that he stood for a strong Central Government, a strong army and a new offensive to liberate Kashmir.

As millions of Pakistanis went to the polls in the country's first free elections last year, General Yahya Khan and his aides waited for the results with bated breath. President Yahya certainly intended to hand over power but he had hoped that results would force the East and West Pakistani leaders into an alliance which would preserve the integrity of the country.

THE NEW FACTORS

But the General had not counted on two factors. At the last moment Awami League's major political opponent, left-wing National Awami Party, decided to boycott the elections leaving the field open to the Awami League. At the same time the West Pakistani administration's alleged failure to come to the timely assistance of the cyclone victims was used to conjure up more votes for the Awami League and in terms of preserving the integrity of the country, the results were disastrous. Almost every Bengali endorsed Sheikh's 6-Point Program which turned the election into a referendum. The Awami League swept the polls and claimed 167 out of 169 Bengali seats and with the support of anti-Punjabi regional parties in the Western province, Sheikh Mujibur Rehman was confident of obtaining the support of more than two-thirds of the 313 members of the Constituent Assembly. In West Pakistan Bhutto and his Peoples Party won 82 out of 138 seats allocated to the western wing. The Punjab recoiled in horror for it became blatantly obvious that the Bengalis would be able to draw up their own Constitution the moment the Assembly met.

BHUTTO'S PLANS

But Bhutto, who knew that he could never become the Prime Minister of undivided Pakistan was thinking of the future within hours of election. He suddenly discovered that he had a vested interest in the President's Legal Framework Order. The clause which gave the President the right to veto, or reject the Constituent Assembly's document had become the Punjab's veto.

On the night after elections the flamboyant lawyer revealed a part of his plan to me: "What do you think I will do. The Sheikh will push his Constitution through with his brute majority and the responsibility will lie on the President's shoulders. I doubt whether he will sign the document which is unacceptable to West Pakistan."

In other words, Bhutto had a vested interest in keeping the LFO in force. He had told that he had heard disconcerting reports that the Sheikh was planning to declare that the Constituent Assembly was a sovereign body the moment it met.

In other words, the LFO and the Punjab's veto would disappear.

"OUR FUTURE PRIME MINISTER"

In the meantime Bengalis were in a restive mood and there had been no move toward secession. On December 24 President Yahya had described Mujibur Rehman as "our future Prime Minister" and had agreed that the Constituent Assembly would sit in Dacca. The Bengalis began to decorate the city and the Assembly House and the mood in Dacca had relaxed.

The slogan "Bangla Desh" had not been raised and no one was talking of Independence.

But Bhutto had other ideas. At first he tried to oppose the early sitting of the Assembly but on February 13 President Yahya announced that the Assembly would meet on March 3.

POINT OF NO RETURN

The actual point of no return which precipitated the present crisis came two days later on February 15. Bhutto announced that his Party would boycott the Constituent Assembly and at the same time he threatened any other West Pakistani politicians who were planning to travel to Dacca. In short, Bhutto began to pile up pressure on President Yahya.

At the same time Bhutto had met several of President Yahya's Generals who were considered hawks on the subject of East Bengal. They included the present Governor of East Pakistan, General Tikka Khan.

In the meantime, several West Pakistanis had defied Bhutto's threat and had traveled to Dacca in the last week of February to participate in the framing of the Constitution. In terms of arithmetic, representatives of two-thirds of the country had congregated in Dacca.

BHUTTO THREATENS YAHYA

But on February 28 Bhutto flew to Rawalpindi to remind President Yahya of the consequences he would have to face if he ratified the constitution which was unacceptable to the Punjab and subsequently to the Punjabi army.

President Yahya made his first mistake. He succumbed to the Punjabi pressures and without consulting Sheikh Mujib, as the leader of the largest party, he postponed the Constituent Assembly on March 1.

BENGALIS LOSE FAITH

The Bengalis, who saw the move as a conspiracy, went wild and the army was called out to quell the disturbances in Dacca. The Bengalis had lost their faith in the President and the first cries of "Bangla Desh" were heard on the streets of Dacca. The hawks in the Awami League began to call for Independence and the Sheikh promised to make a dramatic announcement at a mass rally on March 7. On March 6 the President attempted to retrieve the position and announced that the Assembly would meet on March 25. But things had gone too far. On the next day, staving off militant cries for Independence, the Sheikh announced 4 preconditions for future talks. The most important was the withdrawal of Martial Law itself (this would eliminate Bhutto's veto in the form of LFO).

But one thing was clear at this juncture: The Sheikh, facing a tremendous pressure, was still prepared to participate in the Union of Pakistan.

The Punjab sighed with relief. The Bengalis had been allocated a built-in majority in the Constituent Assembly by virtue of their large population but every Punjabi believed that they had found a leader who could stand up to Sheikh. He would certainly not compromise the Kashmir issue by resuming trade ties with India (as the Bengalis had advocated) and opposed all of Bengal's demands for autonomy which would strip the Central Government of all effective power.

AUTONOMY IS NOT SECESSION

But across India, in the impoverished Eastern Wing, the fiery Bengali leader and his Awami League lieutenants were adamant that they would not concede one inch of their 6-Point Program for autonomy. The Sheikh had made it plain too, that when he talked of autonomy he did not mean secession. "I want constitutional guarantees which will end this economic exploitation forever. We have larger population so how can the majority secede from the minority," he told me at that time.

YAHYA'S OFFERS

To give weight to his demand for immediate withdrawal of the Martial Law, the Sheikh launched a massive civil disobedience movement. Life in the entire Province was disrupted and as the cries of "Bangla Desh" became louder, the President flew to Dacca on March 16 with two alternate offers; (1) he said he was willing to restore the power to the elected representatives of the people immediately if the Sheikh was willing to form a Provisional National Government at both the center and at the provincial level or (2) he would restore the power to the Provinces and the Interim Government led by the President himself would administer the day-to-day needs of the country until the Constitution was framed.

BHUTTO'S DEMAND

At that time, the two leaders said there was room for optimism. But in the meantime Bhutto had heard of the proposals and had publicly declared that West Pakistan would go up in smoke if the Peoples Party was not included in the proposed Coalition Government. To prove his point, he launched a massive and violent campaign in the Punjab and flew to Dacca on March 21 to join the talks with the other West Pakistani leaders.

When President Yahya asked the Sheikh whether he was prepared to take Bhutto, leader of the largest West Pakistani Party, into the Central Coalition Government, the Sheikh cited democratic precedents and said that as a leader of the single largest party, he must be allowed to select his own partners. Again his willingness to participate in the Central affairs of Pakistan does not suggest that the Sheikh was planning secession.

But the President succumbed to Bhutto's strident threats again and the proposal for a National Government was dropped.

YAHYA'S SECOND FORMULA

As time began to run out, the Sheikh and Yahya Khan agreed to a second compromise formula: immediate restoration of the power at the provincial level. The Sheikh asked the President to issue an immediate proclamation withdrawing the Martial Law and restoring the power to East Pakistan and the four Provinces of West Pakistan. The Sheikh agreed to the suggestion that the President could continue to administer the Interim Central Government until a Constitution was framed.

But in the meantime Pakistan's future was being decided by other forces. Bhutto had met the hawks in the Army and a mass movement on the streets of Bengal had slipped out of Mujib's control.

BHUTTO'S NEXT MOVE

As the soldiers slipped into battle-dress in the barracks, angry and frustrated Bengalis began to raise the flag of "Bangla Desh" in Dacca. It was Bhutto who finally brought the President to take the decision which set East Bengal on fire. When the President put the Sheikh's proposal to the West Pakistan leaders, Bhutto pointed out that if the Martial Law was withdrawn, Pakistan would be broken up into five sovereign States, the moment the President restored the power to the Provinces. He expressed the fear that Sheikh Mujibur Rahman was trying to liquidate the Central Government. Because when the President withdrew the Martial Law, he had no sanction to carry on as Head of the State.

LAST STEP TO HOLOCAUST

Half-convinced, the President went back to Sheikh Mujibur Rahman and expressed these fears. He promised Mujib that he would withdraw the Martial Law the moment the National Assembly met and gave the Central Government some form of validity. Sheikh Mujib reiterated his demand for the immediate withdrawal of the Martial Law and President Yahya, now fully convinced that he was dealing with a traitor, turned to his Generals. Taking events to their logical conclusion, there is no doubt that the present holocaust was precipitated by President Yahya Khan when he postponed the Assembly without consulting the Bengalis. But even more so by Bhutto's deliberate decision to boycott the Assembly on March 3.

[From the Washington Post, June 4, 1971]

INDIANS ADAMANT: PAKISTAN REFUGEES MUST RETURN HOME

(By Lee Lescaze)

CALCUTTA, June 3—Indian officials believe that the four million refugees from East Pakistan now in eastern India must eventually return to their homes.

Hopes that the refugees would go back after a few weeks have been crushed by alleged terror tactics of the Pakistan army in East Pakistan, and the Indian government is now planning refugee relief for six months. But the official policy is that India will not be able to care for the new arrivals indefinitely—or absorb them into India's crowded countryside.

"Aid is only a palliative," Col. P. N. Luthra, the man in charge of coordinating relief efforts here, said today. "The refugees must go back. That is the only remedy," he insisted.

Other observers are not confident that the millions driven from their homes will ever be willing to return. They argue that the overwhelming majority of refugees—perhaps 90 per cent of those arriving now—are from East Pakistan's minority of 10 million Hindus and that these Hindus are unlikely to chance living again in Moslem Pakistan.

Many refugees' accounts of their treatment inside East Pakistan also seem to indicate that they were targets of the Pakistan army solely because of their religion.

Luthra and other officials believe that foreign powers must pressure Pakistan into allowing refugees to return. "It all depends on the foreign community," Luthra said, "the attention of the world must be focused on the problem."

One irony that strikes officials here is that the better India handles its problems caused by the refugees, the less the world is likely to concern itself.

"Because hundreds aren't dying of starvation," one official said, "there seems to be a tendency to ignore the long-range problems."

VIOLENCE FEARED

Like other officials, Luthra believes that eastern India will suffer outbreaks of violence and economic disruption if the refugees do not return to their homes or if they are not carefully controlled by Indian authorities.

"About three-quarters of India lives near the subsistence level," he said. "We cannot spend all our money and concentrate all our attention on the refugees—there must be general economic improvement," he added.

The central government and the state government of West Bengal are now beginning to plan "transit camps" for the refugees. These will be designed to provide better and more permanent shelter than that available in the present camps close to the India-Pakistan border.

However, the planning, let alone construction, has not been able to keep up with the flow of refugees. Initially, at least, it will not be able to find space for all the four million. There is a shortage of open land in West Bengal high enough not to flood during the seasonal rains which usually begin this week. And farmers are unwilling to give up agriculturally valuable land.

In addition to flooding camps in low-lying areas, the seasonal rains, or monsoons, will greatly increase the problems of supplying refugees in Assam and Tripura—where small guage railroads and roads are often blocked by landslides once the rains start. Like West Bengal, Assam and Tripura are rice-deficit states in normal times and have to be supplied with food from other parts of India.

POLITICAL PROBLEMS

Political control of the refugees also troubles Indian officials. Most of those who have fled are farmers and would be likely recruits for the West Bengal Communist Party Marxist (CPM), the state's largest party. The non-Communist state coalition government and New Delhi are eager to see that Communist political organizers are kept out of the refugee camps.

In addition, there have been reports of Pakistani agitators mingling with the refugees and trying to exacerbate Hindu-Moslem resentments.

Pakistan has portrayed the refugee exodus as an Indian-instigated attempt to play upon the long-standing religious friction.

About 8 million Moslems live in West Bengal and there have been scattered reports of Moslem alarm at the large numbers of desperately poor Hindus moving into camps close to their homes and fields. Indian police found a collection of spears, axes and knives in one mosque recently.

Among those non-official Indian observers here who believe that most refugees will never return to East Pakistan, a minority is not convinced that India will not be able to absorb the new arrivals.

"We will not cope by your standards," one man said, "but by Indian standards the refugees will manage and they will be dispersed through the country. We already have more than 540 million people, we can survive with a few million more."

U.S. WILL ASSIST REFUGEE RELOCATION

The United States will provide four large military transport planes to evacuate some of the East Pakistan refugees who are concentrated in the overcrowded Tripura border area in India, the State Department said yesterday. They will be moved to other areas in India, which had asked for the assistance.

The United States is also considering a substantial increase in its assistance, through the United Nations, to the feeding and care of Pakistani refugees in India, a spokesman said.

The amount may be about $15 million, or about half the estimated cost of feeding the refugees during the next three months.

In another development, the spokesman said the U.S. embassy in Islamabad has been instructed to ask the Pakistan government about a newspaper photograph showing military personnel using a type of small boat similar to 50 craft supplied by the United States for cyclone disaster relief operations last fall. The vessel was apparently being used in an area where government forces were fighting East Pakistani separatists.

In New York, Catholic Relief Services announced yesterday that it is shipping 60,000 doses of cholera vaccine to Calcutta to combat an epidemic among the East Pakistan refugees in India.

[From the New York Times, June 5, 1971]

BRITONS RUSHING CHOLERA SHOTS TO INDIA

(By Anthony Lewis)

LONDON, June 4.—British relief organizations acted urgently today to get anticholera

vaccine to India, where an epidemic has broken out among refugees from East Pakistan.

Oxfam, a private charitable organization, is to fly out 800,000 doses of the vaccine tomorrow. Two other charities, War on Want and the Save the Children Fund, plan to send more next week—along with medicine and mobile hospitals.

Raymond Courmoyer, Oxfam's representative in eastern India, said here today during a brief visit that cholera threatened not only the estimated four to five million Pakistani refugees but also many Indians.

The administration of India's West Bengal State is appealing for four million cholera and typhoid shots, Mr. Courmoyer said. He termed the situation "a world tragedy" and said that the refugees, even apart from the cholera risk, were living "in a terrible state."

"MAJOR DISASTER" FEARED

A representative of War on Want, the Rev. Wilfred Kerr, said there would be a "major disaster" unless the refugees could return to their homes in East Pakistan before the monsoon rains start in about a month.

"They are living in tents set up in rice fields, and they will be flooded out when the rains come," he said. "Dysentery and cholera will become rampant."

To assist the Indian Red Cross in surveying the health situation in the camps, the League of Red Cross Societies in Geneva is sending a medical expert to India.

W.H.O. SHIPPING SUPPLIES

The World Health Organization announced that the first planeload in a relief program of more than $300,000 worth of supplies would leave Geneva for India tomorrow. The organization said it was acting in response to a request today from the Indian Director of Health. The shipments will include $40,000 in medical equipment previously donated by members of the agency, plus $100,000 in supplies purchased with W.H.O. funds and $185,000 donated by the office of the United Nations High Commissioner for Refugees for purchase of supplies.

The largest item will be 250 metric tons—or about 551,000 pounds—of rehydration fluid to treat loss of body fluids among cholera victims. Experts say fluid loss is the principal cause of deaths from cholera.

The W.H.O. program is also to include 500,000 doses of cholera vaccine, a million capsules of tetracycline antibiotic, 1,000 bottles of tetracycline syrup for children, 75,000 syringes and 300,000 disposable needles.

[From the Boston Globe, June 5, 1971]

MALNUTRITION ADDING TO CHOLERA TOLL

NEW DELHI.—The Indian government said yesterday that malnutrition, as well as cholera, is taking a heavy toll of lives among 4.7 million East Pakistani refugees in eastern India.

Health Minister Uma Shanker Dixit told parliament that most of the refugees were "arriving in a condition of exhaustion caused by malnutrition."

He said it appeared the refugees had brought the cholera with them.

Dixit said he could not give a detailed statement of deaths attributed to all causes, but said 1250 persons had died of cholera as of Friday and there were 9500 confirmed cases of the disease.

Dixit's figures contradicted a statement Saturday by his ministry, saying 2000 persons had succumbed to cholera as of last Thursday.

Health officials in the affected areas around Calcutta have said the death toll has reached at least 4000. Unofficial sources in touch with the refugee camps claim 10,000 have died from the disease.

Dixit rejected suggestions that Pakistan had unleashed germ warfare and was purposely polluting rivers and wells near the border areas to spread cholera.

But in the upper house of parliament, Dixit's deputy, D. P. Chattopadhyaya, said Pakistani authorities were throwing bodies of victims into rivers near the border, bringing symptoms of the disease to "our side."

He said about half the refugees had been inoculated, but he added there was a shortage of saline water. Normally, a cholera victim must receive 25 quarts over a three-day period to escape death.

Britain yesterday began organizing a massive airlift of medicine and food supplies. A foreign office spokesman said Royal Air Force planes were leaving with free supplies of cholera vaccine, syringes and saline solutions.

[From the Evening Star, June 5, 1971]

PAKISTAN, U.N. AGREE ON RELIEF FOR WAR AREA

RAWALPINDI, Pakistan. (AP)—Pakistan and the United Nations have agreed on relief operations for victims of the civil war in East Pakistan, a U.N. spokesman announced today.

Agreement following a meeting yesterday between the Pakistan president, Gen. Agha Mohammed Yahya Khan, and Ismat Kittani, U.N. assistant secretary-general for interagency affairs.

Talks between the two apparently overcame Yahya's insistence that international assistance should be administered by Pakistani relief agencies.

No details were available, but the spokesman said Egypt's Baghat A. el-Tawil, assistant director of the U.N. Office of Technical Cooperation in New York, has been named to coordinate the U.N. program.

MILLIONS DISPLACED

Millions of East Pakistanis were displaced during more than 10 weeks of fighting there.

The spokesman said el-Tawil was due in Pakistan in time to accompany Kittani Monday to Dacca, East Pakistan's capital.

At the meeting yesterday, "there was full agreement on the manner in which the operation should be organized and the president welcomed arrangements envisaged by the United Nations," the spokesman said.

According to the spokesman, Yahya sent word to U.N. Secretary-General U Thant of Pakistan's "readiness to cooperate fully at all levels in the planning and implementation of relief operations."

The agreement was expected to lead to large contributions to the relief effort within East Pakistan from the United States and other countries.

RELIEF HALTED

Relief and economic assistance from the outside world virtually halted when the army struck against Sheik Mujibur Rahman and his now banned Awami League on March 25.

The United States has said it planned to resume food shipments as soon as cargoes could be landed at eastern ports and the government could guarantee their delivery inland.

Joseph Ryan, chief of transportation in the U.S. Agriculture Departments' export marketing service, is currently in East Pakistan at the government's invitation. He is surveying harbor conditions there to determine whether the United States should start shipment of more than 320,000 tons of food and grain.

Pakistan has asked the United Nations for 250,000 tons of food and grain, 100,000 tons of edible oil, 30 coastal vessels and 500 vehicles.

[From the Washington Sunday Star, June 6, 1971]

EAST PAKISTAN TODAY—"NORMAL" IS MUCH QUIETER

(By Joseph Galloway)

DACCA, EAST PAKISTAN.—A good guess, the experts say, is that 200,000 persons were killed in the political upheaval in East Pakistan that began March 1.

Seventy-five percent of the dead are Bengalis, one foreign diplomat estimated. The balance of casualties is divided among the Bihari Moslem, the Pakistani Hindu, and the West Pakistani peoples.

For 24 days in March the Bengalis of East Pakistan felt the fever of independence and exulted in a growing sense of Bengali nationalism.

Since March 25, however, the army of West Pakistan has marched through the East, crushing the rebellion.

DACCA A GHOST TOWN

Today the Pakistan army—strength estimated at between 70,000 and 100,000 in the East—has secured all the cities and communication routes.

Army clearing operations and the panic they deliberately inspired dislocated millions of citizens. The city of Dacca is today described by longtime residents as a virtual ghost town—with between 25 to 50 percent of its population of 1.5 million gone.

Massive collections of slum shanties around city bazaars and railroad tracks have been burned out or leveled by bulldozers. Almost no trace remains of them, and no trace at all of the hundreds of thousands of poor who once lived in them.

When the army struck to restore national control, thousands died in Dacca. Foreign diplomats put the Dacca death toll at around 3,000 in the March 25–27 period.

In the Dacca of today you take your pick of death toll figures: In one day a reporter was told the Dacca death toll was 150 by army count; an American businessman said he believed it was 500; the diplomat guessed 3,000; a British businessman ventured that it might be 6,000; and an anonymous Bengali telephoned to say, "Sir, you must tell the world that the army killed 36,000 people in the streets of Dacca."

However many died in Dacca in late March, the deaths touched off a spate of massacres of non-Bengali men, women and children all across East Pakistan. In turn, that enraged further the Pakistani troops assigned to retake the countryside.

Throughout an official government-sponsored tour that lasted six days, a group of nine visiting foreign journalists was told over and over that the real story in East Pakistan was not what had happened, but that normalcy was returning.

An official announcement was published that public schools had reopened in Dacca. So they had. One school with a previous enrollment of about 800 children now has but 20 or 30 children a day. Another school with an enrollment of 750 had about 90 of its pupils return to classes—the majority non-Bengali children, diplomatic sources reported.

An overriding fear seems to grip Dacca today. Although the official daily curfew does not go into effect until midnight, the streets of the capital begin emptying at sundown. By 10 P.M. no one is to be seen afoot or driving.

TRAFFIC IS LIGHT

An American businessman pointed out that although in daytime there appears to be considerable traffic on Dacca's streets, where once it took you half an hour to drive from the airport to the Dacca Intercontinental Hotel, that same journey today takes less than 10 minutes.

The touring journalists made a 60-mile drive along the excellent highway from Thakurgaon to Rangpur in the Northwest without meeting even one vehicle.

Businessmen say the government and the army have thus far put the bulk of their efforts into two projects of restoration since regaining control: resumption of jute and

tea production for exports, and removing the physical scars of the fighting.

"The government intends to get the cash export business right back into operation as quickly as possible, clean out every last Hindu in East Pakistan, and then settle down to a nice long occupation," one embittered foreigner said.

It is the cleaning out of the country's Hindu population of 10 million that could ultimately bring Pakistan and India into conflict. One diplomat estimated that perhaps 2 million Hindus already have fled into India. The Indian government estimates 4.5 million refugees have arrived.

"The army is seeing that intense pressure is kept on those remaining to go the same way," he said. "We have had reports from a number of places that Bengalis are beginning to attack Hindus while the army stands by doing nothing."

Some foreign sources said there are signs that a resistance movement against the army and the government was beginning to build again among Bengalis.

In recent weeks the 30 to 40 percent of Bengalis who have resumed work in commercial and administrative sectors have begun receiving letters, written on East Pakistan provincial government stationery and posted under government frank, letting them know there is an underground. The letters warn against collaboration with the government or over-enthusiastic work habits

One Bengali commented, "The army is making the fat they'll be fried in some day. The liberation army will come some day. Perhaps many of us won't be here to welcome them. But they'll come."

[From the New York Times, June 8, 1971]

BID TO DISSIDENTS HINTED IN KARACHI—EFFORT TO FORM NEW PARTY REPORTED UNDER WAY

(By Malcolm W. Browne)

KARACHI, PAKISTAN, June 4.—The Government of Pakistan appears to be trying to bring some former leading members of the outlawed Awami League of East Pakistan back into the national fold.

Jang, the nation's largest newspaper, reported today that moves were under way to form a new party that would include these members but would be opposed to separatism.

The Government appears to be focusing its efforts on the league's bloc of representatives elected last December to the National Assembly, which was to have met March 3 to begin drafting a constitution to return Pakistan to civilian rule.

The Awami League, which had campaigned for regional autonomy, would have dominated that assembly, since it had won 167 of its 313 seats. But President Agha Mohammad Yahya Khan postponed it on March 1, and a series of protest strikes broke out in East Pakistan.

LEAGUE BANNED IN MARCH

On March 25, when Pakistan's army began its crackdown in the Eastern wing, the Awami League was permanently banned and its leader, Sheik Mujibur Rahman, was jailed on charges of treason.

The newspaper Jang said a former Awami League politician, Begum Akthar Sulaiman, had obtained the signatures of 109 former league representatives in national and provincial assemblies in support of the proposed party.

Mrs. Sulaiman is the daughter of the late Huseyn Shaheed Suhrawardy, founder of the Awami League. She was quoted today as having said that her father would never have approved of the separatist program adopted by the league under the leadership of Sheik Mujib.

She said the new party is to be headed by Zahir Uddin, a former national education minister.

Mrs. Sulaiman has visited East Pakistan twice in the last two months, and has conferred with President Yahya.

Meanwhile, politicians were speculating that President Yahya would make a speech to the nation in the next few days announcing some of the general outlines of a new constitution.

He is expected to propose a constitution that would prohibit movements tending to fragment the nation and to establish an electoral system in which Pakistanis would vote according to their religion.

The overwhelming majority of Pakistan's population is Moslem and the Moslem faith is the official national religion. However, there is a substantial Hindu minority as well as small numbers of Christians, Zoroastraians and Buddhists.

Each religious community would be permitted to elect a certain number of assembly delegates with Moslems in the enormous majority. Last December, Hindus joined Moslems in voting for the separatist policies of the Awami League, and Government officials hope to prevent by law any such cooperation in the future.

It is also understood that in any future government, regardless of the form it takes, the army will continue to guard against unwanted political tendencies.

[From the New York Times, June 8, 1971]

REFUGEES AND CHOLERA INCREASE IN INDIA

CALCUTTA, India, June 7.—The number of East Pakistani refugees flooding into India reportedly neared five million today. Cholera in epidemic proportions threatened this squalid capital of West Bengal state.

In New Delhi, Health Minister Uma Shanker Dixit told Parliament today that, as of Friday, the number of refugees was 4,738,054. But some observers felt that the total now could have passed five million.

Mr. Dixit said the central Government's information indicated that 1,250 refugees had died in the cholera epidemic up to Friday and that 9,500 others were in hospitals.

However, informed sources in Calcutta said on Saturday that the death toll was about 8,000. Government health officials said they had no precise figures, but agreed it could be as high as 8,000.

Twelve new cases of cholera were reported today at a big refugee camp near the Calcutta airport, bringing to about 100 the reported number of victims of the disease in the camp.

23 DEATHS AT CAMP

Twenty-three deaths have been reported at the camp—mostly infants and old persons—since the first of 40,000 refugees started to gather there 12 days ago. The deaths were variously attributed to disease, exhaustion and malnutrition, and it was not known precisely how many were caused by cholera.

No new cholera victims were reported at a second camp within the Calcutta city limits since six persons were taken to a hospital late last week.

But the disease, which attack the gastrointestinal system, was still reported raging in epidemic proportions in other camps throughout West Bengal.

Roy Chowdhury, administrator of the camp near the airport, said today that work would begin tomorrow on a new camp about two miles east of his installation. It was expected to house 15,000 to 20,000 refugees who now seek shelter from the steaming monsoon conditions under trees and bushes along the roads to Calcutta.

The new camp is being set up at a Boy Scout center despite the wish of the West Bengal Government to move all refugees at least 20 miles from the city, for both political and health reasons.

REFUGEES POSE THREAT

The population of Calcutta has swollen to more than 12 million with the influx of refugees.

The refugees pose a grave political threat to the Government, which is spending millions of dollars to aid the fleeing East Pakistanis—money desperately needed by millions of poverty-stricken Indians.

There have already been complaints that the refugees, who are receiving a free daily food ration from the Government, are seeking jobs and driving down the price of labor which, in many cases, only keeps Indians at subsistence level at the best of times.

The refugee flow began after the Pakistani Army's crackdown March 25 and its drive against East Pakistani secessionists.

In New Delhi, Ken Dixit, who was speaking during a special session of parliament on the cholera outbreak, said that as of Friday 2,722,561 refugees were being housed in camps in the states of West Bengal, Assam and Bihar and the territories of Meghalaya and Tripura. An additional 2,015,493 were outside camps, mainly sleeping in the open, he said.

[From the New York Times, June 8, 1971]

500 AND 100-RUPEE BILLS WITHDRAWN BY PAKISTAN

KARACHI, PAKISTAN, June 7.—The Pakistani Government removed from circulation today part of the nation's currency in an effort to check the economic effects of looting from banks in East Pakistan.

The two largest denominations of Pakistani money, 500 and 100-rupee notes, worth respectively $106 and $21 at the legal rate of exchange, were recalled.

Also taken out of circulation were any other banknotes overprinted with the slogans of the Bengali separatist movement of East Pakistan.

President Agha Mohammad Yahya Khan said recently that $100-million in rupees had been taken from banks in East Pakistan by militant Bengali separatists in March and April.

Tonight the Government said this money, if it remains within the Pakistani economy, would be likely to have an inflationary effect. It asked that 500 and 100-rupee notes be turned in to Government banks for checking of serial numbers in the next three days.

[From the New York Times, June 8, 1971]

U.N. AIDE IN PAKISTAN

GENEVA, June 7.—Prince Sadruddin Khan, the United Nations High Commissioner for Refugees, arrived in Pakistan yesterday to discuss possible arrangements for the return of the East Pakistani refugees who fled to India, his office announced today.

Repatriation is the "most desirable solution to the problem from the humanitarian point of view," the announcement said.

[From the New York Times, June 8, 1971]

F.A.O. APPEALS FOR AID

ROME, June 7.—The Director General of the Food and Agriculture Organization appealed today for additional assistance to relieve "the very serious humanitarian problem" raised by the recent civil strife in East Pakistan.

Speaking at the opening session of the F.A.O. council here, Dr. Addeke H. Boerma, the director general, declared that the requests for emergency food aid by Pakistan and India were "beyond the resources" of his organization and the World Food Program.

[From the New York Times, June 9, 1971]

PAKISTANIS MOB BANKS TO TURN IN RECALLED CURRENCY

(By Malcolm W. Browne)

KARACHI, PAKISTAN, June 8.—Pakistani citizens, close to panic, tried to crowd into banks today to turn in huge amounts of paper currency suddenly without value as the result of a Government decree last night.

The Government removed from circulation all 500-rupee and 100-rupee notes worth re-

spectively $106 and $21 at the legal exchange rate. These two types of bills represent approximately 60 per cent of all Pakistani currency in circulation.

According to the Government, militant Bengali separatists who briefly controlled the administration of East Pakistan in March left the banks of East Pakistan empty when the Pakistani Army attacked to crush the independence movement. The amount of money in their hands represented about one-tenth of the nation's currency in circulation.

Long lines outside banks gave way as mobs of sobbing women sought to force their way inside.

FAMILY HAS NO MONEY

"My husband was paid his 300-rupee salary yesterday in 100 rupee notes," one woman said. "We have no money now and how am I going to get milk for my baby?"

The tourist business was severely affected. Arguments provoked when hotel cashiers refused to accept the rupee notes in payment of bills and customers in turn refused to accept bills.

The banks gave receipts for the notes but there was no indication when the new currency would be given to citizens. Some bankers speculated that it might take a month or more.

Serial numbers of all bills are being checked against a list of bills taken from the East Pakistani banks, and anyone seeking to exchange such a bill is likely to be arrested, whether or not he had anything to do with looting.

[From the New York Times, June 9, 1971]

DISEASE, HUNGER AND DEATH STALK REFUGEES ALONG INDIA'S BORDER

(By Sydney H. Schanberg)

KARIMPUR, INDIA, June 8.—Sickness, hunger and death are common scenes now along India's 1,350-mile border with East Pakistan. Millions of Bengalis—unofficial figures put the number over five million—have fled East Pakistan to escape the Pakistani Army, which since late March has been trying to crush the movement for autonomy, and later independence, in East Pakistan.

The Bengalis have brought cholera with them. Official figures put the death toll here in West Bengal state at 3,600, but reports indicate that it is much higher—probably well over 5,000. A thousand or more others have died in the three other border states where the Bengalis have taken refuge.

Here in this Indian town near the border, a mother had died of cholera an hour before, but the infant, less than a year old, continued to nurse until a doctor came upon the scene and pulled him gently away.

A few feet away on the cold cement porch of the health center, another person had just died—a 70-year-old grandfather, Abinash Malakar.

His son sat, crumpled and crying, beside the stiffening emaciated body. Flies had began to gather. A granddaughter hung, wailing, in the arms of an aunt. This family, from the Jessore district in East Pakistan, had walked for 13 days to reach India.

The toll rises steadily and, with new waves of refugees pouring into India daily, there is no way to predict when the epidemic will end.

Along the roadsides lie the bodies left by those too frightened of the disease themselves to take the time for burial.

Vultures, dogs and crows fight. Skeletons already picked clean bleach in the sun. A few bodies have been buried in shallow graves, but the vultures have torn the graves open.

The roads leading from the border are a trail of clothes and bones. A body floats in a marsh or stream. The stench is acrid and villagers cover their faces as they hurry past.

MASS GRAVES IN SOME AREAS

In some towns, attempts have been made to bury the bodies in mass graves. Here in Karimpur, which is 120 miles north of Calcutta by road, five relief workers buried several hundred in a 24-hour period. But even at these sites, packs of stray dogs dig in the earth.

In many ways, the scene is a repetition of the horror of the cyclone that killed hundreds of thousands in the Delta area of East Pakistan last November—leaving bodies for days in marshes, streams and bays.

The tiny, jammed health center at Karimpur—it has 20 beds and over 100 cholera patients—is typical of the overworked health stations along the border.

The sounds of the epidemic—coughing, vomiting, groaning and weeping—echo through the small brick building and across the lawn, also crowded with victims.

Shatish Matabbar—the father of the infant who had gone on nursing after his mother died—stood on the porch in tattered clothes, sobbing out his tale.

"No words can describe what has happened to me," the 45-year-old rice farmer wailed. "My wife is dead. Three of my children are dead. What else can happen?"

2 CHILDREN SURVIVE

The infant and an 8-year-old have survived, although the older almost died of cholera. He sat on the floor near his father—naked, staring blankly, underfed.

The family came to India a month ago from their farm in the Faridpur district of East Pakistan.

Why had he left East Pakistan? a visitor asked.

"Why, you ask?" he said, crying again. "Because the Pakistani soldiers burned down my house."

In the last day or two, the death rate in some areas declined a little. This is apparently because foreign medical and relief supplies have begun arriving in sufficient quantities—saline solution to treat the victims and syringes for mass innoculations. Hundreds of thousands have been vaccinated.

But doctors are reluctant to say that the epidemic will be under control soon. For one thing, though India's army medical corps has been called in, medical facilities and personnel are inadequate.

The epidemic is apparently much worse in East Pakistan than in India. Medical facilities in East Pakistan, even in normal times, are meager. In an average year, 150,000 die there of cholera, most of them because they never get any treatment. In a bad year, the toll sometimes runs as high as 300,000.

Dr. M. A. Majid, the chief medical officer of the Nadia district, the worst-hit area, said today that he expected the death rate to start climbing again. The cholera vaccine, he said, gives only 30 percent to 90 percent protection.

The weakened condition of the refugees helps explain the virulence of the epidemic. Many are on the verge of death when they arrive.

In addition, living conditions are little short of desperate. Though the Indian Government has marshaled all available resources to provide shelter and food, it is impossible to keep up with the influx.

MANY LIVE IN THE OPEN

Relief camps—even just tents made by throwing tarpaulins over bamboo frames—cannot be erected fast enough. It is estimated that 3.5 million refugees are either living in the open or in crude thatch leantos of their own making. The monsoon rains have arrived and many refugee towns are mudholes.

There are water shortages and sanitation facilities have virtually broken down. The main streets of border towns are avenues of garbage and flies.

Food lines stretch for hundreds of yards and it sometimes takes hours for a refugee to get his rations.

More refugees are moving toward Calcutta as the other camps become choked. New camps are springing up on the edge of the city—just past the airport and in the Salt Lake area.

About 50,000 to 60,000 refugees have entered the fringes of the city, and at least 60 deaths have been recorded in this group.

A few thousand refugees have moved into the heart of Calcutta and are camping in the Sealdah Railway Station.

Indian officials are worried that the refugee epidemic may spread to the people of Calcutta—an overcrowded, tense city of eight million that has its own fairly serious cholera problem.

[From the Washington Post, June 9, 1971]

REFUGEES CLASH WITH INDIANS

CALCUTTA, India, June 8.—Armed police reservists were called out today to prevent rioting between hungry East Pakistani refugees and angry Indian residents at Barasat, 15 miles north of here.

The trouble started when some of the more than 200,000 refugees who have poured into Barasat—a town of about 90,000—set up camp in schools, public buildings and in a few cases in mosques.

The refugees are predominantly Hindu and, although West Bengal is a largely Hindu state, the Moslems in Barasat reacted violently when their mosques were invaded.

The police turned the refugees out of the mosques and private homes, but allowed them to remain in public buildings.

[West Bengal is short of police because so many are guarding the rivers to keep the bodies of cholera victims from being thrown in, AP reported. D. K. Ghosh, district magistrate of Krishnagar, said the rivers are being polluted by corpses disposed of by relatives.]

As international aid poured into India for cholera victims, warnings were sounded in Calcutta that political agitators were trying to incite the estimated 5 million East Pakistani refugees who have entered India.

Indian officials have been nervously expecting Communists and other antigovernment parties to make capital out of the refugee problem, but have been surprised at how little there has been of this so far.

Health officials in Calcutta said there was no way of stopping cholera from spreading throughout West Bengal, of which Calcutta is the capital, during the current monsoon months.

"There is no way of stopping it," one official said. "We can't hope to get rid of it. The only thing we can do is try to contain it."

Mass innoculations of refugees in big camps outside the city were being carried out nonstop by medical teams. But conditions in the camps were reported to be getting progressively worse.

[From the Washington Post, June 9, 1971]

MEDICAL SUPPLIES FLOWN TO CALCUTTA

Tons of additional medical supplies arrived by plane yesterday in Calcutta in a relief movement gaining worldwide momentum to fight cholera among East Pakistan refugees in India.

Cargo planes from Britain and the United States were leading the way, bringing in vaccine, medical equipment and tents while other nations were marshaling their resources to join the relief airlift.

In Geneva, the office of the United Nations high commissioner for refugees announced that world governments and U.N. agencies have contributed more than $17 million in cash and supplies to the relief effort.

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The British and U.S. Air Force planes landed at Calcutta's Dum Dum airport, where the cargo was unloaded to be distributed to refugee camps dotted all around India's frontier with East Pakistan, 35 miles east of Calcutta.

Officials at the airport said the flow of some of the medical supplies to the refugee camps was being delayed by various transportation bottlenecks. They expressed particular concern about delays in moving the vaccine, which deteriorates if not kept under refrigeration.

An advance party for an American airlift arrived in New Delhi aboard an Air Force C-130 transport and proceeded to Assam to survey technical and ground facilities at the airfield.

The United States plans to help airlift thousands of refugees from the overcrowded areas near the border of East Pakistan to less crowded facilities in Assam, farther north.

[From the Washington Post, June 9, 1971]

PAKISTAN AID CUTOFF SOUGHT BY SENATORS

At a press conference here last night, Sens. William B. Saxbe (R-Ohio), and Frank Church (D-Idaho) announced that they would introduce an amendment to the Senate foreign aid bill to cut off all further economic and military assistance to Pakistan "until the distribution of food and other relief measures supervised and operated by international agencies takes place on a regular basis throughout East Pakistan and the majority of refugees in India are repatriated to East Pakistan."

They said that the amendment—which would not abrogate existing written commitments—would involve some $80 million in economic aid as well as an undetermined amount of military aid.

[From the Boston Globe, June 10, 1971]

IN BARASAT, A CHILD LIES DYING ON THE GREEN

(By Dennis Neeld)

BARASAT, INDIA.—The streets of this little country town are choked with refugees from East Pakistan. A tiny child, half dead from cholera, lies uncared for on the village green. Vultures work over the body of another child in a nearby ditch.

Barasat is only 5 miles from Calcutta and relief planes from half a dozen nations fly low overhead.

Their cargoes of medical supplies may temporarily have averted a mammoth disaster, but the tragedy goes on and Barasat is living evidence of its magnitude.

West Bengal Health Minister Jainal Abedin announced yesterday that the cholera epidemic in the Maine-sized state has been brought under control.

But in Barasat's government hospital, 131 cholera patients lie on the stone floors in revolting filth and the doctor in charge reports he still is short of live-saving saline fluid.

Barasat suffocates under the refugee influx. Normally it is a town of 40,000 people. Now it has a population of more than 300,000.

Besides the cholera, the East Pakistani refugees are facing yet another obstacle to survival—a shortage of tents to protect them from the summer monsoon.

Foreign relief sources said yesterday that 300,000 tents were needed urgently to provide shelter to 1.5 million refugees who cannot be accommodated in already overcrowded relief camps.

"The tents are needed with greater urgency than medicines, which are now arriving," said one foreign official helping coordinate the international relief operations in New Delhi.

A senior official of the Indian Rehabilitation Ministry said there were now 5.2 million refugees in India, and added they were still coming across the border at a rate of between 50,000 and 100,000 daily.

"We originally thought there would be a maximum of two million refugees, then three million," he said in an interview. "Now we don't know when they will stop coming."

"There are so many of them that it is impossible to get them into organized camps," said a police official in Barasat.

"They just move into property, and there is nothing we can do.

"Of course, the local people are frightened. They are frightened of the spread of disease, and they are frightened that if the refugees continue to go hungry, there may be violence."

An Indian doctor told how scores of East Pakistanis camped on the porch of a neighbor's home. They were weak from lack of food, filthy and ridden with vermin.

Two days later, it was his neighbor's two children who came down with cholera. One of them died.

"Such incidents inevitably fuel local resentment," he said.

Units of the paramilitary central police reserve were brought in this week to clear refugees out of several Barasat homes and from a local mosque.

Many refugees in Barasat quit their homes in East Pakistan two months ago. Since then, they have been living rough and with little food. They are exhausted and have little resistance to disease.

Thousands of refugees lined up yesterday for ration cards entitling them to a government handout of rice.

They became restless when the laborious form-filing of local officials caused long delays. So the officials walked off, leaving most of them without cards.

To survive, most refugees have sold what few valuables they were able to bring with them from East Pakistan. Now they have been told they no longer can change Pakistani money into Indian.

"We have no ration cards and nothing left to sell," said Rathkania Mandal. "Even our cooking pots have been sold."

Three generations of Mandal's family fled with him from the East Bengal city of Khulna.

They have had nothing to eat for three days.

Like thousands of others, he squats listlessly in the muddy street. Others have thrown up makeshift homes on the stone porches of shops.

Some have erected pathetic shelters of old rags in a vain attempt to keep out monsoon rains, yet to reach their torrential peak. The apathy of exhaustion and hopelessness prevents many from doing even that.

An abandoned child lay on the green in the center of Barasat. It was suffering from cholera and had lapsed into a coma. No one knew where its parents were, and no one bothered to get it to a hospital.

Death is a commonplace in Barasat, and preservation of one's own family comes first.

Overcrowding in refugee camps was expected to be eased somewhat by an American airlift of East Pakistanis to less crowded areas in northeastern Assam State.

A US Air Force C130 will make a test flight to two airfields in the area today to determine whether the fields can handle the four-engine cargo planes, a US Embassy spokesman said.

If the report is favorable, as expected, three more planes will fly out to India this weekend from Pope Air Force Base in North Carolina, he said.

[From the Boston Globe, June 10, 1971]

CALCUTTA NOT RECEIVING ENOUGH CHOLERA VACCINE

United Press International

CALCUTTA.—City officials said yesterday despite an international airlift of medical and relief supplies, there was not enough vaccine available to carry out an emergency inoculation program against a cholera epidemic.

The officials said 400,000 inoculations had been administered in Calcutta since the program began last week but that at least 2.5 million more doses of vaccine were needed quickly. They said the vaccine had been arriving at the rate of only about 300,000 doses per week.

Officials with international relief agencies said approximately 20 million doses would be needed throughout West Bengal state, of which Calcutta is the major city.

Since the first cases were reported on May 28, officials said, approximately 4000 persons have died of cholera and more than 10,000 others have contracted it.

An Australian plane carrying 330,000 doses of cholera, typhoid and typhus vaccine and two sets of jet injectors for mass inoculations landed yesterday at Calcutta's Dum Dum Airport.

City officials expressed concern again yesterday about delays in clearing supplies from the airport, particularly the shipments of cholera vaccine which are perishable unless kept under refrigeration. They said airport officials are working to speed the movement and protect the vaccine shipments.

[From the Le Monde, June 10, 1971]

BENGAL—CORPSES IN THE WAKE OF A CRUSADING ARMY

From our correspondent Gerard Viratelle

DACCA.—"They should kill all the Bengalis. They're traitors who wanted to secede," exclaimed a Pakistani girl who seemed normal in every respect. Most West Pakistanis feel the same way about the government's ruthless efforts, since March 25, to suppress the rebellion in Bengal.

"They (the Pakistani soldiers) are gunning us down like dogs," a trembling Bengali muttered after glancing around to make sure no one was listening. "People are picked up off the streets as soon as it grows dark. The army needs plasma for blood transfusions; it takes massive doses of their blood and abandons them half-dead in the street."

A witness claimed that forty people were burned alive with a flame-thrower in reprisal for the death of a soldier. Bengali officials are being arrested in their homes; some are freed, but others are never seen again. The army, it is said, does not like to take prisoners.

Dacca, once a teeming, lively capital, is a ghost city. Half the population has fled. There are Pakistani flags flying, but not as many as the Bangla Desh flags seen here last March.

Well before the midnight curfew the streets of Dacca are empty. About one in every six shops is open, but shopkeepers pull down their shutters at dusk. They are afraid of being looted by "Yahya's hordes."

Order has been restored in Bengal, but East Pakistan is an occupied land where an atmosphere of terror reigns. More havoc was wrought by the dreadful civil war than by the cyclone that ravaged the delta area last autumn. The most conservative estimates place the number of dead at 250,000.

All along the roads are whole areas, hamlets and farms, which have been razed. What were once solidly built houses have been reduced to piles of charred beams, and broken pots—the sad traces of so many My Lais and Oradours.

Military spokesmen interviewed by this reporter insisted that the fascists were on the other side. As they see it, "anti-social elements" and "infiltrators from India," "miscreants" as they call them, upset the tranquility of a "peace-loving people."

Reporters being escorted around the countryside were repeatedly told that the Pakistan Army for the most part fired in the air, fighting back only in self-defence. "We didn't intend to kill anybody," was the bland comment of a brigadier-general in charge of civilian affairs. But he added: "When an army is carrying out an operation, it uses its own methods."

Accompanying civilian and army officials oozed oriental charm in an effort to convince reporters that the army was lily-white and its intervention justified. Most of the destruction, they explained, was the result of racial clashes. There is no question that Biharis and Bengalis tangled especially in Kulna and Chittagong. A frightful massacre occurred at Awami League headquarters in the latter city.

Nevertheless the officials mentioned only crimes committed by Bengalis in the period after the army unleashed its repressive measures in Dacca on March 25. Twenty thousand people are reported to have died at the hands of soldiers there.

There is no doubt that the sturdy Pathan, Baluchi and Punjabi soldiers are not merely good fighters but convinced they are fighting for a just political and religious cause. They see their mission as a sort of crusade to defend the unity of the most populous Moslem state in the world. The local commanders radiate self-confidence. To them Sheikh Mujibur Rahman's Awami League is controlled by India and dominated by Hindus. Hindus and Indians are synonymous in their eyes.

Before the army moved in, about 10 million Hindus were living in East Bengal. They were Bengalis and backed Sheikh Mujibur's nationalist campaign. Today, however, "Crush India" is the only slogan to be heard in the province. A young man related how the army massacred all the Hindu inhabitants of his village. One of the army's primary targets in Dacca was a small group of Hindu homes in the center of the race-track. Hindu butchers in the old part of the city were decapitated with their own meat cleavers in their stalls.

"Militarily, we have the upper hand," one Pakistani official said confidently. "All we have to do now is gain economic and political control."

Life in East Bengal is indeed gradually returning to "normal." The fact that most businesses are headed by West Pakistanis should make it easier to get industry moving again. Nevertheless only a few factories have reopened thus far.

But the question remains whether the army's action has really ensured political peace in Bengal for any length of time, as some of its leaders claim. All the city councils have been dissolved, and "peace committees" composed of Biharis, members of the Muslim League, representatives of the Bihari community and a few social workers set up in their place. Three Muslim League "peace committee" members were assassinated recently by "miscreants."

Several foreign governments have been urging President Yahya Khan to seek a political solution in Bengal. Two weeks ago he announced in Karachi that he was ready to grant an amnesty to "all those who were deceived."

"There can be no political solution without those who were not involved in treason," says Nurul Amin, a former chief minister of East Pakistan and leader of the Pakistan Democratic Party. He is one of the only two deputies—out of 162—who does not belong to the Awami League. A wily and experienced politician, Mr. Amin has been approached by army authorities, but insisted he was not interested in becoming prime minister and does not approve of all the army has done.

"But there was no other alternative," he added. "Now the Bengalis must be given a feeling of security. They must get used to living with the army, which had never been among the people before."

Only about a dozen Awami League leaders have come out in favour of the central government thus far. "The army will be here for a long time yet," a spokesman declared. "There's no other solution."

[From the Le Monde, June 10, 1971]

PAKISTAN—CHARITY IS NO ANSWER

Fate has been merciless with the Bengalis of East Pakistan. Last summer the region was hit by flooding, which destroyed homes and crops. In November an unusually violent cyclone killed between 300,000 and a million people in the Ganges delta. In a land where the annual per capita income is less than $40, stocks of food were just about wiped out.

The situation in Bengal might have been different had the Islamabad government honoured the verdict of the people in last December's general election, which gave Sheikh Mujibur Rahman's reformist Awami League an absolute majority in the Constituent Assembly. Sheikh Mujib had sworn to free Bengal from "colonialist domination" by the West Pakistanis, to give the wretched people in the eastern wing of the country a chance at last to benefit from their own natural resources.

But the Pakistani central government decided differently. Confronted by Sheikh Mujib's determination to obtain a certain measure of autonomy for East Bengal, President Yahya Khan undertook a repressive operation in the province last March, which was soon to take on the proportions of a massacre.

No one knows how many people died in what is euphemistically referred to as the "civil war." Understandably, no official count has been made, but estimates vary from 250,000 to a million victims.

As if three disasters in the space of a year were not enough, the repression in East Bengal set off a mass exodus of refugees. More than 4 million Bengalis, many of them Hindus fearing religious persecution, fled their homes and villages, some of which had been razed, and sought refuge in the Indian state of West Bengal.

Inevitably, a cholera epidemic has now broken out among the refugees. From 2,000 to 4,000 people were said to have died from the disease at the beginning of the week; pessimistic sources placed the figure closer to 10,000. Indian Health Minister Uma Shankar Disit predicted that 50,000 could die in the next few days. In addition to the Pakistani refugees crowded into camps, the 8 million inhabitants of Calcutta, a city lacking adequate sewerage facilities and drinking water, were threatened by the outbreak.

Added to this calamity is the fact that famine threatens East Pakistan. The floods, the cyclone and the war prevented the planting of rice, the Bengalis' staple food. Economic activity in the province is paralysed. According to the Financial Times, which bases its estimates on hard statistics, from 4 to 9 million people could die of hunger there in the next few weeks.

How much more is needed to rouse world opinion? The rich nations in particular have hardly reacted at all to the suffering of a people who have already endured so much. The assistance offered by the United States, Britain and the United Nations agencies is only a drop in the bucket. If hundreds of thousands more are not to die, ten times the level of the present aid will have to be dispatched.

But the Indian government is right in insisting that, more than material aid, pressure from foreign governments is needed to find a way out of the political crisis in East Bengal. Surely a solution can be arrived at without violating the Pakistani government's sovereignty.

[From the Washington Post, June 11, 1971]

INDIA WARNS CHOLERA COULD BE SPREADING

NEW DELHI, June 10.—A senior health ministry official warned today that if proper precautions are not taken the cholera epidemic now rampant among East Pakistani refugees in West Bengal could spread throughout India.

Ministry Secretary K. K. Das described the situation along India's border with East Pakistan as serious, and said every one within a five-mile radius of all refugee camps and other known cholera centers was being inoculated against the disease.

He told newsmen that an estimated 5,000 people had died in the epidemic as of 5:30 a.m. yesterday, when the last official reports were received.

Das gave the number of refugees as 5.5 million which is half a million higher than that given to the Indian Parliament earlier today by Deputy Labor and Rehabilitation Minister Balgovind Verma, who said refugees from East Pakistan are continuing to enter India at the rate of 100,000 a day.

The Soviet Red Cross announced in Moscow today that it would send food, vaccine and tents to India for the refugees.

Soviet Prime Minister Alexei Kosygin said in a public address yesterday that Pakistan should take immediate steps to allow the refugees to return home because, in spite of the aid already sent to them, they were in an extremely serious condition.

Asked today to comment on international reaction to the cholera epidemic, Das said 99 per cent of the medical supplies used in fighting it so far had come from Indian sources.

Medical supplies on hand were sufficient for the present, Das said, but "vast quantities of supplies are necessary because time moves on."

In London, a leading British charity organizer said on returning from the refugee camps that the disease seemed to have been contained.

Michael Blackman of Oxfam relief agency said the main danger for the refugees now was the onslaught of the monsoon, which has just started.

According to Reuters the ranks of East Pakistan refugees in West Bengal have been swollen in the past two days by the arrival of many Moslems, including middle class doctors, bank officials and small landowners.

Since mid-May the refugees had been about 90 per cent Hindu, apparently driven out of predominantly Moslem East Pakistan for religious reasons.

The new influx of Moslems suggested to observers in Calcutta an almost complete breakdown of the social structure in Pakistan's eastern wing, although reliable information on the situation there is lacking.

Pakistan martial law authorities issued a general amnesty today to any East Pakistani who fled to India and who wishes to return.

The amnesty was announced by Lt. Gen. Tikka Khan, governor and martial law administrator of East Pakistan. He urged all citizens who left the country or went "underground under the influence of false and malicious propaganda to return home."

The offer was viewed in Karachi as an olive branch to the secession-minded Awami League and its leader, Sheikh Mujibur Rahman, who is in Pakistani custody. The Awami League's refusal to compromise on its demands for autonomy for East Pakistan led to March's bloody uprising and the wholesale exodus to India.

[From the New York Times, June 11, 1971]

PAKISTAN SEEKS REFUGEES' RETURN—APPEAL INCLUDES AMNESTY TO DESERTERS AND POLITICIANS

(By Malcom W. Browne)

KARACHI, PAKISTAN, June 10—The Pakistani Government appealed today to all refugees from East Pakistan to return home and of-

fered a general amnesty extending to military deserters and politicians.

The appeal, issued in Dacca by Lieut. Gen. Tikka Khan, military Governor of East Pakistan, omitted an earlier Government statement that returning refugees would be carefully screened for "antistate elements."

"It is an amnesty," the Pakistan radio said, "to all classes of people, such as students, laborers, businessmen, industrialists, civil servants, the armed forces and other law enforcement agencies, political workers and leaders, who are welcome to come back."

Pakistan's army was ordered into action in East Pakistan March 25 to suppress the Bengali separatist movement, which was then dominating the province. The army's East Bengal Regiment, the province's police force and all the paramilitary militia forces joined the separatists.

Heavy loss of life followed as the army moved from Dacca to the various districts of East Pakistan, smashing resistance and destroying parts of towns.

The leader of the separatist movement, Sheik Mujibur Rahman, was arrested and most of the leaders of his Awami League went into hiding.

An exodus of refugees from East Pakistan followed. Most refugees crossed into neighboring India, where authorities have estimated that they number up to four million. A cholera epidemic was one of many disasters that befell refugees there.

Today's announcement by Pakistan acknowledged that the refugees were subject to malnutrition and disease and said that they should rejoin their countrymen in the task of reconstruction in East Pakistan.

It said that reception centers had been set up along major routes in East Pakistan near the Indian border to receive returning refugees and to provide food, accommodations, medical assistance and transportation to their homes.

"When they come," the Government announcement said, "They will realize the falsehood of the propaganda of enemies of the state."

It said business, agriculture, industry, schools and communications in East Pakistan were back to normal, and that adequate food stocks were on hand.

[From the Washington Post, June 12, 1971]

INDIA FEARS REFUGEES SPARKING RENEWED HINDU-MOSLEM FIGHT

(By Lee Lescaze)

NEW DELHI, June 11.—Behind the problem of caring for the more than 5 million East Pakistanis now in India lies the fear that the refugee influx will spark new Hindu-Moslem killings.

No slayings connected with the refugees has taken place, but in offices here and in Calcutta the potential for violence is spoken of as a primary worry.

Hardly a month goes by in normal times without a violent incident—many, often small ones, sparked by religion, the divisive legacy that has not been worn away in the 24 years since India and Pakistan became independent.

The present situation, one observer said, can really be seen as a continuation of 1947. In that year over 1 million people were killed as the Hindu and Moslem communities were given the choice of becoming Indians or Pakistanis.

Despite efforts by Hindus to drive out Moslems from India and pressure on Hindus to leave Pakistan at that time, sizeable communities did not move. An estimated 60 million Moslems still live in India, and 10 million Hindus lived in East Pakistan before March.

The refugees now leaving East Pakistan, however, are almost entirely Hindus. Some Indian authorities accuse Pakistan of seeking to drive out all Hindus, thereby removing a minority population that was never sympathetic to the Pakistan central government.

Pakistani officials here charge that India invited the massive refugee exodus by issuing statements of sympathy with the insurgent Bangla Desh movement and welcoming all who chose to cross the border. In the early days of the East Pakistan crisis no one in New Delhi or elsewhere anticipated that so many would come; however, officials here believe that India had no better alternative than its present course.

At one extreme, India could have attempted to seal its long border with East Pakistan and tried to discourage refugees from coming into India. In addition to the immense military job this would have been, India's international image would have suffered greatly had Indian troops turned back ragged bands seeking shelter.

At the other extreme, Prime Minister Indira Gandhi's government could have recognized the Bangla Desh independence movement and taken military action against Pakistan—which most officials here believe would have led to a general war with Pakistan.

But as the number of refugees continues to grow and it becomes increasingly apparent to Indian officials that the Hindus are unlikely to return to their homes in East Pakistan, concern over Hindu-Moslem violence has grown here.

The Assam town of Shillong called a strike yesterday to protest against the refugees. According to reports reaching Delhi, the strike aroused the sympathy of almost all Shillong's people.

Indian villagers along the East Pakistan border have many grievances against the refugees: They feel their jobs threatened and fear that their already low standard of living will be further reduced by increasing the population of their districts in West Bengal, which has 8 million Moslems among its normal population of 44 million.

District officers have been reporting that wages for a day's work in the fields have been reduced by up to 50 percent because refugees are willing to work for far less than the 49 cents a day a laborer used to get.

West Bengal, it is generally agreed, is the most potentially explosive area in India. Calcutta, its capital, was a center of Hindu-Moslem violence in 1947.

However, the Moslem community throughout India has not expressed sympathy with the refugee problem, nor has it joined condemnations of Pakistan's actions in the east. The Indian Moslems have not enjoyed the outpouring of anti-Pakistan feeling aroused in India since the East Pakistan crisis began more than two months ago.

There is concern that Hindu-Moslem violence in one Indian state could spread to other parts of the country.

The Pakistan civil fighting and the consequent flow of refugees came just after Mrs. Gandhi had scored a triumph in general elections, greatly strengthening her position, but since the election so much of India's attention has been focused on Pakistan that the government has not taken advantage of its new power in terms of developing domestic programs.

Now, in an effort to relieve the pressure on West Bengal, Assam and Tripura which border East Pakistan, the government is concentrating on plans to disperse some of the refugees to other states. The United States has promised four C–130 cargo planes which are scheduled to go into operation next week, flying refugees from Tripura to Assam where there is more room to build refugee camps. The Soviet Union has also promised four planes, but how they will be used has not been announced.

One initial attempt to move about 1,000 refugees by train from West Bengal to Mahdya Pradesh ran into trouble, according to Indian press reports, when most of the passengers jumped off along the route—apparently reluctant to leave West Bengal where the language and customs are familiar to Bengalis from East Pakistan.

Despite predictions of disaster to West Bengal from overcrowding, lack of relief commodities and of shelter and the cholera, the refugee situation there has so far been kept under relatively effective control.

Officials hope that Hindu-Moslem hatreds can also be kept under control in the long period of adjustment that India faces as it must seek more than short-term emergency solutions to the refugee problem.

[From the Washington Post, June 12, 1971]

INDIA TO RECEIVE VACCINE FOR 3 MILLION

GENEVA, June 11.—The World Health Organization (WHO) announced today that 3 million extra doses of cholera vaccine would be flown into India over the next three weeks at the urgent request of the Indian government.

A spokesman for the organization told a press conference the cholera situation seemed to be stabilizing but extra supplies of vaccine were needed to protect the Indian population as refugees were moved further inside the country to new camps.

[From the Far Eastern Economic Review, June 12, 1971]

WEST BENGAL: HOPE FOR NONE

(By Nayan Chanda)

CALCUTTA.—"None, not even Allah is on our side," sighed a weary old peasant from Khulna district in East Pakistan, camping with 50,000 others on a paddy field on the edge of the runway of Calcutta airport. Huddled under palm-leaf mats and rags, exposed to torrential monsoon rains, these hungry diseased refugees from Pakistan's east wing have really nothing to look forward to. The West Bengal state government, itself non-too secure, has been thrown completely out of gear by the unprecedented tidal wave of refugees. In the past eight weeks West Bengal has received more refugees (five million) than it has in the past 24 years (4.2 million) since the birth of Pakistan.

In the areas bordering East Pakistan the refugee situation has reached horrifying proportions. In the dirt and squalor of the makeshift camps cholera and gastro-enteritis are taking a frightening toll. The week's estimates put the cholera death count as high as 10,000 with thousands more calmly awaiting death, either from cholera, other diseases, starvation and cold. As the monsoon intensifies, refugees camping on the outskirts of Calcutta already are trying to seek shelter in the city. The consequences could be catastrophic.

Prime Minister Indira Gandhi who flew into Calcutta last week-end to investigate left baffled and worried. "It is a very grave and serious situation with serious consequences for the nation," she said. "We should not get alarmed, we should sit cool so that we can take the right decision at the right moment." What her decision would be was anybody's guess but Mrs. Gandhi made it quite plain that although she did not want to see disintegration of Pakistan she would not tolerate "anything that affects the peace and stability of the country".

Although Mrs. Gandhi seems to have met the state Chief Minister Ajoy Mukherjee's threat that he would resign if the government did not immediately take over the responsibility for the refugees and promise to move as many of them as possible from West Bengal, there is hardly any glimmer of hope either for the refugees or West Bengal. None of the states (except Madhya Pradesh where there are centrally-managed refugee camps) seems willing to accept them. And if any do agree, it would take months to move them. In the meantime the shalow of hunger and disease would darken.

Already there is a strong lobby for an incisive military move to end the problem. Quite a number of influential newspapers have questioned the wisdom of spending a staggering amount on refugees while a lesser sum spent on military intervention would solve the problem by creating a favourable situation in East Pakistan for the return of the refugees. India, after all, it is being argued, had to spend only Rs500 million for the 1965 war with Pakistan while it has been spending more than Rs10 million a day on the refugees.

On the morning of Mrs. Gandhi's arrival in Calcutta, Ananda Bazar Patrika, the state's most influential Bengali-language daily, frontpaged an open letter to the premier asking her pointblank: "Why can't you send in troops to end the humiliation of humanity, strangulation of democracy, shooting of unarmed people and ravaging of women? Why not war? For fear of huge expenses? Aren't the expenses on account of refugees double the amount needed for war?" Amidst this type of hysteria, the lone voice of moderation was the Statesman which editorially urged New Delhi not to surrender to the "irresponsible demand for strong action."

The man in the street too is getting restive. Already in the border districts sympathy for East Pakistani refugees, particularly among wage labourers and sharecroppers, is fast giving way to contempt, even to hostility. Food prices have shot up and, with the sudden glut in labour market, wages have registered a sharp fall.

The fact that most of the refugees now pouring into India are Hindus adds a further dangerous strain on communal relations. West Bengal has not witnessed any major communal violence since 1964 and the communal parties have not yet turned their attention to the refugee problem. But it may be only a question of time. The arrest recently of two left-wing Moslem leaders—Dr. Golam Yazhdani, a former minister of the state's United Front government, and Syed Badruddoza, a former member of parliament—for alleged involvement in a Pakistani spy ring has only helped to further worsen the climate.

The CPM (Communist Party Marxists)—the party to which these two leaders belonged—has lashed out at the state government for "undemocratic" arrest and for "terrorising the Moslems." Whichever way it is viewed, West Bengal is heading towards a crisis of unimaginable proportions.

[From the Far Eastern Economic Review, June 12, 1971]

INDIA-PAKISTAN—PRESSURE TO COMPROMISE

CALCUTTA.—Complete military control over sprawling East Pakistan—with its swamps and marshy lands in the south, hilly jungle terrain in the northeast and its myriad rivers and canals will always be near impossible. And, understandably, West Pakistani forces seem content to control only major towns and strategic points along the Indian border.

Apart from sporadic commando raids launched by the Mukti Fauj (Liberation Forces) on isolated posts and the blowing up of minor bridges and culverts, so far there has been no serious threat to the Pakistani army. The newly-formed Liberation Front is yet to field its guerillas and the focus of conflict, meanwhile, seems to have shifted to the Indo-Pakistan border across which guns have boomed several times resulting in the killing of a number of Indian Border Security Force men.

However, Pakistani success in militarily crushing the "Bangla Desh" movement has not been matched on the political plane. Even though President Yahya Khan has announced he is "determined to hand over power" to the civilians, his search for obliging civilians remains largely fruitless. His kite-flying speech on May 25—suggesting that the ban on the Awami League did not automatically outlaw MNAs (Members of the National Assembly) and MPAs (Members of the Provincial Assembly) elected on the Awami League ticket and offering amnesty to those Awami League members who were "genuinely misled"—has so far met with little favourable response. Only three MNAs of Rangpur—Azizar Rahman, Nurul Huq and Suleman—who had been arrested on March 29 and rumoured to have been killed came out with statements denouncing those Awami League leaders who "colluded with Hindustan (India)" in setting up an independent government of Bangla Desh. Independence, they said, was not on their party's agenda and the people had not given their mandate for such a move.

Although this defection is a drop in the ocean there is suspicion that many of the 50 MNAs now in Pakistani custody might give in under duress and help President Yahya fulfill his promise of a civilian rule of sorts. The creation of a government including rightwing parties and "genuinely misled" elements of the Awami League with a watered down autonomy is, in any case, the best political bargain he can secure out of a bad political and not-so-bad military situation.

A compromise along this line might be favoured by Washington which has counselled Islamabad to seek a political settlement in East Pakistan before American aid can flow again. Moscow too, despite its sympathy for the victims of the army measures, has come out for "a peaceful solution of the problems". The solution the Russians have in mind is anything but an independent Bangla Desh. The leaders of the Bangla Desh government who had put much store by Moscow's support were shocked to read the official Soviet weekly News Times which termed dismemberment of Pakistan as mere "hopes of certain imperialist circles". New Delhi also has resisted strong pressure for immediate recognition of Bangla Desh. Speaking in parliament in late May, Prime Minister Indira Gandhi stressed the need for "bringing about a political solution to the problems of East Bengal". Union Rehabilitation Minister Khadilkar further clarified New Delhi's stance: "None of the Big Powers want to see Pakistan dismembered. India had to act in this perspective."

With Bangla Desh refugees pouring into India at the rate of 100,000 a day New Delhi had, more than any other country, a vested interest in an immediate solution to the crisis. The Indian government has been spending Rs10 million a day for the refugees, a rate which would soon put the Indian economy in serious trouble. The Rs600 million allocated for this problem in the national budget recently might prove to be just the beginning of an incurable ulcer.

Thus while the Soviet, American and Indian views on Bangla Desh seem to demand political compromise, the Bangla Desh government may be left with no other choice than to climb down from its stand for independence.

Meanwhile, the mystery surrounding the whereabouts of NAP (National Awami Party) leader Maulana Bashani has to some extent prejudiced the prospects of the leftist National Liberation Front. High ranking NAP leaders at the turn of the month were frantically looking for the old leader to get his formal approval for the front. West Bengal's CPM (Communist Party Marxist), ideologically close to the NAP, has taken up the question of Bashani as yet another issue in its campaign against the coalition government in West Bengal led by Ajoy Mukherjee of the Bangla Desh. One CPM member of the state assembly charged the government with having put Bashani under house arrest in Calcutta.

Two days later a Calcutta daily, the Hindustan Standard, published an exclusive interview with Bashani and claimed that it "gave lie to the CPM accusation" about his arrest. The CPM evening daily, Ganasakti, in turn published a statement by the Maulana's son, Abu Nasir Khan Bashani, lamenting his unsuccessful effort to see his father although he had learnt that he was in Calcutta.

[From the New York Times, June 13, 1971]

INDIA: A TRAGIC HORDE WITHOUT FOOD OR SHELTER

(By Ian Ward)

CALCUTTA.—The cholera epidemic came to eastern India with a column of 100,000 refugees who had trekked 60 grueling miles westward from East Pakistan in the third week of May. Exhausted, hungry and without adequate shelter, the refugees were easy prey for the particularly virulent strain of the disease they had brought with them.

By last week, the epidemic had spread all along the border of the Indian state of West Bengal. The Indian Government had an estimated 68,000 cholera cases on its hands, almost all of them refugees. And the cholera scare did in the West what eight weeks of Indian pleading for help to cope with the refugee flood had failed to do. The Western community was shaken out its lethargy, and relief supplies poured into Calcutta in such amounts that the local aid agencies weren't able to handle the volume.

With the aid cargo piling up at Calcutta's international airport and cramming the city's dilapidated warehouses, India has begun to turn back some new offers of help and British experts on the scene are urging efforts to reduce the head of steam created in Britain on the cholera issue.

Paradoxically, the international aid that flowed so generously last week came after the worst of the epidemic may have passed as a result of India's own efforts. By employing locally manufactured vaccine, saline solution and antibiotics and diverting medical personnel from all over India, the local authorities appear to have stemmed the cholera tide. Although perhaps crude by Western standards, these methods have been largely effective. The death rate has fallen from 50 percent to 10 percent of those infected, and the rate of spread seems stabilized.

What the Indians fear now is that the world community could quickly revert to its previous indifference, satisfied that in the drama of the moment it stepped in and did the job. Yet, two or three months hence India will still be facing a herculean task caring for the refugees. Pneumonia, dysentery and malnutrition will remain in the refugee camps even if the cholera threat is brought under control. The financial burden will still be far beyond India's capacity.

There are now 5 million refugees from East Pakistan in India. Half of them at most enjoy the relative shelter and security of the 500 or so temporary camps. Some of the others have found accommodation with Bengali relations and friends along the frontier, but this has placed an intolerable strain on family budgets. The rest are left to wander the flat lowlands of West Bengal with hardly a trace of food or shelter.

And still the refugees flow across the border—at a rate of 100,000 a day, according to a report to Parliament last week by the Deputy Minister for Rehabilitation, Balgovind Verma. The Minister predicted that the number of refugees would grow to 7 to 8 million before the flood was spent.

Last week, the monsoon rains began sweeping in from the Bay of Bengal, and within minutes of the first lashing onslaughts the camps were reduced to mud-choked wilderness. Pathetic rush matting under which families huddled from the deluge disintegrated in the wind.

Bedraggled refugees are drifting toward the streets of Calcutta, where upward of 30,000 homeless peasants nightly jostle with cattle, dogs, cats and goats for the choicest sleeping positions on the pavements.

The initial refugee influx was a mixed bunch of Moslems and Hindus fleeing the Pakistani Army crackdown against the autonomy movement of East Pakistan. The overwhelming majority since then have been Hindus. Whether or not it reflects the policies of Pakistani President Yahya Khan, the signs are that the army is moving against minority groups—Hindus, Christians and Buddhists—with the intention of driving these problems next door.

President Yahya has broadcast appeals for the refugees to return to their homeland. He has promised amnesty for political leaders and security for their followers. But none of his promises has prompted the slightest movement back across the frontier.

[From the (London) Sunday Times, June 13, 1971]

GENOCIDE

(NOTE.—A Sunday Times reporter comes out of Pakistan with the horrifying story of why five million have fled.)

West Pakistan's Army has been systematically massacring thousands of civilians in East Pakistan since the end of March. This is the horrifying reality behind the news blackout imposed by President Yahya Khan's government since the end of March. This is the reason why more than five million refugees have streamed out of East Pakistan into India, risking cholera and famine.

The curtain of silence is broken today for the first time by Anthony Mascarenhas, the Sunday Times correspondent in Pakistan. He has seen what the Pakistan army has been doing. He has left Pakistan to tell the world. The army has not merely been killing supporters of the idea of Bangla Desh, an independent East Bengal. It has deliberately been massacring others, Hindus and Bengali Muslims. Hindus have been shot and beaten to death with clubs simply because they are Hindus. Villages have been burned.

Sporadic and unconfirmed reports of atrocities by the Pakistan army have been reaching the outside world for some time, notably from refugees, missionaries and diplomats. The report by Anthony Mascarenhas—appearing in full on pages twelve to fourteen today—is a detailed eye-witness account of unique precision and authority. He supplies the missing centre-piece of the tragedy of Bengal: why the refugees have fled.

There is a remarkable story behind Anthony Mascarenhas' report.

When, at the end of March, the Pakistan army flew two divisions into East Pakistan to "sort out" the Bengali rebels, it moved in secret. But about two weeks later the Pakistan government invited eight Pakistani journlists to fly to East Bengal. The idea—as government officials left the journalists in no doubt—was to give the people of West Pakistan a reassuring picture of the "return to normalcy" in the eastern half of the country. Seven of the journalists have done as they were intended. But one was Mascarenhas, who is assistant editor of the Morning News in Karachi, and was also The Sunday Times Pakistan correspondent.

On Tuesday, May 18, he arrived, unexpectedly, in The Sunday Times office in London. There was, he told us, a story he wanted to write: the true story of what had happened in East Bengal to drive five million people to flight.

He made it plain that he understood that if he wrote his story there could be no going back to Karachi for him. He said he had made up his mind to leave Pakistan: to give up his house, most of his possessions and his job as one of the most respected journalists in the country. There was only one condition: we must not publish his story until he had gone back into Pakistan and brought out his wife and five children.

The Sunday Times agreed, and Mascarenhas went back to Karachi. After a wait of ten days an overseas cable arrived at the private address of a Sunday Times executive.

"Export formalities completed," it read, "Shipment begins Monday."

Mascarenhas had succeeded in getting permission for his wife and family to leave the country. He himself had been forbidden to leave. He found a way of leaving anyway.

On the last leg of his journey inside Pakistan, he found himself sitting in a plane across the aisle from a senior Ministry of Information official whom he knew well. A phone call from the airport could have led to his arrest.

There was no phone call, however, and last Tuesday he arrived back in London.

Mascarenhas writes about what he saw in East Pakistan with special authority and objectivity. As a Goan Christian by descent, he is neither a Hindu nor a Muslim. Having lived most of his life in what is now Pakistan, having held a Pakistani passport since the State was created in 1947, and having enjoyed the confidence of many of the leaders of Pakistan since that time, he wrote his report with real personal regret.

"We were told by the Ministry of Information officials to show in a patriotic way the great job the army was doing," he told us.

There was no question of his reporting what he saw for his own paper. He was allowed to file a story, which was published in The Sunday Times on May 2, which reported only the events of March 25/26, when the Bengali troops mutinied and atrocities were committed against non-Bengalis.

Even references to the danger of famine were deleted by the censor. That increased his crisis of conscience.

After some days' hesitation, he decided, in his own words, that "either I would write the full story of what I had seen, or I would have to stop writing: I would never again be able to write with any integrity." And so he got on a plane and came to London.

We have been able to check his story in great detail with other refugees in a position to have had a wide knowledge of events in East Bengal as a whole, and with objective diplomatic sources.

STOP THE KILLING

By devoting the whole of its centre pages to one article about East Pakistan, The Sunday Times has taken a considered and exceptional step. We have done so first because this is the fullest authoritative, first-hand account so far available of the acts and intentions of the central Pakistan Government in its eastern province. Secondly, because the story itself is so horrifyingly revealing about what the millions of refugees are fleeing *from*, that it needs to be told at length. The Sunday Times has checked as far as possible the accuracy of this report. But in any event, we have the fullest confidence in the integrity of our reporter, who has himself abandoned home and career in Pakistan to bring the news to the world.

The present crisis would never have arisen had it not been for Yahya Khan's commendable wish to end the military dictatorship in Pakistan by calling, last autumn, for general elections. The outlet for Bengali nationalism which those elections provided later lit the fire which has been so brutally extinguished. But long before that the seeds of disunity and dissension were sown when, in 1947, the State of Pakistan was created in two unequal sections. From that day to this, the Bengali people of East Pakistan have justifiably, felt themselves to be the unequal partner, the poor relation in a state to whose general economy they in fact contribute a large part. Moreover, in the present welter of blood and persecution, the Bengalis themselves, as our story makes plain, must bear some responsibility for their acts of retributive violence against non-Bengalis.

But when all this has been said, there is no escaping the terrible charge of deliberate, premeditated extermination levelled by the facts against the present Pakistani Government. Yahya Khan may conceivably mean what he says when he speaks of a return to civilian rule and normality. But how, after what has happened, can the Pakistani Government persuade what is left of the Bengali leadership that they are brothers and equal members of the same nation?

With the Army still operating on a directive to enforce submission to the Central Government, there is the danger that if the Western Powers to whom Pakistan is now appealing for financial aid respond positively, that aid will contribute, directly or indirectly, to the army's gruesome operations. Yet totally to withhold this and other aid would simply condemn Pakistan to economic disintegration with all the extra human suffering involved.

The most hopeful formula is for the Western countries concerned, Britain among them, to make the grant of extra aid dependent upon Yahya Khan's readiness to institute a new deal for East Pakistan and specifically to ensure that his army desists from excesses. While the United Nations and the voluntary relief organizations should stand out for control over relief operations in East Pakistan, nothing can alter the fact that Pakistan is a sovereign country which cannot be forced to do what she does not want to do. The best, indeed the only safeguard, is to direct, wherever and whenever it is possible, the spotlight of publicity upon the words and deeds of the Pakistani Government in the hope that the pressure of world opinion will in the end have some effect.

Exactly what form a new deal for East Pakistan should take is very difficult to say. Whatever it is, it is unlikely that the bulk of the refugees now in India, most of them Hindus, will ever be willing to return to East Pakistan. In the present fog of war and atrocity, one thing stands out all too clearly. It is that Yahya Khan's terrible mistake, and its terrible consequences, have created a new area of instability in Asia and the world; an area comparable, in its racial and territorial elements, with the Middle East, and likely, in the future, to cause just as much misery to its inhabitants and concern to the outside world.

[From the (London) Sunday Times, June 13, 1971]

WHY THE REFUGEES FLED

(By Anthony Mascarenhas)

Abdul Bari had run out of luck.

Like thousands of other people in East Bengali, he had made the mistake—the fatal mistake—of running within sight of a Pakistani army patrol.

He was 24 years old, a slight man surrounded by soldiers. He was trembling, because he was about to be shot.

"Normally we would have killed him as he ran," I was informed chattily by Major Rathore, the G–2 Ops. of the 9th Division, as we stood on the outskirts of a tiny village near Mudafarganj, about 20 miles south of Comilla. "But we are checking him out for your sake. You are new here and I see you have a squeamish stomach."

"Why kill him?" I asked with mounting concern.

"Because he might be a Hindu or he might be a rebel, perhaps a student or an Awami Leaguer. They know we are sorting them out and they betray themselves by running."

"But why are you killing them? And why pick on the Hindus?" I persisted.

"Must I remind you," Rathore said se-

verely, "how they have tried to destroy Pakistan? Now under the cover of the fighting we have an excellent opportunity of finishing them off."

"Of course," he added hastily, "we are only killing the Hindu men. We are soldiers, not cowards like the rebels. They kill our women and children."

I was getting my first glimpse of the stain of blood which has spread over the otherwise verdant land of East Bengal. First it was the massacre of the non-Bengalis in a savage outburst of Bengali hatred. Now it was massacre, deliberately carried out by the West Pakistan army.

The pogrom's victims are not only the Hindus of East Bengal—who constitute about 10 percent of the 75 million population—but also many thousands of Bengali Muslims. These include university and college students, teachers, Awami League and Left-Wing political cadres and every one the army can catch of the 176,000 Bengali militarymen and police who mutinied on March 26 in a spectacular, though untimely and ill-starred bid to create an independent Republic of Bangla Desh.

What I saw and heard with unbelieving eyes and ears during my 10 days in East Bengal in late April made it terribly clear that the killings are not the isolated acts of military commanders in the field.

The West Pakistani soldiers are not the only ones who have been killing in East Bengal, of course. On the night of March 25—and this I *was* allowed to report by the Pakistani censor—the Bengali troops and paramilitary units stationed in East Pakistan mutinied and attacked non-Bengalis with atrocious savagery.

Thousands of families of unfortunate Muslims, many of them refugees from Bihar who chose Pakistan at the time of the partition riots in 1947, were mercilessly wiped out. Women were raped, or had their breasts torn out with specially-fashioned knives. Children did not escape the horror; the lucky ones were killed with their parents; but many thousands of others must go through what life remains for them with eyes gouged out and limbs roughly amputated. More than 20,000 bodies of non-Bengalis have been found in the main towns, such as Chittagong, Khulna and Jessore. The real toll, I was told everywhere in East Bengal, may have been as high as 100,000; for thousands of non-Bengalis have vanished without a trace.

The government of Pakistan has let the world know about that first horror. What it has suppressed is the second and worse horror which followed when its own army took over the killing. West Pakistani officials privately calculate that altogether both sides have killed 250,000 people—not counting those who have died of famine and disease.

Reacting to the almost successful breakaway of the province, which has more than half the country's population, General Yahya Khan's military government is pushing through its own "final solution" of the East Bengal problem.

"We are determined to cleanse East Pakistan once and for all of the threat of secession, even if it means killing off two million people and ruling the province as a colony for 30 years." I was repeatedly told by senior military and civil officers in Dacca and Comilla.

The West Pakistan army in East Bengal is doing exactly that with a terrifying thoroughness.

We had been racing against the setting sun after a visit to Chandpur (the West Pakistan army prudently stays indoors at night in East Bengal) when one of the *jawans* (privates) crouched in the back of the Toyota Land Cruiser called out sharply: "There's a man running, Sahib."

Major Rathore brought the vehicle to an abrupt halt, simultaneously reaching for the Chinese-made light machine-gun propped against the door. Less than 200 yards away a man could be seen loping through the knee-high paddy.

"For God's sake don't shoot," I cried. "He's unarmed. He's only a villager."

Rathore gave me a dirty look and fired a warning burst.

As the man sank to a crouch in the lush carpet of green, two *jawans* were already on their way to drag him in.

The thud of a rifle butt across the shoulders preceded the questioning.

"Who are you?"

"Mercy, Sahib! My name is Abdul Bari. I'm a tailor from the New Market in Dacca."

"Don't lie to me. You're a Hindu. Why were you running?"

"It's almost curfew time, Sahib, and I was going to my village."

"Tell me the truth. Why were you running?"

Before the man could answer he was quickly frisked for weapons by a *jawan* while another quickly snatched away his *lungi*. The skinny body that was bared revealed the distinctive traces of circumcision, which is obligatory for Muslims.

THE TRUCKLOADS OF HUMAN TARGETS

At least it could be plainly seen that Bari was not a Hindu.

The interrogation proceeded.

"Tell me, why were you running?"

By this time Bari, wild-eyed and trembling violently, could not answer. He buckled at the knees.

"He looks like a *fauji*, sir," volunteered one *jawan* as Bari was hauled to his feet. (Fauji is the Urdu word for soldier: the army uses it for the Bengali rebels it is hounding.)

"Could be," I heard Rathore mutter grimly.

Abdul Bari was clouted several times with the butt end of a rifle, then ominously pushed against a wall. Mercifully his screams brought a young head peeping from the shadows of a nearby hut. Bari shouted something in Bengali. The head vanished. Moments later a bearded old man came haltingly from the hut. Rathore pounced on him.

"Do you know this man?"

"Yes, Sahib. He is Abdul Bari."

"Is he a *fauji?*"

"No, Sahib, he is a tailor from Dacca."

"Tell me the truth."

"Khuda Kassan (God's oath), Sahib, he is a tailor."

There was a sudden silence. Rathore looked abashed as I told him "For God's sake let him go. What more proof do you want of his innocence?"

But the *jawans* were apparently unconvinced and kept milling around Bari. It was only after I had once more interceded on his behalf that Rathore ordered Bari to be released. By that time he was a crumpled, speechless heap of terror. But his life had been saved.

Others have not been as fortunate.

For six days as I travelled with the officers of the 9th Division headquarters at Comilla I witnessed at close quarters the extent of the killing. I saw Hindus, hunted from village to village and door to door, shot offhand after a cursory "short-arm inspection" showed they were uncircumcised. I have heard the screams of men bludgeoned to death in the compound of the Circuit House (civil administrative headquarters) in Comilla. I have seen truckloads of other human targets and those who had the humanity to try to help them hauled off "for disposal" under the cover of darkness and curfew. I have witnessed the brutality of "kill and burn missions" as the army units, after clearing out the rebels, pursued the pogrom in the towns and the villages.

I have seen whole villages devastated by "punitive action."

And in the officers mess at night I have listened incredulously as otherwise brave and honourable men proudly chewed over the day's kill.

"How many did you get?"

The answers are seared in my memory.

All this is being done, as any West Pakistani officer will tell you, for the "preservation of the unity, the integrity and the ideology of Pakistan." It is, of course, too late for that. The very military action that is designed to hold together the two wings of the country, separated by a thousand miles of India, has confirmed the ideological and emotional break. East Bengal can only be kept in Pakistan by the heavy hand of the army. And the army is dominated by the Punjabis, who traditionally despise and dislike the Bengalis.

The break is so complete today that few Bengalis will willingly be seen in the company of a West Pakistani. I had a distressing experience of this kind during my visit to Dacca when I went to visit an old friend. "I'm sorry," he told me as he turned away, "things have changed. The Pakistan that you and I knew has ceased to exist. Let us put it behind us."

Hours later a Punjabi army officer, talking about the massacre of the non-Bengalis before the army moved in, told me: "They have treated us more brutally than the Sikhs did in the partition riots in 1947. How can we ever forgive or forget this?"

The bone-crushing military operation has two distinctive features. One is what the authorities like to call the "cleansing process": a euphemism for massacre. The other is the "rehabilitation effort." This is a way of describing the moves to turn East Bengal into a docile colony of West Pakistan. These commonly used expressions and the repeated official references to "miscreants" and "infiltrators" are part of the charade which is being enacted for the benefit of the world. Strip away the propaganda, and the reality is colonisation—and killing.

The justification for the annihilation of the Hindus was paraphrased by Lt. Gen. Tikka Khan, the military governor of East Pakistan, in a radio broadcast I heard on April 18. He said: "The Muslims of East Pakistan, who had played a leading part in the creation of Pakistan, are determined to keep it alive. However, the voice of the vast majority had been suppressed through coercion, threats to life and property by a vocal, violent and aggressive minority, which forced the Awami League to adopt the destructive course."

Others, speaking privately, were more blunt in seeking justification.

"The Hindus had completely undermined the Muslim masses with their money," Col. Naim, of 9th Division headquarters told me in the officers mess at Comilla. They bled the province white. Money, food and produce flowed across the borders to India. In some cases they made up more than half the teaching staff in the colleges and schools, and sent their own children to be educated in Calcutta. It had reached the point where Bengali culture was in fact Hindu culture, and East Pakistan was virtually under the control of the Marwari businessmen in Calcutta. We have to sort them out to restore the land to the people, and the people to their Faith."

Or take Major Bashir. He came up from the ranks. He is SSO of the 9th Division at Comilla and he boasts of a personal body-count of 28. He had his own reasons for what has happened. "This is a war between the pure and the impure," he informed me over a cup of green tea. "The people here may have Muslim names and call themselves Muslims. But they are Hindus at heart. You won't believe that the *maulvi* (mulla) of the Cantonment mosque here issued a *fathwa* (edict) during Friday prayers that the people would attain *janat* (paradise) if they killed West Pakistanis. We sorted the bastard out and we are now sorting out the others.

Those who are left will be real Muslims. We will even teach them Urdu."

Everywhere I found officers and men fashioning imaginative garments of justification from the fabric of their own prejudices. Scapegoats had to be found to legitimise, even for their own consciences, the dreadful "solution" to what in essence was a political problem: the Bengalis won the election and wanted to rule. The Punjabis, whose ambitions and interests have dominated government policies since the founding of Pakistan in 1947, would brook no erosion of their power. The army backed them up.

Officials privately justify what has been done as a retaliation for the massacre of the non-Bengalis before the army moved in. But events suggest that the pogrom was not the result of a spontaneous or undisciplined reaction. It was planned.

It seems clear that the "sorting-out" began to be planned about the time that Lt.-Gen. Tikka Khan took over the governorship of East Bengal, from the gentle, self-effacing Admiral Ahsan, and the military command there, from the scholarly Lt.-Gen. Sahibzada Khan. That was at the beginning of March, when Sheikh Mujibur Rahman's civil disobedience movement was gathering momentum after the postponement of the assembly meeting from which the Bengalis hoped for so much. President Yahya Khan, it is said, acquiesced in the tide of resentment caused in the top echelons of the military establishment by the increasing humiliation of the West Pakistani troops stationed in East Bengal. The Punjabi Eastern Command at Dacca continues to dominate the policies of the Central Government. [It is perhaps worth pointing out that the Khans are not related: Khan is a common surname in Pakistan.]

When the army units fanned out in Dacca on the evening of March 25, in pre-emptive strikes against the mutiny planned for the small hours of the next morning, many of them carried lists of people to be liquidated. These included the Hindus and large numbers of Muslims; students, Awami Leaguers, professors, journalists and those who had been prominent in Sheikh Mujib's movement. The charge, now publicly made, that the army was subjected to mortar attack from the Jaganath Hall, where the Hindu university students lived, hardly justifies the obliteration of two Hindu colonies, built around the temples on Ramna racecourse, and a third in Shakrepati, in the heart of the old city. Nor does it explain why the sizeable Hindu populations of Dacca and the neighbouring industrial town of Narayanganj should have vanished so completely during the round-the-clock curfew on March 26 and 27. There is similarly no trace of scores of Muslims who were rounded up during the curfew hours. These people were eliminated in a planned operation; an improvised response to Hindu aggression would have had vastly different results.

A PENCIL FLICK, A MAN "DISPOSED"

Touring Dacca on April 15 I found the heads of four students lying rotting on the roof of the Iqbal Hall hostel. The caretaker said they had been killed on the night of March 25. I also found heavy traces of blood on the two staircases and in four of the rooms. Behind Iqbal Hall a large residential building seemed to have been singled out for special attention by the army. The walls were pitted with bullet holes and a foul smell still lingered on the staircase, although it had been heavily powdered with DDT. Neighbours said the bodies of 23 women and children had been carted away only hours before. They had been decomposing on the roof since March 25. It was only after much questioning that I was able to ascertain that the victims belonged to the near-by Hindu shanties. They had sought shelter in the building as the army closed in.

This is genocide conducted with amazing casualness. Sitting in the office of Major Agha, Martial Law Administrator of Comilla City, on the morning of April 19, I saw the off-hand manner in which sentences were meted out. A Bihari sub-inspector of police had walked in with a list of prisoners being held in the police lock-up. Agha looked it over. Then, with a flick of his pencil, he casually ticked off four names on the list.

"Bring these four to me this evening for disposal," he said. He looked at the list again. The pencil flicked once more, ". . . and bring this thief along with them."

The death sentence had been pronounced over a glass of coconut milk. I was informed that two of the prisoners were Hindus, the third a "student," and the fourth an Awami league organiser. The "thief," it transpired, was a lad named Sebastian who had been caught moving the household effects of a Hindu friend to his own house.

Later that evening I saw these men, their hands and legs tied loosely with a single rope, being led down the road to the Circuit House compound. A little after curfew, which was at 6 o'clock, a flock of squawking mynah birds were disturbed in their play by the thwacking sound of wooden clubs meeting bone and flesh.

Captain Azmat of the Baluch Regiment had two claims to fame according to the mess banter. One was his job as ADC to Major-Gen. Shaukat Raza, commanding officer of the 9th Division. The other was thrust on him by his colleagues' ragging.

Azmat, it transpired, was the only officer in the group who had not made a "kill." Major Bashir needled him mercilessly.

"Come on Azmat," Bashir told him one night, "we are going to make a man of you. Tomorrow we will see how you can make them run. It's so easy."

To underscore the point Bashir went into one of his long spiels. Apart from his duties as SSO, Bashir was also "education officer" at Headquarters. He was the only Punjabi officer I found who could speak Bengali fluently. By general agreement Bashir was also a self-taught bore who gloried in the sound of his own voice.

A *dhari walla* (bearded man), we were told, had come to see Bashir that morning to inquire about his brother, a prominent Awami League organiser of Comilla who had been netted by the army some days earlier. *Dhor gaya,* Bashir said he told him: "he has run away." The old man couldn't comprehend how his brother could have escaped on a broken leg. Neither could I. So Major Bashir, with a broad wink, enlightened me.

The record would show *Dhor gaya:* "shot while escaping."

I never did find out whether Captain Azmat got his kill. The rebel Bengali forces who had dug in at Feni, seventy miles north of Chittagong on the highway to Comilla, had tied down the 9th Division by destroying all the bridges and culverts in the area. General Raza was getting hell from Eastern Command at Dacca which was anxious to have the southeastern border sealed against escaping rebels. It was also desperately urgent to open this only land route to the north to much-needed supplies that had been piling up in the port at Chittagong.

So General Raza was understandably waspish. He flew over the area almost daily. He also spent hours haranguing the brigade that was bogged down at Feni. Captain Azmat, as usual, was the General's shadow. I did not see him again. But if experience is any pointer, Azmat probably had to sweat out his "kill"—and the ragging—for another three weeks. It was only on May 8 that the 9th Division was able to clear Feni and the surrounding area. By then the Bengali rebels, forced out by relentless bombing and artillery barrages, had escaped with their weapons across the neighbouring border into India.

The escape of such large numbers of armed, hard-core regulars among the Bengali rebels was a matter of grave concern to Lt.-Col. Aslam Baig, G–1 at 9th Division headquarters. "The Indians," he explained, will obviously not allow them to settle there. It would be too dangerous. So they will be allowed in on sufferance as long as they keep making sorties across the border. Unless we can kill them off, we are going to have serious trouble for a long time."

Lt.-Col. Baig was a popular artillery officer who had done a stint in China after the India-Pakistan war when units of the Pakistan army were converting to Chinese equipment. He was said to be a proud family man. He also loved flowers. He told me with unconcealed pride that during a previous posting at Comilla he had brought from China the giant scarlet water-lilies that adorn the pond opposite headquarters. Major Bashir adored him. Extolling one officer's decisiveness, Bashir told me that once they had caught a rebel officer there was a big fuss about what should be done with him. "While the others were telephoning all over for instructions," he said, "he solved the problem. *Dhor gaya.* Only the man's foot was left sticking out of the ditch."

It is hard to imagine so much brutality in the midst of so much beauty. Comilla was blooming when I went there towards the end of April. The rich green carpet of rice paddies spreading to the horizon on both sides of the road was broken here and there by bright splashes of red. That was the *Gol Mohor,* aptly dubbed the "Flame of the Forest," coming to full bloom. Mango and coconut trees in the villages dotting the countryside were heavy with fruit. Even the terrier-sized goats skipping across the road gave evidence of the abundance of nature in Bengal. "The only way you can tell the male from the female," they told me, "is that all the she-goats are pregnant."

FIRE AND MURDER THEIR VENGEANCE

In one of the most crowded areas of the entire world—Comilla district has a population density of 1,900 to the square mile—only man was nowhere to be seen.

"Where are the Bengalis?" I had asked my escorts in the strangely empty streets of Dacca a few days earlier. "They have gone to the villages," was the stock reply. Now, in the countryside, there were still no Bengalis. Comilla town, like Dacca, was heavily shuttered. And in ten miles on the road to Laksham, past silent villages, the peasants I saw could have been counted on the fingers of both hands.

There were, of course, soldiers—hundreds of unsmiling men in khaki, each with an automatic rifle. According to orders, the rifles never left their hands. The roads are constantly patrolled by tough trigger-happy men. Wherever the army is, you won't find Bengalis.

Martial law orders, constantly repeated on the radio and in the Press, proclaim the death penalty for anyone caught in the act of sabotage. If a road is obstructed or a bridge damaged or destroyed, all houses within 100 yards of the spot are liable to be demonlished and their inhabitants rounded up.

The practice is even more terrible than anything the words could suggest. "Punitive action" is something that the Bengalis have come to dread.

We saw what this meant when we were approaching Hajiganj, which straddles the road to Chandpur, on the morning of April 17. A few miles before Hajiganj, a 15-foot bridge had been damaged the previous night by rebels who were still active in the area. According to Major Rathore (G–2 Ops.) an army unit had immediately been sent out to take punitive action. Long spirals of smoke could be seen on all sides up to a distance of a quarter of a mile from the damaged bridge. And as we carefully drove over a bed of wooden boards, with which it had been

hastily repaired, we could see houses in the village on the right beginning to catch fire. At the back of the village some *jawans* were spreading the flames with dried coconut fronds. They make excellent kindling and are normally used for cooking. We could also see a body sprawled between the coconut trees at the entrance to the village. On the other side of the road another village in the rice paddies showed evidence of the fire that had gutted more than a dozen bamboo and mat huts. Hundreds of villagers had escaped before the army came. Others, like the man among the coconut trees, were slow to get away.

As we drove on, Major Rathore said, "They brought it on themselves." I said it was surely too terrible a vengeance on innocent people for the acts of a handful of rebels. He did not answer.

A few hours later when we were again passing through Hajiganj on the way back from Chandpur, I had my first exposure to the savagery of a "kill and burn mission."

We were still caught up in the aftermath of a tropical storm which had hit the area that afternoon. A heavy overcast made ghostly shadows on the mosque towering above the town. Light drizzle was beginning to wet the uniforms of Captain Azhar and the four *jawans* riding in the exposed escort jeep behind us.

We turned a corner and found a convoy of trucks parked outside the mosque. I counted seven, all filled with *jawans* in battledress. At the head of the column was a jeep. Across the road two men, supervised by a third, were trying to batter down the door of one of more than a hundred shuttered shops lining the road. The studded teak wood door was beginning to give under the combined assault of two axes as Major Rathore brought the Toyota to a halt.

"What the hell are you doing?"

The tallest of the trio, who was supervising the break-in, turned and peered at us. "*Mota*," (Fatty) he shouted, "what the hell do you think we are doing?"

Recognising the voice, Rathore grew a water-melon smile. It was, he informed me, his old friend "Ifty"—Major Iftikhar of the 12th Frontier Force Rifles.

Rathore: "I thought someone was looting."

Iftikhar: "Looting? No. We are on kill and burn."

Waving his hand to take in the shops, he said he was going to destroy the lot.

Rathore: "How many did you get?"

Iftikhar smiled bashfully.

Rathore: "Come on. How many did you get?"

Iftikhar: "Only twelve. And by God we were lucky to get them. We would have lost those, too, if I hadn't sent my men from the back."

Prodded by Major Rathore, Iftikhar then went on to describe vividly how after much searching in Hajiganj he had discovered twelve Hindus hiding in a house on the outskirts of the town. These had been "disposed of." Now Major Iftikhar was on the second part of his mission: burn.

By this time the shop's door had been demolished and we found ourselves looking into one of those tiny catch-all establishments which, in these parts, go under the title "Medical & Stores." Under the Bengali lettering the signboard carried in English the legend "Ashok Medical & Stores." Lower down was painted "Prop. A. M. Bose." Mr. Bose, like the rest of the people of Hajiganj, had locked and run.

In front of the shop a small display cabinet was crammed with patent medicines, cough syrups, some bottles of mango squash, imitation jewelry, reels of coloured cotton thread and packets of knicker elastic. Iftikhar kicked it over, smashing the light woodwork into kindling. Next he reached out for some jute shopping bags on one shelf. He took some plastic toys from another. A bundle of handkerchiefs and a small bolt of red cloth joined the pile on the floor. Iftikhar heaped them all together and borrowed a box from one of the *jawans* sittin in our Toyota. The *jawan* had ideas of his own. Jumping from the vehicle he ran to the shop and tried to pull down one of the umbrellas hanging from the low ceiling of the shop. Iftikhar ordered him out.

Looting, he was sharply reminded, was against orders.

Iftikhar soon had a fire going. He threw burning jute bags into one corner of the shop, the bolt of cloth into another. The shop began to blaze. Within minutes we could hear the crackle of flames behind shuttered doors as the fire spread to the shop on the left, then on to the next one.

At this point Rathore was beginning to get anxious about the gathering darkness. So we drove on.

When I chanced to meet Major Iftikhar the next day he ruefully told me, "I burnt only sixty houses. If it hadn't rained I would have got the whole bloody lot."

Approaching a village a few miles from Mudarfarganj we were forced to a halt by what appeared to be a man crouching against a mud wall. One of the *jawans* warned it might be a *fauji* sniper. But after careful scouting it turned out to be a lovely young Hindu girl. She sat there with the placidity of her people, waiting for Gods knows who. One of the *jawans* had been ten years with the East Pakistan Rifles and could speak bazaar Bengali. He was told to order her into the village. She mumbled something in reply, but stayed where she was, but was ordered a second time. She was still sitting there as we drove away. "She has," I was informed, "nowhere to go—no family, no home."

Major Iftikhar was one of several officers assigned to kill and burn missions. They moved in after the rebels had been cleared by the army with the freedom to comb out and destroy Hindus and "miscreants" (the official jargon for rebels) and to burn down everything in the areas from which the army had been fired at.

This lanky Punjabi officer liked to talk about his job. Riding with Iftikhar to the Circuit House in Comilla on another occasion he told me about his latest exploit.

"We got an old one," he said. "The bastard had grown a beard and was posing as a devout Muslim. Even called himself Abdul Manan. But we gave him a medical inspection and the game was up."

Iftikhar continued: "I wanted to finish him there and then, but my men told me such a bastard deserved three shots. So I gave him one in the balls, then one in the stomach. Then I finished him off with a shot in the head."

When I left Major Iftikhar he was headed north to Brahmanbaria. His mission: another kill and burn.

Overwhelmed with terror, the Bengalis have one of two reactions. Those who can run away just seem to vanish. Whole towns have been abandoned as the army approached. Those who can't run adopt a cringing servility which only adds humiliation to their plight.

Chandpur was an example of the first.

In the past this key river port on the Meghna was noted for its thriving business houses and gay life. At night thousands of small country boats anchored on the river's edge made it a fairyland of lights. On April 18 Chandpur was deserted. No people, no boats. Barely one percent of the population has remained. The rest, particularly the Hindus who constituted nearly half the population, had fled.

Weirdly they had left behind thousands of Pakistani flags fluttering from every house, shop and rooftop. The effect was like a national day celebration without the crowds. It only served to emphasise the haunted look.

The flags were by way of insurance.

Somehow the word had got around that the army considered any structure without a Pakistani flag to be hostile and consequently to be destroyed. It did not matter how the Pakistani flags were made, so long as they were adorned with the crescent and star. So they came in all sizes, shapes and colours. Some flaunted blue fields, instead of the regulation green. Obviously they had been hastily put together with the same material that had been used for the blue Bangla Desh flag. Indeed blue Pakistani flags were more common than the green. The scene in Chandpur was repeated in Hajiganj, Mudarfarganj, Kasba, Brahmanbaria; all ghost towns gay, with flags.

A PARADE AND A KNOWING WINK

Laksham was an example of the other reaction: cringing.

When I drove into the town the morning after it had been cleared of the rebels, all I could see was the army and literally thousands of Pakistani flags. The major in charge there had camped in the police station, and it was there that Major Rathore took us. My colleague, a Pakistani TV cameraman, had to make a propaganda film about the "return to normalcy" in Laksham—one of the endless series broadcast daily showing welcome parades and "peace meetings."

I wondered how he could manage it, but the Major said it would be no sweat. "There are enough of these bastards left to put on a good show. Give me 20 minutes."

Lieutenant Javed of the 39th Baluch was assigned the task of rounding up a crowd. He called out to an elderly beared man who had apparently been brought in for questioning. The man, who later gave his name as Moulana Said Mohammad Saidul Huq, insisted he was a "staunch Muslim Leaguer and not from the Awami League." (The Muslim League led the movement for an independent Pakistan in 1947.) He was all too eager to please. "I will very definitely get you at least 60 men in 20 minutes," he told Javed. "But if you give me two hours, I will bring 200."

Moulana Saidul Huq was as good as his word. We had hardly drunk our fill of the deliciously refreshing coconut milk that had been thoughtfully supplied by the Major when he heard shouts in the distance. "Pakistan zindabad!" "Pakistan army zindabad!" "Muslim League zindabad!" they were chanting. (Zindabad is Urdu for "Long live!") Moments later they marched into view, a motley crowd of about 50 old and decrepit men and knee-high children, all waving Pakistani flags and shouting at the top of their voices. Lt. Javed gave me a knowing wink.

Within minutes the "parade" had grown into a "public meeting" complete with a make-shift public address system and a rapidly multiplying group of would-be speakers.

Mr. Mahbub-ur-Rahman was pushed forward to make the address of welcome to the army. He introduced himself as "N.F. College professor of English and Arabic, who had also tried for History and is a life-time member of the great Muslim League Party."

Introduction over, Mahbub-ur-Rahman gave forth with gusto. "Punjabis and Bengalis," he said, "had united for Pakistan and we had our own traditions and culture. But we were terrorised by the Hindus and the Awami Leaguers and led astray. Now we thank God that the Punjabi soldiers have saved us. They are the best solders in the world and heroes of humanity. We love and respect them from the bottom of our hearts." And so on, interminably, in the same vein.

After the "meeting" I asked the Major what he thought about the speech. "Serves the purpose," he said, "but I don't trust that bastard. I'll put him on my list."

The agony of East Bengal is not over. Perhaps the worst is yet to come. The army is determined to go on until the "clean-up"

is complete. So far the job is only half done. Two divisions of the Pakistan Army, the 9th and the 16th, were flown out from West Pakistan to "sort out" the Bengali rebels and the Hindus. This was a considerable logistical feat for a country of Pakistan's resources. More than 25,000 men were moved from the west to the east. On March 28 the two division were given 48 hours notice to more. They were brought by train to Karachi from Kharian and Multan. Carrying only light bed rolls and battle packs (their equipment was to follow by sea) the troops were flown out to Dacca by PIA, the national airline. Its fleet of seven Boeings was taken off international and domestic routes and flew the long haul via Ceylon continuously for 14 days. A few Air Force transport aircraft helped.

The troops went into action immediately with equipment borrowed from the 14th Division which till then constituted the Eastern Command. The 9th Division, operating from Comilla, was ordered to seal the border in the east against the movement of rebels and their supplies. The 16th Division, with headquarters at Jessore, had a similar task in the Western sector of the providence. They completed these assignments by the third week of May. With the rebels—those who have not been able to escape to India—boxed in a ring of steel and fire, the two army divisions are beginning to converge in a relentless comb-out operation. This will undoubtedly mean that the terror experienced in the border areas will now spread to the middle. It could also be more painful. The human targets will have nowhere to run to.

On April 20 Lt.-Col. Baig, the flower-loving G-1 of the 9th Division, thought that the comb-out would take two months, to the middle of June. But this planning seems to have misfired. The rebel forces, using guerrilla tactics, have not been subdued as easily as the army expected. Isolated and apparently unco-ordinated, the rebels have nonetheless bogged down the Pakistan Army in many places by the systematic destruction of roads and railways, without which the army cannot move. The 9th Division for one was hopelessly behind schedule. Now the monsoon threatens to shut down the military operation with three months of cloudbursts.

For the rainy season, the Pakistan Government obtained from China in the second week of May nine shallow-draught river gunboats. More are to come. These 80-ton gunboats with massive firepower will take over some of the responsibilities hitherto allotted to the air force and artillery, which will not be as effective when it rains. They will be supported by several hundred country-craft which have been requisitioned and converted for military use by the addition of outboard motors. The army intends to take to the water in pursuit of the rebels.

COLONIZATION OF EAST BENGAL

There is also the clear prospect of famine, because of the breakdown on the distribution system. Seventeen of the 23 districts of East Pakistan are normally short of food and have to be supplied by massive imports of rice and wheat. This will not be possible this year because of the civil war. Six major bridges and thousands of smaller ones have been destroyed, making the roads impassable in many places. The railway system has been similarly disrupted, though the government claims it is "almost normal."

The road and rail tracks between the port of Chittagong and the north have been completely disrupted by the rebels who held Feni, a key road and rail junction, until May 7. Food stocks cannot move because of this devastation. In normal times only 15 per cent of food movements from Chittagong to upcountry areas were made by boat. The remaining 85 per cent was moved by road and rail. Even a 100 per cent increase in the effectiveness of river movement will leave 70 per cent of the food stocks in the warehouses of Chittagong.

Two other factors must be added. One is large-scale hoarding of grain by people who have begun to anticipate the famine. This makes a tight position infinitely more difficult. The other is the government of Pakistan's refusal to acknowledge the danger of famine publicly. Lt. Gen. Tikka Khan, the military governor of East Bengal, acknowledged in a radio broadcast on April 18 that he was gravely concerned about food supplies. Since then the entire government machinery has been used to suppress the fact of the food shortage. The reason is that a famine, like the cyclone before it, could result in a massive outpouring of foreign aid—and with it the prospect of external inspection of distribution methods. That would make it impossible to conceal from the world the scale of the pogrom. So the hungry will be left to die until the clean-up is complete.

Discussing the problem in his plush air-conditioned office in Karachi recently the chairman of the Agricultural Development Bank, Mr. Qarni, said bluntly: "The famine is the result of their acts of sabotage. So let them die. Perhaps then the Bengalis will come to their senses."

The military government's East Bengal policy is so apparently contradictory and self-defeating that it would seem to justify the assumption that the men who rule Pakistan cannot make up their minds. Having committed the initial error of resorting to force, the Government, on this view, is stubbornly and stupidly muddling through.

There is, superficially, logic in this reasoning.

On the one hand, it is true that there is no let up in the reign of terror. The policy of subjugation is certainly being pursued with vigour in East Bengal. This is making thousands of new enemies for the Government every day and making only more definitive the separation of the two wings of Pakistan.

On the other hand, no government could be unaware that this policy must fail. (There are just not enough West Pakistanis to hold down the much greater numbers in East Bengal indefinitely.) For hard administrative and economic reasons, and because of the crucial consideration of external development assistance, especially from America, it will be necessary to achieve a political settlement as quickly as possible. President Yahya Khan's Press conference on May 25 suggests that he acknowledges the force of these factors: And he said he would announce his plan for representative government in the middle of June.

All this would seem to indicate that Pakistan's military Government is moving paradoxically, in opposite directions, to compound the gravest crisis in the country's 24-year history.

This is a widely held view. It sounds logical. But is it true?

My own view is that it is not. It has been my unhappy privilege to have had the opportunity to observe at first hand both what Pakistan's leaders say in the West, and what they are doing in the East.

I think that in reality there is *no* contradiction in the Government's East Bengal policy. East Bengal is being colonised.

This is not an arbitrary opinion of mine. The facts speak for themselves.

The first consideration of the army has been and still is the obliteration of every trace of separatism in East Bengal. This proposition is upheld by the continuing slaughter and by everything else that the government has done in both East and West Pakistan since March 25. The decision was coldly taken by the military leaders, and they are going through with it—all too coldly.

No meaningful or viable political solution is possible in East Bengal while the pogrom continues.

The crucial question is: will the killing stop?

I was given the army's answer by Major-General Shaukat Raza, commanding officer of the 9th Division, during our first meeting at Comilla on April 16.

"You must be absolutely sure," he said, "that we have not undertaken such a drastic and expensive operation—expensive both in men and money—for nothing. We've undertaken a job. We are going to finish it, not hand it over half done to the politicians so that they can mess it up again. The army can't keep coming back like this every three or four years. It has a more important task. I assure you that when we have got through with what we are doing there will never be need again for such an operation."

Major-General Shaukat Raza is one of the three divisional commanders in the field. He is in a key position. He is not given to talking through his hat.

Significantly, General Shaukat Raza's ideas were echoed by every military officer I talked to during my 10 days in East Bengal. And President Yahya Khan knows that the men who lead the troops on the ground are the *de facto* arbiters of Pakistan's destiny.

The single-mindedness of the army is underscored by the military operation itself. By any standard, it is a major venture. It is not something that can be switched on and off without the most grave consequences.

ARMY COMMITTED TO REMAIN

The army has already taken a terrible toll in dead and injured. It was privately said in Dacca that more officers have been killed than men and that the casualty list in East Bengal already exceeds the losses in the India-Pakistan war of September, 1965. The army will certainly not write off these "sacrifices" for illusory political considerations that have proved to be so worthless in the past.

Militarily—and it is soldiers who will be taking the decision—to call a halt to the operations at this stage would be indefensible. It would only mean more trouble with the Bengali rebels. Implacable hatred has been displayed on both sides. There can be no truce or negotiated settlement; only total victory or total defeat. Time is on the side of the Pakistan Army, not of the isolated unco-ordinated and ill-equipped rebel groups. Other circumstances, such as an expanded conflict which takes in other Powers, could of course alter the picture. But as it stands today the Pakistan Army has no reason to doubt that it will eventually achieve its objective. That is why the casualties are stolidly accepted.

The enormous financial outlay already made on the East Bengal operation and its continuing heavy cost also testify to the Government's determination. The reckless manner in which funds have been poured out makes clear that the military hierarchy, having taken a calculated decision to use force, has accepted the financial outlay as a necessary investment. It was not for nothing that 25,000 soldiers were airlifted to East Bengal, a daring and expensive exercise. These two divisions, the 9th and the 16th, constituted the military reserve in West Pakistan. They have now been replaced there by expensive new recruitment.

The Chinese have helped with equipment, which is pouring down the Karakorum highway. There is some evidence that the flood is slowing down: perhaps the Chinese are having second thoughts about their commitments to the military rulers of Pakistan. But the Pakistan government has not hesitated to pay cash from the bottom of the foreign exchange barrel for more than $1-million-worth of ammunition to European arms suppliers.

Conversations with senior military officers in Dacca, Rawalpindi and Karachi confirm

that they see the solution to this problem in the speedy completion of the East Bengal operation, not in terms of a pull-out. The money required for that purpose now takes precedence over all other governmental expenditure. Development has virtually come to a halt.

In one sentence, the government is too far committed militarily to abandon the East Bengal operation, which it would have to do if it sincerely wanted a political solution. President Yahya Khan is riding on the back of a tiger. But he took a calculated decision to climb up there.

So the army is not going to pull out. The Government's policy for East Bengal was spelled out to me in the Eastern Command headquarters at Dacca. It has three elements:—

(1) The Bengalis have proved themselves "unreliable" and must be ruled by West Pakistanis;

(2) The Bengalis will have to be re-educated along proper Islamic lines. The "Islamisation of the masses"—this is the official jargon—is intended to eliminate secessionist tendencies and provide a strong religious bond with West Pakistan;

(3) When the Hindus have been eliminated by death and flight, their property will be used as a golden carrot to win over the under-privileged Muslim middleclass. This will provide the base for erecting administrative and political structures in the future.

This policy is being pursued with the utmost blatancy.

Because of the mutiny, it has been officially decreed that there will not for the present be any further recruitment of Bengalis in the defense forces. Senior Air Force and Navy officers, who were not in anyway involved, have been moved "as a precaution" to nonsensitive positions. Bengali fighter pilots, among them some of the aces of the Air Force, had the humiliation of being grounded and moved to non-flying duties. Even PIA air crews operating between the two wings of the country have been strained clean of Bengalis.

The East Pakistan Rifles, once almost exclusively a Bengali para-military force, has ceased to exist since the mutiny. A new force the Civil Defence Force, has been raised by recruiting Biharis and volunteers from West Pakistan. Biharis, instead of Bengalis, are also being used as the basic material for the police. They are supervised by officers sent out from West Pakistan and by secondment from the army. The new Superintendent of Police at Chandpur at the end of April was a Military Police major.

Hundreds of West Pakistani government civil servants, doctors, and technicians for the radio, TV, telegraph and telephone services have already been sent out to East Pakistan. More are being encouraged to go with the promise of one- and two-step promotions. But the transfer, when made, is obligatory. President Yahya recently issued an order making it possible to transfer civil servants to any part of Pakistan against their will.

THE UNIVERSITIES "SORTED OUT"

I was told that all the Commissioners of East Bengal and the district Deputy Commissioners will in future be either Biharis or civil officers from West Pakistan. The Deputy Commissioners of the districts were said to be too closely involved with the Awami League secessionist movement. In some cases, such as that of the Deputy Commissioner of Comilla, they were caught and shot. That particular officer had incurred the wrath of the army on March 20 when he refused to requisition petrol and food supplies "without a letter from Sheikh Mujibur Rahman."

The Government has also come down hard on the universities and colleges of East Bengal. They were considered the hot beds of conspiracy and they are being "sorted out." Many professors have fled. Some have been shot. They will be replaced by fresh recruitment from West Pakistan.

Bengali officers are also being weeded out of sensitive positions in the Civil and Foreign Services. All are currently being subjected to the most exhaustive screening.

This colonisation process quite obviously does not work even half as efficiently as the administration wishes. I was given vivid evidence of this by Major Agha, martial law administrator of Comilla. He had been having a problem getting the local Bengali executive engineers to go out and repair the bridges and roads that had been destroyed or damaged by the rebels. This task kept getting snarled in red tape, and the bridges remained unrepaired. Agha, of course, knew the reason. "You can't expect them to work," he told me, "when you have been killing them and destroying their country. That at least is their point of view, and we are paying for it."

Captain Durrani, of the Baluch Regiment, who was in charge of the company guarding the Comilla airport had his own methods of dealing with the problem. "I have told them," he said with reference to the Bengalis maintaining the control tower, "that I will shoot anyone who even looks like he is doing something suspicious." Duranni had made good his word. A Bengali who had approached the airport a few nights earlier was shot. "Could have been a rebel," I was told. Durrani had another claim to fame. He had personally accounted for "more than 60 men" while clearing the villages surrounding the airport.

The harsh reality of colonisation in the East is being concealed by shameless window dressing. For several weeks President Yahya Khan and Lt.-Gen. Tikka Khan have been trying to get political support in East Pakistan for what they are doing. The results have not exactly been satisfying. The support forthcoming so far has been from people like Moulvi Farid Ahmad, a Bengali lawyer in Dacca, Fazlul Quadeer Chaudhary and Professor Ghulam Azam of the Jamat Islami, all of whom were soundly beaten in the General Elections last December.

The only prominent personality to emerge for this purpose has been Mr. Nurul Amin, an old Muslim Leaguer and former Chief Minister of the Province who was one of only two non-Awami Leaguers to be elected to the National Assembly. He is now in his seventies. But even Nurul Amin has been careful not to be too effusive. His two public statements to date have been concerned only with the "Indian interference."

Bengalis look with scorn on the few who "collaborate." Farid Ahmad and Fazlul Quadeer Chaudhury are painfully aware of this. Farid Ahmad makes a point of keeping his windows shuttered and only those who have been scrutinised and recognised through a peephole in the front door are allowed into the house.

By singularly blunt methods the Government has been able to get a grudging acquiescence from 31 Awami Leaguers who had been elected to the national and provincial assemblies. They are being kept on ice in Dacca, secluded from all but their immediate families, for the big occasion when "representative government" is to be installed. But clearly they now represent no one but themselves.

Abdul Bari the tailor who was lucky to survive, is 24 years old. That is the same age as Pakistan. The army can of course hold the country together by force. But the meaning of what it has done in East Bengal is that the dream of the men who hoped in 1947 that they were founding a Muslim nation in two equal parts has now faded. There is now little chance for a long time to come that Punjabis in the West and Bengalis in the East will feel themselves equal fellow-citizens of one nation. For the Bengalis, the future is now bleak: the unhappy submission of a colony to its conquerors.

[From the National Observer, June 14, 1971]

CHOLERA IN INDIA: NEW OUTBREAK OF AN ANCIENT DISEASE

Planeloads of medical supplies, doctors, and technicians flew into India last week to fight a cholera epidemic that has already killed almost 10,000 persons.

Most of the deaths so far have been among the 5,000,000 East Pakistani refugees who have pushed across the India-Pakistan border since civil war erupted there in March. The refugees entering an already overpopulated area and confined to makeshift camps are in ideal target for cholera—too many people and not enough sanitation.

While they waited for more medical help, Indian officials took drastic steps to slow the epidemic. Police guarded waterways to prevent dead victims from being thrown into rivers and streams. A shortage of firewood made it practically impossible to cremate corpses in traditional Hindu fashion. Religious customs were also violated by burial of Hindu and Moslems together in mass graves holding as many as 500 bodies.

Officials were also trying, with limited success, to curb the flow of refugees from camps near the border to Calcutta, only 60 miles away. With 12,000,000 poverty-ridden people in the Calcutta area, officials were afraid the disease might spread too rapidly to be controlled.

LIMITS OF VACCINATION

Even though cholera is probably as old as man, successful treatment and prevention have lagged far behind that for other ancient ailments. For example, anticholera vaccination is good for only six months, and even a vaccinated person can still carry the disease to others. Until three years ago the only known treatment for cholera required wholesale intravenous injections administered by a trained technician.

Too, cholera occurs only in areas and among people least able to handle it—where there is dense population, poor sanitation and general ignorance of simple health rules.

Most of the world has been relatively free of cholera for 60 years, but it has still been a problem in India and Southeast Asia. And about 10 years ago a new strain began spreading into Africa and the Western Pacific. Aside from a few laboratory volunteers, there have been no known cases of cholera in the United States since 1910.

Anyone who has had dysentery or diarrhea has experienced in a mild form what a cholera victim goes through in a severe way. It is caused by small, comma-shaped bacteria that get into the system through contaminated water or food. After a short incubation period of one to five days, the bacteria make their victim violently ill.

The first stage lasts from 2 to 12 hours and consists of purging diarrhea and copious vomiting. This continues until the victim is so dehydrated that he suffers agonizing muscle cramps in the legs, arms, back, and abdomen. Then the skin becomes lax, wrinkled, cold, and clammy. A bluish tinge appears around the eyes and lips, and blood pressure falls.

But where the treatment starts in time, recovery is practically certain, says Dr. Robert S. Northrup, co-ordinator of cholera research at the National Institutes of Health (NIH) in Bethesda, Md. Without treatment the chances of recovery are about 50 per cent.

An NIH research team has studied 220,000 Pakistanis over the past few years, vaccinating, treating, and observing them. This team achieved a major break-through in treatment three years ago by developing a cholera treatment that could be taken orally rather than intravenously. Glucose is added to the solution of salts and soda used in the intra-

venous treatment. The oral treatment is cheaper and easier to administer.

Research is in progress in several countries to develop a more effective vaccine. "Compared to other diseases, cholera vaccine is very poor," says Dr. H. Bruce Dull, assistant director of the U.S. Center for Disease Control in Atlanta. Researchers are working to develop a cholera toxoid similar to those now available for diphtheria and tetanus. This would mean longer immunization and elimination of the possibility that those vaccinated can be carriers.

Accounts of acute, epidemic diarrheal disease occur throughout history. Thucydides, the Greek historian, described something similar to cholera in Athens about 500 B.C. Similar descriptions came from India around A.D. 700.

The endemic center of the disease is the Ganges Delta in West Bengal, a state of northeastern India and scene of the current epidemic. There are good records of how cholera spread from the delta to other parts of India and then to other countries beginning in the Fifteenth Century. In 1438, for instance, an epidemic practically wiped out an Afghan army in western India, and another epidemic devastated the Netherlands East Indies in 1629. According to Chinese historians, the disease entered their country about 1670. Medical historians identify seven general cholera epidemics in the world since 1817, and six of the seven began in the Ganges Delta.

HARDIER STRAIN

Properly termed pandemics, the first day these general epidemics began in 1817 and by 1823 had spread through personal carriers to China, Ceylon, the Philippines, Japan, East Africa, and Russia. Another started in 1826 and spread to include Europe, Great Britain, and eventually the United States, where it spread from New York and Boston to Chicago and down the Mississippi Valley. Subsequent pandemics occurred in 1840, 1863, 1879, 1891, and 1902.

What is now acknowledged to be a seventh pandemic started in the Celebes Island of Indonesia in 1961 and is still spreading, principally to the northern half of the African continent and to parts of the western Pacific.

This time it's caused by a new tougher and hardier strain of bacillus, named El Tor after the quarantine port in Iraq where it was first discovered. Last week an outbreak of cholera was reported spreading through Chad; the disease had already caused 400 deaths in that Central African nation. A lesser epidemic in northern Uganda has killed a dozen persons, and there are 171 cases under treatment. Doctors say there may be hundreds of unreported cases.

[From the New York Times, June 16, 1971]

MRS. GANDHI SAYS PAKISTAN SOLUTION GROWS REMOTE

NEW DELHI.—Prime Minister Indira Gandhi said in Parliament today that the possibility of a political settlement in East Pakistan was "becoming more remote" everyday.

Mrs. Gandhi also declared that India was prepared to make "all the sacrifices" and would have to "go through hell" to look after the six million Pakistani refugees in India.

But she said India expected the nations of the world to share the responsibility.

"We are looking after the refugees on a temporary basis," Mrs. Gandhi said. "We have no intention of allowing them to settle here; neither have we any intention of asking them to go back merely to be butchered."

She said the problem also involved the issue of democracy and human rights, and that Indian representatives had been going around the world to present the situation to governments.

"We are not going to allow the international community to get away with it," she declared. "They have to realize it is their responsibility. They will certainly suffer from the consequences of whatever happens in this part of the world."

In a four-hour debate in Parliament, some members suggested that India should send the military into East Pakistan to help the Bengali separtists. The Pakistani Army attacked in East Pakistan in March in an attempt to crush the independence movement.

Mrs. Gandhi did not comment on these suggestions. She said a political settlement had to come sooner or later—"better sooner than later."

Mrs. Gandhi declared, however, that India would "never acquiesce" in a political settlement "at the cost of democracy and the rights of people fighting there."

"Any settlement must be arrived at with those people who are today being suppressed," she said. "We shall not for a moment stand for a political settlement that means the death of Bangla Desh and the ending of democracy and of the people who are fighting for their rights."

Bangla Desh—Bengali nation—is the name the East Pakistani separatists have given to the province.

INDIAN ENVOY MEETS THANT

UNITED NATIONS, N.Y.—Foreign Minister Swaran Singh of India conferred here today with Secretary General Thant and urged that international pressure be exerted on President Agha Mohammad Yahya Khan's Government to cease what was termed political repression in East Pakistan.

The Indian minister, who has visited Moscow, Bonn, Paris and Ottawa, is going to Washington to schedule talks tomorrow with President Nixon and Secretary of State William P. Rogers.

After leaving Mr. Thant's office, he told correspondents he had asked the Secretary General to use his "tremendous influence" to impress upon the Pakistani Government the need for a political solution to enable millions of refugees now in India to return home.

RECENT EXPERIENCE OF THE BANGLA DESH SITUATION

(By a Bengali Medical Doctor)

I decided to take leave from my internship training in United States to understand what was going on exactly and to learn about my family.

On the third week of April I reached Agartala on the eastern border of East Bengal, from New York via Calcutta. There I saw a large number of refugees in different camps in different schools and college buildings. The student leaders of Bangla Desh were staying in the MBB College Hostel (dormitory), and there were many doctors, engineers and professors also. Here I got more details and descriptive information about the situation at different places of Bangla Desh at that time from old friends, acquaintances and some relatives of mine.

Then, I naturally tried to get information on my locality and my family.

On the third day I went home to visit my parents, brothers, sisters and my grandfather. Other close relatives also had taken shelter from the nearby towns in our home in the village.

Fighting was raging all day and night and sounds of mortar and heavy artillery guns were adding to the almost continuous automatic small arms fire, and everybody was scared. In spite of all these frightening situations, my father was also stubborn to stay home and not flee to India because the total number of the families, including my uncles, is more than a hundred persons and it is impossible to shift them. The situation of refugees in India was already hopeless. And everybody hoped that international efforts and voices will come to a quick rescue.

I went away to join the Mukti Fawj (Liberation Army) next day. I was taken to their headquarters at a secret place and the leaders of the command wanted to know in details about the world opinion, and U.S. public and government reactions. They were very enthusiastic and in very high morale. Since then, up to the 15th of June I worked with the Mukti Fawj, and got the following impression of the situation:

1.A—*Control of cities and towns* at present belong to the West Pakistan Army and that is by dint of their terror tactics, but the Freedom Fighters are still able to sabotage and throw granades inside all the cities. The city and town populations in any place has not exceeded 50 percent of the original.

1.B—*Control of the villages* belong to the Mukti Fawj and the villagers help and sympathise with them. But the West Pakistan army punishes these villages by their heinous "operations". At the present moment maximum killing, burning and looting are being conducted in the villages—where the world does not see or know much. The West Pakistan Army of course fails totally to have control in the villages because the villagers are hard working, painstaking and freedom loving people.

They defy rule of terror and prefer to flee at the earliest sign of approaching West Pakistan Army and when opportunities come, they participate in resistance. They give purposefully wrong informations and make the West-Pakistan Army take troublesome, muddy and difficult routes—and again send information to the nearest Mukti Fawj hideout for immediate ambushing.

1.C—*Civil Administration:* Only exists symbolically in the cities and towns at a strength of 25–40% of the original and only the top bosses are working. These people could not escape to safety. The common scene in any office in Dacca is the timely signing of the attendance register.

Then the officials ask each other questions about what the colleagues know and all kind of rumors of success and failure of the Mukti Fawj are discussed. Some one would suggest that already 200,000 boys have been drafted, and maybe someone says "last night so many were killed in an ambush in Tangail" then at the presence of any West Pakistani colleague they change the subject and start discussing the cost of living and maybe about the whereabouts of their relatives. Office files move only on the pricrity basis and lots of them get stuck up due to the constant lack of personnel and due to confusion and chronic tension, mistakes and messing up add to their efficiency! Orders are written in the paper—to imaginary personnel—and then forgotten. Mails do not run to most of the places.

Road transport services run between Dacca and Narayenganj, Comilla and Daood Kandi only about 50 miles in all outside the cities.

The rest of the thousands of miles of roads are out of any use. The bridges blown off—mines laid by the Freedom Fighters and the West Pakistan Army make it perilous even for pedestrians. One cannot go to Sylhet or Chittagong by the metaled motorable road that were being used before the fighting started. These roads are the vital links between the port of Chittagong and the capital city of Dacca.

Railways also are out of commission between Chittagong port and Dacca, the capital. Between Khulna and Jessore, between Jessore and Rajshashi and all over in the Northern areas. Only train runs between Dacca and Brahman Baria, Dacca and Mymenshing, which is about one tenth of the total railway system—irregular and always out of schedule. As a result goods and commodities cannot be carried from one place to another. One can go to stations on the railway track under the control of the Freedom Fighters.

2.A In the cities curfews were imposed until last week and at night the silent operations continued. Searching the Bengali houses—arresting the capable young men and

taking away the girls. Looting of valuables and money of course occurs even in day time in the check posts. In the name of body-searching the pockets are emptied. It does not matter if the victim was going for shopping or if he had the pay-day of the month.

2.B In the villages the intensity of their operations is more severe. The first available villagers are forced to identify the homes of college students, Bengali army men and policemen as well as the Hindus. At some places they forced the villagers to "loot" and set fire to these houses and then took photographs of the "local miscreants" for display of their attempt to restore law and order.

Girls are kept naked in isolated houses and their perverted behaviours manifest in innumerable towns and camps. Some of these camps have been raided and the girls rescued.

2.C Dead bodies can still be found even near Dacca at a place called Mirpur under a bridge.

2.D Blood is collected from the arrested young men and some of them thrown in the streets unconscious. This happens where blood banks exist for the wounded West Pakistani soldiers.

3.A—The resistance fight of the Mukti Fawj is most intense on the vital road-railway and other communication routes where any attempt by the West Pakistan Army brings them havoc by ambushes. Raids are conducted on the West Pakistan Army positions.

The occasional attempts of the West Pakistan Army to send patrols meet with such reply that they prefer not to go in less than a hundred strength and go back to their bases before darkness. They better not dream of sealing of the border. The Freedom Fighters courier service can bring one any information from any place within the country.

The supply of arms and ammunition of the Freedom Fighters come from the initial amount they could carry away at the time of revolt and is still sufficient in quantity. Then there are frequent left overs collected from the ambushed West Pakistan Army units.

3.B—People's morales is very high and they are only waiting for any chance to do their part.

Mukti Fawj territories are everywhere outside the cities but strongholds exist where the West Pakistan army cannot penetrate due to lack of communication routes. These are located scatteredly. One can visit some of these strongholds by arrangement with the Mukti Fawj.

4.A—The morale of the West Pakistan Army is definitely not as high as their bosses in the GHQ of Pindi and Dacca. Looting, raping and desire to survive and enjoy these fringe benefits have made them goats. They prefer to press triggers and just empty belts after belts of ammunition from the safety of their bunkers when the Mukti Fawj provokes them. They shell hundred rounds of artillery in reply to a few small armbursts. Water and mud is something they do not like to get into. They have reinforcements of irregulars or paramilitia from the West Pakistani Tribal people (Tochi scout, Chitral scout, etc.) who never saw tropical rain and its effect on soft soil and swamps.

The reported official casualty of the West Pakistan Army confirmed by an officer on the 7th of May was 14,697 men and officers. Then the daily death toll of at least a hundred ever since. But no confirmation was available from Dacca DHQ after the 7th of May.

4.B—The reasons of the great Mukti Fawj success are understandable—more than any other factor their motivation and their acquaintance with the terrain and the climate. They can survive on anything edible. The villagers are friendly and the intelligence net-work is superb. Small kids and old men equally serve the intelligence net-work.

5.A—*Refugees:* The refugee situation in India is massive and unparalelled in history and there is no end envisaged until an acceptable solution is reached to this mass murder. At present the refugees are mostly coming from the Interior and Coastal districts of Faridpur and Barisal. The West Pakistan army is using small naval vessels to penetrate deep and many of them were provided for relief work in the last November cyclone by the sympathetic foreign people. There is nothing new in their attitude towards people of Bengal, after all everything is planned. The major segments of the refugees are Hindus and of the muslems the educated ones and those capable of leadership are being chased away.

5.B—Cholera and other gastrointestinal diseases have broken out all over and people are dying without any care or help. Doctors and pharmacists have either escaped or have nothing available to cope with these epidemics.

6.A—*Food situation:* In Bangla Desh is very aggravated and lack of transportation and collapse of earning capacities have made it impossible for the less-fortunate to procure food. Markets do not open in the country-side. Kerosine and salt come from India in the border belt of 25 miles and from the cities in the interior through the individual families own efforts. No one invests money in small grocery business, because of fear of looting and all kinds of uncertainties. After all, everybody has to run away to the next villages when the army comes.

6.B—*Production* in the industries ranged between 15 and 25 percent of the original capacity. The laborers have been so brutally killed or beaten that the rest of them have either joined the Mukti Fawj or, at least, gone to their own families in the villages or migrated to India.

[From the New York Times, June 17, 1971]

Despair Rides a Bengali Refugee Train

(By Sidney H. Schanberg)

Calcutta, India.—Two thousand ragged Bengali refugees are stacked on a 12-car train meant to hold fewer than a thousand. Five thousand more lie on the station platform, waiting their turn—even though the next train is not due to leave for 24 hours.

Some are dying as they wait—of pneumonia, malnutrition, dysentery, cholera. All are worried and frightened about their destination, in central India. They would rather stay here, closer to the homes in East Pakistan they were forced to abandon.

But desperate Indian officials have stopped their rations—knowing this is the only way to induce them to leave the impossibly choked border areas and relocate elsewhere in India. With government rations cut off, the refugees have jammed the railway station, clamoring for a place on the daily train.

To keep alive in the meantime, the refugees have sold nearly everything they carried out with them—umbrellas, pots, pieces of clothing—to buy food.

The population doubles

The scene is Barasat, a market town in India's West Bendal state 16 miles northeast of Calcutta and about 30 miles from the East Pakistani border. It once had a population of 40,000. Now it has been swamped by 40,000 of the Bengali refugees fleeing the Pakistani Army's campaign against the independence movement in East Pakistan.

Barasat is a microcosm of the Indian border areas, which have been overwhelmed by nearly six million of the sick and hungry refugees.

So far, the Government has been able to move only about 30,000 of them, nearly all by train to a Government transit camp at Mana 600 miles away in Madhya Pradesh.

A two-plane Soviet airlift went into operation yesterday, carrying up to 700 refugees a day to Mana.

An American airlift of four transport planes, due to start tomorrow, is expected to take about 1,000 a day from Tripura, east of East Pakistan, to Assam in India's northeast.

Refugees still pour in

But at this rate, the transfer of refugees will not come close to keeping up with the influx from East Pakistan, still in the tens of thousands daily.

In Barasat, for example, for a time 5,000 new refugees were streaming into the town every day, and only 2,000 were leaving by train. Local officials have refused to register any more refugees and have sent them on to the next district.

Barasat today is more of a swarm than a town. Refugees are so thick in the streets that cars can only inch through. Refugees overflow every doorstep, porch and empty building. They fill the fields. They build their tiny cooking fires everywhere. They build flimsy thatch lean-tos, and rainstorms rip them apart. The mud and garbage seem to spread around them as the monsoon rains grow heavier.

The local people have been sympathetic, but with the refugees disrupting all normal life, the strains are growing. Last week, Hindu refugees took shelter in Moslem mosques to escape a monsoon downpour, and extra policemen had to be called in to avert religious rioting—the Government's greatest fear in all the border states.

"No solution at this end"

"Unless there's some political solution in East Pakistan," said Taraknath Bhattacharya, the 35-year-old district administrator, "there can be no solution at this end."

As miserable as conditions in the town are, the railway station is worse. The 5,000 refugees lying pressed against each other on the damp concrete floor of the platform look, in the dim light of the overhead bulbs, like an eerie blanket of the dead. But then the mass stirs. An arm or a leg moves, someone vomits, someone moans. A baby wails.

An old man lies writhing on his back on the floor, delirious, dying. Emaciated, fly-covered infants thrash and roll away from the family huddle and begin crying and coughing, but their parents—even if they wake up—are too weak and dazed from their trek out of East Pakistan to help or comfort them.

Many are too weak to get up even when they have to relieve themselves. The occasional faint breeze carries an overpowering smell.

There is no doctor or nurse or first-aid attendant at the station.

A dazed man sits crosslegged in front of a small metal box that holds all he owns. Over and over again, he fingers and examines each tattered document, each threadbare scrap of clothing.

In sickness, modesty is forgotten. Women sleep naked from the waist up.

The stationmaster tells a visitor that all the railway stations from the border to Calcutta look like this one. He says there are four or five deaths a day from cholera alone on the platform.

The refugees boarded the train at 5 o'clock in the afternoon; it did not leave until 40 minutes after midnight.

Inside the air was stifling, the occupants packed together. The trip to Mana, according to the schedule, takes 22 hours, but it actually takes much longer because of stops and delays.

To escape the crush inside the cars as they waited, some passengers came out on the platform for air only slightly less fetid.

Anxious and troubled about where they are going, they looked for someone to answer their questions—"Will we get food in Mana?" "Do they know we are coming?"

There were only a couple of railway officials on the platform and their answers were vague.

As these passengers paced the platform, they talked with a visitor about burning, looting and killing that had driven them from their homes. They were Hindus from Khulna and Barisal and Faridpur districts in East Pakistan.

"If the truth prevails in the world, then we believe we will win our independence," Ashutosh Biswas, a 21-year-old storekeeper, said. He pondered for a few seconds, then added: "We adults are ready to suffer, but our children are being killed. How can we get back those lives?"

(From Le Monde, June 17, 1971)

BACKDROP TO THE BENGAL TRADEGY—SLOW DECLINE OF A ONCE FLOURISHING LAND

By the most reliable count, 4 million East Pakistanis have fled their homeland and taken refuge in neighbouring India following the large-scale military operations initiated by the Pakistan Army last April.

The situation in East Pakistan itself is calm, but tense. In a series of swift, bloody moves the army crushed the embryonic Bengal independence movement (Bangla Desh) and proceeded to sow death and desolation among the population.

On the Indian side, however, the situation is extremely dangerous. The millions of refugees are straining India's already heavily overburdened finances, adding to the authorities' difficulties in West Bengal, where irresolute minority governments had almost led to a breakdown of law and order. Worse still a cholera epidemic—so far contained with the help of abundant aid from abroad—is complicating the problem of dealing with the world's most recent flood of refugees.

For many of the East Pakistanis who are today being moved from refugee camps near the border into less crowded regions within India, this is not the first such experience. The 1947 partition of the Indian sub-continent was just as bloody and cruel as today's events in East Pakistan. And it too produced its victims—millions of refugees and countless deaths.

In the first of a two-part series, Gilbert Etienne examines the historical backdrop against which the new refugee drama is being played out.

(By Gilbert Etienne)

In the era of the great Mogul emperors, spanning the 16th and 18th centuries, Bengal conjured up visions of a prosperous land, alive with economic activity and a flourishing trade with the outside world.

Bengal's natural beauty is still a symbol of the joy of living—the endless rice fields, the plain spotted with dark green patches, waving coconut fronds, the slender stalks of the betel nut and the huts with their daintily curved thatch roofs huddling in the shadow of bamboo clumps

Streams crisscross the fields everywhere, and peasant life is inextricably linked with that of the Ganges, the passage of barges and sailboats and boatmen singing their ageless shanties.

But behind this apparently unchanged facade, Bengal has gradually degenerated into a vast reservoir of poverty.

On June 23, 1757, at the Battle of Plassey, on the plains of Bengal, Britain took the first step in its conquest of India, a conquest which was to lead to perpetration of some of the darkest deeds in colonial history.

The "United Company of Merchants trading to the East Indies" and its employees, the former in its official capacity as the virtual rulers, the latter as private individuals, battered on the land, bled it dry of its gold and silver first before breaking down its trade and local cottage industry structure with imports of manufactured goods.

BRITISH RAJ RESENTED

The brazen exploitation ended when, in the middle of the 19th century, the Crown took control of the Company's possessions in India and administered them more efficiently. But the British Raj's presence was still resented by the Bengalis.

It was however thanks to the British that tea and jute—the market is still controlled by British companies—achieved such prominent positions in Bengal's commerce. It was the British again who later opened coal mines in the western part of Bengal and helped Calcutta, with its banks, business houses, and factories, and especially its jute mills, to become the opulent capital of the Crown's Indian possessions.

But what about the Bengalis? In 1874, the British agent in charge of the Comilla district heeded the complaint of the big landlords—a shortage of labour to clear the jungle and plant rice. Less than a hundred years later his Pakistani successor recorded a population density of 650 per square mile in the same region. All the land had been cleared, and there has been a constant increase in the volume of hired hands and small landowners. And by the turn of the century, agriculture in Bengal, where population growth outstripped the land's productivity, was past its peak, and in this domain the region was lagging behind the rest of India.

The picture is somewhat different in the other sectors of Bengal's economic and social life. The quick-witted and intelligent Bengalis constitute the hard core of the Indian intelligentsia; they predominate at the Calcutta bar, in education and the public service, including the elite Indian Civil Service.

By contrast, they have made little impact in the world of business, banking or industry. The dominant role played by the British business houses does not in itself explain this phenomenon.

When Indian businessmen began to gain a foothold in Calcutta during World War I and the Great Depression of the late Twenties and early Thirties, firms were run for the most part by Marwaris from Rajasthan in the West, Chettiars from Madras Province (now Tamilnad) and other communities outside Bengal.

Poverty afflicted Hindu and Moslem masses indiscriminately, but there were rarely any Moslems among the *bhadraloks,* or "respectable folk"—lawyers, businessmen and public service employees. When India was partitioned into two states in 1947 by the departing British Raj, the area that went to form East Pakistan was particularly under-developed, and this in a Bengal Province which was itself already on the downhill path. An overwhelming majority of educated Hindus chose to move into West Bengal, on the Indian side of the newly drawn frontier. East Pakistan found it could easily push through a programme of agrarian reform because most of the big landowners were Hindus.

It was however in the industrial, banking and commercial sectors that the newly created east wing of Pakistan felt the pinch. There was nobody to run the abandoned offices except for a few departmental bosses and messenger boys hanging about offices in Dacca and Chittagong.

In the public services the result of the migration was even more telling: of the eighty-four members of the Indian Civil Service who opted to go over to the Pakistani half of Bengal, only two were Bengali.

For countless years the expanse between Lahore and the western boundary of Pakistan presented an arid, depressing vista. The rivers of the Punjab flowed between sandy banks, through a land covered with prickly bushes and rare patches of grass which only goats and camels found congenial.

Towards the east and the southeast—Agra and Delhi—the soil was richer, but what it produced hardly met the needs of the great Mogul cities. But it was Bengal which sent its surplus of rice, sugar and textiles to these centres.

The wheel of fortune was given a turn in 1894 when Lord Dalhousie annexed the Punjab to British India. By this time the United Company had reformed after its shameless plunder of Bengal. In any case, the new province offered fewer temptations. . . .

There then followed one of the most remarkable engineering feats of British colonial rule. The Punjab's five rivers were linked by a vast network of canals, and the British subsequently introduced a comprehensive system of irrigation to water the arid Sind.

Working the soil became that much easier since the British had at their command a highly competent peasant mass. Hindus, Moslems and Sikhs living in the Punjab moved westwards, where with hard work and great initative they made the best use of the land given them.

Lahore soon recovered the prosperity and brilliance it had enjoyed in the golden age of the Mogul emperors: gardens flowered, a university was built and trade flourished. Other cities began to rise, benefiting from a sound road-and-rail infrastructure. The population, sparse to begin with, never did reach the density found in Bengal. Towards the end of British rule in India, the Punjab had become one of the proudest achievements of the empire, in marked contrast to a Bengal in rapid decline.

EXODUS AFTER PARTITION

Partition touched off a two-way exodus in the Punjab, similar to that in Bengal. Whatever, their religion, the Punjabis quickly found a place in the new social structure, adapting to the changed situation in no time.

This was not the case of the Bengalis. There was also another difference in the Punjab: a good many of the positions left vacant by departing Hindus were rapidly filled by senior Moslem civil servants, merchants from Bombay and members of the well-to-do classes in the north of India.

From the moment it was created, the government of Pakistan included prospective Bengali politicians. But the total absence of senior executives in the eastern wing of the country created conditions in which Punjabis and Sindhis, fleeing India, could step into the vacuum.

As soon they began to settle down, the big banks in Karachi—most of them largely created by people who had come from Bombay—opened branches in Dacca and Chittagong, thus taking up the slack created by the departing Hindus. In 1964, for instance, of the four or five big jewellers in Dacca, only one was a Bengal-born Moslem, all the others having come from elsewhere. And his business was the least prosperous of them all.

Excessive influence or domination: whatever the term used, the essential is to understand the inevitability of the process—at least in its earliest stages—which led to the present situation.

The Bengali Pakistanis may have been liberated by a demographic upheaval from their former masters among the Hindu gentry. But it was only to have it brought home to them that they were still not masters in their own home.

[From the Washington Post, June 17, 1971]

E. PAKISTANI REFUGEE FLOW INCREASES AGAIN

(By Lee Lescaze)

CALCUTTA.—The number of refugees arriving in India daily is increasing after a relative lull last week, a senior Indian government official said today.

The reduced flow of new arrivals from June 5 to June 12 has ended, and the government has indications that huge numbers of East Pakistanis are still traveling toward the Indian border, according to Col. P. N. Luthra, coordinator of relief efforts here.

Indian government figures show that an average of more than 100,000 refugees have crossed the border each day since May 7. There are now almost six million East Pakistanis in India—4.3 million of them in West Bengal.

As the refugees have continued to pour out of East Pakistan, the stories they bring of the forces that pushed them from their homes have changed.

Early arrivals in April told of brutality by the East Pakistan army in its efforts to crush the Awami League of Sheikh Mujibur Rahman.

After the army's initial attacks on March 25, the Awami League declared East Pakistan independent and attempted to fight to establish its authority over the province of 75 million people.

By the end of April, the units fighting for independence had been crushed in all but a few pockets near East Pakistan's borders.

While refugees who fled during that period accused the Pakistan army of driving them out through indiscriminate murder and burning of villages, many new arrivals do not mention the army.

Instead, they say they were driven out by acts of terrorism carried out by Moslem civilians.

Officials here have noted that the flow of refugees was at first half Moslem and half Hindu, but changed to more than 90 per cent Hindu in early May. Before the civil fighting broke out, East Pakistan had about 10 million Hindus and 65 million Moslems.

It appears from this and from the refugees' stories that the fighting in East Pakistan changed quite early from political battle between the West Pakistan military forces and hastily armed civilians to communal violence with Moslems launching attacks on Hindus throughout the country.

In many cases, according to refugees and relief workers who have spent days in the refugee camps, the Pakistan army provided Moslems with guns and there have been no reports of the army trying to protect Hindus.

The change from war for political ends to the persecution of a minority religion appears to have been accompanied by reduction in bloodshed.

While some new arrivals describe armed attacks on them by the Moslems, at least as many say they fled because they were told to clear out of their homes by a certain time—or simply because they had heard of attacks on Hindus in nearby villages.

In the opinion of officials here, the change in what has happened in East Pakistan since March has several important aspects.

It serves to weaken the position of the Awami League exile government which continues to operate in India in the name of an independent East Pakistan.

On the one hand, the military forces fighting for independence have been all but crushed; on the other, the new refugees have little interest in the political fight—the Awami League, although supported by Hindus, is a Moslem dominated party.

Most refugees say that they will return to their homes if they can be assured of safety. However, since they fear victimization by Moslem elements, some officials here doubt that they will ever go back.

In India, particularly in West Bengal where the people are closely tied to fellow Bengalis of East Pakistan, there is less sympathy with victims of communal violence than with the political forces that sought to gain independence from the western wing, according to observers.

A political challenge to Pakistan aroused the anti-Pakistan feeling which is very strong in most parts of India. What is bad for Pakistan is therefore good for India, in the common view.

However, India has suffered its own religious violence throughout the years and has much to lose from a resurgence of Hindu-Moslem animosity. There still remains the threat of religious trouble within India.

The Hindu refugees who have fled here are an enormous economic and social strain on India without bringing with them any political benefit.

Although people here sympathize with the refugees' plight, they are also protective of their own property and would prefer that the refugees were political victims who might one day win a battle against Pakistan.

Instead, most of the refugees are illiterate farmers who have come to a country where there is little free land to farm.

INDIAN OFFICIAL CARRIES PLEA FOR U.S. HELP

Indian Foreign Minister Sadara Swaran Singh carried to President Nixon and Secretary of State William P. Rogers yesterday an urgent plea for help to achieve a political settlement of civil strife in East Pakistan to enable the return of six million Bengali refugees to their homes.

Singh met with Rogers in Washington and the two conferred through a working lunch at the Department of State.

[From the New York Times, June 20, 1971]

PAKISTAN CRISIS IMPERILS SCHOOLS—MEAGER OUTLAY FOR PRIMARY EDUCATION FACES NEW CUTS

(By Malcolm W. Browne)

ISLAMABAD, PAKISTAN.—Continuing political upheavals, a financial crisis and traditional Moslem attitudes have produced a crushing effect on mass education in Pakistan, where experts estimate only 8 percent of the population is literate.

The martial-law administration of Pakistan, which normally appropriates only 1 per cent or less of the national budget for education, is expected to reduce spending for education even more during the coming fiscal year.

By comparison, military spending, normally about 40 percent of the budget, is expected to rise sharply, partly because an occupation army is now stationed in East Pakistan and partly because of fears of a war with India.

EDUCATORS PESSIMISTIC

Even before the crisis in East Pakistan began in March, many educators here regarded prospects for mass education in Pakistan as nearly hopeless.

A bulletin issued one year ago by the Education Ministry said, "The extension of literacy is a precondition for success in any sphere of development." But, the bulletin added, "The attainment of the goal seems to have receded further and further with the lapse of time, and Pakistan today has one of the highest rates of illiteracy in the world."

Of higher education, the bulletin said:

"The present situation in our colleges and universities is a cause for grave concern. The academic standards are showing a steady deterioration under the pressure of expansion."

In Pakistan, even at the primary-school level, education is neither compulsory nor free. Although tuition is nominal in primary schools—the equivalent of about 50 cents a month—even such small fees are too much for many large families with subsistence incomes.

AUSTERITY MEASURES ENACTED

Recently the Government enacted a series of austerity measures that increased the cost of many imports by 200 percent. Books have been classified as luxury items and the increase in their cost is staggering.

Underlying the problem in the eyes of many foreign educators and local liberal educators, is the traditional Moslem view of education, the purpose of which in earlier societies was mainly to read and study the holy Koran.

There is deep suspicion of the idea of mass education, particularly of the kind advocated in the Western world. Education is frequently blamed for the recent bloody secessionist upheaval in East Pakistan.

CRITICISM OF THE EDUCATED

Maulan Syed Abdul Ala Maudoodi, leader of an ultra-right-wing Islamic political party, said several weeks ago, "Bengal separatism was started by a particular section of Bengali nationalists who had been taught and educated in the colleges and universities, mostly by Hindu professors, and had no education in Islamic teachings."

Various Islamic texts on Pakistani education quote the Prophet Mohammed, who was himself illiterate: "To instruct those unworthy of knowledge is like putting pearls, jewels and gold on the neck of swine."

This has given rise to what foreign educators in Pakistan describe as an élitist system of education, in which the few resources available for education are spent mainly at the university level.

In the last decade, annual Government spending on education for the university student has averaged $500 per student. Government spending for the primary student has averaged less than $3 a year.

JOB OPPORTUNITIES LACKING

The heavy emphasis on university spending has not been matched by job opportunities in the professions. It is estimated that 200,000 persons with university educations cannot get jobs.

With population pressures and poverty increasing, the primary school system is threatened with extinction. According to statistics compiled by one foreign mission here, of every 100 children who enter the first grade, only 8 go through the fifth grade.

A mixture of despair and a feeling of Pakistani hostility has driven off many foreign educational missions in the country.

The Fulbright program, which for the last three years has not been used in Pakistan, virtually closed its mission here a few weeks ago.

An education team of the United States Agency for International Development that had been stationed in East Pakistan was withdrawn during the March crisis and there are no prospects for its return.

The United States has spent a total of more than $4-billion in aid to Pakistan, mostly for industrial and agricultural development. The increment for education has been only about $500,000 a year. By comparison, neighboring Afghanistan has received about $3-million dollars a year in American educational aid.

[From the New York Times, June 20, 1971]

REFUGEES: THE ONLY WAY TO DESCRIBE IT IS "HELL"

(By Sydney H. Schanberg)

CALCUTTA.—"We will have to go through hell to meet the situation," Prime Minister Indira Gandhi told the Indian Parliament last week. She spoke, during a debate, about the 6 million frightened Bengali refugees who have fled into India to escape Pakistani military repression in East Pakistan. The refugees will have to go through hell, too.

They have, in fact, passed through several levels of it already—the terror campaign of the army, the long days of walking to India with little food and often-polluted water, and, at the end of the trek, a cholera epidemic.

Well over 5,000 cholera cases have been counted among the refugees. The epidemic is still taking refugees lives, though it is under some semblance of control. Now other afflictions are starting to take their toll—malnutrition, typhoid, dysentery, pneumonia. And the monsoon rains have begun to make life even more desperate for the 2 million refugees who are living in the open because there is no room in the camps.

India, with her limited resources, has been trying to provide for this pitiful army of displaced persons; but there is no way to keep up with the influx, for tens of thousands

continue to stream across the border every day. And Indians in the congested border areas—they were originally sympathetic to the refugees and to the Bengali independence movement that the Pakistani Army is trying to crush—are turning resentful. Refugee consumption has forced food prices up, and cheap refugee labor has forced wage rates down.

Perhaps the Government's greatest fear today is an outbreak of Hindu-Moslem bloodshed, a periodic blight on the subcontinent since 1947, when British India was partitioned into predominantly Moslem Pakistan and predominantly waves of Hindu India. While the early waves of Bengali refugees were fairly equally divided between Hindus and Moslems, nearly all the recent arrivals have been Hindus.

Government officials are afraid that chauvinistic Hindus might seek revenge on India's Moslem minority of 60 million. Extra police are being sent to the tense border states, which have sizeable Moslem pockets. The main worry is unstable West Bengal, an already overcrowded, violence-prone state that has received the bulk of the refugees—over 4 million of them.

New Delhi is now trying to move the refugees from the border states to less crowded regions, but other states do not want them and are unlikely to take a significant number, regardless of central government prodding.

DESPERATE MOVES

The refugees do not want to move, either. They want to stay as close as they can to their native land—and preferably in West Bengal, whose people share their Bengali language and culture. In some cases, desperate Indian officials have cut off the refugees' rations to induce them to board trains for camps in the interior.

The cost to India in social disruption cannot yet be measured, for, despite all fears of cataclysm, the situation so far has been reasonably well controlled and violence has been sporadic and minor.

But the economic cost is tangible and staggering. If the refugee flow stopped today and if it cost only one rupee (13 cents) a day to support each refugee—both unrealistic assumptions—the bill for one year would be nearly $300-million.

A country whose 550 million people enjoy an average income of only $80 a year clearly cannot bear such a burden without disastrous results.

But foreign help—so quick and so generous after last year's natural disaster in East Pakistan, the cyclone—has been sluggish in reacting to this man-made disaster. Only about $50-million in aid has been pledged so far, including American and Soviet airlifts that began moving small numbers of refugees out of crowded border areas last week. Most of it came only after the dramatic headlines about the cholera epidemic.

The problem, however, cannot be solved in India, no matter how lavish the foreign aid. The ulcer lies in East Pakistan, and the still-heavy flow of refugees confirms—as do independent reports from inside East Pakistan—that the army's program is continuing there.

The Pakistani Government's amnesty appeal to the refugees to return to East Pakistan "and take part in national reconstruction" has evoked bitter laughter from the displaced Bengalis. Only a few thousand refugees, all in northern Meghalaya state, have crossed back into East Pakistan—not out of confidence in the Government's offer, but because of the hostility of the Meghalaya tribal people.

The Western powers, notably the United States and Britain, keep repeating—without direct criticism of Pakistan—their desire for a "peaceful political accommodation." But they cannot suggest a political solution that would be viable without the Awami League, the now-banned party whose autonomy movement is the target of the army's offensive.

OFFICIALS IRATE

A week ago, the United States "counseled restraint" on both India and Pakistan "because of the possibility that the situation in East Pakistan and eastern India could escalate dangerously."

Indian officials and private citizens alike were irate. Last Tuesday, Foreign Minister Swaran Singh—in Washington as part of a tour of major world capitals to present India's case—remarked with irritation on a television interview show: "What are we asked to restrain ourselves about? What is India expected to do?"

The Americans backed off two days later, with the State Department saying that the United States "welcomed the restraint which India has shown."

Washington, in urging restraint, apparently had in mind the recent statements by Mrs. Gandhi and other Indian officials that, if the world community did not pressure Pakistan into stopping its killing in East Pakistan and into creating secure conditions for the refugees' return, "we shall be constrained to take all measures as may be necessary to ensure our own security."

WAR NOT IMPOSSIBLE

That India eventually might go to war with Pakistan to keep its social and economic fabric from disintegrating cannot be ruled out. Although no war preparations or planning are visible, and diplomats here do not believe that another such war is imminent, talk of it is nevertheless growing.

Politicians are pushing the Government daily to take a harder line, and newspapers argue that war would be a lot cheaper than caring for the refugees (pointing out that the war with Pakistan in 1965 cost less than $70-million).

One high military source, while stressing that war would be "a last, desperate resort," added: "No country is going to go under without a fight. India certainly can't afford to spend $1.3-million a day on refugees. Our economic situation would deteriorate to such an extent that there could be a revolution in India. We couldn't carry on."

[From the Boston Globe, June 21, 1971]

INDIAN DEFENSE CHIEF FEARS WAR. PAKISTAN CLAIMS NEW BORDER RAIDS

NEW DELHI.—Defense Minister Jagjivan Ram said yesterday war might be thrust upon India as a result of the East Pakistan civil strife. He called on the army to prepare for any eventuality.

Meanwhile, Indian's Meghalaya state clamped a month-long 8 p.m. to 4 p.m. curfew on its 300-mile heavily forested border with East Pakistan to protect life, property and communications and guard against what it called infiltration of Pakistani spies.

The move followed a Pakistani protest Saturday to the Indian high commissioner in Islamabad against the alleged "continuation of incidents of unprovoked firing by Indian border security forces and Indian armed forces and trespasses into Pakistan territory."

The Pakistan government said the shelling and firing has killed several civilians.

The announcement reported 18 incidents between June 11 and 16. It did not say if Pakistani troops returned fire.

Similar claims of border incidents have been made by India.

India's warning of war was made as Ram addressed army units during a visit to Jullundur near the West Pakistan border, 210 miles northwest of Delhi.

He charged Pakistan had been violating India's eastern borders and added: "We are a peace-loving country and we want to avoid war. But Pakistan is creating a situation where war may be thrust upon us."

In Rawalpindi, Pakistan, Prince Sadruddin Agha Khan, the United Nations high commissioner for refugees, said Saturday liaison between the Pakistan government and his organization about the rehabilitation of Pakistani refugees would be established as soon as possible.

The Meghalaya border curfew will be in a three-mile belt stretching from the boundary, an Indian official said.

The state of Meghalaya last month evacuated several border villages following reported attacks by Pakistani army troops believed to have been chasing East Pakistani independence fighters across the frontier.

Civil war between the separatists and the Pakistani government broke out nearly three months ago. Since then India and Pakistan have accused each other of numerous unprovoked attacks.

"I doubt if Pakistan is in a position now to attack India," Prime Minister Indira Gandhi told a news conference in Srinagar, the capital of Kashmir, after a visit there. "However, we have to watch and see the situation. We are prepared to meet any aggression on our border by Pakistan."

Mrs. Gandhi also said the time was not yet ripe for India to recognize the rebel Bangla Desh (Bengal nation) government in East Pakistan.

[From the Washington Post, June 21, 1971]

EAST PAKISTAN REBEL ARMY CAMPS ON INDIAN BORDER

(By Colin Smith)

CALCUTTA, INDIA.—Hidden in tent camps along East Pakistan's western border with India are the official armed forces of the rebel Bangla Desh government in exile, the Mukti Fouj.

Some regular Indian army units, ignoring the Indo-Pakistan treaty in force since 1947 under which both sides keep their forces five miles from the border, have moved right in beside them.

These are easy to find because their signallers have not had time to bury the field telephone cables that lead from divisional to battalion headquarters and you can follow them from tree to ditch right up to the border.

Parts of the border are particularly ill-defined. In some places it is marked only by a conical-shaped cement block about three feet high standing incongruously in the middle of a paddy field. It is easy to understand the ease with which Pakistani troops hot in pursuit of retreating guerrillas could find, to their cost, that they had invaded India.

With a guide from the Bangla Desh mission in Calcutta (formerly the Pakistan High-Commission, until the Pakistani high commissioner declared himself for Bangla Desh), I went a few miles into East Pakistan with a platoon from a Mukti Fouji base near Bangoan, where some of the biggest refugee camps are.

The Mukti Fouj, which means freedom fighters, came into being when the insurgent East's fight against Pakistan President Yahya Khan's soldiers was about a month old and the East Pakistani Awami League thought it improper that their troops should still be referred to as the East Pakistan Rifles and the East Bengal Regiment.

At the base I visited, the Mukti Fouj were entirely made up of a company of East Pakistan rifles who had simply walked over the border with most of their equipment. Tents were provided by the Indian government. Pay from the Bangla Desh government is just under $12 a month.

Their tents were pitched around some trees about half a mile on the Indian side of the border. Inside, the earth had been packed down to form a floor.

Drainage ditches had been dug around the outside of the tents because the mon-

soon, which was mercifully late this year, has started and there are heavy showers every day. The men all seemd fit and well fed.

Their commandant was a former captain in the Pakistan Army service corps, a serious looking man in thick, horn-rimmed glasses and tall for a Bengali, who graduated from Kakui Military Academy, in West Pakistan. He asked that his name not be used because, like most of his men, he still had relatives "inside."

The group, which was probably about 100 strong, though the captain would not divulge any figures, claim they control 144 square miles of East Pakistan territory from the India border to the Kapatakha River, which forms a natural boundary between them and the nearest West Pakistan troops.

Most of their activities, said the captain, involved disrupting communications and laying mines. Occasionally they might ambush a Pakistan patrol.

He pointed to two jeeps parked in the camp, which he said had been captured during ambushes. But more often, he said, they just patroled around "liberated Bangla Desh," ready to go to the assistance of any villagers who were being "harassed by the Paks."

[From the Christian Science Monitor, June 21, 1971]

REFUGEE TRAUMA: PAKISTANIS IN INDIA FACE UNCERTAIN FUTURE

(By Henry S. Hayward)

KRISHNANAGER, INDIA.—For more than 5 million destitute uprooted persons from East Pakistan there is harrowing uncertainy about their future.

In addition to the threat of disease, there is lack of adequate shelter, insufficient food, and a massive shortage of clothing. Most of the refugees are in tatters.

You see them pitifully trying to wash their rags in muddy puddles without soap.

You see long queues of children on the shoulder of a busy highway near Calcutta airport lined up for their milk ration. Each youngster grasps a pot or container in his hand.

The line never seems to end. It was there in the morning when we went north. It was still there in the early evening when we returned.

MOVEMENTS BY TRAIN

You see efforts to move refugees by train to more suitable locations than Calcutta outskirts. But the train is hours late in arriving, and there are dead left on the platform when it finally pulls out jammed to the roof.

You hear, although there is no confirmation, that not all looting and burning in East Pakistan is the work of its Pakistan Army or brigades. Some local people, it is said, have begun looting their own neighbors.

Yet amid these sights of unmitigated misery and hopelessness there are stirring examples of courage and self-sacrifice.

A grief- and terror-stricken mother who had lost several members of her family in fleeing from Pakistan was found wandering aimlessly at the roadside after abandoning her third child.

Fortunately both the child and mother were picked up by Roman Catholic sisters of Mercy Clinic in this town. Both still need care, but they are recovering.

At one time the clinic had an estimated 5,000 refugees in its courtyard all needing food and shelter and many needing medical attention as well.

More encouraging is the story of Sister Jacinta de Cruz of the same mission. She stands about 4 feet tall and looks 12 years old, although she is 22.

ORPHANS LED ACROSS BORDER

Yet plucky little Sister Jacinta led 40 orphan girls across the border to safety at night in a thunderstorm. They ranged in age from 3 to 18.

When armed men began menacing the orphanage at Bhobarpura in East Pakistan Sister Jacinta decided to lead her charges to India just 1 mile away. "I was surely frightened" she told me. "It was raining and thundering and muddy and slippery underfoot.

"We were afraid of being killed. So we packed bundles of clothes. We had no time or breath, to pray, or sing, or even speak as we hurried along the path."

Older girls helped carry younger ones some only 2 years old. They all made it through the storm to the border and on to Krishnanager.

Now 40 girls are happy and busy in the orphanage here. But Sister Jacinta says they still shiver about their experience "although we are not so frightened any more."

[From the National Observer, June 21, 1971]

CONTROVERSY HAMPERS RELIEF EFFORTS: REFUGEE FLOW STIRS FEAR OF INDIA-PAKISTAN WAR

(By Richard Egan)

The civil war in East Pakistan lasted but a few weeks this spring as the polished, disciplined Pakistani army quickly crushed the ragged, disorganized Bengali resistance fighters. But East Pakistan's short-lived bid for independence has spawned millions of refugees, a huge world relief effort, and a host of humanitarian and political problems in the Indian subcontinent, one of the economically poorest, most heavily populated areas of the world.

The core of the trouble is the vast outpouring of East Pakistanis into the border lands of neighboring India. The exodus has exacerbated the already tense relations between India and Pakistan. Indian Prime Minister Indira Gandhi has warned that the refugee situation constitutes a "threat to peace" in the area. Some Indian politicians have been urging Indian military intervention in East Pakistan.

India alleges that predominantly Moslem Pakistan is committing genocide against the Hindu minority in East Pakistan, forcing the Hindus to leave or risk death. The Pakistanis contend that Indian expressions of sympathy and support for the Bengali rebels precipitated the outflow of East Pakistanis. East Pakistani leaders accuse the central government of Pakistan of conducting a pogrom in East Pakistan against supporters of the independence movement. Indian officials fear the continued feuding between Indian and Pakistan will spark another outbreak of clashes between India's Hindu majority and Moslem minority.

RESIDENTS RESENT REFUGEES

The $50,000,000 international relief effort for the East Pakistani refugees has become tinged by controversy too. Prime Minister Gandhi last week described the aid as "pitiable and a tenth of what is required." Private U.S. relief agencies assert that the Gandhi government is hampering the relief program by refusing to allow foreigners into areas where the refugees have crowded.

In these areas, resentment against the refugees is growing among Indian residents, who fear the refugees will take their land and their jobs or will spread disease. Indian states untouched by the influx of East Pakistanis are balking at a government attempt to relocate the refugees in the interior so as to alleviate the overcrowded conditions in the border states.

Through it all, the refugees continue to pour out of East Pakistan. Since the civil war erupted in their homeland on March 25, about 6,000,000 East Pakistanis, leaving most of their possessions behind and walking for days, have streamed across the border. Day after day, more arrive. Possibly as many as 100,000 East Pakistanis cross the 1,349-mile border each week.

Many never complete the arduous trek. Disease, malnutrition, and exhaustion take a heavy toll. A cholera epidemic has taken the lives of an estimated 10,000 refugees. The shipment of millions of doses of cholera vaccine to India apparently has curbed the spread of the disease in the refugee camps that the Indian government has set up along the border. And U.S. officials say sufficient food is now reaching the refugees.

But the vast program of feeding and caring for the refugees now is being complicated by the early arrival of the seasonal monsoons in India. The heavy downpours are hampering distribution of supplies, and have turned the camps into seas of mud. Relief officials fear that the rains will lead to widespread incidence of pneumonia and other diseases in the camps.

About three-fourths of the refugees are in the state of West Bengal, one of India's poorest areas. The remainder are in the states of Tripura, Assam, and Maghalaya. The Indian government's relocation program, which got under way last week, is aimed at moving thousands of the refugees from East Bengal to an isolated area in the interior state of Madhya Pradesh, and moving about 100,000 of the 500,000 refugees in Tripura into northern Assam.

INTERNATIONAL AID

Four American C–130 transport planes and two Russian Antonov-12s are transporting the refugees out of Tripura. The airlift is part of a major international aid effort being co-ordinated largely by the United Nations. U.N. officials say $38,000,000 in pledges of cash and supplies has been made through the world organization and $12,000,000 has been pledged directly to India by governments or private relief agencies. The United States is the biggest contributor, with a total pledge of $17,000,000 in supplies, mostly food, and an outright grant of $500,000 to the U.N. A State Department official says the United States is "prepared to provide more if necessary."

The U.S. Government is contributing, from existing stocks in India, enough food to meet the needs of about 1,250,000 refugees for a three-month period. The United States also has contributed $1,000,000 doses of cholera vaccine.

The major U.S. volunteer agencies involved in the relief program are Care, Inc., Catholic Relief Services, and Church World Service/Lutheran World Relief. Care is providing for the partial feeding of about 400,000 refugees, and has purchased 3,000 tarpaulins to provide shelter for 60,000 persons. Catholic Relief Services is taking care of the food, shelter, and medical needs of about 100,000 refugees. This week John Cardinal Dearden, archbishop of Detroit and president of the U.S. Catholic Conference, will ask all Catholic parishes in the United States to take up a special collection for Pakistani refugee relief. An official of Catholic Relief Services said similar special appeals in the past have brought in about $1,000,000.

Church World Service/Lutheran World Relief has been working with the World Council of Churches through the Christian Agency for Social Action, Relief, and Development (CASA) in India. CASA has set up 10 milk-distribution teams and purchased and distributed 500 tarpaulins. The organization also has put together five medical teams and is planning on setting up five more. Church World Service itself is planning further aid totaling about $100,000 and has offered $300,000 to the World Council of Churches for refugee relief.

The aid effort so far has concentrated solely on the refugees in India. But there are indications that the situation in East Pakistan may be equally as grave. The Pakistani government has allowed few foreigners into the

55,126-square-mile province since the civil war ended. But reporters who have traveled through the province say railways were disrupted and bridges destroyed in the fighting, making food distribution difficult in the traditionally rice-short province, whose pre-war population was 70,000,000. The relief program for the estimated 1,000,000 East Pakistanis left homeless by a cyclone and tidal wave last November apparently has slowed down considerably.

An indication of the gravity of the food shortage in the province is that the Pakistani government last month reportedly appealed to U.N. Secretary General U Thant for an immediate U.N. grant of 250,000 tons of food grains and 100,000 tons of edible oils. The Pakistanis reckoned that they would need 2,000,000 tons of food through June 30, 1972.

Despite the Pakistani aid appeal, efforts to establish an international relief program in East Pakistan have been blocked by the reluctance of the military-backed government of Pakistan to allow foreign relief workers into the province. U.S. and U.N. officials, however, said last week headway had been made toward setting up a relief program. The United States earlier this month donated $1,000,000 to the Pakistani government for the acquisition of coastal vessels to help distribute food supplies to the cyclone-disastser area.

Representatives of an 11-nation Pakistan-aid consortium, which includes the United States, have been conferring with Pakistani officials on a resumption of aid. The consortium cut off all economic and military aid to Pakistan on the day the civil war broke out. The consortium has hinged a resumption of aid on the willingness of the Pakistani government to reach a political accommodation with Bengali leaders in East Pakistan.

[From the Christian Science Monitor, June 22, 1971]

AN OFTEN INVISIBLE PAKISTANI REGIME: BANGLA DESH PURSUES "COMPLETE INDEPENDENCE"

(By Henry S. Hayward)

CALCUTTA.—The governing organization of the freedom movement for East Pakistan (Bangla Desh to its supporters) is both visible and invisible here.

The visible portion is its Bangla Desh mission to India in downtown Calcutta.

Since April 18, the mission has been headed by Hossain Ali, former deputy Pakistan high commissioner in Calcutta who is a professional Pakistani Foreign Service officer.

As a Bengali, Mr. Ali's sympathies were with the Bangla Desh (Land of Bengalis) movement from the outset.

He barred non-Bengalis from the building, ran up a new flag, and continued operating without losing one day.

But although he heads the large mission, Mr. Ali admits he gets his instructions from a government that has no fixed abode. In short, from an often invisible Bangla Desh regime.

"Mujib Nagar now can be anywhere—inside East Pakistan or outside," he says. Mujib Nagar means Mujib's capital, a reference to Awami League leader Sheikh Mujibur Rahman who was named in absentia president of the Bangla Desh government while under detention in West Pakistan.

FIVE FORM RULE

Five selected ministers form the government, which keeps on the move most of the time to avoid Pakistani reprisals. It spends some time on Pakistan territory to validate its claim to be on the only legitimate government of 70 million people there.

"Bangla Desh consists of 99.9 percent of villages and towns," asserts Mr. Ali.

The government also likes to show itself occasionally in India where between 5 million and 6 million of its people now have fled.

The government is headed by Tajuddin Ahmed, former No. 2 man in Sheikh Mujib's Awami League. He is Bangla Desh's prime minister in exile.

Acting president during Sheikh Mujib's enforced absence is Nazrul Islam who is technically called vice-president.

These men have no fixed addresses, but they like to make their presence known whenever security permits. If they become too remote from public view, they risk losing their credibility.

What is the Bangla Desh objective? I asked Mr. Ali.

"ONLY ONE POINT"

"Today we have only one point—complete independence from West Pakistan," he answered.

"We no longer follow Mujib's six points." The six points were those Sheikh Mujib set forth in his negotiations with Pakistan President Yahya Khan last March.

"An alien army started total war against our entire people complete with atrocities," Mr. Ali continued. "Now all Bengalis want only independence.

"All Bengalis are motivated now. They want to fight for their freedom," he said. "Pakistan Army retaliates with deliberate atrocities—rape, murder, looting. They destroy villages and all that moves."

Mr. Ali added: "We don't engage them head on with positional battles. We fight hit and run guerrilla warfare with captured equipment. It may take a long time to win by such methods."

He is confident, however, that Bangla Desh freedom fighters are destroying bridges and communications.

Little rail service now operates in East Pakistan, he claims. He also believes the Pakistan Army is harassed, demoralized, getting panicky, and afflicted by dissension.

TROUBLE SEEN

The Bangla Desh mission head speaking in an office on a quiet Calcutta side street asserts that West Pakistan is in serious industrial trouble.

"It depends on East Pakistan raw materials—and selling finished goods in East Pakistan. Both its raw materials and markets are disrupted," Mr. Ali declares.

"We tell the farmers not to plant the jute crop but only food. Jute is money crop for West Pakistan."

Mr. Ali showed photographs of alleged atrocities. Stories of rape and murder are so common among refugees that it would be difficult to dispute their authenticity.

Other Bangla Desh objections to the treatment of East Pakistan are that only 8 percent of the armed forces are Bengalis when they make up 56 percent of the population and that only 15 percent of the civil service is from East Pakistan.

INEQUITY ARGUED

Also, the Bangla Desh claims that the bulk of the nation's capital is invested in West not East Pakistan.

Moreover East Pakistan declares it produces 80 percent of the country's exports but receives only 20 percent of foreign aid, though now East Pakistan is to get more than half the $1.1 billion in the public-sector program approved by the National Economic Council.

Mr. Ali feels that economic factors, freedom-fighter pressure, alleged atrocities, and above all the visible evidence of more than 5 million escaping refugees testifies to the soundness of the Bangla Desh case and should influence international opinion in its favor.

"We will go on fighting," he says. "We have no alternative. Our victory would be accelerated if we can get support. Moral support helps of course. But Bangla Desh needs formal recognition too. That would be the answer to those continued crimes against humanity."

[From the Christian Science Monitor, June 23, 1971]

BANGLA DESH FREEDOM FIGHTERS LEAD TOUR OF PAKISTAN BORDER

(By Henry S. Hayward)

HRIDIYPUR, INDIA.—I walked across the border from West Bengal in India to East Pakistan just beyond this tiny frontier village with a group of Bangla Desh freedom fighters on June 14.

It was a long hot walk in the sun from the Roman Catholic mission on the Hridiypur side, but fortunately I had an Indian umbrella bearer who walked at my side and kept most of direct rays off my head.

It also was by no means the first time a Western newsman has been taken on a similar stroll in the sun. The mission fathers and sisters seemed all too familiar with press excursions across the frontier.

ARMY UNIT NEARBY

Freedom fighters send out scouts every day to reconnoiter the other side. If all is quiet, considerable traffic back and forth ensues.

On Monday, however, scouts reported a Pakistan Army unit of 100 men was operating in the East Pakistan village of Bhobarpura just across the border.

They were said to be armed with rifles, machine guns, and mortars, and going from house to house searching for money, gold, or valuables.

We could see the nearest buildings of the village just across a wide field. Since the freedom fighters totaled 40 men, and were only lightly armed, we decided it was not prudent to proceed farther.

I walked forward to the most advanced freedom-fighter outpost. It was perhaps a half mile beyond a stone roadside marker that said "Pakistan."

The outpost was manned by two soldiers in brown uniforms and helmets. One had a rifle, the other a light machine gun. They were quickly joined by two other fighters from across the road.

BIRDS WERE SINGING

All was quiet. No firing. No voices in the distance. No sounds of looting up ahead. You could hear birds in the rice fields and mango groves.

Someone suggested pictures. The soldiers, who by this time had grown to nine, quickly lined up with weapons at ready. Posing for photographs seemed routine to them.

Then I stood with them and had my picture taken. It was all most unwarlike.

Yet at the same time, the atmosphere was perfectly serious, too. Shots are often exchanged between freedom fighters and Pakistan Army soldiers. Men on both sides do get killed at just such places.

The leader of the freedom unit was 24 years old. He spoke English. He wore a wraparound sarong and sandals. Some of his soldiers looked twice as old.

ONCE A REGULAR

The leader said he was once in the regular Pakistan Army in West Pakistan. He was sent to East Pakistan and crossed into Indian territory two months ago.

In addition to vintage rifles, one soldier had a mortar tube and several mortar rounds. Some of the men were former Pakistani soldiers, but others were just farmers in bits of uniforms donated by Indian friends.

"He knows only how to fire a rifle," said the leader, pointing to one of the group.

Asked how long it has been since they had operated inside Pakistan territory, they all started talking at once.

"I have been across as far as Kushtia, 60 miles from here," said one.

"I have been in three times in the past month," said another. "We fight and we attack them. A few days ago we killed 20 Punjabis in this area. We had no losses."

NIGHT FIGHTS PREFERRED

None of the Bangla Desh fighters made a move to attack an enemy unit reported just a few hundred yards farther up the road.

"We are only 40," they said. "We prefer to fight at night."

Freedom fighters are not very effective, at present, due to lack of arms, ammunition, and training. They are trying to rectify all such shortcomings. Serious training in special camps is under way.

Meanwhile, even under present limitations they help remind people in East Pakistan that the Bangla Desh cause still lives and some resistance continues.

They go back and forth in bands of 5, 10, or 15. Often they wear no uniforms. They disguise themselves as farmers or refugees.

REFUGEE FARMERS

Many refugee farmers on the Indian side of the border wait for an all-clear signal from freedom-fighter scouts before going back to Pakistan to work their nearby fields. A group of about 50 such farmers sat under a tree and watched me take my international walk. On the return trip, I stopped for a chat.

"Most days we can go across to till our fields," they said. "But today Punjabi soldiers are there and we must wait."

Although this particular jaunt had its comic aspects, freedom fighters are a serious symbol of East Pakistani determination to resist what they regard as deliberate government mistreatment.

SPECIAL MANGO GROVE

A short distance beyond where we stood is a mango grove where the free Bangla Desh government was officially established on Pakistan soil on April 17. It is proudly referred to as "Mujib Nagar," or Mujib's capital. "Mujib" is a popular name for Sheikh Mujibur Rahman, leader of the Awami League which won all seats in East Pakistan elections late last year.

Moreover, a group of freedom fighters returned from a raid last week with three "enemy" bodies, including one major and a captured jeep.

District freedom fighters are reported to comprise between 100 and 200 men, some of whom have gone back to East Pakistan permanently to fight and sabotage.

FRONTIER OPEN

Going back and forth is still an easy process since Indian officials consider the border open, and Nadia district has only a dozen police posts along its entire 135-mile frontier.

On the Pakistan side, however, the Army has built trenches and bunkers at some points. It reportedly is setting up a cleared strip five miles deep to control freedom-fighter incursions and perhaps refugee outflow as well.

One of the chief entry points at Shikarpur, 60 miles north, has been closed, and refugees must detour elsewhere.

Official sources here say five full divisions of the Pakistan Army—about 125,000 men—have been moved from West Pakistan to the east. This is at least partly to offset the freedom-fighter threat in addition to restoring order and intimidating or even ejecting unwanted segments of the East Pakistan population.

EASTERNERS WEEDED OUT

The belief here is that no more soldiers or officers from East Pakistan remain in the Pakistan Army today. They either have deserted to support the Bangla Desh independence cause—or have been weeded out by West Pakistan officers as security risks.

Of more than 5 million refugees in India, the great proportion are farmers and small shopkeepers, little inclined to participate in the fighting. But there also are sprinklings of teachers, students, members of Parliament, and high-ranking government officers who are helping keep Bangla Desh resistance alive.

[From the Baltimore Sun, June 23, 1971]

FIFTY TO SIXTY PAKISTAN SOLDIERS SAID TO ENTER HOSPITAL DAILY

DACCA, PAKISTAN, June 22.—Between 50 and 60 seriously wounded Pakistani soldiers are being brought to the Army hospital in Dacca every day, foreign diplomatic sources said here tonight.

Travelers from other towns spoke of continuing Bengali resistance in East Pakistan.

But Pakistan military sources in Dacca insist that the 12-week-old undeclared civil war is at an end except for some intrusions in the Feni area south of Comilla near the Indian border.

The views of the government and foreigners on what is happening outside Dacca are irreconcilable.

POLICE DRIVEN OUT

A visitor from Tangail, 50 miles northwest of Dacca, said that police, who had taken over the town from the Army, were driven out temporarily by liberation forces over the weekend.

He said he believed the raiding party finally retreated to Madhupur Forest, a 40-mile-long wooded belt running south from Mymensingh, which is generally believed to be the hideout of the Mukti Fouj or liberation army.

Four correspondents who arrived in Dacca yesterday are the first to be allowed to return unescorted since the expulsion of 35 reporters after the Army crackdown March 25.

EIGHT BOMBING INCIDENTS

Dacca is believed to be the safest town in East Pakistan despite eight bombing incidents which marked the visit here of Prince Sadruddin Aga Khan, United Nations high commissioner for refugees, a week ago.

But efforts by the martial law authorities to bring the situation back to normal still encounter Bengali resistance.

Civil servants receive "warnings" by post and shrouds have been delivered to underline the threats. Warnings sometimes have been posted in envelopes used by the government of Pakistan.

Foreigners say few Bengali police survived the massive mutinies at the end of March and Biharis (non-Bengali Muslims) have been recruited to replace them. About 5,000 West Pakistani police have also been sent in.

CORRESPONDENT'S CAR STOPPED

Dacca's police chief, a Bengali, was retired and then vanished in April. Mixed Bengali and East Pakistan police patrols stopped a correspondent's car twice on its first drive around the city.

Since March it has been decreed that all car number plates must be in English—apparently reflecting the inability of many police and troops to read Bengali, in which all vehicles were previously numbered.

East Pakistan appeared impressively peaceful from the air approaching Dacca, but on the road from the airport it seemed that the population had been cut by one-third. Three-quarters of the stores on the airport road were closed, and in the market area along Nawabpur road, through the crowds and rickshaws, the usual Bengali animation was lacking.

[From the Baltimore Sun, June 24, 1971]

AID EXPERTS FEAR FAMINE IN PAKISTAN; MILLION-TON SHORTAGE IN RICE IS EXPECTED IN WAR-TORN EAST

DACCA, EAST PAKISTAN, June 23.—The 75 million poverty-ridden Bengalis of East Pakistan, their province's economy smashed by civil war, are threatened by famine in two months.

That is the view here of agricultural experts who say they expect a shortage of almost a million tons of rice. They warn that a delay in the monsoon rains could worsen the harvest. East Pakistan already is seeking two million tons of food grain from abroad.

Although the ports are expected to have facilities to handle food grain cargoes, inland transportation has been disrupted, making food distribution difficult.

VULNERABLE RAILROAD

The main railroad runs for 75 miles along the Indian border where dissidents easily can sabotage it.

Just three months ago President A. M. Yahya Kahn ordered troops into Pakistan's eastern province to crush Bengali secessionist forces led by Sheikh Mujibur Rahman and his Awami League. Sheikh Mujib is now in jail in West Pakistan.

Dacca, the East Pakistan capital, once the home of almost a million persons, has been abandoned by thousands of refugees fleeing to the countryside and to India.

UNCLUTTERED STREETS

For lack of people in the streets, the sidewalks are uncluttered. For lack of automobiles on the roads, the traffic jams have disappeared.

"There is fear and mistrust here," said a United Nations official, trying to get facts on which to base a relief program.

To root out bomb throwers, West Pakistan police, who cannot speak Bengali, search the autos of residents who speak only that language. Guards at the cable office search patrons for matches and lighters to avert arson.

CONFISCATED RAZORS

In Chittagong, the port to the south, passengers about to board a Pakistan International Airlines flight to Dacca must give up razors and blades to security guards.

Bengali friends warn newcomers of tapped telephones. A World Bank official, who called on a local businessman, was followed into the office minutes after his departure by West Pakistani intelligence agents, who demanded to know what the businessman told the visitor.

Politicians are afraid to come out of hiding to start the political reconciliation that President Yahya has said he wants.

[From the Washington Post, June 24, 1971]

DACCA: EAST PAKISTAN'S SULLEN BUT PACIFIED CAPITAL

(By Martin Wollacott)

DACCA, June 23.—The capital of East Pakistan is a sullen but pacified city which has seen little trouble in the past few weeks other than sporadic bomb throwing.

But outside Dacca and not only in the border regions, the army still faces the almost impossible task of guarding a vulnerable communications system and rural economy against sabotage by the guerrillas of the Mukti Fouj, the Bangla Desh government in exile. The Mukti Fouj still have bases in the interior of the province.

According to diplomatic sources, one base which is yet to prove particularly effective is believed to be situated in the Goapalganj swamp area in the south of Faridpur District. There are also Mukti Fouj in the Madhupur forest reserve almost in the center of the country between Dacca and Mymensingh.

One report indicated that Awami League fighters emerged from the reserve at the end of last week and occupied the small town of Tangail to the south of it, forcing the police to withdraw. The army later regarrisoned the town.

From all along East Pakistan's 2,500-mile border with India come reports of mining, mortaring and shelling, particularly from the Feni area southeast of Dacca where the

closeness to the border of the road and rail line and the configuration of the border itself give advantages to the Mukti Fouj.

USELESS RAIL LINK

The rail link between Chittagong and Dacca is still largely useless because of the destruction of a major bridge in this area, and even when this is repaired the line will clearly be vulnerable to fresh raids.

Other main trouble spots are in the Jessore area near the western border and in Sylhet where two British planters were kidnapped by the guerrillas.

All but one or two of the two dozen British planters who were still running plantations in the area have now left on the advice of the British High Commission. The prospects for the tea industry, which saves Pakistan a fair amount of foreign exchange now look even more dismal than they did before.

There have been few, if any, reports of actual engagements between the army and Mukti Fouj. Road mines, grenades and the occasional small ambush, plus mostly unsuccessful demolition attempts on bridges are the basic pattern.

The Pakistani army claims to be largely undisturbed by such pinpricks. But quite apart from their effect on the country's communication system and its economy, the military hospital here, according to one report, is taking in some 40 or 50 casualties a day from the whole province.

There is no confirmation of this figure, which has been received in a roundabout way by a diplomatic source. But even if it is slashed by half or two-thirds it still provides an indication of what is happening.

CURFEW CONTINUES

The curfew, though lifted in Dacca, still is in effect in most of the province's district capitals, particularly in those districts bordering India. In some like Rajshahi the army is dug in in the center of the town.

One recent visitor to Rajshahi, a few miles from the Indian border, said there were three explosions in the three days he was there.

Although one of the explosions was said to have been a mortar shell from the Indian side, troops in that area, the visitor said, were just encountering their first landmines on the roads north of Rajshahi.

Schools remain closed in many towns and virtually all western aid projects are in suspension. Diplomatic sources say that Western technicians have been stopped in the streets in Dacca and warned that it would be dangerous for them to remain.

Bengali civil servants still at their posts have received letters urging their noncooperation with the guerrillas.

Apart from general damage to the economy there is the looming problem of famine. Pakistan government statements that there is enough food in the province are correct. Experts say there is approximately two months' supply of food grains in silos and stores around the country. Distribution is the snag. The United States has provided the foreign exchange for the hiring of coastal vessels with crews from other countries, but none of these have yet appeared.

NO ALTERNATIVE

Observers here see no alternative for the government of President Yahya Khan but to continue military occupation and control.

The new police force, largely recruited from Biharis and from West Pakistan, is still only about 15,000 strong whereas the province in normal times had a police force of some 35,000, and these are not normal times.

Dacca is, as the government claims, now a quiet city, although a bomb thrown outside the Intercontinental Hotel some days ago narrowly missed a British jute buyer and blew up the car he was about to enter.

Dacca is rather too quiet for a Bengal city. There are portraits of President Yahya on sale in the bazaar. But the people appear sulky and drained of emotion.

Unexpectedly they come up to you in public places and tell you where you must go, to Jaganath or Iqbal University halls, to the now razed Hindu shanty-town at Shakhari and so on. Some even make out lists on bits of paper. In Jaganath Hall a small boy points out what could be bloodstains on the steps.

The hostility may now be buried but, as one observer said, it's going to need a miracle to reconcile these people.

INDIAN AIDE UNCLEAR ON ARMS SHIPMENT

NEW DELHI, June 23.—Indian Foreign Minister Swaran Singh said today that if the United States is shipping munitions to Pakistan, "it is a clear departure from the assurances given me."

Singh was commenting on State Department acknowledgement yesterday that two Pakistani freighters recently left the United States with arms and other military supplies. The State Department said the arms were purchased before the ban went into effect March 25.

The Nixon Administration had announced a ban on military supplies to Pakistan after the government of President Yahya Khan moved to crush the eastern province's self-rule movement with troops in March.

Singh returned today from a 15-nation tour, during which he conferred with President Nixon.

Meanwhile, Indian members of Parliament today demonstrated outside the American Embassy in protest against the U.S. arms shipment.

NEW RELIEF GROUP ASKED FOR WORLD

PARIS, June 23.—A call for a new world relief agency for natural disasters able to draw on an international volunteer corps was made here today by an official of the United Nations Food and Agriculture Organization.

Michel Cepede of France proposed that recognized nongovernmental organizations group held by security police on and sign a convention with the United Nations.

[From the Christian Science Monitor, June 25, 1971]

FACT AND FANTASY SWITCH AT EAST PAKISTAN BORDER

(By Henry S. Hayward)

DACCA, PAKISTAN.—Going to East Pakistan after a week in West Bengal is like walking through the looking glass.

Suddenly everything is reversed. What you were told in Calcutta about fleeing refugees becomes untrue in the Dacca version of events.

Similar reversals apply to all the other great problems that beset Pakistan today. You begin to wonder which side is the world of reality and which of fantasy—and whether the Mad Hatter is the information officer on the Pakistani or Indian side of the border.

This might be ludicrous if so much were not at stake on both sides. There is the plight of the miserable tide of humanity which swept out of East Pakistan into the eastern provinces of India.

And there is Pakistan's reputation before the world, which has been heavily impugned during the recent months of internal strife and dislocation.

So one comes here—among the first foreign correspondents to be readmitted—to see for oneself.

WHAT REFUGEES?

Here and in Karachi what everyone in India calls refugees are not admitted to be refugees at all. They are called displaced persons—"poor, mistaken people who listened to false propaganda, then panicked and fled out of sheer fear when they need not have left at all."

Here they say displaced persons are welcome to return regardless of caste, creed, or religion. Pakistan's President Yahya Khan himself has said so. And some are indeed coming back—according to government reports—although the numbers still are in the low thousands compared with the millions who fled.

India, however, is accused here of holding refugees by shipping them to the interior on the grounds that border area camps are overcrowded.

To Dacca from Karachi by air now takes over six hours—almost as long as a North Atlantic crossing—because Pakistan's planes must detour around the entire Indian subcontinent to span the 1,200 miles between the two wings of Pakistan.

Below, the fields shimmer with water, and one remembers the great cyclone and tidal wave that devastated the Ganges estuary only last November.

At that time the storm seemed the greatest calamity that could hit this area. Yet within months this catastrophe of nature was exceeded in misfortune by a manmade disaster that already has altered the lives of millions, brought India and Pakistan close to conflict, and threatened the stability of South Asia.

At the Dacca air terminal, where last November throngs of Pakistani spectators crowded airport corridors and lined the railings of a rooftop lookout both night and day, there now are no spectators.

Dacca Airport is closely guarded and restricted to persons actually arriving and departing: It no longer is for those who wish to watch in idle curiosity planes and passengers coming and going.

On the way into town taxi fare has doubled in the past six months. The driver complains that gasoline prices have risen and business is poor. Traffic is half what it was formerly—and all the roadside clutter and jumble of carts, cars, buses and stalls has been swept away.

It is neater, quieter, cleaner—but it is not the Dacca of old.

DACCA NOT "DESERTED"

Dacca, they said in Calcutta, is a deserted city. This is not true. It is not deserted; but it does appear greatly diminished in population and activity. Downtown traffic is light compared with before the trouble started.

Such surface differences as these are easy to spot—and perhaps not all that significant.

Much more difficult is sorting out the serious but utterly divergent claims of Pakistan's government on one side and its critics in Calcutta and New Delhi on the other.

Pakistanis feel they have had a bad press in the outside world. They realize some of this is due to the high-handed manner in which the foreign press was ejected from Dacca at the height of the Bangla Desh uprising. A few may even concede that the restrictions of prolonged martial rule had something to do with it.

But now the government has decided to let overseas newsmen in again to see for themselves. There has, of course, been considerable time for the Army and military government to tidy things up and prepare cogent answers to obvious questions.

"I hope you write the truth about what you see in East Pakistan," said the girl who wrote my airline ticket in Karachi. "You Americans have been biased against us so far."

She had reached her judgment on the basis of controlled Pakistan press reports and reading two United States news magazines every week.

"I hope you won't write about Bangla Desh in your stories."

A British businessman just returned from Dacca said in Calcutta, "There is no Bangla Desh except in the imagination of some

political exiles in Calcutta. East Pakistan is a going concern today. Bangla Desh is not."

It is true Bangla Desh is not visible as a going concern on East Pakistan soil at present. But it manages to make its presence known nevertheless.

BOMB BLAST DESCRIBED

Only moments before, the same businessman had been telling me how he and his chum narrowly missed injury just outside their Dacca hotel when several grenade bombs went off. They had bits of shrapnel to show for their near miss.

Somebody out there in the night was making known his Bangla Desh resistance sentiments even at this late date. The hotel now has security police on constant duty.

As further evidence of some continuing Bangla Desh activity, one also hears—without confirmation—that a small but steady stream of military and civilian casualties reach Dacca Hospital daily.

[From the Washington Post, June 25, 1971]

GRAIN SHORTAGE EXPECTED TO HIT EAST PAKISTAN IN NEXT THREE MONTHS

(By Martin Woollacott)

DACCA, EAST PAKISTAN.—An impending crisis in grain distribution is expected to grip East Pakistan soon, further sapping the health and resistance of much of the war-torn nation's population.

Experts on food aid in Dacca and visiting teams of specialists say the shortages, expected to begin appearing in the next three months, will claim most of their victims from among poor rural people.

The shortages will affect even those parts of the country normally considered food-surplus areas, the experts agree.

The huge problem facing the government and the foreign relief aid teams is partly one of shipping in enough grain. The east's two ports, Chittagong and Khulna, have a limited capacity. In normal times their best processing rate has been 170,000 tons of aid food grains a month. Some experts here believe that even if the ports, now hit by labor shortages and storage problems, can reach this top capacity, it may not be enough.

But the crux of the problem is the distribution of the grain. Officials here are less worried about physical damage to the communications network or shortages of ships, boats and road vehicles than they are about the capacity of the administrative machinery.

One aid official commented that the major problem is always organization and management, and that the provincial government of East Pakistan is one of the weakest in the world at the best of times.

September is the month in which the crisis may begin. In September the rice crop now being planted will be harvested. This crop normally accounts for about 75 per cent of the east's annual production of about 11.5 million tons of food grains.

Even the government estimates that this harvest will be 10 per cent below normal because of haphazard planting and the flight to India of peasants and of financiers, who give necessary credit to peasant families at planting time.

Some aid officials believe that the shortfall could be significantly higher and that it will not be offset either by the unusually good winter crop just being harvested or by the absence of several millions of the population, who have become refugees in India.

[From the New York Times, June 26, 1971]

FEAR STILL REIGNS IN DACCA 3 MONTHS AFTER THE ONSLAUGHT

(By Sydney H. Schanberg)

DACCA, June 25.—People talk with foreigners in a whisper and keep looking behind them to see if any one is listening. Soldiers and special police—brought from West Pakistan, more than 1,000 miles away—stop and search cars and buses and people carrying bundles.

Arrests are made and denied. When families ask the martial-law authorities what has happened to a son or father, the army replies that he was released after questioning and that if he has not returned home, then maybe he has fled to India.

Many people listen to the clandestine Bangla Desh (Bengal Nation) radio every day, although the penalties are severe.

This is the nervous and unhappy flavor of Dacca, capital of East Pakistan, three months after the army launched its offensive to try to crush the Bengali autonomy movement throughout the province.

The army is clearly in control of this city, but "normality"—the word the Government uses to describe conditions here— does not exist.

Dacca today can best be described as a city under the occupation of a military force that rules by strength, intimidation and terror, but which has been unable to revive an effective civil administration.

Only about half of Dacca's million and a half people are here. Most of the others have fled to the interior or to India and many thousands—no one knows the exact number—have been killed by the army.

Although people are trickling back to the city, a great many shops are still closed. Most of those that open close before dark out of fear of looting and harassment by the military and those civilians working with the military.

RUBBLE CLEARED AWAY

Traffic is thin. At times of day that were once rush hours, cars move with relative ease through the narrow streets of the old city. In the past they would have been delayed for as long as an hour.

This week, for the first time since the army assault began on March 25, the Government has permitted foreign newsmen to enter East Pakistan and travel around unescorted.

Much of the rubble from the attack, carried out with tanks and rockets and other heavy weapons, has been cleaned up by the authorities. Enough remains, however, to suggest the havoc that prevailed in the city.

The foreign community here has come to refer wryly to the razed areas as "Punjabi urban renewal"—a reference to the preponderance of Punjabis, or West Pakistanis, in the army.

The bulk of the destruction is in the old city, the home of most of Dacca's poor. They were stanch supporters of the Awami League party, which won a majority in the election last December for a National Assembly on a platform of more self-rule for East Pakistan. The party is now banned.

ONLY DEBRIS REMAINS

Block upon block once crowded with flimsy huts with tin roofs are now long, empty, dusty fields. Only a heap of debris here and there indicates anything once stood there.

Some brick and cement buildings that were too badly damaged to repair are being torn down by the Government to remove all evidence of the holocaust.

The authorities are in fact doing a considerable amount of face-lifting. Bulldozers push the wreckage off these charred plains. Bullet and shell gouges in nearby houses are being patched and painted over.

There has been patching and painting also at the university and at the Bengali police barracks—two of the army's special targets. But one quarter-mile stretch of older, one-story police barracks still looks as it did on the morning after the attack—burned and smashed to the ground by heavy fire. An estimated 700 Bengali policemen were killed in that army attack.

In the old city the authorities are erecting new brick shops on some of the razed areas and leasing them to businessmen. One area of wholesale shops that was burned out is being rebuilt by the original owners.

"CRUSH INDIA" SIGNS

The atmosphere here, as it is everywhere else, is of fear. Some shopkeepers, to keep the army from harassing them, have displayed signs in their window that read "Crush India." Everybody flies the Pakistani flag.

Few people will talk openly on the streets, but as the visitor's car passes alongside, they whisper things through the open car window. "All was burned," one old man said out of the side of his mouth.

Many Hindu shopkeepers, most of whom sold sweets, have either fled or been killed. Their shops have been given to non-Bengali moslems and others who are siding with the army.

HOUSES FOR THE "LOYAL"

The Hindu minority, in particular, has been harassed by the army. The West Pakistani Moslem establishment has long considered the Hindus untrustworthy people whose real allegiance has been with predominantly Hindu India. Of the six million East Pakistanis who have fled to India to escape the army, four million or more are Hindus.

The authorities are demolishing Hindu temples, regardless of whether there are any Hindus to use them.

The houses of people who have fled—whether Hindus or members of the Moslem majority—are being given to "loyal" citizens. In some cases, people who are still here have been forced out of their homes.

Auto license plates have been changed from Bengali script to English, as part of the campaign to suppress Bengali culture.

Not too many soldiers are visible on the streets, but their substitutes are—policemen from West Pakistan, dressed in charcoal-colored shirts and berets. They spend much of their time searching vehicles, presumably for homemade bombs and other weapons.

Bengali guerrillas have been throwing bombs and carrying out other terrorist activities in Dacca, but the insurgency is still sporadic and not well organized.

Reports continue to circulate through the city of the army's picking up Bengalis for interrogation, and sometimes killing them.

Many of the reports, though widely believed in the foreign community, are hard to confirm firsthand. Some, however are verified by eyewitness evidence.

One senior civil servant and his entire family were taken recently to the army cantonment for questioning. All were later released except for his son. His father has been unable to find out what has happened to his son, or even what he was charged with.

"Now you will see everything," a young Bengali whispered to a foreign newsman in a downtown shop. "What they have done, you cannot know. Women, everything. I am a Hindu and I have changed by name to a Christian one and have put my family in a Christian house. We are grateful you have come. We are praying you can help us."

[From the Far Eastern Economic Review, June 26, 1971]

INDIA: GOING THROUGH HELL

(By A. Hariharan)

NEW DELHI.—Names and associations die hard. A complex of ramshackle barracks in New Delhi's fashionable shopping area, Connaught Place, is still called the Theatre Communications Building in memory of the days after Pearl Harbour and the Southeast Asian command. But today the name would more aptly apply to Calcutta's Dum Dum airport: its theatre concerns more than six million dispossessed, and there are all too few people manning the command.

The airport is threatened as a communications centre by the large numbers of refugees camped in its environs; but still there are American, British, German, Australian, Canadian and Russian pilots. Giant transport

aircraft like the American C-130s bring in tarpaulins and vaccines, milk powder and tents and ferry uprooted, sickly refugees from East Pakistan to distant uncluttered areas in India's interior.

Red Cross volunteers, nurses and doctors seconded by Oxfam and CARE (Co-operative for American Relief Everywhere), personnel of the United Nations high commission for refugees, medical and nursing staff from every part of India rub shoulders every hour of the day and night. It is a scene of dedication and tenderness, of people concentrating on the immediate task: some relief, some succour, in a desert of indifference.

Many people here are asking what exactly Prime Minister Mrs. Indira Gandhi had in mind when she said in the upper house of parliament, "we will have to go through hell to meet the situation". Most people believe India has been trapped and cannot disentangle itself. They accuse the government of having had no clear policy on Bangla Desh. Criticism ranges from one extreme to the other; some ask why New Delhi did not close the whole border to stop any refugees from entering and others assert that the Indian army should have marched into East Pakistan on March 26.

In Washington, Foreign Minister Swaran Singh was closely questioned on the possibility of India going to war with Pakistan over the return of the refugees to a safe Bangla Desh. While saying a confrontation was not necessary he has not ruled out armed intervention. Correspondents of British newspapers on the border report the growing number of border skirmishes could lead to a conflagration. Defence Minister Jagjivan Ram said in parliament that some 78 personnel of the Indian Border Security force and civilians had been killed since the beginning of the turmoil in East Bangal. In bunkers on the border regular Indian troops can be seen billeted along with khaki uniformed men of Bangla Desh, volunteers presumably getting training in the use of weapons.

The Pakistan High Commission in New Delhi has been putting out stories stating that thousands of refugees have begun to return to East Pakistan. But according to Indian military intelligence which has been regularly intercepting messages between western and eastern Pakistan, a few reception centres were opened and some unwilling people held captive to impress the UN high commissioner for refugees who visited East Bengal last week.

Reportedly the Pakistan armed forces have followed a scorched earth policy and destroyed all villages in a five-mile belt along the border with India. This has prevented many from leaving Pakistan.

Yet, despite international caution politically, India has not had such sympathetic reporting in the Western press since the assassination of Gandhi and the death of Nehru. World opinion has largely been with India, though some nations have not expressed their convictions openly for fear of aggravating the present tensions. If public opinion has any influence America and Britain, even if they don't publicly do so, may well begin to whisper in Yahya's ears "We've had enough". But it is not at all certain the big powers will act decisively; and few of them are likely to welcome chaos in both wings of Pakistan.

Even if India's pleadings abroad fall on deaf ears observers here expect the collapse of Pakistan because of the intolerable situation it has created for itself in the eastern wing. General Tikka Khan has been quoted as saying, "We will reduce you to a minority." If, as some reports claim, a million have died at the army's hands, and eight million in all flee to India, his prediction could "come true"—in which case PPP (Pakistan People's Party) leader Zulfikar Ali Bhutto could legitimately claim the office of prime minister of Pakistan. But still the west probably could not long keep the east under for long.

One immediate outcome of the tours round foreign capitals could be a decision by New Delhi to recognise Bangla Desh. This could entail open assistance to the Mukti Fauj (East Bengali liberation forces) without Indian troops actually taking part in the fighting. But this would not solve India's main problem—how to return the six million refugees in reasonable safety. The hawks in India favour a limited punitive expedition which would "liberate" some of the border districts of East Bengal, from which the bulk of the refugees have come. India has avoided war with Pakistan for three months; Mrs. Gandhi's critics say it would have been cheaper than supporting six million people.

India is already facing an unprecedented crisis. Almost every kind of activity has been seriously affected by the refugee problem and the new tensions it has created in eastern India. The government of West Bengal is on the verge of declaring a state of emergency. There is also a proposal to arm the ruling communist party's cadres to help the police to maintain law and order in the event of a communal outbreak arising from the influx of refugees and their stories of atrocities against the minorities in East Pakistan. The talk in India's hardest-hit, overcrowded state is not whether war—but when.

UNITED NATIONS: CRUEL RESTRAINT

(By Louis Halasz)

NEW YORK.—Some three months, six million refugees and many thousand deaths after Pakistan's President Yahya Khan ordered the army to "normalise" the situation in East Bengal within 48 hours, the great powers and the United Nations are as unwilling to involve themselves with the politics of Pakistan's tragedy as they have been from the beginning.

This is not to say that the unparalleled catastrophe left humanitaran instincts, or the rudimentary disaster-assistance machinery of the UN, untouched. To date some US$40 million worth of help, about half of it from the United States, has been made available for relief use under UN auspices.

But, in the wake of Indian Foreign Minister Swaran Singh's visit to the UN's headquarters, and judging by the many thousands of words flooding out of the Indian and Pakistani missions here, it is quite clear that no amount of humanitarian help will ever cope with the problem unless there is a political solution. And it is evident also that, failing considerable great-power pressures on the Pakistani government—through the UN system or independent of it—there is going to be no decisive effort to achieve a political resolution. Lack of one will promote the further exodus of millions of Bengalis and Hindus from East Pakistan into overcrowded India, bringing closer the frightful spectre of another war between Pakistanis and Indians.

India's main point, said Singh, meeting the press after his talk with UN Secretary General U Thant, is that the tragedy which has befallen East Pakistan is a great international matter, and whatever India is doing to alleviate the sufferings of the East Bengalis fleeing from the West Pakistani military is done "on behalf of the international community".

Put in other words, the Indian contention is that the East Pakistani events constitute a danger to international peace. This is the message India's foreign minister carried to Moscow, Bonn, Paris, Ottawa, Washington, the UN and London—so far, apparently, to no avail. Had he succeeded, the UN Security Council would already have met to discuss the problem: a threat to international security is the very thing which, in the language of the UN Charter, must trigger such a meeting.

When asked if he contemplated a call for security council action, Singh was evasive. "It is up to the security council to take note of events," he said, adding "it is the secretary general who could make the move." His response showed he was well aware of the basic dilemma: the great powers do not wish to be put on the spot over Indo-Pakistan relations in any public meeting of the security council. That was the sad message which greeted the Indian foreign minister in the capitals he visited.

The Indians charge that the whole East Pakistani tragedy was caused on purpose by West Pakistan which, New Delhi claims, wants to disrupt the Indian economy, cause fratricidal conflicts in the poor states now absorbing the paralysing flow of millions of refugees, and general chaos throughout India—and all on behalf of Peking.

Pakistanis here, including Ambassador Agha Shahi, dismissed Singh's case indignantly but not entirely convincingly. They pointed out that a general amnesty had been declared and over 20 reception centres set up—though they did not say how well they had been filed by returning refugees. They also said Pakistan had asked UN High Commissioner for Refugees Prince Sadruddin Aga Khan to visit refugees in India and work out a means of mass repatriation. The prince's verdict was not perhaps what they had hoped, since though he claimed conditions in East Pakistan were improving, he firmly denied reports that he had said conditions were satisfactory for the refugees to return, or that the UN could guarantee their safety.

Pakistan claims New Delhi is deliberately scaring the refugees to prevent them returning home—a charge which, considering the frightening cost to India of their presence in India, needs to be proved. Singh's clear warning later in Washington that the refugee influx threatened "to engulf our region in a conflict the end of which it is not easy to predict" may have been a bid to get Washington moving in the political field. But it also reflects a genuine possibility.

Far from the scene, observers here and in Washington are in no position to know the truth. But what is obvious is that the great powers which could put on the pressures needed to end the tragedy are shying from the task because none is willing to offend either New Delhi or Islamabad.

Meanwhile cholera, gastro-enteritis and starvation govern East Pakistan. And India faces problems which, as Premier Indira Gandhi eloquently pointed out last weekend, the outside world had provided only a tenth of the wherewithal to meet. In the UN's airconditioned headquarters in New York, hearts may bleed but political wisdom counsels "restraint".

[From the Baltimore Sun, June 27, 1971]

INDIA CAUTIONS PAKISTANI ARMY; BORDER AGREEMENT FOR BUFFER ZONE IS SAID TO BE VIOLATED

(By Pran Sabharwal)

NEW DELHI, June 26.—India warned tonight that while it will not adopt a provocative attitude, it will retaliate with full force against any aggression from Pakistan.

The official spokesman was commenting on reports from the India-East Pakistan borders where, India charged, the Pakistani Army has been violating Indian territory.

The Pakistan Army has come up to the frontier in violation of an agreement that the two countries keep 6 miles between their armies, the official said.

VIOLATIONS DISCUSSED

A number of meetings have been held between the two countries. At these meetings Pakistani Army officials admitted they had violated the agreement by moving the Army to the borders, but said that its place shortly

will be taken by para-military forces, the official added.

The former para-military forces, the East Pakistan Rifles, which was mainly constituted by the Bengalis of East Pakistan, has mutinied and the Pakistani government has disbanded the whole force. A new force is being organized under a new name with non-Bengali elements.

Indira Gandhi, the Indian prime minister, and Jagjivan Ram, the defense minister, have been visiting the borders with both sectors of Pakistan. And India has alerted its Army.

KASHMIR TENSION

For the first time an Indian official also has referred to Kashmir as a likely area of tension. He said that in the part of Kashmir under Pakistani control, recruitment of guerrillas is in progress.

Meanwhile, the Pakistani government in Islamabad today lodged a protest with the Indian High Commission (the equivalent of an embassy) there for alleged continued and unprovoked attacks by Indian Army on the Pakistan territory. It said there were eight instances of violation in four days between June 18 to 21 and that this had heightened tension in the area.

India on the other hand has charged that 49 Indians were killed between March 25 and May 30 along the India-East Pakistan border by Pakistanis firing across the border.

Members of India's ruling party have asked Mrs. Gandhi for the liberation of Bangla Desh, the Bengali Separatists' name for East Pakistan.

Mrs. Gandhi's response has been to reiterate, "We are fully equipped to meet any aggression and will not be cowed by threats from any quarter."

India has imposed a night curfew along part of the border with East Pakistan to check infiltration into India.

The calculated escalation on both sides reflects that the address by Pakistan's president, A. M. Yahya Khan, to his nation Monday night outlining political reform in Pakistan, is not likely to please either side.

[From the Washington (D.C.) Evening Star, June 28, 1971]

PAKISTANIS RAID BENGAL VILLAGES

(By Arnold Zeitlin)

DACCA, EAST PAKISTAN.—The Pakistani army has attacked at least five villages within 30 miles of Dacca in the last four days, killing Hindu men and burning homes and markets in pre-dawn raids, reliable sources said today.

Arriving at one village, Boliadi, this correspondent passed an army column leaving the place and saw dead Hindu men and the bazaar and houses burning.

From nearby villages, rifle fire could be heard and columns of smoke were rising.

Residents of Boliadi said the raids started Friday, the day after the arrival in Dacca of four members of the British Parliament investigating conditions in East Pakistan and refugee camps in India.

HINDU SECTION ATTACKED

The people in Boliadi said the soldiers attacked the Hindu section of their village at 4 a.m. yesterday.

A Hindu woman held her hubsand in her arms. He had been shot in the neck. Another sari-clad woman moaned over the body of her husband.

Across a small creek in a tiny corrugated iron house lay the body of a white-haired man with a bullet wound in his back.

Residents said at least five or six other corpses were in the village.

The commander of the troop column identified himself only as Col. Omar. He said his men were on a "routine patrol" and refused to give details.

LOOTING REPORTED

He led about two dozen men in regular army uniforms carrying automatic rifles and ammunition boxes.

Two men carried transistor radios and others carried goods wrapped in cloth. One villager said the troops looted houses and market stalls before setting them ablaze.

As they spoke, flames shot up from tin shacks. The heat buckled the metal and burned the underpinnings, bringing them to the ground.

Women wailed in Bengali: "They have taken everything."

Local Moslems said about 100 Hindu families lived in the area. Most had fled to the tall jute fields or to nearby creeks and forests.

The Moslems appeared untouched.

[From the Nation magazine, June 28, 1971]

THE BLOODY SURGERY OF PAKISTAN

(By Aijaz Ahmad)

After the arbitrary suppression of the East Pakistan rebellion in 1968–69, a resurgence of nationalist sentiment in that Bengali section of the two-part country became inevitable. As I predicted then (See Ahmad: "'Law & Order' in Pakistan," *The Nation*, April 14, 1969), by imposing martial law the ruling military regime was merely buying time; the rebellion would go underground for a couple of years, only to emerge again prepared to fight for the highest stakes. All of that has now come to pass. The best informed correspondents estimate that the genocidal tactics of the West Pakistani army have cost Bengal close to half a million lives. Indian sources, up to now the only sources available, claim that already approximately 3 million refugees have crossed the border, and that thousands more come over each day.

Meanwhile, the movement that started as no more than agitation for autonomy has grown into a struggle for full liberation. Nor is this a Biafra type of minority insurrection; East Pakistan, though the smaller land area, contains the majority of the population—75 million—and these no longer wish to remain in the same state with the rest of the people of Pakistan (they separated from them, in any case, by 1,000 miles of India. The creation of an independent country, Bangla Desh, has for them become both necessary and inevitable.

In West Pakistan, on the other hand, the economy approaches total collapse. With its foreign exchange reserves falling well below $200 million, Pakistan owes almost $5 billion to its many sponsors. The war in Bengal is costing something like $2 million a day and the disruption of economic life in East Bengal has cut Pakistan's capacity to earn foreign exchange in half. The government has petitioned its Western supporters to advance another $1 billion to enable the country to stay afloat, perhaps for a year. But even if this additional aid were forthcoming, and one doubts that it would be unless formidable strings were attached, it would again be a matter of buying time. As a state, Pakistan is in an irreversible decline, its progressive disintegration caused by the military-bureaucratic character of the ruling groups. Unless, however, a responsible and humane international policy can be formulated and enforced within the next couple of months, the drift of present events will lead to one of the worst Asian tragedies in even this most blood-ridden of centuries.

East Bengal and West Pakistan are estranged from each other by vast differences of geography, language and culture, and the relationship between the two has fallen into the classic colonial pattern: West Pakistan dominates the military and the bureaucracy. East Bengal accounts for less than 16 per cent of the civil service and less than 10 per cent of the army; at the higher levels of military officialdom, it has no representation at all, and that in itself is decisive in a military state such as Pakistan.

In addition, however, all the significant industrial and commercial concerns are governed from West Pakistan; Bengal controls, if anything, the subsidiaries. West Pakistan converts Bengali resources to its own profit. According to the official Planning Commission, $2.6 billion worth of Bengali resources were transferred to West Pakistan between 1948–49 and 1968–69. In the same period, according to the same sources, East Bengal produced 50 to 70 per cent of the exports, but received only 25 to 30 per cent of the imports. That this disparity has accelerated during the military government's tenure is also documented by the Planning Commission: in 1959–60, per capita income in West Pakistan was 32 per cent higher than in Bengal; ten years later, this inequality had increased to 61 per cent. The effect of economic exploitation on the development of human resources was also drastic. Between 1947 and 1967, Bengal's percentage of the total student enrollment fell from 80 to 61 for the primary schools, from 53 to 40 for the secondary, from 60 to 49 for the general college and from 70 to 45 for the general university level.

These statistics are mere samples; similar ones could be provided in such other areas as housing, medicine, industrial output, relative price indexes, etc. Thus, starting off in 1947 as the dominant province, with higher educational levels and greater capacity to earn foreign exchange. East Bengal had been reduced by the late 1960s to a semi-colonial status wherein it served as the producer of raw materials for West Pakistan to process and sell, and as a consumer of surplus West Pakistanti goods.

It should be kept in mind as well that West Pakistani ruling groups have built their wealth and power at the expense not only of Bengal but also of vast areas of West Pakistan itself. Accordingly, nationalist movements exist within West Pakistan, notably in Baluchistan and in the northwestern home of the Pathans. So, by attempting to suppress the revoluntionary struggle in East Bengal, the army acts in the economic interest of the rulers in West Pakistan and at the same time serves a warning on militant groups within West Pakistan.

The relationship between Bengal and West Pakistan has eroded only gradually. Between 1947 and 1958, while the country was still ruled by a sucession of civilian coalitions and Bengal enjoyed parity, at least on the parliamentary level, Bengali disaffection was kept in check by the illusion that the disparity in developmental investments and professional recruitment would somehow be repaired. Political means had not yet been fully exhausted, nor were the civil service and the army yet seen as the only powerful groups in the country. However, the failure of the feudal politicians to create representative institutions of some permanence and to solve the central problem of parity between the two provinces placed an extraordinary concentration of power in the hands of the bureaucrats, and the civil service became the first prominent power elite in the country.

During the same period, the introduction of American arms aid threw the entire political culture of Pakistan off balance. Coupled with a fear of neighboring India that had already been entrenched as a national paranoia, the availability of weapons led quickly to a thorough militarization of all facets of national life. Then, in 1958, the army took over directly. Given the almost negligible representation of Bengal in the military and the civil services, Bengali leaders watched the rise of the military-bureaucratic state with great apprehension: the imposition of martial law excluded Bengal from

all significant levels of decision-making power. In the preceding parliamentary decade, Bengali leaders had been demanding only parity between the regions—which was, considering Bengal's numerical majority and its superior capability to earn foreign exchange, generous almost to a fault. Now, they began to talk more and more of provincial autonomy. They still hoped that some kind of loose federal structure, giving each section of the country substantive control over its own resources and planning, could resolve the inter-provincial impasse. However, a situation in which Bengal would control its own resources was defined in West Pakistan as secession and a threat to the national interest. The demand was rejected out of hand.

Meanwhile, thanks in part to the way American aid was dispensed, the country's economy took on a monopolistic structure reminiscent of Latin America. By 1968, when the army had been ruling for less than ten years, twenty West Pakistani families controlled 97 per cent of the country's insurance, 80 per cent of the banking and 66 per cent of the industry. Thus, not only was Bengal reduced to semi-colonial status but West Pakistan itself was gripped by a small, cohesive, incredibly powerful group of exploiters. And the army was consuming 60 per cent of the national budget, which meant that, despite a genuine scarcity of capital resources, most of Pakistan's money was unavailable for productive investment.

Then, in the closing months of 1968, uprisings occurred on university campuses and were supported by workers and the lower bourgeoisie. In East Pakistan, the rebels rallied to the six-point program of Sheikh Mujib-ur-Rehman's Awami League, which was a declaration of Bengali aspirations for autonomy. In West Pakistan, where the Bengali demands were thought seditious, agitation was organized around questions of university reforms, higher salaries for professionals, and the liberal freedoms of press, assembly, etc. There were thus two parallel and simultaneous rebellions, that in the West being of reformist character, whereas the Bengalis in the East were demanding a radical revaluation of the national questions itself. However, neither region was prepared for armed struggle, and when the army moved in, resistance evaporated and order was restored, at least on the surface.

Nevertheless, the events of 1968–69 set the basic political character of Pakistan for the years immediately ahead. First of all, the fact that Ayub Khan had to abdicate was a limited victory for the rebellion. Secondly, General Yahya took over with full knowledge that prolonged army rule would be disastrous and was obliged to promise general elections. Thirdly, the dominant political power in both regions became evident: Sheikh Mujib-ur-Rehman in Bengal and in West Pakistan, Zulfikar Ali Bhutto, former Foreign Minister and leader of the People's Party, were now clearly unbeatable. Finally, it was evident that the politics, even the politicians, of the two regions, were irreconcilable: Mujib and Bhutto had nothing but contempt for each other.

That the elections did take place in Pakistan, that they were not rigged, that within the scope of the electoral possibilities offered them the people were allowed to exercise free and remarkably well-defined choices—all of that reflects not so much the good will of the ruling junta as the intensity and continuity of public pressure. Sheikh Mujib's Awami League contested elections for the National Assembly on the single issue of regional autonomy and captured all but two of the seats reserved for Bengal, which gave the party a clear majority in the Assembly. In West Pakistan, Bhutto's People's Party also won a comfortable majority. However, the fact that each region was represented by a party that did not contest seats in the other province was further indication of the country's polarization. The two parties were not so much opposed to each other as exclusive of each other, and no common interest joined the regions into a single nation.

Because of its hold on the Assembly, Mujib's Awami League was in a position to frame a constitution guaranteeing regional autonomy. Before the elections, however, the ruling junta had issued a "Legal Framework Ordinance" which made it mandatory that the forthcoming constitution preserve the "integrity" and "unity" of Pakistan. In context, "integrity" simply meant retaining the *status quo*. Effective power was still with the army, which was determined to keep things as they were, whereas the elections had given a clear majority to a party specifically pledged to make basic changes. The result was a deadlock.

The elections were completed by mid-December, and a session of the National Assembly was scheduled for March 3, 1971. On February 15, however, Bhutto, knowing that he had only half as many seats as did Mujib, and therefore no power to determine the character of the constitution, announced, in extraordinary defiance of the mandate given by the Bengali people, that unless Mujib was prepared to compromise in advance on the issue of autonomy, the People's Party would boycott the session. General Yahya quickly postponed the session and declared a crisis. The sensible course would have been to let Bhutto carry out his threat, while the majority party went ahead with the urgent business of forming a government. But Bhutto was in cahoots with the army, and East Bengali nationalists had no choice but to mount a strike that was tantamount to civil disobedience. Consequently, all effective administration of this province of 75 million people passed into the hands of the Awami League; even the provincial Chief Justice refused to administer the oath of office to the new army-appointed Governor. So, after a charade of talks that fooled no one, but which gave time for a troop buildup, Yahya ordered the army to take over East Bengal, and ousted all foreign journalists so that the precise details of what was to happen would be hard to determine. The blood-ridden orgy, the homelessness of millions, the hunger and disease of many more millions, the lack of relief and the consequent horrors—all that is well known and need not be repeated here.

Nationalism is obviously the most important issue in Bengal today. However, it has been used to build a mass movement primarily of the urban bourgeoisie, who thus far have not been able to compete with the West Pakistani ruling groups on the terms set by the latter. This bourgeoisie has received active support from the urban working classes, who are often employed by West Pakistani bosses and know themselves to be exploited. The peasant masses, however, are not directly abused by West Pakistanis, but are, on the contrary, sharply aware of exploitation by indigenous entrepreneurs. For the peasant, therefore, the issue is not independence, or even autonomy but social revolution in the countryside. Because there is no effective Socialist movement, the peasant vote has gone along with that of the urban bourgeoisie. But that class, led by the Awami League, has embraced nationalism purely as a way to Bengali control over Bengal's resources—which given the programs and leadership of the League, means replacing West Pakistan ruling groups with the aspiring urban classes of Bengal. A true emancipation of the peasantry is not on the League's agenda.

Consequently, the Bengali leaders, who must have anticipated the West Pakistani response to the cry for autonomy, did not prepare the peasantry to resist. The masses were used to lend electoral legitimacy to the programs of the urban leaders, but they were not given in return the means to defend themselves against the genocidal tactics of the army. Thus, while excusing in no way the behavior of the West Pakistani ruling classes, one must question the wisdom, even the motives, of the Awami League.

Its leadership had no illusions about the army or the excesses to which it would resort. Under the circumstances, it had a choice between arming the masses or bending to the will of the army just enough to avoid massacre. To have done neither, to have flung an unarmed populace into a predictable inferno, was unforgivable. The illusion was kept up that an autonomous East Bengal, even an independent Bangla Desh could be acquired through negotiations and electoral politics, and without the direct, militant participation of the people. The unpleasant probability is that the peasantry was never prepared for an armed struggle, precisely because to give it that role would have profoundly changed the character of the movement and committed East Bengal to a social revolution in the countryside, instead of mere autonomy with increased leeway for the Bengali middle classes.

The United States, which is not otherwise known for its support of liberation struggles, has been sympathetic to the drive for autonomy, and this benevolence may be related to the national-bourgeois character of the Awami League leadership, as well as to American interests in that area of the world. The twin monopolies over industrial capital and military hardware that give West Pakistan domination in Bengal are the direct results of American aid. During the 1950s, West Pakistan played a significant role in the encirclement of the Soviet Union (it was from Peshawar, an American base in northwest Pakistan, that the notorious U–2 took off.) America developed interest in East Bengal only during the 1960s, concurrent with the *détente* with the Soviet Union, the growing American involvement in Indian military affairs subsequent to the Sino-Indian conflict of 1962, and the expansion of America's war in Southeast Asia. This interest is obviously stimulated by East Bengal's proximity to China, Southeast Asia and, of course, India.

Pakistan's foreign policy is largely determined by its ongoing territorial feuds with India. So, when American military aid was made available to India at the time of the Sino-Indian conflict, Pakistan retaliated by developing some ties with China—despite the fact that American aid kept flowing into Pakistan as well: it now adds up to almost $5 billion. When, a little later, the United States held itself aloof from the Indo-Pakistani conflict of 1965, suspending military aid to both countries, Pakistan began accepting arms from China. Soon thereafter, the Awami League announced its six-point program. Washington, quite satisfied with the Awami League leadership, let it be known that the more autonomous East Bengal became, the easier it would be for the United States to assist it on separate and more favorable terms. Now that the Nixon Administration has made unmistakable its determination that the United States will continue to be a dominating force in Vietnam, the Americans must be well aware that a friendly, independent Bangla Desh could provide bases from which to bomb or at least intimidate China. From some such calculations, American diplomats have been rather benign toward the Awami League leadership. However, with $5 billion sunk in West Pakistan and the relationship with the West Pakistani capitalist class still flourishing, the United States cannot take a clear-cut pro-Bengali position. One must therefore expect that the United States will continue the ambiguous policy it has been maintaining.

The Chinese, who supported the "unity" of Pakistan and warned against foreign interference, seemed to be taking a preemptive position, one that was perhaps determined largely by the U.S. interest in

East Bengal. At the time, the struggle for Bangla Desh was led by pro-American groups and there was a real possibility that India, if not America directly, would intervene. The Chinese position was designed, or so it seems, to forestall a pro-Western intervention, and to let the contradiction between the West Pakistani ruling groups and the socially advanced classes of Bengal be resolved through a massacre of the Bengali leadership, producing a revolutionary situation (in Maoist terms) in which the eventual confrontation would be between an occupation army and the progressively armed masses. Then, in the course of a protracted struggle, the leadership of the movement would pass from the urban elite to the peasant guerrillas.

If that interpretation of Chinese motivation is correct—and I cannot be certain that it is—it woud seem likely that the position is tentative and subject to change as the character of the struggle changes. Inasmuch as it ignores the sufferings of the Bengalis and does not condemn the brutality of West Pakistani troops, China's attitude is reprehensible; it can be understood, however, within the context of Maoist ideology and the threat the Chinese feel from any disturbance to the balance of power on the subcontinent.

The ongoing problem is as follows: East Bengal has been exploited and brutalized by the ruling groups of West Pakistan. The question of nationalism is therefore altogether valid. However, it is not at all likely that autonomy, or even the creation of an independent Bengali state, could begin to cope with the hunger, the misery, the oppression of the deeply injured Bengalis. One is far from convinced that the urban, middle-class Awami League, now outlawed and gone for the most part underground, can exert the force necessary to achieve not only political independence but a genuine social revolution in the countryside.

So far, the Bengali peasantry has not emerged as a genuinely revolutionary class, in the sense of being conscious of its distinct interests and developing both the leadership and the programs to realize their fulfillment. For the moment, however, the terror practiced by the West Pakistani troops has forced a revolutionary potential upon this peasantry. It is likely that the alienation of the rural Bengali is now absolute and that, for a relatively short time, he may be imbued with a will for armed struggle. The same genocidal troop tactics have bestowed a revolutionary aura upon the banished leadership of the Awami League. It is possible, therefore, that the revolutionary peasant mass may accept the League as a revolutionary vanguard. In that case, we may yet see the peasantry fighting for essentially urban, middle-class goals. It can even happen that a Bengali state will be created by the efforts and sacrifices of the peasantry—who will then be ruled by a socially advanced, urban middle class. The question is not whether a Bengali state should come into being; it must. The question is, what sort of state?

Within East Bengal, the cry of secession was first raised by Maulana Bhashani, the perennial peasant leader who, after the tidal wave hit Bengal and the West Pakistani rulers failed to provide even the semblance of adequate relief, demanded independence in November 1970—almost four months before the more moderate leaders of the Awami League got around to escalating their demand beyond autonomy. The factionalism of the Bengali Left, and the superior organization of the Awami League, made it possible for Mujib to steal Bhashan's thunder. In addition, Bhashani made the mistake of boycotting the elections, instead of using them as a sort of referendum on the independence issue. This error gave the Awami League a near consensus and thus an unchallengeable electoral legitimacy.

Now that electoral politics have proved a disaster, Bhashani is likely to regain prestige. He will then surely point out that the elections should never have been taken seriously, that from the start the struggle should have been a peasant fight for independence and social revolution in the countryside. Bhashani is almost 90, but still amazingly well. The more radical elements within the Awami League, restrained in the past by the moderate politics of Mujib, are also likely to gather more force and following.

Meanwhile, refugee camps in India, overcrowded with poor, angry peasants, will probably become recruitment centers for a liberation army. As the Bengalis shift from electoral illusions to armed struggle, the composition of the leadership is bound to change drastically. There is already fervent talk of launching guerrilla warfare, but it is unlikely that a strong, coherent, well-trained guerrilla movement capable of effectively confronting West Pakistan's army can arise soon. If it is launched too hurriedly, it can only provoke a new massacre and deepened despair in the Bengali masses.

Some of the Bengali problems may be solved by the bankruptcy and chaos within West Pakistan itself. In the short run, however, the army is likely to step aside in favor of a quisling administration that will have the appearance of civilian rule. With this arrangement made, West Pakistan will probably get enough financing to stave off disintegration. In that case, Bengal will either have to give up its aspirations for independence or prepare for a long struggle.

If the civilian leadership of West Pakistan had had the wisdom to support the drive for Bengal's autonomy and to condemn the army's brutal enterprise, some bridges might still have remained between the two parts of the country. Instead, Bhutto, the self-professed leftist, blessed the army for "doing its duty" to preserve unity "in the name of the country and the Almighty." Bhutto was a loyal servant of Ayub for seven years; he is a feudal landlord with formidable connections among the industrialists. Since entering civilian politics, he has picked up the slogan of "Islamic socialism" (when pressed to define this "socialism" more concretely, he is known to have cited Britain's Wilson and Germany's Brandt as his models). At one point, it looked as though he would be a well-meaning, aristocratic left winger of a Fabian sort, a kind of Nehru. Instead, he has demonstrated a fondness for military solutions and some tendencies toward National Socialism. Under his leadership, West Pakistani civilian politics have drifted as far away from even an understanding of Bengali aspirations as the army has been from the start.

The question of immediate relief is paramount. With 3 million refugees in India and with West Pakistani administrators completely unable to do relief work in a hostile Bengal, it is absurd to evade the problem as an internal affair of Pakistan. A bold and quick intervention by the United Nations is vital. Within East Pakistan, the problem could be solved simply by lifting the ban on the Awami League, suspending army rule, installing government by the legitimate representatives of the people—which is to say an Awami League administration—and letting international agencies do independent relief work without any West Pakistani interference. I doubt if the West Pakistani ruling class can rise to such plain good sense. It will, instead, perpetuate its own rule and let the Bengalis die of hunger and disease. In the process, it will also administer the liquidation of Pakistan as a state. Bengali alienation is already of such a degree that Pakistan seems to be geographical fiction. Thanks to the greed of the West Pakistani military-bureaucratic establishment, the powerless people of Bengal have no choice but to inherit their own earth. The movement for Bangla Desh now seems irreversible.

[From the New York Times, June 28, 1971]

AUSTERITY BUDGET SET IN PAKISTAN

(By Malcolm W. Browne)

ISLAMABAD, PAKISTAN.—Pakistan, faced with the prospect of sharply reduced foreign aid during the coming year, has announced a budget that calls for stringent national austerity but provides substantially more money for the military.

Cigarettes and greeting cards are among the thousands of items that will cost more because of higher taxes. Wedding ceremonies and marriage dowries, both important to Moslems, will also be taxed.

During the last year, West Pakistani suffered drought and East Pakistan a cyclone that is estimated to have taken a half million lives. A brief but bloody conflict between the army and Bengali separatists also took place in East Pakistan.

The army's methods in crushing the secessionist movement have tended to turn public opinion against Pakistan in those countries that in the past have given her aid. Foreign assistance, on which Pakistan's economy is heavily dependent, has been reduced drastically.

ECONOMY SUFFERS

As a result, the country's economy is in a state of crisis. Western nations are tacitly insisting that Pakistan solve her political problems before full-scale aid is resumed.

This pressure has led Pakistani officials and others in the last week to denounce bitterly policies that seeks to influence the country's domestic affairs.

A typical comment appeared in the New Times of Rawalpindi. "Quite a strong opposition to aid has grown up in the country which we regard as the most healthy development." the newspaper said in an editorial. "The time to cut ourselves loose of these apron strings is long overdue.

"We must learn to live austerely and streamline our means of production in agriculture, trade and industry, in such a broad based manner that our teeming millions are absorbed in them creatively.

"Such a miracle has happened in China in recent times. So far we have depended rather obsequiously on the Harvard economist. Why not try the experts from Peking so that, like China, we too are not at the aid-receiving end?"

CALL FOR SELF-RELIANCE

In presenting the budget for the coming fiscal year, starting July 1, M. M. Ahmed, economic adviser to the Pakistani President, said yesterday.

"The need for self-reliance was never greater than at the present time when some of the aid-giving countries appear to be hesitating to make fresh aid commitments.

"To the extent that this attitude constitutes an attempt to influence our domestic political situation, it is wholly contrary to their own professions that aid to developing countries is without political strings."

The United States has provided roughly $200-million a year to Pakistan—about half of the country's total foreign aid.

Except for relief to East Pakistan, aid to Pakistan from major donors has been largely frozen since March 25, when the army moved into the East in force.

The budget for the fiscal year 1971–72 was reduced to $1.87-billion from last year's $1.89-billion. But appropriations for both civil administration and defense were increased substantially.

The increase for defense, while attributed to fears of war with India, is also the result of maintaining an army of occupation in East Pakistan.

MILITARY SPENDING UP

The new military budget of $723-million represents 38.7 per cent of the total budget, compared with 3.8 per cent last year.

However, some items of military spending are included in other sections of the budget. The total spent on defense is considered by experts to be much higher than that officially given.

Pakistan, a nation of 130 million people, is one of the poorest in the world. Health standards are low, only 8 per cent of the population can read and overcrowding is exacerbated by a population growth rate of more than 3 per cent a year.

The new budget calls for major increases in personal and corporate income taxes and seeks to plug loopholes. Many measures seem especially aimed at the 22 Pakistani families said by economists to dominate the nation's economic wealth.

A TAX ON PARTY GUESTS

Special incentives are offered family-owned companies to sell stock. All luxuries will be heavily taxed. When more than 150 persons attend a party, a levy will be charged for the extra guests.

The new tax on marriage dowries strikes at one of the traditions of the Moslem family life. Traditionally, the bride's father gives the groom property or money.

Despite the austerity measures, however, the new budget still shows a deficit of about $76-million.

[From the Washington Post, June 29, 1971]

PAKISTANI CIVILIAN RULE IN 4 MONTHS, YAHYA SAYS

KARACHI, June 28.—Pakistan's President Yahya Khan announced today that he had appointed a "committee of experts" to draft a new constitution that would return his country to civilian rule "in a matter of four months or so."

However, he said in a nationwide broadcast in English, "The precise timing will naturally depend on the internal and external situation at the time."

It was the process of devising a constitution to restore civilian rule that brought to the surface deep conflicts in East and West Pakistani views of regional-federal relations, including what Yahya has described as secessionist tendencies in East Pakistan. In late March, on the eve of the convening of the constitutional assembly, Yahya ordered the Pakistani army into East Pakistan to prevent what he claimed was a move toward secession. This action resulted in bloody clashes and the flight of more than 5 million East Pakistanis to India.

Yahya said that the "cover of martial law" would be at the disposal of the national and provincial governments "for a time," adding that in actual practice, martial law would not be operative in its present form. He did not elaborate on what he meant by this.

Yahya ruled out, in effect, the formation of any East Pakistan-based political party to replace the now-banned Awami League, saying that under guidelines he had given the constitutional committee the new constitution would not permit the existence of any political party which is confined to a specific region and which is not national in scope.

He stressed that the results of the provincial and national elections held last December and January would stand, although there would be by-elections to fill the seats of some Awami League leaders who were disqualified for engaging in "antistate activities."

The president said that the new constitution, the third in Pakistan's 24 years of independence, would be promulgated on the day the National Assembly is called into session, and that the assembly—which had originally been supposed to write the constitution—would be able to amend it according to procedures to be spelled out in the constitution itself.

Yahya, who has ruled Pakistan by martial law since the fall of the 10-year regime of Ayub Khan in 1969, said that the new constitution would give the provinces "maximum autonomy including legislative, administrative and financial, but the federal government shall also have adequate powers including legislative, administrative and financial to discharge its responsibilities in relation to external and internal affairs. . . ."

Sheikh Mujibur, whose Awami League had won an absolute majority in the December elections, was among those jailed following the Pakistani army's March 25 crackdown in East Pakistan.

Yahya's government has been under increasing international pressure since the army crackdown. Most recently, the major aid-giving nations, led by the World Bank, decided last week to postpone indefinitely any new economic assistance to Pakistan.

But news reports indicate that trouble in the area is still continuing, though with less intensity than immediately after the army moved in. An AP dispatch from Dacca, capital of East Pakistan, today quoted "reliable sources" as saying that the army had attacked five villages within the past four days, killing Hindu men and burning homes and markets in predawn raids.

[From the Christian Science Monitor, June 30, 1971]

FEARFUL WHISPERS ON EAST PAKISTANI STREETS

(By Henry S. Hayward)

DACCA, PAKISTAN.—"I fled with my family early in April," the man said. "I could not stand to be in Dacca any longer with all the terrible things that were going on."

Like many persons this correspondent encountered in East Pakistan, the fugitive cannot be identified by name or occupation. He fears for his life, yet is determined a foreign newsman shall hear his side of the story, to counterbalance the government version.

One senses there is an individual whispering campaign that many foreign visitors to East Pakistan are certain to encounter.

The indelible impression one retains, partly as a result of these unsolicited conversations, is that such cities as Dacca are in a mood of lingering, submerged terror.

One yardstick of the terror in Dacca is a school for girls. Formerly it had 1,200 pupils enrolled. Now between 30 and 50 attend.

"We left at night," the man continued, "my wife and two children. They are university students, and I was afraid they would be shot. Also we are Bengalis, and Bengalis were being shot.

"We walked for two days and two nights, stopping to rest now and then. We had nothing to eat. There were thousands of others walking away from Dacca. Like us, they were heading for the safety of native villages."

The village they headed for was in Comilla District, which is adjacent to the Indian border in eastern East Pakistan. This was a Bangla Desh resistance area. Freedom fighter guerrilla attacks will occur there regularly.

"For over 20 days we stayed there. Then we heard that Army troops were in the region, searching village by village and house by house for Bengalis and Bangla Desh sympathizers.

"HAD TO FLEE AGAIN"

"We had to flee again. I decided Dacca probably was the safest place. So we walked all the way home once more. I am a Hindu, but that first night back we supped in a Christian house. They were kind to us—and now I am thinking of becoming a Christian."

Such personal accounts as these have their variations, but the theme is always the same. They are ordinary people who have done no wrong, uprooted by terror of military or communal strife. Even today they are deeply apprehensive.

One hesitates to tell their story lest somehow their identity be traced and recriminations ensue. But one feels obligated to make their plight known.

As another man told me: "It is so senseless. You do not know who might shoot you. It might be a soldier who decides you were an Awami League supporter. It might be a young Freedom Fighter who sees you are middle-aged and therefore assumes [correctly] you are unwilling to oppose the Army. Or it might simply be a miscreant who wants to loot your home or shop.

"WHY DID THEY SHOOT?

"Why did they shoot innocent people—women, children, beggars in the street, firing at random into houses?" he asked. "If they are angry with the Awami League, why did they not punish the leaders instead of taking vengeance on anyone within range of their guns?"

The result, according to such informants, is that today 20 million East Pakistanis still are hiding in the hinterlands. This is why the cities are thinly populated. They claim 6,000 villages have been burned, although nobody knows who vouches for these statistics.

It also is true, they insist, that young boys are picked up in the streets by police or soldiers and seldom seen again. The belief is that their blood is drained to care for military and police casualties.

The charge is impossible to confirm, but the same story recurs often.

"None of us believes what we read in the papers here. They are all the same. The papers are told what to print. Everyone listens to Air India Radio to get more information," they say.

PAKISTAN CURBS ARMY VIOLENCE FOLLOWING OUTSIDE PRESSURES

(By Henry S. Hayward)

DACCA, PAKISTAN.—Pakistan's Government has been under pressure from foreign powers to curb a campaign of violence by its Army in this eastern wing of the country.

It also has been under pressure to terminate martial law and restore civilian government.

There is evidence the central government in Islamabad is at last responding to both pressures.

NO ORDERS ISSUED?

Deliberate violence on the part of West Pakistani military units against selected East Pakistani civilians has subsided during recent weeks. This has been verified by many well-documented reports from missionaries and foreign officials with firsthand knowledge of conditions in both cities and rural areas.

Military-government spokesmen flatly deny there ever was such activity, saying there was no general order approving or recommending violence. But there was no known restraining order either.

Dacca residents, whenever they are certain they cannot be overheard by police or informants will quickly tell visitors that atrocities still are continuing in outlying villages today. They usually claim to have been there for their own safety recently—or to have family there.

PRESSURES DRAW CRITICISM

Among pressures being exerted on President Yahya Khan by outside powers are possible withholding of foreign aid and the reduction of financial support.

Existence of these threats was indirectly confirmed by Zulfikar Ali Bhotto, leader of the Pakistan People's Party. On June 23 Mr. Bhutto condemned what he called the "aid to Pakistan" consortium for exerting such pressures on Pakistan. He termed it dangerous, disturbing, and "very insulting"

to the nation. But he also pointed out that unless representative government were restored to the country, such "external pressures" were likely to increase.

WHAT SPARKED EXODUS?

The conviction is widespread among the foreign community here that the huge exodus of East Pakistan refugees to India stemmed not from panic and false propaganda, as military spokesmen claim. Rather it stemmed from substantial evidence that Pakistan Army soldiers were shooting Hindus as an expression of their fury at the outcome of elections last December and evidence of taunting by students and independence advocates during the subsequent three months.

The Army first cracked down on Dacca then fanned out into the countryside. Much of the rural area now has been pacified—but some districts such as the southeast of Comilla and the northwestern region still are troublesome.

ACTIONS DEFENDED

Many here accept as fact a claim that the Army burned and looted villages, forcing Hindus out.

The unofficial Army explanation, it is asserted, was that Hindus were troublemakers who supported Sheikh Mujibur Rahman's banned Awami League. Also they were accused of being pro-India and dupes of false Indian propaganda.

Army officers reportedly felt the ejection of Hindus would help cleanse and purify the country. They disregarded the fact that Hindus of East Pakistan have lived peacefully with Muslims over many years.

Not all violence was on the Army's part, however, it is conceded. Such non-Bengali Muslims as Biharis also attacked and massacred Bengalis. Biharis don't like Hindus.

WIDESPREAD KILLING

Nor were Bengalis themselves completely innocent of communal strife and atrocities. In Chittagong and Mymensingh they literally slaughtered Biharis after March 25.

They ran amok in Chittagong, which they held for one week.

This provided a justification for the Army to move in strongly to halt a slaughter—but only at the expense of killing more Bengalis.

SABOTAGE REPORTED

President Yahya faces the problem that Sheikh Mujib still has no rival for power in East Pakistan. And three months after the eruption of March 25 and the consequent military clampdown, there still is resistance border fighting, sabotage, and internal clashes in East Pakistan.

Passive resistance also continues as evidenced by the fact that industrial activity is about 20 percent of normal with workers still staying away from their jobs due to fear, flight, or dissatisfaction. Some have received freedom-fighter warnings not to return to work.

FLIGHT TO VILLAGES

Outside of Dacca, which has an estimated half of its former population, most cities can muster only about 40 percent of their usual population. The other 60 percent have fled to relative safety of small villages in the hinterland until they become satisfied that the threat of danger is past.

On the other hand, in central Dacca large burned or damaged shop areas have been leveled, and rebuilding is under way. New shops are springing up, and small business activity is resuming on a modest scale.

[From the New York Times, June 30, 1971]

EAST PAKISTANI ECONOMY BADLY HURT AS MOST TRANSPORT IS CRIPPLED

(By Sidney H. Schanberg)

DACCA, PAKISTAN, June 26.—Food scarcities are becoming serious in parts of East Pakistan, cash is short in rural areas, jute factories are badly crippled and key road and rail communications continue to be disrupted by guerrillas.

Nonetheless, most foreign economic experts here are convinced that the Government is willing, at least for the immediate future, to pay the severe economic price of supporting its army's occupation of the eastern region, which has been badly damaged during the effort to suppress the Bengali autonomy movement.

Informed foreign sources report that their field trips have turned up food shortages in some areas that could become grave unless the disrupted transportation system improved markedly.

One problem area is the northwest, normally a rice-surplus region that supplies neighboring districts.

The foreign economists say the northwest is desolate, with few farmers visible. Most have apparently fled to India to escape the Pakistani Army, which has been trying to suppress the Bengalis since March 25.

DESTROYED, LOOTED, REMOVED

Food stocks in the northwest have been either destroyed, looted or taken out of the country, the foreign sources said. The situation has not reached the starvation level, they added, but people do not have enough to eat and the real problem will arise in two or three months.

"Right now," an economist said, "there are more likely a lot of hungry people than a lot of dead people."

The experts said that East Pakistan as a whole had a two-month supply of food grains and that the problem was distributing it to the deficit areas.

The railroad from Chittagong, East Pakistan's major port, to Dacca is still cut and guerrilla activity in the area is reported to be fairly persistent. The line normally carries 70 percent of the food grains imported by East Pakistan. Major road bridges have also been blown.

The region's usual rice deficit is about two million tons a year; this year it will probably be around three million.

DOCK LABORERS HAVE FLED

Apart from the transport mess, ports such as Chittagong and Chalna are also severely hampered by a lack of warehouse space and by labor shortages because much of the work force has fled to the interior or to India.

Because of the port congestion, the United States, which normally supplies East Pakistan with up to a million tons of food grains a year, has temporarily suspended shipments.

The other major food-scarce area is the delta region on the Bay of Bengal that was devastated by the cyclone last November that killed several hundred thousand people and destroyed most of the rich rice crop there. Food stocks are low on the islands and in the coastal areas, although conditions are not as critical as was originally feared because some relief food has been delivered.

Nevertheless, the foreign sources said, unless the distribution system improves, the region could become a famine area.

The Khulna district in the Ganges Delta also has a food problem, the sources said, because many Hindu farmers and farm laborers have fled. The minority Hindus have been particular targets of the army, which pictures them as agents of India and enemies of this Moslem nation.

Another unknown is the long-run impact of the exodus of the six million Bengalis who have fled to India. Their departure, which has cut food output and industrial production, has also reduced consumption.

Even in areas where rice is in reasonably good supply, cash is short and many villagers cannot afford to buy enough, even at the reduced prices at which the fleeing Hindu farmers are selling it.

The main reason for the shortage of money is that the Government's rural public-works program has been almost halted. Laborers who used to make 60 cents a day building roads, irrigation canals and dikes are jobless.

All development work has stopped. Government agricultural technicians and private irrigation-well contractors are afraid to go into the interior. Foreign consultants and engineers are killing time in their Dacca offices. Government offices, though open, are short of staff and doing no planning work.

Jute factories are operating at a fraction of their former levels. The eastern region's jute, one of the mainstays of the national economy, is Pakistan's biggest export and earner of foreign exchange.

This was the economic picture found by the World Bank team that toured East Pakistan recently to study the prospects of peace and stability as a requisite to the resumption of full-scale aid.

The team, described by the foreign economists here as shocked, and disconsolate, was reported to have recommended that aid be withheld until a viable political solution was found and a realistic development plan was prepared by the martial-law government.

The World Bank coordinates an 11-nation consortium that has been supplying about $500-million a year in aid on which Pakistan is heavily dependent. The United States channels most of its aid—about $200-million a year—through the consortium.

How long Pakistan will continue to support army activities in East Pakistan without the foreign aid is a subject of widespread discussion in the foreign community here.

Although foreign-exchange reserves are low, the situation is not quite as crippling as had been assumed. One reason is Pakistan's unilateral declaration of a moratorium on payments on her huge international debt. Another is that since the fighting began almost no imports have entered East Pakistan, so the government has saved foreign exchange. Finally, by coincidence, high inventories of raw materials for manufacturing had been accumulated in West Pakistan before the trouble started.

In sum, the foreign economists feel that though Pakistan's economic position verges on the desperate, it does not necessarily presage an early end of the occupation of the east.

[From the New York Times, July 1, 1971]

NEW CHOLERA CASES STRIKE INDIAN AREA

CALCUTTA, INDIA, June 30.—A new outbreak of cholera has struck the West Bengal district of Bongaon, 60 miles northeast of Calcutta, with more than 500 new cases yesterday alone, a British doctor said today.

Dr. Stewart Clarke, representing the British relief organization War on Want, said that 350 new cases had been reported yesterday, mainly among refugees from East Pakistan.

There has been a large-scale influx of refugees in Bongaon; the refugees are pouring across the border at the rate of as many as 90,000 a day in the wake of the Pakistani Army's effort to crush the Bengali separatist movement.

A British relief team was sent to the area yesterday at the request of the West Bengal state deputy director of public health.

"The hospital at Bongaon is coping at the moment but the number of cholera victims is doubling every day," said Dr. Clarke, who headed an inoculation team in the area yesterday.

Medical authorities said cholera appeared to have been controlled elsewhere.

[From the Washington Post, July 2, 1971]

INDIA PLANS CAMPS FOR REFUGEES

CALCUTTA.—With between 75,000 and 100,000 East Pakistani civil war refugees still streaking daily into West Bengal state, the

Indian government is embarking on a program to build about 10 new camps each capable of handling 500,000 people.

Estimates of the number of refugees in West Bengal now range from 4.9 million to 5.5 million.

The influx at the moment is greatest in the Bongaon area about 60 miles north of here, where cholera continues to be a great threat.

A British relief worker, Dr. Stewart Clarke, said more than 500 new cholera victims were reported at the Bongaon district hospital last Tuesday, almost double the number on Monday.

The chief secretary for West Bengal, N.K. Sen Gupta, said yesterday the government hopes to ship about a million refugees out of the state by the end of next month. He said about 64,000 had already left West Bengal, mainly for a large camp at Mana in Central India.

Sen Gupta said the new camps being constructed would be segregated from the general population.

"After all, these people are foreigners," he said. "They have no passports. They should be properly identified, not only for our own internal security, but also to faciliate their return, if conditions are improved, to East Pakistan.

Meanwhile four British members of Parliament have ended a two-day tour of refugee camps in northeast India and flew to New Delhi today for talks with India's Prime Minister Indira Gandhi.

Arthur Bottomley, who is heading the British delegation, warned President Yahya Khan of Pakistan against the dangers of "another Vietnam" in East Pakistan.

Bottomley told a meeting of Indian members of parliament and newsmen in New Delhi, "We have been told time and time again in India 'What we don't want on the border of India is another Vietnam.'"

The British parliamentarians all condemned the Pakistan army action in East Pakistan since the civil war started last March.

Toby Jossel told reporters on arrival from Calcutta, "I have come to the conclusion that the Pakistan army in East Pakistan has gone far beyond what was necessary to maintain law and order and is acting in a manner which I can only describe as uncivilized."

[From the New York Times, July 4, 1971]

HINDUS ARE TARGETS OF ARMY TERROR IN AN EAST PAKISTANI TOWN

(By Sydney H. Schanberg)

FARIDPUR, PAKISTAN.—The Pakistani Army has painted big yellow "H's" on the Hindu shops still standing in this town to identify the property of the minority eighth of the population that it has made its special targets.

Members of the Moslem majority—who, though not exempt from the army's terror, feel safer than the Hindus—have painted on their homes and shops such signs as "All Moslem House."

The small community of Christians, mostly Baptists, have put crosses on their doors and stitched crosses in red thread on their clothes.

Compared with some towns in East Pakistan, Faridpur, which sits in the central part of the province 85 miles by road and ferry west of the capital, Dacca, suffered only moderate physical damage when the army struck here in April. The attack was part of the offensive begun March 25 to crush the Bengali autonomy movement.

Though a number of shops, most of them belonging to Hindus, have been razed in Faridpur, most of it is physically intact. But every other aspect of life has been shattered, and the hate and terror and fear that wrack the town make it typical of virtually every community in this conquered province of 75 million people.

EASED UP ON EXECUTIONS

Only about half of Faridpur's 35,000 people have returned, although the flow has been growing. Recently the army eased up on its executions and burning of villages in an attempt to demonstrate that normality has returned. The change in tactics began in mid-June, just before the central Government announced that it was allowing foreign newsmen back into the region.

An undetermined number of Faridpur's 10,000 Hindus have been killed and others have fled across the border to predominantly Hindu India.

Some Hindus are returning to Faridpur, but it is not out of faith in a change of heart by the army but rather out of despair. They do not want to live as displaced persons in India and they feel that nowhere in East Pakistan is really safe for them, so they would rather be unsafe in their own town.

A Hindu barber said that he was still in hiding but that he sneaked into Faridpur every day to do a few hours' work to earn enough to eat. "I come into town like a thief and leave like a thief," he said.

Those Hindus who have slipped into town keep guards posted at night. "None of us sleep very soundly," a young carpenter said. "The daylight gives us a little courage."

THIS IS OUR HOME

A 70-year-old Hindu woman who was shot through the neck said that as bad as conditions were and as frightened as she was, "this is our home—we want to stay in golden Bengal."

On April 21, when the army rolled into Faridpur, the old woman and her 84-year-old husband ran to seek refuge in a Hindu village, Bodidangi, about three miles away. The next day the army hit Bodidangi and, reliable local reports say, as many as 300 Hindus were massacred.

The old woman stumbled and fell as she tried to flee Bodidangi, she related, and two soldiers caught her. She said they beat her, ripped off her jewelry, fired a shot at point-blank range into her neck and left her for dead.

She and her husband had owned a small piece of property on which they rented out a few flimsy huts. Only the dirt floors are left, she said.

The campaign against the Hindus was—and in some cases still is—systematic. Soldiers fanned through virtually every village asking where the Hindus lived. Hindu property has been confiscated and either sold or given to "loyal" citizens. Many of the beneficiaries have been Biharis, non-Bengali Moslem migrants from India, most of whom are working with the army now. The army has given weapons to large numbers of the Biharis, and it is they who have often continued the killing of Hindus in areas where the army has eased off.

Hindu bank accounts are frozen. Almost no Hindu students or teachers have returned to the schools.

ASSURANCES BY YAHYA

President Agha Mohammad Yahya Khan has appealed to the Hindus to return from their hiding places and from India—possibly four million of the six million Bengalis who have fled to India are Hindus—and has assured them of an equal role in East Pakistani life. However, army commanders in the field in East Pakistan privately admit to a policy of stamping out Bengali culture, both Moslem and Hindu—but particularly Hindu.

Although thousands of "antistate" Bengali Moslems have been killed by the army, the Hindus became particular scapegoats as the martial-law regime tried to blame Hindu India and her agents in East Pakistan for the autonomy movement.

In Faridpur—and the situation was much the same throughout East Pakistan—there was no friction to speak of between Hindu and Moslem before the army came.

The army tried to drive a wedge between them. In April, as a public example, two Hindus were beheaded in a central square in Faridpur and their bodies were soaked in kerosene and burned. When some Hindus trying to save their lives, begged to convert to Islam, they were shot as unworthy nonbelievers (in some cases, however, converts are being accepted).

The army also forced Moslems friendly to Hindus to loot and burn Hindu houses; the Moslems were told that if they did not attack Hindus, they themselves would be killed. Most of the Hindu houses in the region around Faridpur—some say 90 per cent—were burned as a result.

Still, there is no sign of a hate-Hindu psychology among the Bengali Moslems. Many have taken grave risks to shelter and defend Hindus; others express shock and horror at what is happening to the Hindus but confess that they are too frightened to help.

Many Bengalis, in fact, feel that the army has only succeeded in forging a tighter bond between Hindu and Moslem in East Pakistan.

[From the New York Times, July 4, 1971]

EAST PAKISTAN: AN "ALIEN ARMY" IMPOSES ITS WILL

(By Sydney H. Schanberg)

DACCA.—"Doesn't the world realize that they're nothing but butchers?" asked a foreigner who has lived in East Pakistan for many years. "That they killed—and are still killing—Bengalis just to intimidate them, to make slaves out of them? That they wiped out whole villages, opening fire at first light and stopping only when they got tired?"

The foreigner, normally a calm man, was talking about the Pakistani Army and the bloodbath it has inflicted on East Pakistan in its effort to crush the Bengali independence movement.

Most of the foreign residents—diplomats, missionaries, businessmen—also talk the way this man does now. They are bursting with three months of pent-up anger and outrage. And they are very eager to tell what they know to those foreign newsmen who were permitted to re-enter East Pakistan in the past fortnight and travel around unescorted for the first time since March 25, when the army began its suppression campaign.

Pakistan's military regime considers the foreign press implacably hostile, but it is desperate to prove to the world its claim that order has been restored, that the army is in control and that normality is fast returning to East Pakistan.

The army is, indeed, in control, except for a few areas near the border with India, where the Mukti Fouj, or "Liberation Army," is active and growing more so—with aid from India.

Yet, East Pakistan is anything but normal. For this is clearly and simply a military occupation by an alien army.

Bengali police have been replaced by police from West Pakistan, the country's dominant wing that lies more than 1,000 miles away, with India in between. West Pakistanis are also being flown in to replace officials in every Government department, in some cases even down to the level of typists.

Houses and shops of those Bengalis who were killed or fled to villages in the countryside have been turned over to Moslem non-Bengali residents of East Pakistan, who are collaborating with the army. The temples of the minority Hindus—the army's special scapegoats—are being demolished for no other reason than to demonstrate that those who are not part of the army's design of "Islamic integrity" are not true Pakistanis and will not be tolerated.

Bengali youths, who just over three

months ago were exultantly marching through the streets and shouting their slogans of defiance at the military regime, now talk in whispers, slipping up to foreign newsmen for a few seconds to murmur some information about a massacre, the murder of a family member or the destruction of a village. Anonymous letters containing such details find their way every day into newsmen's mailboxes at the Hotel Inter-Continental.

The effluvia of fear is overwhelming. But there is also a new spirit. Many of the Bengalis—a naive and romantic people—realize now that no other country is going to save them, that they will have to do it all themselves and that it will take a long time.

Significant numbers of young men are slipping off to join the Liberation Army, which operates from border areas and from sanctuaries just across the border in India. Bengali guerrilla terrorism is increasing. A number of army collaborators have been executed, and more and more homemade bombs explode in Dacca. The resistance is still sporadic, peripheral and disorganized, but it is growing.

With each terrorist act, the army takes revenge, conducting reprisals against the nearest Bengali civilians. Several hundred civilians were reported to have been rounded up and mowed down by the Army in Noakhali District recently after the Mukti Fouj executed a member of one of the army's "Peace Committees" and his wife and children.

The once widely held theory that the cost of the occupation would prove prohibitive and compel Pakistan to pull the army out fairly quickly has been discarded. Even without the World Bank consortium's massive annual aid, which has been suspended in censure of the repression, the Islamabad regime seems determined to keep its grip on East Pakistan.

President Yahya Khan's speech to the nation last Monday was supposed to have unveiled his long-awaited plan for returning Pakistan—East and West—to civilian rule. It turned out to be exactly the opposite—a declaration that the military dictatorship would continue, with a hand-picked civilian government as camouflage.

In his speech, which Western diplomats here described as "a disaster," the President, who is also army chief, heaped praise on the army for rescuing the country from "the brink of disintegration . . . by the grace of Allah." He also extended his "fullest sympathy" to the six million Bengalis, mostly minority Hindus, who have fled to India—"because of false propaganda by rebels," he said. He appealed to them to "return to their homes and hearths" for "speedy rehabilitation."

Just the day before President Yahya's speech, an army platoon stormed into several predominantly Hindu villages 30 miles from Dacca, killing men and looting and burning homes. Reports of similar pogroms come from other parts of the province. No one knows exactly how many Bengalis the army has killed, but reliable foreign sources here put the figure somewhere over 100,000—and possibly much higher.

The East Pakistani economy, which used to provide the national treasury not only with half its exports and foreign exchange but also with a captive market for West Pakistan's manufactured goods, has been badly crippled by the upheaval. However, the military regime seems willing—at least for the present—to pay the severe economic price of holding East Pakistan as a colony, no matter how sullen or resistant the population.

"It's a medieval army operating as if against serfs," said one Westerner here. "It will use any method just to own East Pakistan and keep milking it dry. Even if the Bengalis are serious about the resistance, it will take five to 10 years to make a dent."

[From the New York Times, July 5, 1971]

PAKISTAN, IN A PROTEST TO INDIA, CHARGES AIR ATTACK ON VILLAGE

(By Malcolm W. Browne)

KARACHI, PAKISTAN.—Pakistan protested to India last night that the Indian Air Force attacked a village in East Pakistan earlier in the day. India's acting High Commissioner in Islamabad was called to the Foreign Office to receive a stern note, a Pakistani Government spokesman said.

According to the Pakistani complaint, four Indian fighters and one armed helicopter penetrated six miles into East Pakistan yesterday shortly after noon and strafed the town of Amarkhana in Dinapur district. The Pakistanis said the town was shelled later in the day by Indian mortar batteries.

The government statement did not mention casualties or damage.

Last Thursday Pakistan presented the Indian High Commissioner, who is the equivalent of an ambassador, with a protest charging 18 armed interventions by Indian forces in Pakistan between June 21 and 25.

Meanwhile, Pakistan's relations with Britain have sharply deteriorated during the last two weeks, and there is speculation in the Pakistani press that a break in diplomatic relations could occur.

Pakistan charges Britain with having sided with the Indians, providing them with diplomatic, moral and economic support in its dispute with Pakistan over the autonomy movement in East Pakistan.

Yesterday the Pakistani Government instructed its High Commissioner in London to resign the vice presidency of the Royal Commonwealth Society of London. The gesture was in protest against the airing of Indian propaganda by the society, Pakistan said.

Pakistan's anger at Britain is partly the result of London's view that continued aid to Pakistan should be contingent on a satisfactory political solution in East Pakistan, where the Pakistani Army has moved to crush the autonomy movement.

INDIA DENIES CHARGES

NEW DELHI.—The Indian Defense Ministry said today it had no knowledge of any attacks by Indian Air Force planes on East Pakistani territory. Pakistan's charges of attacks were "totally unfounded," a spokesman said.

[From the Washington Post, July 6, 1971]

MRS. GANDHI ASKS END TO PRESSURE

NEW DELHI.—Prime Minister Indira Gandhi appealed today to other leaders of her Congress Party to stop pressuring her to recognize the rebel Bangla Desh republic in East Pakistan or to go to war with Pakistan over Bangla Desh.

"It is not right for the government to be pushed into a position regarding the recognition of Bangla Desh until it is convinced on its own," the prime minister told the 25-member executive committee of Congress Party members in parliament.

For the second time in a week, Mrs. Gandhi also rejected a suggestion from some party members that India should go to war with Pakistan to help an estimated 7 million East Pakistan refugees return home.

The prime minister also said she had no information that the Soviet Union had supplied arms to Pakistan following the outbreak of civil strife in East Pakistan on March 25.

The right-wing Hindu nationalist Jana Sangh Party announced Sunday night that it would launch a mass civil disobedience campaign in New Delhi Aug. 1 if the government had not recognized Bangla Desh by then.

Meanwhile, U.S. Ambassador Kenneth B. Keating returned to New Delhi from Washington today and said his "present plans" are to remain in his present diplomatic post.

[From the New York Times, July 7, 1971]

POWER IN DACCA REPORTED CUT OFF—BENGALI INSURGENTS SAID TO KNOCK OUT CITY'S PLANT

(By Sidney H. Schanberg)

NEW DELHI.—Bengali insurgents have knocked out the electrical power station in Dacca, the East Pakistani capital, authoritative foreign sources reported here today. These sources, who received the information from contacts in Dacca, said Dacca had been blacked out since Saturday night.

Several foreign newsmen are in East Pakistan, but no news of the attack has come out of Dacca. The other sources speculated that reports were being blocked by the authorities or the cable office had been shut by the power failure.

Another major East Pakistani town, Comilla, has been without power for over a week, its power plant reportedly also knocked out by insurgents. Comilla, a key rail and road junction about 50 miles East of Dacca and close to the Indian border, has been a focus of increasing guerrilla activity against the Pakistani Army.

Since March 25, when the army began an offensive against the Bengali secession movement, it has been trying to subdue the Bengali population of 75 million. The army now controls most of the province, but there is resistance, particularly near the border with India, and this resistance appears to be widening and growing more effective.

MOST DRAMATIC MOVE

The crippling of the Dacca power plant is the most dramatic act ascribed to the insurgents since the army seized control of the ctiy in late March after killing several thousand civilians.

Few details are known of the attack, which came sometime Saturday night. The foreign sources here said the power plant's main transformer had been either destroyed or badly damaged.

Although the loss of electricity will cause considerable disruption in Dacca, it will not bring the havoc that would be caused in a Western capital. There are few tall buildings and therefore few elevators.

The airport—used mostly for bringing troops in from West Pakistan, which is 1,000 miles away across India—has an auxiliary power supply. This is also presumably true of the major hospitals, including the military hospital, which has been handling army casualties from all parts of East Pakistan.

WORKERS HAVE GONE

Factories in the Dacca area will be the hardest hit, but since the upheaval in March, the factories have been operating at a fraction of capacity because most of the workers have fled either to the countryside or to India.

The foreign sources here did not know how wide an area had been affected by the blackout or whether the army had taken reprisals against civilians.

The insurgents, known as the Mukti Fouj or Liberation Army, had vowed to step up activity as their response to President Agha Mohammad Yahya Khan's speech to the nation last Monday night.

The speech, heralded by the Government as a plan for returning Pakistan to civilian rule, instead said that martial law would continue even after a civilian government was established. President Yahya, a general who is the martial-law ruler of Pakistan, also said that a committee of experts named by him—not the National Assembly as originally promised—would draft a new constitution. He said that the Awami League, the East Pakistani party that won a national majority in last December's election, was still, and forever, banned.

In New Delhi today, India charged that Pakistani troops in East Pakistan had been shelling Indian border villages and intruding into Indian territory almost daily.

The Foreign Ministry said that the Pakistani Army since March 25 had committed 102 serious border violations—killing 65 Indians, wounding 112 and kidnapping 23. Most of the casualties have been civilians, although several members of the Indian border security force have been killed.

EXHIBIT 4—SPECIAL ANALYSIS

[From the New Republic, June 19, 1971]

THE NEW THREAT OF AN INDO-PAKISTAN CONFLICT—NEHRU'S PLAN FOR PEACE

(By Selig S. Harrison)

Twice during his sickly last months, when he knew the end was near, the late Prime Minister Nehru toyed with an ambitious idea for a comprehensive detente in South Asia. It was too ambitious for its time, but the East Bengal tragedy has given it new meaning and validity as a long-term alternative to the present prospect of multiplying Indo-Pakistan conflict.

The essence of the Nehru plan was his conviction that the Kashmir and East Pakistan problems are inseparable parts of the same larger problem. Both are historical accidents resulting from the hurried partition of 1947, he believed, and both symbolized in differing ways the artificiality of the Pakistani "Two Nation" concept with its emphasis on Hindu and Moslem religious identity as the sole basis for the political structuring of the subcontinent.

Nehru never publicly revealed his views on the future of East Pakistan, limiting his overt diplomatic initiatives to the search for a Kashmir peace as the first phase in what he hoped would become a broader process of accommodation. In off the record comments, however, he maintained during a memorable interview that a confederal relationship between India and Kashmir might help to promote a similar pattern between West and East Pakistan, setting the stage for gradual movement toward an overall confederation between India, Pakistan and their smaller neighbors.

In the published portions of my interview, appearing in *The Washington Post* on December 19, 1962, Nehru made a controversial reference to the goal of an Indo-Pakistan confederation that became a bogey in relations between the two countries for months to come. Britain and the U.S. were pressuring the Indian leader for a Kashmir settlement at the time, following the India-China border war in the Himalayas. Forced to explain his rejection of the Western demand, Nehru implied that the Kashmir issue could best be resolved within the larger framework of a confederation embracing not only India and Pakistan but an autonomous Kashmir as well.

"Confederation remains our ultimate goal," Nehru declared. "Look at Europe, at the Common Market. This is the urge everywhere. There are no two peoples anywhere nearer than those of India and Pakistan, though if we say it, they are alarmed and think we want to swallow them."

Pakistan promptly justified his prophecy by charging that his comments betrayed the futility of the Kashmir negotiations then about to begin under Western prodding. Nehru dropped his idea until early May, 1964, less than three weeks before his death, when he released Kashmiri leader Mohammed Abdullah after ten years in prison and encouraged the Sheikh to go on a peace mission to Pakistan.

Hitherto undisclosed details of the Rawalpindi talks between Sheikh Abdullah and Pakistan's former President, Ayub Khan, underline the intimate connection between the Kashmir and East Pakistan issues and make clear that the tensions between the two wings of Pakistan were already acute seven years ago. When Abdullah mentioned confederation, he recalled in a recent interview, Ayub dismissed the proposal as "a trick to split Pakistan," since Nehru "knew very well" that even exploratory negotiations on the idea would fan the fires of Bengali separatism and lead to demands for separate coequal status with West Pakistan, India and Kashmir in any confederal setup. Nehru was playing with fire, the Pakistani leader warned, given India's own potential separatist threats in Tamilnad, Kerala and West Bengal.

Looking back on Nehru's initiative in the light of the present situation, it should be stressed that even in his private comments, he did not necessarily envisage complete sovereignty for East Pakistan. He spoke of "more or less parallel processes" in India and Pakistan giving gradually increasing autonomy to both Indian and Pakistan-held portions of Kashmir as well as to East Bengal. The two Kashmirs and the two Bengals would begin to have trade and other interchange as part of a general relaxation in the atmosphere between the two countries. As mutual confidence grew, Nehru hoped for a drift toward overall confederation embracing not only India and Pakistan but smaller neighbors such as Nepal, Sikkim, Bhutan and possibly Ceylon. At this point, as Ayub feared, Nehru assumed that both Kashmir and East Pakistan would escalate their autonomy demands, "though not inevitably to the point of full sovereignty."

Nehru seemed confident that both Srinagar and Dacca would find "advantages in retaining links with a larger unit" so long as their internal autonomy was unfettered. He talked at length about the problem of reconciling local and national identities amid the complex social diversities of South Asia, "a patchwork, you know, ruling out oversimplified solutions that ignore the realities. The more we can have central directing instruments, the better for our development, but where the urge for autonomy is obsessive we must eventually accommodate it." In the Indo-Pakistan confederation of Nehru's conception, it might be necessary in special cases to have "interlocking confederations functioning within each country as well as between them. We must never be too rigid."

Nehru's willingness to see Kashmir autonomous or even independent under a confederation might seem puzzling in the light of past Indian intransigence in the dispute with Pakistan over the Himalayan state. Actually, however, it was quite consistent with the basic rationale underlying the Indian stand. Just as Pakistan demands predominantly Moslem Kashmir as a vindication of the "Two Nation" theory, so Nehru and now Indira Gandhi have insisted that Kashmir should remain with India as a symbol of the Indian commitment to a secular state in which the Moslem minority coexists on equitable terms with the Hindu majority. An autonomous Kashmir in a setting of continuing hostility with Pakistan would only be asking for trouble, India reasons, inviting recurring Pakistani attempts to annex the state. By contrast, Nehru suggested, autonomy or even independence within the context of a confederation would lose its significance as a focal point for Indo-Pakistan conflict.

The confederation idea was predicated on the assumption that Pakistan would be compelled, in time, to reappraise the "Two Nation" theory, and it is a more valid idea today than ever before because the East Bengal carnage has clearly discredited the notion of an overriding Islamic unity cutting across regional and linguistic differences. The events of recent weeks have left West Pakistan saddled with an obsolete national ideology that will be increasingly difficult to sustain in the face of manifest realities. Whatever new raison d'ete is formulated for the existence of a separate Pakistan, it can no longer be credibly founded on the proposition that religion is the only meaningful dividing line in the subcontinent. The "Two Nation" theory was shattered beyond recognition on the night of March 25 when West Pakistani tanks rolled through East Pakistani barricades with their rockets blazing.

At the same time that Punjabi Moslems were gunning Bengali Moslems in East Pakistan, Prime Minister Gandhi won her landslide election victory in India, decisively defeating Hindu nationalist parties on a platform explicitly reaffirming her secular commitment. The 65 million Moslems in India solidly supported her and proved to be a critical factor in many marginal election constituencies. They have never been more secure or more politically powerful than they are today, though there is still a latent potential for communal strife if tension with Pakistan grows into war.

Once the monsoon sets in, it has often been said, West Pakistan will soon be driven to acknowledge that there is no longer a rational or viable basis for its continued rule in the eastern wing and will disengage to cut its losses. Yet the tragic reality of the present situation is that West Pakistan may well be able to postpone its agonizing reappraisal for months or even years despite mounting damage to East Pakistan, to India and to its own internal strength. Lacking a face-saving rationale for disengagement, the Yahya Khan regime is likely to hang on indefinitely hoping for a total collapse of Bengali will.

Even if this collapse never comes and resistance continues, the regime may well find Bengali collaborators capable of restoring minimal law and order behind a facade of phony autonomy. Another factor favoring West Pakistan in the short run is that Indian profiteers and smugglers are prepared to deal with both sides in the East Pakistan conflict. They are eminently ready to supply West Pakistani authorities with one hand, if the price is right, at the same time that they help Bengali independence elements with the other. The ability of West Pakistan to carry on its operations in the East would not be immediately affected even if all new Western aid commitments were to be suspended. Already programmed aid of nearly $200 million now in the pipeline will not be fully exhausted for months, and there is a continuing possibility of large-scale assistance to West Pakistan from China, Saudi Arabia and Iran.

Far from acknowledging that the "Two Nation" theory is dead, some West Pakistani leaders are seeking to rationalize the debacle in the East by contending that the Bengali Moslems are not really genuine Moslems at all as a result of their relatively recent conversion from Hinduism. Sheikh Mujibur Rahman's Awami League derived much of its strength from the ten million Hindus in East Pakistan, the argument runs, and the lesson to be drawn from the recent unpleasantness there is simply that Hindus should be barred from further participation in the body politic or, still better driven out as refugees. This totally disregards the breadth of the Sheikh's overwhelming sweep of 163 out of 165 seats in the election last December and gives a ready handle to Hindu extremists in India, who maintain that Pakistan will inevitably be anti-Indian whether or not India decides to give military help to the Bengalis.

The vicious circle of distrust between India and Pakistan is steadily intensifying, and yet there are powerful countervailing reasons why it might eventually be possible to move in the direction suggested by Nehru. The most important of these is the increasing magnitude of the refugee influx from East Pakistan into India and the growing impact this is likely to have both in the subcontinent and the outside world. Many in India and Pakistan will no doubt become reconciled to the inevitability of a new war, but more might begin to search for another way as the staggering human and financial costs of the Bengali upheaval force a reassessment of basic attitudes. The Indian

government has followed a policy of notable restraint toward East Pakistan which has kept the door open for such reassessment. Despite intensifying domestic pressures for intervention, Mrs. Gandhi, has shied away from recognition of an independent Bengali regime, skillfully playing for time in the hope of averting a major confrontation with Pakistan.

An important subsurface factor helping to restrain Indian recognition has been the fear that an independent East Bengal might stir separatist feelings in the Indian state of West Bengal, leading at the very least to strains on the shaky structure of law and order in densely packed Calcutta and conceivably to a revival of the abortive pan-Bengali nationalist movement of 1947.

While West Pakistan has been in a defiant mood, so far, it is likely to be more conciliatory as time goes on and its problems multiply. Pressures boiling up in East Pakistan will continually frustrate the efforts of the West to reestablish a stable government within the present framework of a unitary state. Even their Bengali collaborators will be continually pressing for greater and greater autonomy. As the costs and complexities of its occupation grow, West Pakistan may gradually begin to take a more realistic view of the sort of loosely federated Pakistan proposed by Sheikh Mujibur.

The West Pakistanis' continuing delay in bringing the Sheikh to trial despite repeated threats to do so suggests that the possibility of negotiations with him at some later date has not yet been irrevocably foreclosed. While General Yahya Khan has branded the Sheikh a traitor, Yahya could step down in favor of a new junta leader who would be free to seek a negotiated settlement without serious loss of face. But no West Pakistan regime is likely to make a meaningful autonomy bargain with the Bengalis, in any case, unless this is accompanied by far-reaching changes in the overall pattern of Indo-Pakistan relations.

Before suggesting in specific terms how the Nehru approach might be applied to the East Pakistan crisis today, it is necessary to examine why West Pakistan blundered into its policy of naked military repression. What happened on March 25 was not the inexplicable behavior of madmen or sadists. It reflected the frankly-stated fear that a sovereign East Pakistan would inevitably link up with India to create a new balance of power in the subcontinent. The excesses committed by the Pakistani Army leaders are only partly to be explained in terms of their vindictive racial contempt for the Bengalis. Basically, their policy of repression demonstrated the deep sense of insecurity they felt when they belatedly realized the extent and strength of Bengali separatism.

Pakistan never fully recovered from the traumatic shock inflicted by the Indo-Pakistan war of September, 1965. After a decade of artificially inflated military expansion made possible by US aid grants, Pakistan had begun to think of itself as the equal of India, a country four times its size. Tashkent marked the start of a painful psychological deflation which had not yet run its course when the Awami League election sweep in East Pakistan last December brought the long-simmering Bengal crisis to a head. Having just come to terms with the fact that they presided over a country one fourth as big as India, West Pakistani leaders reacted in desperation to the prospect of a secession that might reduce them to the position of a country one tenth as big. Their anxieties blinded them to the fact that Sheikh Mujibur was actually their best hope of forestalling secession with his plan for a loose confederation.

At bottom, as Ayub's attitude indicated, most West Pakistani leaders continue to believe that India will seek to undo Partition if the chance ever presents itself. Yet from the very start, the overwhelming majority of Indian leaders have been quite reconciled to the existence of a separate Pakistan. Nehru accepted partition unequivocally as a necessary and even desirable adjustment. He wanted the strongest possible central government in New Delhi, and he knew that Moslem majority states under militant Moslem League dominance would be politically indigestible in the new India Union. What he rejected was not the idea of a separate Pakistan but rather the "Two Nation" theory, committing the new state as it did to a built-in anti-Indian posture as the only political ethos holding the country together.

The basic precondition today for meaningful progress toward a rapprochement would be reconsideration, on Pakistan's part, of the concept that India is inherently an enemy by virtue of its Hindu majority. For such a complete reversal of present attitudes to come about, however, India would have to make a series of magnanimous gestures of reconciliation over the next several years designed to strengthen West Pakistani moderates. The initiative clearly falls to India not only because it is the larger and stronger of the two countries. Even more important, it has the more stable political structure at a time when Mrs. Gandhi has just won a massive parliamentary majority and General Yahya Khan has just led his country into a seemingly bottomless morass.

The most appropriate way for India to help set in motion a process of reappraisal in Pakistan would be to liberalize its policy in Kashmir, beginning with a revocation of the current ban on Sheikh Abdullah's entry into the state. This could be followed by a resumption of the dialogue with the Sheikh broken off at the time of Nehru's death and, at a later stage, by a renewed attempt to open up discussions with Pakistani leaders, either through a summit meeting, a new intermediary effort by the Sheikh or a Tashkent-type conference under the aegis of one or more of the major powers. Abdullah is still the unchallenged spokesman for the Kashmiris as he has been for the past two decades. Mrs. Gandhi indirectly acknowledged the threat he poses to the present pro-Indian regime in Srinagar when she barred him from the state during the recent elections. The pro-Pakistan fringe has given him minor competition in past years but is weaker than ever now in the wake of the East Pakistan butchery.

An Indian decision to engage in negotiations with Sheikh Abdulla would imply a new readiness to grant extensive autonomy to the Kashmiris, and this, in turn, would directly strengthen those in Pakistan who are beginning to rethink their relationship not only with East Pakistan but with India as well. In Pakistani eyes, Indian willingness to give autonomous status to a Moslem-majority area would be a powerful signal reaffirming that New Delhi is genuinely reconciled to the existence of a separate Pakistan. This would not be a betrayal of secular principles, because Abdullah and most other key Kashmiri leaders are not committed to the "Two Nation" theory. They are regional patriots committed to self-determination for a distinctive Himalayan area set off by geography and history from both India and Pakistan, an area that happens to have a Moslem majority but is also distinguished from the Moslems and Hindus of the plains by the spirit of independent identity common to mountain people the world over.

The psychological impact on Pakistan of an autonomy policy in Kashmir would be maximized if the state is given special status without alteration of its present ethnic and religious composition. This would place the Hindu minority in the Jammu portion of the state under the political domination of the Kashmir Valley Moslems without the offsetting strength of Hindu political elements in New Delhi as at present. It is precisely to obviate this possibility that some Indian leaders have long proposed the partition of Kashmir and the annexation of Jammu by the neighboring Punjab state. But even autonomy for the Vale alone, with Jammu detached, would still be a far-reaching step, opening the way to rapprochement.

Given the obvious obstacles to direct talks between India and Pakistan in the forseeable future, the Sheikh might meet initially instead with leaders of Pakistan's "Azad" (Free) Kashmir with an eye to the phased introduction of trade and transit arrangements. Later, India could propose a mutual reduction of forces along the ceasefire line, and at this stage direct contacts might follow naturally. New Delhi could make indirect efforts during this period, through diplomatic channels, to encourage acceptance of a confederated East Pakistan by offering some form of internationally-attested undertaking to respect the new arrangement. But the first, experimental arena for accommodation would necessarily be in the two Kashmirs rather than the two Bengals.

It is somewhat misleading to bracket the Indian regime in Kashmir with West Pakistani rule over the Bengalis, if only because Indian military repression has never begun to approach the mindless brutality demonstrated in East Pakistan. In contrast to West Pakistan's unabashed economic exploitation of the Bengalis, India has used the velvet glove along with its iron fist, lavishing costly rice subsidies and development programs on the Kashmiris to dull the edge of discontent. Nevertheless, while the two situations cannot be directly equated, they clearly invite comparison, and both symbolize in differing ways the basic psychological problems dividing India and Pakistan.

The influential *Hindustan Times* has editorially pointed to the Kashmir issue as the key to stimulating a process of rethinking in West Pakistan. Attacking Mrs. Gandhi recently for banning Sheikh Abdullah's entry into Kashmir, the newspaper declared that "if ever there was a need for a liberal policy in Kashmir it is now. If the events in Bengal have any lesson it is that repression does not pay and cannot win in the long run. The eruption in Bangla Desh will in time be seen to influence thinking in Kashmir and on Kashmir. Pakistan has sought to legitimize its claim to Kashmir by projecting it as the unfinished business of Partition. However, Partition has long passed into history and it is the concept of Pakistan and the kind of polity it professes on which there will be questioning."

Sheikh Abdullah made clear in a recent interview that he sees a direct connection between the Kashmir and East Pakistan problems and still believes in the possibility of an overall Indo-Pakistan understanding along the lines envisaged in his 1964 discussions with Nehru and Ayub. Significantly, he does not attempt to make a case for a sovereign East Pakistan, and his concept of what would constitute a tolerable measure of "maximum autonomy" offers new clues suggesting the possible outlines of a Kashmir compromise with New Delhi.

India has been making "a hue and cry for the Bengalis," Abdullah observed bitterly, "but they apply a double standard when it comes to Kashmir. How can you control the minds of people anywhere with guns? This should be brought home to the people of India. What holds true for the people of East Pakistan holds equally true for Kashmir."

The Awami League leaders "were seeking virtual separation," he said, "and Yahya felt he was stopping the disintegration of Pakistan. Now, if he has learned any lesson, he will concede maximum autonomy to the eastern wing, and perhaps a way will be found for them to stay together for some time. If they allow the people of East Pakistan to be real masters in their own house it will

not be to their disvantage to have some sort of link with the western wing. It would be helpful to them. But they must have maximum autonomy, subject to the overall solidarity of Pakistan."

Bengali autonomy would not extend to foreign trade as sought by the Awami League, Abdullah added pointedly, implying that Sheikh Mujibur had overplayed his hand after Yahya provoked him by postponing the Constitution-drafting session of the National Assembly without consulting the Bengali leader.

Like Nehru in 1964, Abdullah seems to be thinking in terms of coordinated autonomy moves in both Indian and Pakistani-held portions of Kashmir and views an agreement on Kashmir merely as the first step in a continuing cycle of accommodation. He contends that no Kashmir solution would have meaning "unless Pakistan is brought into it from the start." Even with "maximum autonomy" in its relations with India, he observes, the Kashmir Valley would still depend for its welfare on a relaxation of tensions along the cease-fire line and the reopening of the road from Srinagar to Rawalpindi, a traditional trade route closed for more than twenty years. Abdullah's formal public position on the nature of a Kashmir settlement is deliberately vague, stressing only that an enduring solution must be acceptable to India, Pakistan and Kashmir alike. But the logic of private comments by the Sheikh today and by Nehru in his last years points to a form of miniconfederation between the two Kashmirs, operating at the same time that they each retain links with New Delhi and Rawalpindi. In Nehru's case, this was clearly suggested in my 1962 interview, and the idea of free interchange between two autonomous Kashmirs was explicitly viewed as the precursor of a larger confederal relationship between New Delhi and Rawalpindi in later years. In such a relationship, Nehru remarked, East Pakistan, too, should "logically" gain greater autonomy.

The possibility of full independence for East Pakistan as a coequal of India and West Pakistan in an overall confederal arrangement would be greatly enhanced if the smaller powers in the region were to be brought into the equation. Both Nehru and Abdullah saw Nepal, Sikkum, Bhutan and possibly Ceylon as potential members of a South Asian confederation or of less ambitious arrangements patterned on the European Economic Community. This is a key point, since West Pakistan would naturally look to these countries as offsets to Indian power. Rawalpindi might even seek to include Afghanistan, not as wild an idea as it first sounds when one considers the already growing overland truck traffic through the Khyber Pass and the logic of extending this traffic across the Punjab plain to India.

"Looking ahead historically," Abdullah declared, "confederation is the long-run direction that the minds of the leaders should take. But we obviously cannot put the cart before the horse. The first necessity is for India to attempt to remove the deep suspicions in Pakistani minds. If both sides learn the lessons to be drawn from Bangla Desh it might be possible, in time, to make a new start toward stability in this region. Perhaps at some point friendly powers can assist in this process, slowly, steadily helping bring the parties round to this way of thinking.

Prime Minister Gandhi reacted sharply during an interview in New Delhi last month when I recalled her father's 1962 and 1964 proposals and asked about the possible value of a new start now on Kashmir and other Indo-Pakistan issues. "We have been suggesting new starts all along," she said, "but their whole attitude seems so far from ours and so hostile." She was coldly noncommittal as to whether she will extend the ban on Abdullah when it expires in early July. In her comments on East Bengal, however, she talked more expansively about the impact of the crisis on the subcontinent as a whole, expressing a fervent desire to keep it from becoming a source of conflict with Pakistan and implying a corresponding hope that the problem might yet be resolved through a negotiated settlement between Rawalpindi and the Awami League.

In assessing the role that India might play in untangling the present crisis, it is especially pertinent to note her comment that the demand for an independent East Pakistan "would not have arisen" if Sheikh Mujibur and Yahya had continued with their negotiations on a confederation. New Delhi has carefully avoided giving categorical recognition to the legitimacy of an independent Bengal and could advise the Bengali leaders with complete consistency to give up their goal of full sovereignty for the foreseeable future.

Even after all that has happened, the last, best hope for a stable evolution of the subcontinent would appear to lie in a renewed attempt to negotiate some form of loose confederation agreement between East and West Pakistan as a means of inducing Rawalpindi to disengage. The terms for such a settlement would be demanding for both sides but not beyond the realm of possibility. The West would have to begin by releasing Sheikh Mujibur and dealing with him as the principal spokesman for the Bengalis. The majority of West Pakistani troops would eventually have to be removed as the unavoidable price for the excesses committed during the past two months. This was not something that Mujibur had demanded in his March negotiations with Yahya and would give the Sheikh a visible victory. But the Sheikh's Awami League might also have its own concessions to make in the form of scaled-down demands for independent trade and monetary policies.

The support or acquiescence of the United States and the Soviet Union would be an essential element in bringing about such an agreement. The US and its World Bank allies would have to make future aid to Pakistan conditional on movement in this direction, and Washington would have to abandon its long-standing objective of preserving a "balance" between India and Pakistan, urging Rawalpindi to accept its subordinate position gracefully in a new effort to forge a more secure and a more realistic relationship with India. This would require a much greater adjustment in current thinking for the US than for the Soviet Union, which has always emphasized India in its South Asia policy and has even gone to the extent of questioning the wisdom of partition.

Imperialist "divide and rule" tactics led to the division of the subcontinent, Nikita Khrushchev declared on a visit to Kashmir in 1955, "and we are absolutely convinced that when passions have calmed down and people realize the significance of such an artificial division of India, they will regret it."

The attitude of China is a major imponderable and could conceivably lead to the deliberate obstruction of a confederation effort. In terms of their tangible interests in Pakistan, however, the Chinese would appear to gain little from such a course. Their major immediate objective in Pakistan appears to be air and overland access in West Pakistan to the Arabian Sea, utilizing their new road links from Tibet into Gilgit, and this is likely to be secure whatever happens in East Pakistan. Only direct Indian intervention in East Pakistan is likely to be regarded as a threat to their position. The initial Chinese commitment to West Pakistan has been carefully modulated in response to what the USSR and the US have done. In part, this may reflect concern for the Maoist image among Bengali Communists factions, but it may also suggest that Peking wants to allow for a possible moderate shift in its border dispute with India. New Delhi, for its part, hopes to reduce tensions with China in order to avoid excessive dependence on Moscow and Washington.

Important as it is, the role of the outside powers can only be a marginal one with a limited potential either for easing or prolonging the present crisis. The real issue is how India, Pakistan and the Bengali independence leaders assess their own interests. For the Bengalis, in particular, the very idea of a negotiated settlement might well prove to be totally indigestible after the brutalities of the past two months. The Awami League leaders understandably fear that even a nominal link with Rawalpindi would give a target to armed militants continuing to seek full independence and create a built-in challenge for a new East Pakistan. Yet the Bengali moderates have no real alternative but to make the best of a political settlement, if one is available on tolerable terms, since military liberation by New Delhi would leave a legacy of even greater instability, virtually ensuring Chinese support for the opposition guerrillas.

An accommodation between Dacca and Rawalpindi under present circumstances by its nature would be a contingent experiment placing the onus on Rawalpindi to demonstrate its bonafides. It would not necessarily signify abandonment of the independence goal but rather a recognition that its achievement is inseparably wrapped up with the larger fabric of relationships in the subcontinent. There is no escape from the bitter conclusion that enduring independence for the Bengalis will come, if it ever comes, only as part of a general relaxation of tensions between India and Pakistan and purposeful movement toward a confederated peace inspired by the Nehru vision.

NOISE CONTROL ACT OF 1971

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. WALDIE. Mr. Speaker, the attorney general of California has called to my attention a problem regarding the measure House Resolution 5275 known as the Noise Control Act of 1971.

It appears that, once again, my colleagues and I from California must battle for the right of our State to enforce standards regarding noise pollution as we did for the right of California to enforce its more stringent standards in the area of air pollution control.

I consider it the height of absurdity that progressive States such as California are subjected to restrictions of this sort which preempt its own attempts to control its pollution problems. I would certainly agree that many parts of this country need this kind of legislation in order to provide a higher quality of life for citizens. I cannot understand, however, why California must submit to less stringent restrictions when the people of that State have already set standards which they consider reasonable for the protection of their environment and the quality of their lives.

I would respectfully submit that this House give full and careful consideration to the plight of California and allow us to continue to deal with our problems many of which are similar to those found in other States but are more intense and deserving of stiffer control in California, due to the high density of our population in many areas, in ways best suited to this great State.

PRESIDENT ASKED TO ENDORSE HYDROPOWER

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. HATHAWAY. Mr. Speaker, at this point, I include in the RECORD of this body's proceedings a letter I transmitted to the White House last week, in which I requested President Nixon to endorse hydroelectric power as a useful tool in the Nation's critical efforts to maintain a balance between fulfilling its energy needs and preserving its environment:

JUNE 30, 1971.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: This is to commend you for your June 4 message on the need for new, cleaner energy supplies and for Secretary Morton's restatement of that need in his announcement Tuesday concerning initial plans for oil-shale resource development. It is also intended as a request for your endorsement of the proposed Dickey-Lincoln School hydroelectric power project in northern Maine and of hydroelectric power sources in general.

Such an endorsement, I think, would be in keeping with the spirit of both messages, for water power—hydroelectric power—such as that which the Dickey-Lincoln facility would generate, has shown itself to be the only source of power now capable of helping solve the growing problem of power shortage without causing further harm to the environment.

I agree that we must press on with research efforts to develop pollution-free utilization of oil, gas, coal, and nuclear energy. Each of these resources must play a vital role in the Nation's future power picture. But the fact remains that neither fossil-fuel nor atomic-energy power sources are or will be adequate enough to be relied on exclusively for present and future power needs.

I am of course aware that your recommended budget for the fiscal year beginning tomorrow does not include funding for the Dickey project. But the potential merit of the proposal has never been questioned.

Today, with a serious summer power crisis on our doorstep and the impetus provided by your emphasis on cleaner energy supplies, that potential is substantially enhanced.

I sincerely urge your endorsement and support for congressional funding of the Dickey project.

Sincerely,

WILLIAM D. HATHAWAY,
Member of Congress.

Mr. Speaker, the New York Times today presents the first of three articles by John Noble Wilford on the national energy crisis and the conflict between the need for more power and the desire to preserve the environment. I commend it to my colleagues' attention with a personal preface that is conviction—hydroelectric power can help us resolve this conflict:

NATION'S ENERGY CRISIS: IT WILL NOT GO AWAY SOON

(By John Noble Wilford)

For the third straight summer Americans by the millions are living under the daily threat of power brown outs, blackouts and possible electricity rationing. But it is more than a seasonal shortage of power. It is part of a national crisis that won't go away—the energy crisis.

"The electric power supply situation in parts of the United States appears to be worse than last summer," reports the President's Office of Emergency Preparedness. Only the West Coast, according to the report, seems assured of adequate power for the moment.

In New York City, the margin is so thin that electric utility officials are counting on emergency gas-turbine generators standing ready on barges along the waterfront. Even so, there is no assurance that on some hot, humid day lights will not flicker out over large areas of the city.

Nationwide, authorities in the Administration and out expect the crisis to continue for some time.

In fact, they say, it is likely to persist for years, perhaps for as long as the industrial-technological civilization that has made modern America a model for many other nations continues to proliferate in its present form.

For it arises from a bewildering, seemingly unresolvable dilemma that has made energy, as one scientist said, the "Doctor Faustus of our age."

Americans are demanding more and more energy—more petroleum to turn the wheels of transportation, more oil, natural gas and coal to fire the boilers of electric utilities, more fuels and electricity for heat in the winter, air-conditioning in the summer and the year-round operations of industry. In the last 15 years, total consumption doubled; in the next 15 years, it is expected to double again.

But Americans are also demanding a quality environment. Appalled at ugly strip mines, oil slicks from tanker spills and leaky off-shore wells, denuded corridors of land for transmission lines, sulphur oxides and fly ash from power plants and the specter, real or imagined, of radioactive perils from nuclear centers, they are resisting the construction of precisely those new facilities that are essential to the production of more power.

In the last few years, moreover, numerous technical breakdowns at power plants and miscalculations by both utilities managers and Federal officials have, under the most charitable interpretation, made an inevitable crisis worse.

Now, when thoughtful people close to the issue talk about solutions, they almost unanimously fall back on nuclear energy as the only satisfactory way to accommodate society's needs and keep the traditional energy distribution system intact.

But some are also beginning to ask questions about the larger economic system itself, about its underlying notion of freewheeling, permanent growth and about what, short of rigid national controls, could replace it if it should fail to meet the crisis.

Is it possible to have a thriving, motorized, computerized, air-conditioned society with a high standard of living shared by as many as possible and a largely uncontrolled economy—and to have a healthy, comfortable, even beautiful, environment, too?

A FAUSTIAN BARGAIN

At the beginning of the Industrial Revolution man unconsciously but decisively struck a Faustian bargain, giving up a bucoloc environment for a power beyond anything his and his animals' muscles could provide. This eventually made it possible for modern man to command, at the twist of a knob on a 300-watt television set, an electrical force the equivalent of the energy output of a grown man, an unseen slave, and to harness in the Saturn 5 moon rocket the power of 900,000 horses.

Only now—now that the world is more crowded and energy is being expanded at a rate more prodigous than anyone could have foreseen when Watt invented the steam engine—are the implications becoming sharply defined in the form of a perplexing question:

Can modern man strike a balance where he once struck a bargain?

The difficult search for answers, only barely begun, leads down many avenues: economic, technological, ecological, political, social and philosophical. "The energy situation is a microcosm of the problems facing the nation," says Dr. Edward E. Davis Jr., science adviser to President Nixon.

In order to obtain a balance with the environment, do you slow down the accelerating trend of energy consumption—and if so, how?

STAGNATION A RISK

Americans are 6 percent of the world's population, but consume 35 percent of the world's energy output. Since 1947, their consumption of electricity has been rising at an average rate of 7 percent a year. Natural gas consumption has been rising at a rate of 5 to 6 percent a year, with oil at 3 percent and coal at 2 percent.

Last year, despite the economic recession and declining birth rates, consumption rose even more sharply. Americans used 4.5 percent more energy than in 1969, and 9.2 percent more electricity.

If this consumption trend continues, Americans in the year 2000 would be using the equivalent of 76 trillion kilowatt hours of electricity and other energy sources—nearly four times the present usage rate.

But will the trend continue? Can it? Should it? And if it does not, do you risk economic stagnation, unemployment, even a decline in national power vis-á-vis the rest of the world? Can you accept the psychological wrench of living in a nation with its foot off the accelerator, after two centuries of vigorous and glorified growth?

Or do you increase the energy output, since it is a human tendency to want more and since it will take massive amounts to recycle wastes, treat sewage, run air-pollution-control mechanisms and power mass transportation systems needed to reduce auto pollution?

Do you raise prices of fuels and electricity to help pay for cleaning up the environment—even if it means dimming the prospects of poorer people to share fully in the high-energy society?

Do you encourage development of new, "cleaner" energy technologies—and if so, which ones? Can you get people who are increasingly disillusioned with technology to accept more nuclear power and pay for greater research toward "nonpolluting," virtually inexhaustible power from controlled nuclear fusion?

Or do you reject nuclear energy and continue to "live off earth's capital"—the limited, non-renewable fossil fuels (coal, oil and gas) that took millions of years to form and, in some cases, may last only another century? What, then, do you leave for generations to come?

And even if energy resources were infinite—if fusion became a practical way of supplying nuclear power years from now—do you want power plants everywhere you look? Do you ignore the warnings of scientists who say that the environment is finite?

ALL ENERGY ENDS AS HEAT

All energy, scientists point out, eventually ends up as heat. The biosphere—Spaceship Earth's life-support system, that thin global envelope of air, water and soil that sustains life—can absorb only so much excess heat without atmospheric consequences perhaps as dire, some scientists say, as the melting of polar ice and flooding of coastal civilization.

"The 'scarcity' of the environment is now replacing the scarcity of fuel as the critical constraint in growth of the energy industry," says Dr. Norman H. Brooks, professor of environmental science at the California Institute of Technology. "The environment can no longer be regarded as infinite."

As in any crisis, this one has its optimists and alarmists. Petroleum companies and

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electric utilities see the problem primarily as one of meeting energy demands, if possible with a minimum impact on the environment. The Atomic Energy Commission takes the position that there is no big problem, if only the public would accept nuclear power as its salvation. Many environmentalists tend to overlook economic needs, seeing only the smog and oil spills.

Part of the problem is that few people are really talking to each other, or listening. A recent discussion between two Massachusetts Institute of Technology professors, both electrical engineers, illustrates the point.

One said: "I worry about our continued energy growth. Some place we reach real trouble, and I bet it comes by 2100." To which his colleague responded; "I can't see how you're going to limit demand and go live in a tent by Walden Pond." The first professor snorted: "That's a Philip Sporn answer, and it's stupid."

Philip Sporn is the retired president of the American Electric Power Company. At a recent seminar on energy in Washington, Mr. Sporn conceded that the doubling of electricity demand every decade, a trend all this century, has "definite limits" and that the environmental concern "is legitimate enough." But he defended most utility practices, while ecologists at the seminar spoke mostly of the biosphere and rarely about filling immediate energy needs.

SLIGHT MOVE TOWARD ACCORD

There are, however, some small beginnings toward a reconciliation of the two points of view. This is occurring where the problem is especially acute and controversial—over the issue of where to build new power plants.

Many of the nation's 3,400 power plants are old and inefficient and will have to be replaced soon. Moreover, the Federal Power Commission estimates a need for at least 255 new plant sites (91 for fossil-fuel plants, 164 nuclear) by 1990. Most of these new plants are expected to be mammoth, with greater potential for environmental damage.

For this reason, among others, proposed plant sites are being scrutinized more closely than ever. Even without serious opposition from conservationists, it now takes six to eight years for a new plant to move from conception to operation. Consolidated Edison Company's proposed Storm King plant on the Hudson has been tied up in the courts since 1965—with no resolution in sight.

An experiment in Minnesota serves as a possible model for reducing some delays raised by environmental questions.

Early last year, the Northern States Power Company in Minneapolis decided to share some of its decision-making responsibility for plant site selection with groups concerned with protecting the environment. Under a policy of "open planning," representatives from some 30 groups joined a task force set up by the utility.

Some were skeptical, suspecting it was only public relations ploy. Some in the company were none too happy about sitting down with their sharpest critics. But after six weeks of meetings, recalls R. W. Comstock, Northern States Power's director of environmental affairs, the more vociferous critics settled down and the task force got busy on its recommendations for where to put the company's next power plant.

RECOMMENDATION FOLLOWED

They had four sites from which to choose. They rejected the company's first choice, the Louisville swamp on the Minnesota River, because the area was being considered as a state park. They ruled out two other possibilities because other plants were already in the area. Instead, they selected a site in Monticello, Minn., which the company deemed the least desirable economically. Nevertheless, Northern States Power followed the recommendation.

"It looks at this point as if the company will be able to install a generating station without a major public confrontation for the first time in over a decade," Mr. Comstock says. The citizens group has moved on to studies of future plant sites and the whole question of future energy needs.

Open planning is still highly controversial. Some utility executives see it as just one more nuisance in the already difficult procedure of getting plant sites approved. In some states, utilities must get 30 to 40 licenses, permits and certificates—from power, health, wildlife, waterways and other agencies—during the course of planning and building a plant.

Conservationists would like to see more utilities adopt more planning similar to the Minnesota example, but preferably at an even earlier stage of decision-making. Eventually, they want it made a permanent, legislated part of utilities industry operations.

As Peter Borrelli, eastern representative of the Sierra Club, an environment-protection group, says:

"Even to environmentalists, regardless of how hard a position they take on energy growth, certain facts jump out and present awesome managerial problems. Even if growth is curbed, even with zero population growth, we are going to see a threefold increase in electric power consumption in the next 20 years. It's going to happen, and we have to learn how to deal with this."

The Edison Electric Institute, an association representing 185 of the major investor-owned utilities, favors an approach to plant-site approval called "one-stop shopping."

"ONE-STOP SHOPPING"

The idea, which a few states have adopted, is to expedite site approvals by eliminating the need for a utility to go through two or three dozen state agencies. One agency, usually the equivalent of the public utility commission, would have over-all authority. Such is the purpose of legislation supported by Governor Rockefeller in the New York State legislature this year.

Most conservationists find one-stop shopping unacceptable. State utility commissions, they complain, are "historically in the pocket of industry" and do not normally take into serious consideration such issues as land conservation, wildlife protection and water pollution problems.

While plant-siting delays could prolong the crisis, that was only one factor in bringing about the immediate energy problems. Aside from pressures generated by environmentalists, the crisis is seen as the almost inevitable result of management miscalculations, technological troubles and certain Government policies.

In the case of electric power, for example, the nation's utilities underestimated demand. The Federal Power Commission had predicted in 1964 a 6.5 per cent annual growth rate, which became the basis for most planning. But the growth rate in recent years has run close to 9 per cent because, in part, of an unexpectedly sharp rise in air-conditioning.

Another miscalculation was made back in 1966 when the nation's first truly commercial nuclear plant was completed at Oyster Creek, N. J. Utilities began "thinking nuclear." They rushed to place orders. Consequently, the coal industry slowed down the development of new mines and, looking for new markets, signed some big export contracts, especially with Japan.

But manufacturers had trouble meeting delivery schedules for nuclear facilities. Some of the units had to be sent back to the factory because of poor workmanship. Shortages of skilled construction labor, strikes and various installation problems also contributed to delays of months and often years.

By then, one energy expert says, "it was too late to shift gears." Utilities were forced to rely a little longer on their older generators, which presented maintenance problems of two kinds.

One was the result of the utilities' "load-building" promotional policies, industry experts explain. They heavily promoted air-conditioning, among other things, so that summer and winter demands would balance out. But their success left them with little time to take generators "off line" for maintenance. The result was more equipment breakdowns.

And because of another trend—toward "economies of scale" through the use of bigger and bigger generators—a single breakdown could eliminate practically all of a utility's total reserve capacity. This was why the nine-month breakdown of "Big Allis," Con Edison's temperamental million-kilowatt generator in New York, was of such concern. That single generator accounts for 13 per cent of Con Edison's installed capacity this summer.

Short-sighted management is often given as another reason for the utilities' current predicament. The utilities, their critics say, have rarely attracted the more talented engineers or encouraged technical or managerial innovation.

Dr. Carroll L. Wilson, a professor at M.I.T.'s Sloan School of Management, observes: "In the utility industry, it's been so damned easy to grow. You didn't have to be half smart."

The attitude of some managements, says Mr. Borelli of the Sierra Club, is "just push the juice out and pray."

FEDERAL AGENCIES BLAMED

Some of the blame, the utilities contend, rests on the Government regulatory bodies for the way they establish electricity rates. Utilities complain that they are not usually allowed to charge enough to finance expansion as rapidly as necessary.

It costs about $250-million to build a million-kilowatt fossil-fuel generating plant and as much as $280-million for a nuclear plant of the same capacity. Utilities say that with some of their present profit margins they find it hard to borrow the money for such expansions.

The low rates, which are based primarily on a return on invested capital, are also cited by the industry to explain its reluctance to invest heavily in research. Many of the state power commissions do not allow the companies to treat research as a business expense.

Utilities now spend less than 1 per cent of sales a year directly on research, primarily on transmission technology. Most fundamental research is financed by the Government and the electrical equipment manufacturers.

Another critical element in the current crisis involves the supply of fuels.

For years petroleum has been the nation's primary energy fuel. Last year it supplied 43 per cent of all domestic energy demands; natural gas was next, with 33 per cent; bituminous coal, 20 per cent; water power, 4 per cent; anthracite, 0.3 per cent, and nuclear energy, 0.3 per cent. The figures add up to more than 100 per cent because the larger ones are rounded off.

NO IMMINENT THREAT

Although fossil fuel resources are finite, there is no threat of imminent depletion. According to recent Government estimates, the earth's coal will probably hold out for at least three or four centuries. Natural gas and oil, including that in oil shale and in the polar regions, may run out in a century.

But there is the more immediate problem of getting the fuels, especially the cleaner, environmentally acceptable ones, out of the ground and to market in sufficient quantities.

More and more communities, including New York, Chicago, Los Angeles and Boston, now requires or soon will require utilities to burn only fuels with 1 per cent sulphur content, or less. The restriction, made to reduce

dangerous sulphur dioxide emissions, rule out much of the nation's available coal and crude oil. Chicago, near the big Illinois coal fields, must haul in low-sulphur coal from Wyoming at premium prices.

Aside from environmental concern, there is increased pressure on fuel supplies because of the growing importance of electricity. About two-thirds of the energy in coal or petroleum is lost in generating electricity, escaping out the stacks and into the water used for cooling.

There is no sure end to the nation's energy crisis in sight. John A. Carver Jr., a member of the Federal Power Commission, predicts: "For the next three decades we will be in a race for our lives to meet our energy demands."

On a national scale, there is a developing consensus among engineers and economists, utility executives and environmentalists over the need for a better-coordinated, long-range energy policy.

The "unrealistically" low price of electricity commands much attention. A 1 per cent tax or a surcharge on all electricity bills has been recommended to finance research in new technologies and to help curb demand. A similar suggestion, which President Nixon has endorsed, is that energy prices should reflect the "full cost to society"—what the product costs in water and air pollution as well as in raw materials and other conventional costs.

Meanwhile, in the absence of a coordinated national policy on energy, state agencies regulate local utilities and energy prices. The Federal Power Commission is responsible for the price of natural gas and some hydroelectric matters. The Atomic Energy Commission promotes and licenses nuclear power. The Department of the Interior oversees oil import quotas, mine safety, offshore petroleum deposits and other resources on public lands. Other agencies, local and Federal, are concerned with pollution standards.

The White House would like to see most of the Federal energy programs combined within a single Department of Natural Resources, which is part of the President's proposed governmental reorganization plan.

Although the energy industry has reservations about more Government restrictions, there is a new recognition that, as Mr. Comstock of Northern States Power puts it, "the old rules of the game have changed" and that it would help to agree on some new rules concerning both energy and the environment. No one expects it to be easy.

"There are no miracle solutions," Mr. Comstock says "There are only hard choices—hard choices for me, for you, for my corporation, for all institutions, and some of these choices must be made very soon."

SIXTH DISTRICT YOUTHS TO TOUR ABROAD WITH AMERICAN YOUTH IN CONCERT

HON. GOODLOE E. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. BYRON. Mr. Speaker, an outstanding group of young Americans will be traveling abroad this summer as musical ambassadors of the United States. The group is called American Youth in Concert and is sponsored by the Universal Academy for Music in Princeton, N.J. Twelve youngsters from the Sixth District were included in the group that left the United States on July 6. American Youth in Concert consists of a symphony orchestra, a concert band, and a chorus.

American Youth in Concert has already given concerts in New Jersey, in Carnegie Hall in New York City, and in Constitution Hall here in Washington before their departure for Europe. In Europe they will give concerts in London, Brussels, Paris, Zurich, Rome, Genoa, and Nice. Several of their members were present yesterday when the President signed the certification of the 26th amendment giving the 18-year-old the vote.

The members of the American Youth in Concert from the Sixth District are: Cathy Shultz of Frostburg, Carol Beard of Walkersville, Liana Bowers of Walkersville, Peggy Leatherwood of Mount Airy, Ann Stone of Boonsboro, Linda Wood of Middletown, Mark Dixon of Mount Airy, Dennis Harner of Taneytown, Sydney Naylor of Taneytown, Wayne Perry of Frederick, Dave Rohrer of Frederick, and Jay Geiser of New Market. I would like to congratulate all of these young people for being chosen for this trip and wish them bon voyage.

DISTRICT OF COLUMBIA ENVIRONMENT—GANG RAPE, THE NEW THING

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. RARICK. Mr. Speaker, the liberal aspirations which promoted Earl Warren's dreams continue to haunt the American people as nightmares.

The latest fad in the jungle, which was once the proud Capital of the United States, is gang rape.

A 15-year-old girl was gang raped by 10 men; five men gang raped two coeds. Crimes of violence are an everyday occurrence under the liberal environment which has been imposed upon the cities by unreal interpretations of the Constitution by the Supreme Court.

It is tragic that many of our young people cannot recall the atmosphere of peace and safety which existed in our cities and on our streets before Earl Warren's reign.

And it will not get any better until the Members of Congress forced by the American people, reduce the power of the Supreme Court and restore it to its proper role under the Constitution; that is, that of interpreting the laws rather than ignoring them.

I ask that several newsclippings follow.

[From the Evening Star, July 6, 1971]

GIRL, 15, ASSAULTED BY 20 YOUTHS IN P ST. BEACH AREA

A 15-year-old Upper Northwest Washington girl was raped and forced to commit sodomy by a group of about 20 young men early today, police reported.

The girl and her 16-year-old boyfriend, the police report said, were in the P Street Beach area—southwest of the intersection of 24th and P Streets NW about 2 a.m.

They were accosted by three young men who forced the boy-friend away and dragged the girl into some bushes. Several more men were waiting there and were joined by about a dozen others, the police report said.

The girl told police she was raped by about 10 of the men and forced to commit other sexual acts.

She was treated at D.C. General Hospital.

[From the Evening Star, July 7, 1971]

FIVE RAPE TWO COEDS ON HILL

Five men broke into a Capitol Hill apartment last night and raped two coeds as the young male tenant was forced at gunpoint to lie on the floor.

According to police, the gunmen forced the rear door of a home in the 1100 block of East Capitol Street at 8:45 p.m., then made their way down a stairway to the basement apartment. Both coeds are 22.

The tenant said the men entered the apartment, their faces covered with towels. They raped the women and then fled with about $30 and a coin collection belonging to the apartment tenant, who valued it at more than $300.

Before the rapes, the men forced Kirk McKinney, a Brown University student who is working this summer for Sen. Birch Bayh, D-Ind., and who lives in the house, to leave the basement apartment and lead some of the intruders upstairs, where they searched several rooms.

A friend of the two women, both of whom are taking ballet instruction at American University this summer, said, "They are all right."

The friend, a law student who also lives in the house, which is shared by several young men, said, "We've written letters repeatedly to the District government, trying to get better street lighting in this area of Lincoln Park. We also have been trying to get better patrolling methods by police."

"One thing that really burns us up here is the fact that we can't park our cars near our homes on East Capitol Street in the Lincoln Park area because of the rush hours for commuter traffic going to and from the suburbs."

The young man continued, "Here we have parking restrictions so that Maryland residents can speed right into work. A lot of us have made up our minds that we are going to park our cars near our homes in violation of the law . . . we're tired of getting out of cars on dark side streets and literally running to our homes at night.

"My family and I arrived at my home shortly after this thing happened. I won't bring them back here after this," he said, adding, "I'm not trying to be an alarmist, but I just won't live in an area where it is not safe."

He said the wife of an assistant U.S. attorney who lives nearby was the victim of a pursesnatching last week. "This same attorney tried to get a patrolman to walk a beat in this area in May," the student said. "We saw an officer for a couple of days walking in the area, mostly in the daylight hours and then he disappeared."

RENAISSANCE MAN STEPS DOWN

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 6, 1971

Mr. BOW. Mr. Speaker, Caryl Haskins, president of the Carnegie Institution of Washington, who has recently resigned from that position has made a great contribution to this country. It has been my high privilege and great honor to serve with him as a member of the

Board of Regents of the Smithsonian Institution for a number of years. His service to that institution has been outstanding and one of great dedication. Everyone who has the opportunity to visit the Smithsonian Institution owes a debt of gratitude to Caryl Haskins. I am delighted that he continues to serve as a member of the Board of Regents for it would be most difficult to replace a man of his great learning and dedication.

Mr. Speaker, I insert with these remarks an article which appeared in the Washington Post on Sunday, July 4, 1971, by David McCord relative to the retirement of this great American:

RENAISSANCE MAN STEPS DOWN

(By David McCord)

(McCord is a poet and essayist who wrote te following essay, including the poem that precedes it, to mark the retirement of Caryl F. Haskins as president of the Carnegie Institution of Washington.)

Recurrent dream: Still perched in the apple tree,
The nightswim of the dolphin stars begun,
Late lightning bugs thick, thicketing the run
Of leaf and meadow, I am six and me—
Malarial, on quinine, listening for
That fitful faroff aftermath of reds
Blues, greens, and yellows of brilliant flower beds
Exploded from the fairgrounds in the core
Of valley darkness. So my feverish nights,
Exhaustion in the labyrinth of sleep,
Would fold in cold compression with the flights
Of rockets to the summit of the steep.
I'd wake, the starburst lingering, and try
To count corks popping in the febrile sky.

Some people are privileged by great good fortune to become the instant friends of others whose backgrounds, interests, abilities, training, professions, and plain mystique lie poles apart from theirs. But do we care to examine into these same friendships in the light of intellectual curiosity, it is not impossible that the paintbrush or the poem may be exchanged for the diffraction grating, a dozen ohms, a maser; or the market value of the square root of minus one for a tone poem, a print by Rudolph Ruzicka, an ivory netsuke, a butterfly, a stalk or station of wild New Hampshire penny cress, or a brace of cool caesuras in a line of verse.

So it is with my sometimes bewildered self and Caryl Haskins. To follow his swift helix up the spiral stairs of DNA, or even on the trail of Darwin's finches, brings to mind the comment of one lady to a lecturer: "I was always confused about this, but now I am confused on a higher level."

Caryl Parker Haskins, Ph.B. Yale 1930, Ph.D. Harvard 1935: Scientist, educator, humanist, relentless traveler in paths of grand perspective, close inspector of this man-made world, and of the many-legged and multiwinged societies above and under ground, life partner of unorthodox explorers, champion of the individual, intense believer in our own society "sustained by the earned dignity of those supporting it," custodian of precious friendships in two hemispheres, scholastic teacher and brilliant expounder—such is this respected man and leader who stepped down on Friday at 62 after more than 15 years as president of the Carnegie Institution of Washington.

He whom A. Whitney Griswold, sometime president of Yale, has called "the man for the 21st century," will understand why in those 14 lines above—a fragmentary note on one man's early solitude—I have touched, however lightly, on some areas in which he is at home: eulogy, astronomy, entomology, biophysics, oceanography, chemistry, medicine, botany, psychology, communications, genetics, the outer void, responsible response. One does not inventory genius; for like the Canon Aspirin in one of Wallace Stevens' poems, my old friend's mind includes the things

that in each other are included, the whole,
the complicate, the amassing harmony.

CALMNESS AND DRIVE

I first met Caryl Haskins in Boston some 35 years ago. He was a friend of my old friend and Harvard classmate, James N. White, who has just completed his term as chairman of the board of the Carnegie Institution. Caryl, he said, would astonish me. What an understatement! Caryl has never ceased to astonish me by (a) his vast comprehensive knowledge across the whole spectrum of science, (b) the kinetic drive expended on a daily schedule that would kill a dozen younger men, (c) his absolute simplicity, kindness, and irrepressible enthusiasm. When I have talked with Caryl, I no longer see the darkness: the ketosis of the world is cured.

Behind the marvelous volley of words, his quick laughter, there is a detectable calm, a genuine reassurance. In the front of my mind, at an early meeting with Caryl, was a line from Hugo's "Hernani": *"Je suis une force qui va."* He told me once, before his marriage, that he had driven to the rim of the Grand Canyon, hiked alone down the Bright Angel trail to the Colorado River, climbed back, and driven off to see the Painted Desert. Had J. B. Priestley never said it of Arizona, Caryl could have said it just as beautifully: "This country is geology by day and astronomy at night."

Once in Washington I telephoned and learned that he had gone to the dentist. I thought: Why not call for him there? "No," said his secretary, "his dentist is in Schenectady." And indeed, what was that but a local appointment for a man who spends frequent Christmases with his wife in Australia looking for ants? This Yale man, we used to say, took his Ph.D. at Harvard by a series of weekend visits.

It is a fact, perhaps a curious one, that in science only those who have risen to the top or nearly so may write and publish for the layman with impunity. One thinks immediately of Franklin, Jefferson, Faraday, William James, Darwin, Bertrand Russell, Einstein, Hooton, Caryl Haskins. Now most of these scientists were, in their popular prose, attempting to simplify. Haskins does not. He treats you as an equal; as if you had helped to split the atom, or put the shatterproof in glass, had you but chosen the quiet laboratory instead of the hustling bank. "Of Ants and Men" (1939), fascinating though it is to the uninitiated, loaded with generics such as *Atta texana, Lobopelta, Leptogenys, Stigmatomma, Dorylus, Paraponera, Odontomachus, Strongylognathus, et al.*, is a book for the myrmecologist as well as the omnivorous reader, Clifton Fadiman, I remember, reviewed it cum laude in The New Yorker.

Caryl Haskins' second book was a huge scholarly 400-page volume called "The Amazon: The Life History of a Mighty River." Like many of the titles in the Rivers of America series (of which, of course, it is not one), it deals literally with the littoral, is synoptic, taking in the tributaries, examining resources, and surprisingly glosses over fauna in favor of flora (*Hevea brasiliensis*—rubber—for example).

Suffice it to say that Haskins' third book, "Of Societies and Man" (1951, now in paperback) is his obvious masterpiece: a staggering bibliography behind and under it; and that selective, philosophic, well-trained mind examining every aspect of social evolution: host, parasite, and slave; democracy and the totalitarian state: "A book of authority . . . a realistic book . . . a book of heartening competence." These are the words of its introducer, Vannevar Bush.

An Emersonian often thinks about that great essay on Self Reliance, and about the well-known line; "An institution is the lengthened shadow of one man." Now it is the design and nature of the Carnegie Institution of Washington that the lengthened shadow of many men shall fall continuously across it, since its concept was magnificently broad in principle, and its self-perpetuation perfectly at one with that of the tree of life and life's inexhaustible fruit.

Caryl Haskins, reviewing "Pieces of the Action" by Vannevar Bush, who preceded him as the Institution's president, speaks of Dr. Bush (architect of the Office of Scientific Research and Development during World War II—a man who calls himself an engineer) as the one who "introduced the Age of the Computer." But he also says (and more importantly) that "As with Jefferson and Franklin, this is a man whose life has been lived in that richest but most perilous domain: the zone of boundaries between nature and human affairs."

Those last nine words deserve emphasis, for through the unremitting vigilance and inspiration of Caryl Haskins (quoting his words about Bush) "the Institution remains today undeviatingly dedicated to the idea of the pioneering scientific investigator, to his education and preparation for his task at the levels of high and steady consistency of excellence and sophistication, and to the search for truth."

This thought, this thriving dream, is likewise of an America that has not lost and will not lose the vision of greatness. In an essay on "Mr. Jefferson's Sacred Gardens" for the Virginia Quarterly Review in 1967, Caryl Haskins concluded: "Our task is still today as it was phrased by a Japanese sage, separated from us by half a world of space and centuries of time, when he said, speaking precisely to the philosophy of Jefferson, 'Do not do what your ancestors did; rather, seek what they sought.'"

In 1886, Daniel Coit Gillman, first president of the Carnegie Institution (but at that time president of Johns Hopkins University), gave the Phi Beta Kappa Oration at Harvard. At the end of that excellent address, he said: "From the revival of letters until now, from the days of Gerson, the great chancellor of the University of Paris, 500 years ago, every advance in civilization has been dependent upon the influences which have proceeded from the seats of learning."

These words have very pleasant overtones, for as a seat of learning the Carnegie Institution has distinguished itself, and continues to do so. It has had its standing as a university officially confirmed, and two of the nine 1970 Medal of Science winners are members: Barbara McClintock, for pioneering our knowledge of the regulatory function of genes in plants, and Allan R. Sandage, for unraveling the evolution of stars and galaxies. And in 1969, Dr. Alfred D. Hershey, director of the Genetics Research Unit of the Institution, shared the Nobel prize in physiology and medicine for discoveries concerning the genetic structure of viruses.

Equally and deeply significant in point of honor over these past months, the Institution's history will record the series of symposia in several disciplines arranged by admiring colleagues as an international tribute to their president. Universities and countless learned societies here and abroad have testified to his leadership in science.

A GRACEFUL WRITER

No words about Caryl Haskins can achieve the quality of freshness and excitement in his letters. Sometimes they read like memoranda from the cosmos, and even a casual opening paragraph will slip the reader in and out of a situation, adventure, experience which neither has nor needs the usual hail and farewell. In a higher key one fragment—

almost any fragment from my file—bursts into flame. This is not simply the plunging method of Chekhov or of Katherine Mansfield, for here one speculates on overtones and implications. As, for instance:

"Now for the basilisk. He *does* go clean over the water, at a whirring rate, without wetting much more than the soles of his feet, and his feet are *not* webbed. He just keeps them moving so fast that inertia saves him from gravity, so to speak. The first one I ever saw was when wading up to the neck in Gatun Lake just offshore of Barro Colorado, long ago, and one of these, pea-green and about eighteen inches long, jumped out of a tree overhead, landed neatly on the water in an upright position near my head, and buzzed off across the lake bolt upright and accompanied by only a faint splashing spray."

And further: "What silent, spacious witching country the South Downs is! In that bright fall sunlight, it seemed an endlessly rolling ocean of long coarse grass, punctuated only by occasional winding tracks of chalk and isolated clumps of thistles, peopled by somnolent late small tortoiseshells and those bright flitting elfs, the Ringlet. And in a nearby Hawthorn, spattered with its crimson fall burden, was a flock of bright European gold-finches! The first I have ever seen at large in an English countryside."

"I put in some time at the University of London with various of their neurological and communications people, mostly about to take off for Naples Zoological Station for a fall of symposia. There is much work of great beauty and penetration going on in the field between modern electronics and circuitry, computers, studies of 'self-organizing' systems, neurophysiology, the genetics of animal behavior, and animal behavior itself. The field is a very new one, sparked particularly by recent developments in cybernetics and the development of information and more particularly game theory in the last five years. The many lines that it crosses make conferences involving it the most universal and exciting things that I've encountered in the last several years. Now the whole notion that the structure and behavior of living systems have much to teach in the structuring of human systems in engineering and defense has taken a powerful hold on imagination here and abroad. And still the ideas are far from clear! So the social insects come forward once again, in a new context!"

"And then [at Kashmir Vale] there is the wonderful Indian house crow (*Corvus splendens splendens*, and he looks and acts it) by whom we have been pursued all over the country. In the south you are warned to leave no watches or jewelry lying on the table because he will steal them—and one nest was found built entirely of gold and silver spectacle frames . . ."

"Thought that you might have a corner on some wall for the new Hale Telescope's view of the great nebula in Andromeda which seems effectively to dwarf our earthly problems."

"I got a short walk in St. Jame's [London] this morning, and put up a stately wild grey heron . . . He resembled *Ardea herodias herodias* [our great blue] rather closely except for his somewhat more ashy color. He stepped heavily off a few yards and settled to resume his patient watch for stickelbacks. (They must be a bit peppery to swallow.)"

"A notable year [1961] in the astronomy program of the Institution. It has been marked by the finding, with the great telescope on Mount Palomar, of by far the most remote object in the universe ever discovered, and by the measurement by the red shift of its velocity of recession."

What, then, on the Fourth of July, could be better than to reflect on the fact that this nation can produce a great scientist who is also just as great a humanist? I think sometimes of two sentences in a quite remarkable essay written by an English scientist whom I have long admired. This is J. B. S. Haldane—and, if I am not much mistaken, the Haskins once sent his wife some guppies. The Haskins' spare apartment in Washington is neatly arranged with dozens of tanks filled with what to a fly fisherman always appears to be this rather dubious breed! At any rate, Haldane said in 1932: "Snakes have lost their limbs and ostriches and penguins their power of flight. Man may just as easily lose his intelligence." I do not think he will.

No, I hold with Caryl Haskins on the side of life and optimism. Before this day is over, think a little on these words of his:

"It is the gifted unorthodox individual in the laboratory or the study or the walk by the river at twilight who has always brought to us, and must continue to bring to us, all the basic resources by which we live. Let us guard and honor his position and his profession with every resource we can muster."

Those words have to do with solitude; so at times does a poem:

> But man must light for man
> The fires no other can,
> And find in his own eye
> Where the strange crossroads lie.

A BILL TO CHANGE FEDERAL ELECTION DAY TO MAY 15

HON. MANUEL LUJAN, JR.

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. LUJAN. Mr. Speaker, this bill is for the taxpayer. It does not require an appropriation—it does not cost anybody any money—but it will most assuredly save the taxpayers millions of dollars.

This bill simply changes Federal election day to May 15—exactly 1 month after the April 15 income tax.

This allows for 30 days of deep contemplation on the part of the taxpayer as to whether he is getting his money's worth out of his taxes—and out of his elected representatives.

The signers of the Constitution did not envision a Federal income tax, much less the payment of this tax falling due more than 6 months preceding election day in November. During these long, long 6 months, a person's mind is beset with all manner of personal and business problems. All of these tend to distract him from the casual relationship between spending and taxing. That relationship, as we all know, is painfully clear and immutable: when we spend, we must tax; if we cut taxes, we must cut spending.

Some of my wild-spending, there's-no-tomorrow colleagues will frown on close financial accountability of their votes. Time and forgetfulness are now on their side, and they will oppose this change. But I ask my colleagues to give the taxpayer a little break. Let him vote on May 15 while April 15 is still fresh in his mind.

This bill to change election day to May 15—exactly 1 month after April 15, income tax day—will accomplish three results:

First. It will give a tremendous boost to voter registration and voter turnout, which we all desire.

Second. It will scare the daylights out of all wild-spending politicians of both parties.

Third. This will result in saving the taxpayers millions of dollars. Can we ask, Mr. Speaker, for one small bill to accomplish more?

BIG BUS BILL

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. SCHWENGEL. Mr. Speaker, earlier this year I brought to the attention of my colleagues a report on bus safety. The report was prepared by the Bureau of Motor Carrier Safety. The following article from the May 25 edition of the Des Moines Register further discusses the report:

11% OF BUSES ORDERED OFF ROAD AFTER SAFETY CHECKS

(By James Risser)

WASHINGTON, D.C.—Safety inspections of about 6,000 interstate buses last summer resulted in 11.6 per cent of them being ordered "out of service" because of "imminently hazardous" defects, Representative Fred Schwengel (Rep., Ia.) disclosed Monday.

The special stepped-up inspection program, conducted by the Bureau of Motor Carrier Safety following a number of severe bus accidents, found many buses had poor brakes, thin and damaged tires and faulty exhaust systems.

CALLED "SHOCKING"

A seven-state Midwest region, which included Iowa, produced the biggest percentage of serious defects. Of 484 buses inspected there, 87 (or 18 per cent) had to be ordered off the road.

Schwengel called the figures "shocking," in a speech in the House of Representatives Monday.

Referring to a bill which would permit buses 102 inches wide—six inches more than the present limit—on Interstate highways, Schwengel said:

"It is unconscionable for the big bus lobby to plead for wider buses on the basis of safety when they have such a deplorable record with respect to existing equipment."

The bureau's study involved 5,902 buses About two-thirds of them were buses on regular scheduled runs, and the other one-third were chartered buses.

The bureau's report of its findings was completed in April, and Schwengel recently obtained a copy.

Altogether, the federal inspectors logged a total of 11,726 defects—an average of nearly two per bus. Only 812 (14 per cent) had no defects at all.

MINOR THINGS

However, many of the defects involved such relatively minor things as a burned-out light or a jammed window, and were not serious enough to warrant an "out of service" order.

The "out of service" designation means that a bus had "a defect of such type and degree as to render a vehicle imminently hazardous to operate until repaired" and also generally indicates that the bus "has been less than adequately maintained over a period of time," Schwengel explained.

As a result of their safety checks, the inspectors ordered 688 buses "out of service." More than half (394) had serious brake defects.

Some 102 had exhaust system problems, 73 had wheel damage, and 36 had structural tire damage.

Regular-run buses and chartered buses had about the same number of serious defects, the study showed.

Region 5 in the study included Iowa, North Dakota, South Dakota, Minnesota, Nebraska, Kansas and Missouri.

Schwengel has been arguing that permitting wider buses on the Interstate highways would increase the hazards to automobile drivers, due to "suction" or "blast" effects during passing. He said he fears that the bigger buses would be "maintained at the old, deplorably low standards" that resulted in the safety findings by the bureau.

The bill has cleared the House Public Works Committee over Schwengel's opposition, but has not yet reached the House floor.

POLICE DISAPPOINTED BY ADMINISTRATION

HON. JOSEPH E. KARTH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. KARTH. Mr. Speaker, the president of the Fraternal Order of Police recently wrote that the attitude of the Government toward death benefits for policemen is: "We—the Government—simply do not want to be bothered."

Unfortunately in some parts of the Government, especially in the executive, this attitude is abundantly true. I would hope, however, that such a charge would not hold true for the U.S. House of Representatives. As a matter of fact, the House, I believe, will soon have the opportunity to demonstrate that it is not only bothered, but it is alarmed and willing to take action in response to the rise in police and firemen's deaths throughout the country. I have been informed that H.R. 5235—which would provide continuing Federal death or disability benefits for police and firemen killed or injured in the line of duty—will eventually be scheduled for hearings before the appropriate judiciary subcommittee. I am proud to be the sponsor of H.R. 5235.

It appears that the earliest possible date for these hearings will be following the August recess. Though I would hope for action at an earlier time, I am encouraged that the hearings have been scheduled.

As my colleagues prepare to consider this and other related legislation on this national problem, and in the light of those future hearings, I would briefly summarize my bill here. It would provide:

First, a widow of an officer killed in the line of duty would receive 45 percent of the monthly wage of her deceased husband and 15 percent for each dependent up to a maximum of 75 percent.

Second. Any officer totally disabled in the line of duty would receive two-thirds of his monthly wage. If there are dependents, the benefits would equal three-quarter of the monthly wage.

While this legislation does not attack the problem of chronically low wages paid police and firemen, it does provide the security of continuing benefits, something the woefully inadequate administration proposal does not provide.

Additionally, Mr. Speaker, I would like to place upon the record at this time a letter that appeared in the July 6, 1971, edition of the Washington Post by John J. Harrington, the president of the Fraternal Order of Police. I believe the points raised by President Harrington are valid, and I wish to emphasize the lack of leadership in this area from an administration "which cried law and order so loudly."

Mr. Harrington's letter:

POLICE DISAPPOINTED BY ADMINISTRATION

As president of the Fraternal Order of Police, which is composed of active police officers and which is by far the largest police organization in the country, my opinion is that the majority of police officers are confused, disappointed and angry over the administration's program to aid policemen.

Along with several other police officials from areas where policemen are being assassinated with regularity, I was not invited to the so-called crime conference in Washington, D.C., recently. I have been a police officer and have represented policemen for many years and, whether right or wrong, I have some decided opinions on action the federal government can and should take to help make the policemen's lot a better one and, thereby help build up badly depleted and demoralized police forces.

For example, the FOP has consistently advocated extending the benefits now given survivors of policemen killed in the line of duty. This the government has resisted, saying that it would put the government further into an area which should be left to the states and localities. In view of the tremendous and every day extension of federal power into so many sectors of our lives, my view is that this argument is ridiculous and amounts to saying in effect: "We simply don't want to be bothered."

Similarly, the government opposes making a conspiracy to kill a police officer a federal offense, once again raising the worn-out argument about the extension of federal power which, in view of all the circumstances, makes little sense. For instance, the FBI now steps into a kidnaping case if there is no solution within a matter of hours. Yet, with policemen being murdered at an alarming rate and evidence accumulating that many of these assassinations are planned in advance, the government once again shrugs its shoulders and acts as if we were in an era before a long series of court decisions extended the Interstate Commerce Clause to cover almost all activity in the country.

There should, in the opinion of the FOP and other police organizations, be educational benefits for the survivors of policemen killed in the line of duty. While we have had no word about this proposal, all indications are that, once again, we will meet opposition.

I read that at the Washington crime conference it was agreed to support the proposal that the widow or dependents of policemen killed in the line of duty be given $50,000. This is poor substitute for a comprehensive program where the funds will go to those who most need them on an orderly basis.

Also, police salaries are low, far too low. The government is interested in seeing to it that many groups get a minimum wage but there seems little interest in a living wage for policemen. Otherwise, where are new recruits to come from. I have not studied the so-called Safe Streets Act in detail but its appropriations have risen to the tremendous sum of $1 billion a year. From all that I can tell, much of this money is wasted and is withheld from the high crime areas.

All in all, policemen are deeply disappointed with the programs and actions of an administration which cried law and order so loudly. There has been nothing done for a moderate federal program which would help the average policeman, even though billions are shoveled out in more ways than the average taxpayer likes to think about.

JOHN J. HARRINGTON,
President, Fraternal Order of Police.
PHILADELPHIA.

DR. MURUPA'S DEFECTION

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. SCHMITZ. Mr. Speaker, in the presentation of news in this country about Africa, two recent events of interest and significance have received very little notice.

One concerns the defection to the Portuguese in Mozambique of Dr. Miguel Murupa, the former foreign minister of Frelimo, the Communist-supported guerrilla organization based in Tanzania. The other concerns the mystery surrounding the fate of the 27-man crew of the Portuguese vessel *Angoche*, which was found floating like a ghost ship in the Indian Ocean last month.

Dr. Murupa's defection is the most significant to date from any of the terrorist organizations harassing the Portuguese territories in Africa.

The incident is of particular interest because of the fact that the 31-year-old Dr. Murupa studied and received degrees in economics and sociology at Howard University right here in Washington. Furthermore, he was recruited for Frelimo here in this city by the late Dr. Edouard Mondlane. Dr. Mondlane, also a native of Mozambique, was a professor at Syracuse University before becoming the head of Frelimo in the mid 1960's. He was assassinated in Dar es Salaam 2 years ago by a bomb of unknown origin.

At the time of his defection to the Portuguese, Dr. Murupa stated at a press conference that "the war launched by Frelimo foresees no more than the substitution of Portugal's presence in Mozambique by that of Communist imperialism."

He said:

My return does not indicate that I do not believe the Portugese administration does not have defects and insufficiencies. It means simply that I recognize the future outlined by Portugal is the most honest and correct.

The distinguished newspaper columnist Mr. James J. Kilpatrick, recently interviewed Dr. Murupa in Lisbon. The account of his interview appeared in the May 2 issue of the Sunday Star of Washington and other newspapers.

I believe this article will provide my colleagues with useful insight into this all too little understood struggle against Communist efforts in Africa:

AFRICAN WHO CONSIDERS HIMSELF PORTUGUESE

(By James J. Kilpatrick)

LISBON.—We sit in a restaurant on the beach at Cascais. Twenty miles away is Lisbon, bright capital of a fading empire. The black village of Prebane, in central Mozam-

bique, is rather more distant—by about a thousand years. A new face of Africa is beside me.

This is Miguel Murupa, 31. He was born in Prebane in 1939, the only son of a subchief of the Macuan tribe. You will see the same strong planes of his face in every sculptured figure sold in the bazaars of Lourenco Marques; he is a short man who stands tall. His name is worth remembering, but the story is more important than the name. Murupa is an African once deeply committed to the Frelimo "freedom fighters." He has defected, heart and soul, to the Portuguese side.

"I am Portuguese," he says. "I am at home there. I am at home here."

Such is the hostility—and the naivete—of most of the American press, and such are the myths embraced by gullible churchmen, that you will have heard nothing of Murupa or of the dramatic shift in sentiment he represents. The conventional wisdom holds that members of Frelimo are "freedom fighters." At the very least, they are "black nationalists," struggling bravely for self-government in southern Africa.

The truth, to which this man attests, is something else. In its leadership, and in its power-hungry appetite, Frelimo is a creature of Chinese Communism. Its commitment is not to a new freedom, but to a different slavery; and its tactics are the tactics of ambush and terror.

Murupa knows. He was educated as a child in missionary schools, then at a Catholic seminary at Zobue. He worked for a time in 1962 as a proofreader on a Beira newspaper, traveled restlessly through Rhodesia and Malawi, wound up in Ghana as a radio announcer. In 1963, he won a scholarship to Lincoln University in Oxford, Pa. After a year, he transferred to Howard University in Washington, where he was graduated in economics and sociology in 1967.

He lived in an apartment out near 15th and Euclid Streets NW, a lonely scholar, absorbed in his books. While in Ghana, he had begun reading in Marxist and Leninist philosophy. In Washington, he soaked up their works. And one evening at the Sheraton, he was invited to meet Dr. Edouardo Mondlane, the brilliant and misunderstood African Socialist. They met twice more; and young Murupa—he was 28—willingly signed on with Frelimo.

He was sent to Tanzania, first to the terrorists' headquarters in Dar-es-Salaam, then to a guerilla training camp at Nashingwea. Under the tutelage of Chinese instructors, he learned something of small arms techniques, but his own mission was to serve Frelimo as an intellectual. After four months of largely political indoctrination in Maoist thinking, he became a roving ambassador, propagandist and fund-raiser. "Yes," he says regretfully. "I raised much money for Frelimo."

Disenchantment grew. He saw Frelimo divide into Russian and Chinese factions, with the Mondlane leadership cut away. The more Murupa traveled, the more he understood that "the beautiful words of the Communists had no meaning." In February of 1969, Mondlane was assassinated. Six months later, Murupa sought to leave Frelimo. He was jailed instead. He served for months in forced labor in northern Mozambique. On Nov. 6, 1970, he escaped. The Portuguese, he says, "received me as a lost son coming back."

In the gradualism of Portugal's multiracial development, Murupa sees great hope for his African brothers. Racial discrimination, he insists, does not exist as such in Mozambique. In education and in employment, great opportunities are opening. But it all takes time—time to illuminate the darkness of centuries, time to accommodate tribalism to love of country.

"I understand very well the United States," he says, "but this I think the United States do not understand very well at all. In time the Portuguese model will provide the good life. I wish the United States did understand. Tell them I am black; and I am Portuguese—I am as Portuguese as this beach at Cascais—and it is the right way for us to go."

Mr. Speaker, scant attention has been paid by the American press to the threat posed by the presence and increasing activities of Communist war vessels, both surface warships and submarines, in the Indian Ocean, but that threat is a real and present one, as the U.S. Department of Defense is well aware. The Indian Ocean, once a zone of Western influence, is rapidly becoming an experimental area for Communist powers to test their growing influence and control around the African and Asian Continents.

The recent and mysterious case of the coastal steamer *Angoche* gives us a sinister clue of what is going on in the Indian Ocean. The National Review Bulletin, of June 8, 1971, commented on this incident.

The articles follow:

ANOTHER FRELIMO LEADER DEFECTS TO PORTUGAL

The head of the Foreign Department of FRELIMO, the Mozambique "liberation front", has defected to Portugal, and said he believes victory for the terrorists "would mean the substitution of Portugal's presence in Mozambique by that of Communist imperialism."

Dr. Miguel Murupa, a widely-travelled member of Frelimo's Central Committee and leading intellectual, added: "In my view the withdrawal of Portugal from Mozambique would result in conditions worse than those in the Congo when the Belgians left: there would be complete chaos and an absolute bloodbath."

PLEDGE

Dr. Murupa, a graduate in sociology, economics and finance of Howard University, Washington, D.C., was speaking in Nampula, Northern Mozambique, after he had presented himself to Portuguese authorities and pledged himself to work for peace within the framework of the Portuguese administration.

As one of the most prominent "brains" in the Frelimo leadership, the defection of Dr. Murupa from Dar-es-salaam is seen by independent observers as a significant blow to the movement.

It was Dr. Murupa who, as head of the Foreign Relations Department, acted as a roving ambassador for the terrorist organization, establishing a wide network of international contacts and masterminding Frelimo's attempts to gain world backing for its cause.

In 1969 he visited Britain on a lecture tour and spoke at Chatham House.

OTHERS

Although of special importance because of his academic background and role as a roving ambassador, Dr. Murupa is but one of many prominent Frelimo activists who have surrendered to Portuguese forces in recent months and pledged their loyalty to Portugal.

Prominent among these has been Manuel Mussa Katur, an influential tribal leader in Northern Mozambique and member of Frelimo's Central Committee.

In 1969 Lazaro Kavandame, an important chieftain of the Caconde tribe, became the first of Frelimo's former adherents to defect and pledge his service to Portugal.

COMMUNISM

In a four-hour talk with correspondents in Nampula, Dr. Murupa dealt at length with the present state of Frelimo . . . highlighting the growing influence of the Communist Chinese, and the internecine strife within the organization since the death of the former president, Eduardo Mondlane.

Chinese Communist influence was becoming rapidly more and more apparent both within the Frelimo leadership in Dar-es-salaam and within the government of Tanzania, he said.

"The war launched by Frelimo foresees no more than the substitution of Portugal's presence in Mozambique with that of Communist Imperialism," he said.

LOW MORALE

Describing the morale of Frelimo's terrorists as "very low", Dr. Murupa said it was untrue that there were upwards of 10,000 guerrilla insurgents operating against the Portuguese in Mozambique: he doubted whether there were more than 1,000 guerrillas in the whole of the Cabo Delgado District, the key area for terrorist infiltration.

Samora Machel, successor to Mondlane, was a ruthless leader who publicly denounced anyone who spoke against him, however mildly, and threatened them with vicious physical retribution.

FUNDS

Of funds for Frelimo, Dr. Murupa said that, after protests from the Portuguese Government, the Ford Foundation ceased giving money to the terrorists. But a good deal of financial support still flowed in from the United States, especially from Methodist Churches with which Eduardo Mondlane was particularly closely connected.

Of his own defection, Dr. Murupa said that after prolonged deliberation he came to the conclusion that "the weight of reason is on the side of Portugal."

As a former Roman Catholic seminarist, religion had played a prominent part in his decision: Frelimo was atheist and denied the existence of God.

CABORA-BASSA

Dr. Murupa said he was profoundly impressed by the socio-economic development programmes for Mozambique's people launched by the Portuguese authorities there. The giant Cabora-Bassa irrigation and power project was of special benefit.

But he added: "my return does not indicate that I do not believe the Portuguese Administration, in its activities in Mozambique, does not have defects and insufficiencies. It means simply that I recognize the future outlined by Portugal is the most honest and correct."

Dr. Murupa pledged himself to work for peace within the framework of the Portuguese administration.

SUCCESSES

This latest defection comes at a time of continuing military successes for Portuguese forces in Mozambique. Last June, under the command of Gen. Kaulza de Arriaga, their new Commander-in-Chief, they went on the offensive in a massive drive to seal Frelimo infiltration routes from across the borders with Tanzania and Zambia.

As a result of this continuing operation along a broad front, Portuguese troops are now firmly encamped in former terrorist bases along these frontiers . . . right in the heart of territory long considered a "free rein" for Frelimo.

PROJECTS

Army engineers, moving up after advance troops and working in conjunction with the civil authority in Mozambique, have opened up new roads and airstrips in remote Northern Mozambique, making the area more easy to police, and more accessible for the administration's development and aid programmes.

The result of all this is a significant change in the complexion of the war in Mozambique, and one prominent American correspondent recently returned to Lisbon from Lourenco Marques said: "The change compared with

only a year ago is quite extraordinary: for the first time people in Mozambique are talking quite sincerely of the chances of a definite victory against Frelimo."

AN OPEN LETTER TO ALL MEN AND WOMEN OF GOODWILL, THE WORLD OVER

(By Miguel Artur Murupa)

(NOTE.—Dr. Miguel Artur Murupa, a graduate in sociology, economics and finance of Howard University, Washington, D.C., was the former head of the Foreign Department of Frelimo, the Communist-backed Front for the Liberation of Mozambique. Of his own defection to the Portuguese authorities at the end of last year, Dr. Murupa has said that he came to the conclusion, after prolonged deliberation, that "the weight of reason is on the side of Portugal." "My return," he added, "does not indicate that I do not believe the Portuguese Administration does not have defects and insufficiencies. It means simply that I recognize the future outlined by Portugal is the most honest and correct.")

Words of protest and accusations have, for some time now, been mounted with increasing intensity from many circles against the construction of the Cabora Bassa Dam in Mozambique, with a view to discouraging international investors who, with Portugal, are giving their efforts, money and technical know-how to bring into reality a scheme which, by every account, will be the greatest and the first of its kind in Africa, and the fourth greatest in the world.

Some international organizations have added their names to the list of protestors who have voiced their disapproval of the scheme, charging that it will constitute a "crime against humanity" and a "threat to world peace." And more recently, the World Council of Churches' Central Committee in Addis Ababa called on all its members to discourage their governments from supporting the Cabora Bassa Scheme, because it "helps racist regimes in Africa" and it is a "threat to world peace."

I have always believed that *most of these organisations*, some of which deal directly with humanitarian questions, *make their protests from the deep of their hearts and in all honesty, to render service to the Mozambican people*, in the latter's quest for a better living in freedom and abundance; *but they are easily taken in by the high-sounding Frelimo and communist propaganda* which, in certain quarters, have louder voice than the Portuguese Information Service. They also suffer from lack of a true picture about the realities of the Portuguese Overseas Territories nowadays as against the past. I so much believe in their honesty that I also, some two years ago, was the most adamant accuser of the Portuguese overseas dealings, including the Cabora Bassa Project, and I did so with all my honesty, as I was ignorant of the true realities.

Well then, it is because of my sincere belief in their honesty, goodwill and in their profound interest for the better life of the Mozambican people, that I—*a Mozambican native and a Christian*—feel that at this juncture a word of clarification as to the meaning of the Cabora Bassa Scheme is in order. And I do so with that force derived from the fact that I also defended the views of these organisations with respect to Cabora Bassa, particularly in London and Stockholm, when I was misinformed, some two years ago.

CABORA BASSA COMPLEX

What it is and what it means

The whole Cabora Bassa Scheme was conceived to mean real development of Mozambique in the realms of agriculture, forestry, cattle-breeding, mines, hydro-electric power, transport network, pisciculture, industry, tourism, trade and urbanisation, as well as their reflexes on the economy and sociology of the people.

First, in terms of agriculture, about 1,500,000 hectares will be put into intensive cultivation through irrigation systems, with 300,000 hectares of dry lands reserved for other agricultural purposes. And the whole area will produce and supply enough food for export and internal consumption.

On the other hand, 200,000 hectares have been set aside for immediate forestry exploration for economic purposes, while 200,000 others have been defined for silviculture plantations at progressive stages.

With respect to cattle-breeding, extensive areas have been indicated for modern breeding of bovine, caprine and swinish flocks for economic utilisation in terms of meat, milk and other animal derivatives.

As for minerals, Cabora Bassa will allow the economic and intensive exploration of coal, iron, copper, fluorite and manganese, of which Tete and other neighbouring districts are rich, besides the extensive exploration of such minerals as beryl, titanium, chromium, bauxite, corundum, magnetite and graphite, which are spread all over Mozambique.

Its hydro-electric power will produce over 18,000 million Kw/h per year, covering more than all the industrial, commercial and residential needs of the territory. And because of the industrial and commercial complexes that will derive therefrom, as a result of its electric power, Cabora Bassa will create a most modern network of transport systems to and from all points of Mozambique and adjacent countries.

Its lake will be utilised for pisciculture, fishing and tourism, with all modern facilities and amenities reserved for the purpose, as well as allowing for recreational and commercial sailing over its 300 kilometers of fluvial navigability, between the Dam and the Zambian and Rhodesian borders.

As far as urbanisation is concerned, two types of housing will emerge from the Cabora Bassa complex; those reserved for workers directly employed by the Scheme, and those for the population at large. The latter will be located at all the industrial, commercial and agricultural centres, large and small, and furnished with electricity and water at their cheapest rates. The particular disposition of this type of housing (in modern quarters holding a given number of families for each, with gardens and a planned urban-topographical structure) will allow for a modern school, hospital centre, commercial and recreational area for each quarter, all being a part of a larger centre with central hospitals, lyceums, and other school and economic institutions, obeying a planned, modern housing and urbanisation, where the old, unhygienic system of huts will be progressively eliminated in favour of modern living for Africans in the whole of Mozambique.

Meanwhile, a revolutionary, all-embracing educational reform has just been put forward recently by the Portuguese Education Minister, Prof. Veiga Simão, to meet the requirements of the industrial society that will characterise the day-to-day living of the Portuguese people of all races a few years hence, in Metropolitan Portgual as well as in Overseas Portugal, of which Mozambique is a part and the Cabora Bassa Scheme is just one of many economic ventures covering all Portuguese territories.

The Portuguese might have had their mistakes, some of them grievous ones, in the past, in their approach to problems and race relations in their overseas territories. I personally, Miguel Murupa, have been victim of those mistakes in the past. But what is true, and beyond any honest contest, is that today, more than ever before in their overseas history, the Portuguese are giving more thought, more efforts and more money into the solution of the problems of their African people. And, what is even more significant, they are building with increasing success a Portuguese conscience of common nationality with their African populations, in a social set-up that more and more is losing racial consciousness as a measure for defining the Portuguese and the value of a man. *The Cabora Bassa Scheme for example, is designed to benefit all the Portuguese, white and black, living in Mozambique*, united in a common conscience of Portuguese nationality. Particularly for the Africans, who for many centuries have been living under deplorable conditions, Cabora Bassa means the bringing forth of more and better jobs, better housing, more money and purchasing power, more education and better health care, more welfare and development than ever before. Adding to this the fact that the Portuguese are carrying out, with every passing year, a far-reaching programme of total integration of the Africans into a new, conscious and ever-united *multiracial Portuguese nation, where racial discrimination has no place.*

Be that as it may be, for us natives of Mozambique, concerned with improving our living standards and those of our children in the society of tomorrow, Cabora Bassa means more than all the freedoms and utopic life that Frelimo and their communist friends may promise to us.

One would hope that, in the Mozambican people's quest for a better living and development—whether there is agreement on the Portuguese being colonialists or not—those international organisations claiming to be humanitarian-oriented would leave us alone, if they cannot support us, without interference, so that we can develop what, from Cabora Bassa, we believe to bring a better living and a better future for our people.

Whatever the case, with or without hostile accusations and protests, Cabora Bassa will be in full operation and render its services some four or five years from now. But then *we, the natives of Mozambique, when we shall be enjoying its full benefits, shall be doing so with a deep feeling that a number of international organisations, some of them Church and humanitarian ones, have denounced, with charges of "crime against humanity" and "threat to world peace", those who have brought us more and better food, decent and modern housing, higher-paying jobs, more money for our pockets and homes, welfare to our families, education for our children, electricity and water to our homes, a sense of economic and social security, and development for our land.*

Will your Organisation have courage to face us then with humanitarian claims, when they are denying, with protests and accusations, our development today, when we most need it to overcome our centuries-old backwardness?

I appeal to your reason and conscience.

NAMPULA, February 1971.

[From National Review Bulletin, June 8, 1971]

BEIRA, THE BLACK FLAG

Little attention has so far been paid in Europe or the Americas to the *Angoche* affair, though the day may come when it will be assigned in retrospect a rather large significance. Early in May, a Portuguese vessel in the Indian Ocean off Mozambique came upon the 1,600-ton Portuguese coastal steamer *Angoche*. No one, dead or alive, was on the *Angoche;* its engines and other equipment were smashed by what investigation showed to be deliberate wrecking not accident. Further inquiry established that the *Angoche* had been carrying a consignment of munitions for the Mozambique government with a 27-man crew. All 27 have vanished without a trace. It is the obvious hypothesis that the operation was carried out by the "national liberation movement" of which Frelimo is the principal organization. But there is a catch: There is no evidence that Frelimo or any other revolutionary group has the equipment required for this sort of operation on the

high seas. Everyone knows though no one has mentioned it publicly that there are both Soviet and Chinese naval vessels including submarines cruising regularly off the east African coast. Following the *Angoche* incident South African Minister of Defense P. W. Botha issued new orders to the navy's ten high-speed patrol boats equipped with torpedoes and depth charges and announced development of a new patrol boat system. Vice Admiral H. H. Biermann head of the South African navy remarked to a reporter: "The *Angoche* affair probably represents the beginnings of a piracy on the high seas that must be ended urgently and with the utmost severity."

NATO WORLD CONFERENCE ON CITIES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. RARICK. Mr. Speaker, the first NATO World Conference on Cities met in Indianapolis, Ind., from May 25 until May 29, 1971. More than 600 persons from the United States and at least 16 foreign countries participated in the conference; the purpose being, according to the Indianapolis News, to explore innovative solutions to complex problems facing all cities in the world.

Informed Americans believe that the first NATO World Conference on Cities is merely a world extension of the metro-regional government conditioning that is being imposed upon the United States, abolishing county and State lines in favor of a collectivist, consolidated system which negates powers guaranteed to our people by the U.S. Constitution—always professing to solve problems, many of which were earlier created by the same fuzzy-headed theories of planned living.

The United States has been divided into 10 regions under President Nixon's reorganization plan for restructuring of Government service systems. And by coincidence, there are world regional arrangements under the umbrella of the United Nations, such as SEATO and NATO.

The Atlantic Community News is the official publication of the NATO or Atlantic Union advocates, who are dedicated to the promotion of world government by dividing the world into regions. President Nixon, in the Atlantic Community News of November 1968, is quoted as having said to the House Foreign Affairs Committee dealing with the Atlantic Union Resolution:

> It is fitting that the United States, the world's first truly federal government, should be a main force behind the effort to find a basis for a broad federation of free Atlantic Nations. . . . It would be foolish for us to ignore the fact that science and history are even now fatefully combining to accomplish the same goal. . . . The Atlantic Union Resolution is a forward looking proposal which acknowledges the depth and breadth of incredible change which is going on in the world around us. I urge its adoption.

According to the Atlantic Community News, Mr. Nixon favors a federation of NATO countries which includes the United States of America. According to the dictionary, a federation is a government. For an existing government to join in forming a new coalition government, there must be a resulting loss of national sovereignty. The first NATO World Conference of Cities has begun the groundwork for a new federation or government to the detriment of the U.S. Constitution and the constitutionally secured liberties so taken for granted by the American people.

The Indianapolis News of May 25, 1971, page 30, reported that the world conference had been in the planning stage for nearly a year and was first proposed by Mayor Richard G. Lugar of Indianapolis in a speech at Brussels, Belgium, in April of 1970. Page 33 of the same edition of the News states that at a brief private discussion in Mayor Lugar's office, President Nixon requested Lugar to represent the United States at the Brussels meeting. It was there, according to the News, that Mayor Lugar conceived the idea of the conference. After first checking with Daniel Moynihan, Mayor Lugar then discussed the idea with President Nixon who is reported to have been enthusiastic about it. Lugar, reports the Indianapolis News, said the President read his speech prior to its delivery April 14 in Brussels. The NATO Council of Ministers debated from April to July on the proposal of the United States and, according to Lugar's administrative assistant and conference coordinator, at the end of July the Council of Ministers voted unanimously "to collaborate" on the conference with the six sponsors.

SPONSORS AND FUNDING

The sponsors of the NATO World Conference of Cities were the U.S. Government, city of Indianapolis, National League of Cities, U.S. Conference of Mayors, International City Management Association, and National Association of Counties in collaboration with the Committee on Challenges of a Modern Society of NATO. Most of these sponsors have a long history of advocating metro and regional government as outlined in the books "Blame Metro," and "Terrible 1313 Revisited" by Jo Hindman, eminent authority on metro matters.

The American taxpayer, as usual, footed much of the bill for this exercise in national suicide. The Indianapolis News of May 25 reports that the Department of Housing and Urban Development received a special $100,000 appropriation from Congress toward agenda expenses. Conference income, aside from Federal funds from HUD and the State Department are reported to have come from five major areas: Lilly Endownment, Inc., $100,000; Ford Foundation, $100,000; city of Indianapolis, $75,000; State of Indiana, $75,000; local business, $57,000. Richard B. DeMars, finance chairman, reported the News, said that contributions also came from local industry. Another source of income was the U.S. State Department which is reported to have made $60,000 available. The Indianapolis News reported that the total cost of the conference would probably exceed $500,000.

SOME U.S. PARTICIPANTS AND THEIR BACKGROUNDS

Mayor Richard G. Lugar is said to have originated the idea of the NATO World Conference of Cities. Mayor Lugar, according to the Indianapolis News—page 32, May 25—is a Rhodes scholar and one of President Nixon's top advisers on urban affairs. Americans familiar with the philosophy of the Socialist Cecil Rhodes know that he and his proteges have been the principal hawkers of globalist propaganda in the United States, via touting the Atlantic Union.

The unique metro government that Mayor Lugar has brought to Indianapolis has resulted in the consolidation of an eight-county metropolitan area which is called Unigov. Indianapolis is reportedly the only major city in the United States with a Republican administration. Mayor Lugar is now president of the National League of Cities. According to the May 25 edition of the Indianapolis News, Mayor Lugar "is convinced the discussion between urban representatives of the NATO countries will result in better cooperation and eventual agreements between nations on critical urban problems." The importance of the conference on a worldwide level, according to Lugar, is that it is "the first opportunity for so many cities to grapple at one time with a whole host of problems and narrow these down to a very few in which international agreement is going to be meaningful."

The mayor predicted that one area for major discussion would be the problem of air and water pollution, including the establishment of pollution limits and regulations.

Mayor Lugar is reported to have said:

> Agreement between countries on pollution is important because without certain worldwide standards severe competitive disadvantages could occur in various industries and maybe even imbalances in international trade.

This statement of Lugar's portends the establishment of a controlled world and its people through the establishment of rigid world standards under the veneer of pollution control.

Another one-worlder, J. Irwin Miller, general chairman of the conference, stated—page 30, May 25, Indianapolis News—that the hope we have for the International Conference on Cities is that it will be a first step that could be very important right around the world. Mr. Miller stated:

> You know one of the great strengths of business is that its representatives for many, many years have crossed national boundaries to trade ideas and to share their problems. . . . For the period of a week, Indianapolis becomes a world community and the citizens of the city will have an opportunity to meet and talk and associate with people from 15 countries.

Miller, the Indianapolis News reports, was the first layman to be named president of the National Council of Churches—1960–63. Miller has been a member of Presidential commissions, industrial boards, and governmental committees ranging from urban housing and postal organization to trade with the Soviet Union and economic research. So Mr. Miller was well qualified to participate in the NATO World Conference of Cities. In addition to being connected with plans to establish world govern-

ment, Miller has been an arch advocate of an ecumenical one-world church.

Mayor Carl Stokes of Cleveland also participated in the conference. Stokes is the first vice president of the National League of Cities, which he is scheduled to head in December when Mayor Lugar steps down. Stokes in his speech to the conference advocated a Federal housing plan as the answer to the needs of the people. Stokes' plan provides that a family would pay 20 percent of its income for housing, the remainder being paid through a national trust fund financed through taxes on real estate deals. Such a plan on a worldwide basis paid for by Americans should have considerable world support.

Other important delegates to the conference from the United States were George W. Romney, Secretary of the Department of Housing and Urban Development; Denis A. Hayes, National Coordinator of Environmental Action, who was coordinator of Earth Day in the United States; William Ruckelshaus, Director of the Environmental Protection Agency; Daniel P. Moynihan, a former counselor to President Nixon on urban affairs who worked tirelessly to divide the United States into 10 regions in order to administer all Federal programs on a regional basis under appointed bureaucrats rather than under elected officials on a local or State basis; and Elliot Richardson, Secretary of Health, Education, and Welfare. In addition to numerous mayors from large cities, the conference was well attended by unelected planners who are instrumental in restructuring our Nation along regional lines.

All phases of life were discussed at the conference. Discussion included environment, recreation, culture, and visual surroundings, housing, transportation, health and safety, local government organization, planning and development, and fiscal resources.

Americans have good cause for alarm when their Government enters into discussions and possible agreements with foreign nations which will affect virtually every phase of their lives. This House should demand that the executive branch cease promoting schemes which are in conflict with the Constitution and which are being done without the consent, approval, or knowledge of the governed.

If America is no longer a sovereign nation, is it not about time that we so inform the people? With the right to vote the people might even like to vote on the question of whether or not they approve of overthrowing the U.S. Constitution and abolishing the United States.

President Nixon was elected to be Chief Executive under the Constitution only—not over it. He was not granted a mandate to dismantle America.

I insert several pertinent news clippings at this point in my remarks:

[From the Indianapolis News, May 25, 1971]

CONFERENCE ON CITIES OPENS 4-DAY SESSION

(By Tom Harmening)

A Hoosier welcome greeted the first arrivals in the city today for the international Conference on Cities, a pioneer effort to bring experts together to seek solutions to urban crises.

An opening ceremony late this afternoon officially started the conference which will continue through Friday.

The conference is intertwined with "500" Festival activities and the Indianapolis Sesquicentennial observance.

When not in session, the visitors will be guests at social functions, watch the "500" Festival parade and attend the 500-Mile Race Saturday.

In the planning stages for nearly a year, the conference was first proposed by Mayor Richard G. Lugar in a speech at Brussels, Belgium, in April 1970.

Since then the idea snowballed into a full-fledged conference, with representatives from at least 17 foreign nations and scores of American delegates arriving here today.

Latest indications are that the following nations will be represented this week:

Portugal, France, Italy, Luxembourg, Germany, Iceland, United Kingdom, Turkey, Greece, Canada, Mexico, Austria, Belgium, Denmark, The Netherlands, Norway, United States, and Japan.

Delegates range from college professors and city planners to architects and news media representatives, as well as mayors, city managers and other municipal officials. The list of those attending resembles a "who's who" of urban and regional experts.

EIGHT INTEREST AREAS

The delegates, an estimated 500 in all, will begin discussing the future of the city tomorrow morning at breakfast, and panel sessions, plenary sessions and dinner meetings will continue until Friday afternoon.

In order to increase the chances for accomplishments, panels will deal with eight basic areas:

Environment.
Recreation, culture and visual surroundings.
Housing.
Transportation.
Health and safety.
Local government organization.
Planning and development.
Fiscal resources.

Panels dealing with each of these topics will meet three times. The first session will deal with the resources for innovation in each area. The second session will reflect on successes in each field, and the third meeting will consider possible solutions through international co-operation.

While delegates will be divided among the various panels, either as members or observers, three plenary sessions, at which all delegates will meet, also will deal with modern dilemmas of the city and their solutions.

The number of volunteers for the conference nearly equals the number of delegates. Businessmen, attorneys, housewives, grandmothers and college students are among those who have offered to assist the small corps of full-time conference workers.

There are, for example, nearly 250 language volunteers, who will staff language booths at key positions in the city to help non-English speaking delegates. The ages of the volunteers range from 15 to 80.

[From the Indianapolis News, May 25, 1971]

CONFERENCE PLAN LUGAR'S BRAINCHILD

(By Art Harris)

Indianapolis' selection as the site for an international Conference on Cities is the brainchild of Mayor Richard G. Lugar.

At a brief private discussion in the mayor's office Feb. 5, 1970, President Richard M. Nixon requested Lugar to represent the United States before a North Atlantic Treaty Organization committee meeting in April of that year.

Lugar's speech before the NATO Committee on Challenges of Modern Society dealt with an appeal to solve problems facing cities, rather than abandoning metropolitan centers.

"After thinking it over, and while working on the speech, I broadened the idea of a conference here," Lugar said.

Lugar said he checked with Daniel P. Moynihan, then counselor to the President, on the possibility of having Indianapolis host a conference.

"He thought it was an excellent idea, and an ideal place for an affirmative urban policy thrust. He discussed it with the President, and the President was enthusiastic about it being in my speech," Lugar said.

Lugar explained that the President had read his speech prior to its delivery April 14 in Brussels, Belgium.

"The State Department also checked out about the invitation to hold the conference here. They made it clear we wouldn't know what the response to the invitation would be," he said.

Discussions between the State Department and White House continued between February and April to determine what role the United States government would have in the conference.

"After I delivered the speech there was a full hour's recess and many cables going back home were asking, 'Where is Indianapolis?' and 'What is behind this?' I was introduced as a personal representative of the President and people could not summarily dismiss the thing, but they did want to know how big the conference would be and where Indianapolis is in relation to the United States," Lugar said.

James T. Morris, administrative assistant to Lugar and local conference co-ordinator, said that following Lugar's speech, the NATO council of ministers "debated from April to July on the proposal of the United States."

He said that at the "end of July, the council of ministers voted unanimously 'to collaborate' on the conference with the six sponsors."

The sponsors are the United States government, City of Indianapolis, National League of Cities, U.S. Conference of Mayors, International City Management Association and National Association of Counties in collaboration with the Committee on Challenges of a Modern Society of NATO.

Morris then explained that "between July and November agenda plans were being developed so we could have something to tell the conference countries."

He said consideration was given to subject matter to be discussed, what countries would contribute the most to each topic, and what each country wanted to see accomplished.

Morris summed up the agenda topic planning as being "a commonality to all countries."

Morris, Harry Blaney, presidential adviser, and Moynihan then began calling on the representatives of the 14 NATO member countries to work out more details.

What started out as an idea in the mind of Mayor Richard G. Lugar is ending with one of the biggest events in the history of Indianapolis.

Opening today of the international Conference on Cities is the climax of a proposal set forth April 14, 1970, by Lugar, a delegate to the Committee on the Challenges of Modern Society, at Brussels, Belgium.

Lugar said: "Our quest for mutual security through appropriate and timely military response has not diminished, but each of us who is politically sensitive notes that major preoccupations of our citizens relate now the length, quality and purpose of living together.

"For example, many of our citizens contend that our lives are more likely to be short and precarious in nature because we may suffer grievously from street crime, riots, failures of power and fuel supplies, highway and street accidents, and finally from insufficient oxygen and water, or inhalation of lethal

fumes and polluted nutrients. I would like to suggest today the consideration of holding a conference of mayors or local authorities . . . which will discuss some of the questions which I have outlined in my speech.

"This proposed conference would include mayors from both sides of the Atlantic and would be aimed at discussing their mutual problems and making recommendations to the Committee on the Challenges of Modern Society for their further consideration and possible action in the urban affairs field.

"Further, I can state that I would be most happy to host this conference in the city of Indianapolis in May of 1971. I would hope that a representative group of mayors from the United States and the other NATO countries would also help celebrate Indianapolis' 150th anniversary as a city, a celebration which will include a number of important events, among them the 500-Mile Race.

"It is my hope that this proposed conference might be a first step, but an important one, in establishing an urban affairs pilot project. In keeping with this intention, the U.S. will therefore explore the feasibility of a proposed conference with the various associations of mayors and local authorities that exist within the various NATO countries.

"I hope that your respective governments will give this proposal serious and early consideration . . ."

[From the Indianapolis News, May 25, 1971]

BACON "N" EGGS, THEN WORK WILL BEGIN

Delegates to the international Conference on Cities will get down to work tomorrow over bacon and eggs at an 8 a.m. breakfast program in the Hilton Hotel.

Speaking on the topic "How To Make Cities Viable" will be:

Carl B. Stokes, mayor of Cleveland, and the first vice-president of the National League of Cities, which he is scheduled to head in December when Mayor Richard G. Lugar steps down.

Stokes, 43, is serving his second term as mayor of the nation's 10th-largest city.

Alfonso Martinez Domingues, Mayor of Mexico City, Mexico, which has a population of 6,815,800.

"Requirements for Effective Innovation" will be the topic of the first plenary session at 10 a.m. tomorrow.

Conference Chairman J. Irwin Miller will direct all three plenary sessions, the final two being Thursday afternoon and Friday morning.

Included on the first session panel are:

Robert K. Andras, a member of the Canadian House of Commons and a special cabinet member on housing. He entered Canadian politics in 1965 when he was elected to Parliament. He has been a member of the cabinet since 1968, and has dealt extensively with the policies and programs for Canada's Indian population. He is a graduate of Wesley College in Winnipeg.

Dr. Lauritz Lauritzen, the West German Federal minister for the construction of cities and a former minister of residential affairs and city planning. A graduate of Freiburg University and a native of Kiel, Germany, he also has served as chairman of a study group of economists and politicans interested in housing problems.

Albin Chalandon is the minister of Equipment and Housing, Paris. He has been a prominent figure in French banking since 1949, when he was appointed the inspector of finance for the National Bank of Commerce and Industry of Africa. Chalandon, 41, later served as the director-general of the Commercial Bank of Paris and a member of the Central Committee of the Union for the new (French) Republic, which he headed in 1959.

Minister Emmanuel Fthenakis, the head of the Ministry of Economic Co-ordination in Athens.

The governor's luncheon will be tomorrow at 12:30 p.m. at the Indianapolis Museum of Art. The governor of Indiana, a former governor of Michigan and a foreign secretary of state for environment will address the delegates. They are: Edgar G. Whitcomb, governor of Indiana since 1968 and former chairman of the Great Lakes Commission.

A native of Hayden, Ind., Whitcomb was a prisoner of war in World War II, after his capture by the Japanese at Corregidor while a member of the Army Air Corps. He later escaped.

Whitcomb, 53, is a 1950 graduate of Indiana University's School of Law and held his first public office that same year.

George W. Romney, a former governor of Michigan and now the secretary of the Department of Housing and Urban Development. Romney is a former president of American Motors Corp., a post which he held until being elected governor of Michigan in 1963.

Also speaking will be Peter Walker, the British secretary of state for environment. He began working with * * * of local government, housing and land.

A breakfast program Thursday morning at the Hilton Hotel will tackle the problems of public employe labor unions and local government. Three delegates, each having extensive experience in the public employe field will take part. They are: Jerry Wurf, president of the American Federation of State, County and Municipal Employes, AFL-CIO. He began working with organized labor in 1940 when, as a worker in a New York City cafeteria, he helped organize a local union of hotel and restaurant workers. He continued to advance, and in 1964 was elected to his present position. Wurf, 52, is a native of New York City.

P. Van Rousselt, secretary of the National Central of General Public Services in Brussels, Belgium.

Heinz Kluncker, president of the Gewerschaft Offentliche Dienst Transport und Verkehr (German Industrial Union of Public Service Workers) in Stuttgart, West Germany.

The Indiana mayors' luncheon will be held Thursday at the Museum of Art with Sen. Hubert Humphrey, D-Minn., as the guest speaker.

Hubert Humphrey, the former vice-president in the Johnson administration, is a former mayor of Minneapolis and was first elected to the U.S. Senate in 1948 and re-elected in 1954 and 1960.

After an unsuccessful try for the presidency in 1968, he returned to politics last year, winning back his old Senate seat. He is 60.

Two speakers who have had a significant amount of exposure to the problems of large urban areas will address an evening dinner meeting at the State Fairground Exposition Hall at 8:30 a.m. Thursday.

Mayor John V. Lindsay of New York will be the first speaker. He has held the mayor's seat of the nation's largest city since Januarv, 1966, winning re-election in 1969. A graduate of the Yale School of Law in 1946, the 48-year-old Lindsay first entered politics in 1958, when ne was elected to a seat in the U.S. House of Representatives. He is one of the founders of the National Urban Coalition.

Following Lindsay to the podium will be Arthur D. H. Plummer, the leader of the Greater London Council (similar to a city council in the U.S.) for the last four years. Plummer, 57, has authored several publications dealing with the problems of the urban dweller and is considered England's foremost expert on education and city planning.

In any conference of international scope, there always is comparison, such as systems, procedures, successes, failures. During the Conference on Cities, there will be a formal comparison session Friday morning at 9 a.m. at Clowes Hall.

Chairman for the session, as with the other two plenary sessions, will be J. Irwin Miller, conference chairman. Others taking part are:

Dr. Daniel P. Moynihan, Harvard University and a former counselor to President Nixon on urban affairs. Moynihan is a Fulbright Scholar in economics and political science and a law graduate of St. Louis University. He is a former director of the Joint Center of Urban Studies at M.I.T.

Odvar Nordli, minister of Labor and Municipal Affairs, Oslo.

Salvatore Lauricella, minister of Public Works, Rome.

J. de Saeger, minister of Public Works, Brussels.

[From the Indianapolis News, May 25, 1971]

GATHERING IS VITAL TO CITY, SAYS MAYOR LUGAR

(By Hugh Rutledge)

Is the international Conference on Cities being held here this week a major step toward improvement of life in the world's urban centers?

Or is it just another junket for hundreds of government officials and educators who will attend?

Indianapolis Mayor Richard G. Lugar, conference host and originator of the idea for such a meeting, is convinced the discussion between urban representatives of the NATO countries will result in better co-operation and eventual agreements between nations on critical urban problems.

In addition, the 39-year-old mayor suggests the conference in the capital city can help improve relations between the United States and foreign countries and also possibly help attract new industry and business to the city.

The importance of the conference on a worldwide level, he says, is that it is "the first opportunity for so many cities to grapple at one time with a whole host of problems and narrow these down to a very few in which international agreement is going to be meaningful."

One of the basic general questions to be answered at the three-day meeting, Lugar feels, is:

"How in this complex technological civilization can we set up rules of the game for peaceful, competitive and commercial pursuits that we can live and progress with?"

The mayor predicts that one area for major discussion will be the problem of air and water pollution, including the establishment of pollution limits and regulations.

"Agreement between countries on pollution is important because without certain worldwide standards severe competitive disadvantages could occur in various industries and maybe even imbalances in international trade," he explained.

Lugar pointed out that the air pollution problem is severe for many of the 15 NATO countries which will be represented here because it is estimated that "90 per cent of the carbon monoxide in the world now hovers above these countries."

Another worldwide problem that is expected to be considered concerns supplying of emergency relief to countries where natural disasters occur, Lugar said. "This is a very important question for those massed in urban areas," he added.

"We have to be certain we use the same technology we have developed to move troops and supplies for the purpose of war to save people in catastrophes that are almost certain to occur in a world with so many crowded urban centers."

Asked why conference participants had been limited to NATO countries if worldwide agreements are an objective, Lugar explained this came about because at the 20th anniversary celebration of NATO President Nixon called for a change in emphasis from military to peaceful pursuits.

He said the President saw NATO as "some-

thing that had been very successful in getting international co-operation. Most associations really aren't very effective in getting nations to agree with each other," he said.

Although some preliminary discussions are a certainty at the conference, the mayor said he doubts that any major resolution urging action in any area will be adopted by the delegates. "I would guess that each nation will stake out its new position papers on the basis of what it hears both formally and informally, but I am certain that this action will come some time after they leave Indianapolis."

Concerning the importance of the conference to the city of Indianapolis, Mayor Lugar quickly answered:

"The fact that it is being held here at all is a major breakthrough in terms of our own reputation as a city in the forefront of those attempting to meet the problems of modern civilization."

He points out that persons of significance in business, in university groups and in the world news media will be coming here for the meetings.

"This seems to me to have a sizable implication in terms of international trade and specific investments in our economy by many companies that are looking for both manufacturing and warehousing locations," he said.

"Many of these people don't know where we are or what we have to offer. But at the point Indianapolis becomes a viable alternative whenever business leaders sit down any place in the world to discuss "where do we go; then we are in a different ball game and the conference, in my judgment, is a turning point in that respect."

Disregarding possible health and economic benefits for the world and for Indianapolis in particular, Lugar also has a strong feeling that this conference can do "untold good" in the improvement of our relations with other countries.

"Again and again our own diplomats testify that many of the most serious international difficulties we have arose because of some small incidents involving such things as impolite tourists," he said.

"I am very heartened that groups of our local citizens who identify with different nationalities have gone out of their way to make certain there is hospitality afforded each and every one of our visitors this week. I think the European delegates are going to be extraordinarily pleased because they will not have anticipated a cosmopolitan reception of this variety.

"Nor will they expect the special warmth that will come here that I cannot conceive would occur in a larger city where these things are taken for granted," he added.

"It's impossible for people who want peace and talk a good deal about it not to want to try to take a step forward when they have a great opportunity with people who are going to make a difference in our future," Lugar concluded.

[From the Indianapolis News, May 25, 1971]

LUGAR GAINS U.S. STATURE IN 6 YEARS

Six years ago Indianapolis Mayor Richard G. Lugar was a political unknown serving as vice-president of the Indianapolis School Board.

Today, the 39-year-old Rhodes Scholar, who is host for the international Conference on Cities, is one of President Nixon's top advisers on urban problems and he has been mentioned as a possible candidate for everything from a U.S. Senate seat to the vice-presidency of the United States.

What happened in those six years is a story of how the right man in the right place at the right time can become nationally known within a relatively short period.

Lugar's rise to prominence started in November, 1967, when he was elected mayor by gaining 53 per cent of the vote. It was the first time in nearly two decades that a Republican had been chosen to head the city government and only the third in the last 40 years of local politics.

One of his first claims to fame came after a year in office when he was successful in getting the 1969 Indiana Legislature to approve a new unified local government system for Marion County. Under the consolidation plan—called Unigov—the city of Indianapolis jumped from 26th to 11th largest city in the United States by an overnight expansion of its boundary to include a total of 400 square miles with a population of more than 750,000.

The old city of Indianapolis had about 500,000 persons in an area of 82 square miles.

With his past reputation as a strong supporter of President Nixon coupled with the fact that he was one of the few Republican big city mayors, it was only natural that Lugar became a frequent visitor to the White House and a member of several study committees.

URGED LESS U.S. CRITICISM

His stock with the Nixon administration took its sharpest rise in December, 1969, when he surprisingly took on and defeated New York Mayor John Lindsay in a floor fight for the vice-presidency of the National League of Cities at its annual meeting in San Diego.

At that time, Lugar, who has since stepped up to the presidency of that powerful organization of urban officials, urged less criticism of the Federal government and more individual soul searching on the part of local officials for ways to solve urban ills.

In the last two years, the Indianapolis mayor has become one of the most sought after speech makers in the country. He sometimes averages two or three talks a day and spends considerable time out of the state spreading the Indianapolis story. The articulate mayor seldom uses text or notes for these speeches.

One of his major speeches was made in April last year at the Brussels meeting of the NATO Committee on the Challenges of Modern Society. Appearing at the personal request of President Nixon as his official representative, Lugar at that time first suggested a meeting of world urban experts be held in Indianapolis.

A native of the Indiana capital city, Lugar has always excelled in academic activities. In 1950, he graduated first in his class at Shortridge High School and four years later was again No. 1 in his graduating class at Denison University at Granville, Ohio.

While at Denison, Lugar served as copresident of the student body with Charlene Smeltzer, who two years later became Mrs. Richard G. Lugar. His achievements at Denison earned him a Rhodes scholarship.

STUDENT BODY PRESIDENT

As a Rhodes Scholar, he studied at Pembroke College at Oxford, England, receiving a B.A. and M.A. in politics, philosophy and economics. He was president of the student body at Pembroke, even though he was the only American enrolled at the time.

He joined the U.S. Navy in 1957 and after graduating from Officers Candidate School he served more than three years on active duty, most of the time as personal intelligence briefer for the Chief of Naval Operations, Admiral Arleigh A. Burke.

After returning to Indianapolis in 1960, Lugar joined his brother Tom in management of Thomas L. Green and Co., a firm manufacturing automated food machinery, and Lugar Farms Inc., both family businesses which have become highly successful.

Lugar's first bid for elective office came in 1964 when he became a member of the Indianapolis School Board. He served until 1967 when he resigned to run for mayor.

His previous experience in politics dates back to 1950 when as a freshman at Denison he was active in the late Robert A. Taft's Senatorial campaign and worked for Taft before the 1952 Republican National Convention.

In 1968, Lugar was a delegate and keynote speaker for the Indiana Republican State Convention and served as a delegate and member of the platform committee at the 1968 Republican National Convention in Miami.

An early backer of Nixon's candidacy for president, he formed a group of municipal officials in support of Nixon and was one of five members of the platform committee who wrote the President's views into that document.

The mayor and his wife live with their four sons, Mark, Robert, John and David, on the city's Northwestside.

[From the Indianapolis News, May 25, 1971]

AIR POLLUTION TOPIC AT NATO MEETING

EINDHOVEN, THE NETHERLANDS.—Items placed on the agenda for the international Conference on Cities will most likely be there because of NATO policy, individual member request or previous NATO conference recommendations.

One subject falling into the last category was the center of attention here in late February at an international conclave on the problem of arresting the destruction of the environment by the automobile.

The conference, formally called the NATO Committee on the Challenge of Modern Society, was called by the United States and attended by automotive experts from 10 NATO countries, Japan and Sweden. The three-day meeting was the first international forum for the discussion of alternate automotive power systems and the eventual development of a "clean air car."

With the emphasis placed on the car and the urban society, there is little doubt automotive pollution will be among the subjects open to discussion at the Indianapolis meeting.

At the meeting, the following accomplishments were noted:

1. International recognition of the auto and industry pollution problem and threat.

2. Common criteria established to encourage development of a clean air power system.

3. The receipt of 20 proposals from the auto industry for the development of a clean air system and the indication by many other manufacturers (especially European) that they intended to participate in the program.

The United States took the opportunity of gathered auto experts to announce a $20 million incentive program (through fleet purchases of perfected clean air power systems) for development of such a vehicle.

Dr. John Ludwig, assistant commissioner for science and technology in the air pollution control office of America's new Environmental Protection Agency, alerted the delegates to the severity of standards set for 1975 by the clean air legislation signed by President Nixon last December.

"IT'S TIME TO MOVE"

The U.S. Commissioner to the conference, Dr. K. H. Jones, pointed out that in the United States, automobiles contribute to one-half of the total air pollution and that 85 per cent of the carbon monoxide in the air is from automobiles.

"It is naturally hard to compare the problems of Los Angeles with the problems of London when you are talking about auto pollution," Dr. Jones said. "And yet, with the increasing motor vehicle population in the world, there is a desperate need for international recognition of the threat of auto pollution, especially in urban areas."

Shortly after addressing the conference, Dr. Jones told Tom Harmening, a reporter for The Indianapolis News, that the U.S. "is here for three reasons. First of all, we tried to explain the ramification of the 1975 leg-

islation on clean air, secondly we are going to try and help other countries benefit by the mistakes we in the U.S. have made and then we are here pushing for a new type of automobile combustion.

"The growth rate of the automobile in Europe is twice that of the United States," he said, "so the problems we began experiencing in the late 1950s and early 1960s are now beginning to show up here . . . it's time to move."

Many of the proposed clean air power systems are gas turbine, which U.S. officials here now believe is the No. 1 candidate for the perfection of a clean air system. In the final moments of the meeting, officials stressed additional study and discussion on the effects of the auto on modern society is necessary.

Some of that discussion can be expected in Indianapolis this week.

[From the Indianapolis News, May 25, 1971]

CONFERENCE COST MAY GO OVER $500,000

Costs for the international Conference on Cities will range from $15 tickets to the 500-Mile Race to a $22,000 dinner check for 1,050 delegates.

Richard B. DeMars, finance chairman, said anticipated expenses will be $416,000, plus "agenda expenses which could run from $153,000 to $280,000."

DeMars said the Department of Housing and Urban Development received a special $100,000 appropriation from Congress toward agenda expenses.

Agenda expenses will include costs of interpreters and fees for panel chairmen ($1,000 each) and panel members ($400 each) participating in the conference, plus their travel and lodging costs.

Also included in the agenda expenses will be the costs of printing all conference documents. DeMars said the exact number of interpreters needed will not be known until the delegates arrive.

Conference income, aside from Federal funds from HUD and the State Department will come from the five major areas:

Lilly Endowment Inc., $110,000.

Ford Foundation, $100,000.

City of Indianapolis, $75,000.

State of Indiana, $75,000.

Local business, $57,000.

DeMars said the $57,000 in contributions from local industry came from the Eli Lilly & Co., RCA, American Fletcher National Bank, Indiana National Bank, College Life Insurance Co. and P. R. Mallory Co.

Another source of income is the U.S. State Department, which has $60,000 available.

DeMars said the $100,000 from HUD and the $60,000 from the State Department would bring total income to $577,000 as against anticipated minimum expenses of $569,000.

J. Ervin Miller, Columbus, (Ind.) industrialist selected by Mayor Richard Lugar as conference chairman, has also made a "substantial private contribution," an aid in the mayor's office revealed.

DeMars said his committee also is seeking $50,000 from 20 of the largest businesses in town to prevent having to use any of the $75,000 allocated by the city.

"The mayor is eager that the conference doesn't cost the city taxpayers anything," he said.

DeMars gave the expense breakdown in five areas:

1. Protocol, $125,736. Expenses incured by this committee include meals, some transportation, race tickets, rental of halls for the conference and banquets. He said the largest single expense in the protocol budget involves the $22,000 dinner at the Scottish Rite Thursday night, which was paid for by the Lilly Foundation.

2. Arrangements, $29,889. DeMars said the responsibilities of the arrangements committee involve transportation, liability insurance, uniforms for drivers of the 99 autos and 25 buses, and clerical expenses.

3. Executive committee, $177,492. Included in expenses for this committee are travel expenses for James T. Morris, administrative assistant to the mayor; P. E. MacAllister, conference secretary-general, and Miss Diane Waller, conference planning aid. Trips were made to Europe, New York, and Washington to work out conference and arrangements and financing.

Also included is $40,000 for conference reports and documents and a movie about the conference. Other expenses are a $50,000 contingency item for unknown items, $20,000 for reservations if delegates should fail to arrive; and $1,500 for a committee party when the conference ends.

4. Promotions committee, $73,643. DeMars said this was budgeted for a committee headed by Robert Beckmann, Jr., public information officer for the mayor. Some of the expense items in the promotion budget include supplies $8,000; press transportation $5,000; telephones $1,800; mailings $4,700; exhibits and display, $9,800; gifts and favors $11,000; rent of halls $10,000; visiting newsmen's party and tour $2,500.

5. Reception committee, $8,700. This committee is headed by Carl Dortch, executive vice-president, Indianapolis Chamber of Commerce, and includes items such as $5,000 for a publication giving a brief biography of each delegate and $3,000 for a hospitality basket of cheese and wine for the delegates.

DeMars said that up through last week, $25,000 had been paid out in conference bills. He said delegates and guests to the conference will pay for their lodging, with the exception of the panel chairmen and members.

He said the biggest item in the conference budget was about $114,000 for meals.

[From the Indianapolis News, May 25, 1971]

HOPES MEETING IS "JUST THE BEGINNING"

(By Bill Roberts)

COLUMBUS, IND.—"The hope we have for international Conference on Cities is it will be a first step that could be very important right around the world."

Commenting was J. Irwin Miller, general chairman of the conference, that opened in Indianapolis today.

"You know, one of the great strengths of business is that its representatives for many, many years have crossed national boundaries to trade ideas and to share their problems," Miller continued.

"In the field of municipal government, this never has been tried.

"We feel a lot of good can come from this conference and if it has one purpose, it is to bring the urbanized nations of the world together to talk about problems that are common to all of them and to exchange experiences on how to tackle these problems."

The chairman of the board of Cummins Engine Co. and the Irwin Union Bank & Trust Co. of Columbus, added, "Since this is the first ever, nobody knows yet if the conference will prove to be a valuable exercise that should be continued permanently.

"Can the mayor of Tokyo talk to the mayor of Mexico City?

"If he can, this is a good thing to have started. If the delegates feel they have received valuable help for their own problems we hope it will become a regular event and be held in different countries."

The Columbus industrialist feels that Indianapolis stands to benefit greatly from the conference.

"For a period of a week, Indianapolis becomes a world community and the citizens of the city will have an opportunity to meet and talk and associate with people from 15 countries.

"This is an extraordinary stimulant for residents to broaden their horizons, to take a new look at their home city and to make them more knowledgeable about world affairs."

Miller, no stranger in the field of urban and world affairs, was invited by President Nixon and Indianapolis Mayor Richard G. Lugar to serve as general chairman of the conference.

The first layman to be named president of the National Council of Churches (1960–63), Miller has been a member of presidential commissions, industrial boards and governmental committees ranging from urban housing and postal organization to trade with the Soviet Union and economic research.

He has been a driving force in the architectural brilliance of his home town which has earned the nickname "Athens of the Prairie."

"I was a little surprised and a little reluctant about being asked by the President to be chairman of this conference. There is a lot of work involved, and I'm not a resident of a big city. But I guess somebody has to do the job.

"I think arrangements and preparations for the conference are going very well," Miller said. "We have indications of a good solid attendance from 15 countries . . . and we are going to have the quality of people we want.

"Attendance of official delegates will be from 450 to 500. About 200 will come from foreign countries and the rest from throughout the United States.

"Really, the quality is excellent, and I am very pleased the most significant officials have chosen to come here.

"You know, in Europe May is the month of the year that all municipal organizations have their annual meetings, so we had competition—whether to go to the local meeting or come to this one.

"I guess this wasn't realized at the time of planning this conference, but this sure is the meeting month."

Asked what can be done to halt the decline and deterioration of many big cities, Miller replied, "First of all, the citizens must be willing to restructure the government of their cities to the place where the government will have power to act.

"The weakest political official in American politics is a big city mayor. Really, he has less executive power than almost any elective official I know of. Because of boundaries, the mayor and the council don't usually have control of their whole urban area. Indianapolis has made a fine move in Unigov and its officials are able to administer an entire metropolitan area.

"Next, mayors and council must have adequate funds. That means the funds must come from the taxpayers."

He believes a tax overhaul is vital for Indiana.

"We need a new tax structure with all elements of our population contributing on an equitable basis. Much of the taxpayer's aversion would decline if he feels we have a fairly equitable tax base and he is made aware of the situation."

In addition to overhauling city government to make it effective and to altering the tax base, Miller is convinced officials must be willing to tax and raise the money required to make cities decent places to live.

"This means sacrifice on the part of taxpayers. It is just like in business when you curtail dividends and put the cash back in the firm."

[From the Atlantic Community News, November 1968]

PERSPECTIVES ON U.S. POLICY ON NATO IN NEW ADMINISTRATION

One of the most complicated elections in United States history will be analyzed long after this publication has rolled off the printing presses. Indeed, the analysis may well go on for years.

No more had the election of November 5 made Richard M. Nixon, President of the United States with 302 electoral votes to 191 for his Democratic rival, Hubert H. Humphrey, than speculation began both in the United States and abroad (especially in Europe) on the future course of United States foreign policy.

Fortunately, the future of United States foreign policy is not a dark, uncharted region. It is possible to get a fairly assured view of this future by examining the platform of the Republican Party adopted at the Miami Convention last August, which commits the President Elect to a certain specific action, by examining explicit public statements of the President Elect and finally by considering the attitudes of the President Elect recently and during all the years he has been in public office.

First let us look at the platform on which Mr. Nixon conducted his campaign for the presidency. Here are two salient paragraphs from the platform:

"Our best hope for enduring peace lies in comprehensive cooperation. We will consult with nations that share our purposes. We will press for their greater participation in man's common concerns and encourage regional approaches to defense, economic development and peaceful adjustments of disputes.

"Our relations with Western Europe, so critical to our own progress and security, have been needlessly and dangerously impaired. They must be restored and NATO revitalized and strengthened. We continue to pursue the goal of a Germany reunified in freedom."

Throughout his campaign Mr. Nixon talked of America's relations with Western Europe and of NATO's future time and again. One of his *leitmotifs* became "rebuild NATO."

On one occasion he said, "I believe that one of the priority steps of a new administration must be to strengthen our dangerously weakened ties. I have spoken repeatedly about this, and if elected, I most certainly intend to do something about it. The events in Czechoslovakia have given Europe a chance to reconsider the Alliance; and now that the opportunity presents itself, I think we ought to take full advantage of it."

On another occasion he said, "the Atlantic Alliance is the world's strongest bulwark of peace and the cornerstone of our alliance network. The rebuilding of NATO should be placed at the top of the agenda of American national business."

On still another occasion he urged NATO to help build "those bridges so urgently needed between the rich and the poor nations."

In a statement to the House Foreign Affairs Committee dealing with the Atlantic Union Resolution, Mr. Nixon said on September 1, 1966:

"It is fitting that the United States, the world's first truly federal government, should be a main force behind the effort to find a basis for a broad federation of free Atlantic Nations. . . . It would be foolish for us to ignore the fact that science and history are even now fatefully combining to accomplish the same goal. . . . The Atlantic Union Resolution (Representative Blank's H.C.R., similar to the McCarthy bill) is a forward-looking proposal which acknowledges the depth and breadth of incredible change which is going on in the world around us. I urge its adoption."

So much for explicit statements. Those who now gaze into the future should note the fact that Mr. Nixon for years has made surveys of every country in Europe (including the Soviet Union) and all those journeys contributed to his conviction that the Atlantic Alliance is "the cornerstone of our alliance network." One of his first steps after winning the nomination in Miami, was to demonstrate his interest in NATO and Europe's specific problems and attitudes by asking the former Governor of Pennsylvania, William W. Scranton, to make a tour of Europe on Mr. Nixon's behalf, and talk with the government leaders in every country he visited. This project was duly carried out and Governor Scranton brought back a report.

Subsequently Mr. Nixon appointed Robert D. Murphy, a career diplomat and Under Secretary of State during the Eisenhower Administration as his liaison with the Johnson Administration. Mr. Murphy is a director of the Atlantic Council.

Because of the closeness of the election, and the fact that both houses remain in control of the Democrats, bipartisanship in foreign policy and in all other fields becomes essential to the new president. In his emphasis on Europe, President Nixon will have the support of Mr. Humphrey who was the Democratic Nominee for president. Mr. Humphrey was one of the original sponsors of the resolutions to explore Atlantic Federal Union.

Europeans showed almost as much interest in the election as Americans. Some European newspapers, amusingly enough, ran their own polls among their own citizens. But many commentators erred on the side of excessive anxiety. With their minds full of coups d'état and putsches in their own country or other European countries, they anticipated acute danger—even rebellion or civil war if the election turned out to be close. These prophets of despair didn't know the American habit of accepting electoral verdicts promptly and shrugging off the past.

The election was indeed close (the President Elect's share of the popular vote ran to only 31,064,858 or 43.48 per cent as against 30,703,563 or 42.97 percent for Mr. Blank.

Looking at the future, one American statesman said, "In the future American foreign policy will indubitably be more greatly concerned with Europe. We cannot ignore what goes on in Asia but the critical spot on the earth's surface is Europe. In the future we will be a two-ocean country."

INTRODUCTION OF BILL AMENDING PROCEDURES OF MARINE CASUALTIES INVESTIGATIONS

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. WALDIE. Mr. Speaker, today I am introducing a bill with my colleague (Mr. McCLOSKEY), which provides for the inclusion of recognized environmental protection groups in formal investigations conducted by the U.S. Coast Guard following marine accidents.

The need for this legislation became apparent after the collision of two Standard Oil Co. of California tankers in the San Francisco Bay earlier this year.

As a result of the collision, a massive oil spill occurred which had a profound environmental impact on the San Francisco Bay and the ocean beaches outside of the Golden Gate.

The Sierra Club asked for formal participation authority in the ensuing investigation, but was denied this status by the Department of Transportation and the Coast Guard.

Mr. Speaker, I believe that groups such as the Sierra Club can provide enormous expertise and research assistance to investigations of marine casualties.

I am hopeful that the Congress will adopt this legislation to provide such standing by recognized environmental groups.

HAROLD H. SALKIND

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. EILBERG. Mr. Speaker, each of us has known men in our home towns and home communities who have distinguished themselves through their selfless civic activity. One such man in my city of Philadelphia is Mr. Harold Salkind. Presently the director of civil defense for the city of Philadelphia, Mr. Salkind is one of the best known and respected men in our city.

Thirteen years ago, Mr. Salkind helped to found and served as first president of the 21 Jewel Square Club, an offshoot of the Blue Lodge of the Masons. A fraternal organization which draws its membership from the professional and business communities in my city, the 21 Jewel Square Club performs considerable civic and charitable service.

Mr. Salkind's career of service to his community is outlined in the following article from the June edition of the Sparkler, the official publication of the 21 Jewel Square Club, and with the unanimous consent of my colleagues, I place it on the RECORD:

A MAN FOR ALL REASONS

(By Sam Dein)

To do justice in listing and writing of the accomplishments, the organizational work, the honors and other achievements of our Man for all Reasons is a monumental task. There is no one else—at least in our knowledge who can list even half as many as will be mentioned here. Who else but Harold Salkind—Mr. Twenty One Jewel—could be involved in so many activities—and have the chuzpah to get so many things done? He's truly an amazing guy—but we don't have to dwell on that—everybody knows this. But there will always be a mystery as to how he finds the time to do it all.

He started out in life innocently enough—one would never imagine then that this little guy would become the confidant of Presidential candidates, governors, senators and majors and persons in the highest pinnacles of power. But that's where he is today—and all 21 Jewelers will agree that he'll be up there for a long time.

After attending South Philadelphia High and Wharton School, he got his first political job as a clerk in the Registration Commission in 1935 followed by being an appraiser in the State Inheritance Tax Bureau from 1939 to 1942 and a Federal Internal Revenue agent 1942–48. In 1956 he started to come into his own with an appointment by Governor Leader as a Registration Commissioner, a post which he held for ten years. In 1966 he was appointed by Governor Scranton as Director of Philadelphia Civil Defense Council, a post which he still holds.

Ask Harold what his occupation is he'll tell you "an accountant". How much of that he does is debatable, but he is a partner with his son. Alan who is a CPA in the accounting firm of Salkind & Salkind. But his real job is getting things done in his many charitable, cultural, social and political interests.

Following are the posts he holds (or has held) in charitable and cultural groups.

National Board Member & Chairman—City of Hope
National Board Member—American Medical Center at Denver
Chairman—Muscular Dystrophy Drive—1959
Chairman—March of Dimes 1959–1960.
Member, Board of Directors—March of Dimes
Campaign Chairman (30 years) College & Hospital of Osteopathic Medicine
Vice-Chairman, Board of Directors—College of Podiatry
Secretary—Jewish National Fund for 15 years
Chairman—Histadrut of Philadelphia; elected
Regional Director for Eastern Seaboard in 1966
Board Chairman—Wynnefield Jewish Center
Membership Chairman—Temple Emeth Shalom, Margate, N.J.
President—Philadelphia Boosters Association (for 10 years)
Member, Board of Directors—Prisoners Family Welfare
Member, Board of Governors of PAL
Chief Barker—Variety Club Tent No. 13
January, 1966 and re-elected in 1967 for an unprecedented 2nd term
Appointed International Ambassador at Large—Variety Clubs International and re-appointed in 1968
Member, Board of Trustees—St. Lukes & Childrens Medical Center
Member of Board—Philadelphia Grand Opera Co. and General Chairman of 1st annual Award Dinner of this company.
Chairman, United Fund Drive for Philadelphia City Employees 1970 by Mayor Tate
His awards are many and varied:
National Torch of Hope Award 1963 and again in 1971
Honorary Doctor of Laws, January, 1966 from Philadelphia College of Osteopathy
Honorary Doctor of Human Letters, 1970 from College of Podiatric Medicine
Recipient of Commendation & Award of Distinction PAL, January, 1971
Award, Chapel of Four Chaplains 1968
Honorary Ambassador by Governor John A. Love of Colorado
Honorary Citizen of City of San Juan, Puerto Rico, 1965
All American Eleven Award from Pop Warner Little Scholars

He is proudest of his association with our 21 Jewel. He is a founder, Past-President and Past Board Chairman of our club and as we all know, the most active member in it. His other Masonic connections are Equity Lodge 591 and consistory of the Valley of Trenton 1948. He is also a member of Barbarossa Lodge, Knights of Pythias.

Everybody knows Tillie, his faithful wife, companion and greatest supporter for years. They have two children and eight grandchildren and in spite of all his activities is a devoted and doting grandfather.

Harold has made his mark in these many achievements, but he's not through by a long shot. He has many other things to do and he'll get them done. He's one of a kind.

U.S. POSTAL SERVICE

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. DERWINSKI. Mr. Speaker, on July 1, the Post Office Department officially became the new U.S. Postal Service. The Postal Reorganization Act provided the Postal Service with broad authority to manage its own affairs, but it entrusted the making of rates to a separate agency, the Postal Rate Commission.

A very interesting and informative commentary on the nature and future of this agency and its relation to the Postal Service was contained in a speech by the Chairman of the Postal Rate Commission, Mr. W. J. Crowley, at the Printing Industries of America Annual Convention in Chicago, Ill., on June 30.

POASTAL RATE REGULATION AND THE BUSINESS COMMUNITY

(By Chairman W. J. Crowley, Postal Rate Commission)

I am very honored to be here today as your guest, and I speak for my fellow Commissioners as well as myself when I thank you for the courtesy of inviting me.

As you all know, some tremendous changes have taken place in the basic laws under which our conutry's postal system operates. As a result of those changes, many of the old familiar relationships of business and the postal system are undergoing some critical review.

When Congress passed the Postal Reorganization Act—a tremendous step no matter how you assess it—it set up the framework that would remove the U.S. Post Office from its politically dominated department level status in the Executive Branch of our government. In its place it provided the basis for a quasi-public corporation to be run on a business basis by a blue-ribbon panel of directors called the Board of Governors.

Also, it created a new federal agency, the Postal Rate Commission, which has been given regulatory authority over the pricing of postal services.

Tomorrow, July 1, the final step in the structural change-over of the Post Office Department to the new Postal Service will take place, signalized by a ceremony in the office of the Postmaster General in Washington, D.C.

It is my belief that history will recognize the Postal Reorganization Act, and the changes it will make possible, as a major positive influence in the promotion of efficiency in the rendering of governmental services. In time, we will look back and wonder why it took so much time and so much debate and argument to reach such a logical result. Yet, as we know, it took much soul-searching before Congress yielded its prerogative to establish postal rates, and vested that authority in a rate commission. From now on, all rates and classifications of mail will be established by the application of what we hope will be expert judgment through the administrative process. The primary objective of Congress was to release the Postal Service from the annual torment of prolonged Congressional hearings and chronic deficits. The Postal Service was given an independent management and directed to move forward on a pay-as-you-go basis. However, Congress entrusted the making of rates to a separate agency, and it is about the nature and future of this agency and its relation to the Postal Service that I will talk today.

Postal service is an institution which becomes more fascinating as one studies it. Postal service reaches back into ancient times, at least as far as the Persian Empire. The Persian Postal System was described by Herodotus about 450 B.C. It is interesting that, from his account, we have derived the well-known motto:

"Neither snow nor rain nor heat nor gloom of night stays these couriers from the swift completion of their appointed rounds."

The Roman Empire, with its customary efficiency, brought these services to a high degree of perfection. I have wondered how St. Paul managed to get his epistles to the distant Christian communities to whom they were addressed, but I suppose it was by way of the Roman Postal System. I have been unable to locate any authority, but it is my considered opinion that St. Paul enjoyed no franking privileges.

In the late Middle Ages, the universities and merchant guilds operated their own postal services. The Church, by means of its itinerant friars, also carried written communications. In England it was not until the age of the Tudors and the Stuarts that something resembling the modern Post Office was invented.

In the eighteenth century, the mails were carried by horse-mounted couriers and were delivered to inns or taverns specified for that purpose. It takes little imagination to recapture the pleasant commotion among the tavern patrons when they beheld the courier, tired and dusty. Later, mail coaches came into general use, and they were remarkably fast, considering the circumstances. Their departures and arrivals were significant events. It is reported that between 8 and 8:20 each night, a group of coaches would be loaded in rotation at the General Post Office in Lombard Street, London, and as each received its complement of mail bags it would speedily rattle away over the cobblestones to cities as far distant as Glasgow or Edinburgh. This spectacle attracted crowds of sightseers, newsvendors and general hangers-on.

The postal service has had a long, honorable, and romantic history here in our country. Benjamin Franklin was appointed the first Postmaster General in 1775. The pony express, the early air mail, were adventurous episodes in the postal service.

But almost without our realizing it, postal service became big business, one of the largest service industries in the United States, and in doing so it lost its romance. I think that the loss may have been detrimental to the service. The sense of vitality and human participation in the daily events of mail delivery were perhaps of more importance than we have realized. But business must go forward, romantic or not. The electronic and wire media are doubtless more glamorous today than the postal service, but the postal service is still a vital medium for the communication of news and ideas and the very bloodstream of our business life. We must not take this means of communication and channel of commerce lightly. It stands at our service, but it does not exist by an act of God. It must be paid for, and this is essentially what the Postal Rate Commission is all about. The Postal Rate Commission was instituted by Congress as a means for establishing rates which would pay for the cost of the service. We are dedicated to the achievement of these ends.

Let me comment first on who we are. The Postal Reorganization Act specifically requires that Commissioners be chosen on the basis of professional qualifications. As you know, there are five Commissioners including myself as Chairman.

Nathan A. Baily is a former professor of business administration and finance who was the founding Dean of The American University School of Business Administration. Dr. Bailey is an economist and has served on the Board of Directors of the United States Chamber of Commerce and was a member of the National Postmasters Selection Board.

Howard Elliott, Jr. is an attorney who served on the Missouri Public Service Commission.

John L. Ryan has had an extensive background of management experience and was Chairman of the Indiana Public Service Commission.

Frank P. Saponaro was executive vice president of a major economic and engineering consulting firm and for thirty-eight years was engaged in the natural gas and electric utility fields. He has held positions in both

the public and private sectors and was formerly vice president of a natural gas utility.

Each of our key employees has come to us from careers which we believe have eminently qualified them for the positions they now hold. Our Secretary was formerly Secretary of the Federal Power Commission. Our Chief Accountant was Executive Director of the Washington Metropolitan Area Transit Commission. Our General Counsel has extensive experience in rate-making both in the Government and in private practice and was recently Associate General Counsel at the Civic Aeronautics Board. The Special Assistant to the Commission was a member of the staff of the Kappel Commission and an assistant division chief of the Office of Management and Budget. Our Chief Examiner has presided over some of the largest and most complex administrative proceedings, including the first area rate case conducted by the Federal Power Commission. With this solid foundation in regulatory expertise, we are moving forward to establish procedures which will enable us to reach sound and well-reasoned judgments regarding some of the most difficult problems ever presented to a regulatory agency.

To summarize, we now have the new law; as of tomorrow we have the commencement of postal operations under the new Postal Service, and we have a new and partially-staffed Postal Rate Commission—where do we go from here?

So far as my chief responsibility is involved, we have the problem of arriving at fair and equitable rates for postal service.

You are all businessmen. Have you had any wage increases in your businesses over the past 10 years? Don't bother to answer. Well, the Postal Service has had them also; and the Postal Service is a labor intensive operation employing over 750,000 people. As a result of these inflationary trends, postal deficits have been steadily increasing over the past few years. In fiscal year 1967, the operating deficit was about $1 billion. Three years later, it was about $1.5 billion, and in fiscal 1971 (which incidentally ends today) it will probably exceed $2.4 billion.

Compare that deficit with the Postal Service request for a rate increase of $1.454 billion or just a little more than half of the fiscal 1971 deficit.

One of the chief problems of rate regulation is to try to assure that the increase sought is spread fairly and honestly among the various classes of mail users. To do this, the Postal Rate Commission is holding hearings at which interested mail service users can present evidence that they believe worthy of consideration, relating to their mail service and the costs and rates for that service. These mailers can also examine the Postal Service's figures and data, and cross-examine the witnesses. There are many expert accountants and economists testifying in behalf of the mail users in these hearings. I have no doubt that the businessmen of this country are ably represented in those hearings.

Incidentally, the interveners in our first case, Docket No. R71–1, represent a very wide range of business interests, including parties concerned about every class of mail. The intervening parties are represented by many prominent and able lawyers, including a former Attorney General, a former Postmaster General, many former Post Office Department officials, several former general counsels of regulatory agencies, a former Chief Counsel to a Congressional Post Office Committee, a couple of former Federal regulatory commissioners, and other able counsel and company representatives. With such an array of talent, you can be certain that every word of testimony and every nuance of the statute will be fully explored.

But no matter how convinced the businessman might be about the technical qualifications of the appointed rate regulators, many hold in their minds a lingering suspicion that perhaps "some other party" has the ear of the Commission or more influence in the final rate decision.

This was not just a concern of businessmen. At the time the Postal Reorganization Act was being considered in Congress, it was a specific purpose of Congress, as shown by Section 1002 of the Reorganization Act, to divorce the Postal Rate Commission from outside pressures, including that of the Postal Service. When the House-Senate conference report was brought before the House, Chairman Dulski of the Committee on Post Office and Civil Service summarized the general concern for insuring independence for the Postal Rate Commission when he said: "The independence of the new Rate Commission is greatly strengthened by the conference substitute."

In the same context, we find other expressions of serious concern about the Commission. Congressman Udall said:

"I am going to call on the President to appoint men who will break with this tradition of the past and make sure that we have model regulatory agency, and an agency that has rules about ex parte communications and an independence of attending industrial functions and full disclosures of finances and things of this sort so that we can have a model agency."

Congressman Heckler of West Virginia added:

"I, therefore, will join in a strong appeal to the President of the United States to appoint men of courage and integrity and issue strict orders ensuring that the members of the Postal Rate Commission operate in the public interest. This Commission must not be isolated from information, but must be insulated against pressure."

Senator McGee, reporting on the Conference Bill, said:

"The integrity of the Postal Rate Commission to operate independent of the Board of Governors or any other outside influence was preserved."

The vast impact of postal service and postal rates on the American public scarcely needs to be emphasized. The Postal Rate Commission, in fact, will probably affect in some degree the lives and businesses of more citizens than any other agency. To achieve the goals of impartiality and freedom from special interests, the Civil Service Commission, acting pursuant to President Nixon's Executive Order No. 11570, issued Standards of Conduct for the Postal Rate Commission which I believe are the most stringent in the Federal Government. In stating the purpose and policy of the standards, the following language regarding personnel of the Postal Rate Commission is revealing:

"Their personal conduct must at all times be unquestionably free from taint or suspicion of partiality, favoritism, or any indicia of conflicting interests. Compliance with the legal requirements of procedural fairness in the conduct of the public hearings will not be sufficient to maintain public confidence in the rate-setting machinery authorized by the Postal Reorganization Act if doubts exist as to the personal conduct standards of the individuals who hold the hearings, and make recommended decisions based thereon, and their employees."

One of the most important of these rules is that governing ex parte communications. This rule states that no employee of the Commission shall receive any ex parte communications regarding either a substantive or procedural matter that is in issue before the Commission.

In addition to the ex parte communication rules, the standards governing the Postal Rate Commission restrict Commissioners and employees of the Postal Rate Commission in their financial holdings in any entity which may be significantly affected by rates, fees, or classification of mail, although this does not proscribe interests in companies or other organizations whose use of the mails is merely an incidental or minor factor in the general conduct of their businesses. Gifts, favors, entertainment and the like from parties having or seeking business with the Postal Service are forbidden.

These and other provisions underscore the basic ideal in the establishment of the Postal Rate Commission: to wit, the guarantee of complete independence and integrity in the important field of postal rate regulation.

Furthermore, on this subject, when the Commission came into being, its first order of business was to establish rules that would govern not only the relations of the Commission to those who practice before it, but also the relationship of the Commission staff to the Commission itself. The Commission was well aware that Congress and the general public and the practicing bar have been concerned about the relationship of a regulatory agency to its staff. After giving the matter very serious study, the Commission adopted Rule 8 of its rules of practice which prohibits members of the Commission's Litigation Staff—the lawyers and the technical assistants who participate in a trial—from participating in the decisional process. In other words, we have established a division within our own staff; a major portion of our staff of lawyers, economists, accountants and rate experts are serving as advisors to the Commission to assist it in reaching final determinations as to rates and classifications; a separate and distinct staff group to be headed by an Assistant General Counsel, Litigation Division, including attorneys on the Litigation Division staff, together with a group of economists, accountants and other rate experts will participate in the trial itself. This litigation group will cross-examine witnesses, present staff witnesses, and will file briefs and make oral arguments before the Commission. They will not advise the Commission in any off-the-record discussions regarding the decisions of the Commission.

Let me turn now to the substantive aspects of our regulatory effort.

In recent years, criticism of the declining quality of postal service has mounted. Congress has been acutely aware of the importance of efficiency in the postal service. Senator McGee paraphrased Mark Twain, saying, "Everybody talks about poor postal service, but nobody does anything about it." In the Postal Reorganization Act, the Congressional intent was stated in Section 101:

"The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. It shall provide prompt, reliable, and efficient services to patrons in all areas and shall render postal services to all communities . . ."

Advocates of postal reform hoped that the Act would establish a sound legal basis for an efficient postal service, divorced from politics, modernized and operated by effective management. An integral aspect of reform was the institution of a business-like standard—one that we as businessmen can truly appreciate, namely that the postal system should, in the space of ten years or less, earn revenue substantially sufficient to pay for its costs of operation, with Federal appropriations only for certain limited subsidized services. The Postal Rate Commission has an essential role in bringing about this Congressional objective. The matter of setting fair and equitable rates that will produce sufficient revenue to meet the Congressional objectives is certainly a fundamental factor.

Our statute directs us to formulate rules and procedures patterned after those generally followed by other regulatory agencies:

We are governed by the applicable portions of the Administrative Procedure Act;

We are authorized to provide for advance discovery of evidence;

We require parties to submit prepared testimony and exhibits in advance of the hearing;

We are making use, and we hope it is effective use, of prehearing conferences to define issues and to eliminate duplicative evidence.

We are drawing upon the experience of other regulatory agencies in order to move along at the fastest pace compatible with due process. These are all technical points that will interest your attorneys far more than they will interest you, but I mention them to give you the assurance that we all are using every known regulatory device to assure expeditious, honest, fair hearings, and final determination.

This arrangement for rate-making through the hearing process by an independent regulatory agency invites a comparison of the Postal Rate Commission with other administrative agencies. In some respects there are similarities, but there are also differences. Our primary task is to act upon requests for postal rates and related matters such as classification of mail. In this respect, we are not unlike the Civil Aeronautics Board, the Federal Power Commission, the Interstate Commerce Commission and the Federal Communications Commission in their rate-making functions.

Congress has set up a number of criteria to govern our actions, some of which it borrowed from analogous regulatory situations and some of which it derived for the Postal Rate Commission:

The establishment and maintenance of a fair and equitable schedule of rates is a typical utility commission criterion.

Value of service is a standard criterion in transportation and utility regulation.

The requirement that each class of mail bear the direct and indirect postal costs attributable to that class, plus a portion of other costs reasonably assignable to such class, is an explicit statement of a standard that is implicit in most utility regulation.

The degree of preparation of mail for delivery into the postal system performed by the mailer and its effect upon reducing costs to the Postal Service is a factor unique to mail service regulation.

These are some of the most significant statutory factors which we must weigh in establishing rates. The participants at a hearing on postal rates will present witnesses and documentary evidence on these and other relevant factors. Opportunity will be provided for the cross-examination of witnesses and participants will file briefs and make oral arguments.

At the conclusion of hearings, the Postal Rate Commission will review evidence and briefs, evaluate the statutory factors which we must consider, and will submit a recommended decision to the Board of Governors of the Postal Service.

Under the law, the Board of Governors will then have certain options. They may approve the Commission's decision and allow it to take effect; they may allow the decision to take effect under protest and seek judicial review or reconsideration by the Commission; or they may return it to the Commission for reconsideration and the issuance of a further recommended decision. Following a further decision from the Commission, the Governors may modify the Commission's recommendation, but only by a unanimous vote. These provisions are spelled out in Section 3625 of the Act.

An aggrieved party may file an appeal in any court of appeals of the United States, but it is interesting that Congress imposed certain limitations upon the appellate courts. Consistent with their requirement that the Commission proceed with utmost expedition, Congress required that the courts make such an appeal a preferred cause and expedite judgment in every way. The court may affirm the decision or it may order that the entire matter be returned for further consideration; but the court may not modify the decision.

In conclusion, let us put aside the matter of rate increases and speak for a moment about the Postal Service and its resources for the benefit of business.

As I mentioned earlier, the final steps in conversion to the Postal Service take place tomorrow. But already some business-type steps have been taken. The selection of new postmasters has been on a career and experience basis since last August. Steps have been taken to reduce the number of district headquarters from fifteen to five.

Plans are underway for the building of specific bulk mail facilities to handle efficiently and rapidly the mass of bulk mail—that is, the parcels and circulars, magazines and so on, which for years have been handled by outmoded methods in existing post offices actually designed to handle chiefly letter mail.

These and many other improvements in equipment, organization and methods should result from application of traditional American business methods and principles, and ingenuity.

THE WILD BLUE YONDER OVER LAOS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. FRASER. Mr. Speaker, earlier today while we were considering House Resolution 492 I spoke about the air war over Laos. I would like to include in the RECORD a July 1971 Washington Monthly article, "The Wild Blue Yonder Over Laos," by Fred Branfman. It provides additional information on what Branfman has described elsewhere as "A Lake of Blood"—Laos.

The article follows:

[From the Washington Monthly, July 1971]

THE WILD BLUE YONDER OVER LAOS

(By Fred Branfman)

War is no longer the desperate annihilating struggle that it was. . . . It is a warfare of limited aims. This is not to say that . . . the conduct of war . . . has become less bloodthirsty or more chivalrous. On the contrary. . . . But in a physical sense war involves very small numbers of people, mostly highly trained specialists. The fighting . . . takes place on the vague frontiers whose whereabouts the average man can only guess at—George Orwell, 1984.

Conventional land warfare, George Orwell predicted, would inevitably give way to automated war as military technology developed. The war in Indochina today appears to be undergoing such a transformation.

Perhaps unaware of this, Americans who watch the war have not yet learned to look up in the air. While most people believe that bringing the troops home is synonymous with getting out of Vietnam, ground troops are becoming irrelevant to the war effort. The real war has taken off. The skies are being filled with American planes as the land is emptied of its foot soldiers.

The Nixon Administration has accomplished massive aerial escalation, perhaps more devastating than President Johnson's troop buildups of 1965, with minimum public notice or concern because the country still thinks it is fighting with the Green Machine, the ground army, of the 1960s. But the war of the 1970s is that of the Blue Machine, U.S. air power, several thousand feet above the grunts, climbing away from any American agony. With the inexorable development of American air technology, Indochina is already becoming Orwell's battlefield.

Since Nixon took office, and as ground troops have been withdrawn, more than 2.7 million tons of bombs, by Pentagon estimate, have been dropped on Indochina. This is more American ordnance than was absorbed by both the European and Pacific theaters during World War II, plus the Korean war. We are dropping six million pounds of bombs a day, 4,000 pounds every minute.

The people underwent another war: the air war. They learned another form of civilization: the holes. We dug day and night, the planes bombed day and night. Our village was filled with bomb craters, the land made barren. I grieved very much to see my village in ruins, my animals vanished, my crops destroyed. . . . Each day, news came about such and such a village being bombed, more and more deaths and wounded—from essay by teenage refugee, Laos

The bombing of Laos has doubled, erasing whatever restrictions on striking civilian targets that formerly existed. Hundreds, perhaps thousands, of villages have been destroyed. Tens of thousands of peasants have been killed and wounded, hundreds of thousands have been driven underground. The Plain of Jars, formerly a thriving society of some 50,000 people has been leveled and emptied of its inhabitants.

The Laos pattern has been repeated in Cambodia. Numerous towns and villages have already been decimated. As *The Washington Post* reported on January 21, 1971, "the United States is now waging a full-dress air war across Cambodia [that] now rivals in scope, although not in intensity, the air war in Laos."

The bombing of North Vietnam has also resumed. By June 1, air raids had occurred on 43 days since the first of the year, an average of twice a week. As Randy Floyd, a Marine pilot who bombed North Vietnam 37 times, put it, "Anywhere in North Vietnam is basically a free drop zone . . . if you didn't find any particular targets you wanted to hit, then normally you'd just drop your bombs wherever you wanted to." One may or may not accept Hanoi Radio claims that civilian targets are constantly struck. But all informed American sources say that "protective reaction" strikes are going far beyond enemy missile sites.

During these escalations, there has been a significant decrease of U.S. air activity within South Vietnam, both because of the slowdown in ground activity there and because some 500 aircraft have been transferred to the Vietnamese Air Force. Monthly American air sorties have been about 70 percent lower this year in South Vietnam than they were in 1968.

It is assumed, however, that should fighting flare up again, American squadrons will be returned from their present resting locations in Japan, Korea, the Philippines, Taiwan, or the United States—squadrons that can be made operational in three days, according to a Seventh Air Force information officer. Most Air Force personnel I interviewed tended to minimize the importance of the reductions in Vietnam itself.

In any event, more than 350,000 tons of bombs—200,000 pounds every hour—will be dropped before the end of the year. Clearly, as they say out in Cam Ranh Bay, "The name of the game is air."

There wasn't a night when we thought we'd live until morning . . . never a morning we thought we'd survive until night. Did our children cry? Oh, yes, and we did also. I just stayed in my cave. I didn't see the sunlight for two years. What did I think about? Oh, I used to repeat, "please don't let the

planes come, please don't let the planes come, please don't let the planes come."—refugee from the Plain of Jars.

Many Americans believe that the pattern of the war fought on the ground in Vietnam will spread to the other countries. Actually, the opposite seems to be true. The air war in Laos has been going on for several years, a concurrent experiment with the land war in Vietnam. Neither experiment has been successful in stopping guerrilla forces, but at least the air war has a possibility for surviving the domestic politics while at the same time delaying communist takeovers in Indochina. It is perhaps the only solution for an Administration that wants to keep from losing wars abroad and elections at home.

The air war also involves a change in the tactics of battle. If a guerrilla is a fish among the sea of the people, the objective of the land war is to remove the fish. The air war, however, drains the sea. It has paralyzed the civilian populations. Vietnam is not the future of Laos, but Laos may be the future of the war all over Indochina. The Era of the Blue Machine has arrived.

This is my daughter, Khamphong. She's three years old. I was fishing in a stream with all seven of my children on February 28, 1969. Suddenly jets came and dropped anti-personnel bombs all around. Six of my seven children were hit. See, you can still feel many pellets in Khamphong's legs and back. There were no soldiers nearby.—refugees from Plain of Jars.

For the last two-and-a-half years, bombing has been the heart of U.S. policy. Historians may come to date this era from January 20, 1969. In it, war is waged primarily through the aerial bombardment of populated areas. Heavy bombing of civilian targets has, of course occurred during other wars, and in the Vietnam war before 1969. But in each of these cases, the bombing powers have also deployed large numbers of ground troops, with the bombing seen as a support effort.

What the Era of the Blue Machine means is no better illustrated than in portions of Laos controlled by the Pathet Lao. Pathet Lao zones encompass an area the size of New York state, or about two-thirds of the country. They are composed of 3–4,000 tiny villages, each consisting of a few dozen bamboo homes, a pagoda, rice storehouses, a few hundred head of water buffalo, cows, pigs, chickens, and ducks, and inhabited by some of the poorest, most gentle, rice farmers in Southeast Asia.

Each day for the last several years, hundreds of millions of dollars of the world's most sophisticated aircraft have been hovering over these villages: 01E, 02, and 0V10 spotter planes at 2,000 feet; A1E, A26, T26 prop bombers, AC47, AC54, AC119, AC130 gunships, flare ships, rescue and gunship helicopters at 5,000 feet; F4, F100, F105, A7, B57 jet bombers, jet reconnaissance, EC47 and EC119 electronic aircraft at 10,000; KC135 super-tankers at 20,000; B52s at 30,000; EC130 command and control aircraft at 35,000; and SR71 reconnaissance aircraft at 70,000 feet.

Giant computers, seismic and acoustic sensors, infra-red devices, and ANAPQ108 radar (designed to see through trees) have been tracking squat Soviet-built trucks or farmers trying to grow rice at night; laser-guided bombs and TV-guided missiles have been loosed on buffalo, trucks, rice storehouses, homes, and peasants alike. More than two million tons of ordnance have been dropped, $5–10 billion spent.

By the admission of American officials closely associated with the war there, Laos has been the most heavily bombed country in the history of aerial warfare.—The Washington Post, *May 23, 1971.*

Hundreds of case histories of bombing casualties have been recorded on film and tape in the refugee camps. Several thousand refugees, several hundred defectors, and Western observers who have visited these zones all report constant bombing of towns and villages and widespread destruction.

Each one of the refugees interviewed from both northern and southern Laos said that his village was either partially or totally destroyed by American bombers while he still resided there, or that beginning in 1969 the planes came "like the birds," as one old man put it, "and the bombs fell like the rain."

All refugees and defectors say the guerrilla soldiers avoided the villages, neither bivouacking in them nor storing arms and ammunition in them. All say that the vast majority of the casualities from the bombing were civilian and not military, as the soldiers were out in the forest and could not be found.

A significantly high number of casualties are children and old people. When asked why, refugees explain that the children like to "play around" too much and get caught in the open and, confused with terror, do not make it to the holes. Old people "often could not hear well or could not run fast enough," one chief of a Plain or Jars sub-district explained. He also said that most of the casualties were due to anti-personnel bombs dropped in or near the villages, but that napalm, fragmentation bombs, and 500-pound bombs were also frequently dropped. "During 1969 about 45 per cent of the people, mostly old people and women, never left their trenches or caves at all. They were too afraid. The others would go out and do their work if they didn't hear the planes coming."

Various press reports suggest that the same kind of bombing is going on in guerrilla-controlled zones of Cambodia. Population estimates for these zones begin at one million. The air war is still relatively new there, and as a result, refugees who have lived for long periods of time in guerrilla areas have not yet come into friendly regions. But private interviews with informed American sources indicate that the bombing of civilian targets in Cambodia is as extensive as in Laos.

One of the most heavily bombed areas has been the Plain of Jars, located in northeastern Laos and controlled by the Pathet Lao since 1964. If Khe Sanh and My Lai were the symbols of American ground intervention during the 1960s, the Plain is the symbol of the automated war of the 1970s.

On the Plain, once Laos' most prosperous area, there were no American ground combat troops. As former Ambassador W. H. Sullivan told the U.S. Senate in April, 1971, the area was not related to the security of American ground forces in South Vietnam. American-supported Asian troops were likewise doing little fighting there.

George Chapelier, a Belgian U.N. advisor, has described what occurred: ". . . in 1969 . . . jet planes came daily and destroyed all stationary structures. Nothing was left standing. The villagers lived in trenches and holes or in caves. They only farmed at night. In the last phase, bombings were aimed at the systematic destruction of the material basis of the civilian society."

In September, 1969, CIA-supported Meo troops went in and took out the remnants of what remained. Some 25,000 refugees were removed.

The Plain of Jars is today a deserted wasteland.

Sure, some of the villages get bombed, there's no other way to fight a war out here, for God's sake. It's a war, and the civilians have to suffer. We did it at Cherbourg, didn't we?—L. Hafner, Deputy Director, USAID/Laos, January 4, 1971.

All refugees talk about the bombing. They don't like [it]. But even if you found an example in which it was proven conclusively that houses were bombed, so what?—J. Williamson, USAID refugee relief chief, Vientiane, February 2, 1971.

While American officials concede that villages are frequently bombed, they tend to attribute this to Air Force "stupidity," "confusion," or "overkill." There is little doubt, however, that American policymakers also share the responsibility. Deputy Assistant Secretary of Defense Dennis J. Doolin has testified to Congress that in Laos "all United States operations, including our air operations, are controlled by the U.S. ambassador."

All indications are that the American ambassador has approved strikes against civilian targets in Pathet Lao zones. As Robert Shaplen has written in *Foreign Affairs*, an American goal has been to "destroy the social and economic fabric in Pathet Lao areas," in an attempt to weaken the communists' stronger ground army by depriving it of indigenous food supplies, disrupting communications, killing off potential recruits or porters, demoralizing the civilian population, and causing a refugee flow to friendly zones.

Informed sources indicate that this has largely been due to pressure from the CIA, which is heavily involved in targeting American bombing strikes in Laos. The CIA has its own photo-reconnaissance team, reconnaissance aircraft, and ground observers in Pathet Lao zones. Together with Air Force personnel, CIA representatives participate in weekly meetings at Udorn Air Force Base in Thailand to draw up target listings.

Largely because of its direction of the Armee Clandestine, an indigenous paramilitary force, the CIA, sources say, has consistently placed inhabited villages on the target list in an attempt to weaken the Pathet Lao.

It is certainly clear that the American embassy has taken few steps to enforce the Rules of Engagement (military rules of warfare that prohibit attacks on civilians). To this day, only one junior Foreign Service officer has been assigned to check proffered target listings. Virtually no mechanism has been established to monitor strikes, and there are no known instances of disciplinary action being taken against pilots for bombing civilian targets in Pathet Lao zones, although a few have been punished for strikes on friendly villages.

Now the cabinet is in deep discussion of a series of proposals by General Henri Navarre, commander in chief in Indochina, that the war be increasingly turned over to the Vietnamese themselves, permitting France to reduce the burden on its manpower and economy.—Life, *August 3, 1953.*

The bombing of villages results most fundamentally from a 25-year-long American refusal to allow guerrilla forces to come to power in Indochina.

Richard Nixon's first public admission on April 17, 1971, that withdrawal hinges on keeping a noncommunist government explains the reliance on bombing.

For Asian ground armies alone will hardly accomplish what 550,000 American troops could not. The ARVN, whatever its improvement in the last five years, remains riddled with corruption, elitism, and poorly motivated conscripts. As their raping, looting and indiscriminate shelling of towns has shown in Cambodia, they have yet to master the most elemental rules of ground warfare in Indochina. Their failures in Laos, and their loss of 54 posts in the "pacified" Mekong Delta during the first four months of 1971, have surprised few old Indochina hands.

The Lon Nol army, although its soldiers' courage is often admirable, has made little headway, even with ARVN help. The guerrillas now control from 60 to 70 per cent of Cambodia.

The Royal Lao Army and CIA-directed Armee Clandestine in Laos are even weaker. With the communist capture of the Bolovens Plateau in May of this year, the Royal Lao government now controls little more than the major towns.

And the Royal Thai Army is something of a standing joke in South Vietnam. Assigned to guard one corner of Long Binh base, its major accomplishment to date has been

mastering the complexities of the black market.

At this writing, Asian troops are essentially playing a supplemental role: serving as live bait to lure the enemy out into the open for the bombers, as in the February, 1971, Laotian invasion; searching for enemy supplies, as in the A Shau valley; taking out refugees, as on the Plain of Jars; and guarding the major bases and towns. In any case, we risk Vietnamization because we do not have to rely on it. We rely on the bombs.

Me Ou was 59 when she died on February 20, 1969. It was a cold day and she decided to leave the trench about 3 p.m. to get some clothing for herself and the children. The jets bombed while she was in the house. She was burned alive.—Me Ou's son-in-law, Plain of Jars.

Domestic pressures generated by the ground war have also played a part in the shift to air. The Vietnam ground war costs more in money and in lives. The American people will not continue to pay the price that has already come to $100 billion spent, 50,000 dead, 300,000 wounded—nor will the troops, who are now in grassy-headed revolt.

The air war, however, provides few such problems. Although its cost is considerable, probably over $10 billion annually, much of the money used for upkeep of air bases and development of new aerial technology would be spent even without the air war.

Charles Schultze, former director of the Bureau of the Budget, estimates that costs above normal upkeep of bases and production of aircraft are $2–3 billion for 1972. And more important, U.S. casualties are minimal from the air. American pilots, freed from the discomforts of the ground war, and rarely seeing the people they kill, tend to raise fewer questions.

Perhaps most important of all, information about the air war is as ethereal as the atmosphere itself. It can be kept far from public and congressional consciousness; and, since there are no tales of atrocities and few picture of the bombing, domestic reaction to its more questionable moral aspects is muted.

The U.S. public is generally unaware of the massive bombing in Laos, for example. Newsmen have not been permitted to go out on bombing raids over Laos, although they can go over South Vietnam. They have usually not been allowed to interview the American air attache in Vientiane or the pilots bombing Laos from Thailand. When asked, official spokesmen merely deny that civilian targets are bombed, and almost all information is classified beyond public reach.

The most dramatic example of what freedom an air war allows the government occurred in November, 1968, when criticism of the well-publicized bombing of North Vietnam had reached its peak. President Johnson halted the bombing, a move still regarded by the antiwar forces as one of the few important victories of the peace movement.

But the bombing never stopped. It just shifted to northern Laos, leading to far greater destruction of villages than occurred in North Vietnam. There was no public reaction, however. Neither the people, nor their congressmen, even knew it had happened.

In August, 1969, the jets bombed Nang Pha Sii, my daughter-in-law, was in a trench. A bomb landed nearby, killing her father and wounding her mother and two other villagers. She was killed, shielding her year-old baby with her body. Soldiers? Oh, they didn't come near the villages. They knew they'd be bombed.—Nang Pha Sii's mother-in-law, Plain of Jars.

The opportunities the bombing provides for developing and testing sophisticated weaponry is another factor leading to its continuation. While a foot soldier can support just so much new technology on his back, the air war provides a vessel to be filled with all the gadgetry of the nuclear age.

This is seen as giving us important advantages over our adversaries. "The Russians are going nuts over what we're learning out here. They're dying that they can't test their stuff out," explained one happy pilot at Danang Air Force Base last November.

Later on, the pilot added one of the standard comments heard on Air Force bases in Indochina. "It may sound trite, but it's the only war we've got. Do you realize this is the only place in the world right now where you can drop live bombs?"

Although the number of bases has decreased by four in 1970 Pacific Air Force installations still stretch from Hawaii to Thailand. The command's area of responsibility covers roughly 40 per cent of the earth's surface's surface—an area with a population of more than one-billion people living under the flags of 27 nations. Pacific Air Forces has justly earned the title "Guardians of the Pacific."—Air Force *magazine May 1971.*

Only as one drives past the paddy fields and samlor drivers onto an American air base in Indochina does one begin to appreciate just how awesome a military force the Blue machine is.

Miles of roads stretch as far as the eye can see (an airman perhaps apocryphally is said to have measured the roads on Korat Air Force Base and found that there were enough for a two-lane highway to Peking and back). There are thousands of pre-fab structures quonset huts, trailers, tents, wooden and cement buildings; acres of hospitals, commissaries, canteens, nightclubs, restaurants, swimming pools, barracks, gasoline pumps, garages, buses, trucks, jeeps, radios, radar installations, warehouses, offices, and hangars; millions of gallons of fuel on the "fuel farm"; closed-circuit TV and radio and giant movie theaters.

Thousands of American and Asian personnel drive, scurry, loll about; pilots, radio operators, mechanics, bomb-loaders, fuse-installers, "fuel farmers," gas-pump operators, drivers, electricians, carpenters, janitors doctors, medical orderlies, lawyers, chaplains, cooks, MPs, guards, loaders, stackers, waiters, "hooch-girls," secretaries, clerks, information officers, launderers, photo interpreters, gunners, navigators, men wearing the uniforms of the Air Force, Navy, Marines, Army, Air America, Continental Air Service, and Pan American and Northwest airlines.

And then there are the planes constantly taxiing, taking off, flying landing—sleek squat, giant, tiny, silver, camouflage-green.

And finally, of course, the ordnance.

There are five such installations in South Vietnam, with some 40,000 American airmen; five in Thailand, with 25,000 airmen; four to six aircraft carriers operating in and out of the Gulf of Tonkin, with some 10–20,000 personnel; and a dozen smaller American-directed bases throughout Indochina for indigenous air forces.

These installations are, of course, but a small part of the Blue Machine. A logistics network stretching through 18 major air bases in the Pacific back to 112 in the United States provides the men and planes necessary to keep the bombs falling.

I'm as liberal, as much for peace as anyone else. But war is not a pretty thing. In a guerrilla war, the civilians are going to pay a price. War has now progressed to a point where you're going to bomb civilian targets and that's it. I'll be frank. I'm trained to kill people. I don't like it particularly. But when the time comes, I'm prepared to do it."—American F4 pilot, Saigon, November 14, 1970.

The image of the Air Force that most Americans grew up with was embodied in the fighter pilot. We still think in terms of World War II movies: blue-eyed, blond-haired young men soaring into the sky to defend God and country against the heathen Kraut or Jap.

The Air Force itself is still modeled after this tradition. The F4 and F105 jets, which have done most of the bombing in Indochina, are designed as fighters, not bombers. The training emphasis for pilots is still on the techniques of aerial combat, the need to establish "air superiority."

The pilots have fought few aerial duels in Indochina, however. And bombing villages just hasn't been the same thing. As long as bombing went on in Vietnam, morale remained high. The relatively significant number of military targets, the heavy antiaircraft fire in North Vietnam satisfied the pilots' need for a challenge. And in South Vietnam, a goal of providing air support for the 550,000 American troops on the ground seemed worthy enough. As one pilot explained, "Bombing for troops in combat is the most satisfying. It's really great to have them tell you afterwards, 'We'd have been overrun if you hadn't come.' I really like working with people."

With the switch to bombing Laos and Cambodia, the raison d'etre of the Air Force seems to have disappeared. Antiaircraft fire is relatively light. Plane losses in Laos have averaged four a month for the last year, for example, compared to 20 a month in North Vietnam during 1965–68. There are no American units to support. There are few large bridges, factories, or other targets which seem worth hitting.

Pilot: Our 500-pound nape cannisters are newer, they have a better dispersal pattern than the older 1,000-pounders.

Information officer: Hey, you're not supposed to talk about the napalm.

Pilot: No ——. Why not?

Information officer: Well, you know those college kids. Pretty soon they're going to put poor Dow Chemical out of business. You're not supposed to talk about it to the press.

Pilot: Well, it seems pretty ridiculous to me that people can be so emotional about how you kill people. What's so bad about nape anyway?—conversation at Danang Air Force Base, November 1970.

The pilots themselves tend to be an odd combination of hot rodder and technocrat. On the one hand, they spend a good deal of time discussing the technical details of their work and take it quite seriously. On the other hand, as one pilot says, "Pilots are more immature than most civilians their age. They sort of like to play cowboys and Indians. That's part of the attraction of being a pilot." On a visit to Danang Air Force Base, I was surprised to see sharks' teeth and mouths painted on the noses of the F4s. "It's good for morale," a pilot explained proudly.

Pilots tend to get restless without a challenge. This has led to increasing frustration with their role in the last two-and-a-half years. One pilot explained, "You go up over Laos and it's just not that satisfying. All you're doing is bombing roads and inanimate objects. But even that's more exciting than South Vietnam. In Laos at least you get some antiaircraft fire."

Such problems were illustrated in a long interview with several F4 pilots at Danang in November, 1970. Conversation for the first several hours, as is usually the case, was rather dry and technical. Discussion focused on the capabilities of different aircraft and kind of ordnance, weapons-delivery systems, and navigational problems.

At one point, however, the pilots were asked if they got any feedback on people killed in action as a result of their raids. As pilot explained: "You've hit on a rather sore the men in the room began to chuckle, one point, you know. You could say there's kind of a controversy between us and the grunts on that subject." He then went on to explain that the pilots felt that the foot soldiers were taking credit for aerially-inflicted casualties.

The pilots grew gradually more and more indignant as they told personal anecdotes of

having been "robbed" of "kills." A typical example was given by the pilot who exploded, "One day we went in over a North Vietnamese military camp on top of a mountain. It was right out in the open, so we could see it and everything. We plastered the place, napalm, 500-pounders, the works. I know we had kills, you could see people running all over the place, buildings burning. There was no way for there to be no KIA. But do you know what happened? The grunts came in and reported 25 enemy killed by ground fire. All they did was shoot their M16s into the corpses and then claim they'd killed them. The nerve. Can you imagine?"

Such haggling over body counts does not, of course, satisfy the pilots' competitive urges. And though they try to compensate by striving to win the "Gunfighter of the Month" award—based on percentage of bombs dropped in the target area—it hardly suffices. As one F4 pilot said, "Bombing the North really keeps morale up. Every man likes to feel that he's an adventurer. I'll tell you, it's exciting to come down the chute with the flak flying all around you. The general attitude around here is 'let's keep the war going, it's dying.'"

. . . our air activities are governed by strict Rules of Engagement and Operations Authorities designed to minimize civilian casualties.—Assistant Secretary of Defense Doolin, Kennedy hearings, May, 1970.

. . . the United States Air Force contribution was limited to striking at [military targets] . . . it was the policy not to attack populated areas.—former Ambassador W. H. Sullivan, Symington hearings, fall 1969.

The pilots' indifference to the air campaign in Laos and Cambodia is a major factor in the constant strikes against villages. As one pilot who has bombed in both northern and southern Laos explains it, "Sure, we're supposed to follow the Rules of Engagement, like not bombing within 500 meters of an active village. But all of these rules and regulations don't mean —— when you have a guy in an aircraft. Ninety-five per cent of the guys have no qualms about dropping bombs anywhere. Very few differentiate where the hell they bomb."

The bombing of civilians is also a result of the fact that pilots cannot easily locate military targets in Laos and Cambodia. The guerrillas move through the forest at night in small groups. There are no munitions factories or exposed military camps, and arms depots are hidden underground. And since the targets that are traceable, such as trucks, are of minor importance, pilots tend not to risk bombing from lower altitudes. "When you go down in Laos, you don't face a very bright future," an F4 pilot said, "and frankly, I'm just not going to risk my —— for a———— truck." From higher up, especially in the monsoon season, the bombing takes place without the pilot ever seeing the ground below. It is not surprising that one pilot estimated that only one of ten bombs generally falls anywhere near the target. Many of these bombs fall on villages, for, in places like Laos and Cambodia, most villages are located on or near the road. "When you have to bomb trucks one by one, you're going to kill hundreds and hundreds of civilians," one pilot says.

Pilots who cannot locate any targets are discouraged from wasting their bombs by dumping them at sea or in unoccupied forest. "The pilot who doesn't get rid of his ordnance somehow," a pilot says, "is a rare exception." So they end up striking the only thing they can see from the air—villages.

Nixon Administration officials, as did those in the Johnson and Kennedy Administrations, say that never before has such care been taken to spare civilians in bombing raids.—George Wilson, The Washington Post, *April, 1971.*

Another factor leading to low Air Force morale has been the military ineffectiveness of the bombing.

The major success claimed for the bombing by the Pentagon is that it destroys seven of eight trucks moving down the Ho Chi Minh Trail. This appears to be more a reflection of what some of us call the "Leff Syndrome," however, than reality.

Arnie Leff, an Air Force doctor at Udorn Base in Thailand, achieved some local fame during the great Gonorrhea Crisis in the fall of 1969. Charged with controlling venereal disease for Udorn's airmen, Leff was instructed by his hospital commander to get the rate below one case per 1,000 men per day for the month of December, 1969. Trying his best, the good doctor lectured, charted, and examined. But, alas, the rate was still 1.5. A hospital superior ordered him to lower the figures anyway. Although he refused, Leff later found it common practice elsewhere for rates to be finagled. Incensed, Leff asks, "If they'd change gonorrhea rates, what else would they falsify?"

All available evidence suggests that they falsify the high "truck-kill" ratio.

No less an authority than former Defense Secretary Robert McNamara, after all, revealed in the fall of 1968 that bombing raids on the Ho Chi Minh Trail had reduced the flow of men and supplies by no more than 10–15 per cent.

Subsequent events seem to bear this analysis out: communist successes against the South Vietnamese invasion in February 1971; the uncovering of supply complexes in the A Shau Valley in May, 1971; significant guerrilla advances in southern Laos during the same month; the ongoing communist military success in Cambodia despite the closing of Sihanoukville port. All this suggests that however many trucks are being destroyed from the air, communist forces are suffering few serious supply problems.

My way of killing people is better than their way. The Pathet and North Vietnamese are a plague. We have to eliminate them. They have no regard for human life.—F4 pilot, Danang, November 28, 1970.

Despite the inefficiency of the bombing, there is little likelihood that it will be halted.

The Air Force argues strongly that bombing has been most successful. Even where it admits limited failure, as for example in the inability of the bombing of North Vietnam to halt the flow of supplies into the South, it ascribes this to improper constraints placed on it by civilians.

As one F4 pilot put it, "Targeting for air war North was done by Washington. This gives the enemy the advantage. The whole problem comes from Kennedy's 'flexible response' idea. You hit me on the foot, I hit you on the ankle. You hit me on the knee, I hit you on the shin. But it doesn't work. If you hit me on the foot, I should slug you with a club and put you out of commission.

"I'm not saying we were right. Let's face it, we just attacked the———. But when we did decide to bomb them, we should have kicked the———out of them."

Some critics see an element of cynicism in continued Air Force claims of success. They suggest that they are produced to justify more money from Congress, and more weapons development.

While there may be some truth in this, there seems no doubt that Air Force personnel are by and large sincere in their belief that bombing has been effective, not because it has cut off supply lines, but because it has made the enemy "pay a price" for his conquests. Guerrillas in Indochina, it is argued, are an implacable force bent on military victory, and whatever we do to make it more difficult for them is justifiable.

This war from the pilot's standpoint is a very impersonal one, whether or not you believe the goals that the government prescribes for us. Most of the pilots just go along and figure, well, it's a job. You fly. You see flak at night. That's about as close to war as we get. Sometimes you get shot down, but you don't see any of the explosions. You can look back and see 'em, but you don't see any of the blood or any of the flesh. You go out, fly your mission, you come back to your air-conditioned hooch and drink beer or whatever. You're not in contact with it.—Randy Floyd, Marine Corps pilot.

The increasing automation of the American military effort in Indochina will have an impact extending far beyond that unhappy region. One of its far-reaching ramifications is the change it is bringing to the psychology of warfare.

It is not only that few of the Laotian or Cambodian peasants presently living under the bombing have no idea what an American is, why the United States is bombing them—it is also that few of the Americans involved in the air war have ever seen a Laotian or Cambodian.

Navigators plot bombing raids on coordinates, not villages; pilots pull levers from thousands of feet up, not triggers at human forms 100 yards away; photo interpreters see bomb craters and destroyed "enemy structures," not headless children or napalmed grandmothers; a Stinger pilot—whose machine can put a bullet every square foot in an area the size of a football field—stares ahead into the inky darkness, periodically firing when two pips on his computer coincide. Any corpses below lie far from his consciousness.

And those few Americans who do know Laotians or Cambodians express little but warmth and affection for them. The past and present American ambassadors to Laos, for example, both speak frequently—and no doubt sincerely—of their deep admiration for its people. Neither has shown any noticeable discomfort as they wander through Laotian refugee camps, chatting and smiling with people against whom they had earlier approved bombing raids.

In the Era of the Blue Machine, war is gradually becoming a technical exercise, bereft of malice or rancor, an elemental expression of the art of killing. Men are increasingly freed from the hatred, doubts, greed, or rationalizations that killing usually entails. The issue of guilt is becoming meaningless, conscience irrelevant. The pilot, bomb-loader, and the policymaker have no intention to kill. Psychologically, therefore, they do not.

The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited.—Article 25, Hague Convention on Land Warfare, 1907.

The issue of war crimes is reduced to absurdity.

The chief U.S. prosecutor at the Nuremberg trials, Telford Taylor, talks of two principles which establish aerial bombardment as a war crime: 1) if the means of bombardment of civilian targets are disproportionate to their military value; and 2) if bombing is carried out against civilians in reprisal for military acts over which they have no control.

In rural theaters such as Laos or Cambodia, any means of bombardment would be disproportionate—enemy stores and soldiers are not located in the villages. Antiaircraft positions are not located there, either.

Moralists may wonder why an Ambassador Godley continues overseeing bombing strikes in Laos while a Lieutenant Calley languishes in jail. The lieutenant, after all, was convicted for killing unarmed and unresisting civilians. And bombing strikes in Laos, for which the ambassador bears responsibility, are killing unarmed and unresisting civilians as a matter of course.

But that is precisely the point. In countries such as Laos, the act of automated war

itself is the war crime. There are no Calleys or Medinas to accuse.

And barring the unlikely event of the superstate itself being vanquished, its policymakers are hardly likely to admit to—let alone convict themselves of—war crimes.

A lot of people in the States underestimate what we're up against. They're just primitive little jungle fighters, sure. But they're shrewd, good tacticians. They have equipment, too, like the SAMs up North. And they use a lot of the stuff we discard, like tin cans. They make fuses out of them. And they'll make a damn good booby trap out of a couple of boards and some nails.—F4 pilot, Danang Air Force Base.

As such a war continues, ideological, economic, and political considerations assume a secondary role.

Perhaps when the war began it was primarily a struggle between freedom and communist totalitarianism, as conservatives see it; or perhaps it was a conflict between American imperialism and national liberation as the left claims.

But today, with South Vietnam being run by its American-imposed Curtis LeMays, few U.S. leaders claim that democracy is really a factor in the war. Ideological and political questions have long since dimmed in importance, since most people within Indochina have already decided what side they are on. After an expenditure of over $100 billion, the U.S. economic motives have diminished, too.

The main concerns, from the American side, are technical in nature: developing sensors which will allow instantaneous, automatic, and pinpoint bombing of enemy guerrillas; getting hand-held lasers into use instead of ineffective aircraft-directed beams; applying new and better forms of ordnance.

For the guerrillas the war has become primarily a question of persevering, of developing courage, patience, and near-mystical faith in their troops, of continuing to meet technological developments from the air with increased ingenuity and resourcefulness.

It is Ho Chi Minh himself who is said to have remarked to a graduating class of sappers, the elite units of the North Vietnamese army, "You are our answers to the B52s."

The war in Indochina today has become primarily one of technology versus the human spirit.

The biggest problem I had was to restrain my men's enthusiasm. If I asked for volunteers, all my men would argue to be the first chosen. "Let me do it, they killed by mother!" "No, let me go, they destroyed my village," they would say. Were we afraid of the planes? Oh, no. If they stayed up high, they couldn't hit us. If they came down low, we could shoot them down. We were very angry. The planes didn't come to bomb the soldiers, they tried to kill the villagers. The villagers are just rice farmers. They didn't do anything against those pilots.—Pathet Lao defector, former captain.

The human spirit seems to be triumphing. Interviews with Pathet Lao defectors indicate that far from breaking the enemy's will, the bombing strengthened it. "Before, maybe only 20–30 per cent of the young men would volunteer to join the Pathet Lao army," explains one defector. "But by 1969, 90 per cent and more wanted to join. Nobody really understood what the Pathet Lao meant by 'American imperialism' before the planes came. But by 1969 the attitude was 'better to die fighting than hiding in the holes.' "

In an arena where American-supported ground forces are as lacking in motivation as they are, such sentiments on the other side are a key factor. At this writing, communist guerrillas are the only force in Indochina who believe they know what they are fighting for.

The influx of more than 30,000 refugees from heavily bombed areas during 1970 has made the bombing common knowledge in American-supported zones. Laotians of all political stripes are opposed to the bombing because it caused hardship to their fellow Laotians against whom they bear no enmity, and because they believe it widened the war. They blame Souvanna Phouma's government in part for permitting it. Conversely, they admire the Pathet Lao for standing up to it.

The war in Laos has always been for essentially political ends. The communists have made it clear they are not planning to take over the major town militarily. The bombing has undoubtedly aided them in achieving a political victory. This may later be true of the other countries as well, making one wonder whether technology can keep up with the growing opposition to the U.S. in Vietnam, if we will resort to even more effective bombs to keep down more strengthened wills.

I can assure you that my words are those of a devoted pacifist. My very hardest job is to give out medals of honor. If I lived in another country that wanted to be sure and retain its right to self-determination, I would say: "Thank God that the United States exists at this moment of history." We are not bent on conquest or on threatening others. But we do have a nuclear umbrella that can protect others. This is the moral force behind our position. We could be a terrible threat to the world if we were to lose that restraint.—Richard Nixon, interview with C. L. Sulzberger, The New York Times, March 10, 1970.

The issues raised by the air war go far beyond the personal culpability or motives of American leaders. For if the last few years have shown anything, it is that technological growth has a dynamic of its own, independent of the will of individuals. American leaders are more products of this process than its conscious manipulators, more the Man in the Grey Flannel Suit—or sometimes the Mad Hatter—than Big Brother.

The change in the Laos air war from a limited number of prop bombers dropping 500-pound bombs outside of populated areas to hundreds of jet and B52 bombers using laser and TV-guided missiles does not appear to be the result of a series of carefully planned decisions. It was just part of ongoing technological development. The war kept up with the advances; each new improvement was put into action.

Dow, Honeywell, and Lockheed did their part; so did the Air Force, Marines, and Navy, the State Department and the CIA, Standard Oil and Gulf. The momentum was more powerful than the people within it; a belief in technology covered the horrors, much as a belief in religion protected the Inquisition. And without anybody really understanding or caring, thousands of Indochinese villages were destroyed in the process.

The roar of the bombs and the noise of the planes frightened me terribly. Our life became like one of animals who search to escape the butchers. Each day, across the forests and ditches, we sought only to escape from the bombs. When looking at the face of my innocent child, I could not stop crying for his future. Why do the men in this world not love each other, not live together in peace, not build happiness in development and progress? Human beings, whose parents cherished them, died from the explosions of the bombs. Who then thinks about the affection and love their parents felt for them? As for the other men, do they know all the unimaginable atrocities which can happen here in this war?—from essay by 35-year-old woman refugee from Plain of Jars.

The questions raised in this, the third year of the Era of the Blue Machine, really have less to do with men than Man.

What does it mean, after all, when the strongest of the species is systematically killing and maiming some of the weakest? . . . the most prosperous regularly destroying the homes and belongings of some of the poorest? . . . the most industrialized constantly devastating the land and food supplies of some of the most rural? . . . and the most technically advanced using their most sophisticated weaponry against a people who pose the most marginal of challenge to their interests?"

In a nuclear age such questions are of more than passing concern.

BREA—A CITY THAT CARES

HON. CHARLES E. WIGGINS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. WIGGINS. Mr. Speaker, the citizens of Brea, Calif., have made a commitment to the American servicemen who are POW–MIA's in Southeast Asia. The family of Marine Capt. Stephen Hanson has been adopted by this community. Over the past several months, they have given Mrs. Hanson and son, Todd, moral support and at the same time reminded the public that we should not forget the brave men who are prisoners or who are missing in action.

Recently, Congressman BIESTER and I witnessed a 10-mile walkathon staged by students of Brea-Olinda High School who wanted to demonstrate their commitment to this cause. The students are now working to enlist high schools all over our Nation in the program of adopting a POW–MIA family.

Mr. Speaker, I would like to call to the attention of the House of Representatives, a news report of the walkathon which appeared in the Register, a newspaper published in Orange County. The report follows:

WALK-A-THON EXCEEDS EXPECTATIONS

(By Judy Roski)

BREA.—By noon Saturday, 450 weary, blistered and thirsty high school students had reached their goal in helping to publicize and raise money for 1,600 POW–MIA's by completing a 10.2-mile walk-a-thon from Brea-Olinda High School to Knott's Berry farm.

The students raised in excess of $1,000 by having individuals pledge money for each mile walked. All of those who had agreed to go the distance did, Bill White, Brea-Olinda's dean of students said.

Only scheduled stop along the route was a brief refreshment break at Sunny Hills High School on Bastanchury Road in Fullerton where the young people had a cold drink of water. The stop was 5.4 miles from their starting point.

But school nurse Mrs. Fox said she patched "about a dozen skinned knees and elbows from falls. We were riding in a mobile unit not far from the marchers," she explained.

Mrs. Carole Hanson, to whose husband the walk was dedicated, and her 4-year-old son Todd were among those who finished. Mrs. Hanson said Todd had been pulled in a wagon by a group of "very kind Marines."

But, most of the walkers were 16- and 17-year-old students from Brea-Olinda, Lowell, Sonora, Valencia, El Dorado, Troy and La Habra high schools. They were happy to see Independence Hall, endpoint of the walk, rising in front of them. The hall was the site of a 1 p.m. rally.

More than that, though, the young people seemed grateful for the donated sodas, cookies, coffee and cold water. As they entered the gate at the hall, they flopped to the ground and several fell asleep waiting for the rally.

"For some reason, we arrived an hour before schedule. I can't really believe it, I

thought it was already Sunday," school board member Rex Gaede said.

The rally featured Mrs. Hanson; Brig. Gen. Leslie Brown, El Toro Marine Air Station commanding officer; Rep. Charles Wiggins (25th District) White as master of ceremonies; Johnny Grant, public affairs director for KTLA; and Stephanie Davey and Christy King, student co-chairmen of the day's activities.

Gen. Brown told the young people he had seen a lot of things happen because of the Vietnam war and many things would be remembered. But, "the main story that will come from this war is that they (prisoners) will believe you care for them. The kind of thing you have done here this morning is beautiful," he said.

Mrs. Hanson, following, a moving recital of the few facts known about her helicopter pilot husband being shot down over Laos four years ago, ended by telling students, "It is you who will bring him home."

Wiggins pointed to a change in policy by the federal government about POWs and said, "It has been through efforts such as yours that U.S. government policy has changed. Before, we used to keep this all quiet and have little-known talks in foreign capitals.

"But, your efforts and others like yours have focused the attention of the whole world on prisoners of war. And, you will succeed eventually in securing both information about their whereabouts and their release through worldwide opinion," he said.

Throughout the walk and rally, a three-man television team filmed the young people's efforts. One of them said the walk-a-thon will be part of a CBS documentary on nationwide activities on behalf of war prisoners. The documentary is scheduled for June 22 on network television.

One benefit students had not expected came when Pennsylvania Rep. Pete Biester, in Southern California with Wiggins, said he would take home the idea of adopting a POW to his native state. "I think the young people at home will try to do as these students have done," he told The Register.

With the $1,000, the students hope to send 20,000 high schools across the country a packet explaining the purpose of adopting a POW, what benefits can be expected and how to go about it, Miss King said.

Other events will be planned in the near future, she added, so they can reach their $10,000 goal. "When we get that much, we'll send a student delegation to Hanoi or Laos to ask for Steve's release. We hope we'll be ready by October," she added.

GENERAL REVENUE SHARING

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Wednesday, July 7, 1971

Mr. BAKER. Mr. President, there is increasing evidence that the distinguished Committee on Ways and Means of the House of Representatives intends to report some alternative to general revenue sharing by the end of next month. Such rumors as there are indicate that the alternative package will concentrate the proposed fiscal assistance in the densely populated urban centers of our country.

While there is no denying the urgency of the big-city fiscal crisis, it is folly to suggest that it is only the governments of urban areas that need general fiscal assistance. Any alternative to revenue sharing that proposes to by-pass the State governments and rural areas of our Nation would be no alternative at all.

On June 9 representatives of the National Association of Counties appeared before the Committee on Ways and Means to testify in support of general revenue sharing. Among those representatives was Judge William O. Beach of Montgomery County, Tennessee, one of the most talented and articulate local officials in the country. The NACO testimony was unusually cogent, in my opinion, and made a forceful case for the revenue sharing concept.

The National Association of Counties has also compiled an impressive set of resolutions from various county governments around the country in support of revenue sharing. So that Senators may be reminded of the tremendous support that exists throughout the Nation for general revenue sharing, I ask unanimous consent that the testimony of NACO referred to above and the various county resolutions also referred to above be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TESTIMONY ON BEHALF OF THE NATIONAL ASSOCIATION OF COUNTIES

TESTIMONY OF CLESSON Y. CHIKASUYE

Honorable Chairman Mills and Distinguished Members of the House Ways and Means Committee:

My name is Clesson Y. Chikasuye. I am a councilman for the City/County of Honolulu, Hawaii, and President of the National Association of Counties. It is a tremendous pleasure for me to appear before your Committee today to present to you the reasons why we, as elected county officials, are supporting the Administration's general revenue sharing program.

With me today are a number of prominent county leaders from throughout the United States. I would like to present them to you at this time:

1. Judge William O. Beach is from Montgomery County, Tennessee and is a member of our NACO Board of Directors.

2. William Conner is the elected County Executive of New Castle County, Delaware and is also the First Vice President of the National Association of Counties.

3. George Lehr is presiding Judge and elected County Executive of Jackson County, Missouri and is also Chairman for Revenue Sharing under our NACO Taxation and Finance Steering Committee.

4. W. W. (Woody) Dumas is the Mayor-President of East Baton Rouge Parish, Louisiana, and a NACO Board of Directors member.

5. Ralph Caso is elected County Executive of Nassau County, New York.

6. John Brewer is Chairman of the Board of Commissioners of Kent County, Michigan and the Chairman of NACO's Taxation and Finance Steering Committee.

It has become apparent to my colleagues, myself, and all county officials that general revenue sharing has emerged this year as *the* most important domestic issue before the Congress and before the American people.

If your Congress sees fit to adopt this program, it could represent a turning point in our nation's history. Proponents of this proposition have labeled it "a new American revolution"—a revolution that would return money and influence to individuals at their communities, provide a new freedom for lower levels of government in our federal system, significantly aid states, counties, and cities in alleviating the very obvious fiscal crises that confront them, and soothe the federal bureaucratic nightmare that has haunted state and local officials. We agree with and join these proponents.

But even with these laudable and persuasive goals and even with the widespread support that exists, a general pessimism concerning the passage of the President's general revenue sharing proposal has pervaded the Congress, including your Ways and Means Committee. We believe that much of this pessimism has resulted because many of the questions that you and your colleagues have been asking about revenue sharing have not been adequately answered. Therefore, as representatives of county government throughout the United States, we hope today to answer some of these hard questions you have been asking. It is obvious to you why we in county government support general revenue sharing. But today we would like to let you know why we think you should support and vote for general revenue sharing.

Before my county colleagues direct their attention to these somewhat "negative" questions, I would like to list for you a few of the "positive" arguments for revenue sharing that we believe make it a "must" program.

First, there is the argument which you have heard many times, but which is so important and so much at the heart of General Revenue Sharing, that it should be repeated. This, of course, is the philosophical argument for general revenue sharing—the argument that has the very impressive goal of attempting to reverse a trend over the last forty years toward the centralization of power in the national government. This trend now, we say, should be reversed in an attempt to return both power and money to state and local governments. We in county government are firmly convinced that we should be given further opportunities to solve the problems that we know best in an effective and innovative manner.

But perhaps even more important, decentralization of governmental power is needed to restore the faith of our citizens in our government. Men are not able, and rightfully so to understand or relate to a government thousands of miles away which spends over $200 billion dollars a year on services that taxpayers sometimes find difficult to visualize. We all feel helpless in the face of national problems such as the war, inflation, environmental pollution, and the problems of poverty and social degeneration. In order to restore the perspective and respect of our citizens, we must provide them with the opportunity, at the local level, to have a meaningful input into a process which determines how a good percentage of their income is spent.

We must also emphasize a more practical case for the proposition—one that faces us at the county level on a day-to-day basis. This is the very obvious and very serious fact that our states, our counties, and our cities are confronted with fiscal insolvency now.

The plight of state and local governments is fact. It can be documented. Nationally, state and local expenditures have risen from $12.9 billion dollars in 1946 to over $118 billion dollars in 1969 and an estimated $130 billion dollars this year. The trends indicate that the expenditures will reach $230 billion dollars by 1975 and $360 billion dollars by 1980—an amount that could exceed the federal budget.

These national figures are reinforced by a specific crisis—no "horror stories"—in counties and communities across the United States. My county colleagues here today will provide you with very specific examples in their testimony. In addition, I refer you to page 4 in the special issue of our publication, "NACO News & Views," that is before you.

It provides you with further specific examples of the county fiscal plights in each and every one of your own Congressional Districts.

These crises do not exist because of increases in what are traditionally thought to be county functions. They exist because of the rapid increases in new functions that counties have willingly and eagerly assumed. These services include health, welfare, drug abuse, urban redevelopment, urban housing, pollution control, and park and recreation programs, and total expenditures of over $18 billion per year.

Third, under our present system of federal assistance, it is growing more and more difficult, because of red tape, to solve these important and pressing social problems. We are just not able to secure the federal funds that may or may not be available in an efficient and timely manner. On the one hand we have the example of the small rural community that does not have the staff or expertise to secure federal funds for very basic needs. A case in point is a small community in Congressman Ullman's state of Oregon which spent over *4 years* in securing a small grant of some $70,000 to install a basic water supply system for 24 users. The time and effort on the part of citizens and employees from the local to the Federal levels almost made securing the grant more costly than the grant itself.

On the other extreme, we have the County of Los Angeles, California which does indeed have both the funds and the expertise to secure available federal funds. But in order to do this, they must employ a staff of some 55 employees working full time. This is a necessary but inefficient way to run a county government.

There are many, many more examples of the inefficiency and waste of the present grant-in-aid programs—both at the local and federal levels. But the point is that we must stop and take a look toward reforming what we now have. At the same time however, we must continue to help our states, counties, and cities with additional, unfettered aid through general revenue sharing. But we must not let this bureaucratic brute known as grant-in-aid programs grow any larger.

Finally, general revenue sharing is a "must" program needed to curb the very rapidly growing property tax burden on our citizens. Property tax levies have grown from about $8.2 billion dollars in 1952 to an estimated $32.5 billion this year. Without revenue sharing we can probably anticipate that it will grow to $45 billion by 1975, and an unbelieveable $60 billion dollars by 1980. Even though general revenue sharing will not reverse or completely stop the growth of the property tax increase, it will reduce this growth significantly. I direct your attention to the chart on page 15 of the newspaper before you for an illustration of this growth.

Many of us can sight specific examples of how the property tax is a burden on individual payers. Just last week Mayor Gibson of Newark, New Jersey, sighted the fact that the combination of county, city, and district property taxes resulted in an owner of a $20,000 home paying some $1,900 in property taxes each year! This is just beyond the tolerance of individual taxpayers to assume.

As an alternative to this and other situations, we propose general revenue sharing. This approach, of course, is still a form of taxation. But even though we all complain vigorously on April 15 when we pay our federal income tax, we know that it is the fairest tax we have. If we have had a good year financially, we will pay more taxes under the income tax. If we have a bad year financially, we will pay less. But as we all know, the property tax on a home remains the same regardless of one's yearly income or one's ability to pay.

We believe that the goal of revenue sharing is apparent. We believe that our arguments are valid. We commend this program to you for your positive action.

I would now like to present to you our first witness on the county panel, Judge Wm. O. Beach, of Montgomery County, Tennessee.

TESTIMONY OF WILLIAM O. BEACH

Mr. Chairman and Members of the Committee, my name is William O. Beach. I am an elected County Judge in Montgomery County, Tennessee and a member of the NACO Board of Directors. I would like to answer, as clearly as possible in the next few minutes, three questions that we believe your committee would like to have answered.

Question: Several years ago, a tax analysis showed that if, nationally, States and localities taxed themselves to the average level of the ten highest States and the ten highest local governments, there would be realized some $33 billion dollars of additional revenue.

Why shouldn't the States and localities be forced to tax themselves more stringently before demanding tax sharing with the Federal Government?

Answer: In the first place, the States are making strides in improving the effectiveness of their tax sources. In 1960, nineteen States imposed both general sales and personal income taxes. By 1970, this number had grown to 39. Presently, 43 States make some use of the income tax, with only Florida, Nevada, Ohio, South Dakota, Texas, Washington, and Wyoming not taxing any form of individual income. However, four other States have no broadly based personal income tax. They are New Jersey, Tennessee, New Hampshire and Connecticut. There is no doubt that some States should be exerting a more substantial taxing effort. The revenue effort feature of the proposed formula operates to encourage just such behavior.

At the local level, sales taxes and income taxes, because of their high cost of administration, are inappropriate for the vast number of our small counties.

That leaves the property tax (nearly 90% of total county tax revenues in 1968–69) as the principal source of revenue available to counties. The painful fact is that we have reached the limits of political tolerance with respect to property taxation. The property tax is universally condemned as a regressive tax, falling hardest upon the lower income group, the elderly, and other citizens having the least capacity to pay.

We must also remember that local governments are competitive, one with another, for attracting and retaining economic activity. Thus, a county operating in a highly competitive situation (particularly if located near a State boundary) runs the risk of losing new business and industry as the price of increasing its property tax.

Finally, we have to remember that the property tax is relatively unresponsive to economic growth. With each 1% increase in the Gross National Product, the Federal personal income tax increases 1.5%. The local property tax, by contrast, expands at less than 1% with each percentage increase in Gross National Product.

Question: Why not consolidate and reform the present categorical aid system?

Answer: Revenue sharing is in no way competitive with grant consolidation. We all agree that the number of separate grant programs should be reduced. But unless each grant area were made so broad as to be almost meaningless there would be general governmental purposes remaining, such as strengthening management capability and improving efficiency, that would not fit into a particular categorical grouping.

In a land so diverse as this, we should not limit State and local governments to a categorical strait jacket. In our view, there is need for three kinds of Federal funds flowing to States and localities:

1. Specifically targeted, fairly narrow categorical grants to attack specific problems such as drug abuse, minority group needs, outdoor recreation, and neighborhood health centers;

2. Broad functional grants in such areas as education, law enforcement, transportation, etc.; and,

3. General revenue sharing, providing funds that would help fill in the gaps after the first two groupings were applied to any particular county situation.

Question. Many small rural counties would get very little under the Administration's revenue sharing plan. Wouldn't these counties be better off by increasing rural development categorical grants?

Answer. We would envision that a portion of the state allocations, which is approximately $2.5 billion, would be used to supplement in some way present state aid to the counties in the small rural category. It is significant that most state aids take into consideration factors of poverty and smallness. Also, state aid is beginning to take account of the special needs of large central cities and urban counties.

There is no reason why, over and above the general revenue sharing program, there could not be an expansion of existing programs to help these small rural counties.

There is a very pronounced trend toward regionalism in these very rural areas and it would be entirely possible in this revenue sharing as in other programs for several rural counties, to band together and pool their money so that significant funds could be made available for such things as regional jails, hospitals, community colleges, and other types of services and facilities that be beyond the capacity of any one rural county to afford.

The National Association of Counties has been very actively supporting increased appropriations in certain categorical grant programs designed to help rural areas, as for example our vigorous support for rural community development, highway construction in rural areas, payments-in-lieu of taxes, Appalachia and other regional commissions, and programs that would encourage the creation of economic activity in rural areas and help stem the migration of rural peoples into urban population centers.

Question. Shouldn't there be a poverty factor that will give rural counties and large central cities a larger distribution than the wealthier suburban counties?

Answer. The development of the present allocation formula has been on the basis of negotiation and study over a four year period. We are all aware that no formula will please all the participants and respond to the various needs from state to state. This is the reason why we have strongly supported a negotiation procedure. This procedure provides in effect that the state legislature and the majority of the cities constituting at least half the population in the state could form a team that could negotiate any distribution they wished within the state. For example, some of this negotiation process could result in wider funding of regional activities in areas of crime, public health, safety and some other areas.

It is entirely possible that one of the items of negotiation would be the poverty index. This will certainly be a question for vigorous discussion state by state and we believe that the negotiation procedure outlines in this legislation is the most effective way to respond to this particular question.

TESTIMONY OF WILLIAM CONNER

Mr. Chairman and Members of the Committee:

I am William Conner, elected County Executive of New Castle County, Delaware and NACO First Vice President.

Your Committee and the Congress have displayed some doubt as to the competency

of local officials to spend revenue sharing funds and some concern as to the potential for waste and irresponsibility under revenue sharing. I would like to remove these doubts from your minds.

Question: How competent and honest are county officials to handle these funds?

Answer: (County government bows to no one in relative competence and honesty.) To begin with, no level of government has a monopoly on honesty. In point of fact, a great number of the present members of Congress of the United States formerly were county, city, and state officials.

We must keep in mind that under general revenue sharing we are talking about a total distribution of $5 billion, compared with state and local expenditures totalling about $120 billion in 1969. Of this amount, the general revenue sharing dollars would be relatively small in scale (about 40%).

It should be kept in mind that in the legislation under consideration there are adequate safeguards for public auditing and accounting of every expenditure. All public transactions at the local government level are open to scrutiny by the press, interested citizens, and rival political opponents.

Question: Won't revenue sharing encourage waste and irresponsibility?

Answer: Our counties are very hard pressed financially, with little prospect for any radical change in this condition. There is almost no likelihood of spending for luxury items, when we have so many of our communities that are presently facing difficulties in maintaining hospitals, mental out-patient clinics, schools, pollution control facilities, and other vital services.

We must remember that county government is in intimate, constant contact with the public, the press, and a whole host of organized groups that scrutinize every local public expenditure. In contrast to the current grant-in-aid system, revenue sharing dollars would flow through regular local budgetary processes and be subject to far more scrutiny than are the "sheltered" categorical aid dollars. The inefficiency associated with buck passing and report preparing would not be present under revenue sharing.

In addition, county officials would be held politically accountable for the use of these funds under revenue sharing—wasteful practices would force them to ask their constituents to pay higher taxes. This hard political fact, one which all state and local officials are painfully aware of, provides a powerful and automatic defense against irresponsible actions.

Finally, under the present categorical grants, local governments in many cases are spending funds for relatively low priority items. They are not funding the high priority items, simply because federal matching funds are not available. This is real waste and irresponsibility. Most Americans understand that there is federally mandated waste inherent in the categorical aid programs; hence, the rising clamor for change. This waste is manifested in rigid national priorities and "hurry-up spending" designed to meet federal fiscal year deadlines.

Question: What assurance is there that priority decisions by local officials would be responsive to both local and national interests?

Answer: The concept of decentralization has been successful throughout our governmental history and within our major private institutions as well. We have generally found that those most closely acquainted with the problem, when given the chance to cope with that problem, respond in a most effective and productive manner.

We would expect that local expenditure patterns with revenue sharing funds would coincide with those that presently prevail. In other words, county governments spend the bulk of their money on crime and law enforcement, health and hospitals, roads and streets, welfare, and pollution control. In some states, the county has overall responsibility for the school system which would loom as a very large expenditure item in revenue sharing.

Local self-government is the backbone of our democratic system. To assert that local citizens are somehow incapable of organizing their own public affairs, and that federal officials could do it better, is to express an arrogant view, alien to our liberal traditions.

TESTIMONY OF GEORGE LEHR

Mr. Chairman and Members of the Committee:

My name is George Lehr. I am the Presiding Judge (elected Executive) of Jackson County, Missouri and NACO's Chairman for Revenue Sharing.

Some important questions concerning the separation of taxing and spending powers, federal revenue raising powers, and the federal deficit have been raised by opponents of general revenue sharing. I would like to answer these questions.

Question: By separating the taxing power from the spending action aren't you removing a vital incentive for governmental prudence and efficiency?

Answer: The separation of taxation and spending really began to take place at the national level with the passage of the Morrill Act in the 1860's. This Federal aid principle grew until we now have more than 1,000 separate categorical appropriations.

This question presumes a much greater degree of Congressional budgetary control over categorical expenditures than is really the case. We now have monies juggled by federal employees who are not directly accountable to the electorate; monies appropriated by the Congress and not expended by the Administration; in short, there has been a progressive deterioration of both Presidential and Congressional control over the expenditures of grant-in-aid funds under the present grant-in-aid system because the system itself has grown so chaotic that intelligent and effective control is all but impossible. In all candor, these monies are expended by bureaucratic officials and not by the Congressman and the Administration.

In all but three of the states, separation of taxation and spending has not been the policy with respect to stated aid to localities. In point of fact, in states like New York, some 60% of the monies expended at the local level are collected by the state through the income tax or sales tax and allocated to counties and cities. In state-local relations, the localities have really attempted to harness the superior taxing power of the state. This principle is involved with respect to revenue sharing and it is the same principle that underlies the American federal system—shared resources and shared responsibilities.

We might also add a political consideration. Typically, a member of Congress or a senator is not held personally accountable for increases in the federal budget or the federal debt. This can be documented in a review of the congressional elections in virtually any year. By contrast, states and localities operate under a constitutional mandate that absolutely precludes deficit financing. And, they are more immediately accountable to the electorate. Practically speaking, a county commissioner who is in office during a sharp rise in the property tax, or even a reappraisal of the property tax that results in increased taxation for some of the citizens, is in very real danger of defeat at the polls in the next election. In 1970, as in all other recent election years, many competent and conscientious state and local officials went down to defeat for having sponsored necessary tax increases.

In summary, revenue sharing actually retains taxing and spending decisions at one level—the federal level. The Congress would be making the spending decision—to spend a portion of federally raised revenues for state and local governmental purposes. It would be decentralizing responsibility and accountability for the administration of those funds just as it now does when spendmoney for any other federal program. Only in the revenue sharing case, this delegation of authority would run to publically elected state and local officials rather than to career employees of the Federal Government.

Question: Doesn't revenue sharing lead eventually to a single federal system of revenue raising?

Answer: Hardly! Under the revenue sharing proposal city and county governments will share approximately $2.5 billion. These same cities and counties annually spend $50 billion, and these expenditures are increasing at the rate of about $5 to $6 billion each year. In other words, revenue sharing will be a fairly small part of local government funds over the indefinite future. We cannot visualize the repeal of local property taxes, state and local sales taxes, and other local levies in exchange for a vast increase in the federal income tax that would be needed to substitute for these non-federal taxes.

It should also be kept in mind that our pressing need at the local level is for a flexible revenue source that is responsive to rises in the gross national product. We must also be responsive to individual equities. For example, a local businessman who has a very successful business year will pay a relatively larger income tax than he would on a year in which he has a small profit or no profit at all. By contrast, we at the local level through our property tax levies, tax this businessman identically whether he has had a poor year or an extremely successful year. In other words, we need a tax that is flexible, nationally, with respect to increases in the gross national product and flexible with respect to the individual and his equities.

Question. Isn't revenue sharing fiscally irresponsible in view of the high (20 billion dollar) deficit being projected for this fiscal year?

Answer. President Nixon is committed to a full employment budget. A full employment budget means that the Federal Government will expend that amount of money that would be produced if the economy were at full employment. Thus, general revenue sharing would stimulate the economy and at the same time, by limiting the deficit to the full employment revenue, help curb inflation. President Nixon has added the full fiscal year appropriations (October 1, 1971) for revenue sharing in his budget and it is part of the projected 20 billion dollar deficit.

Presumably, if general revenue sharing were not in the budget, some other appropriation would have to be made if the economy were to get the full benefit of a full employment budget. Thus, revenue sharing is not a use of federal funds "left over" after all federal spending needs have been met. It is an expenditure for a basic national purpose—to build a sound financial base under our entire system of government. It is a worthwhile spending priority.

TESTIMONY OF W. W. DUMAS

Mr. Chairman and Members of the Committee:

I am W. W. Dumas, Mayor-President of East Baton Rouge Parish, Louisiana and a member of NACO's Board of Directors.

This morning, I will address myself to three areas of concern with respect to general revenue sharing.

Question. Why shouldn't state and local government reforms be a requirement for revenue sharing?

Answer. NACO stands unequivocally for the modernization of state and local government. Of all levels of government, counties are most frequently singled out as being in greatest need of structural reform. But, what is not so widely known are the very

substantial steps being taken in all parts of the country to modernize county government. Over 100 separate local studies of city-county consolidation are in progress; some are being implemented continuously such as in Indianapolis-Marion County, Indiana; Columbus-Muskogee County, Georgia; and Jacksonville-Duval County, Florida. More urban counties are moving to the elected executive form; state constitutional amendments are being approved to authorize optional forms of county governments; and countless commissions on local government modernization have been created by the various state legislatures during the past 2–3 years.

We believe that it is more in keeping with our tradition of local self-government for reform efforts to evolve at the grass roots level. We feel that a more suitable vehicle for federal assistance to state and local government modernization is through programs such as 701 comprehensive planning and the Intergovernmental Personnel Act.

Question. Will the county portion of revenue sharing be used to reduce property taxes?

Answer. In very few, if any, instances can we foresee revenue sharing being used to reduce local property taxes. This would be self defeating in that the revenue sharing allocation formulas are contingent upon local tax effort. If a county uses funds to reduce property taxes it would automatically reduce its revenue sharing allocations.

In view of the enormous local government needs, the most likely impact of revenue sharing will be to keep the property taxes from increasing at its present rapid pace.

As can be see from accompanying chart, revenue sharing allocation will increase to $9.8 billion by 1980. What we see, therefore, is a gradual flattening out of the local property tax increase as can be seen by the diagram on page 15.

Question. Won't militant employee unions grab all the funds?

Answer. We do not visualize an undue amount of revenue sharing funds being used for salary increases. County government would use most of the revenue sharing funds for improvement and expansion of solid waste disposal, pollution abatement, law enforcement, hospitals and health, and other critically needed public services.

As long as inflation continues to increase at such a rapid rate, there will be significant pressures upon all levels of government, as well as private industry, for salary increases. Last year, for example, the cost of living advanced nation-wide by about 5.3%. The Federal Government increased its salaries by some 6.1% on January 1st. These factors create demands by county employees for comparable increases.

But, since most of the costs of providing such services is related to employee compensation, we can expect that a portion of revenue sharing funds will go toward salaries.

County government will resist efforts by militant employee unions to obtain increases going beyond levels justified by productivity, inflation, and other legitimate factors. We would expect, however, that employee militancy will proceed regardless of whether or not we have general revenue sharing.

TESTIMONY OF RALPH CASO

Mr. Chairman and Members of the Committee:

My name is Ralph Caso. I am the elected County Executive of Nassau County, New York.

It is indeed a pleasure for me to be here this morning to answer four questions about general revenue sharing dealing with its relationship to minority citizens, urban problems, and welfare financing.

Question. How sensitive is county government to the legitimate needs of minorities and disadvantaged citizens?

Answer. This question is largely emotional, rather than empirical. Any government official, be he county commissioner, mayor, governor, congressman or senator, responds to the problems at hand depending upon the composition of his constituency. Urban counties, with a significant proportion of low income residents, carry on large-scale programs in welfare, health center operations, poverty elimination, and others.

Also, it should be emphasized that with regard to any public expenditures, whether or not we have revenue sharing, government officials are obligated by the Civil Rights Act of 1964 and other civil rights legislation to protect the interests of minority groups and to expend funds in a non-discriminatory fashion. It is NACO's view that shared revenues will be considered as co-mingled with all other general revenues of local government. Therefore, the civil rights provisions will apply to all activities financed by general local revenues.

Finally, the National Association of Counties has been vigorously supporting welfare reform, which is directed at placing a national floor under benefit levels for the poor and minority groups. Also, county governments participated in a whole host of categorical grants that are pinpointed toward the specific problems of minority and the poor.

Question. What kinds of urban and inner-city problems would be assisted by county government expenditures of revenue sharing funds?

Answer. At the present time county governments are providing such services as health care, law enforcement, courts and corrections, welfare and social services, parks and recreation, to all citizens in the county whether they live inside or outside municipalities. This trend is increasing because of the need for an areawide tax base which the county can provide. Counties are in a unique position to take over even more county-wide programs from municipalities. Some counties are now providing a full range of municipal services including fire protection, housing authorities, refuse collection and disposal, water and sewer facilities, and many others.

Question. If we grant the need for state, local fiscal relief, why wouldn't it be better to have full federal funding of welfare?

Answer. Full federal funding of welfare, as Ways and Means has just concluded, is too costly. H.R. 1, just passed by the Committee provides $1.6 billion of fiscal relief in a program that will add from $5 to $7 billion a year to the nation's total welfare bill.

This welfare legislation is designed to strengthen the welfare program. Revenue sharing is designed to strengthen state and local governments.

It might also be added that full federal funding of welfare, even if fiscally possible, would not help all states and local government to the extent of revenue sharing. For example, in 28 states, welfare is exclusively a state responsibility. Only 5 cities have welfare responsibility. The counties in the 22 states that bear a portion of the cost of welfare would be helped to some extent by H.R. 1. On balance, while we favor full funding of welfare by the federal government we realize the many obstacles and we prefer President Nixon's approach of both general revenue sharing designed to help strengthen state and local governments plus welfare reform which has as its main objective improving the nation's welfare system and which also provides some fiscal relief to states and selected counties. President Nixon has already included both the first year cost of revenue sharing and the cost of the welfare reform package in his full employment budget.

Question. If the federal government cannot afford both increased welfare funding and revenue sharing, which one do you want?

Answer. This is a question of national priorities. The diseased welfare system which is beset as it is with red tape, countless inequities, unfairness, and unspeakable delays must be reformed. The Ways and Means Committee knows only too well that welfare has to be reformed if we are to do something about the tremendous increases in welfare case loads in the last decade. These reforms will mean greater federal expenditures for welfare. We strongly support the Committee's action as reflected in the reporting of H.R. 1.

However, this action does not take care of the other problems of financing local government which we have discussed. Further, by taking over part of the welfare costs only some counties will receive fiscal relief. Only five cities will be added. H.R. 1 would provide only a total of $1.6 billion in fiscal relief during fiscal year 1973. Going back to the question of national priorities, we agree with President Nixon that this nation can afford both welfare reform as proposed in H.R. 1 and revenue sharing.

We believe that a high priority should be given to the strengthening of state and local government. Welfare reform does not address itself to this issue. The issue of strengthening local government we believe can only be improved by the enactment of a general revenue sharing program which will provide the kind of financial flexibility that is needed at the present time in local government.

TESTIMONY OF JOHN BREWER

Mr. Chairman and Members of the Committee:

I am John Brewer, Chairman of the Kent County, Michigan Board of Commissioners and also Chairman of NACO's Taxation and Finance Steering Committee.

I am honored this morning to be the final witness on this county panel, I would like, as the "clean-up" hitter, let you know that we in county government did consider a number of alternatives to general revenue sharing. But, as I will explain, we rejected these as *alternatives* to revenue sharing.

Question. Do you see revenue as an alternative to categorical aids?

Answer. We would strongly oppose any explicit or implicit legislative provision that moved to substitute revenue sharing for categorical grants. In our system, the federal government must provide national leadership of domestic government as well as foreign affairs. Categorical grants have played and will continue to play a key role in our economic growth and social progress—agricultural extension; unemployment compensation; highway improvement; housing assistance; airport construction; Hill-Burton hospitals; elementary and secondary education aid; and poverty programs are but a few examples. We cannot conceive of revenue sharing eroding the bases of the successful and essential programs.

However, we believe and hope that if revenue sharing is enacted there will be less proliferation of categorical aids in the future, resulting in a better federal, state, local mix consisting of categorical aid, functional block grants, and general revenue sharing.

Question. Why wouldn't it be better to reduce federal taxes and let the states and localities pick up the reduction?

Answer. We view this as a completely unrealistic alternative, and one utterly destructive of what little fiscal balance remains in our federal system. With a highly responsive federal income tax and a state-local tax structure that lags behind economic growth, a combination of federal tax reduction and state and local tax increases multiplies the political handicaps already facing our state and local officials as they try to keep pace with rising demands of local government. The result would be more hesitation on the part of governors, mayors, and county commissioners to incur the risk of tax increases, leaving more areas of government either unmet or left to the central government. Nothing is more detrimental to our concept of decentralized, grass roots government than

to make it tempting for our local officials to abdicate their problems to Washington. A Federal tax cut now would be the worst possible alternative. It would only serve to compound our present crisis.

Question. Wouldn't it be better to meet your high unemployment problems and stimulate your local economy through public service jobs?

Answer. There is no doubt that federal funding of public service jobs would help those areas of high unemployment and would stimulate local economies. We view this type of a program as a temporary, to be used only in times of high unemployment. We think that it would be difficult to justify a large public service program to the nation in the absence of high national unemployment. We do see a role for public service jobs in those instances where the private sector can not provide jobs for all the people coming on to the market. We particularly think that the 200,000 slots that have been incorporated into H.R. 1 are necessary if we are going to give a job to all the people classified as employable a job. This type of program for welfare recipients may have to continue for an indefinite period. We certainly cannot see public service jobs as any substitute for general revenue sharing.

Question. Why not strengthen state and local revenue systems through a tax credit?

Answer. A good case could be made for a moderate increase through a credit device in the extent to which state and local income taxes can be an offset against federal tax liability. Certainly greater use of the income tax by state governments and larger local governments needs to be encouraged. The case for a tax credit rests not upon fiscal relief but upon the need for a stronger state-local tax system. The fiscal relief provided through an income tax credit would go primarily to the state governments but to very few cities and counties. The income tax is not susceptible to efficient use by smaller cities and counties; certainly we do not want to encourage a system of income tax overlapping where, as in one or two states today, employers have to make as many as 6 to 10 separate withholdings to accommodate the separate income taxes of cities, counties, townships, school districts and special districts with any single metropolitan area.

County Government Resolutions Received by NACO Supporting General Revenue Sharing

Motion by Supervisor Dorn

The Board is well aware that local governments across the country need help in meeting their rapidly increasing responsibilities. Not only must we deal with area-wide problems of community unrest and attendant socio-environmental degeneration, but we are asked to meet these demands without adequate financial resources. We are shackled with the least productive sources of revenue to combat the major problems of our day because the Federal government has preempted the major source of revenue—the personal income tax.

President Nixon has proposed legislation that would help to alleviate the financial burdens faced by state and local governments while at the same time avoiding the further concentration of power at the Federal level.

Senate Bill 2948 and House Bill 14021 would provide for Federal sharing of the income tax with state and local governments. Under the President's proposal, state and local governments would receive block grants based upon population and revenue effort with "no strings attached." The County could receive as much as $27,000,000 in five years under this plan.

I would like to move that:

1. The Board support the President's proposals in principle, with the provision that such legislation provides for an automatic "pass through" of money to local governments; and

2. The following persons be notified of the Board's position through the County Legislative Consultant, Mr. Joseph Pollard: President Nixon, Murray Weidenbaum, Assistant Secretary of the Treasury, all members of the House Ways and Means Committee, all members of the Senate Finance Committee, Representative Betts, sponsor of the House bill, Senator Baker, sponsor of the Senate bill, all members of the California Congressional Delegation.

Resolution Supporting Revenue Sharing

Local government throughout the United States, in growing municipalities and counties is frustrated by rapidly increasing demands for service, rapidly increasing costs of such services, an unresponsive revenue base (property taxes and consumer taxes), and an attitude of unwillingness by tax payers to increase rates of taxes or provide new taxes.

The Internal Revenue Service is the most efficient tax collection system known to man. The federal income tax is more closely tied to the growth of the economy of this great nation than any other levy. Over 90% of all income taxes collected in the United States are collected by the Internal Revenue Service. It has been normal for income tax receipts to increase at an annual rate in excess of $10 billion.

Revenue sharing would provide a measure of relief to hard pressed local governing bodies. The local tax payer would benefit. A portion of his federal income tax would be made available to his local, elected officials and as a consequence local service to the tax payer would be improved. The absence of "strings attached" insures that there would be no need to add administrative personnel to the federal employment to see that local and state officials spend the proceeds of revenue sharing in accordance with congressional regulations. Revenue sharing is a step in the direction of a more appropriate balance between Federal, State, and local government.

Now therefore be it resolved by the Shelby County Commission, Columbiana, Alabama, that this county governing body approve the revenue sharing proposal submitted to Congress by President Richard M. Nixon and that the Commission urge the Alabama Congressional delegation to give full support to this proposal. Further resolved that a copy of this resolution be sent to the Honorable Richard M. Nixon, President of the United States, the members of the Alabama Congressional Delegation, the National Association of Counties, and the Association of County Commissioners of Alabama.

Excerpts From the Minutes of the Cherokee County Commission Held on January 25, 1971

A discussion was had concerning a letter from National Association of Counties to the Governing Body of Cherokee County, Alabama, concerning organizing County Governments to push federal revenue sharing through Congress.

Upon motion duly made by *C. L. St. Clair, Jr.* and seconded by *Tom Wade Hampton* the following resolution was unanimously adopted by all of the members present.

Whereas, there is a need for County Governing Bodies to push federal revenue sharing through Congress; and

Whereas, under the proposal submitted by President Nixon Cherokee County would receive an annual grant under said proposed revenue sharing plan, and said amount could be spent at the discretion of the governing body of Cherokee County without any restrictions on the same.

Now therefore, be it resolved by the Cherokee County Commission of Cherokee County, Alabama, hereby endorses the principals of revenue sharing submitted under the proposal of President Nixon wherein said Cherokee County, Alabama, would receive an annual grant with no restrictions thereon, with a C.M.S. fee of $100.00.

Be it further resolved by said Commission that *Ralph Meade, President* of said Cherokee County Commission is hereby designated and appointed to serve on a national revenue sharing task force and he is hereby authorized and empowered to proceed with any and all steps necessary to help push federal revenue sharing through Congress.

Be it further resolved by said Commission that *Ralph Meade, President* proceed to contact all of our congressional delegation and any and all other persons who may be of help in this matter and obtain their support in the same.

State of Alabama, Cherokee County.

I Ralph Meade, President of the Cherokee County Commission do hereby certify that the foregoing excerpt of the minutes of the meeting of said Commission held on January 25, 1971 are a true, correct and compared copy of said minutes as the same appears in the minute book of said Commission.

This the 30th day of January, 1971.

Resolution No. 28 of 1971

Resolution requesting the Congress of the United States to adopt legislation providing for the sharing of Federal revenues with units of local government

Whereas, local governments, in recent years, have been required to expand the essential services required for the well being of their inhabitants; and

Whereas, the principal source of revenue for financing these services is the real property tax; and

Whereas, almost all units of local government have been required to increase the real property tax, so that it now constitutes a serious financial burden upon many taxpayers; and

Whereas, many local governments are now faced with a financial crisis because of their inability to raise the revenue required in order to maintain essential services, and to undertake new programs required by the inhabitants of said local governments; and

Whereas, the President of the United States, in his State of the Union Message, has recommended the adoption of a program providing for the sharing of a portion of the federal revenues with state and local governments.

Resolved that the Orange County Legislature approves the concept of the sharing of federal revenues with state and local governments.

Further resolved as follows:

1. That the Congress of the United States is urged to adopt legislation, during its current session, providing for such revenue sharing.

2. That such legislation provide for automatic annual appropriations for revenue sharing of a designated portion of the federal income tax revenues.

3. That such legislation provide for the annual distribution of such revenues to the fifty states, according to a clear formula based primarily on population.

4. That such legislation specifically provide and require that a designated portion of such revenues be distributed by each state to its local governments for general governmental purposes.

5. That no restriction be placed on the purposes for which such federal revenues may be used by the state and local governments.

RESOLUTION NO. 71-24 ENDORSING PRESIDENT'S REVENUE SHARING PROGRAM

Whereas, counties and other local governments are facing increased demands for services and facilities, and

Whereas, the greater portion of the funds for these services must come from ad valorum property taxes levied by counties and other local governments; and

Whereas, the property tax levies in counties and other local governments has reached a level where they are becoming oppressive and confiscatory, and

Whereas, it is necessary that counties and other local governments finance these services and facilities from funds other than property taxes, and

Whereas, the President of the United States has proposed a Revenue Sharing Program whereby federal funds will be shared with counties and other local governments, and

Whereas, said Revenue Sharing Program will aid counties and other local governments in meeting the demands for the providing of new and expanded services and facilities.

Now, therefore, be it resolved that the Board of Supervisors of the County of Monterey, State of California, does hereby endorse the President's Revenue Sharing Program.

On motion of Supervisor Smith, seconded by Supervisor Branson, the foregoing resolution is adopted this 9th day of February, 1971.

RESOLUTION NO. 28 OF 1971

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Further resolved as follows:

1. That the Congress of the United States is urged to adopt legislation, during its current session, providing for such revenue sharing.

2. That such legislation provide for automatic annual appropriations for revenue sharing of a designated portion of the federal income tax revenues.

3. That such legislation provide for the annual distribution of such revenues to the fifty states, according to a clear formula based primarily on population.

4. That such legislation specifically provide and require that a designated portion of such revenues be distributed by each state to its local governments for general governmental purposes.

5. That no restriction be placed on the purposes for which such federal revenues may be used by the state and local governments.

RESOLUTION NO. 71-82

Resolution of the Mendocino County Board of Supervisors supporting revenue sharing proposal in the 1971 State of the Union message of the President of the United States

Whereas, President Richard M. Nixon, in his 1971 State of the Union Message has proposed a "NEW FEDERALISM" based on the principle of revenue sharing; and,

Whereas, concepts of revenue sharing have been reviewed and discussed for many years; and,

Whereas, the present proposal would provide for the distribution of a percentage of Federal income tax revenue back to the States on a population and tax effort basis and with the condition that funds be passed through to local general purpose units of government; and,

Whereas, the Federal government, as the most effective tax collecting agency in this country, should return some of these tax dollars to the areas where they are collected so that taxpayers of these areas can determine their most efficient and effective expenditure; and,

Whereas, such a program would permit the development of badly needed programs, facilities and improvements for the citizens of this country, based on local needs and desires—rather than through rigid, bureaucratic and unresponsive forms of grants in aid programs; and,

Whereas, revenue sharing restores in part, the basic principle of federalism upon which this republic was founded and terminates the erosion of local and state government by a growing monolithic Federal bureaucracy; and,

Whereas, the basic principle remains unallayed that local government is still more responsive to needs of people and can provide for needs of people as they desire in a more effective and successful method than through rigid grants in aids programs; and,

Whereas, this revenue sharing proposal indicates the trust and confidence by Federal authorities in State, County and City elected and appointed officials who are at the base of our Federal system and correctly expresses the concept that competence, excellence and integrity in governmental administration is available locally as well as in Washington, D.C.; and,

Whereas, this Board of Supervisors has supported in the general principle of revenue sharing by Resolution #70-125, of May 20, 1970, and now completely concurs with the new federalism concept as presently proposed; and,

Whereas, many local and State governments are unable to provide basic needed services as well as other new and required programs due to the lack of monies and funding sources.

Now, therefore, be it resolved, that the Mendocino County Board of Supervisors strongly urge their congressional representatives to support diligently and earnestly the concept of revenue sharing in the 92d Session of Congress, based on the principle of return to state and local governments of a percentage of the Federal income tax annually, with the requirements for a passthrough by the States to local, general purpose, units of government without restriction other than accounting and non-discrimination provisions.

Be is further resolved, that this Board of Supervisors recommends that the Northern Coastal Counties Supervisors Association adopt this proposal at their forthcoming meeting of February 19, 1971.

Be it further resolved, that copies of this Resolution be forwarded to President Richard M. Nixon, Senator John Tunney, Senator Alan Cranston, Congressman Donald Clausen, Congressman Carl Albert, Congressman Wilbur Mills, County Supervisors Association of California and National Association of Counties.

RESOLUTION SUPPORTING PLAN FOR FEDERAL GOVERNMENT REVENUE SHARING WITH LOCAL GOVERNMENT

Whereas, the cost of providing the services required by people from the Cities and Counties has placed a disproportionate burden upon the property taxpayer; and

Whereas, the costs of local government continue to increase along with a "revenue gap" which could only be met by increasing the burden upon the overburdened property taxpayer; and

Whereas, in spite of budget cutbacks and austere measures at the local government level this "revenue gap" has continued to grow; and

Whereas, the President of the United States has proposed a "Revenue Sharing" program to the Congress which could be the answer to local government's "revenue gap" problem; and

Whereas, the Revenue-Sharing Plan is based upon distributing 1.3% of the Federal Income Tax collected back to the States, Counties and Cities, such amount being $5 billion this year; and

Whereas, the Revenue-Sharing Plan would earmark approximately $1.1 million this year for distribution between Placer County and its five Cities; and

Whereas, the sharing of such funds with local government at an early date would serve to stop this rising property tax burden and would be expended in a manner that would stimulate the economy within the Cities and County at a time when unemployment is already far too high.

Now, therefore, be it resolved that the Board of Supervisors of the County of Placer strongly supports the concept of revenue sharing in a manner that provides for an annual appropriation based on a portion of the federal income tax revenue; and

Be it further resolved that said portion of federal income tax revenue be distributed to all States according to a clear formula based primarily on population with a mandatory pass-through from the States to all local general purpose governments; and

Be it further resolved that said passthrough of federal income tax revenues should have no program or project restrictions on the use of the funds if they are to be used most effectively to accomplish the purposes shown above; and

Be it further resolved that this Board strongly urges the Congress of the United States to adopt revenue sharing legislation at the earliest possible date as a non-partisan act of great urgency; and

Be it further resolved that copies of this Resolution be promptly transmitted to U.S. Senator Alan Cranston, U.S. Senator John V. Tunney, Congressman Harold T. "Bizz" Johnson, Chairman of House Ways and Means Committee, Chairman of Senate Finance Committee, National Association of Counties, County Supervisors Association of California, League of California Cities, and Mayors of Roseville, Auburn, Rocklin, Lincoln and Colfax.

RESOLUTION OF 1971 RESOLUTION REQUESTING THE CONGRESS OF THE UNITED STATES TO ADOPT LEGISLATION PROVIDING FOR THE SHARING OF FEDERAL REVENUES WITH UNITS OF LOCAL GOVERNMENT

Whereas, local governments, in recent years, have been required to expand the essential services required for the well being of their inhabitants; and

Whereas, the principal source of revenue for financing these services is the real property tax; and

Whereas, almost all units of local govern-

ment have been required to increase the real property tax, so that it now constitutes a serious financial burden upon many taxpayers: and

Whereas, many local governments are now faced with a financial crisis because of their inability to raise the revenue required in order to maintain essential services, and to undertake new programs required by the inhabitants of said local governments; and

Whereas, the President of the United States, in his State of the Union Message, has recommended the adoption of a program providing for the sharing of a portion of the federal revenues with state and local governments.

Resolved that the Orange County Legislature approves the concept of the sharing of federal revenues with state and local governments.

Further resolved as follows:

1. That the Congress of the United States is urged to adopt legislation, during its current session, providing for such revenue sharing.

2. That such legislation provide for automatic annual appropriations for revenue sharing of a designated portion of the federal income tax revenues.

3. That such legislation provide for the annual distribution of such revenues to the fifty states, according to a clear formula based primarily on population.

4. That such legislation specifically provide and require that a designated portion of such revenues be distributed by each state to its local governments for general governmental purposes.

5. That no restriction be placed on the purposes for which such federal revenues may be used by the state and local governments.

Further resolved that the Clerk of the County Legislature is directed to transmit certified copies of this resolution to the following:

Chairman of the Ways and Means Committee of the House of Representatives.

Chairman of the Finance Committee of the United States Senate.

Members of the Senate and House of Representatives, representing the State of New York.

National Association of Counties.

SUPPORTING THE PRESIDENT'S PROGRAM FOR SHARING FEDERAL REVENUES

Whereas, as many taxpayers of Stanislaus County are suffering hardship because of the increasing burden of the property tax; and

Whereas, the property tax is the main source of local revenue for the support of Stanislaus County government; and

Whereas, the possibility of meaningful property tax relief is doubtful because of the bleak fiscal situation which faces the government of the State of California; and

Whereas, the President of the United States has proposed to the Congress a program which would share a portion of Federal revenues with the states and with local government; and

Whereas, the proposed revenue-sharing program is a well-conceived beginning to rescue state and local governments from their fiscal difficulties;

Now, therefore, be it resolved that the Board of Supervisors of the County of Stanislaus, State of California, hereby endorses the concept of revenue-sharing and urges its adoption by the United States Congress.

Be it further resolved that copies of this resolution shall be sent to the Honorable Alan Cranston and the Honorable John Tunney, United States Senator, the Honorable John McFall, Representative of the Fifteenth Congressional District, and to the National Association of Counties.

Upon motion by Supervisor Thurman, seconded by Supervisor Franzen, the foregoing Resolution was duly passed and adopted at a regular session of the Board of Supervisors of the County of Stanislaus, State of California, this 2nd day of February, 1971.

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA SUPPORTING REVENUE SHARING

Whereas, local government is largely dependent upon property tax to support public programs, and such a tax is placing a tremendous burden upon property owners to provide even the minimum levels of service; and

Whereas, a Board of Supervisors with responsibility to our electorate is keenly aware of the public's reaction to property taxes, and there is great sympathy for the excessiveness of the burden while supporting through income, taxes and other means, the mandatory programs of the Federal government; and

Whereas, there must be decisions by Congress as to the importance of competing programs for tax dollars, and there is a philosophy to hold public services to the most effective level in the hierarchy of governments; and

Whereas, Ventura County supports a concept of revenue sharing containing the following basic principles:

(a) Annual appropriation of a designated portion of Federal income tax revenues.

(b) Annual distribution according to a clear formula based primarily on population.

(c) A mandatory and equitable pass through of funds from each State to its local general purpose governments spelled out in clear formulas.

(d) Inclusion in the pass through of all general purpose local governments.

(e) No program or project restrictions on the use of the funds; and

Whereas, Ventura County does not look upon revenue sharing to resolve all the major ills that afflict our financial system, but as urgently needed to strengthen the financial foundation of our system of decentralized government.

Therefore, be it resolved that the Board of Supervisors of the County of Ventura, California, speaking for the over-burdened property taxpayers of this County, beseech Congress to act with haste and favor on the adoption of legislation enacting the revenue sharing concept.

Passed and adopted this 9th day of March, 1971.

RESOLUTION

Whereas; the San Juan County Commissioners are desirous of endorsing the principals of revenue sharing, and

Whereas; demands are constantly being placed on County government for increased services at spiraling cost and,

Whereas; the San Juan County Commissioners desire to meet these needs at a local level with an already inadequate revenue base restricted by the state, now

Therefore be it resolved: that the San Juan County Commissioners heartily support and urge their representatives in congress to also support and endorse the proposed federal revenue sharing program. It is necessary that no restrictions be placed on these funds as accounting and sources of revenue are strongly controlled by the State.

RESOLUTION SUPPORTING FEDERAL REVENUE SHARING PROGRAM

Whereas, the Board of County Commissioners of Adams County endorses a Federal Revenue Sharing Plan formulated by the National Association of Counties providing for a redistribution of federal funds to local government based on population, and,

Whereas, a form of Federal Revenue Sharing now exists in the myriad federal agencies now authorized to review, recommend, and approve federal grants to cities and counties, and,

Whereas, the Board of County Commissioners of the County of Adams is of the opinion that the present federal grant system is costly and employs the unnecessary duplication of services and agencies, and results in a trickle of usable funds back to local government, and,

Whereas, the Board of County Commissioners is of the opinion this unnecessary shortcoming in the present system of federal aid in grant programs can and should be eliminated, and,

Whereas, the Board of County Commissioners of the County of Adams is of the opinion that a direct Federal Revenue Sharing Program with cities and towns would double or triple the amount of funds available for use at the local government level, and,

Whereas, our present system of government contains adequate controls and safeguards.

Now, therefore, be it resolved, by the Board of County Commissioners, County of Adams, State of Colorado, that the plan of the National Association of Counties providing for the sharing of federal funds with cities and counties based on population, whereby the County of Adams would receive the sum of $601,349, and whereby the incorporated cities and towns would receive additional payments from the federal government without any conditions attached thereto, and which plan provides for the return of $6,133,056 to the local governments of the State of Colorado be and hereby is recommended to the members of the 92nd Congress of the United States of America.

Be it further resolved, that the Board of County Commissioners hereby and herewith appoint Commissioner Glen Lancaster as a member to serve on the National Revenue Sharing Commission of the National Association of Counties.

Be it further resolved, that a copy of the enclosed resolution be forwarded to Congressional Representatives of the State of Colorado and to the National Association of Counties.

RESOLUTION OF SUPPORT, IN PRINCIPAL, OF PRESIDENT RICHARD M. NIXON'S FEDERAL REVENUE SHARING PROPOSAL

Whereas, State and Local government units are finding it increasingly difficult to provide the services and demands required of it due to taxing limitations placed on them by Federal Income Tax, and,

Whereas, many of the remedial programs undertaken by the Federal Government during the last thirty years to improve living conditions have proven inadequate for present conditions; and,

Whereas, the multiplicity of administration, duplication, inefficiency and red tape connected with the present system of categorical aids by the Federal Government make it very difficult and often impossible for the local governments to participate in self-help and betterment programs deriving from our local federal income tax, and,

Whereas, it is the feeling of the Manatee County Board of Commissioners that the best government is the government closest to the people and that our local needs and problems can be solved more efficiently and economically by those of us here at home rather than by some bureaucrat in Washington, D.C., who represents an area totally different in needs and resources, and,

Whereas, it is further believed that even though the Revenue Sharing Program does not represent an ideal solution, it is nonethe-less, the most promising program presented to date in which a community will be able to meet its commitment to its citizens within the present taxing structure, and,

Whereas, the National Association of Counties, consisting of 3,049 County governments and with an active membership of 21,000 elected and appointed County leaders, has endorsed the Revenue Sharing Program.

Now, therefore, be it resolved, that the Manatee County Board of Commissioners en-

dorses and supports the Revenue Sharing Program, in principal, and that Mr. Neno J. Spagna, Planning Director, is hereby instructed to express such feeling to the National Association of Counties and such other individuals and organizations which are working to develop the program.

Passed and adopted this 2d day of February, 1971.

A RESOLUTION ENDORSING THE CONCEPT OF FEDERAL REVENUE-SHARING AND ENCOURAGING EARLY CONGRESSIONAL ACTION ON ENACTMENT OF A FEDERAL PROGRAM

(By Board of County Commissioners, Collier County, Florida)

Whereas, it is becoming increasingly difficult for City, County, and State Governments to provide necessary services with revenues currently available, and

Whereas, the primary source of revenue for governmental purposes is the Federal Income Tax levied and collected by the Federal Government, and

Whereas, the current administration at the Federal Government level has proposed a Federal Revenue-Sharing Program to assist local governments in the provision of services;

Now, therefore, be it resolved by the Board of County Commissioners of Collier County, Florida, in regular session assembled this 2nd day of March, 1971, that it does hereby strongly endorse the principle of Federal Revenue Sharing and encourages the Ninety-Second Congress to enact legislation establishing such a program at the earliest opportunity.

Adopted this 2nd day of March, 1971 A.D.

A RESOLUTION ENDORSING THE CONCEPT OF FEDERAL REVENUE SHARING AND ENCOURAGING EARLY CONGRESSIONAL ACTION ON ENACTMENT OF A FEDERAL PROGRAM

(By Palm Beach County, Florida, by its Board of County Commissioners)

Whereas, it is becoming increasingly difficult for City, County, and State Governments to provide necessary services with revenues currently available, and

Whereas, the primary source of revenue for governmental purposes is the Federal Income Tax levied and collected by the Federal Government, and

Whereas, the current administration at the Federal Government level has proposed a Federal Revenue Sharing Program to assist local governments in the provision of services;

Now, therefore, be it resolved by the Board of County Commissioners, of Palm Beach County, Florida, in regular session assembled this 19th day of January, 1971, that it does hereby strongly endorse the principle of Federal Revenue Sharing and encourages the Ninety-Second Congress to enact legislation establishing such a program at the earliest opportunity.

RESOLUTION

Whereas, the Nixon Administration, in an attempt to decentralize Government and to strengthen state and local Government has presented to the Congress a Revenue Sharing Program whereby the Federal Government would provide to State and Local Governments a portion of the Federal income tax receipts with minimum restrictions on the use thereof, and

Whereas, the Local Governments of Polk County, Georgia, are in dire fiscal condition due to their limited tax resources, and

Whereas, the demand for public services are increasing while the tax resources available to Local Governments are regressive in nature,

Whereas, a system of revenue sharing based on an automatic annual appropriation of a designated portion of the Federal Income Tax Revenues would greatly enhance the local government's ability to serve the needs of its people, and

Whereas, we feel that our Congressman and Senators in the United States Congress should be made aware of our support of such a revenue sharing program as outlined by the Nixon Administration,

Now, therefore, be it resolved, and it is hereby resolved by the Board of Commissioners of Polk County, Georgia, that the Board of Commissioners of Polk County, Georgia, go on record as supporting the Revenue Sharing Legislation now before Congress and urges Congress to adopt said Revenue Sharing Legislation.

Let this Resolution be spread upon the Minutes of this Board and a copy thereof be forwarded to Senator Herman E. Talmadge, Senator David Gambrell and Congressman John W. Davis.

Adopted this 2nd day of March, 1971.

RESOLUTION OF FLOYD COUNTY, GA.

Whereas, the President of the United States has proposed to the Congress, a Federal Revenue Sharing Program, to provide badly needed Revenue to financially hard pressed and in many instances almost bankrupted local governments within the States, and

Whereas, the Board of Commissioners of Floyd County, Georgia, being faced with the day to day problem of increasing costs in furnishing the services needed and required by citizens of Floyd County, Georgia, and being as are most County Governments, restricted to property ad valorem taxes to raise revenues, to meet increasing inflationary costs to provide additional water and sewer services, sanitary land fills, and other pollution control measures, and faced with the problem of maintaining and carrying out the duties and responsibilities of local government, in the ordinarily accepted fields of welfare, roads, health, indigent hospital care, and related sociological needs, plus the requirements of the future, which will require that Counties get into garbage collection field, and the delivery of other urban types services, as faced and is facing the stark and realistic fact that property values are not increasing sufficiently to bear these costs. Other sources of revenue are essential, if there is not to be a breakdown of local government, and the resulting denial to the citizens of an efficient governmental unit on the level which is closest to them, and which best understands their needs, and which can best meet these needs efficiently, and democratically, and

Whereas, the State and Federal Governments own all of the additional sources of revenue, and relief can only be granted by either giving to the Local Governments, some of the sources of Revenue now controlled by the Superior Governmental Units, or sharing with Local Government on some fair and firm formula, the revenues produced through the taxing machinery of these Superior Governmental Units.

Now, therefore, be it resolved, and it is hereby resolved, that the Board of Commissioners of Floyd County, Georgia, do hereby endorse the principle of revenue sharing, where such revenue sharing is truly related to the problems now confronting local governments, and where the formula for the dispensation of said funds is equitable and does not result in handling charges along the way which diminish them to the extent that they can not serve the purpose intended.

Be it further resolved, that the Board makes the following suggestions as matters to be considered in order to accomplish the foregoing principles to help and assist local government:

(1) The plan should assure substantial direct, equitable, and continuing sharing of additional federal financial resources based upon a percentage of the federal income tax base.

(2) Any general fund allocation formula for revenue sharing should be simple, understandable, and fair and focus on the commonly accepted public service responsibilities of general purpose government.

(3) Educational finance should be separately considered and any revenue sharing plans for aid to municipalities should in no way interfere with federal aid for education; consideration should also be given to treating separately groups of service responsibilities such as welfare, health, and hospitals which are widely distributed among City, County, and State Levels of Government.

(4) The revenue sharing plan should be designed to supplement rather than substitute for state-local tax effort.

(5) The revenue sharing plan should buttress and strengthen most major categorical federal grants-in-aid, and not be viewed as a substitute for such aids; however, one objective of such programs would be to lessen the eventual overall need for numerous categorical grants.

(6) Revenue sharing should encourage an effective and responsible structure of government, and should further deter fragmentation of local government.

(7) The procedures for federal revenue sharing should support fiscal policy for a stable and growing economy without impairing orderly budgeting at the state and local levels.

(8) Any program of block grants or revenue sharing should require periodic and effective financial reporting by participating governments and be governed by all provisions of Title VI of the 1964 Civil Rights Act.

Be It Further Resolved, that in the consideration of the President's Program for Revenue Sharing, that the Congress of the United States is encouraged and urged to consult with those persons most knowledgeable in the problems of Local Government, to-wit: The National Association of County Officials; The International City Management Association and The National League of Cities.

Be It Further Resolved, that a copy of this resolution be spread upon the minutes of this Board, and that copies of the same be sent to the President of the United States, Vice President of the United States, the United States Senators from the State of Georgia, Congressman John Davis, of the Seventh Congressional District, The National Association of County Officials, The International City Management Association, The National League of Cities, The Association of County Commissioners of Georgia, The Georgia Municipal Association and such other persons and parties as may be interested in the passage and funding of said Program.

Done in open meeting, this 19th day of January, 1971.

RESOLUTION FOR REVENUE SHARING

Moved by Reynold Jurgensen, Clinton County and seconded by Elmer Clayton, Scott County to work for and support the concept of Federal Revenue Sharing by the Congress of the United States, providing for the States, Counties, Cities and Towns of Iowa an opportunity to share in the Federal Income Tax collected by the Internal Revenue Service. Funds received to be accounted for as local government officials decide.

Carried unanimously.

Sixth District Association of Counties.
Louis Hulseberg, Pres. of Assn.
Helen Murray, Sec'y-Treasurer.
ANAMORA, IOWA, March 4th, 1971.

RESOLUTION No. 17858

Whereas, according to figures available from the National Administration in Washington, D.C. showing the dollar amounts of the total Federal Funds available under General Revenue Sharing for Fiscal Year 1972, said figures disclose $101,465,199 allocated for

the State of Louisiana and $3,809,836 allocated for the Parish of Jefferson, and

Whereas, the funds, due to us, are sorely needed in the Parish of Jefferson.

The Jefferson Parish Council hereby resolves to request our Congressional Delegation to exert all energies to get these funds for Jefferson Parish.

The resolution was declared to be adopted this the 11th day of March, 1971.

RESOLUTION OF THE WEBSTER PARISH POLICE JURY

Whereas over the period of the last several decades, there has been a steady centralization of power in the Federal Government to the extent that many of the activities which once were solely the responsibility of state and local governments are now totally or partially controlled by the Federal Bureaucracy; and

Whereas the growing demand for public services on state and local governments combined with increasingly limited sources of revenue to finance such services is likely to lead to an even further growth of federal intervention unless action is taken to prevent such a development; and

Whereas the principal reason for the growth in federal influence has arisen from the fact that the vast bulk of the total tax dollars raised in this country are raised at the federal level; and

Whereas legislation to halt the growth of the federal establishment through a reallocation of tax revenues has been introduced in the National Congress under the title of "Central Revenue Sharing," which legislation would return to state and local governments a designated portion of the national income tax proceeds in the form of unrestricted bloc grants; and

Whereas enactment of this legislation would have an extremely beneficial effect on the future development of government in this country.

Now, therefore, be it resolved by the Police Jury of Webster Parish, Louisiana, duly assembled on this, the 11th day of May, 1971, that it does hereby express its support for the concept of General Revenue Sharing and urges the members of the Louisiana Congressional Delegation to use their individual and collective influence to see that legislation implementing this proposal be enacted as soon as possible.

Be it further resolved that copies of this resolution be forwarded to the members of the Louisiana Congressional Delegation and to the Louisiana Police Jury Association so that they may be appraised of the position of this body on this most important matter.

The above Resolution was unanimously adopted by the Webster Parish Police Jury in regular session convened May 11, 1971 on motion of Tylon Blanton, duly seconded by Ray Hardaway.

RESOLUTION OF POLICE JURY, IBERIA PARISH, LA.

Be It Resolved that the Police Jury of Iberia Parish hereby supports the Revenue Sharing Program presently before Congress,

Be It Further Resolved that a copy of this resolution be sent to the Louisiana Congressional Delegation.

RESOLUTION OF WASHINGTON COUNTY, MD.

Whereas, the future of a liable municipal government in Maryland is pending upon adequate resources to pay for municipal services; and,

Whereas, the municipal officials are concerned that the citizens in our cities and towns be taxed equitably; and,

Whereas, there are inherent weaknesses in our present local fiscal structure, including double property taxation for services performed by municipalities and a general inability to move away from the use of the general regressive property taxes to the direct use of the equitable and productive income taxes; and,

Whereas, Senate Bill 663 and House Bill 1296 would provide a process for establishing property tax differential between counties and municipalities for services performed by municipalities, and Senate Bill 735 would establish a total approach to a system of revenue sharing, which would bring a share of state income tax revenue collections in the municipalities back to the municipalities on the basis of tax effort and fiscal need;

Now, be it therefore resolved, by the government of Hagerstown, that we urge and support the Washington County Municipal Association and that we support both of these measures and commend their sponsors for their introductions; and,

Be it further resolved, that we urge immediate action on these measures by the Senate Finance Committee and the House Ways and Means Committee; and,

Be it further resolved, that we urge the Senators and Delegates from this legislative district to give their fullest support and actively seek enactment this year; and,

Be it further resolved, that copies of this resolution be sent to Senator George W. Snyder, and Senator Edwin Mason, and Delegates Richard Grumbacher, Irwin F. Hoffman, Charles F. Wagaman, Jr., and Frederick C. Wright III, and to the Maryland Municipal League.

Hagerstown, Md., March 23, 1971.

RESOLUTION OF OAKLAND COUNTY BOARD OF COMMISSIONERS

Whereas, the President has presented to the Congress a comprehensive program for federal revenue sharing with state and local governments, and the Nixon administration has assinegd high legislative priority to revenue sharing; and

Whereas, the program has been under serious and continued study since first proposed to the Johnson Administration in 1964; and

Whereas, a program of federal revenue sharing would redress the power imbalance between the federal and state and local governments, reverse the trend toward growing federal control of state and local programs, provide a versatile fiscal tool in accordance with our federal system to help ease state and local fiscal tensions, and introduce greater equity into the Nation's intergovernment tax system; and

Whereas, the concept of revenue sharing enjoys wide-spread public support and the strong support of representatives of state and local government.

Now, therefore be it resolved, that the Oakland County Board of Commissioners endorses the concept of the President's program for revenue sharing and agrees on the basic outline of the plan for the distribution of revenue sharing funds.

Be it further resolved that the Oakland County Board of Commissioners strongly urges the Oakland County and Michigan Congressional delegation to support the President's program.

Be it further resolved that the Oakland County Board of Commissioners pledges to lend its efforts to the enactment of the revenue sharing program through cooperative efforts with the Michigan Association of Counties, the National Association of Counties and the State of Michigan and other local units of government.

Be it further resolved that copies of this resolution be sent to Congressmen William S. Broomfield and Jack H. McDonald, Senators Philip A. Hart and Robert P. Griffin, the Michigan Association of Counties and the National Association of Counties.

Be it further resolved that copies of this resolution be sent to each Board of County Commissioners in the State of Michigan.

Be it further resolved that copies of this resolution be sent to the members of the United States House of Representatives, to the Speaker of the United States House of Representatives and Members of the Ways and Means Committee of the House Representatives.

MISCELLANEOUS RESOLUTION No. 5363

By: Legislative Committee, Mr. Powell.

In Re: Support of United States Senate bill No. 2948.

To the Oakland County Board of Commissioners.

Mr. Chairman, Ladies and Gentlemen: Whereas, there is pending in the U.S. Senate, Senate bill No. 2948; which provides for "Revenue Sharing" with states and local units of government; and

Whereas, a sharing in the Federal income taxes by state and local governments is one of the few remaining sources of sorely needed revenues to meet the growing needs of local government; and

Whereas, the concept of financing and controlling as many services to the people as possible at the local level of government which is closest to and most responsive to the people is desirable; and

Whereas, Oakland County wishes to go on record in support of this legislation and to do all it can to gain support for and passage of U.S. Senate bill No. 2948;

Now, therefore be it resolved, that the Oakland County Board of Commissioners totally favors and supports the concept of "Revenue Sharing" and the passage of U.S. Senate bill No. 2948, providing for the commencement of a Revenue Sharing program;

Be it further resolved, that copies of the resolution be sent to all sponsors of the bill in the U.S. Senate, each state association of counties, the National Association of Counties, the Michigan Legislature, House Speaker, President of the Senate, each Legislator from Oakland County, and the Governor of the State of Michigan with a request to all to lend their support to Revenue Sharing and U.S. Senate bill No. 2948.

Mr. Chairman, I move the adoption of the foregoing resolution on behalf of the Legislative Committee of the Oakland County Board of Commissioners.

ST. LOUIS COUNTY,
Duluth, Minn., January 28, 1971.

The following motion was adopted by the Board of County Commissioners of the County of St. Louis, Minnesota, at its meeting held on January 25, 1971:

Upon motion of Commissioner Barrett, the Board of County Commissioners of St. Louis County went on record of supporting and reaffirming its stand on principles of Revenue Sharing by the Federal Government.

No. 31.

Yours very truly,

ANDREW KORDA,
County Auditor.

ST. LOUIS COUNTY,
Duluth, Minn., January 28, 1971.

The following motion was adopted by the Board of County Commissioners of the County of St. Louis, Minnesota, at its meeting held on January 25, 1971:

Upon motion of Commissioner Donaghy, the County Auditor was authorized to pay the sum of $951.00 for 1971 dues to National Association of Counties, 1001 Connecticue Avenue, N.W., Washington, D.C. 20036.

No. 32.

Yours very truly,

ANDREW KORDA,
County Auditor.

CERTIFIED COPY OF RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. LOUIS COUNTY, MINNESOTA

Resolution No. 169; Adopted April 7, 1969. By Commissioner Anderson.

Resolved, That the Board of County Commissioners of St. Louis County, Minnesota,

duly assembled in regular session this 7th day of April, 1969, hereby places itself on record in support of a bill for an act known as the "Tax Sharing Act of 1969" to provide for the sharing with the State and local governments of a portion of the tax revenues received by the United States.

RESOLUTION

Whereas, Federal laws and policies have placed great financial burdens on Minnesota county government to support federal welfare and assistance programs designed, but not adequately financed, by the federal government, and

Whereas, Blue Earth County has minimum control over the policy and the extent of federal programs, although required to contribute substantially to the support thereof, and

Whereas, Blue Earth County joins with the Association of Minnesota Counties and the National Association of Counties in support of the following five principles of revenue sharing:

1. An automatic annual appropriation of a designated portion of federal income tax revenues.

2. An annual distribution to the 50 states according to a clear formula based primarily on population.

3. A mandatory and equitable pass-through of funds from each state to its local general purpose governments, spelled out in clear formulas.

4. Inclusion in the pass-through of all general-purpose local governments.

5. No program or project restrictions on the use of funds.

Now, therefore, be it resolved, That Blue Earth County affirms its support of federal revenue sharing as the first federal domestic legislative priority.

Be it further resolved, That a copy of this resolution be sent to United States Representative Ancher Nelson; United States Senators Walter Mondale and Eugene McCarthy and Senator-Elect Hubert H. Humphrey; and for informational purposes; the Association of Minnesota and the National Association of Counties.

The above resolution was seconded by County Commissioner Lester Anderson and upon vote was duly adopted.

NEW JERSEY COUNTY PLANNERS ASSOCIATION RESOLUTION

Whereas, the demand for public services has increased both in intensity and scope, and

Whereas, state, county and municipal governments play an important role in delivering said services, and

Whereas, the federal government depends primarily on sources of revenue that grow faster than the economy, and

Whereas, state, county and municipal governments depend primarily on sources of revenue that grow slower than the economy, and

Whereas, the New Jersey County Planners Association is concerned with the effective delivery of governmental services at all levels of government.

Now, therefore, be it resolved, that the New Jersey County Planners Association urges the Congress of the United States to enact a program of federal revenue-sharing so that each level of government may better meet its responsibilities to provide services to its constituents.

RESOLUTION

Whereas, legislation has been introduced in the United States Congress to appropriate funds which may be paid to various states and municipalities to supplement and implement the monies received by said states and municipalities from normal sources of revenue; and

Whereas, it is in the best interest of all local government that counties be included as a part of said appropriations; and

Whereas, the taxpayers of the County of Middlesex would be benefited if an act was adopted by the Congress of the United States and signed by the President and enacted into law resulting in the receipt of funds by the County to be utilized for the increased cost paid through the annual budget for County Courts, hospitals, roads, education, institutions and agencies, and welfare, exclusive of capital improvements needed for said purposes; and

Whereas, such appropriations are essential for the well being of the home owners of Middlesex County, as well as the other counties in the United States;

Now, therefore, be it resolved by the Board of Chosen Freeholders that this Board does hereby endorse and request the adoption of legislation for revenue sharing by the Congress of the United States to permit payments to counties for the needs of said counties as expressed above; and

Be it further resolved that the payment of such funds will be in the best interest of the County of Middlesex and State of New Jersey; and

Be it further resolved that the Clerk shall be and is hereby directed to forward certified copies of these resolutions to the President of the United States, the President of the United States Senate, Speaker of the House of Representatives, Chairman of the House Ways and Means Committee of the Congress of the United States, the two United States Senators representing the State of New Jersey, the 15 United States Congressmen representing the State of New Jersey, the Governor of the State of New Jersey and the Legislature of the State of New Jersey, the New Jersey Association of Chosen Freeholders, and the National Association of Counties.

STATE OF NEW MEXICO, COUNTY OF OTERO, RESOLUTION

Whereas, the Otero County Commission is desirous of endorsing the principles of revenue sharing, so long as it does not interfere with current federal grant programs, such as but not limited to the Four Corners Regional Commission programs, EDA and other similar programs, and,

Whereas, increasing demands are being made on county government for additional services such as areawide planning, solid waste disposal, economic development, increased activity in current programs and many other services, and,

Whereas, monies collected by the federal government from residents within Otero County should be of greater benefit to the people of the county, and,

Whereas, over three-fourths of Otero County is owned by the federal government and not on the county tax rolls.

Now Therefore, Be it hereby resolved that the County Commission of Otero County support the principle of revenue sharing legislation, under the aforementioned conditions, that would give an automatic annual appropriation of federal income tax revenue to local governmental bodies which would be distributed annually to the 50 states by a formula based primarily on population. A formula should be developed whereby the funds when received by the state are distributed without delay to the local governments. It is necessary that no restrictions or reports to congress be necessary from the local governments as accounting is now controlled by the state, which should be sufficient.

Resolved in regular session of the Board this the 22 day of February, 1971.

RESOLUTION

The following resolution endorsing the concept of Federal Revenue Sharing with States and Local Governments was adopted February 1, 1971 by the Davie County Board of Commissioners.

Whereas, the tax revenues of the United States are necessarily derived from the citizens of North Carolina and her sister states; and

Whereas, the President of the United States has proposed to share sixteen billion dollars of federal revenue with state and local governments which are in a manifestly better position to know the precise needs of their citizenry and the best methods to implement programs to satisfy those needs; and

Whereas, the proposal of the President of the United States would tend to restore the concept of proper federal-state relations so important to local government and all its citizens.

Now, therefore, be it resolved by the Board of Commissioners of Davie County to endorse the concept of revenue sharing as proposed by the President of the United States.

RESOLUTION No. 70-364

In the matter of forwarding a resolution to Senator Stephen M. Young, Senator William Saxbe, and Representative Charles Mosher, expressing interest by Lorain County Commissioners in the concept of revenue sharing.

Be it resolved by the Board of Commissioners of Lorain County, Ohio, that we do and hereby express a mutual interest and support in the concept of Revenue Sharing. We are apprised of bills before the House Ways and Means Committee and the Senate Finance Committee, which are making us keenly aware of the proposed approach to Federal allocations on grants.

Our purpose in forwarding this resolution is to ascertain from our representatives the feasibility of revenue sharing from their knowledge and understanding, or in brief, their point of view. It will be appreciated by Lorain County Commissioners to learn, from our representatives the reaching effects on methods proposed in bills for Revenue Sharing.

It has become increasingly more difficult for Local Governments to provide the necessary services. We are convinced that Real Estate Taxes are no longer the answer to meet the needs of our locality.

RESOLUTION

Whereas, the Department of Public Welfare in the spring of each year has been accustomed to notifying the County of the County's portion of the budget for each of the State Welfare Grant Programs, and

Whereas, the County has no choice but to pass the budget demanded of it by the State Department of Public Welfare in regard to the grant programs, because State Law empowers the State Government to withhold state revenues from the County in the event the demanded amounts are not budgeted and paid—notwithstanding the County's vigorous objection to this arbitrary method of forcing a budget on the County without the County's having any discretion therein, and

Whereas, after the County passed its General Fund Budget for Fiscal Year 1970–71, embracing these programs totaling $85,121.47, at the July term, by communication dated October 3, 1970, three (3) months after the County Budget and tax rate had been passed, the State Department of Public Welfare has notified the County that its total budget for the welfare programs must be increased to $91,637.51, some $6,516.04 more than was appropriated by the Maury County Quarterly Court.

Now therefore, be it resolved by the Maury County Quarterly Court assembled in regular business session on this January 18, 1971, that the members of this Court vigorously protest:

(1) The requirement by State Law that the County be required to pass a budget as dictated by a department of State Government which budget must be financed out of local funds, with absolutely no discretionary power over that budget; and

(2) The requirement that such budget be amended after the same has been passed and the tax rate set, making it virtually impossible to meet the increase unless the budget contains an anticipated fund balance sufficient to meet the then increased requirements—and Maury County's anticipated general fund balance is not sufficiently large to cover such an increase this year.

Be it further resolved that the Tennessee General Assembly and the Governor of Tennessee be urged to amend the law pertaining to the financing of our welfare programs so as to provide either for total financing by the State or allowing discretion at the County level to the extent that the County Government is expected to participate.

Be it further resolved that the State Government be urged to continue to protest to the National Government that if State and Local Governments are to be expected to continue sharing in the financing of the welfare programs the State and Local Governments have the authority and discretion over their own budgets commensurate with the respo nsibilities they are expected to assume.

Be it further resolved that copies of this resolution be sent to the Governor of Tennessee, the Commissioner of Public Welfare all of Tennessee's Senators and Congressmen, Maury County's Direct and Floterial Representatives and State Senator, the National Association of Counties and the Tennessee County Services Association.

RESOLUTION

Whereas, in the Spring of each year, it has been the custom of the Tennessee Department of Public Welfare to notify the County of the amount to be appropriated for each of the State Welfare Grant Programs, and

Whereas, the Quarterly County Court adopts a Budget each year, at its July Term, and, accordingly, sets a Tax Rate for the County General Fund, and

Whereas, the Court has no choice other than to adopt the Budget demanded of it by the State Department of Public Welfare, in regard to the Grant Programs, due to the fact that State Law empowers the State Government to withhold State Revenues from the County, in the event that the demanded amounts are not appropriated and paid; notwithstanding the County's vigorous objection to this arbitrary method of forcing an increase in the Budget, without the Quarterly Court having any control thereover, and

Whereas, at the July Term, the Quarterly County Court adopted the General Fund Budget for the Fiscal Year 1970–71, embracing a total of $28,644.00 for said Programs, and

Whereas, by communication dated October 9, 1970, three (3) months after the Budget had been adopted and the Tax Rate set closely around same, the State Department of Public Welfare notified the County that its appropriation for the Welfare Programs must be increased to $36,073.00, some $7,400.00 more than was included in the Budget, as adopted, and,

Whereas, Cumberland County's anticipated General Fund Balance is not sufficient to cover such an increase.

Now, therefore, Be It Resolved by the Cumberland County Quarterly Court, in regular session assembled, on this January 18, 1971, that the members of this Court vigorously protest:

1. The requirement by State Law that the County adopt a Budget containing appropriations dictated by a department of State Government, which Budget must be financed out of Local Funds, with absolutely no discretionary power over same.

2. The requirement that such Budget be amended, after same has been adopted and the Tax Rate set, which renders it virtually impossible to meet the increase, unless the Budget contains an anticipated Fund Balance sufficient to meet the increased requirements.

Be It Further Resolved that the Tennessee General Assembly and the Governor of Tennessee are hereby urged to amend the law pertaining to the financing of our Welfare Programs, so as to provide either for total financing by the State or allowing discretion, at the County Level, to the extent that the County Government is expected to participate therein.

Be It Further Resolved that, if State and Local Governments are to be expected to continue sharing in the financing of the Welfare Programs, the State Government is hereby urged to continue to insist upon the Federal Government that State and Local Governments have power and authority, over their own Budgets, commensurate with the financial responsibilities that they are expected to assume.

Be It Further Resolved that copies of this Resolution be sent to the Governor of Tennessee, the Commissioner of Public Welfare, all of Tennessee's Senators and Congressmen, Cumberland County's Floterial Representative and State Senator, the National Association of Counties and the Tennessee County Services Assoication.

VIRGINIA:

At a regular meeting of the Board of Supervisors of Washington County, held at the Courthouse of said County on Monday, May 10, 1971, at 9:00 o'clock A.M.

On motion of Lindy H. Seamon, seconded by Robert Snodgrass, Jr., and unanimously passed the Washington County, Virginia Board of Supervisors doth hereby resolve that this Board should and it doth hereby express its support of Federal Revenue Sharing Legislation which is now being considered by the Congress of the United States and doth request the support of the Congressmen and Senators who represent this County in obtaining the passage of such legislation as might be based on an equitable formula expressed in terms of a percentage of the total Federal Income Tax receipts. This percentage should increase from an initial year percentage figure in successive years to an established equitable percentage amount. Legislation also should include a formula for the mandatory pass through of such funds by the States on a pre-determined but equitable formula to Local County and Town Governments regardless of size. This subject legislation should provide for such funds to be forwarded wtihout limitations on its use by Local Governments.

MAY 14, 1971.

Hon. GEORGE M. WARREN,
Senate, Reynolds Arcade Building, Bristol, Virginia

DEAR SENATOR WARREN: Enclosed is a copy of action taken by the Board at their regular May meeting. It is forwarded for your information in that such a program in its final enactment would be implemented by some State Legislation.

Sincerely,

DONALD N. JOHNSTON,
Executive Secretary.

MAY 14, 1971.

Hon. FORD QUILLEN,
House of Delegates,
Gate City, Virginia

DEAR MR. QUILLEN: Enclosed is a copy of action taken by the Board at their regular May meeting. It is forwarded for your information in that such a program in its final enactment would be implemented by some State Legislation.

Sincerely,

DONALD N. JOHNSTON,
Executive Secretary.

MAY 14, 1971.

Hon. G. R. C. STUART,
House of Delegates,
Abingdon, Virginia

DEAR MR. STUART: Enclosed is a copy of action taken by the Board at their regular May meeting. It is forwarded for your information in that such a program in its final enactment would be implemented by some State Legislation.

Sincerely,

DONALD N. JOHNSTON,
Executive Secretary.

MAY 14, 1971.

Hon. WILLIAM C. WAMPLER,
House of Representatives,
Washington, D.C.

DEAR MR. WAMPLER: The Board of Supervisors at its regular monthly meeting enacted the resolution in support of Federal Revenue Sharing Legislation which is attached. This was by unanimous action of the Board and your support in obtaining Legislation which would include the points set forth therein is their primary interest regardless of sponsor.

The Board directed that I forward this resolution to you and solicit your support in this matter.

Sincerely,

DONALD N. JOHNSTON,
Executive Secretary.

MAY 14, 1971.

Hon. WILLIAM B. SPONG, Jr.
United States Senate
Washington, D.C.

DEAR SENATOR SPONG: The Board of Supervisors at its regular monthly meeting enacted the resolution in support of Federal Revenue Sharing Legislation which is attached. This was by unanimous action of the Board and your support in obtaining legislation which would include the points set forth therein is their primary interest regardless of sponsor.

The Board directed that I forward this resolution to you and solicit your support in this matter.

Sincerely,

DONALD N. JOHNSTON,
Executive Secretary.

MAY 14, 1971.

Hon. HARRY F. BYRD
United States Senate
Washington, D.C.

DEAR SENATOR BYRD: The Board of Supervisors at its regular monthly meeting enacted the resolution in support of Federal Revenue Sharing Legislation which is attached. This was by unanimous action of the Board and your support in obtaining legislation which would include the points set forth therein is their primary interest regardless of sponsor.

The Board directed that I forward this resolution to you and solicit your support in this matter.

Sincerely,

DONALD N. JOHNSTON,
Executive Secretary.

COUNTY OF HENRICO, TO-WIT:

Whereas, State and local governments throughout America are called upon to provide for their citizens all the facilities and services necessary to promote the health, welfare, safety and the opportunity for peaceful enjoyment of their communities; and

Whereas, the demands for these essential and desirable needs have been accruing at an

ever increasing pace, and which are now further intensified by the need to accelerate further programs to combat pollution of streams and atmosphere, combat crime in the streets, provide increased welfare, educational and recreational opportunities; and

Whereas, State and local governments have long since exhausted most sources of taxation made available for the support of these services and facilities and are now faced to levy ever increasing tax burdens upon their citizens in order to provide for these additional needs.

Now, therefore, be it resolved by the Board of Supervisors of the County of Henrico, Virginia, That it go on record in favor of a Federal Tax Sharing Program by which a portion of the taxes paid to the Federal Government be returned to the State and local governments to assist in providing the heavy demands for essential services, programs and facilities now urgently required, and to provide opportunity for much needed relief to the citizens of both State and local communities; and

Be it further resolved, That such programs, when adopted, provide for the distribution of funds for any lawful purpose without further restriction as to their use.

RESOLUTION No. 8

Whereas, President Nixon has submitted a Federal Revenue sharing plan to Congress, and

Whereas, the revenue sharing plan as proposed would provide five billion dollars with no strings attached, to States and local units of government and would consolidate eleven billion dollars of Categorical aid programs into six broad grant areas of law enforcement, manpower training, urban development, rural development, transportation and education, and

Whereas, the first part of the proposal would alleviate the burden of local taxes, and

Whereas, the second part of the proposal would transfer the power of control of the categorical aid program to local units of government, therefore

Be it resolved, by the Langlade County Board of Supervisors that Congress be memorialized to enact Federal Revenue sharing legislation that will provide an equitable distribution of revenues based on local tax efforts and need instead of on a per capita basis, with emphasis being given to counties, towns, cities and villages, and,

Be it further resolved, that the second part of the proposal be supported providing the individual states will be prohibited from eliminating the categorical aid programs approved and funded by Congress, and,

Be it further resolved, that upon adoption of this resolution, the clerk, be and is hereby instructed to send copies of this Resolution to Senators Nelson and Proxmire, Congressman Obey and Bernard F. Hillenbrand, Executive Secretary, N. A. C. O.

RESOLUTION No. 53—1971

To: The Hon. Chairman and Members of the Oconto County Board of Supervisors.

Whereas, NACO and state organizations are urging counties to support a national effort to push federal revenues sharing through Congress, and

Whereas, the money comes directly to the County and can be spent at the discretion of the county with no restrictions.

Now, therefore, be it resolved by the Oconto County Board of Supervisors that Oconto County endorse the principle of revenue sharing, and

Be it further resolved that a copy of this resolution be forwarded to our Congressmen, the Wisconsin County Boards Association, and the NACO.

Submitted this 23rd day of March 1971.

Adopted by the Oconto County Board of Supervisors on March 23rd, 1971.

CXVII——1518—Part 18

RESOLUTION No. 863

(Resolution supporting Federal revenue sharing with States and local units of Government)

Whereas, the National Association of Counties has made a thorough investigation of the advantages of Revenue Sharing as provided for in President Nixon's program for decentralizing Federal Government controls at the State, County and local level, and

Whereas, the benefits directly afforded to Fond du Lac County and its units of government would total more than one million dollars annually, and

Whereas, the program would also result in less bureaucratic red tape in comparison with other types of Federal aids which might be given, and

Whereas, such resources as afforded under the Revenue Sharing program would be a reward for local tax effort and could be used to lessen the awesome burden on the property taxpayers.

Now, therefore, be it resolved, that the Fond du Lac County Board of Supervisors go on record as supporting President Nixon's attempt to strengthen local and state government by means of a Federal Revenue Sharing program which could assist in lowering the confiscatory property taxes in states such as Wisconsin which have attempted to properly provide an adequate level of local services, and

Be it further resolved, that copies of this resolution be forwared to President Nixon, Senators Proxmire and Nelson, Congressman Steiger, and the State's other Congressmen, Representatives, and Senators, Governor Lucey, all local units of government in Fond du Lac County, the Wisconsin County Boards Association and the other counties in the State, as well as the National Association of Counties.

Dated March 16th, 1971.

RESOLUTION

A resolution authorizing the finance committee to evaluate the alternate system for revenue sharing as such by the Nixon administration and to make a recommendation, by recommending adoption of the following resolution:

Whereas, the Congress of the United States is currently considering a multitude of revenue sharing proposals; and

Whereas, it is apparent that all of these bills have encountered two objections which serve to impede adoption, namely

(1) the inadvisability of having one unit of government; responsible for raising tax revenues that other units can dispose of at their pleasure; and

(2) although the congressman has the onus of raising the revenue, he gets no credit for any programs that this money supports; and

Whereas, Wisconsin has a modified program of revenue sharing which disburses a specific amount of State monies as determined by the legislature to all municipal governments having a property tax rate in excess of 14 mills on a proportionate basis for the purpose of local property tax relief; and

Whereas, the exact amount of this relief appears as a State tax credit on every property bill thus giving due credit to the funding source; and

Whereas, this approach to revenue sharing serves to negate the criticism cited in 1 and 2 above, since the revenue is shared directly with the taxpayer; and

Whereas, property tax relief of this magnitude will serve as a direct spur to the construction of housing by reducing a major shelter expense item; now, therefore,

Be it resolved, That the Milwaukee County Board of Supervisors hereby declares its support of a Federal revenue sharing program having a 100 percent pass through to be used solely for the purpose of a local proportionate property tax reduction; and

Be it further resolved, That the full extent of this relief for each taxpayer be shown as a Federal tax credit on every local property tax bill; and

Be it further resolved, That the County Clerk is hereby directed to send copies of this resolution to the entire Wisconsin Congressional delegation, members of the State Assembly and Senate, Senator Russell B. Long, Chairman, Senate Finance Committee, Congressman Wilbur D. Mills, Chairman, House Ways and Means Committee, International City Managers Association, National League of Cities, U.S. Conference of Mayors, National Conference of Governors, and Chief Executives of all Milwaukee County municipalities, and to the National Association of Counties.

RESOLUTION

Whereas, key findings of the Public Land Law Review Commission's study and hearings were:

That, existing federal statutes providing for shared revenues and in lieu taxes on the public lands were an effort to compensate state and county government for the loss of revenues due to federal tax immunity;

That, Congress has not developed basic policies by which to determine the nature and extent of the federal obligation;

That, present statutes present a piecemeal, inequitable and internally inconsistent approach to a vital national problem;

That, federal public land payments of shared revenues and in lieu taxes have increased at a lower rate than other state and county revenues, including property and income taxes, and at a lower rate than our national economy; and

Whereas, hearings of both the 1969 National Timber Act and the Public Land Law Review Commission have disclosed wide support for the concept of division of receipts from the sale of public land products from lands under review and study by the Public Land Law Review Commission, for land payments to state and county governments as an offset to the federal tax immunity, and for protection, management resources development and use by the general public; therefore,

Be it resolved that the National Association of Counties supports proposals for a system of shared revenues and payments in lieu of taxes which would:

1. Place in a central fund all revenues from market-oriented uses of the federal lands, including proceeds from the sale of timber, forage, and minerals or mineral leasing rights including revenue from the Outer Continental Shelf, but excluding revenues from the Mineral Leasing Act of 1920.

2. Allocate up to 50 per cent of the annual revenues to finance federal market-oriented resource management programs, including amortization of capital investments, with the difference between these annual charges and 50 per cent of total revenues to be paid into the general funds of the Treasury. Recommendations as to the appropriation of money for resource management should be made by an intergovernmental, multi-agency council which should include county and state government officials as voting members.

3. Allocate the other 50 per cent half for payments to counties and half for payments to state governments. Each county and each state should have the option (irrevocable for five-year periods) of selecting payments based on either (a) 25 per cent of the gross revenue derived from market uses of the federal lands located within its boundaries, or (b) a share of the remainder of the state-county 50 per cent based on its proportion of the total appraised value of all federal lands in states and counties not choosing to receive payments based on 25 per cent of gross revenues.

4. All public land revenues not processed through the central fund should be paid into the general funds of the Treasury. Each county shall be guaranteed a minimum payment from the general fund of at least 10 cents annually for each acre of public land within its boundaries used partly or entirely for wilderness, national parks and monuments, military reservations, general outdoor recreation, hunting, wildlife propagation, conservation or other non-market oriented public uses, less the amount of any payments it may have received from the central fund.

INVESTMENT BANKERS
ASSOCIATION OF AMERICA,
Washington, D.C., February 9, 1971.

Hon. WILLIAM PROXMIRE,
Chairman, Joint Economic Committee, U.S. Congress, Washington, D.C.

DEAR MR. CHAIRMAN: Because the Investment Bankers Association of America is intimately involved in the financial affairs of State and local governments, we would like to express our support for the emerging consensus that Federal revenue sharing is needed to alleviate the fiscal crises of these governments. As you know, the case for greater Federal assistance to States and localities is based on the lack of balance between their revenue-raising capabilities and expenditure requirements. This "fiscal mismatch" has left State and local governments in a continuing budgetary crises.

To be most effective, we believe any plan to share Federal revenues among the levels of government should meet the following criteria:

1. Assistance should be periodic and predictable, allowing recipients sufficient time and certainty for the planning of its expenditure.

2. Distribution of such funds should be flexible enough to permit their use where the needs are greatest and broad enough in scope to embrace all general purpose governments as potential recipients.

3. Distribution procedures should encourage cooperation among all levels of state and local government and should enhance their sense of mutual as well as individual responsibility.

4. Such assistance should be extended freely and without constraints beyond those normally accompanying the prudent and constitutional expenditure of public funds.

It is our opinion that Congress should give prompt and favorable consideration to the revenue sharing concept.

Sincerely yours,

FRANK P. SMEAL.

CLARKSVILLE, TENN.,
March 29, 1971.

Hon. WILLIAM R. ANDERSON,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN ANDERSON: Recently I received a copy of your Report of February 22, 1971, in which you discussed your reservations regarding the Administration's general revenue sharing plan. In response to the invitation at the end of your Report, I would, as a local public official, and as one of your constituents, welcome the opportunity to discuss with you the principle of revenue sharing. I will be in Washington next Monday and Tuesday, April 5th and 6th, attending the Legislative Conference of the National Association of Counties. Our congressional reception will be held Monday evening, April 5th, at 6:45 p.m., at the Smithsonian Institute, and I would be most pleased to have you attend as my guest.

Meanwhile, I would like to comment on some of the questions raised in your memorandum. In the first place, it should be made clear, I think, that most state and local government officials do not wish to see categorical aids replaced or even curtailed except where there may be duplication, waste, or extravagance. The national interests and objectives which are inherent in the principle of categorical aids are highly important, and for this reason they should be continued. They should be simplified and in some instances consolidated, perhaps redirected along the lines suggested by the special sharing idea, but they certainly should be continued, and they certainly should not be replaced.

By the same token, there is considerable misunderstanding, I believe, about the *amount* of general revenue sharing desired by state and local officials. Clearly it would not be wise for the Congress to turn over to state and local government, with no strings or conditions, any large *share* of federally collected revenues. The reasons are obvious and need no elaboration. The amount of general revenue sharing should be small in relation to total federal tax revenues.

Having put the size of general sharing and its relationship to categorical aids in what I believe to be the right perspective, what is the case for general sharing?

As you noted in your first paragraph, state and local governments are in a serious financial squeeze. This squeeze is brought about primarily by the inferior tax resources they must rely upon: consumer and property taxes. The federal income tax is a much superior source: it is more productive; it is more equitable, being based on ability to pay; and it is more readily responsive to economic change. We at the state and local level need to tap a small portion of it for our general governmental needs. It would be another source of revenue to be used along with other state and local tax revenues. It would be a big help, but even so it would be only a small part of any state or local government's total revenues.

Although the needs of states and local communities throughout the nation are in many respects much the same, it is also true that each state and each city and each county have many differing needs, and as to those differing needs each governing unit should have some flexibility to choose its own priorities. To a great extent the categorical grant system fails to satisfy this need for flexibility. Hence the need to supplement the categorical aids with a bit of "no strings attached" general sharing.

But there is a more important issue, truly a fundamental issue, involved in this matter of general revenue sharing. It goes to the soundness, indeed the very validity, of our federal system of government. Are state and local officials capable of determining how the peoples' money should be spent at the state and local levels?

If we can honestly say that congressmen and senators and federal bureaucrats know better than governors and state legislators, mayors and city councilmen, county judges and magistrates, how public monies should be spent at home, then does it not logically follow that everything should be governed from Washington and state and local government be done away with?

I really believe that one of the troubles with our three-level system of government is that the three levels sometimes tend to *compete* rather than *cooperate* with one another in the performance of public services. We cannot have smooth and successful relations among the three levels of government unless the officials of each level have confidence in the ability and integrity of the officials of the other levels. No level of government has a monopoly on competence, integrity or dedication in its public officials.

Nor is any level free of some waste and corruption. As for the suggestion that "corrupt pockets" might be lined with federal funds, I can only say that certainly any revenues shared with state and local governments should be subject to such audit and controls as would assure that they would be used for legitimate governmental purposes. The term "no strings attached" means nothing more than that state and local governments would have the discretion to determine which among various legitimate governmental uses the money would be put to. It does not mean of course that they would not be required to account for the money and how it is used.

General revenue sharing is not a new concept in Tennessee. For many years the state government has shared with counties and cities substantial state collected revenues on a no strings attached basis. For example, last year the state turned over to Montgomery County some $80,000 for use in the County General Fund. This money is subject, along with other county revenues, to state audit, but the state makes no effort whatever to direct the use of the funds.

It seems to me, therefore, that general revenue sharing is calculated to strengthen the federal system of government. If that system is not worth strengthening, if it will not work, then we need to forget not only revenue sharing but also the kind of government we have, and devote ourselves to the structuring of a new system in this country. I for one would like to think that the three level system can and will work. To have only a national government would be top-heavy and cumbersome and would be dangerous because it would remove government from the grass roots. It would be just as foolish to think we could get by with only state and local governments, because then we would have no way in which to deal with national problems or to establish national goals or to maintain national standards. If therefore all three levels are needed, should we not devote our full energies to strengthening our federal system in every possible way?

As for the Administration's plan now before the Congress, I certainly would not venture to say there is no room for improvement on it. It may be that in some details changes for the better could be made. The distribution formula, for example, might stand some revision or refinement. But what I strongly believe in and plead for is the principle of general sharing as vital to the continued effectiveness of government in America.

Sincerely yours,

WILLIAM O. BEACH,
Montgomery County Judge.

VANCOUVER, WASH.,
MARCH 22, 1971.

Hon. JULIA BUTLER HANSEN,
House of Representatives,
Washington, D.C.

DEAR MRS. HANSEN: As Mayor of the City of Vancouver, Washington, I find myself in the position of being in the "front line" insofar as recognizing the growing problem of tax revenues and the critical problem of raising revenues to provide essential services to our community.

Part of the solution, we feel, of meeting this problem is the general revenue sharing concept being considered at this time by the Congress of the United States which would allow general Federal revenues to be shared with State and Local Governments generally without specific conditions to be met.

This matter was so keenly felt by myself and my fellow councilmen that on February 23, 1971, Resolution No. M-1496, stating Council's support for the revenue sharing, was signed. A copy of that Resolution was forwarded to you on March 1, 1971.

Many Senators and Representatives conclude that the most efficient and equitable of all governments units in *raising* revenues is the Federal Government, but that the local units of government, being closer to the public and to the problems of their particular

jurisdictions, are more efficient *users* of tax revenues.

It has been suggested by several in the Congress that the responsibility for collection and spending of Federal revenues should be in the same hands. The concept of revenue sharing being considered would not seem to be in conflict with this philosophy, except that what in many cases are arbitrary conditions and standards totally unrelated to the local priorities and needs, would be eliminated. The Congress would always retain the reins to the "purse" and in fact, would designate the functional needs being established.

There certainly should be no question that in most cases the local communities are much better qualified to determine their own needs and priorities. It would seem to me to be totally inconsistant to suggest that Vancouver's problem can best be determined by an "expert" or specialist employed in or by the Federal Government.

As you may surmise, and as many of us believe, 1971 may very well be the crisis year for local government finance.

May I then urge you again to work with the executive branch to develop a plan that would hasten the recovery of many of our cities, counties and states. If I can assist you in any way in carrying out this objective, please do not hesitate to contact me.

Sincerely yours,

LLOYD STROMGREN,
Mayor.

DESCHUTES COUNTY, OREG.,
March 24, 1971.

Hon. BOB PACKWOOD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PACKWOOD: You are well aware that in nearly every state and county government has reached the "end of the line" on taxes. Yet our costs for essential services and programs skyrocket, and our situation becomes more desperate.

President Nixon has spoken on the need for legislation on revenue sharing. Both the Democratic and Republican party platforms have endorsed the principle of revenue sharing.

We feel that (1) a definite percentage of federal income tax revenues should be earmarked for revenue sharing; (2) funds should be allocated to the states on the basis of a population-tax effort formula; (3) funds should automatically be passed through to counties and cities by a specified formula. Other provisions of the legislation can be negotiated with the Congress.

Deschutes County very much needs your support of this program.

Very truly yours,

W. F. SCHINKEL,
Chairman.
G. W. MCCANN,
Commissioner.
JOE W. PEDEN,
Commissioner.

RESOLUTION No. 74

Resolution endorsing plan to share Federal revenue

Whereas, NACO and state organizations are urging counties to support a national effort to push federal revenue sharing through Congress, and

Whereas, the money would come directly to Lincoln County and could be spent at the discretion of Lincoln County with no restrictions;

Now, therefore, be it resolved by the Lincoln County Board of Supervisors that Lincoln County endorse the principle of revenue sharing, and

Be it further resolved by the Lincoln County Board of Supervisors that a copy of this resolution be forwarded to David Obey—Congressman, the Wisconsin County Boards Association and NACO.

Dated this 9th day of February, 1971.

RESOLUTION No. 25

To the Honorable Board of Supervisors, Kenosha County

Whereas, NACO and state organizations are urging counties to support a national effort to push federal revenue sharing through Congress, and

Whereas, the money comes directly to the County and can be spent at the discretion of the county with no restrictions.

Now, therefore, be it resolved by the Kenosha County Board of Supervisors that Kenosha County endorse the principal of revenue sharing, and

Be it further resolved that the Chairman of the Kenosha County Board appoint one board member to serve on the National revenue sharing task force, and

Be it further resolved that a copy of this resolution be forwarded to our Congressmen, the Wisconsin County Boards Association, NACO, and our two Senators.

Dated this 16th day of February, 1971.

OFFICE OF THE COUNTY EXECUTIVE,
ORANGE COUNTY GOVERNMENT CENTER,
Goshen, N.Y., February 9, 1971.

Mr. BERNARD HILLENBRAND,
Executive Director, National Association of Counties, Washington, D.C.

DEAR BERNIE: The enclosed letters indicate what I plan to do in response to the Governor's request that an all-out effort be undertaken in behalf of Revenue Sharing.

Possibly someone from your office might want to accompany me, although I can't be sure when my specific appointments will be.

Sincerely,

LOUIS V. MILLS,
County Executive.

ORANGE COUNTY,
Goshen, N.Y., February 9, 1971.

Miss LEILANI LATTIN,
Office of Senator Jacob K. Javits,
Washington, D.C.

DEAR LANI: I am planning to be in Washington late Wednesday morning, February 17th, and wonder if it would be possible to speak to Senator Javits for a moment relative to Revenue Sharing sometime between 11:30 and 4 o'clock. Would it be too much to ask your office to contact Senator Buckley's office for a similar appointment on the same subject?

Also, I hoped I might have an opportunity to chat with you on the question of whether a County of our size ($50 million budget) should consider employing a Federal and State Aid Coordinator.

Sincerely,

LOUIS V. MILLS,
County Executive.

ORANGE COUNTY,
Goshen, N.Y., February 9, 1971.

Hon. JOHN G. DOW,
Cannon Building,
Washington, D.C.

DEAR JOHN: I am going to be in Washington late Wednesday morning, February 17th, for the purpose of discussing Revenue Sharing.

I plan to stop first at Senator Javits' office and will call you when I get there, with the hopes that you will be available for a few moments during that day.

Sincerely,

LOUIS V. MILLS,
County Executive.

ORANGE COUNTY GOVERNMENT CENTER,
Goshen, N.Y., February 9, 1971.

Hon. NELSON A. ROCKEFELLER,
Governor of the State of New York,
Albany, N.Y.

DEAR GOVERNOR ROCKEFELLER: I welcome your continued leadership in the effort to obtain badly needed Federal Revenue Sharing funds for our hardpressed governments at the local level. I appreciate your recognition that, indeed, we are on the firing line, and that we no longer have the funds to provide the essential public services for which we are responsible.

To support these efforts and to dramatize the fiscal crisis at the County level, I hope to schedule conferences in Washington next Wednesday, February 17th, with Senator Jacob K. Javits and Senator James L. Buckley, of New York State, and with Congressman John G. Dow, of the 27th Congressional District, and to present them with the Revenue Sharing Resolution to be voted on by the Orange County Legislature this Thursday.

The Honorable Henry G. Parry, Jr., Chairman of the Orange County Legislature, may accompany me, and I am asking the Washington office of the National Association of Counties to provide us with staff assistance at the conferences.

Sincerely,

LOUIS V. MILLS,
County Executive.

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, February 5, 1971.

Hon. LOUIS V. MILLS,
Orange County Executive,
Goshen, N.Y.

DEAR LOUIS: No group is more aware of the crucial need for Federal Revenue Sharing than local officials. You are on the firing line daily, facing crushing needs at home. While two-thirds of this Nation's revenues and 91 per cent of all income taxes go to Washington, only 11 cents on the dollar comes back to state and local governments in New York to help meet these vital needs of people.

The President has provided a rallying point for all hard-pressed state and local governments with his $5 billion Revenue Sharing proposal. I am convinced, however, that only an organized, massive, all-out campaign will persuade Congress of the absolute urgency to enact Revenue Sharing now.

To help in demonstrating the critical need and widespread support for Revenue Sharing. I am declaring February twenty-second as "Federal Revenue Sharing Day in New York State." I strongly urge that on this day you take some form of dramatic action in your area to focus public attention on the fiscal problems facing your community and to make clear why Revenue Sharing is essential to help solve them. I am making a similar request of other city and county officials throughout the state.

Programs for February twenty-second might include a public symposium or major press conference to inform the people in your community of the fiscal plight you face and what Revenue Sharing could mean for them both in terms of needed services and reduced tax pressure. Under the President's $5 billion proposal, for example, New York State, on a full-year basis, would be allocated approximately $500 million, slightly more than half of which would automatically be "passed through" to local governments in the state.

However, the fiscal needs facing governments all across the country are of such magnitude that, in my judgment, an initial $10 billion of new money for Revenue Sharing is an absolute necessity—and this would mean $1 billion for New York State.

These funds could be spent for whatever purposes you deem most necessary such as police and fire protection, education, sanitation and restoration of the environment, for example.

The principal focus of the meeting could well be to encourage ways in which the people could make known to their Congressman their desire that he or she openly and actively support Revenue Sharing, including communication by citizens directly with their Congressman.

You also might consider formation of a Citizens' Committee for Revenue Sharing, to be formed after the activities of February

twenty-second, in order to maintain constant contact with your Congressional representatives.

Mobilizing public support for Federal Revenue Sharing is essential for its passage. I urge you to exercise your leadership and join with your fellow local officials on February twenty-second to help us get this vital program passed. I intend to ask the State Legislative Leaders to join with me in a joint press conference at the State Capitol for this purpose.

With best wishes,

Sincerely,

Nelson

NELSON A. ROCKEFELLER.

THE POWER ELITE NEEDS TO BE DIFFUSED AND DEMOCRATIZED

HON. BURT L. TALCOTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. TALCOTT. Mr. Speaker, John O. Marsh, a highly respected former Democratic Member of the House of Representatives from Virginia delivered the principal address at the annual installation banquet of the Lynchburg, Va., Jaycees on June 26, 1971.

Mr. Marsh has for many years been a leader in various Jaycee activities. He was especially active in developing civic action programs by U.S. Jaycees to assist the Vietnamese people. He has been active in developing programs and mobilizing citizens and civic groups to assist the returning Vietnam veteran to rehabilitate himself and his family in his home community.

Mr. Marsh was one of the leaders in the Congress to safeguard our national security and one of the most knowledgeable Members of the Congress concerning military affairs. He is a military scholar and an exceptionally perceptive observer of our military establishment. To my knowledge, he was the only Member of the Congress to serve on active duty in Vietnam. His views are worth contemplating.

The topic of his Lynchburg Jaycee speech was, The Power Elite. I happen to share his views on this critical and timely subject. I urge every Member to read this speech which, Mr. Speaker, I insert in full at this place in the RECORD:

THE POWER ELITE

The irreplaceable loss the Nation has suffered by this history of deception and mismanagement of the Vietnam war reflected in the leaked documents is a loss that can only be told in the suffering and agony of the dead and wounded on these battlefields half a world away.

The manner in which these documents were made public cannot be condoned but they do show us a classic, but reoccurring example of the age-old fallacy of the "power elite" and all its weaknesses. The whole episode reeks with the arrogance of power exercised by a selected few, rather than decisions made by the elected. The tragedy is the contemptuous disregard this little clique of planners had for the people of the Nation they were expected to serve. The disdain they had for the opinion of the people, was also reflected in their disregard for those the people had elected.

They were convinced in their assumed superior intellect, the war could be managed. The people need only pay their taxes for the costs of war and send their sons to the battlefield, yet play no part in either the policyshaping or the decisionmaking process. This is not the view of the intellectual, but of the pseudo-intellectual. It is a view that is also antiliberal and antidemocratic.

Today, many of these architects of a policy that failed appeal to the public conscience to undermine the present national effort to end our presence in Vietnam in a way that has the best chance of securing a stable peace.

Further evidence of this arrogance is demonstrated in the total disregard of security restrictions that are designed to safeguard the national welfare by wholesale leaking of documents to the press. It is just another example of relegating to yourself the right to decide what the people should or should not know.

We made many mistakes in the whole approach to our problems in Southeast Asia in a military, political, and diplomatic sense but each day that passes is further proof that no greater mistake was made than the failure to mobilize public opinion and seek the support of our citizens for our efforts at the very beginning of our commitment to Southeast Asia. Had this been done I believe the war would have long since ended. However, I am convinced there was a conscious decision not to do this and the disclosures we are now seeing confirms it.

The highhanded and arbitrary procedures followed were a disservice to the President because he was compelled to make decisions based on the limited views of a relative handful of powerful advisers who relied largely on their own intellect yet who were out of touch with the people.

The real danger we see is not the act of unauthorized distribution of documents, bad as it may be, nor even the damage to our national interest which might ultimately occur, regrettable as it is, but rather the danger is in an inadequate system of formulating policy which enabled a few to make life and death decisions that affect the Nation—a system which we see has neither safeguards nor the fail-safe mechanisms consistent with a representative form of government.

Although the military have been criticized, and have come in for their share of blame in the tactics and approach to waging the conflict, by and large it was civilians rather than military personnel who were formulating the policy of involvement and rules of engagement. The fundamental principle of civilian supremacy of the military remained intact. The question that is raised now is the quality of that civilian supremacy and their accountability to the citizenry. Dr. Strangelove was replaced by "Dr. Knowmore."

During the years of buildup and later when the Vietnam war raged, Members of the Congress can cite instances of being rebuffed in their efforts to find ways for the American people to express their support of the war. Suggestions also for the employment of different policies in its prosecution usually fell on deaf ears. The United States was trying to do the right thing but in the wrong way.

WHAT NEEDS TO BE DONE

It is obvious that ways and means must be found to give the American people a window into the policy making apparatus of the national government. New mechanisms must be developed to incorporate the private sector into the public endeavor. A thorough congressional investigation of the entire episode will be most helpful. However, it is suggested that the President appoint a blue-ribbon commission to review the whole matter with two major purposes—

First, a complete review of the preparation, content and unauthorized distribution of the report. These findings should be made available to the people. Recommendations on the opening of more files of the Departments of State and Defense for research purposes should be considered.

Second, both the system for formulating policy and the decisionmaking process in the executive branch should be studied and recommendations made for changes to increase its effectiveness and to assure that it functions in a manner that is consistent with representative government.

Ultimately the Congress will have to adopt those legislative measures and establish the procedures to insure that those in the executive branch perform in a manner that is consistent with the interest and desires of the people of the United States. This may require changes also in congressional procedures; however, we must do those things necessary to preserve the checks and balance system to make government responsive to the people and insure it is always their servant and never their master.

We cannot permit a situation to exist whereby through an inadequacy of the policymaking apparatus a selected few individuals in key posts can subvert the representative process and conduct the Nation's affairs with blatant disregard for the people of the United States, regardless of how well intentioned the motives of that selected few might be.

IS THE SPACE RACE TO BECOME AN ARMS RACE?

HON. JOHN F. SEIBERLING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 7, 1971

Mr. SEIBERLING. Mr. Speaker, last Wednesday, June 30, the distinguished gentleman from Pennsylvania (Mr. FULTON) and I had a discussion on the floor of the House concerning possible use of the proposed space shuttle for operating manned orbiting interceptors in outer space. Following our discussion I came across an article in the Washington Post on the same day which raises the same basic question I had raised with Mr. FULTON.

The question is whether armed orbiting interceptors in outer space would not necessarily be equipped with nuclear weapons. I showed the article to Mr. FULTON and he again assured me that they would not be so equipped.

I am gratified by Mr. Fulton's assurance. It would be one thing to introduce purely defensive capabilities into outer space. It would be quite another to introduce weapons that could be used offensively.

The United States is party to an international treaty to ban weapons of mass destruction from outer space. Certainly the United States should not breach this treaty or take any action which could provide an excuse for any other nation to breach the treaty. On the contrary, we should do everything possible to see that it is enforced. It is in our interest to prevent the extension of the strategic arms race into outer space.

Below is the text of the article which appeared in the Washington Post on June 30:

MANNED ORBITING INTERCEPTORS STUDIED AS SUBSTITUTE FOR JETS

(By Robert A. Dobkin)

The Air Force is studying the feasibility of building manned interceptors—orbiting

spaceships to protect the United States against bomber attack in the late 1970s and beyond.

Although still in the preliminary design stage, the space-interceptor proposals offers significant advantages over conventional ground-based jet interceptors now deployed across the country, the Air Force says.

An interceptor orbiting above the earth's atmosphere could remain on station for long periods and be able, in the Air Force view, to attack enemy bombers before they could fire long-range air-to-surface missiles against U.S. targets.

The idea for the orbiting interceptor grew out of an indepth study of the Air Force's continental air defense system. The study examined possible concepts and systems.

Some details of the secret project were disclosed in heavily censored testimony recently released by the House Armed Services Committee. Specific references to an orbiting interceptor were deleted, but Aerospace Daily, an aviation-industry newsletter, confirmed from Pentagon sources that this is what the Air Force has in mind.

According to the testimony, the interceptors could be either manned or unmanned. Both types would carry sophisticated electronics to identify and intercept aircraft approaching the United States. The manned interceptor would have, in addition, its own fire-control system and be able to use the Airborne Warning and Control System (AWACS) to pick up its targets.

AWACS, now being developed by the Air Force, involves a new type of downward-looking radar to detect low-altitude enemy bombers. It will be installed aboard a modified Boeing 707, which will orbit the fringes of the United States, watching for unfriendly aircraft and directing fighters to meet them in the event of attack.

Because they would already be airborne, the Air Force says, the response time of an interceptor orbiting in space would be much swifter than with ground-based aircraft.

The Air Force testimony makes no mention of the American-Soviet outer-space treaty, which bars stationing of nuclear weapons in orbit. Presumably, an orbiting interceptor would be armed with nuclear-tipped missiles for destroying enemy planes.

SUPPORT BY KENNEDY ADMINISTRATION FOR 1963 COUP IN SOUTH VIETNAM

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 8, 1971

Mr. BYRD of Virginia. Mr. President, the Richmond Times-Dispatch of June 29 contains an interesting editorial concerning early revelation of support for the 1963 coup in South Vietnam within the Kennedy administration. The overthrow of President Diem—and his assassination—proved very detrimental to the United States.

The editorial points out that the Honorable Frederick E. Nolting, Jr., a native of Richmond who served as U.S. Ambassador to South Vietnam from May 1961 to August 1963, told of American involvement in the overthrow of the Diem Government on several occasions in the mid-1960's.

Ambassador Nolting was strongly opposed to U.S. involvement in the overthrow of the Diem regime. Some of his comments on this subject are included in the editorial. These statements show clearly that the Government memorandum on this subject published recently by the Chicago Sun-Times was not the first disclosure of U.S. involvement in the 1963 coup. It confirms Ambassador Nolting's earlier statements.

I ask unanimous consent that the editorial, "What Secret?", be printed in the Extensions of Remarks. The editor of the editorial page of the Richmond Times-Dispatch is Edward Grimsley.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHAT SECRET?

The Chicago Sun-Times has published the partial text of a "secret" memo indicating that during the Kennedy Administration support existed within the State Department for U.S. encouragement of the Nov. 1, 1963, coup d'etat against South Vietnamese President Ngo Dinh Diem.

However, The Sun-Times "scoop" hardly qualifies as the revelation of the century.

Richmond native Frederick E. "Fritz" Nolting Jr., who served as the able U.S. Ambassador to South Vietnam from May 1961, to August, 1963, told of the American government's involvement in the overthrow of Diem on several occasions in the mid-1960's, and he made crystal-clear his belief that the coup (which resulted in Diem's assassination) was a colossal blunder by the Kennedy Administration that helped lead to the present tragic situation. In an article in The Times-Dispatch on July 9, 1967, Mr. Nolting wrote:

"For years, the No. 1 tactical objective of the Viet Cong and Hanoi had been the overthrow of the Diem government. By that they calculated to bring about political chaos in South Vietnam. They were handed that objective by the military coup d'etat of Nov. 1, 1963. For different reason, Buddhist agitators, large segments of the American press, and our own Department of State all played important supporting roles in that fateful tragedy."

In an Oct. 18, 1966, letter from his Paris residence to The New York Times, Mr. Nolting had criticized The Times' characterization of the 1966 Vietnamese elections as the "first really free and fair national election ever held there." President Diem, he observed, had won national elections in 1955 and 1961 and furthermore the National Assembly had functioned for eight years as a representative body until Vietnamese generals, "encouraged by the United States Government," illegally seized power in 1963. Mr. Nolting continued:

"Why does The (New York) Times continue to distort the record on Viet Nam? The reason, I think is clear. The overthrow of Diem—which left a vacuum so great that 300,000 Americans and $2 billion a month seem insufficient to fill it—was due in no small part to the influence of The Times. A weak Department of State would not stand up to the pressure.

"Incessantly, The Times attacked the Diem government, directly in its editorials and inferentially in its news reports. President Kennedy himself became sensitive to the charge of supporting a 'Catholic' government in a 'Buddhist' country. In the fall of 1963, American support was withdrawn from President Diem, and the elected constitutional government of Viet Nam (which we had been supporting for eight years) was overthrown."

The rest, as they say, is history. Instead of the U.S. being in Vietnam as an adviser and helper to the established government, the Kennedy and Johnson Administrations turned Vietnam into a wholly dependent ward of the American government. Despite this "grave error," Mr. Nolting felt that the basic original purpose of helping South Vietnam resist a Communist take over remained morally right and in the national interest, but that this important objective should be pursued while turning the defense effort back to the Vietnamese as President Nixon is now trying to do.

NO-FAULT LEGISLATION LACKS HUMANE AND EQUITABLE ANSWERS

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HUNGATE. Mr. Speaker, once again our colleague from Texas, BOB ECKHARDT, has submitted a useful study on a current problem. I commend it to all those interested in the problems of no-fault insurance and its proposed alternatives. The article follows:

NO-FAULT LEGISLATION LACKS HUMANE AND EQUITABLE ANSWERS

(By Congressman BOB ECKHARDT)

There is nothing sacrosanct about a tort theory based on negligence or fault as the means of recompensing injured persons who are considered under the law as deserving reparation. It is far from perfect with respect to making whole innocent parties or punishing guilty ones.

Today, when liability insurance is commonplace and most motorists are induced to carry it by law, no party is really punished in a particular automobile accident situation except that party who sustains injuries. Thus, the initial problem is that of affording a means of making him whole.

Suppose the injured party is a child rattling around in the back of a station wagon. Instead of concentrating on some judicial and social mechanism of making him whole after an injury resulting from his mother's colliding with the pick-up truck, a great part of our judicial and social efforts go toward applying medieval concepts to determine the child's negligence posture with respect to fault.

Or consider, for instance, the telescoping accident on the freeway where it is virtually impossible to precisely attribute negligence to the various parties. To paraphrase Hamlet, if in such situation we treat every motorist "after his desert, who should 'scape whipping?"

But if it may be said that the victim is the injured party in a *particular* automobile accident, the victim of the entire system of reparation for automobile accidents is the insured motorist. He is constantly punished by premium rates which are overloaded with costs which could and should be eliminated or reduced by a more efficient and less archaic system of tempering ill fortune by the processes of law and the techniques of an insurance system.

These costs, which are loads on the premium dollar, break down roughly in the following proportions:

1. 15% for plaintiff's attorneys and other litigation costs of the injured;

2. 15% for insurance adjusters, defense attorneys and other costs in resisting the claim;

3. 15% for insurance companies' acquisition costs including advertising and selling insurance;

4. 15% for other insurance company overhead and profits; and

5. 40% paid out in damages to insured persons.

I think, therefore that the second salient proposition is:

The goal of any legislation in this field should be to increase the percentage of the premium dollar which goes to the damaged party.

The question then arises: Which of the first four cost factors listed above can be reduced by a reform in the automobile accident insurance system?

It is my opinion that proponents of no-fault insurance have placed inordinately high emphasis on reducing the costs in items (1), (2), and (5). (1) and (2) deal with attorneys' fees, court costs and expenses of adjusting claims. The argument that the costs of delivering reparation to the injured party should be minimized is obviously sound. But, to carry this to the extent of assuming that some conceivable system can be devised which avoids dispute as to the amount of damages, and thus eliminates the need for an attorney in substantially *all* cases—such extended assumption is preposterous.

Proponents of the type of no-fault insurance recommended before the House Commerce Finance Subcommittee pointed to disproportionately high settlements in cases where only slight injuries are probably actually involved. Of course, it is true that every case has some settlement value affected by the cost of defending it. The point thus has a factual basis.

It *is* desirable, in my opinion, to reduce the opportunities of the broker-lawyer. But the problem is how to do this, and at the same time avoid a slot-machine type of reparation system that does not take into account legitimate measures of damages related to permanent partial disability and pain and suffering.

If these legitimate measures of damages are to be fairly and accurately measured, there will be many cases that must be litigated, whether the suit be against a third-party insurer or a first-party insurer. The services of the trial lawyer are needed and valuable. They cannot be eliminated without seriously imparing the rights of injured.

The emphasis has been on reducing premiums through cuts in items (1) and (2), the attorney fee items, and indeed in item (5), the pay-out item. Little attention has been given in the approaches recommended to cutting advertising and sales costs (item (3)) or other overhead and profits (item (4)).

This brings me to the third important proposition which I think must be observed in any acceptable bill: The burden on the premium dollar should not be reduced at the cost of instituting a less sensitive method of determining damages than that which has developed in a common law manner through long experience.

All the bills propose a system calling for both (a) a *no-fault theory* of insurance and (b) a *diminution* of recoverable damages.

What seems to me to have been overlooked by witnesses who seem absorbed with the issue of insurance is that the sweeping changes proposed here do not only involve matters of economics but also *equities* between parties who cause and receive injuries. In this respect they deal with the typically judicial question of how these persons can be made whole.

There are two problems: (a) making of the insurance system efficient and economical, and (b) retention of a judicial system that will give an injured person fair and reasonable relief.

The challenge presented here for a legislative solution is:

To provide the most efficient way to deliver an insurance service to motorists and those injured in automotive accidents so that injured persons can be made whole, or partially whole, at the least social cost.

With these propositions in mind, I think that if any complete, federal no-fault insurance system is to be put into effect, it must take the following points into account:

To be a true no-fault system it must eliminate fault or the negligence suit concept altogether.

To afford any substantial reduction in litigation costs it must remove the high incentive for aggressive adversary action in the stage immediately following the accident.

It also must afford an incentive to the insurance company to pay for economic loss promptly.

To be fair and humane it must leave intact traditional measures of damages.

To be cheap enough to be within the reach of many persons who now have tort claims and would lose them under a no-fault system, medical and hospital costs (special damages) should be supported by a system of national health insurance.

None of the plans proposed to our subcommittee would meet the terms.

H.R. 7514 would generally afford no recovery whatsoever for permanent partial disability in an amount less than 70%, and, generally speaking, all persons who fall short of this level of disability would not be entitled to recover anything more than economic losses. Pain and suffering would not be an element of damages. (There is one qualification or exception to this: In case of "disfigurement which is permanent, severe, and irreparable," a tort suit would be available.)

But these triggering devices for liability "in cases of catastrophic harm" would not take care of a man who may be able to continue his job at the drafting table with undiminished proficiency after the accident but who does so with unabated pain. He may never again be able to play golf, sleep with his wife, or wade in a trout stream. He is only part of the man he was before the accident.

No law that does not recognize these facts and afford compensation for these impairments is, to me, acceptable.

All proposals advanced before the subcommittee eliminate some sort of tort liability; the Nationwide (American Insurance Association's) plan would remove tort liability altogether. Thus, none of the proposals are complete enough to supply the humane and equitable elements that seem to me threshold requirements of a no-fault plan.

CBS EDITING SYSTEM

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ADAMS. Mr. Speaker, I am including herewith a copy of the letter with enclosure from Dr. Frank Stanton to the Honorable HARLEY O. STAGGERS which includes the most recent guidelines issued by CBS covering news and public affairs:

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., June 28, 1971.

Hon. HARLEY O. STAGGERS,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: As I indicated in my prepared statement and during my testimony before your Subcommittee on June 24, CBS standards and practices relating to the production of news and documentary broadcasts are continuously under review. Difficult as it is to draft written instructions on how to exercise sound news judgments, from time to time we issue directives on this subject.

Since mid-1970, we have been preparing a compendium of operating standards that have been issued over the years, which have been revised to reflect current CBS practices. That draft was completed today; it has been issued to our staff and sent to those media representatives who have expressed interest in these practices.

We believe that news standards should result from self-criticism and self-improvement by the broadcast media, not from government regulation. As I said in my prepared statement, ". . . comments on 'The Selling of the Pentagon' have raised important issues as to the practices employed, or that ought to be employed, in the editing of documentary broadcasts. While responsible journalists may reasonably differ concerning particular practices in particular cases, we do not intend to ignore these differences or to shrink from continuing self-examination of our own practices."

In this spirit, the enclosed memorandum contains a section on the editing of documentaries. I am submitting the compendium as a matter of information, and request that it be included in the printed record of the Subcommittee hearings.

Because I believe the section on editing documentaries (pages 3 and 4) will be of interest to each member of the Subcommittee, I am sending them a copy of this letter and the enclosure.

Sincerely,

FRANK STANTON, *President.*

CBS—POLICY NOTES FROM THE PRESIDENT

JUNE 28, 1971.

To: Officers and Department Heads of CBS; CBG and Divisions and All News Personnel.

Subject: CBS Operating Standards: News and Public Affairs.

From time to time, since our earliest days, we have attempted to codify our standards of responsible broadcast journalism. For more than a year we have been engaged in preparing a compendium of our current operating standards.

"CBS Operating Standards: News and Public Affairs" is the result of those efforts. I urge you to study it carefully.

Standards such as these can never be regarded as final. Our central task is a continuing one—to re-examine our past practices and improve our future performance in every way available to us.

FRANK STANTON.

CBS OPERATING STANDARDS: NEWS AND PUBLIC AFFAIRS

In November, 1959, a memorandum on standards and practices was issued to the CBS News organization to assure that programs produced by CBS News are actually what they purport to be. Since then, to implement this overall objective, a number of memoranda have been issued which set forth CBS News policies in specific areas. The purpose of this memorandum is to collate and restate those policies and to confirm their continuing applicability to *all* CBS news operations.

It is impossible, of course, and inadvisable, to prepare policy guidelines which will cover every conceivable situation which may arise. There are too many variable circumstances—and we must rely, in the final analysis, on the essential good sense and journalistic integrity of the professional journalists employed by CBS around the world. There is a basic underlying guideline, however, which was expressed in a memorandum from Mr. Salant to the CBS News organization in June of 1963 reaffirming the memorandum on standards and practices issued in November, 1959:

"[T]here shall be *no* re-creation, *no* staging, *no* production technique which would give the viewer an impression of any fact other than the actual fact, no matter how minor or seemingly inconsequential. The

only way there can be certainty is not to let the bars down at all. Anything which gives the viewer an impression of time, place, event, or person other than actual fact as it is being recorded and broadcast cannot be tolerated.

"I recognize that strict application of this policy will result in higher costs or in a less technically perfect or interesting 'show' in certain instances. But our field is journalism, not show business."

These are the operating standards which apply to all CBS produced news and public affairs broadcasts, network and station, television and radio:

1. *Filming a news event.* It is essential that CBS personnel not stage, or contribute to the staging—however slight—of any news event or story. Specifically, nothing should be done that creates an erroneous impression of time, place, event, person or fact.

There are some events such as, for example, speeches, press conferences and demonstrations of various types which occur only because coverage by the press is anticipated. The sole factor which determines whether any such event shall be covered is, of course, the basic newsworthiness of the event. But personnel should be alert at all times to the possibility that attempts may be made to "use" CBS cameras and microphones.

Coverage should be as inconspicuous as possible. If, in the course of covering riots, demonstrations, rallies or similar events, it becomes obvious that, but for the presence of cameras, disorders would not be taking place, or would diminish sizably, or terminate, the cameras should be capped or removed. On-the-spot judgments by producers, correspondents, reporters or cameramen that a situation may be eased by capping or removing the cameras will be fully respected.

Producers, correspondents and reporters working with camera crews are responsible for the actions of the crews.

In appropriate circumstances, such as, for example, in the coverage of a space flight, simulations and earlier rehearsals may be broadcast if appropriate disclosure is made.

2. *Interviews and discussions.* This section refers to broadcasts wholly or in part made up of interviews, discussions, forums, debates, and the like, and the term "interviews" will be used to cover all such kinds of broadcast content.

Where an interview broadcast is spontaneous, unrehearsed (other than rehearsal of physical position and movement on camera) and carried in its entirety, it may be identified on the air (opening and closing) as "spontaneous and unrehearsed," and if on film or tape "spontaneous, unrehearsed and not edited."

An interview is considered spontaneous and unrehearsed if not more than an outline of the general areas from which specific questions will be drawn is discussed with or transmitted to the interviewee. An interview is not considered spontaneous and unrehearsed if

a. questions are submitted in advance to the interviewee; or

b. there is an agreement not to use a particular general area as the basis for specific questions; or

c. there is an agreement not to ask specific questions; or

d. the film, tape or transcript of the interview is submitted to the interviewee after completion so that he may participate in the condensation and editing.

To the extent that any interview is not spontaneous and unrehearsed, that fact must be adequately disclosed on the broadcast. The interviewee should be advised, prior to his on-camera appearance, that this will be done.

Interviews which are not spontaneous and unrehearsed (i) should be avoided except in unusual cases where the identity of the interviewee and the circumstances of the interview are such that the importance of the proposed broadcast clearly outweighs the disadvantages of the procedure and there are sound reasons for such procedure and (ii) will be permitted, in any event, only upon specific approval by the President of CBS News or the General Manager of the station involved.

3. *Editing.* Editing is an area, obviously, which does not lend itself to broad and universally applicable rules. There are many varying circumstances. But there is one basic requirement. We must continue to be meticulously careful, in all circumstances, that the editing results in a clear and succinct statement which reflects, fairly, honestly, and without distortion, what was said.

Individual reaction and reverse shots made out of natural time sequence are generally a "convenience" technique. They are permissible (except as noted below) but may be used only when they are shot in the presence of the interviewee or his representative or, if the interviewee or his representative does not want to wait around, only after an explanation to him about what is to be done and the receipt of his express consent.

It shall continue to be the responsibility of the editor and/or producer to examine and compare all actual questions with reverse questions, as well as reaction shots and composite editing to determine that there is no distortion or alteration of content or meaning from its original sense. In any case, where the reverse question differs from the original question in tone, in character, or in content, the reverse question may not be used. Reverse questions (and composite editing) shall not be used to clean up a poorly phrased or poorly stated original question.

In broadcasts which consist of a single interview, or in magazine broadcasts where an entire segment is devoted to a single interview in which the interviewer plays a significant part, multiple cameras shall be used, except where space and time preclude it, obviating the need for reverse questions or reaction shots which do not occur at the precise time that the interviewee is saying the words being heard.

In addition to the foregoing, the following rules are applicable to documentary broadcasts:

a. If the answer to an interview question, as that answer appears in the broadcast, is derived, in part or in whole, from the answers to other questions, the broadcast will so indicate, either in lead-in narration, bridging narration lines during the interview, or appropriate audio lines.

b. If more than one excerpt from a speech or statement is included in a broadcast, the order of their inclusion in the broadcast will be the same as the order of their inclusion in the speech or statement, unless the broadcast specifically indicates otherwise.

c. Transcripts of the entire interview will be made available to the interviewee after the broadcast, upon request of the interviewee.

4. *Prerecording and Sound Effects.* Where a filmed or taped excerpt is used in an otherwise live broadcast and is so juxtaposed with the live segment that the fact it is filmed or taped is not readily apparent, the disclosure that the excerpt is filmed or taped shall be made immediately in connection with the use of such film or tape if the element of time is of special significance.

Whenever a dramatized or recreated scene on film or tape which was originally made for one broadcast or purpose is taken out of its original context and used in another broadcast that fact should be made clear and there should be proper identification of the original source.

Sound may be added when it is needed to maintain the continuity of natural sound already established and when editing techniques require the insertion of segments of a story that were filmed without sound because of technical considerations, such as equipment limitations. In those instances where the maintenance of sound "presence" is necessary, the use of sound should be limited to the minimum required to achieve the effect of sound continuity, and should be limited to natural sound obtained at a time and place related to the story.

Sound effects may not be used with a silent film story to give the impression that the story was filmed with natural sound. However, *actuality sound* recorded on tape at an event may be used with silent film of the event when the sound segments are compatible with the scenes being used.

Natural sound, whether on film or magnetic tape, may not be magnified or diminished from its actual level for the purpose of achieving a deliberate editorial effect. However volume may be adjusted to meet technical requirements and the sound intelligibility of a story.

If a speech or a statement is filmed or taped either before or after its delivery before the group to whom it was addressed, it should be clearly identified when broadcast, as having been specially delivered for cameras and microphones.

Reporting that the viewer or listener is being taken to a given locality is forbidden unless in fact a switch is made to that locality at the time of the broadcast. Such a statement is prohibited when the film or tape is being carried not from the original locality but rather has been transported to the place of the broadcast which is other than the original locality.

5. *Film Not Made in the Presence of a CBS Correspondent.* Material obtained from stringers and other non-staff sources may be used so long as producers and others involved are reasonably satisfied that the material is what it purports to be. When footage is obtained from other than normal stringer channels, the source should be identified on air and any other special circumstances worth noting, including any doubts about the film, should be explained on air when the film is used. We must avoid giving the impression that the report of a correspondent is firsthand when it is not. When a correspondent providing narration over film identifies himself, he must always indicate his location. Such identification must be made whenever there is a narration insert in a news broadcast. The lead-in to a film piece should identify the narrator (but not his location). The fact that the narrator was not on-scene at the filming should be further clarified by carefully choosing the operative verb, i.e., John Doe now describes . . . John Doe now narrates . . . John Doe now explains. At the end of the narration over such film pieces, there will be *no* sign-off by the correspondent and the broadcast will move back to the anchor desk for the next news item. Adherence to this practice will avoid the impression that the broadcaster reported from the scene of the story when in fact he did not cover the event.

6. *Correspondents' Sign-off.* Where there is a taped insert of a correspondent's report in a news broadcast, it is essential that the public is not given the impression that the correspondent is actually participating then and there in the live news broadcast. Thus, we must avoid even the minor artifice of having a correspondent at the end of a taped report gesture in any way as if to turn the broadcast back to the anchorman.

7. *Payments to Interviewees.* In hard news and hard news-oriented broadcasts interviewees will not be paid for participating in the broadcast. Participants in other broadcasts may, of course, be paid nominal sums for releases, as required by the Law Department, to assure our rights to the use of their names and likenesses.

In public affairs broadcasts which are not primarily hard news oriented, payments, in

addition to the nominal sums paid for releases, are permissible in the following circumstances:

a. where the broadcast is built around a single public figure and the broadcast is in the nature of an electronic version of memoirs or is in the nature of an electronic version of an article by a well-known columnist or author;

b. where a central figure is used for a group of broadcasts;

c. where professional, non-public experts such as professors, economists, etc., appear on public affairs discussion broadcasts and payment would be in the nature of a lecture fee;

d. in general public affairs series where, in certain circumstances, important guests in special fields (entertainment, newspaper columnists) can be secured only through payments.

Appropriate fees may, of course, be paid to informants, consultants and others who perform liaison or contact services in connection with the preparation of news broadcasts.

8. *Investigative Reporting.* The General Manager of each CBS Owned station is responsible for its day-to-day operation. The station's investigative reporting must, therefore, be conducted under his general supervision and control. In exercising these responsibilities, the General Manager shall set up procedures adequate to insure that each investigation is conducted in a manner consistent with CBS's standards of journalistic integrity, accuracy and fairness. While the General Manager retains this day-to-day responsibility for the operation of the station, he is, of course, encouraged at any time to discuss station matters with his superiors. When the General Manager determines that a particular investigation may raise questions of special importance or of interpretation of basic CBS policies, the matter should be immediately brought to the attention of the Division President.

Investigative reporting by CBS News must be conducted under the general supervision and control of the President of CBS News, who similarly will take steps to insure that each investigation is conducted in a manner consistent with CBS's standards of journalistic integrity, accuracy and fairness.

Whether information about a potential crime obtained by CBS personnel during the course of an investigation must be made available to public authorities will depend on the facts of each case, considered in the light of the potential crime involved and the purpose of the investigation. There will be instances when no such notification will be called for (obviously investigative reporting of misconduct by public officials would be frustrated by reporting the investigation to those very officials). On the other hand, if information is obtained that a potential crime endangers an individual's person or property (e.g., arson, rape, murder, riot), appropriate public officials shall be notified promptly.

The Law Department should be consulted prior to the commencement of an investigative project and should be kept advised to the appropriate degree as the investigation proceeds. Our past experience indicates that the extent of Law Department involvement will differ considerably from situation to situation. This does not imply any change from past practice in this area. Our lawyers will continue to be lawyers, not participants in coverage of the news.

Particular reference is made to the following policies with respect to the implementation of the foregoing guidelines.

CBS personnel will not knowingly engage in criminal activity in gathering and reporting news, nor will they encourage or induce any person to commit a crime. There may be exceptions which ought to be made on an *ad hoc* basis even to so absolute a rule. For example, certain kinds of issues have often in the past and might again call for investigative reporting which involves the commission of acts which are in technical violation of criminal statutes, such as, for example, the purchase or possession of hand guns where they are forbidden, or of liquor in a dry state, in connection with a report on how easy it is to acquire these articles. Even such exceptional instances are never to be undertaken lightly. At the other extreme, of course are acts which cannot be countenanced, no matter how important the subject under investigation, the most obvious example of which would be injury to another person. Between these extremes lie many hard questions. One principal purpose of these standards is to assure that these questions will never be approached without a thoughtful regard for the heavy responsibilities involved.

THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ABOUREZK. Mr. Speaker, a frequent theme that I have raised both in remarks on the floor of the House and in private conversations with individual Members is the disastrous consequences of the rural-to-urban migration that our country has been experiencing. Polls show that most Americans would prefer to live in smalltown America. Yet, population shifts have been emptying out the rural heartland areas and concentrating people on the sea coasts and in the Great Lakes area.

Why this is happening is not hard to explain. People are looking for jobs and a better life. Rural depression has caused a vast increase in farm unemployment and underemployment. Two-thirds of our substandard housing is in rural America. Infant mortality is higher in rural America. Educational opportunities are less readily available or of a lower quality. Medical care is woefully inadequate. In my own State of South Dakota, for example, there are 11 counties without a single doctor and another 11 with only one.

And so the people leave. The problems then become compounded. The leadership that might be available to cope with the problems of rural America is lost. In turn, cities are faced with the difficulties of providing more and more services to people who really don't want to be there in the first place.

If the symptoms of the problem are clear, what to do about it is not. The root matter, of course, is simply a lack of capital. Without the economic wherewithal, jobs are not available. Businesses cannot expand, develop, hire, or modernize. The financing necessary to improve the quality of rural life through new schools, medical centers, sewers, transportation systems, recreation areas, is simply not available. It is this necessity to expand the capital market that has compelled me to introduce today the Consolidated Farm and Rural Development Act.

This act will overcome the problems created by the rural-to-urban migration by making enough money available from the central money markets to revitalize and recapitalize rural America. This will enable the building of rural industries, the improving of community facilities, and the increasing of job opportunities and income levels.

Basically the idea is patterned on the existing farm credit system. That system is time-tested and has proven that the people in rural America are excellent credit risks. As with that system, eventually it will become borrower and participant owned. The initial subscription by the Government would be $2 billion, in 10 annual payments. This would enable the new act to make available $2 to $3 billion a year initially through the issuance of bonds and debentures. This would increase to a potential of $10 to $20 billion a year after full operation when borrower-owned status is achieved.

Loans would be available for industrial development and community development as well. Further, under a new agency called the Rural Development Investment Administration money appropriated by Congress could be used to make interest supplement payments or capital grants to borrowers in rural areas whose immediate capital position would not otherwise enable such a loan to be made. Thus a small community that needs a new sewer system but does not have the bonding capacity for such an undertaking would receive grant assistance to enable it to acquire the needed capital.

I am convinced that this bill has the potential to revitalize rural America and to rebuild rural opportunity. It is needed not to get special benefits to one segment of America, but to benefit all Americans.

Because of the great interest in this bill, it is my intention to reintroduce this legislation with cosponsors next week. I invite your participation.

VICTORY FOR THEFT

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BAKER. Mr. Speaker, there are several ways you can interpret the outcome of the Supreme Court decision on the McNamara papers. I found an editorial in the July 1 edition of the Chattanooga News-Free Press under the title, "Victor for Theft," an especially interesting observation which should be shared with my colleagues.

Regardless of what else happens, there will be other employees with access to highly classified material who will regard this decision by the court as a "license to steal." We can expect a whole new series of "leaks" of material, regardless of whether it is damaging to the Government or not. This will be the least consideration, apparently. Unfortunately, the motivation of some trusted employees is supect but we actually don't know how dangerous they are until they plifer something and turn it over to certain newspapers who have no compunction about releasing it.

It is difficult to predict where all of this will lead but for the country's own protection, we had better devise a better system or a better screening process for employees.

The editorial, "Victory for Theft," follows:

VICTORY FOR THEFT

Six members of the United States Supreme Court yesterday ruled that a thief may steal property, turn it over to accessories after the fact, who may use it contrary to the wishes of its owner and the court won't stop them.

There is an effort to make this appear to be a victory for "freedom of the press." It is more a victory for thievery and misappropriation.

The press should not be censored, subjected to prior restraint or have material legally in its hands suppressed—not for the protection of those whose business is "the press" but for the protection of the freedom of the people. But this was a different matter. It did not involve any news that the press had developed on its own initiative or had come upon in any legal way. It was an irresponsible press action that involved the theft of secret documents from the federal government in violation of the law and subsequent misuse.

The government, which had clearly affixed a "top secret" classification on these documents, should have a right to have thieves and accomplices prevented from dissipating what they had stolen. If a man had $1,000 stolen from him and could bring the receiver of the stolen money into court, the court certainly should act to prevent the stolen money from being spent contrary to the will of its true owner.

The verdict of the court came as no real surprise. Earlier, four of the justices—William O. Douglas, Hugo L. Black, William J. Brennan Jr. and Thurgood Marshall—had voted to allow publication of the stolen papers without even hearing the government's case. They were joined in their final action by justices Potter Stewart and Byron R. White. To their credit, the minority dissenters were Chief Justice Warren E. Burger and Justices Harry Blackmun and John M. Harlan.

The federal government classifies much material as secret when it should not. But that was not the real issue. The federal government's agencies do many things that are wrong and should be called to account. But that also was not the real issue. It would be quite proper for the press or the people to challenge the classification practices of the government. It would be proper for anyone to criticize—justly or unjustly—any decision government may make. But to steal from the government and publish in violation of the law in a manner that could possibly do irrevocable harm to the United States is not right.

Publication of secret documents may help the enemy break our secret codes. Exposure of the necessary private actions of diplomacy and war contingency planning may make international relationships with foreign governments difficult. Exposure of secret information may even cost Americans their lives. But though these facts should figure in any moral evaluation of whether to publish secrets, the overriding legal point is that those who publish were not using their own property but that which had been stolen.

There was a clear exhibition of irresponsibility in that the stolen secret material had been held for months and yet was rushed into print without heeding official warnings. And now a Supreme Court majority sanctions the error.

Is this a court signal to the myriad enemy spies in our country that they may transmit to their governments the secrets they steal by publication in a press willing to do so?

The court has ruled only on the question of whether the victim of theft—in this case the government—may prevent thieves and accomplices from misusing what they have stolen. There has been no court ruling knocking down the espionage and other laws that prohibit theft of secret government documents and the unauthorized revelation of their contents.

Any who may be guilty of violating these laws should now be prosecuted. The law is written to apply equally to all and it is no man's privilege to decide for himself which laws he will violate.

CONTROLLED THERMONUCLEAR FUSION

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HOLIFIELD. Mr. Speaker, in the June 3, 1971, issue of the RECORD, on page 17986, my colleague on the Joint Committee on Atomic Energy, CRAIG HOSMER, of California, inserted remarks on controlled thermonuclear fusion status and outlook. Mr. HOSMER pointed out that those who are making the most noise about "fusion now" are those who know very little about the status of nuclear fusion research.

Let there be no misunderstanding concerning the record on support of controlled thermonuclear fusion research by the Congress and the Joint Committee on Atomic Energy. We have provided a healthy level of support to fusion research throughout the years—over $400 million. This year, for example, the Joint Committee on Atomic Energy is recommending nearly $30 million for fusion research. We have felt throughout the years that the long-range promise of this potential new energy source warranted this support. The confusion which has been injected into the program stems from those advocates who want to drop or cut back on all other energy research efforts and place all of our dependence on the long range and much less certain fusion reaction for our energy supply. This, as has been stated by the most knowledgeable people in the energy research field, including top people in the fusion research program, is completely unjustified. The balance effort on energy research which has been laid out throughout the years is the one we must follow.

From June 21 to June 23, 1971, there was a heavily attended international conference at the University of Wisconsin at Madison, Wis., the results of which were very objectively reported in the Wall Street Journal on June 24. I insert the article by Jerry E. Bishop on "Possibility of Harnessing H-Bomb's Power To Make Electricity Nears Crucial Tests" at the end of my statement. In the June 22, 1971, issue of Industrial Research and Technology, a weekly document published by the Commission of the European Communities, there was an article on controlled thermonuclear fusion. I request permission to insert that article at the end of my statement. I would like to quote one sentence from that article:

The physical and technological problems involved in the construction of a fusion reactor are, however, far from solved.

Those in this country who believe that the only thing necessary to bring fusion reactor powerplants on line is a large infusion of money are either completely misguided or are deliberately distorting the facts to satisfy their own particular cause, whatever that cause might be.

The articles follow:

[From the Wall Street Journal, June 24, 1971]

POSSIBILITY OF HARNESSING H-BOMB'S POWER TO MAKE ELECTRICITY NEARS CRUCIAL TESTS

(By Jerry E. Bishop)

MADISON, WIS.—Scientists are moving optimistically into a new round of experiments that may tell whether it ever will be possible to harness the power of the hydrogen bomb to produce electricity.

In the next few weeks, in a score of laboratories around the world, the scientists will begin turning on dozens of newly built hydrogen-fusion machines. The machines, at first glance, look as if they might have been built for a Bela Lugosi movie. They are small, hollow tubes surrounded by an incredible maze of electrical cables, magnets, lasers, capacitors and other gadgetry.

Inside the tubes, however, the scientists hope to ignite "fusion fires," tiny controlled versions of a process by which the sun, and the hydrogen bomb, fuse atoms of hydrogen together to release energy.

If the experiments are successful, and researchers say there's every reason to believe they will be, the way will be cleared to achieving the 20-year-old research goal: the ignition of a hydrogen-fusion reaction that releases more energy than it consumes. Achieving such a reaction would, in turn, open the possibility of using hydrogen as a fuel for the power plants of the future. Because hydrogen is the most abundant element in the universe, it represents a practically unlimited source of energy.

Attempts to control hydrogen fusion have been under way ever since man's first release of fusion energy, the 1952 explosion of a prototype H-bomb in the Pacific. Researchers at times have despaired that it could ever be done.

BURST OF ACTIVITY

But during the past year fusion scientists have been in a burst of almost feverish activity. The activity was triggered by the results of a fusion experiment at the I. V. Kurchatav Institute for Atomic Energy in Moscow. The Russian experiment didn't achieve the ultimate experimental goal of releasing more power than it consumes and it wasn't intended to. But it did clear away some major doubts that such an experiment is feasible. Partly as a result of the Soviet research, though not entirely, several experimental fusion machines around the world have been redesigned and a host of new ones built in the past several months.

The scientists' renewed enthusiasm has been in full evidence for the past seven days here at the University of Wisconsin, where 600 fusion researchers from 25 countries gathered for the Fourth International Conference on Plasma Physics and Controlled Nuclear Fusion Research. The conference, sponsored by the United Nations International Atomic Energy Agency, ended yesterday.

"It's the most optimistic meeting we've had," says Harold P. Furth, a leading American fusion researcher from Princeton University.

One sign of the optimism: A number of the reports delved into the possible designs for full-scale fusion power plants, fueled by

heavy hydrogen from sea water and producing five to 10 times as much electrical power as presentday coal and atomic plants.

"We used to talk about fusion power plants sort of with our tongues in our cheeks," confides one American physicist. "Now," adds a colleague, "our tongue isn't as far in our cheeks." In fact, many of the scientists gathered here will head for the U.S. Atomic Energy Commission laboratory in Oak Ridge, Tenn., next week for a conference devoted exclusively to fusion power plant designs.

Fusion research is based on the phenomenon that when the nuclei of two hydrogen atoms slam into each other with enough force they will fuse. This creates an atom of helium, plus a neutron and a burst of energy. The force with which the nuclei must collide to fuse has to be tremendous. If one could stick a thermometer into a cloud of hydrogen nuclei whizzing around with enough energy to fuse the thermometer might register 50 million degrees, or higher.

The trick the scientists are trying to pull off is to first cram a sufficient number of hydrogen nuclei into a small space so that they will be certain to hit each other. And then to heat up the nuclei to the 50 million to 100 million-degree range so that, when they do collide, the nuclei will be sure to fuse. And lastly, the aim is to confine the hot cloud of nuclei long enough for enough fusion to take place to release a useful amount of energy.

DIFFICULTY IS EXPLAINED

The main reason all this is so difficult is that there isn't any physical container that can be used to confine the super-hot atoms. Fortunately, when atoms are heated to such temperatures they quickly begin losing their shells of electrons and turn into a cloud of electrically charged particles called a plasma. Because they are charged these atomic particles can be held by a magnetic field.

The experimental fusion machines are ingenious arrangements of powerful magnets used to create strong magnetic "bottles" to hold the plasma along with an array of equipment to reduce the plasmas and to heat them.

The immediate aim is to carry out what the scientists are calling the "feasibility experiment." This would be the ignition of a fusion fire that would sustain itself and, even though it lasts only a fraction of a second, it would produce as much as—and, hopefully, more than—the energy it takes to power the magnets and to heat the plasma. This, scientists explain, woud be proof positive that controlled release of useful fusion energy can be achieved. It would open the way to "scaling up" the fusion machine to full-sized power plants.

The new generation of fusion machines going into operation may be only one step away from the devices that could carry ont the feasibility experiment.

Take, for instance, a new fusion machine going into operation at the AEC's laboratories in Los Alamos, N.M. Called Syllac, the machine probably is the largest fusion device in operation. Some of the first experiments on the Syllac were carried out as recently as four weeks ago and were reported at the meeting here.

The predecessors had been able to heat plasmas to the required 50 million degrees and had been able to cram the needed number of particles into the magnetic container. But they were unable to hold the plasma for the several thousandths of a second needed to achieve the feasibility experiment.

The reason was that the magnetic container was shaped like an open-ended tube about a yard, or so, long. Under the tremendous pressures created inside the magnetic bottle the plasma would rush out the open ends in only a few millionths of a second. To overcome this problem the Los Alamos scientists decided to eliminate the open ends by making the tube much longer and bending it around into a torus, or doughnut, shape.

MAGNETIC PROBLEM CITED

Unfortunately, this created a problem with the way the magnets are wrapped around the tube. In the doughnut shape the magnets that ringed the tube are closer together on the interior or hole side of the doughnut than on the outside. Thus, the magnetic force on the hole side is much stronger. As a result, the plasma would be pushed away from the center to the outside where it would strike the physical container wall.

The Los Alamos scientists recently completed a curved section of the Syllac doughnut and a few weeks ago ran the first test of the new arrangement of the magnets. The magnets, instead of ringing the tube, now spiral around it. The tests showed that the new arrangement can hold plasma in the center of the tube and away from the walls, reported physicist Fred L. Ribe, who heads the Syllac team.

The tests clear away major uncertainties about completing the full $9 million torus although Mr. Ribe says, "There are still some loose ends to wrap up" in coming months. When completed, the Syllac will be "what you might call a pre-feasibility machine," he explains. It should fall just short of the long-sought feasibility experiment and will either provide the clues as to how the experiment can be carried out, or uncover any unknown obstacles to the feasibility experiment.

Both Soviet and American scientists are reporting steady progress on the so-called Tokamak-type machines. It was a Soviet device called Tokamak-3 that achieved a significantly long confinement of a hot, dense plasma and sent fusion researchers' spirits soaring about 21 months ago. The Tokamaks also are doughnut-shaped but are smaller than the Syllac and use a different kind of magnetic bottle. Several new Tokamak machines are going into operation in Russia, the U.S. and other countries.

The encouraging thing, says Princeton's Mr. Furth, is that the experiments currently under way haven't disclosed so far any major barriers to the feasibility experiment. Many of the scientists here are sticking by recent predictions that the feasibility experiment will be accomplished before 1980, a forecast few would have made two years ago.

The researchers are starting to envision fusion power plants ranging from 2.5 million kilowatts to 10 million kilowatts each, compared with the one million-kilowatt capacity of today's power plants. Their fuel costs would be negligible because they would burn only a few pounds a day of heavy hydrogen, or deuterium, easily extracted from sea water. The major capital costs would be the tremendously powerful magnets that will have to be developed, according to reports to the Wisconsin meeting.

SAFETY SEEN CERTAIN

The plants would be inherently safe because there isn't any way for the fusion fire to get out of control; if it should break out of the magnetic bottle it would die immediately. Unlike present atomic plants, the fusion plant wouldn't release any radioactive elements. The storm of neutrons poured out by a fusion reaction will turn surrounding materials radioactive but the problem of disposing of, or using, these materials is far less than getting rid of the radioactive wastes from present atomic power plants, according to a study by Don Steiner of the Oak Ridge laboratories.

How to convert the energy of a fusion reaction to electricity is a major problem, however. Currently, most scientists suggest surrounding the fusion tubes with a blanket of a liquid metal, such as lithium. The metal would be heated by the neutron storm and then piped away and used as a heat source to run a conventional steam or gas turbine generator.

At the University of California in Livermore fusion researchers recently have begun experiments on a new idea for draining power from a fusion reactor that might make it economically feasible sooner than expected. Much of the energy of a fusion plant is left in the unburned part of the plasma of charged particles.

California scientists are experimenting with devices to "collect" the unused plasma as it leaks from the fusion reactor and converting it directly into electricity. They reported their experimental collectors were more than 80% efficient in converting the leftover plasma into electricity.

The addition of such direct-conversion systems might boost the overall efficiency of a fusion plant to 80% or 90% from an expected 60%. Present-day coal-burning power plants are about 40% efficient.

[From Industry, Research, and Technology, June 22, 1971]

The production of electrical energy at competitive prices, with no fuel-supply problem and no serious risk of nuclear accidents or of radioactive pollution—such are the advantages to be expected from fusion reactors. For some time, therefore, the Community has been encouraging and coordinating research on Controlled Thermonuclear Fusion (see "Industry, Research and Technology" Nos. 57, 71 and 102). A five-year programme of research on controlled thermonuclear fusion and plasma physics, which had been awaited for more than three years; has now been adopted by the Council. Details of this programme and of this research, which is of key importance for the Community's future, are given in Annex 2.

ANNEX 2: A FIVE YEAR PROGRAMME OF COMMUNITY RESEARCH ON CONTROLLED THERMONUCLEAR FUSION AND PLASMA PHYSICS

The production of electrical energy at a competitive price, with no fuel supply problem and no serious risks of nuclear accidents or radioactive pollution—such are the considerable advantages to be expected from fusion reactors.

These reactors will use fusion reactions between light atomic nuclei, mainly deuterium (an element always present in water in sufficient quantity) or of a mixture of deuterium and tritium (tritium being produced within the reactor itself).

The physical and technological problems involved in the construction of a fusion reactor are, however, far from solved. For fusion reactions to occur in sufficient number and in order to ensure that the electrical recovered exceeds the energy supplied and the energy lost by radiation, the fuel must be raised to enormous temperatures (about 100 million degrees Kelvin). At these temperatures the fuel exists in the form of an ionized gas—the plasma—and this plasma is very difficult to confine. Material walls cannot be used because of the high temperatures, and it is necessary to use magnetic fields, or more commonly electromagnetic fields, which are difficult to handle.

The creation, heating and confinement of the plasma for a sufficient period of time are forming the subject of intensive research in the United States, the USSR, the United Kingdom and the Community. The Community effort represents about 20% of the world total.

The Commission of the European Communities has endeavoured to promote research in this sector; it has taken steps to arrange the necessary coordination between projects in the various Member States and has allocated work by a series of association contracts with the various national laboratories engaged in this research.

After an initial stage of basic research, the laboratories are moving into a new stage of applied research, necessitating the construction of increasingly large and expensive machines. Many lines of research are possible, and it is important to apportion work on

them among the various laboratories so as to avoid dispersion of effort. The coordinating rule of the Commission is thus particularly vital, but it is not enough in itself to ensure that the Community remains competitive in such a promising sector; to this end research activities must gradually prepare industry to play its part and take its place on the market.

Since the beginning of 1968, therefore, the experts of the Commission of the European Communities have recommended that the Community continue its action on controlled fusion under a joint multiannual programme. It will have taken more than three years, during which the annual renewal of programmes has been resorted to as a tide-over solution, for a multiannual programme to be finally adopted), despite the fact that there was unanimous agreement on the importance of the programme.

The Council has now drawn up a five-year programme of research and training on controlled thermonuclear fusion and plasma physics. This programme, which integrates virtually all the research pursued by the Community in this sector, is designed to coordinate appropriations which will total about 180 million u.a. during the period 1971–75, 46.5 million being borne by the Community and the remainder by the Member States.

The programme has been prepared jointly by the departments of the Commission of the European Communities and the laboratories of the Member states, and will cover the following five major sectors:

Research on general basic physics;

The study of the confinement of plasmas in closed and open configurations;

The production and study of very high density plasmas;

The improvement of methods of diagnosis;

Technological research.

During the three first years of the programme, a maximum amount of eight million u.a. will be earmarked for the acquisition of equipment for priority projects (Stellarator, Tokamak, screw pinch, etc.).

The programme constitutes a link in a chain of long-term collaboration aiming ultimately at the joint construction of prototype fusion reactors.

A FRESH APPROACH TO BRIDGING THE GENERATION GAP

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BOLLING. Mr. Speaker, our colleague, OTIS PIKE, took a fresh approach to bridging the generation gap in his recent commencement address to the Suffolk County Community College. His address is informative, unusual, and recommended. It follows:

ADDRESS BY OTIS PIKE AT COMMENCEMENT EXERCISES

On November 24, 1970, a date which will live in infamy, I received a letter from one Roy Van Nostrand, inviting me to perform the dubious offices I am about to perform. It was written on the stationery of the SCCC, which surprised me, for I had not realized that Mr. Van Nostrand was what he identified himself as—Chairman, SCCC. Whatever that means.

I had, in fact, been expecting a letter from Mr. Van Nostrand on the stationery of the Suffolk County Bar Association, for at that time he was moonlighting as the President of the Bar Association, and exactly one month earlier, October 24, 1970, I had read in the Long Island Daily Press that he, as President of the Bar Association, would be happy to investigate one Otis Pike to see if he was, in fact, a criminal and should, in fact, be disbarred or decapitated or something. I opened the letter in exquisite trepidation, trembling with anticipatory fear to find out whether I was to be drawn and quartered, or merely submitted to the lash. Happily, in the interval between October 24, 1970 and November 24, 1970, the election had come and gone, and the sole punishment being meted out to me was that of attempting to yell a few thoughts to you across the generation gap.

So relieved was I that I accepted with alacrity. It seemed terribly fair to me, though terribly unfair to you. You have labored, studied, crammed and sacrificed mightily in order to have arrived at this moment of truth, and are entitled to have it one of dignity, solemnity, and reverence. Unhappily, my threshold of dignity, solemnity, and reverence is known to be low. John Fitzgerald Kennedy said, "Life is unfair," and you will get no further sympathy from me. Rather, let us understand each other right now. I am the enemy. Precisely one generation removed from most of you. The living, breathing, embodiment of the gap. In the eternal combat which rages between you and your parents, I am with them.

I am considered by my children, who have graduated, or are attending college, to be a miserly usurer in finances, an inarticulate Buckley in philosophy, and a Calvinistic cretin regarding morals. Strict and tough, in other words. The kids, thus far, have turned out fine. Despite the fact that for the last eleven years I have been in Washington and they have been raised exclusively by my wife, Mrs. Permissive. As an example, I arrived home from Washington late Friday, expecting to be gazed upon with filial devotion by my youngest, only to be told that he wanted to go camping out at Shea Shadium. Where? Shea Stadium. Why? To get tickets to "The Grand Funk R.R." The what? The Grand Funk R.R.! When parents ask three sensible questions like "Where?", "Why?" and "What?", and get only gibberish in reply, of course there is a gap. That gap can be closed a little if you will only eschew the unintelligible meanings of the Grand Funk R.R. and learn to sing intelligent songs with intelligent words as your parents and grandparents did—Boomp Boomp, Mairzy Doats, Ja Da.

Perhaps we *can* say something to each other across the gap, if we can find a common language. I have tried. I have read my son's college thesis and his Playboy. I understand only the latter, probably because of the illustrations which accompanied the text. I have tried in one other way to find a common language. I have read a lot of graduation speeches over the last few years to find the key words. There is always a set formula to commencement addresses, you know, and the key words are easy to find. The formula is first, a couple of light-hearted "ho-hos" so you will know the speaker is a regular guy, second, so you will know he is also a scholar, a couple of quotations from the classics. Romans are okay, but Greeks give you more scholastic brownie points. Third, we paint a picture of impending doom, the world in chaos, disaster lurking around every corner, the apoclypse upon us—but hark—fourth, here comes the class of 1971—intelligent, devoted, fresh, dedicated, educated and eager, the whole mess is dumped in your lap, and you march out, sheepskin in hand, to do the job. That's the formula.

The key words for the class of '69 were "priorities" and "defense spending". For the class of '70 they were "ecology" and "biodegradable". The jury is still out on 71, but I'll put my money on "rhetoric" and "life style".

So don't blame Al Ammerman or Roy Van Nostrand for inviting me here. I know *how* to make a proper commencement address, and if this is an improper one, and if I never get invited to make another, the sun will continue to rise close to the east, Polaris will continue to be approximately north, and given those two, you can navigate approximately anywhere—with or without a diploma. I am going to use this occasion to unburden myself of a couple of random thoughts which I've been carrying around too long, like ulcers, looking for a place to dump them.

What does one say, or yell, across the generation gap to a group of graduates in the year of our Lord—1971?

Given the complete option to say anything, my message to those about to leave the figurative ivory towers of the college, the safety of the womb, the comfort of the cocoon—would be short. My message, in fact, could be compressed into two words—Don't Go! Stay where you are, studying, thinking, arguing with the profs, learning and working and having fun.

It's cold out there—and confusing. More confusing than cold, perhaps. And where you are everything is so sure and so certain. You know so much, and are so confident in your knowledge. Across the generation gap I observe how magnificently confident all our young are today. Confident in their knowledge, confident in their judgments, confident in their morality—condemning their parents' materialism, their rhetoric, their life styles.

On a daily basis, I receive dozens of letters from men so young they aren't quite sure how to hold the razor, but who know exactly how to trim the defense budget. Daily I receive discourses from young ladies, absolutely certain about what America's permanent policy in S.E. Asia should be, but unable to hold for more than three months any policy on where their own hemlines should be.

You have all heard, I am sure, of Parkinson's Law and the Peter Principle. None of you have heard, I am even more sure, of Pike's Political Principle No. 1, so I give it to you—free! "The ease of solving any problem is directly proportional to the distance of the observer from having to solve it." Everyone knows what to do about Vietnam. But to make the "disposal" work? Call a plumber. To make the car run? Call a garage. To fix the television? Get a new one.

But I digress—if I have ever gressed at all. If there is to be any substance in these ramblings, we'd better get on with it:

2 Dos, and 3 Don'ts, the last you will hear as undergraduates—

Do, Please, for the rest of your lives, use the education you have earned to distinguish between facts and judgments;

Some illustrations—a la Playboy:

"We will spend approximately $80 billion this year in the name of national defense"—that is a fact, and can be proven.

"Spending $80 billion this year for national defense is necessary." That is a judgment—not my judgment, but the judgment of the Pentagon, the President, and the majority of Congress. It cannot be proven, and your judgment is as good as anyone else's.

The front page of the New York Times is mostly facts sprinkled with a few judgments. The editorial page is mostly judgments sprinkled with a few facts. Try not to confuse them.

Don't, please, for the rest of your lives, pretend there are easy answers to difficult problems: Actually, I shouldn't be saying this to you, for there are more politicians doing this than students. Some illustrations—all, sadly, true:

From the left—"All of our domestic problems are due to the war in Vietnam."

From the right—"If we'd only let the military have its way, we could have won the war in six months."

From a resolution passed *unanimously* by

the New York State Assembly—"We call upon Congress to do everything necessary to free our prisoners of war."

There are no easy answers to great problems. Use your education to spot demagoguery, no matter what fair name disguises it.

Do, in choosing your careers, consider working with your hands. The training your minds have received will never be wasted, but from surgeons to street cleaners, America needs people willing to work with their hands as well as their heads. In a nation where the streets and water and air are increasingly dirty, where energy runs increasingly low, telephones work decreasingly, and automobiles and appliances are built to break, men with shovels and wrenches are at least as useful as men with slogans and writs—and plumbers contribute infinitely more than politicians to the well-being of their fellow man.

Don't be observers of life, but participators. Too many good college athletes spend the rest of their lives getting soft and wide while they watch little men with green skin and orange hair running around on the boob tube. Whatever you have been doing, in music or the arts—keep doing it—you never know when it will come in handy.

Until this year, for example, I had never been particularly proud of my own athletic achievements, but this year I am proud to recall that I was once the Suffolk County H.S. Champion in—ping pong!

A final don't. Don't, please, cop out on thinking and acting by mouthing great concepts and ignoring little details, by espousing great ends and forgetting little means.

It is terribly easy to say "I'm for peace," terribly difficult to find means to make man stop warring.

It is terribly easy to say "We must re-order our national priorities," terribly difficult to find places to cut old money or to find new money for new purposes.

Our colleges this year will graduate a thousand young men and women passionately eager to preserve and care for our nation's forests and wild life, terribly disinterested in mowing the lawn or feeding the cat.

They will graduate a million young men and women passionately eager to clean up our nation's air and water, passionately disinterested in cleaning the streets, which are even dirtier.

I really can communicate with my children. When my son says to me, "Dad, your generation has failed to clean up the environment", I sit crosslegged on the floor like a guru, close my eyes and pontificate,

"The sages have said, A journey of a thousand miles starts with but a single step."

He says, "What does that mean?"

"It means that if you really want to clean up the environment, start by cleaning your fingernails, proceed to clean your room, continue by raking the lawn, and then we'll talk about the Town of Riverhead and Suffolk County."

Life, not school, is where the action is. I wish to each of you your full, joyous, meaningful share.

LEGAL ISSUES RAISED BY SUBCOMMITTEE SUBPENAS REGARDING CBS DOCUMENTARY "THE SELLING OF THE PENTAGON"

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. STAGGERS. Mr. Speaker, under leave to extend my remarks in the Record, I include the following report of the Special Subcommittee on Investigations of the House Committee on Interstate and Foreign Commerce:

LEGAL ISSUES RAISED BY SUBCOMMITTEE SUBPOENAS REGARDING CBS DOCUMENTARY "THE SELLING OF THE PENTAGON"

INTRODUCTION

The purpose of this memorandum is to review the legal issues raised by the refusal of Frank Stanton, President of CBS, to comply with the Subcommittee subpoena served upon him on April 8, 1971, and his anticipated refusal to comply with the subpoena served on May 27, 1971.

Certain legal precedents have been cited to the Subcommittee by CBS as justification for this refusal to comply. These are contained in a letter to the Chairman from Robert V. Evans, Esq., Vice President and General Counsel of CBS, dated April 20, 1971, and a letter to CBS from its Washington attorneys, dated April 27. This latter document was transmitted to the Chairman by Mr. Evan's letter dated April 30, 1971.

The legal arguments advanced by CBS have been considered carefully, and have been found to be without merit.

I. GENERAL BACKGROUND

The position taken by Dr. Stanton and CBS in this matter necessarily requires a consideration of three bodies of legal precedent: (a) Congressional investigatory power; (b) the power of Congress to regulate broadcasting; and (c) the free press guarantees embodied in the First Amendment.

A. Congressional investigatory power

CBS seemingly concedes the importance of the Congressional power to investigate (Evans, letter of April 20). The effect of its argument, however, would be a drastic erosion of this power with respect to broadcasting. Proceeding from what appears to be a threshold misconception, CBS has failed to address itself to certain basic considerations of Constitutional law concerning the investigative prerogatives of the legislature.

In view of this omission, it will be necessary to begin this analysis with a brief discussion of relevant case law pertaining to Congressional investgations.

The investigating power of the House of Representatives is one which has its antecedents in centuries of Anglo-American history. The roots of the House's power lie deep in the British Parliament and may be said to be derived from that of the British Lower House:

"The Commons are, in the words of Lord Coke, the general inquisitors of the realm . . . they may inquire into everything which it concerns the public weal for them to know." *Howard v. Gosset*, 10 Q.B. 359, 379 (1845).

It is interesting to note that in language strikingly similar to Lord Coke, Mr. Justice Wilson, a member of the first Supreme Court, spoke in 1791 of the investigatory power of the House of Representatives in the following manner:

"The House of Representatives . . . form the grand inquest of the state. They will diligently inquire into grievances arising both from men and things." *Works of James Wilson* (1896) 29.

In the same vein, when the House called upon President George Washington to produce records relating to the expedition of General St. Clair, his Cabinet unanimously determined:

"First that the House was an inquest and therefore might institute inquiries. Second, that they might call for papers generally." See Taylor, *Grand Inquest* (1955) 23.

The Supreme Court commented on the nature of this congressional power in the leading case of *McGrain* v. *Daughtery*, 273 U.S. 135, 161 (1927):

"In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both Houses of Congress and in most of the State legislatures."

And, it was in *McGrain* that the Court, noting no provision expressly investing either House of Congress with the power to investigate and exact testimony, found that investigatory power flows, of necessity, from the power to legislate:

"We are of opinion that the power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function. (p. 174.)

* * * * *

"A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not itself possess the requisite information—which not infrequently is true—recourse must be had to others who possess it. Experience has taught that mere requests for information often are unavailing, and also that information which is volunteered is not always accurate or complete; so some means of compulsion are essential to obtain what is needed. . . . Thus there is ample warrant for thinking, as we do, that the constitutional provisions which commit the legislative function to the two houses are intended to include this attribute to the end that the functions may be effectively exercised." (p. 175.)

An earlier State case appears to have anticipated *McGrain*:

"It is a well-established principle . . . that either House may institute any investigation having reference to . . . any matter affecting the public interest upon which it may be important that it should exact information, and in respect to which it would be competent for it to legislate." *People ex rel McDonald v. Keeler*, 99 N.Y. 463 (1885).

Moreover, the scope of a congressional inquiry may be as broad as the valid legislative purpose. In *Townsend v. U.S.*, 95 F.2d 352 (D.C. Cir. 1938), the court said:

"A legislative inquiry may be as broad, as searching, and as exhaustive as is necessary to make effective the constitutional powers of Congress. . . . A judicial inquiry relates to a *case*, and the evidence to be admissible must be measured by the narrow limits of the pleadings. A legislative inquiry anticipates *all possible cases* which may arise thereunder, and the evidence admissible must be responsive to the scope of the inquiry, which generally is very broad." (p. 361.)

See also *Barsky* v. *U.S.* 167 F.2d 241 (D.C Cir. 1948), *cert.* den. 334 U.S. 843 (1948); *Eisler* v. *U.S.*, 170 F.2d 273, writ of *cert.* dismissed, 338 U.S. 883 (1949), and *Josephson* v. *U.S.*, 165 F.2d 82, *cert.* den., 333 U.S. 838 (1948). And in *U.S.* v. *Morton Salt Co.*, 338 U.S. 362 (1950) the Court commented on the broad investigatory power of administrative agencies, creatures of Congress as follows:

"It [administrative agency] has a power of inquisition . . . which is not derived from the judicial function. It is more analogous to the grand jury, which does not depend on a case or controversy for power to get evidence but can investigate merely on suspicion that the law is being violated, or even just because it wants assurance that it is not."

Certainly, the investigatory powers of an administrative agency, admittedly broad, cannot exceed those of the Congress from whence it derived its authority. In *Oklahoma Press Publishing Co.* v. *Walling*, 327 U.S. 186 (1946), the Court expressly stated that congressional investigatory power is at least as extensive as that of an administrative agency.

In this regard, court decisions regarding the legitimate scope of FCC investigations are informative. In *F.C.C.* v. *Cohn*, 154 F. Supp. 899 (S.D.N.Y. 1957) the court stated:

"Congress has not been niggardly in providing the Federal Communications Commission with ample authority to conduct investigatory proceedings necessary for the execution of its multiple functions" (p. 908.)

That case arose as a result of the FCC's network investigation. It was contended that the agency could not subpoena information from independent producers inasmuch as it had no regulatory authority over them. The court held that the Commission's investigatory and subpoena power was sufficient; that the "comprehensive powers" conferred on the Commission include broad investigatory authority. This is not limited to its licensing or rule-making proceedings, but also encompasses the purpose of "making specific recommendations to Congress as to additional legislation which the Commission deems necessary or desirable," (154 F. Supp at 905).

To the same effect is *Stahlman* v. *F.C.C.* 126 F.2d 124 (D.C. Cir., 1942) wherein it was stated that the Commission's investigatory authority "includes authority to obtain the information necessary to discharge its proper functions, which would embrace an investigation aimed at the prevention or disclosure of practices contrary to public interest." (p. 127.)

The suggestion that there must be an actual, or suspected, breach of law in order to justify a subpoena (CBS brief, pp. 12(note), 26), has been overwhelmingly repudiated by the courts:

"In both federal and state courts until recent decades, subpoenas were unenforceable unless either they related to adjudication or they were based upon probable cause to believe that the law had been violated. But the earlier law is now completely superseded in the federal courts and almost completely superseded in the state courts. Agencies now may enforce subpoenas issued in the course of investigations, whether or not adjudication is involved, and whether or not probable cause is shown." [Davis, *Administrative* Law, sec. 3.04, page 171 (1958).]

But, even under the previously existing law, the power of the Congress was not subject to the same restrictions placed on agency investigative subpoenas. [See Langeluttig, *Constitutional Limitations on Administrative Power of Investigation*, 28 Ill. L. Rev. 508 (1933).] In *Oklahoma Press Publishing Co. v. Walling, supra,* the Supreme Court stated:

"It is not necessary, as in the case of a warrant, that a specific charge or complaint of violation of law be pending or that the order be made pursuant to one. It is enough that the investigation be for a lawfully authorized purpose, within the power of Congress to command." (pp. 208–09.)

It is noteworthy that legislative investigatory power has been upheld in cases involving First Amendment issues. In *Barenblatt v. United States,* 360 U.S. 109 (1959), the Court upheld a conviction for refusing to answer questions concerning membership in the Communist Party before a House committee. The Court rejected the argument that the individual's First Amendment rights were violated by his being compelled to disclose his associational memberships. Similar arguments regarding alleged violation of the right of free speech were rejected in *Uphaus v. Wyman,* 360 U.S. 72 (1959 (State legislative committee). To the same effect is *Wilkinson v. U.S.,* 365 U.S. 399 (1961).

The *Barenblatt, Uphaus,* and *Wilkinson* cases are of particular relevancy in view of the rationale advanced by CBS counsel that compliance with the Subcommittee's subpoena would "chill" the exercise of First Amendment rights. But the Court has, in these three cases, sustained the legislative investigatory power, even in the face of challenges raised by natural persons, as opposed to a corporate entity, alleging direct, as opposed to derivative, infringement of their First Amendment rights.

In *Watkins v. U.S.* 354 U.S. 178 (1957), the Supreme Court reversed a conviction for contempt of Congress where it appeared that the witness was not provided with a sufficient statement of the legislative purpose of the investigation by which he might evaluate the pertinency of questions propounded to him. In reversing this conviction, however, the Supreme Court stated the general rule as follows:

"We start with several basic premises on which there is general agreement. The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes. It includes surveys of defects in our social, economic or political system for the purpose of enabling the Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency or waste." (p. 187.)

Obviously, the investigatory function must be addressed to a valid legislative purpose. In the McGrain case, the Court found this purpose to exist:

"Plainly the subject was one on which legislation could be had and would be materially aided by the information the investigation was calculated to elicit." (p. 177.)

Thus, the essential elements of a Congressional investigation are: (1) valid legislative purpose, and (2) relevancy of questions asked or evidence required.

In view of the settled legal authority holding that the Congressional power to investigate is corollary to its power to legislate, a necessary element in the CBS argument was a showing that the subject matter involved in the Subcommittee's inquiry is one concerning which no valid legislation could be enacted and/or that the information subpoenaed was not relevant to the matter under investigation. This seems to have been initially recognized by CBS; the April 20 letter of the CBS Vice President and General Counsel stated as follows:

"With all respect for the rights and duties of the Congress, and with full recognition of the importance of the Congressional power to investigate, *we cannot conceive of any legitimate legislative purpose to which the materials requested would be relevant.* The First Amendment is sweeping and explicit; it says that 'Congress shall make no law . . . abridging the freedom of speech, or of the press.'" (Emphasis supplied.)

But neither that letter nor the subsequent brief prepared by CBS attorneys attempts such a demonstration.

To take but one example from the legislative purposes set forth in the Chairman's statement of April 20th:

"The Subcommittee must consider, among other things, whether the public has a right to be advised when edited sequences are presented to them under conditions which might suggest that they have not been edited." (p. 5.)

This particular passage from the Chairman's statement clearly envisions the possibility that a new section might be desirably incorporated into the Communications Act of 1934 which would provide for appropriate disclosure to the viewing audience when (a) an edited sequence is televised which (b) would give the appearance, absent such disclosure, of being unedited.

In justification for its refusal to provide the material called for in the subpoena, it was necessary for CBS to demonstrate one of the following propositions:

1. Such a new section could not be constitutional, regardless of how it might be drafted; and or

2. The materials called for in the subpoena would not be relevant to a consideration of such a measure.

Obviously, CBS could not be successful in sustaining either of these propositions. Specifically, it is difficult to see on what basis such a disclosure requirement, which obviously adds to the information placed in the hands of the public, could be held offensive to the First Amendment (*Cf.* 47 C.F.R. 73.653, disclosure requirement for "mechanical reproduction" of televised material).

Likewise, it is equally difficult to see how the materials described in the Subcommittee subpoena could be held not to be relevant to a consideration of the public interest in such a new section of the Communications Act. Certainly, a direct comparison of the final, edited, version with the original uncut version of the same event would afford the most direct and valid means of examining whether the public interest would require such disclosures. This particular example is but one of the several legislative concerns involved in the present matter.

This, of course, is not to suggest that each item called for in the subpoena would be pertinent to the particular section just quoted from the Chairman's statement. But, in order to justify withholding material called for in the subpoena, it was necessary for CBS to show that the material withheld was (a) not relevant to any of the various legislative concerns enumerated in the Chairman's statement, or, in the alternative, (b) that the stated legislative concerns themselves could not be embodied in Constitutional legislation. CBS has not attempted to offer such argument. As a result, the legitimacy of the legislative concerns involved in this Subcommittee inquiry have not been challenged, nor has the relevancy of the subpoenaed materials to those concerns been questioned. On this basis alone, it appears that the Subcommittee's action is a valid exercise of its legislative powers and would be sustained as such by the courts. As the court stated in *Fischler v. McCarthy,* 117 F. Supp. 643 (S.D. N.Y.), aff'd 218 F.2d 164 (2d Cir. 1954) (*per curiam*):

"It is entirely clear . . . that neither this nor any other court may prescribe the subjects of Congressional investigation. Were a court empowered to limit in advance the subjects of Congressional investigations, violence would be done to the principle of separation of powers upon which our entire political system is based. (at 648.)

"[T]he legislature cannot be compelled to submit to the prior approval and censorship of the judiciary before it may ask questions or inspect documents through its investigating subcommittees, or even before it enacts legislation . . . any more than the judiciary can be compelled by the legislature to submit its rulings or decisions for legislative approval." at 650.)

Presumably recognizing that the Subcommittee's inquiry could not be successfully attacked on the basis of legislative purpose and relevancy, the CBS argument avoided these issues and proceeded on another tack. It began by disregarding the Chairman's announced statement of purposes which clearly excluded such matters as program bias or point of view. CBS stated:

"Despite the disclaimers, it is clear from the statement of purposes that the Subcommittee will necessarily be engaged in far-reaching surveillance of the specific *news judgments and editorial decisions* made by CBS in the preparation and broadcast of 'The Selling of the Pentagon.'" (Brief, p. 5) (emphasis supplied.) [1]

[1] The Chairman's statement carefully delineated the scope of the inquiry noting that program point of view is of no interest. Yet, CBS insists that its criticism of an aspect of government spurred the inquiry (Brief, p. 17). In any event, in *Watkins, supra,* the Court said it would not test the motives of the committee members. "Such is not our function. Their motives alone would not vitiate an investigation which had been instituted by a House of Congress if that assembly's legislative purpose is being served." (at p. 200.)

But the CBS brief offers no substantiation for such an assertion. Instead, the CBS brief proceeds to describe the Subcommittee's legislative concerns in excessively broad generalities in an attempt to widen their apparent scope. It does so by the readily discernible technique of quoting out of context from the Chairman's statement of April 20.

It is stated, for example, that, included in the subjects to be investigated, are the "production and editing techniques" (Brief, p. 5). This phrase appears in point 7 of the Chairman's statement wherein he listed generally the legislative subjects under inquiry and study by the Subcommittee (TR. 9). But in that statement, those words are set forth in a context which clearly refers to such potentially deceptive practices as manipulations of sound tracks, film and/or videotape, which rearrange the sequence of events, mismatch responses, etc. (TR. 12), and not to production and editing techniques in the abstract.

The CBS brief also states that "filming and editing practices" are also included in the subjects to be investigated by the Subcommittee. But the Chairman's statement makes use of those terms in a rather specialized sense which is not acknowledged in the CBS paraphrase:

". . . filming and editing practices, *consisting of rearranging, staging, or misrepresenting events, giving viewers an erroneous impression that what they are seeing has really happened, or that it happened in the way and under the circumstances in which it is shown.*" (TR. 16; emphasis added.)

The italic language obviously has the effect of sharply modifying the scope of the Subcommittee's concern.

Such manipulative practices, which would not involve traditional editing and which would, in effect, manufacture news, are a legitimate legislative concern because they would adversely affect the people's right to know.

As a final example, in the Chairman's original statement, one of the legislative subjects under study was described in the following words:

"The applicability, if any, of the fairness doctrine to questions of factual accuracy."

The CBS brief seizes upon the words "factual accuracy" to produce the following result:

"These [production, editing, and filming] techniques and practices are to be judged for 'factual accuracy.' " (CBS brief, p. 5.)

The mere juxtaposition of the original language with the paraphrase is sufficient to illustrate the technique employed.

The purpose of such expansive restatements of the Subcommittee's legislative concerns is to inject as much plausibility as possible into the CBS assertion that the Subcommittee will involve itself in a reviewing function designed "to apply a presumed objective criterion of truth, both to the product of journalism and to the very heart of the journalistic process," (CBS brief, p. 6). It is on the ill-founded basis that CBS builds its First Amendment argument, which upon examination must fail for other more fundamental reasons (see below).

The Subcommittee's overall jurisdiction in the area of broadcasting has not been challenged in the CBS brief, and will be briefly restated here for the sake of completeness.

Clause 12 of Rule XI of the House of Representatives charges the Committee on Interstate and Foreign Commerce with responsibility for legislation having to do with the regulation of interstate and foreign communications. Clause 28 of Rule XI of the House of Representatives, recently enacted as part of the Legislative Reorganization Act of 1970, provides with respect to this jurisdictional area over the laws governing broadcasting:

(a) In order to assist the House in—

(1) Its analysis, appraisal, and evaluation of the application, administration, and execution of the laws enacted by the Congress, and

(2) Its formulation, consideration, and enactment of such modifications of or changes in those laws, and of such additional legislation, as may be necessary or appropriate.

Each standing committee shall review and study, on a continuing basis, the application, administration, and execution of those laws, or parts of laws, the subject matter of which is within the jurisdiction of that committee.

And finally, House Resolution 170 of the 92nd Congress authorizes this Committee, acting as a whole or as a subcommittee, to conduct full and complete studies and investigations and to make inquiries within its jurisdiction as set forth in clause 12 of Rule XI.

These sections are the Subcommittee's charter, clearly establishing legislative responsibility in the area of broadcasting.

In view of the presence of legitimate legislative concerns and the relevancy of the material subpoenaed to those concerns, it is concluded that the Subcommittee is within its rights to require the production of the materials called for. The subject is one upon which legislation may be had; this legislation would be materially aided by the information the subpoena is designed to elicit. *McGrain v. Dougherty, supra.*

B. The power of Congress to regulate broadcasting

As the previous section has shown, the present Subcommittee inquiry falls well within the recognized legal standards applied to legislative investigations. The presence of valid legislative purpose and relevancy have not been seriously challenged by the CBS brief. As to relevancy, the CBS document does not attempt a demonstration that the materials called for by the Subcommittee's subpoena are irrelevant to the enunciated legislative concerns contained in the Chairman's statement of April 20, 1971. And the relevancy of the subpoenaed materials is clear, in any event.

As this section will further demonstrate, the legislative concerns enunicated by the Chairman are well within the traditional boundaries set for the regulation of broadcasting.

The underlying rationale of the Communications Act of 1934 is contained in the following language from section 301:

"It is the purpose of this Act, among other things, to maintain the control of the United States over all the channels of interstate and foreign radio transmissions; and to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right beyond the terms, conditions, and period of the license."

Section 301 prohibits broadcasting without a license. Unlicensed transmission is a criminal offense (Sec. 501). The Commission may issue a license only if it finds that the "public convenience, interest, or necessity will be served thereby" (Sec. 307(a)).

Section 319(a) provides that no license shall be issued under the Act, with limited exceptions, for the operation of any station unless a permit for its construction shall first have been granted by the Commission. On filing with the Commission for such a permit, the applicant must give notice of such filing in the principal area which is to be served by the station (Sec. 311(a)(1)). The construction permit granted by the FCC states specifically the time period during which the applicant is expected to be prepared to commence operations; if the station is not ready for operation within the specified period, or within such further time as the Commission may allow, the construction permit is automatically forfeited (Sec. 319(b)). Upon completion of the station pursuant to a construction permit, the Commission will issue a license for the operation of the station provided it appears that the operation of such station would be in the public interest (Sec. 319(c)). Broadcast licenses are limited to three years in duration, at the expiration of which the licensee must apply for a renewal (Sec. 307(d)). Broadcast licenses may be assigned or transferred only upon application to the Commission, and a finding by it "that the public interest, convenience, and necessity will be served thereby," (Sec. 310(b)). The very existence of such a regulatory framework—which is justified and necessitated by the nature of broadcasting—stands as a bar to facile attempts to equate a radio transmitter with a printing press.

Senator Wallace White, the Chairman of the Senate Interstate and Foreign Commerce Committee, emphasized the distinguishing features between broadcasting and print journalism when that Committee in 1947 considered amending the Communications Act to give radio the same degree of freedom from governmental regulation of content as newspapers. Referring to the "vast difference in principle between the absolute right of anyone who wants to go into the newspaper business, and the necessarily limited right to operate a broadcasting station," Senator White pointed out:

"I do not accept in any degree that there is no difference between the power of Government with respect to newspapers and the power of Government with respect to radio communications . . . If you [radio people] are placing your feet on that foundation, [you] are just indulging in dreams. Because Congress will not stand, in the long run, for any such interpretation." (Hearings on S. 1333 Before the Senate Committee on Interstate and Foreign Commerce Committee, 80th Cong., 1st Sess., at 126 (1947)).

Inherent in the above tenets of broadcast regulation is a recognition of the technical limitations on the use of the airwaves. These limitations, of necessity, require that not all who desire to use the powerful instruments of broadcasting can be permitted to do so.

This familiar fact, and the regulatory consequences which flow from it, were recognized by the Supreme Court almost thirty years ago in the landmark decision, *National Broadcasting Company v. U.S.*, 319 U.S. 190 (1942):

"Freedom of utterance is abridged to many who wish to use the limited facilities of radio. Unlike other modes of expression, radio inherently is not available to all. That is its unique characteristic, and that is why, unlike other modes of expression, it is subject to government regulation." (p. 226)

In the *NBC* case, the Supreme Court recognized that the authority conferred upon the FCC by Congress was not limited to technical and engineering matters:

"The Act itself establishes that the Commission's powers are not limited to the engineering and technical aspects of regulation of radio communication. Yet we are asked to regard the Commission as a kind of traffic officer, policing the wave lengths to prevent stations from interfering with each other. *But the Act does not restrict the Commission merely to supervision of the traffic. It puts upon the Commission the burden of determining the composition of that traffic.*" (pp. 215–16; emphasis supplied.)

"The avowed aim of the Communications Act of 1934 was to secure the maximum benefits of radio to all the people of the United States. To that end Congress endowed the Communications Commission with comprehensive powers to promote and realize the vast potentialities of radio. . . .[T]hese provisions, individually and in the aggregate, preclude the notion that the Commission is empowered to deal only with technical and

engineering impediments to the "larger and more effective use of radio in the public interest." We cannot find in the Act any such restriction of the Commission's authority." (p. 217.)

This interpretation of the Act was unanimously upheld 27 years later in the case of *Red Lion Broadcasting Company* v. *F.C.C.* 395 U.S. 267 (1969), wherein the Supreme Court recalled that previous decision in these words:

"The Court upheld the regulation, unequivocally recognizing that the Commission was more than a traffic policeman concerned with the technical aspects of broadcasting and that *it neither exceeded its powers under the statute nor transgressed the First Amendment in interesting itself in general program format and the kinds of program broadcast by licensees.*" (p. 395; emphasis supplied.)

Obviously the statements regarding the authority of the FCC apply with even greater emphasis to the Congress of the United States. For the Commission exists only by virtue of an Act of Congress, and it has no authority or power at all save only that which the Congress has delegated to it.

In the *Red Lion* case, the broadcasters challenged the Fairness Doctrine (see below), and its specific application in the so-called "personal attack" and political editorial rules. Their contention was that the imposition of such regulatory controls—controls which are not imposed on the print media—was offensive to the First Amendment:

"No man may be prevented from saying or publishing what he thinks, or from refusing in his speech or other utterances to give equal weight to the views of his opponents. This right, they say, applies equally to broadcasters." (*Red Lion* at p. 386).

The Supreme Court laid this argument to rest in the following words:

"Although broadcasting is clearly a medium affected by a First Amendment interest, *United States v. Paramount Pictures, Inc.*, 334 U.S. 131, 166 (1948), *differences in the characteristics of new media justify differences in the First Amendment standards applied to them.*" (p. 386; emphasis supplied.)

* * * * *

"Where there are substantially more individuals who want to broadcast than there are frequencies to allocate, *it is idle to posit an unabridgeable First Amendment right to broadcast comparable to the right of every individual to speak, write, or publish.*" (p. 388; emphasis supplied.)

* * * * *

"[A]s far as the First Amendment is concerned those who are licensed stand no better than those to whom licenses are refused. A license permits broadcasting, but the licensee has no constitutional right to be the one who holds the license or to monopolize a radio frequency to the exclusion of his fellow citizens. There is nothing in the First Amendment which prevents the Government from requiring a licensee to share his frequency with others and to conduct himself as a proxy or fiduciary with obligations to present those views and voices which are representative of his community and which would otherwise, by necessity, be barred from the airwaves.

"This is not to say that the First Amendment is irrelevant to public broadcasting. On the contrary, it has a major role to play as the Congress itself recognized in Section 326, which forbids FCC interference with "the right of free speech by means of radio communication." Because of the scarcity of radio frequencies, the Government is permitted to put restraints on licensees in favor of others whose views should be expressed on this unique medium. *But the people as a whole retain their interest in free speech by radio and their collective right to have the medium function consistently with the ends and purposes of the First Amendment. It is the right of the viewers and listeners, not the right of the broadcasters, which is paramount.*" (pp. 389–90; emphasis supplied.)

The *Red Lion* and *NBC* cases, supra, are easily the most significant Supreme Court decisions concerning broadcasting. Their philosophy has been echoed in other major decided cases as well. See *Johnston Broadcasting Co. v. FCC*, 175 F. 2d 351 (D. C. Cir. 1949) (FCC considration of proposed programs of competing applicants does not violate First Amendment); *Banzhaf v. FCC*, 405 F. 2d 1082 (D.C. Cir. 1968) *cert. den.* 396 U.S. 842 (1969) (Fairness Doctrine applied to cigarette commercials).

CBS' reliance upon the case of *Rosenbloom v. Metromedia*, 415 F. 2d 892 (3rd Cir. 1969), *aff'd* — U.S. — (1971) (No. 66, decided June 7, 1971), is misplaced; moreover, the case appears quite damaging to the CBS position. This much is clear both from the Circuit Court decision and the affirming opinion of the Supreme Court. The CBS brief quotes the following language from the Court of Appeals decision in *Rosenbloom:*

"[N]o rational distinction can be made between radio and television on the one hand and the press on the other in affording the Constitutional protection contemplated by the First Amendment." (p. 895.)

Taken in a literal sense, this language might appear to place the lower court in direct conflict with the clearly stated position of the Supreme Court in the *Red Lion* case, *supra*, that "differences in the characteristics of new media [i.e. broadcasting] justify differences in the First Amendment standards applied to them." (*Red Lion*, p. 386). But the *Rosenbloom* case involved a libel action against a radio station, and the language of the court must be read in the light of that fact situation. It may be, as the lower court has indicated, that radio and television stand on the same footing as the press with respect to First Amendment protection against libel actions. But the Third Circuit Court of Appeals cannot logically be interpreted as enunciating a broad principle going beyond the fact situation before it.

Furthermore, and unfortunately for the CBS position, the Court of Appeals in the *Rosenbloom* case based its decision on the fact that the alleged defamatory statements occurred during the broadcast of late-breaking news items:

"Not only did the broadcasts under attack concern subject matter of public interest, but of equal significance they involved broadcasts of "hot news" items, i.e., summaries of the latest news given on the hour and the half hour in reports ranging from 90 seconds to 10 minutes. . . . The primary value of these items to the public is in conveying the latest news as promotly as possible so that it has the opportunity to be informed of news items of possible immediate public concern. It is not realistic to require thorough research or verification of each individual item under these conditions. The need for Constitutional protection in the circumstances is much more apparent than in the cases of the so-called documentaries or feature stories where time is available to attempt to verify questionable material". (pp. 895–96.)

In view of the above quoted language, it is clear that the Third Circuit Court of Appeals recognized a significant distinction between the so-called "hard news" report and the news documentary. This distinguishing factor was noted with approval by the Supreme Court in its affirming decision (page 10, slipsheet opinion). It is clear from this that the holdings in the *Rosenbloom* case are not applicable to news documentaries such as the CBS program in question in these proceedings.

It is also clear that both the Third Circuit and the Supreme Court decisions in this case turn on the question of what burden of proof is to be imposed upon plaintiffs in liberal actions.

The case, therefore, does not assert any blanket equality between broadcasting and newspapers, although it does recognize an important distinction between "hot news" items and news documentaries. One further statement from the Supreme Court's holding in *Rosenbloom* is worthy of note in view of some of the allegations raised in this matter:

"Calculated falsehood, of course, falls outside 'the fruitful exercise of the right of free speech.'" (Slipsheet opinion, at 23).

The judicial language, from both the *Red Lion* and the *NBC* cases, has been quoted at length in view of the position taken in the CBS brief which seeks to narrowly limit the scope of broadcast regulation. Thus, CBS' counsel describe their version of permissible broadcast regulation in the following language:

"[S]ome government regulation is required to deal with the scarcity of frequencies available . . . [citing FCC regulation of spectrum use regarding aircraft, police, and amateur operations, etc.]. Courts have also upheld the Commission's power to place some limits on the types of programs that may be employed by new forms of broadcast service (such as Pay-TV). . . . In sum, these cases have established that the First Amendment does not bar the Federal Government from regulating access to the spectrum, in order to maximize efficient utilization and augment the diversity of communications services." (CBS brief, pp. 10–11.)

But this is just the type of "traffic policeman" theory of broadcast regulation which the Supreme Court rejected in the *NBC* case (1943), and again in the *Red Lion* case (1969). It ignores the very large body of case law (see below) which upholds the right of the FCC (and, by necessary inference, the right of Congress) to treat the broadcaster as a trustee for the public and to insist that his programming be in the public interest. CBS, therefore, is urging the Subcommittee to accept a theory of broadcast regulation which has already been twice rejected by the Supreme Court and has been untenable for thirty years.

In rejecting the broadcasters' First Amendment arguments in the *Red Lion* case, the Supreme Court upheld the FCC's traditional Fairness Doctrine as enunciated in its 1949 *Report on Editorializing by Broadcast Licensees*, 13 FCC 1246; 25 RR 1901 (1949).

The Supreme Court described the Fairness Doctrine as imposing two types of responsibility upon broadcasters:

"There is a two-fold duty laid down by the FCC's decisions and described by the 1949 Report on Editorializing by Broadcast Licenses. . . . *The broadcaster must give adequate coverage to public issues* [citation omitted] *and coverage must be fair in that it accurately reflects the opposing views* [citation omitted]. . . . The Federal Radio Commission had imposed these two basic duties on broadcasters since the outset [citations omitted]". (pp. 377–78; emphasis supplied).

In its brief (p. 12), CBS asserts that in the *Red Lion* case, the Supreme Court was facing only the narrow question of whether "the Commission could in certain limited circumstances create a right to reply . . ." (CBS brief, p. 12). The above quoted passages from the Supreme Court decision, render completely untenable the limited interpretation which CBS now wishes to place on that case. Accepting such an interpretation would require the Subcommittee to ignore, as CBS has ignored, the following plain language from the Supreme Court's decision:

"The Fairness Doctrine finds specific recognition in statutory form, is in part modeled on explicit statutory provisions relating to political candidates, and is approvingly reflected in legisltaive history. In 1959 the Congress amended the statutory requirements of Section 315 that equal time be accorded each political candidate to accept

certain appearances on news programs, but added that this constituted no exception *from the obligation imposed upon them under this Act to operate in the public interest and to afford reasonable opportunity for the discussion of conflicting views on issues of public importance.*" . . . This language makes it very plain that Congress in 1959, announced that the phrase "public interest" which had been in the Act since 1927, imposed a duty on broadcasters to discuss both sides of controversial public issues. In other words, the Amendment vindicated the FCC's general view that the Fairness Doctrine inhered in the public interest standard." (p. 380; emphasis in original.)

Such passages make it clear that the Supreme Court recognized the statutory validity of the Fairness Doctrine itself.

The FCC's 1949 *Editorializing Report, supra,* is the Commission's definitive statement on the Fairness Doctrine. That report recognized the inherent power granted to the broadcaster to influence and, if he so desired, propagandize the electorate. This great power arises, not by virtue of any rhetorical talents possessed by the broadcaster, or the righteousness of his causes, but by virtue of the extremely powerful means of mass communications which is entrusted to him and necessarily withheld from others. As a result of this government-enforced monopoly, the broadcasters have been aptly described as "those who sit astride the channels of communication with the general public." (*Red Lion, supra,* at p. 401, note 28.)

The *Editorializing Report* also recognized that with such great power comes great responsibility:

"It is clear that the licensee's authority to determine the specific programs to be broadcast over his station gives him an opportunity, not available to other persons, to insure that his personal viewpoint on any particular issue is presented in his station's broadcasts, whether or not these views are expressly identified with the licensee. And, in the absence of governmental restraint, he would, if he so chose, be able to utilize his position as a broadcast licensee to weight the scales in line with his personal views, or even directly or indirectly to propagandize in behalf of his particular philosophy or views on the various public issues to the exclusion of any contrary opinions." (25 RR 1908.)

* * * * *

"It must be recognized, however, that the licensee's opportunity to express his own views as part of a general presentation of varying opinions on particular controversial issues, does not justify or empower any licensee to exercise his authority over the *selection of program material to distort or suppress the basic factual information upon which any truly fair and free discussion of public issues must necessarily depend* . . . A licensee would be abusing his position as a public trustee of these important means of mass communication were he to withhold from expression over his facilities relevant news or facts concerning a controversy *or to slant or distort the presentation of such news.* No discussion of the issue involved in any controversy can be fair or in the public interest where such discussion must take place in a climate of false or misleading information concerning the basic facts of the controversy." (20 RR 1910; emphasis supplied.)

As will be seen below, this concern with distortion and resultant deception of the public, has already given rise to a number of statutory and regulatory provisions of unquestioned constitutionality.

The above-quoted language from the *Editorializing Report* points up another important aspect of broadcast regulation. The broadcaster—unlike the newspaper publisher—is held to be a fiduciary or trustee to the public.

Interpreting the *NBC* case, in *McIntire v. Penn Broadcasting Co.*, 151 F.2d 597 (3d Cir., 1945), the Court of Appeals for the Third Circuit stated:

"It is plain . . . that a radio broadcasting station must operate in the public interest and must be considered a "trustee" for the public." (p. 599.)

Similarly, in the *Red Lion* case, supra, the Supreme Court stated that "it does not violate the First Amendment to treat licensees given the privilege of using scarce radio frequencies as proxies for the entire community. . . ." (395 U.S. 367, at 394.)

The case of *Office of Communication of United Church of Christ v. FCC* has twice been before the U.S. Court of Appeals for the District of Columbia Circuit. On both occasions, the opinion of Judge Burger, since elevated to be Chief Justice of the Supreme Court, has strongly affirmed the above concept of the broadcaster's status as fiduciary to the public. In the first proceeding (359 F.2d 994 (1966), Justice Burger stated:

"The argument that a broadcaster is not a public utility is beside the point. True it is not a public utility in the same sense as strictly regulated common carriers or purveyors of power, but neither is it a purely private enterprise like a newspaper or an automobile agency. A broadcaster has much in common with a newspaper publisher, but he is not in the same category in terms of public obligations imposed by law. A broadcaster seeks and is granted the free and exclusive use of a limited and valuable part of the public domain; when he accepts that franchise it is burdened by enforceable public obligations. A newspaper can be operated at the whim or caprice of its owners; a broadcast station cannot. After nearly five decades of operation the broadcast industry does not seem to have grasped the simple fact that a broadcast license is a public trust subject to termination for breach of duty." (p. 1003.)

Again, in the second proceeding (425 F.2d 543 (1969)) similar language appears:

"The infinite potential of broadcasting to influence American life renders somewhat irrelevant the semantics of whether broadcasting is or is not to be described as a public utility. By whatever name or classification, broadcasters are temporary permittees—fiduciaries—of a great public resource and they must meet the highest standards which are embraced in the public interest concept. The Fairness Doctrine plays a very large role in assuring that the public resource granted to licensees at no cost will be used in the public interest." (p. 584.)

In his 1966 decision, Justice Burger quoted with approval from a report of the House Committee on Interstate and Foreign Commerce, *FCC, Television Network Program Procurement* (H.R. Rep. No. 281, 88th Cong., 1st sess. (1963)):

"Under our system, the interests of the public are dominant. . . . Hence, individual citizens and the communities they compose owe a duty to themselves and their peers to take an active interest in the scope and quality of the television service which stations and networks provide and which, undoubtedly, has a vast impact on their lives and the lives of their children. Nor need the public feel that in taking a hand in broadcasting they are unduly interfering in the private business affairs of others. On the contrary, their interest in television programming is direct and their responsibilities important. They are the owners of the channels of television—indeed of all broadcasting." (p. 20.)

In this connection, it is relevant to note the 1963 statement of Mr. Robert Sarnoff of NBC that the total investment in television by American viewers was then 40 billion dollars, a figure perhaps twenty times as large as the total investment of broadcasters. (*FCC, Television Network Program Procurement,* H.R. Rep. No. 281, 88th Cong., 1st sess., at page 57. Cited in *Office of Communication of United Church of Christ* v. *FCC,* 359 F. 2d 994, 1002 (note 17).)

Thus far, this section has reviewed the general outlines of broadcast regulation as it has been defined by the courts. From this review, it is clear that:

1. The First Amendment right to broadcast is not comparable to "the right of every individual to speak, write, or publish." (*Red Lion; NBC; supra.*) A broadcaster is not a "purely private enterprise, like a newspaper;" he is "not in the same category" as a newspaper publisher in terms of public obligations imposed by law. (*Church of Christ, supra*).

2. The First Amendment does not prohibit broadcast regulation concerning the content of programming. Such permissible regulation includes the Fairness Doctrine which is specifically concerned with the coverage of controversial issues of public importance and requires that "coverage must be fair in that it accurately reflects the opposing views." (*Red Lion;* FCC *Editorializing Report, supra.*)

3. Broadcasters are "proxies" or "fiduciaries" for the public (*Red Lion, Church of Christ, McIntire, supra*).

The matter presently under inquiry by the Subcommittee has to do with deception—which may or may not involve actual fraud—of the public. As the following additional discussion will demonstrate, the prevention of deception and fraud has always been held to be a proper concern in the regulation of broadcasting. This concern is expressed in statute and in FCC regulations and rulings. Legislative concern with respect to possible deception being practiced upon the listening and viewing public is entirely consistent with the fiduciary duty which the broadcaster is held to owe to the public. The following features of present law and regulation are illustrative of various aspects of possible deception.

With respect to deceptive advertising, broadcasters are, of course, bound by the provisions of the Federal Trade Commission Act (15 U.S.C. sec. 45, 52) which prohibits deceptive trade practices, including the dissemination of false and misleading advertising in commerce. But the FCC has enunciated a special standard of care as applying to broadcasters (Liaison Between FCC and FTC Relating to False and Misleading Radio and TV Advertising, 22 FCC 1572 (1957). The FCC noted that the continued broadcast of advertising found to be deceptive by the FTC would raise "serious questions" as to whether a station was operating in the public interest. But the FCC also indicated that the licensee should exercise his own initiative to make sure that his listeners and viewers are not subjected to such deceptive messages:

"[L]icensees should not rely solely on the action or inaction of the Federal Trade Commission, nor should they suspend their own continuing efforts in determining the suitability of advertising material to be broadcast over their facilities. Thus, advertising similar to that found to have been deceptive should raise questions on the part of the broadcast stations as to the propriety of such material."

During the late 50s, the public was subjected to programming which purported to present *bona fide* contests of intellectual skill, the so-called "quiz shows." The public's interest in these programs was engendered by the high stakes involved and the representation that the contests were authentic. When it appeared that these programs were not as they were being represented to the public, the Legislative Oversight Subcommittee of the House Commerce Committee, investigated the matter. This

investigation resulted in the enactment of Section 509 of the Communications Act prohibiting fraud and deception in the presentation of such programs.

This same concern with possible deception to the public is reflected in the FCC's regulation governing mechanical reproductions (47 C.F.R. 73.118, 73.288, 73.653):

"(a) No mechanically reproduced program, whether visual or aural, consisting of a speech, news events, news commentator, forum, panel discussion, or special event in which the element of time is of special significance, or any other program in which the element of time is of special significance and presentation of which would create, either intentionally or otherwise, the impression or belief on the part of the listening audience that the event or program being broadcast is in fact occurring simultaneously with the broadcast, shall be broadcast without an appropriate announcement being made."

In enacting Sections 317 and 508 of the Communications Act, the Congress required that the public be informed whenever a licensee or his employee receives anything of value in connection with the broadcast of any matter. Section 317(a)(1) reads in part:

"All matter broadcast by any radio station for which all money, service or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person."

The underlying rationale behind this enactment is that the public has a legitimate interest in knowing the relevant circumstances under which material is broadcast. The FCC described this legislative concern in the following language ("Applicability of Sponsorship Identification Rules," Public Notice dated March 6, 1963).

"With the development of broadcast service along private commercial lines meaningful government regulation of the various broadcast media has from an early date embraced the principle that listeners are entitled to know by whom they are being persuaded. Thus, as far back as the Radio Act of 1927 and continuing with section 317 of the Communications Act of 1934 there has been an unvarying requirement that all matter broadcast by any station for a valuable consideration is to be announced as paid for or furnished, and by whom."

The FCC also requires that an announcement be made if any outside assistance is afforded in connection with either a political program or one involving the discussion of controversial issues of public importance. (47 C.F.R. 73.119; 73.289; 73.654.)

In its present inquiry, the Subcommittee is concerned, among other things, with allegations regarding deceptive editing techniques which effectually result in material misrepresentations being made to the public by the broadcaster. In the *Metromedia* case (14 FCC 2d 194 (1968)), the Commission found that a broadcast had incorporated a distorted tape of an interview between former White House Press Secretary Pierre Salinger and John P. Roche, special assistant to President Johnson. The distortion consisted of inserting a question out of its original sequence, thus creating a deceptive impression. Specifically, a question from the studio audience which was actually asked after Mr. Roche had left the studio was inserted into the portion during which Mr. Roche was present. This editing technique created the impression that Mr. Roche could find no answer to the question. The Commission reprimanded the broadcaster despite his assertion that the editing manipulation was done without his knowledge by the program producer. The FCC stated:

"In circumstances such as these, the licensee has responsibility for exercising reasonable diligence to prevent the broadcast of false or misleading material. In the present case, Canaan Productions [the actual producer of the program] concedes that it was concerned with establishing "the identity and personality" of Mr. Salinger rather than with presenting a true picture to the public of what actually took place during the discussion of an important public issue. . . . [Y]ou seem to have made no effort either to give your employees responsibility for passing upon the content of the program during its production or to acquaint yourself with the manner in which the video tape was later edited. The result was that an independent producer was able to engage in deliberate distortion, for private reasons, of what purported to be an uninterrupted discussion . . . of important public issues.

"The Commission does not regard your actions here as measuring up to the standard of responsibility it expects of its licensees. This matter will be considered further in connection with the next application for renewal of license of Station WTTG–TV."

It is not clear what significance the Commission was placing on the factor of "deliberate distortion." It is clear that the injury to the public would be the same regardless of the motivation which resulted in the distortion to which the FCC objected.

It must be pointed out that the underlying philosophy of this decision does not seem to have been adhered to by the Commission in its treatment of the CBS "Pentagon" documentary. The *Metromedia* case, however, with its condemnation of the practice of deceptive editing techniques to distort "what purported to be an uninterrupted discussion . . . of important public issues," is in accord with the judicial decisions passing on the public interest standard imposed on programming. Insofar as the Commission may have departed from the principle of the *Metromedia* case is in the "Pentagon" matter, it is believed to be in error. Further discussion of the FCC's possibly changing philosophy in this regard would be beyond the scope of this memorandum.

Further discussion on the legal authority of the FCC and the FTC, under then existing law, to prohibit deceptive broadcasting practices will be found in the Report to the President by the Attorney General on Deceptive Practices in Broadcasting Media, dated December 30, 1959 (19 R.R. 1901). That report concluded that the FCC had adequate authority to regulate in the area of deceptive programming practices:

"It is true that the statutory provisions relating to censorship and the First Amendment delineate the outer limits of the Commission's powers. Yet, within those limits considerable scope is left for effective regulatory action. This would certainly be so with respect to deceptive practices as opposed to problems of taste.

"Although the issue has never been squarely passed upon by the Supreme Court, in every case in which the question has been presented, the courts have upheld the Commission's authority to concern itself with a licensee's program policies and practices. No action by the Commission has ever been held by the court to constitute censorship or to violate constitutional protections of freedom of speech or of the press." (pp. 30–31).

The Attorney General's "Deceptive Practices" report also affirmed the status of the broadcaster as a fiduciary of the public:

"Broadcast licensees have had conferred upon them a highly valuable privilege. In return, each such licensee is expected to operate as a 'trustee for the public.'" (p. 43).

See also the memorandum to the FCC dated September 2, 1969, by Henry Geller, Esq., General Counsel (reprinted at 20 RR 2d. at p. 381.) The memorandum concluded that the *Red Lion* case, *supra*, constitutes a landmark decision, setting at rest the long-continuing controversy as to the Commission's authority to 'interest' itself in general program format and the kinds of programs broadcast by licensees."

As already pointed out in this memorandum, all authority pertaining to the prerogatives and powers of the FCC apply with equal or greater force to the Congress.

This section has reviewed a number of judicial decisions, legislative enactments, agency regulations and rulings, and official reports. They overwhelmingly demonstrate that the legislative concerns enumerated by the Chairman in his April 20 statement fall well within the proper scope of a Congressional inquiry.

The CBS assertion to the effect that its operations are the equivalent of those of a newspaper is clearly erroneous in view of the express language of the Supreme Court (*Red Lion* and *NBC* cases, *supra*) to the contrary. Accepting the CBS contention that its broadcasting practices must remain immune from Congressional inquiry would clearly violate the "public trustee" status which the courts have uniformly enunciated as pertaining to broadcasting. If the public, acting through its elected representatives, cannot inquire into the manner in which the broadcasting industry is fulfilling its public trust, then licensees are in the legally anomalous position of being trustees who are responsible to no one. Having been given "a highly valuable privilege" ("Deceptive Practices" report, *supra*) the broadcaster cannot be heard to insist that his affairs must thereafter be screened from public scrutiny (or, as the CBS brief would have it, "legislative surveillance").

This is not to say that there may not be instances wherein a Congressional subpoena addressed to a broadcaster would be improper. In the present case, however, the clear legislative concern is with practices which rearrange and manipulate events which are then presented to the public as genuine. This, as the above authority demonstrates, is a legitimate matter for public, and therefore, Congressional, concern.

In this proceeding it is "the nature of the programs" and not "the nature of the views of a broadcaster" which is under consideration. (See *Johnson Broadcasting Co.* v. *F.C.C.*, 175 F. 2d. 351, 359 (D.C. Cir. 1949); *Allen B. Dumont Laboratories* v. *Carroll*, 184 F. 2d 153, 156 (3d Cir. 1950), *cert. den.* 340 U.S. 929 (1951); while recognizing that section 326 of the Communications Act prohibits FCC censorship, the Court stated: "The Act itself demonstrates that Congress was vitally concerned with the nature of the programs broadcast as affecting the public good.")

For all of the above reasons, it is concluded that the legislative concerns enunciated by the Chairman in his April 20 statement are valid and legitimate matters for Congressional inquiry, and would be so held in a court of law.

C. *The free press guarantees embodied in the first amendment*

For purposes of this argument it will be conceded that televised news broadcasts are included within the First Amendment protections guaranteed to the "Press." It will also be conceded that the Subcommittee's subpoena is included within the lawmaking process.

1. *The First Amendment Right of Freedom of the Press is derived from and conditioned upon the Public Interest and Necessity for Preserving the Right of Free Speech.*

The First Amendment, which is the first of the Bill of Rights, provides in part:

"Congress shall make no law . . . abridging the freedom of speech, or of the press . . ."

Insofar as the press is an institution apart from individual members of the reporting profession it is simply a business enterprise (*Cf. Associated Press* v. *U.S.*, 326 U.S. 1 (1945)). The Bill of Rights derives its justification and vitality out of the inherent and

natural rights of the people, not out of the rights of any business enterprise. The restriction upon governmental interference through the lawmaking process with the ability of the press to seek out information and to publish that information is intended to insure the right of freedom of speech. Freedom of speech demands the ability not only to speak but also the ability to hear and to be heard. This was pointed out by Judge Learned Hand in *National Broadcasting Company* v. *U.S.*, 47 F. Supp. 940 (S.D.N.Y. 1942). In sanctioning the regulations of the FCC pertaining to Chain Broadcasting as necessary to preserve the freedom of speech of the listener, Judge Hand observed.

"The interests which the regulations seek to protect are the very interests which the First Amendment itself protects, i.e., the interests, first, of the "listeners," next of any licensees who may prefer to be freer of the "networks" than they are, and last, of any future competing "networks." Whether or not the conflict between these interests and those of the "networks" and their "affiliates" has been properly composed, no question of free speech can arise. (At 946)

Thereafter, the Supreme Court, in affirming, the decision of Judge Hand, pointed out:

"Freedom of utterance is abridged to many who wish to use the limited facilities of radio. Unlike other modes of expression, radio inherently is not available to all. That is its unique characteristic, and that is why, unlike other modes of expression, it is subject to governmental regulation. Because it cannot be used by all, some who wish to use it must be denied . . . The right of free speech does not include, however, the right to use the facilities of radio without a license. The licensing system established by Congress in the Communications Act of 1934 was a proper exercise of its power over commerce. The standard provided for the licensing of stations was the "public interest, convenience, or necessity." Denial of a station license on that ground, if valid under the Act, is not a denial of free speech." (319 U.S. at 226–27).

Without the guarantee of a forum to transmit free speech any attempt to exercise the right of free speech itself would be futile. Thus, the right of the press, as an institution, to be free from governmental interference is derived from the right of a free people to free speech. The press is free so that:

a. the people may find access to a forum of the expression of ideas, political and otherwise; and

b. the people may find access to the unrestrained expressions of others.

deTocqueville echoed this idea when he observed "the sovereignty of the people and the liberty of the press may therefore be regarded as correlative." *Democracy in America*, Vol. 1, p. 190 (Vintage ed. 1945).

The right of Congress to legislate restraints upon the freedom of the press when the exercise of that freedom comes into conflict with other essential elements of the public interest is well established. The antitrust laws have consistently been determined to be a permissible restraint upon the press. Thus, in *Associated Press v. United States*, 326 U.S. 1 (1945), the Supreme Court, in affirming that "trade in news carried on among the states is . . . interstate commerce," sustained the enjoyment of the Associated Press from engaging in practices in restraint of trade. In rejecting the Association's argument of First Amendment protection, the court concluded:

"It would be strange indeed, . . . if the grave concern for freedom of the press which prompted adoption of the First Amendment should be read as a command that the government was without power to protect that freedom. The First Amendment, far from providing an argument against application of the Sherman Act, here provides powerful reasons to the contrary. That Amendment rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public, that a free press is a condition of a free society. Surely a command that the government itself shall not impede the free flow of ideas does not afford nongovernmental combinations a refuge if they impose restraints upon the constitutionally guaranteed freedom. Freedom to publish means freedom for all and not for some. . . . Freedom of the press from governmental interference under the First Amendment does not sanction repression of that freedom by private interests. The First Amendment affords not the slightest support for the contention that a combination to restrain trade in news and views has any constitutional immunity." (At 20)

See also, *United States v. Times-Picayune Publishing Co.*, 345 U.S. 594 (1953) in which the Supreme Court, although not finding a violation of the Sherman Act, did apply the provisions of the Act to reach its decision. In *Lorain Journal Co. v. United States*, 342 U.S. 143 (1951), a newspaper was prohibited under the Sherman Act from refusing to publish the advertisements of any subscriber advertising on a competing radio station.

Similarly, the application of the National Labor Relations Act to a press association has been determined not to contravene the First Amendment guarantee of freedom of the press. *Associated Press v. N.L.R.B.* 301 U.S. 103 (1937).

The Federal mail fraud statutes have been upheld as a Constitutional limitation on the Freedom of the Press. In *Donaldson v. Read Magazine, Inc.*, 333 U.S. 178 (1948) the Supreme Court sustained the right of the Postmaster General to regulate advertising by restricting the receipt and dissemination of fraudulent mail by a magazine publisher. In reaching its conclusion, the court pointed out that:

"A contention cannot be seriously considered which assumes that freedom of the press includes a right to raise money to promote circulation by deception of the public." (At 192)

Similarly, the obscenity cases, while they can probably only be considered as *sui generis*, have permitted restrictions on publication in the face of the First Amendment. *Ginzburg v. U.S.* 383 U.S. 463 (1966).

The Federal Trade Commission Act has been judicially sustained as against a claimed privilege of First Amendment protections. For example, it has been held that regulation of false advertising does not as such constitute an unconstitutional restraint on the expressions of opinions by sellers as to the market worth of their products and that whatever slight impairment of speech may be involved is far outweighed in importance by the need to protect the public from deception. *Regina Corp.* v. *Federal Trade Commission*, 322 F.2d 765, 770 (3d Cir. 1963); *E. F. Drew and Co.* v. *Federal Trade Commission*, 235 F. 2d 735 (2d Cir. 1956), *cert. denied* 352 U.S. 969 (1957). As the Second Circuit observed in *Drew*:

"We think it sufficient to state that Congress can prohibit or control misleading advertising under the postal fraud statutes . . . or under its commerce power . . . without deprivation of First Amendment rights. There is no constitutional right to disseminate false or misleading advertisements." (At 740)

In the Investment Advisers Act of 1940 Congress required registration of investment advisers and the full disclosure of certain fraudulent and manipulative practices. The essential purpose of that legislation "is to protect the public from the frauds and misrepresentations of unscrupulous tipsters and touts and to safeguard the honest investment adviser against the stigma of the activities of these individuals by making fraudulent practices by investment advisers unlawful." (H.R. Rep. No. 2639, 76th Cong., 3d Sess. 28 (1940)). *Bona fide* newspapers were exempted from the Act but not books or other publications not "of general and regular circulation." The constitutionality of this provision as against a claim of First Amendment protection was established in *SEC* v. *Capital Gains Bureau*, 375 U.S. 180 (1963). Thereafter, in *SEC* v. *Wall Street Transcript Corporation*, 422 F. 2d 1371 (1970), the defendant refused to comply with an investigative subpoena issued by the Securities and Exchange Commission pursuant to the Investment Advisers Act. In opposing the subpoena, the Transcript contended that any investigation would chill its exercise of constitutionally protected rights of expression and that any probe, which might seek some of its most confidential operating information, would both deter its own editorial criticism of the Commission and initimidate its subscribers and sources of information. In rejecting this argument, the Court observed that:

"The Investment Advisers Act does not on its face abridge freedom of the press simply because it may be applied to publications which are classified formally as part of the "press" (At 1373).

Finally, the Supreme Court itself, in *Curtis Publishing Co.* v. *Butts*, 388 U.S. 130 (1967), was confronted with the problem of balancing society's "pervasive and strong interest in preventing and redressing attack upon reputation" against society's interest in a free press which "would advance truth, science, morality, and arts in general as well as responsible government." In concluding that the First Amendment protection of the Press is not absolute, the Court observed:

"The fact that dissemination of information and opinion on questions of public concern is ordinarily a legitimate protected and indeed cherished activity does not mean, however, that one may in all respects carry on that activity exempt from sanctions designed to safeguard the legitimate interests of others. A business is not immune from regulation because it is an agency of the press. The publisher of a newspaper has no special immunity from the application of general laws. He has no special privilege to invade the rights and liberties of others. . . . Federal Securities regulation, mail fraud statutes, and common-law actions for deceit and misrepresentation are only some examples of our understanding that the right to communicate information of public interest is not 'unconditional.'" (At 150)

Finally and most importantly, there can be no honest discussion of the freedom of the press without relating the exercise of that freedom to the exercise of free speech. Persons who are presented on the television medium have the right to the publication of their speech, if not *in forma intacta*, at least in a manner consonant with their original expression. Those persons appearing on television news programs have the right to the accurate publication of their speech and the viewers have the right to rely upon the accuracy of that publication. Those speakers whose comments and observations are materially altered by technological device have been denied their right of free speech. Ironically, a governmental refusal to challenge such a denial of free speech in a regulated medium becomes governmental action and this action is, therefore, a governmental denial of the right of free speech.

2. *Techniques of Electronic Manipulation Have Been Developed which Facilitate the Presentation of Artificially Created Scenes as Objectively Observed Facts.*

To the viewer, his observation of an event recorded by a camera strongly implies that the event being viewed occurred as recorded. Simply stated, "seeing is believing." The viewer's unfamiliarity with the highly sophisticated techniques available to the televised medium places him at a serious disad-

vantage when analyzing that which he believes he is seeing. The visual capture of an event by a camera implies the elimination of that editorial process so obviously part of the process of recording events in the printed medium. The viewer reasonably expects that the visual recording of an event is a means of preserving for History's sake that event as it occurred. Thus, the viewer is reluctant to accord the same critical analysis to the visual reenactment of an event that he accords to the printed word.

Splicing of film to show, for example, in a question and answer series an answer given to a question not asked is a form of "newspeak." The words of the speaker, which he can scarcely deny uttering, by a shift of context are made to express whatever the film editor wishes the speaker to express. By this means, negatives may become positive; agreements, disagreements; and responsiveness can be made to appear evasive.

Other techniques of splicing out of sequence can also create speech when none exists. For example, it is not difficult to imagine a debate between two persons, at the close of which the studio audience would be permitted to ask questions. If, during the course of the questioning, one of the debaters left while the other remained, the film of the questions and answers could be so rearranged that the absence of one debater would not be noticed. From his apparent silence in not responding to the observations of the other debater, the absentee would seem to give the impression of agreement or inability to refute the answer. In at least one instance, the rearrangement described in this hypothesis actually occurred (see *Metromedia* case, *supra*, p. 37).

Frequently, television interviews are conducted with a single camera facing the interviewee. Thereafter, the interviewee may or may not depart and the camera is reversed in order to film the interviewer who then reasks the questions originally posed. This reverse process readily permits a change in the general emphasis of the question, the voice inflection and, of course, the sequence.

The deceptive potential of these and similar techniques of electronic manipulation is in no way mitigated because it is practiced by a large communications network rather than a government. Disclosure of these techniques is a legitimate concern of the Subcommittee.

A publisher of a political tract may disseminate his ideas to passersby at a street corner without interfering with the free expression of those passersby or of another publisher. On the other hand, a broadcaster is limited by distance from point of transmission, signal strength and width of his allocated spectrum, as well as natural and man-made interference. These limitations are the basis for the power of Congress to legislate to protect the broadcaster. See e.g., *Hearings on S. 1333 Before the Senate Committee on Interstate and Foreign Commerce*, 80th Cong., 1st Sess., at 120, 126 (1947). This legislation is designed to best insure his fulfillment of his responsibility to transmit information to the public. *Red Lion Broadcasting Company v. F.C.C.*, 395 U.S. 267, 395 (1969). Additional legislation may also be required to best insure that legislation protecting broadcasters does not impede the free flow of ideas which the First Amendment is intended to guarantee.

Broadcast journalism, precisely because it enjoys the benefits of a limitation of access by others, is not identical to print journalism. *Red Lion Broadcasting Company v. F.C.C.*, *supra*, at 386. Public access to television is severely constrained by law. See Section IB, The Power of Congress to Regulate Broadcasting, *supra*. In recognition of this limitation, Congress has required licensees to devote a reasonable percentage of their broadcast time to the presentation of news and programs devoted to the consideration and discussion of public issues of interest in the community served by the particular station. The ability to impose this requirement on licensees to assure protection of the public interest implies the ability to assure adequacy of that protection. This is the issue to be decided in evaluating the subpoena of CBS.

3. *Because a Free Electorate Forms its Decisions on Matters Which it Determines to be Factual, the Artificial Transmutation of Fact into Non-fact without Disclosure Presents a Clear and Present Danger to that Electorate.*

The public relies on its informational media the press in all of its forms, for the reporting of information on the basis of which it may reach its decisions. Any decision-making process absolutely requires the free flow of information. The "means for evaluating" received information is essential for the functioning of that process whether an investor is being asked to risk his money in the stock market or a consumer is being urged to buy a product. This "means for evaluating" is infinitely more important when it may determine a political decision running to the very structure of the society.

An artificial "newspeak" which can persuade the public of the factual accuracy of non-fact has been created through technological advancements. This becomes the means for manipulation of thought for a predetermined goal. Recognition of the danger is not new. Over a century ago, Abraham Lincoln pointed out that:

He who molds public sentiment goes much deeper than he who pronounces decisions. He makes those decisions possibly or impossibly.

The position enjoyed by the television screen in news reporting is not that of *primus inter pares*. Rather, the impact of televised news is dynamically more pervasive than that of any other news-reporting medium. The dependence of the public on televised news is great. CBS itself draws this to the Subcommittee's attention (brief, pp. 7–8). The statistics cited by CBS, as they appeared in the November 2, 1970 issue of *Broadcasting*, were the result of an industry-supported survey into viewing trends. The questions asked by the pollsters in September 1970 and the responses were as follows:

First, I'd like to ask where you usually get most of your news about what's going on in the world today—from the newspapers or radio or television or magazines or talking to people of where?

	Percent
Television	60
Newspapers	44
Radio	23
Magazines	8
People	6
Don't know or no answer	1

If you got conflicting or different reports of the same news story from radio, television, the magazines and the newspapers, which of the four versions would you be most inclined to believe—the one on radio or television or magazines or newspapers?

	Percent
Television	50
Newspapers	21
Magazines	6
Radio	11
Don't know or no answer	12

Which of the four versions would you be least inclined to believe—the one on radio, television, magazines or newspapers?

	Percent
Magazines	28
Newspapers	33
Radio	11
Television	9
Don't know or no answer	19

Furthermore, according to industry surveys, the body of data developed by the pollsters between 1959 and 1970 shows:

In the face of mounting criticism of television journalism from some politicians and the intellectual elite, the public at large is depending more heavily than ever on television as its primary source of news and is placing far more confidence in television than in any other medium . . . Except for a couple of slight wriggles, the curves of television acceptance have been rising ever since.

This data clearly establishes the public's reliance on television news for obtaining information upon which to base its decisions. The effect of unreliable data, unless its unreliability is known, is especially pernicious because it frustrates the ascertainment of truth. The public is lulled into a false sense of reliability where reliability does not exist. At the very least, the public is entitled to know the true author of the representation made; i.e., the apparent speaker or the film editor who deliberately misplaces the words to create a "newspeak." Oliver Wendell Holmes pointed this out in *The Autocrat of the Breakfast Table* when he observed:

We all have to assume a standard of judgment in our own minds, either of things or persons. A man who is willing to take another's opinion has to exercise his judgment in the choice of whom to follow, which is often as nice a matter as to judge of things for one's self. On the whole, I had rather judge men's minds by comparing their thoughts with my own, than judge of thoughts by knowing who utter them. I must do one or the other.

The Subcommittee must be concerned with protecting the right to "do one or the other." The untrammeled ability to influence the decision-making process without disclosure is a denial of that right. The danger to the public from manipulation of its political decision is much more real, serious and far reaching than any danger from false advertising or stock market touting.

II. SPECIFIC ARGUMENTS ADVANCED BY CBS BRIEF

The major points asserted in the CBS brief have already been sufficiently addressed by the review of legal authorities contained in Section I of this memorandum. The purpose of the present section is to discuss briefly some of the specific arguments raised by CBS.

A. LEGISLATIVE PURPOSE AND SCOPE OF THE SUBPOENA

The argument has been made that the purpose of the Subcommittee's inquiry, and the breadth of its subpoena, are both improper. The manner in which CBS sought to broaden the apparent scope and motivation of the Subcommittee's inquiry has already been discussed above (see page 12, *et. seq.*). The thrust of the argument is that CBS does not choose to take at face value the statement of legislative concerns provided by the Chairman on April 20, 1971. (See p. 5, CBS brief: "Despite these disclaimers . . .") In view of the modern cases which bear upon the question of permissible breadth of legislative investigations and subpoenas, the CBS effort to broaden the scope of the Subcommittee's inquiry would have been unavailing even had it been successful. See *Brown v. United States*, 276 U.S. 134 (1928): *Oklahoma Press Co. v. Walling*, 327 U.S. 186 (1946); *United States v. Morton Salt Co.*, 338 U.S. 632 (1950); and Davis, *Administrative Law*, Sec. 306, p. 183 (1958).

The *Morton Salt* case, *supra*, involved the investigatory authority of the Federal Trade Commission. The Commission's demand for corporate records had been condemned as a mere "fishing expedition." But the Supreme Court upheld the Commission, stating:

"Even if one were to regard the request for information in this case as caused by nothing more than official curiosity, nevertheless, law-enforcing agencies have a legitimate right to satisfy themselves that corporate behavior is consistent with the law and the public interest." (338 U.S. at p. 652.)

Again, and perhaps unnecessarily, it is pointed out that the prerogatives of the Congress are at least equal to those of its administrative agencies.

As to the breadth of the Subcommittee's subpoena, it is noted, preliminarily, that the subpoena of April 7, 1971, was much narrower than those issued by the Subcommittee during previous investigations into the program "Pot Party at a University" and CBS' "Project Nassau." The attempt of CBS to belatedly suggest that its compliance on those previous occasions was prompted by allegations of criminal conduct can be dismissed out of hand. (See brief, p. 26.) No such suggestion was made by CBS at the time of the previous investigations. Moreover, it was made clear on those occasions, as it has been in the present matter, that the Subcommittee's concern was with the adequacy of the Communications Act. The presence of alleged, or proven, criminal violations was incidental to those concerns. Had it not been—that is, had the Subcommittee been seeking information from CBS which related solely to the criminal conduct in those matters—those previous subpoenas might have been successfully challenged as going beyond this Subcommittee's valid legislative concerns.

It is, therefore, clear that the present subpoena stands on the same legal ground as the two previous subpoenas just referred to. For this reason especially the Subcommittee should note carefully the clear implication to be found on page 26 of the CBS brief that CBS reserves the right to challenge similar subpoenas in the future. Such challenge could be formulated, as indeed it has in the present situation, by the simple expedient of asserting that compliance would "chill" the exercise of CBS' First Amendment rights. Since CBS is a corporation whose business is communication, such rationalizations will not offer any great challenge to ingenuity.

In any event, most of the CBS argument as to the breadth of the April 7 subpoena (see CBS brief, p. 24 and p. 27, note) has been rendered moot by the Subcommittee's action of May 26, 1971. In that action the Subcommittee noted the receipt of certain information and materials from CBS and determined that these satisfactorily met the requirements of all but one of the paragraphs of the April 7 subpoena. It accordingly rescinded the April 7 subpoena and issued a new one which called for only the material still not provided. In doing so, it made clear that the so-called outtakes included only those related to events or interviews actually incorporated into the broadcast. This, for example, renders irrelevant the CBS statement (p. 24) that speaks of "key confidential sources" being silenced lest they "risk being identified."

As already set forth in Section I–A, *supra*, the legislative purpose of the Subcommittee's inquiry is clear, and the breadth of the April 7 subpoena, now rescinded, and the May 26 subpoena was appropriate to that purpose.

B. First amendment applicability to broadcasting

CBS asserts that "for all relevant purposes" the media are to be treated identical with respect to the applicability of the First Amendment. The CBS brief does not define what it contemplates by the words "all relevant purposes." Whatever interpretation is placed upon those words, however, the statement is clearly erroneous. This much is clear from the authorities which have been referred to in Section I–B of this memorandum. In making statements of this kind, the CBS brief falls into the "mechanical jurisprudence" and "sterile argumentation" condemned by Justice Frankfurter in his concurring opinion in *Kovacs v. Cooper*, 336 U.S. 77 (1949):

"Some of the arguments made in this case strikingly illustrate how easy it is to fall into the ways of mechanical jurisprudence through the use of oversimplified formulas. It is argued that the Constitution protects freedom of speech: freedom of speech means the right to communicate, whatever the physical means for so doing; sound trucks are one form of communication; *ergo* that form is entitled to the same protection as any other means of communication, whether by tongue or pen. Such sterile argumentation treats society as though it consisted of bloodless categories. The various forms of modern so-called "mass communications" raise issues that were not implied in the means of communication known or contemplated by Franklin and Jefferson and Madison. Movies have created problems not presented by the circulation of books, pamphlets, or newspapers, and so the movies have been constitutionally regulated. *Broadcasting in turn has produced its brood of complicated problems hardly to be solved by an easy formula about the preferred position of free speech.*" (Citations omitted.) (Emphasis supplied.)

Television broadcasting, with its pervasive power and its potential for electronic manipulation, presents a problem unique to all media. This aspect alone distinguishes it from the printed media sufficiently to justify the Subcommittee's inquiry (*cf. Banzhaf v. F.C.C.*, 405 F.2d 1082 (D.C. Cir. 1968), *cert. den.* 396 U.S. 842 (1969), especially pp. 1100–1101).

The very nature of the printed media is that it attempts to tell a story, describing an event with words. It does not purport to recreate the event itself. Generally, the essentials of the story will be told in the lead paragraph; the reader not only knows, but expects, the account to be rearranged and abbreviated for rapid digestion. Punctuation and words disclose when editing has occurred. The reader is a second-hand recipient of the news, and he knows it.

The nature of television, on the other hand, is that it purports to *preserve* the actual event, recreating it for the eye and ear, giving the viewer the impression that he is a first-hand observer of the news. It is this characteristic which gives television its unique quality, and provides an opportunity, in the absence of appropriate disclosure, for employment of manipulative techniques which might rob the viewer of reality.

Time, in its June 7, 1971 "Essay" at page 57, commented on this aspect of television during a discussion of differences in the media:

"Both TV and print journalists edit. Because the camera proclaims 'I cannot lie, I only show what is there,' TV editing is less obvious, but for that very reason it can provoke more resentment, more of a sense of being fooled, when it is noticed. All these (and more) are distinctions too readily ignored."

The same thought has been expressed, somewhat more bluntly, in the following language attributed to Malcolm Muggeridge:

"[The camera is] the most easily manipulated and plausible instrument for deceiving our fellows ever to be devised."

Abuses in editing, such as transposition of questions and answers in filmed interview, to cite but one example, go far beyond the sanctity of communication protected by the First Amendment. For what is being done in such instances is not slanting, or selective quotation; it is nothing less than a deceptive manipulation of the public's senses of sight and hearing. Visual and aural reality are left on the cutting-room floor.

In support of its position that "for all relevant purposes" broadcasting is entitled to identical First Amendment protection of other media, CBS cites a libel case which is clearly not in point. *Rosenbloom v. Metromedia, supra;* (brief, p. 9; the case is discussed on page 24 of this memorandum.). Moreover, it cites *Joseph Burstyn, Inc. v. Wilson*, 343 U.S. 495 (1952), both for the proposition (1) that differing characteristics in the media justify varying First Amendment application (brief, p. 10), and (2) that "the basic principles of freedom of speech and press, like the First Amendment's command, do not vary." (Brief, p. 15.) With respect to the second proposition, and not discussed by CBS, the Court specifically commented that each mode of expression presents its own peculiar problems which could justify a modification of the First Amendment treatment accorded it.

Clearly, the problem area of editing-disclosure, unique to television broadcasting, involves one "relevant purpose" wherein that medium is not entitled to identical First Amendment treatment accorded the print media. Congress not only has the right but the duty to inquire into this area.

C. Right of the press to criticize the government

CBS cites numerous cases generally upholding the right and responsibility of the press to criticize the government and thereupon concludes that the Subcommittee's action is unconstitutional. (Brief, pp. 16–20.) It is agreed that the press has this basic and invaluable right under our system and is free to criticize the government. But the cases cited are irrelevant to the matter at hand.

The Subcommittee's inquiry is concerned with the possible use of deceptive electronic editing and manipulative techniques and the implications, if any, on the laws governing broadcasting. Specifically stated in the legislative concerns is the possibility that disclosure to the public might be found desirable in instances wherein such deceptive techniques are employed. The CBS argument on this point states that its right to be critical of the government will be violated should the Subcommittee proceed with such an inquiry. This, in turn, assumes *sub silentio* that criticism of the government cannot be carried out via television without recourse to deceptive electronic techniques and further, that the use of such techniques must be allowed to be employed without disclosure to the public. The mere statement of the argument is sufficient to refute it.

D. Alleged "chilling effect" of subcommittee subpoena

The CBS argument on this point closely parallels the argument raised against the Fairness Doctrine and its personal attack provisions. As is well known, the Supreme Court rejected those arguments in the *Red Lion* case, *Supra*. In that case, it was contended that the result of these provision would be to lead to broadcast self-censorship respecting matters of importance to the public. The Court laid such arguments to rest in the following language:

"That this will occur now seems unlikely, however, since if present licensees should suddenly prove timorous, the Commission is not powerless to insist that they give adequate and fair attention to public issues. It does not violate the First Amendment to treat licensees given the privilege of using scarce radio frequencies as proxies for the entire community, obligated to give suitable time and attention to matters of great public concern. To condition the granting or renewal of licenses on a willingness to present representative community views on controversial issues is consistent with the ends and purposes of those constitutional provisions forbidding the abridgment of freedom of speech and freedom of the press. Congress need not stand idly by and permit those with licenses to ignore the problems which beset the people or to exclude from the airways anything but their own views on fundamental questions. The statute, long administrative practice, and cases are to this effect." (395 U.S. 367, at 393–94.)

In the *Red Lion* case, it was at least possible to argue that the Fairness Doctrine, and its personal attack applications, placed a

burden on the free speech of broadcasters by virtue of the fact that they asserted a *continuing obligation* which applied to the discussion of controversial issues. The reasons for rejecting that argument are all the more clear in the case of the Subcommittee's subpoena. Unlike the Fairness Doctrine, the subpoena imposes no continuing burden beyond the provision of the specific information called for therein.

The CBS brief makes a number of gratuitous assertions that the subpoena will have an effect "on the journalist's information-gathering techniques as well as on the accessibility of news sources," (brief, p. 24). But these assertions are not self-evident and the CBS brief makes no attempt to demonstrate how this "chilling effect" is to operate.

It is quite clear, for example, that the Subcommittee's inquiry does not relate to the "information-gathering techniques" of the broadcast media. Moreover, even if it did, such a purpose would not be improper from a legislative standpoint (*cf.* "Project Nassau" investigation). In the present matter, however, the inquiry is centered on electronic manipulative techniques which take place after the "information-gathering" function has been performed. It cannot be seriously argued that journalists will be inhibited in seeking out information and interviews by the knowledge that subsequent electronic rearrangement of the material they gather might be subject to public scrutiny.

Morever, the CBS argument seems to proceed on the basis of a rather fundamental misconception as to the material called for in the subpoena. Neither the now rescinded April 7 subpoena, nor the present subpoena issued on May 26, deal is disclosure of "confidential sources." Nor do they call for any journalist's "notes" (CBS brief, p. 24).

There is also reference made to "background scripts" (CBS brief, p. 20). It is not clear from the context just what this term is supposed to encompass. The scripts and/or transcripts referred to in the Subcommittee subpoena, however, encompass simply the *verbatim* transcription of material which is included in the film and recordings described in the subpoena. As such, such scripts and transcripts (terms which are redundant for the sake of completeness in describing the material desired) would offer the Subcommittee no additional information than already contained in the film and tape recordings themselves; although they would provide such information in a more convenient form.

While the "chilling effect" argument has a superficially appealing rhetorical ring, it is a specious argument in this instance. As indicated above, the subpoena is not designed, nor will its effect be, to produce such an effect. It is directed toward a limited information area regarding film-editing techniques utilized in one program. External evidence already reveals that a *prima facie* case of deceptive editing exists. Since the outtakes are relevant to a valid legislative purpose, as well as being indispensable to carrying out that purpose, and since the chilling effect is illusory, CBS' First Amendment argument in this regard must fail.

E. Asserted equivalence of outtakes to "reporter's notes"

CBS hinges much of its argument to the proposition that outtakes "are the broadcast journalist's equivalent of the newspaper reporter's notes" and, therefore, should not be subject to subpoena. (Brief, p. 25.) CBS cites no legal authority, there being none, in support of this contention. Apart from the question of whether a reporter's notes may be subject to subpoena (this in itself is an unsettled question; see *Caldwell* discussion below), no court of law has ever held that outtakes are the equivalent of a reporter's notebook.

The images and sounds appearing on outtake materials are those pertaining to actual events recorded for possible presentation to the public. As such, they cannot be equated to the private thoughts and impressions of a reporter committed to a notebook.

Apart from government film, the outtakes in the Pentagon documentary consist of films of public events and of interviews with individuals who provided them for public broadcast. To give one example, the speech of Colonel MacNeil was filmed at a public gathering in Peoria, Illinois. Only a portion of the speech was shown in the documentary. It is impossible to conceive of any plausible theory by which the unshown parts of this public speech, the outtakes, could be privileged or be the equivalent of a reporter's private notebook.

Extrinsic information indicates that the portion of Colonel MacNeil's speech, shown in the documentary, was manufactured by selecting disconnected sentences and then splicing them insequentially; and, further, that through such film editing techniques the words were made to appear as if they had been delivered exactly as shown in the broadcast. When such material is broadcast to the public as *bona fide* evidence concerning an actual event, it is relevant to inquire whether the public should have a right to be assured that such evidence is what it purports to be, or be advised when it is not. CBS should not be permitted to obstruct such a public inquiry by claiming a privilege with respect to outtakes that is nonexistent.

F. CBS reliance on Caldwell case

CBS relies most heavily upon *Caldwell v. U.S.*, 434 F.2d 1081 (9th Cir. 1970), as supporting its contention that the subpoena is illegal for First Amendment reasons. (See citations, brief, pp. 22, 24, 27.) But *Caldwell* is clearly distinguishable from the standpoint of holding and facts, and instead of buttressing the CBS position, it tends to undermine it:

1. *Caldwell* is unsettled law. Indeed, in early May, 1971, the Supreme Court announced it would hear arguments during the Fall Term on *Caldwell* and two related cases from the Supreme Courts of Massachusetts and Kentucky. The two state courts, one case involving the subpoena of a television newsman-photographer, held contrary to *Caldwell* and did not recognize any journalistic immunity from subpoena. See *In the Matter of Paul Pappas*, Supreme Judicial Court of Massachusetts, No. 14,690, January 29, 1971, and *Branzburg v. Pound*, Court of Appeals of Kentucky, No. F–213–69, November 25, 1969.

In the *Pappas* case, *supra*, the Supreme Judicial Court of Massachusetts considered the *Caldwell* case and specifically rejected it:

"Were we to adopt the broad conclusions [footnote omitted] of that decision, that a newsman's privilege exists because of the First Amendment, we would be engaging in judicial amendment of the Constitution or judicial legislation. Requiring a newsman to testify about facts of his knowledge does not prevent their publication or the circulation of information. . . . We are of the view also that the opinion unnecessarily expresses, in terms of newly discovered constitutional absolutes, interests of the news media, which (so far as reasonably requiring protection) may be guarded by sound judicial discretion and administration. . . . We adhere to the view that there exists no constitutional newsman's privilege, either qualified or absolute, to refuse to appear and testify before a court or grand jury [footnote omitted]. The obligation of newsmen, we think, is that of every citizen, viz. to appear when summoned, with relevant written or other material when required, and to answer relevant and reasonable inquiries." (Slip opinion, pp. 12–13.)

The Supreme Court of Kentucky (*Branzburg* case, *supra*) has also refused to follow *Caldwell*.

2. In any event, the holding in *Caldwell* is a very narrow one and recognizes only a "qualified privilege" which could have been overcome by a showing of compelling need by the government (*Caldwell*, p. 1089). The strict limitations of *Caldwell* are evident in the words of the court:

"Finally we wish to emphasize what must already be clear: the rule of this case is a narrow one. It is not every news source that is as sensitive as the Black Panther Party has been shown to be respecting the performance of the 'establishment' press or the extent to which that performance is open to view. It is not every reporter who so uniquely enjoys the trust and confidence of his sensitive news source."

Clearly, the court viewed its decision in *Caldwell* in a much more restricted sense than does CBS.

3. The *Caldwell* decision turned largely upon the fact that sensitive news sources would have been destroyed if Caldwell were required to respond to the subpoena to appear before the Grand Jury for testimony. No such sensitive or confidential sources are present in the Pentagon documentary. In this regard, the CBS narrator said in introducing the program:

"We selected three areas for concentration: direct contacts with the public, Defense Department films, and the Pentagon's use of the media—the press and television. We sought no secret files, no politicians pleading special causes, no classified documents. *We looked only at what is being done for the public—in public.*" (Emphasis supplied.)

4. Outtakes are not the equivalent of the reporter's notes in *Caldwell*. (See E, above.)

5. In *Caldwell*, the court observed that further testimony by Caldwell would result in no additional information than that already developed—"a barren performance." (*Caldwell*, p. 1089.) By contrast, the outtakes are indispensable to a meaningful evaluation of the subjects under consideration. These would include, of course, the doctoring techniques used in connection with the Henkin interview and the MacNeil speech.

6. In *Caldwell*, the court said the newsman's "qualified privilege" could have been overcome by a showing of a compelling need (*Caldwell*, p. 1086). By contrast, there is no CBS privilege to overcome and, moreover, there is a compelling need for the outtakes. These constitute the best evidence by which to address the legislative concerns of the Subcommittee.

7. Another key factor in *Caldwell*, which does not exist in the CBS case, is the court's concern that if a reporter were required to make available information obtained in his capacity as a news gathering, it would have the effect of converting him, after the fact, into an investigating arm of government. By comparison, the Subcommittee has no interest in the information developed by CBS in connection with the documentary. It is only interested in outtakes film from the standpoint of evaluating manipulative electronic techniques, e.g., the Henkin interview.

This same concern over making the newsman an unwilling adjunct to the criminal investigation process is the basis for the Attorney General's guidelines on subpoenaing newsmen. The CBS reliance on these guidelines as being applicable to the Subcommittee's subpoena power is therefore misplaced.

8. Finally, the original subpoena in *Caldwell* calling upon him to produce his notes, etc. was withdrawn. The issues now involved in *Caldwell* do not include a subpoena *duces tecum*, and do not involve calling for the production of notes.

For all the above reasons, the *Caldwell* case so heavily relied upon by CBS, is

deemed irrelevant and non-persuasive with respect to the issues involved in the Subcommittee's subpoena.

G. Absence of allegations of illegal conduct

CBS emphasizes that when it furnished the outtakes in "Project Nassau" an additional factor was present, i.e., an accusation involving violation of criminal laws. (Brief, p. 26.) This is, of course, factually incorrect inasmuch as the Subcommittee made no charges of any kind in initiating its "Project Nassau" investigation. Yet CBS suggests that this ingredient—allegations of law violations—might be pivotal in whether it would comply with a Congressional subpoena.

Acceptance of this ill-founded position could lead to dire consequences. Indeed, it could mean that CBS would not furnish the outtakes to "Project Nassau" should it have occurred today. This is so because (a) if a violation of criminal statute is requisite for exercise of Congressional subpoena power on a broadcaster and (b) since no alleged violation of a criminal statute within the jurisdiction of the Commerce Committee was present in "Project Nassau", then (c) CBS could assert that the Commerce Committee is without jurisdiction in the matter.

The fact is that Congressional subpoena power, exercised in connection with a valid legislative purpose—and relevant thereto, is not dependent upon violations of criminal laws. (See pp. 6–7, *supra*, this memorandum.)

III. SUMMARY AND CONCLUSIONS

To briefly summarize the contents of this memorandum, the following points have been established (references are to pages in this memorandum):

1. The right of Congress to investigate, and to compel the production of information, is inherent in its authority to legislate. The central elements are (a) a valid legislative purpose; that is, the inquiry must be addressed to matters concerning which Congress could legislate, and (b) information or testimony sought must be relevant to the legislative purpose (*McGrain*, see p. 3).

2. The right of Congress to investigate does not depend upon accusations of wrongdoing, or alleged violations of criminal law (see *Oklahoma Press*, p. 5).

3. This Subcommittee has been authorized by the Congress to conduct investigations and studies on all matters within the jurisdiction of the House Commerce Committee; that jurisdiction includes the regulation of broadcasting (see pp. 15–16).

4. With respect to the applicability of the First Amendment, broadcasting is not identical to other means of communication (*NBC* case, p. 20; *Red Lion* case, p. 21).

5. The legal status of a broadcaster cannot be equated to that of a newspaper publisher (*NBC*, p. 20; *Red Lion*, p. 21; *Church of Christ*, p. 33).

6. Regulation may validly concern itself with matters of program content (*NBC* p. 20; *Red Lion*, p. 21; *Johnston Broadcasting*, p. 23.)

7. Broadcasters are legally considered "proxies" or "fiduciaries" for the public and, as such, must act "in the public interest." (*Red Lion*, p. 21; *Church of Christ*, p. 33; *McIntire*, p. 31.)

8. Regulation of broadcasting so as to prohibit deception to the public is a well-recognized exercise of the regulatory power (FTC–FCC Liaison, p. 35; 47 C.F.R. 73.653 ("Mechanical Reproduction" Disclosure), p. 36; Communications Act, Section 317, 508 and 509, pp. 36-37; 47 C.F.R. 73.654 (Disclosure of Outside Assistance in Connection with Political Programming), p. 37; *Metromedia* case, p. 37; Attorney General's "Deceptive Practices in Broadcasting Media" Report, p. 39).

9. The First Amendment is primarily concerned with the rights of individuals as opposed to those of business enterprises. The First Amendment rights of individual members of the public take precedence over those of the broadcasters (*Associated Press*, p. 43; *Red Lion*, p. 21; FCC Editorializing Report, pp. 27, 30; *NBC* case (opinion of L. Hand, D.C. Court of Appeals), p. 43; *NBC* case (Supreme Court), p. 20).

10. The right of Congress to legislate constraints upon those who communicate information to the public when their activities collide with the public interest is well-established (*Associated Press*, p. 43; *Regina Corporation*, p. 47; *E. F. Drew*, p. 47; *Wall Street Transcript* case, p. 48; *Curtis Publishing Co.*, p. 48).

11. Freedom of the press is a derivative right conditioned upon the public interest in preserving freedom of speech (*Associated Press*, p. 43).

12. Techniques of electronic manipulation facilitate the presentation of artificially created scenes as objectively observed facts (see *Metromedia* case, p. 37).

13. Because decisions bearing upon political and social issues are founded upon what is believed to be factual information, the concealment of techniques which misrepresent such factual information presents a clear and present danger (see e.g., statistical data, p. 54).

This memorandum has explored the legal authorities relevant to the specific issue at hand:

"In the light of the First Amendment, has the Congress the right to subpoena non-broadcast materials related to a television documentary, when those materials are relevant to a question of deceptive practices and do not involve confidential or secret sources?"

The issue has been resolved in the affirmative. As the cases clearly demonstrate, the right of the Congress to investigate, and to compel the production of information, is inherent in its authority to legislate. This power may be exercised with respect to subject matter at least as broad in scope as the laws which Congress might consequently enact (see pages 2–17).

Existing broadcast law and regulations are replete with provisions similar to the measures presently under consideration by the Subcommittee. In addition, the full Committee presently has bills before it whose consideration would be materially aided by the information sought from CBS. Acceptance of the CBS argument in this matter would invariably call into question large areas of existing broadcasts law and regulations. It would also result in the Commerce Committee being forced to attempt to evaluate and pass upon pending legislation in a vacuum.

The CBS brief attempts no demonstration that the information subpoenaed by the Subcommittee would be irrelevant to any valid legislative purpose. The absence of this essential element in the CBS response vitiates the force of its arguments.

The material called for in the Subcommittee's subpoena is relevant to the legislative purpose addressed in this inquiry. It affords the best, and perhaps sole evidence on which to adequately determine the existence, extent, and nature of certain deceptive manipulative techniques. While it is not necessary to sustain a Congressional inquiry of this kind that actual legal violations be alleged, or suspected, in the present case external evidence indicates the existence of questionable broadcast practices having severe implications on the public interest.

The arguments by which CBS has sought to dispute the power of the Subcommittee to require the materials described in its subpoena revolve around the failure of CBS to distinguish its operations from those of a newspaper. This distinction, however, is firmly fixed in the law. A secondary thread of argument advanced by CBS depends upon a restatement of the legislative purposes behind the Subcommittee inquiry in an attempt to broaden them beyond the permissible scope of Congressional action. The attempt has been carried through by a process of out-of-context quotation from the statement of legislative purpose provided to CBS. In view of the case law which accords very broad scope to Congressional inquiries, the attempt is deemed to be of no legal consequence.

The acceptance of CBS' interpretation of the law would necessarily preclude any similar inquiry by the FCC. The FCC has enunciated a limited goal in exercising its regulatory function in this area involving alleged deception of the viewing public. The Commission has stated that it will not even investigate charges of distorting or staging news except in those instances wherein "there is substantial evidence that a station's management or news management has deliberately engaged in such a practice." (FCC *36th Annual Report*, page 34). By this, the Commission has reference to "extrinsic" evidence (FCC *36th Annual Report*, page 2). Analysis and criticism of the FCC's position in this respect would be beyond the scope of this memorandum. It should be noted, however, that this regulatory policy would be utterly defeated by the acceptance of the position taken by CBS in this matter. Since the FCC would presumably seek to make inquiries in the public interest in a case wherein there was substantial extrinsic evidence of staging of news which was (a) deliberate, and (b) by management, it would be met by the same arguments from CBS as are advanced against the Subcommittee's inquiry into the "Pentagon" documentary. The result would be that the FCC could not make inquiries necessary to uphold the public interest even in those instances which met its prerequisite conditions.

The defiance of a duly authorized Congressional subpoena is particularly unsupportable coming from a corporation which, by virtue of its broadcast licenses, is impressed with the legal status of a trustee and fiduciary for the public. If such a trustee can defy the right of the Congress, the collective representative of the people, to inquire into matters touching on the exercise of its fiduciary duty, the concept—upheld in many court decisions—has been rendered illusory. A trustee who is answerable to no one is a trustee in name only. It is idle, of course, to suppose that complex and basic inquiries can be conducted by individual members of the public. It is only through their elected representatives, to whom they have entrusted the conduct of the public business, that the people can effectively act.

CONCLUSIONS

If, as CBS now maintains, a broadcast licensee cannot be required to provide information as to how it is fulfilling its public trust, the longstanding fiduciary status clearly enunciated by the courts has been rendered illusory.

The prevention of deception of the public has been addressed in a number of provisions already in the law. While the Subcommittee may determine not to recommend legislation addressed to the area of deception via electronic transposition and manipulation, the inquiry is valid inasmuch as it addresses an area in which the Congress, if it chose, could legislate validly. The supposed identity between broadcasters and newspaper publishers has been repeatedly and emphatically rejected by the courts.

In the present matter, the investigatory function is addressed to a valid legislative purpose, and the information required of CBS is relevant to that purpose. The Subcommittee has clearly informed Dr. Stanton and CBS of this legislative purpose, and explained the relevancy of the information required to be produced.

For all of the facts and reasons stated above, it is concluded that under existing law the Subcommittee is entitled to compel the production of the materials described in

its subpoena and that the refusal by CBS to comply with the subpoena dated May 26, 1971, is without legal justification.

SUPPLEMENTAL MEMORANDUM REGARDING RELIANCE BY CBS UPON THE NEWSMAN'S PRIVILEGE

Counsel for CBS has posited that "broadcasters are protected by the First Amendment, for all relevant purposes, in the same way that other forms of journalism are protected." See p. 1 of letter dated June 15, 1971 from Wilmer, Cutler & Pickering to Columbia Broadcasting System, Inc. The logical error in this premise is the refusal to acknowledge the fact, so frequently stated by the Supreme Court, that the rights guaranteed by the First Amendment are not, and never have been, an absolute barrier to legitimate legislative or judicial inquiry. See e.g., *Curtis Publishing Co.* v. *Butts*, 388 U.S. 130 (1967) and *Rosenbloom* v. *Metromedia, Inc.*, 39 U.S. Law Week 4694 (June 7, 1971). "The chief purpose of (the First Amendment's) guarantee (is) to prevent previous restraints upon publication." *Near* v. *Minnesota*, 283 U.S. 697, 713 (1931). No question of prior restraint is involved in the instant situation. "The Selling of the Pentagon" was broadcast. The Committee is only concerned with calculated deception and any legislation which might be forthcoming as a result of our inquiry would not be geared to prior restraint but only to identification or prohibition of such deception.

Many years have passed since Chief Justice Holmes phrased the oft-quoted maxim that freedom of speech is not a license to cry fire in a crowded theater. Recently, Justice Brennan pointed out that "calculated falsehood, of course, falls outside 'the fruitful exercise of the right of free speech.'" *Rosenbloom* v. *Metromedia, Inc.*, supra at 4702. Freedom of the press is a correlative of freedom of speech. See *de Tocqueville, Democracy in America*, vol. 1, p. 190 (Vintage ed. 1945). When these countervailing interests—the right of the people to know and the right of a news medium to deceive—come into conflict, paramount importance must be ascribed to the Amendment rights of the people. As the Supreme Court pointed out in *Associated Press* v. *United States*, 326 U.S. 1, 20 (1945):

"It would be strange indeed . . . if the grave concern for freedom of the press which prompted the adoption of the First Amendment should be read as a command that the government was without power to protect that freedom . . . *Freedom of the press from governmental interference under the First Amendment does not sanction repression of that freedom by private interests.*" (Emphasis supplied.)

This was reinforced in *Curtis Publishing Co.* v. *Butts, supra* at 150:

"The fact that dissemination of information and opinion on questions of public concern is ordinarily a legitimate protected and indeed cherished activity does not mean, however, that one may in all respects carry on that activity exempt from sanctions designed to safeguard the legitimate interests of others. A business is not immune from regulation because it is an agency of the press. The publisher of a newspaper has no special immunity from the application of general laws. He has no special privilege to invade the rights and liberties of others."

CBS has been strangely silent about the right of free speech of those whose words were altered and the right of the viewing public to learn the views of others without manipulation or deceit.

The duty of a reporter to disclose his notes and to testify thereon is the same as the duty of any citizen to appear when summoned, with relevant written or other material when required, and to answer relevant and reasonable inquiries. See *In the Matter of Paul Pappas*, p. 13, Bris–14,690, Mass. Sup. Jud. Ct., January 29, 1971, *cert. granted* 39 U.S. Law Week 3402 (March 16, 1971) (No. 1434). As the Supreme Court observed in *Blackmer* v. *United States*, 284 U.S. 421, 438 (1932), "the concept that it is the duty of a witness to testify in a court of law has roots fully as deep in our history as does the guarantee of a free press." No privilege existed at common law which excused a newspaper reporter from disclosing his notes. As a general rule, the public "has a right to every man's evidence." See *Wigmore, Evidence* (McNaughton rev.) sections 2192 and 2285. A privileged commuication is one made, in professional confidence, which the listener is not permitted to divulge. This includes husband-wife, attorney-client, priest-penitent and, in some instances, doctor-patient. Priviliges, however, are the exception to the general rule and the courts are reluctant to create new privileges where none have existed. As is pointed out in the preface to the American Law Institute's Model Code of Evidence:

"If a privilege to suppress the truth is to be recognized at all, its limits should be sharply determined so as to coincide with the limits of the benefits it creates."

Counsel for CBS has invited our attention to the various state Newsman's Privilege Acts and cases interpreting those acts. One State court decision apparently creates such a privilege in the absence of any statute. Briefly, a Newsman's Privilege Act generally provides:

"No person shall be compelled to disclose . . . the *source* of any information procured or obtained by him, and published in a newspaper or by a radio or television broadcasting station by which he is engaged or employed, or with which he is connected."

See, e.g. Kentucky Revised Statutes 421. 100.

These statutes, and the cases cited by CBS counsel, would only extend to broadcasters the privilege of newsmen to refuse to identify their confidential sources. In the absence of a confidential source, a newsman is not, and never has been, entitled to refuse to testify about a news item he has published. CBS, in "The Selling of the Pentagon," asserted that:

"We sought no secret files, no politicians pleading special causes, no access to classified documents. We looked only at what is being done for the public—in public."

In view of the fact that no confidential sources are involved, any reliance upon a claim of Newsman's Privilege is misplaced and inapposite. The subpoena of CBS seeks no confidential materials, seeks no disclosure of confidential sources, seeks the production of no materials as to which honest men could assert a claim of compromise of non-public information. The duty now clearly rests upon CBS and Frank Stanton, as citizens and for the sake of argument as newsmen, to come forward with the subpoenaed materials.

CAREERS AND PERSONALITIES OF LEADING AMERICAN GENERALS OF WORLD WAR II

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 8, 1971

Mr. BYRD of Virginia. Mr. President, the Richmond Times-Dispatch of June 14 contains an interesting article written by Tom Luce concerning a book about the careers and personalities of the leading American generals of World War II.

The book, entitled "Nineteen Stars," was written by Edgar F. Puryear, Jr., of Madison County, Va. Mr. Puryear, formerly assistant dean of faculty of the Air Force Academy, holds a Ph. D. from Princeton University and a law degree from the University of Virginia. He is an outstanding young Virginian.

In his book, Mr. Puryear says that he finds a typically American pattern of leadership in the careers of men so diverse as George C. Marshall, Dwight D. Eisenhower, Douglas MacArthur, and George S. Patton, Jr.

Mr. Puryear finds that throughout their careers, even during their years of schooling, these four generals showed the potential for the leadership which they were later to display in World War II.

I ask unanimous consent that the article entitled, "Four Leaders Shared Pattern of Greatness," be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOUR ARMY LEADERS SHARED PATTERN OF GREATNESS

(By Tom Luce)

CHARLOTTESVILLE.—Despite differences in temperament and style, Eisenhower, Marshall, Patton and MacArthur shared a distinctly American pattern of military greatness during World War II, says a Madison County author.

Edgar F. Puryear Jr. says the military character of the genial Eisenhower, the austere Marshall, the flamboyant Patton and the imperious MacArthur gives these leaders a common bond.

Puryear, who has devoted much of the past decade to a comparative study of the four war leaders, said a definite leadership pattern emerged from his research.

Writing in his recently published book, "Nineteen Stars," Puryear said the character of the four generals was of the "highest"; they shared the integrity, the humility, the selflessness, the concern for others, the reverence and showmanship which are present in most top military leaders.

In an age when many young people are attempting to define character, Puryear feels that his book could offer a contribution to that quest.

Puryear, who earned his doctorate at Princeton University and later a law degree at the University of Virginia, formerly was assistant dean of faculty at the Air Force Academy in Colorado Springs, Colo.

"Nineteen Stars" is the outgrowth of a series of cadet lectures and it is patterned after Douglas Southall Freemen's "Lee's Lieutenants," a well-known Civil War Biography.

While some scholars contend that men are born for command, Puryear argues that leaders are made. The key to their success is preparedness and dedication, he says.

To prove his point, Puryear traces the World War II careers of General of the Army George C. Marshall, Army chief of staff; General of the Army Dwight D. Eisenhower, supreme commander of Allied forces in European Theater; General of the Army Douglas MacArthur, commander in chief in the Far East, and Gen. George S. Patton, Jr., generally considered the greatest field commander in the European Theater during the war.

What most Virginia veterans will probably remember most about these four leaders is what Puryear calls "showmanship." Of the four, Patton was the most publicized and perhaps the greatest showman.

Few who served with him will forget Patton, with his tailored uniform and its rows

of ribbons, his pink whipcord riding breeches, the high-topped cavalry boots, the pearl-handled pistols, and the gleaming stars the general wore, even into combat.

Eisenhower had his famous grin and short military jacket; MacArthur his corncob pipe, open-collared shirt sans medals, and rakish field marshall's hat; and Marshall his well-maintained aura of simplicity and reserve.

Puryear, however, has dug beyond the generals' images and has traced similarities in their careers. He notes, for example, that three of the four had some setback during their years as military school cadets; that all had to make personal sacrifices to stay in the Army, and that all faced years of slow promotions and unpleasant duty assignments.

Of the four generals, Patton and Marshall attended Virginia Military Institute. Patton left VMI after his first year, when he earned an appointment to West Point. Patton later graduated from West Point; as had MacArthur and Eisenhower.

It was during their cadet years that the four began to show signs of promise. While the academic success of Eisenhower, Patton and Marshall could be described as mediocre, MacArthur's was brilliant.

At West Point MacArthur held the dual honor of being first captain and graduating number one in his class. He established an academic record which went unbroken for decades.

While their academic standings differed, all four exhibited leadership potential as cadets. Marshall and MacArthur received the highest possible cadet rank each successive year, as did Patton until his final year. The easygoing Eisenhower made rank three times, lost it twice, but was elected to the academy's sole elective post—Cheerleader.

There were other indications of potential leadership. In Marshall's "rat" year at VMI, for example, he underwent a severe hazing at the hands of an upperclassman.

Puryear wrote that the young Marshall was ordered to squat over a bayonet which had been jammed point up into the floor. As the tiring Marshall continued to squat over the bayonet, Puryear said, Marshall "refused to give his tormentor the pleasure of watching him whine."

Eventually, "the strain of this excruciating position got the best of him" and Marshall fell rearward, to the point of the bayonet, Puryear said.

Once the upperclassman saw blood, Puryear said, the cadet feared that Marshall would report him—meaning almost certain expulsion. However, Marshall never reported the man's name. He simply "got up and silently left the room," Puryear said.

"The rough, go-for-broke Patton was underneath a highly sensitive man, particularly when it concerned the men under his command," Puryear wrote. Yet it is Patton's headlong method of fighting that is so familiar to those who served under him in North Africa, Sicily and Europe, Puryear said.

Patton's fighting method was "designed to save American lives: his outlook that it took 18 years to make a soldier and only a few months to manufacture ammunition was typical of this attitude," Puryear said.

TRIBUTE TO THE LATE LOUIS "SATCHMO" ARMSTRONG

HON. RALPH METCALFE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. METCALFE. Mr. Speaker, the passing of Louis "Satchmo" Armstrong was a great loss to the world of jazz and a greater loss to America and black Americans.

Satchmo, as he was popularly called, was a great American and an outstanding credit to his race. His music spoke louder than words for brotherhood—for he brought people together with his trumpet and the spirit of his singing, heralding a theme of unity of his very own.

As a distinguished roving good-will ambassador, he carried his music and his trumpet touching the hearts of countless numbers not only throughout America and Latin America and Europe but also into Africa. He was a gifted artist and his renditions were of the highest order.

Mr. Speaker, I would like also to include a very fine tribute regarding the outstanding career of Louis Armstrong published in the July 7, 1971, edition of the Christian Science Monitor:

LOUIS ARMSTRONG—JAZZ SUPERSTAR

(By Melvin Maddocks)

BOSTON.—Louis Armstrong was one of those artists who seem so deceptively simple they keep being misunderstood. When he passed on Tuesday, July 6—just two days after the holiday he liked to pretend was his birthday—he left behind both a simple myth and a more complex actuality, inseparable from the simple myth and the more complex actuality of the music he played.

Armstrong's history coincided like destiny with the history of jazz. Born in 1900, he learned to play trumpet in a waif's home, coming of age just as jazz came of age in the Storeyville section of New Orleans during World War I.

When jazz moved north to Chicago in the early 1920's, Armstrong was there, playing second horn to King Oliver. In 1924 he and jazz completed their migration—to New York, where Armstrong joined Fletcher Henderson's band. As the famous Hot Five and Hot Seven records began to emerge from sessions in the mid-1920's, jazz and Armstrong had found their mature expression.

SOLO INSTRUMENT

Armstrong took a rough ensemble art and made room for the individual voice. Imperceptibly, what had been a lead instrument turned into a solo instrument. It is only a slight exaggeration to say that in making room for Louis Armstrong's genius, jazz spread and broadened until a folk art became a sophisticated form of self-expression.

By the 1930's, jazz had become the art of the soloist and Armstrong had become something more—a star. The measure of his talent was that he could turn a pop-tune banality like "I can't give you anything but love" into a classic. But was this straining the evolution of jazz too far?

The most unjust comparisons are those made with oneself. Louis Armstrong turned into a myth and night after night he was forced to live up to it. The star became a personality, and after World War II the personality became an act. Satchmo with mopping handkerchief, the dazzling teeth, the rolling eyes, the throaty chuckle. Satchmo playing "When the Saints Come Marching In" again and again. Satchmo (with strings) leaving the dwindling jazz audience altogether to make hit records like "Mack the Knife." Bravura runs, show biz high notes, and repetition took their toll.

Louis Armstrong may have ceased to grow by his earlier, astonishing standards of innovation. But mastery runs in a straight line through every record he made, the personal exuberance seeming to burst its electronic confinement. From a 1920's "Heebie Jeebies" to a 1960's "Hello Dolly," one horn is blowing, one gravel voice is singing. The notes vibrate with an authority, a daring simplicity no other jazzman has ever matched. Each melody is outlined so that it seems to have perfect finality, once and for all.

Armstrong played with a subtlety and a passion the simple genial mask of Satchmo belied. He must remain a beloved mystery. It is now time to say of him what he said of another enigma, Fats Waller: "To me, he is still here with us. His very good spirit will keep him with us for ages. Right now, every time someone mentions Fats Waller's name, why you can see the grins on all the faces as if to say, 'Yea, yea, yea, yea. . . .'"

"WAITING GAME" RECOMMENDED BY OMB ON ECONOMY CALLED A BAD DECISION FOR THE NATION

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. EVINS of Tennessee. Mr. Speaker, Mr. Hobart Rowen, the distinguished financial columnist of the Washington Post, pointed out in a recent article that the administration has made a fateful decision by adopting the policy recommended by the office of management and budget of waiting on the economy to accelerate rather than taking specific steps to assure a recovery.

The inflation-recession paradox continues, unemployment remains high, Federal revenues are running far below administration estimates, and Mr. Rowen says that, generally, prospects for a full recovery are dim in view of administration inaction.

Because of the interest of my colleagues and the American people in this most important subject, I place the article in the RECORD herewith.

The article follows:

[From the Washington Post, July 4, 1971]

PLAYING A WAITING GAME HURTS ECONOMY

(By Hobart Rowen)

If Mr. Nixon loses the election next year, historians might well look back, and pick the week-end of June 26–27, 1971, as the time when the issue was really settled.

For at Camp David a week ago, Mr. Nixon decided to play the waiting game on the economy recommended by Office of Management and Budget Director George Shultz, despite clearcut evidence that the economic recovery, such as it is, is very slow and spotty.

Unemployment for June dropped to 5.6 per cent from 6.2 per cent in May, but much of the improvement, the Labor Department acknowledges, is a statistical aberration. The real level, as it has been for months, is somewhere around an even 6 per cent. The President is gambling that the monetary and fiscal stimulus already cranked into the economy will cut that rate to no worse than 5 per cent during the election campaign, and that the trend will be in the right direction—down.

Whether Mr. Nixon sticks to the no tax cut, no increased spending scenario laid out by his new "Chief Economic Spokesman," Treasury Secretary John B. Connally, remains to be seen. But if he does, and if the economy fails to respond in 1972, it will hurt President Nixon at the polls.

The decision, if unchanged, is bound to drive an important wedge between the President and his old friend, Arthur F. Burns, Chairman of the Federal Reserve Board. The

Fed, struggling desperately to get the supply of money under control, has been looking to the White House for help, FRB analysts are pessimistic about the minimal nature of the upturn, and are hesitant to turn the money screws tighter unless there is help from the tax side.

"I couldn't believe (the President's decision) when I heard it," says a policy maker at the Fed. "It's a real bad one. They'll count on us to keep the money going—and if we don't well, then we're to blame for high unemployment."

Connally made much of the assertion that there is a great deal of "stimulus" coming from the budget deficit. But the increase in the budget deficit arises primarily from revenue shortfalls—which in turn are due to a bad economic forecast. Thus, Connally greatly exaggerates the degree to which the budget is stimulative.

Based on actual results for the first three months of the year and preliminary reports for the second quarter, the Gross National Product from January through June apparently was running at an annual rate of $1,030 billion. Thus, to get to that now-famous administration goal of $1,065 billion for the year, the economy would have to take off like a rocket, producing an annual rate of $1,100 billion for the second six months.

There are few economists left who think there is a ghost of a chance of that happening. Most, like Walter W. Heller, believe that the economy is running "on the track" of the $1,045 to $1,050 billion GNP which was the consensus among most, except Mr. Nixon's men, earlier this year. Privately, some administration hands admit it.

The successful Wharton School "model" of the economy predicts a GNP of $1,053.2 billion, with unemployment staying above 5.5 per cent for all of 1971, and not dropping down to 5.0 per cent (to say nothing of moving lower) until the end of 1972.

The dilemma, of course, is that inflation persists, and many fear that the problem will be worsened by the extraordinary 12 per cent expansion of the money supply. So far this year, the Federal Reserve has allowed an increase of $11 billion, or as much as during all of 1970.

What are the plus factors in the economy? Housing has been strong; consumer demand—still not spectacular—conceivably could respond to increased income (mostly from higher social security benefits) later this year; and because inventories (except for autos and steel) declined earlier this year, the process of inventory building should give the economy a lift later on in 1971. (A steel strike could complicate the picture, but no one in Washington thinks that a work stoppage would create a national headache—just for the steel industry.)

The stock market, meanwhile has been slipping responding both to the sluggishness of economic recovery, and to the exasperating upward drift of interest rates which has taken place in the teeth of one of monetary ease.

According to many Wall Street analysts, soaring interest rates could choke off the housing boom (one of the few signs of real strength in the economy) and put a crimp in whatever possibilities might have existed for business expansion later in 1971 and 1972. Recent history also tends to show that higher interest rates simply feed expectations of still higher interest rates, assuring the inevitable trend.

As for that intangible element, confidence, in which Arthur Burns puts so much faith, the Morgan Guaranty Trust Co.'s new letter was carefully noted in Washington: "An unusual amount of worry still exists among businessmen," due not only to the "recovery's lack of vigor," but to "uneasiness about Lockheed's difficulties—specifically concern about the repercussions they could have."

Perhaps Secretary Connally is to blame for that—after all, he has tried to sell the notion of a $250 million loan guarantee to Lockheed on the basis that bankruptcy in the already-troubled aerospace business could shake the whole economy.

On balance, then, the outlook is not very good, and there is nothing in the statistical record that Connally could deny. The GNP target won't be met, and unemployment will be high.

In fact, a long-time bi-partisan goal of reducing unemployment to 4 percent or less has casually been junked by Connally as a "myth." If Connally is asking this country to learn to live with a higher rate of unemployment, he will find that it is not willing to do it. Nor should it be willing to do so.

Insiders suggest that the Administration has given considerable weight to new academic studies produced for the Brookings Institution by Professors George Perry and Richard Gordon that show a more expensive unemployment-inflation ratio "trade-off." That is, because of changes in labor force composition and for other reasons, it takes an unemployment level around 5 percent to achieve a long-term inflation rate of 3 percent—instead of 4 percent unemployment, which was thought to be the "trade-off" point in the mid-1950s.

But neither Perry nor Gordon suggested acceptance of the higher unemployment rate; both are against holding the economy in check to achieve price stability—mostly because they don't think that such a policy works.

When economist Alan Greenspan, then a Nixon advisor, told a reporter during the 1968 Presidential campaign that more unemployment would have to be accepted as a cure for inflation, Arthur Burns, then also an adviser to Mr. Nixon, telephoned this correspondent at The Washington Post.

"I can say categorically," Burns told me, "that this does not reflect Mr. Nixon's position. This world of ours won't accept anything but a full employment policy." (Burns defined full employment as the level reached when the jobless rate is between 3.5 percent and 4.5 percent).

Either Mr. Nixon has changed his mind or Greenspan was right about Mr. Nixon's views all the time.

DANIEL ELLSBERG

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. MICHEL. Mr. Speaker, now that the Supreme Court has ruled on the so-called Pentagon papers case, attention is now turned to what action should or should not be taken with respect to Mr. Dan Ellsberg who has admitted that it was he who made the documents available to the New York Times.

In that regard, I noted a column by Mr. Joseph Kraft which provides some interesting observations as to the personality and character of Mr. Ellsberg based on three personal meetings between Mr. Kraft and Mr. Ellsberg. The column speaks for itself and I urge my colleagues to read it carefully.

Also, an editorial appearing in the July 2, 1971, edition of the Peoria Journal Star entitled, "The Ellsberg Papers," provides the viewpoint of a midwestern newspaper editor, Mr. C. L. Dancey, as to what Mr. Ellsberg's future might be, regardless of what decision is reached in the courts with respect to his case. I place the column and editorial in the RECORD at this point:

THREE MEETINGS WITH ELLSBERG

(By Joseph Kraft)

NEW YORK.—No one connected with Vietnam brings to bear on the problem more formidable equipment than the purveyor of the Pentagon papers, Dan Ellsberg. With intimate knowledge of the war on the ground, he combines experience in the Washington bureaucracy, intelligence of the highest order, and a well-nigh startling capacity for articulation of difficult themes.

Unlike most Americans, moreover, he truly cares about what happens to individual Vietnamese. It is almost exclusively due to his intervention, for example, that an anti-government political leader, Tran Ngoc Chau, is still alive.

But if I came to admire Ellsberg abundantly over a period of five years of intermittent meetings on Vietnam, I also came to doubt his judgments profoundly. And the story of those encounters is worth telling, for it says something about the present plight of both Ellsberg and the country.

Our first meeting took place in the Pentagon when Ellsberg was working for the late John McNaughton who was then Assistant Secretary of Defense for international security affairs. I had recently seen something of the Vietnamese Communists. At that time not much was known of them and I went to the Defense Department to tell McNaughton and Ellsberg my impressions.

Ellsberg in particular posed a series of hard questions. He wanted to know about Communist morale, about possible leadership rifts, about conflicts between North and South Vietnamese Communists, about their relations with China and Russia, about the origins and history of the Liberation Front, about its infrastructure and doctrinal notions. At the end I was asked what way I saw of ending the conflict.

I replied that the key was fostering in Saigon a regime that would negotiate with the Communists. That idea McNaughton and Ellsberg flatly rejected. There was no possible way for negotiation in their view. Vietnam was a test of the American will to resist Communist aggression.

A second meeting took place in Saigon when Ellsberg was working for Brig. Gen. Edwin Lansdale. The Lansdale idea, of which Ellsberg had become a violent partisan, was that a Saigon regime friendly to the United States could filch the Communist appeal to the countryside by a combination of social action. That notion seemed to me a pernicious fallacy and I had written as much.

When I first called him in Saigon, Ellsberg refused to see me. Then we arranged a clandestine meeting. He told me that in view of my doubts about the policy there was no point in our talking.

I next ran into Ellsberg in the spring of 1968 at a lunch in the home of Sen. Edward Kennedy in McLean, Va. By that time Ellsberg had changed his views and to the considerable embarrassment of everybody at lunch he talked at great length of how wrong he had been.

After lunch I drove him back to Washington. As we drove he kept glancing nervously over his shoulder. When we finally reached town he directed me first to one hotel, then to a second, then to a third, where he finally got out. He was taking precautions, he said, to avoid being followed by agents of the FBI or the Pentagon.

A last meeting took place several months ago at my house in Washington. By this time Ellsberg had long since become convinced that the war was profoundly immoral. He talked obsessively of America's guilt and the need to cleanse the national soul.

He recounted in every detail debates he had had with leading figures in the government.

He kept casting about for things that might be done to expose the officials responsible for Vietnam. It must have been about that time that the Pentagon papers were turned over to the New York Times.

Two themes run through these different, and not very consequential, meetings. One is the notion of national struggle. From first to last Ellsberg regarded Vietnam as something terribly important for the United States, a critical test of American strength and discipline and probity.

The other constant theme is ego involvement. Ellsberg at all times saw Vietnam as a measure of personal as well as national commitment. His sense of his own standing with himself and the world became a function of who was right.

But the central fact about the Vietnam problem is that it is vastly remote from such exalted considerations. It is a shabby affair in an insignificant country distant from the big issues of world history. It matters immensely to most Vietnamese but cannot for long matter much to most Americans. Thus there has been no way of meeting the problem by the force of positive achievement—either national or personal.

That is why Vietnam has been a special disaster for the best and brightest Americans, those most dedicated to find some good way out. And of these victims, not the least is Dan Ellsberg.

[From the Peoria Journal Star, July 2, 1971]

THE ELLSBERG PAPERS

Out of all the fuss and feathers, a few things are coming clear from the "Pentagon papers," the "purloined papers," or the "McNamara papers" (depending on which designation is preferred).

It is clear, first, that they are creating a vast amount of confusion. That might be expected out of a "history" that includes something like 45 volumes of estimates, qualifications, warnings, and ideas from an infinite number of government officials.

The result is a mad scramble of "claims" and "counter-claims" as to what the papers "prove," whereas the papers, themselves, are so voluminous and varied that you can find just about anything you want in them if you just cheat a little on what you omit.

Thus, confusion is emerging as the primary result.

A second thing, as a direct consequence, is beginning to emerge in terms of understanding just what the "papers" really are.

Somebody got the idea that a sensible, chronology of the war and the decision-making would be helpful in spotting past mistakes and making better future decisions.

A "review" might be helpful to McNamara, for example.

What happened, in typical bureaucratic fashion, however, was that the project grew and grew. Eventually something like 30 bright young men were employed to do the "research." Each one had the urge to be an "author" of some importance, however.

What resulted was a history written by "a committee," a very large committee.

What resulted was not a useful review but a staggering "history" weighing hundreds of pounds which nobody read, and which McNamara never saw!

Sections of it were written by different "authors" with different attitudes. Pick the right "authors" section and you can prove anything!

One of the authors was a character named Dr. Daniel Ellsberg, a bright young fellow whose brainpower was excellent but whose emotional stability was something else. On the reports of personal associations with columnist Joseph Kraft, we see a highly emotional flaming "hawk" who turned into an equally emotional and flaming "dove," zooming in both cases from one excess to the other.

The modern version of the "ex-Communist" convert to "anti-Communism."

He then displayed absurdly paranoid symptoms, and the kind of discussions about government surveillance that so many people demonstrated 10 years ago about "Communist agents."

The massive documents gathering dust, read by only "a handful of us", according to Ellsberg's own TV statement, bugged him. Finally, he managed to photocopy selected portions of it, apparently, including everything he wrote, and peddle it to the New York Times and others.

The "history" thus emerges ultimately as another bureaucratic monstrosity, which is probably the principal reason that the Supreme Court threw up its hands at finding it important enough to be vital to "U.S. Security" and said "It isn't!"

The final thing that is clear, and not without its importance as we think of "What happens to security in the future," concerns Ellsberg himself.

It isn't a matter of being "blacklisted" but simply a fact of life that nobody will ever trust Dr. Ellsberg with any confidence again as long as he lives.

If the New York Times itself were to hire him—they would never feel comfortable ever entrusting him with anything of a private and confidential nature.

That is a simple, natural fact because the New York Times has matters that are, indeed, very confidential, and not considered by them to be part of "the people's right to know", you may be sure.

There are functional limits and operational restraints on this whole business of the guy who thinks his opinion supersedes that of all others put together, that of trust, and that of the conditions and pledges he may have made himself when he was given the trust that he decided he had a right to betray.

VIETNAM DRUG ADDICTION: THE VIEWS OF THREE CHAPLAINS

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. KEATING. Mr. Speaker, at the present time the Congress is giving very careful consideration to the problem of drug abuse.

This letter which appeared in the June 25 edition of the Los Angeles Times, points to some wider implications that merit consideration.

I urge my colleagues to read this letter written by three Army chaplains and to carefully consider the well-thought-out words:

VIETNAM DRUG ADDITION: THE VIEWS OF THREE CHAPLAINS

We have read with interest the statements of Sen. Mark Hatfield (R-Ore.) and Sen. J. William Fulbright (D-Ark.) concerning the drug problem in Vietnam. We are shocked at the shallowness of their observations. It is obvious to us that they have not studied the problem, and we feel that they are seeking to use misinformation to sell a program to the people which, in itself, cannot be supported by the evidence nor by a proper evaluation of history.

Drug addiction is not a problem peculiar to Vietnam and if our observations are correct, the problem is much deeper than "environment" or the "boredom of barracks life in a strange country." Easy availability augments the problem, but can never be listed as the cause. The cause goes much deeper than availability. The Koreans, in the same environmental conditions, are not experiencing this problem.

Our observations, which are drawn from working with the drug addict, seem to indicate a personality deficiency in the individual which makes him a candidate for drug abuse when drugs are available. Thus, easy availability is not the cause, but only makes us aware that the problem exists.

If our national leaders really want to solve this problem, they should turn their attention to the cause of the problem which is sapping our national strength. The "new morality" as presented to millions of our citizens through Playboy and other semi-pornographic and pornographic literature and picked up by other forms of mass media, including our national press and some governmental agencies, is perhaps the main cause of our national decline. Seeking personal pleasure at the expense of others—or as Playboy calls it "mutual consent"—cannot help but create a nation which provides nothing to live for.

We are entering a period in our national life which parallels the decline of the Roman Empire and unless the trend is stopped, we will experience the same end. Our Founding Fathers founded a nation worth living in because they had a cause worth dying for. Any substitution for this basic principle cannot help but manifest itself in destruction of our national life.

FREDERICK G. BLOCK,
Chaplain (Maj.), USA.
RONALD R. RODECK,
Chaplain (Capt.), USA.
PAUL R. FRERKING,
Chaplain (Capt.), USA.
CAM RANH BAY, SOUTH VIETNAM.

CONGRATULATIONS TO WALLA WALLA HIGH SCHOOL FOR THEIR EFFORTS TO PROTECT OUR ENVIRONMENT

HON. MIKE McCORMACK

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. McCORMACK. Mr. Speaker, I think my colleagues will agree that recent public concern for the protection of the environment has had a beneficial effect on all units of government in our Nation. The public outcry over our deteriorating rivers and air and the efforts of concerned citizens to end pollution have created a new and important criterion for any governmental body in its decisionmaking processes.

Although much public attention has been centered on such issues as the environmental effects of the supersonic transport and the building of new dams on undeveloped sections of rivers, the students, faculty, and administration of a high school in Walla Walla, Wash., a historic city in the Fourth Congressional District, have realized that each and every one of us can have a very direct effect in cleaning up the environment, no matter how mundane or inconsequential the work may seem. I would like to congratulate Walla Walla High School and its principal, Richard Neher, on their efforts, which are described in an article from the July 6, 1971, Washington Star:

GOOD NEWS: RHETORIC ENDS, ACTION STARTS

WALLA WALLA, WASH.—For months there was a lot of rhetoric at the local high school about "environmental control," "ecology," "pollution," and "saving the land."

Said Principal Richard Neher: "Look, let's cut out the rhetoric, and let's each of us do the very first thing that should be done to help out."

Now, when each student gets his lunch at the school cafeteria, there's a 5-cent deposit on the paper sack. If the sack is returned to the litter barrel, the student gets his nickel back. If he doesn't, the 5 cents goes into the school library fund.

Principal Neher says there aren't any lunch sacks lying around any more, and the library fund hasn't gained much from the project.

THE WELFARE BILL, H.R. 1

HON. HARRY F. BYRD, JR.

OF VIRGINIA

IN THE SENATE OF THE UNITED STATES

Thursday, July 8, 1971

Mr. BYRD of Virginia. Mr. President, the House of Representatives has passed H.R. 1, a bill making major changes in the welfare system of the United States.

Hearings on this bill will be held in the Senate in the near future by the Committee on Finance.

No more important legislation will come before Congress this year. Our present welfare system is costly, inefficient, and hopelessly out of date. But before we embark on a major new program—a program termed "revolutionary and expensive" by the Secretary of HEW—we must be sure we are going to get something better. The new program would add 10 million persons to the welfare rolls.

One organization in my State has decided that H.R. 1 does not represent an improvement over the existing situation. Last week I received a letter from the Arlington Chamber of Commerce setting forth the text of a resolution adopted by that organization.

The resolution describes the plan embodied in H.R. 1 as impractical, contrary to the principles of free enterprise, and lacking in proper provisions for training and rehabilitation.

I ask unanimous consent that the text of the letter, signed by Mr. Norman Worthington, executive vice president of the Arlington Chamber of Commerce, be printed in the Extensions of Remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ARLINGTON CHAMBER OF COMMERCE,
Arlington, Va., June 28, 1971.

Hon. HARRY FLOOD BYRD, Jr.
U.S. Senate,
Washington, D.C.

DEAR SENATOR BYRD: The following resolution, emanating from our Chamber of Commerce, is offered for your consideration relative to the welfare portion of H.R. 1 dealing with welfare payments to individuals who are physically able to work:

"This is an impractical, idealistic program which does nothing to resolve our welfare concerns but attempts to offer a solution through the commitment of more taxpayers money. The program is contrary to the principles of free enterprise in that it fails to provide incentives for welfare recipients to subsequently assume responsibility for their own economic well-being. Additionally, the program lacks provisions for training and rehabilitation as a condition for receipt of welfare payments."

Our Chamber of Commerce, representing some nine hundred members, asks that you vote against H.R. 1 in its present form.

Respectfully yours,

NORMAN W. WORTHINGTON,
Executive Vice President.

THE URGENT NEED FOR A MID-DECADE CENSUS; BUT NOT QUITE YET

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. CHARLES H. WILSON. Mr. Speaker, in the June 14 issue of the CONGRESSIONAL RECORD I disclosed to my colleagues that the administration has reversed itself and does not support the establishment of a mid-decade census "at this time."

For the purposes of clearly demonstrating the schizophrenic struggle the administration is going through, I would like to include in the CONGRESSIONAL RECORD an extraction of the testimony by the administration's spokesman, Dr. George H. Brown, Director of the Bureau of the Census.

(The extraction follows:)

The Committee has heard testimony from many persons to the effect that this country needs more frequent statistical benchmark data of the type which is now provided by the population and housing census taken once every 10 years. The accepted methods of making population estimates on the basis of indicators which were available locally had proven inadequate to supply the needed information, and the officials of some communities were left with estimates which did not accurately reflect the situation as revealed by the 1970 Census. . . . in view of the rapid changes which are taking place in the distribution of the Nation's population, it is very difficult under present conditions to make accurate interim estimates of the population of larger cities and counties, and even of the States. The difficulties of making good estimates for smaller cities or for smaller counties (25,000 or less) are significantly greater. Here the margins of possible error are so great that neither the Census Bureau, nor any other organization, has been able to make estimates with the accuracy that is needed to permit their use for administrative purposes.

There is, however, a continuing need for comparable and consistent measures of growth for small areas. This Committee has heard testimony from many sources throughout the past decade to the effect that benchmark data of the type provided by the decennial census of population and housing are needed more often than once every 10 years. There are many official administrative uses for population data. In view of the rapidity of changes which take place, the use of data based on benchmarks which are 6 to 10 years old creates the possibility of serious inequities. * * *

Since 1960, Congress has enacted some 23 laws which require population information for their proper administration, and the appropriate distribution of funds * * * Equitable distribution of funds under many of these programs requires current information on the population of small areas. Programs for economic development as well as housing programs, call for data for very small areas.

Current information will become even more essential as new programs are adopted. Billions of dollars would be distributed in the proposed special revenue-sharing programs for manpower training, urban and rural development, education, and transportation. At present the sample surveys which provide the national data can provide only a limited amount of information for regions, and for the major metropolitan areas.

The growing concern with the conditions and problems of certain minority groups in the population have created additional needs for current statistics. * * *

At this time the Administration does not recommend a mid-decade census.

Mr. Speaker, the disparity between the convincing arguments for a mid-decade census in Dr. Brown's statement and the administration's refusal to endorse a mid-decade census is puzzling.

SUPPORT FOR H.R. 6483

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. CORMAN. Mr. Speaker, the proposed bill to authorize the President to appoint Marine Corps officers to four-star grade in positions of great importance and responsibility is long overdue.

Having been associated with military officers of all the services for many years, I find it difficult to accept the fact that current law precludes the President from nominating Marine Corps officers for such positions, except in three specific instances, while no comparable restriction is imposed on the other services.

Officers of the Marine Corps have epitomized the finest characteristics of military leadership and professionalism. This has been evidenced not only in the fighting qualities of the Corps but in the breadth of vision and imagination of its leaders in other areas as well. Thus, it was the Marines in Vietnam, under the leadership of Gen. Lew Walt, who developed the civic action program. It was this program, subsequently carried forward by such outstanding Marine generals as Nickerson and Cushman, which played such a vital role among the civilian populace of South Vietnam. Incidentally, I have had the pleasure of seeing General Cushman advance in the Corps from the days we served together on Iwo Jima more than a quarter of a century ago.

With officers of such caliber capable of filling positions at the highest levels within the defense establishment, it is apparent that any law which restricts the President in his use of these officers requires revision.

H.R. 6483 does nothing more than remove this restriction on the power of the Commander in Chief as it relates to the appointment of Marine Corps generals to four-star positions. In so doing, the bill permits the President to select from among the best officers of all the services those whom he considers most highly qualified to fill these important positions.

I, therefore, am pleased to lend my support to this bill and to urge its enactment.

INTRODUCTION OF HOUSING AND URBAN DEVELOPMENT ACT OF 1971 AND ANNOUNCEMENT OF HEARINGS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PATMAN. Mr. Speaker, I am introducing today, on behalf of 17 members of the Banking and Currency Committee, the proposed "Housing and Urban Development Act of 1971."

The bill contains the legislative recommendations of three panels of the housing subcommittee which were established last fall to conduct an intensive study of the operation and effectiveness of the Federal housing and urban development programs. The subcommittee has also issued a report on its findings and recommendations which includes an explanation of the proposals contained in the bill. That report is now being made available to Members and the general public.

It should be noted that the members of the Banking and Currency Committee who are cosponsoring this bill do not necessarily endorse each and every provision in the bill. They are of the opinion that the bill's general proposals are sound and point our Federal housing and urban development programs in the proper direction. However, each member feels free to offer amendments to the bill during its consideration by the committee and the House during the coming weeks.

At the same time, I would like to announce that the Subcommittee on Housing expects to begin hearings on this bill, the administration's housing and special revenue sharing bills, and all other housing legislation on Tuesday, August 3. The hearings would conclude after the House's August recess. It may be necessary, due to other urgent committee business, to begin the hearings immediately after the August recess; however, at this time, it is likely that housing legislation hearings can begin on August 4.

Mr. Speaker, I insert the provisions of the bill and a summary of its provisions in the RECORD at this point:

H.R. 9688

A bill to broaden the national housing goals, to provide housing assistance and promote community development through block grants with emphasis upon the preservation and more efficient use of the existing housing stock and upon the revitalization of declining neighborhoods, to improve programs of Federal planning assistance with emphasis upon modernizing and increasing the management capabilities of State and local governments, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1971".

TITLE I—HOUSING GOALS AND ANNUAL HOUSING REPORT

PURPOSE

SEC. 101. It is the purpose of this title to broaden the national housing goal, as set forth in present law, in order to place greater emphasis upon the preservation and more efficient use of the existing housing stock, to provide for the formulation of State and local housing goals, and to require the inclusion of additional information in the President's annual housing report.

BROADENING OF GOALS AND EXPANSION OF ANNUAL REPORT

SEC. 102. (a) (1) Section 1601 of the Housing and Urban Development Act of 1968 is amended by inserting "(a)" after "SEC. 1601.", and by adding at the end thereof the following new subsections:

"(b) The Congress further finds that the achievement of the national housing goal will require a more efficient use of the Nation's existing housing stock through such measures as preservation, rehabilitation, and improvements in management and maintenance policies, in order that losses to the housing stock may be minimized and the current level of housing services improved.

"(c) In order to facilitate the achievement of the national housing goal and provide a more precise basis for determining national housing requirements, the Secretary of Housing and Urban Development shall encourage (through the provision of planning assistance and otherwise) the formulation of State and local housing goals covering major housing market areas. Such State and local housing goals shall be developed and formulated so as to include both the housing production requirements of the areas involved and the actions needed to preserve the existing housing stock in such areas, including—

"(1) the numbers and types of subsidized housing units which are needed to serve various income groups,

"(2) the Federal, State, and local programs which might or should be utilized to meet the goals established, and the adequacy of private financing resources in meeting these goals,

"(3) the identification of impediments to meeting these goals, such as unrealistic or obsolete building codes and zoning regulations, and any recommendations or proposals for eliminating such impediments,

"(4) plans for the location of low- and moderate-income housing so as to provide the residents thereof with greater access to employment opportunities, and

"(5) plans for the promotion of market aggregation in order to achieve the benefits of economics of scale."

(2) The heading of section 1601 of such Act is amended to read as follows:

"REAFFIRMATION OF NATIONAL GOAL; DEVELOPMENT OF STATE AND LOCAL GOALS"

(b) Section 1603 of such Act is amended by redesignating paragraphs (5) and (6) as paragraphs (8) and (9), respectively, and by inserting after paragraph (4) the following new paragraphs:

"(5) include a contingency plan for the provision of required mortgage credit, setting forth proposed governmental actions to be carried out in the event of adverse mortgage credit conditions;

"(6) provide an analysis of changes affecting housing costs borne by occupants, together with recommended actions to reduce the cost of any inflationary elements;

"(7) provide an analysis of annual changes in the number and conditions of units in the national housing inventory;".

TITLE II—PRESERVATION AND REVITALIZATION OF DECLINING NEIGHBORHOODS

PURPOSE

SEC. 201. It is the purpose of this title to help preserve older urban neighborhoods which are threatened with blight and housing abandonment by establishing a program of neighborhood preservation grants and a new program of Federal mortgage insurance which, in conjunction with additional activities to be carried out by the localities involved, give reasonable promise that the threat of housing abandonment will be eliminated and a suitable and stable living environment restored or maintained.

GRANTS FOR NEIGHBORHOOD PRESERVATION PROGRAMS

SEC. 202. (a) The Secretary of Housing and Urban Development is authorized to make, and contract to make grants under this section to cities, municipalities, counties, and other general purpose units of local government (including the District of Columbia) to assist such localities in carrying out in designated neighborhood preservation areas programs designed to improve basic community facilities and services and bring about such other changes as may be necessary or appropriate to eliminate the threat of housing abandonment in such areas and to restore or maintain for the residents of such areas a suitable and stable living environment.

(b) Grants under this section may not exceed 90 per centum of the cost of carrying out, over a period not to exceed 5 years, any of the following types of activities:

(1) the repair of streets, sidewalks, parks, playgrounds, publicly owned utilities, and public buildings to meet the needs of the area,

(2) the improvement of private properties to eliminate dangers to the public health and safety,

(3) the demolition of structures determined to be structurally unsound or unfit for occupancy.

(4) the establishment of temporary or permanent public playgrounds on vacant land, and

(5) such other similar activities and improvements as the Secretary deems reasonably calculated to aid significantly in achieving the objectives of this section.

(c) To be eligible for assistance under this section, a locality, acting through its local governing body, must designate a specific and identifiable area threatened with housing abandonment which the Secretary finds has a reasonable prospect of being restored or maintained as a suitable and stable living environment with Federal assistance to be provided under this title in conjunction with increased and improved social services to be provided under other federally assisted or wholly local programs. Upon approval of a neighborhood preservation area by the Secretary, the locality shall prepare and submit to the Secretary a plan specifying the improvements in basic community facilities and in services to be made in such area over a five-year period. No grants shall be made under this section to a locality with respect to its designated neighborhood preservation area unless the Secretary finds (1) that the five-year plan submitted by such locality is workable and will provide an effective means of carrying out the purpose of this title in such area, (2) that the locality has the necessary capacity to carry out in a timely fashion all of the activities and undertakings set forth in such plan, and (3) that the locality satisfies such other conditions and requirements as he may impose to assure that the purpose of this title will be achieved.

(d) There are authorized to be appropriated for grants under this section not to exceed $25,000,000 for the fiscal year ending June 30, 1972, not to exceed $25,000,000 for the fiscal year ending June 30, 1973, and not to exceed $25,000,000 for the fiscal year ending June 30, 1974. The amount so appropriated shall remain available until expended, and any amounts authorized for any fiscal year under this subsection but appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1975.

FEDERAL MORTGAGE INSURANCE TO FACILITATE SALE OR REFINANCING OF HOUSING IN NEIGHBORHOOD PRESERVATION AREAS

SEC. 203. (a) Title II of the National Housing Act is amended by adding at the end thereof the following new section:

"MORTGAGE INSURANCE IN NEIGHBORHOOD PRESERVATION AREAS

"SEC. 244. (a) The purpose of this section is to assist in the preservation and upgrading of housing in designated neighborhood preservation areas by facilitating the refinancing of such housing or its transfer to resident or nonprofit ownership.

"(b) The Secretary is authorized to insure any mortgage in accordance with the provisions of this section upon such terms and conditions as he may prescribe and to make commitments for such insurance prior to the date of the execution of the mortgage or disbursement thereon.

"(c) In order to carry out the purpose of this section, the Secretary is authorized to insure any mortgage which covers residential property located in a neighborhood preservation area (as designated and approved under section 202 of the Housing and Urban Development Act of 1971), subject to the following conditions:

"(1) The mortgage shall cover property which is basically sound or is capable of being placed in standard condition without substantial rehabilitation, and which contains—

"(A) two or more (but less than seven) dwelling units if the mortgagor is an individual described in clause (A) of paragraph (2), or

"(B) seven or more dwelling units if the mortgagor is an organization described in clause (B) or (C) of paragraph (2).

"(2) The mortgage shall be executed by (A) an individual who owns and occupies the property and is refinancing outstanding indebtedness related to the property, or who is purchasing the property and will occupy one or more of the units in the property after its purchase, or (B) a cooperative or condominium organization which consists of or includes a majority of the occupants of the property, or (C) a private nonprofit organization or association approved by the Secretary.

"(3) The mortgage shall involve a principal obligation (including such initial service charges, and appraisal, inspection, and other fees, as the Secretary shall approve) in an amount not to exceed the sum of 97 per centum of the Secretary's estimate of the value of the property before any repairs or improvements deemed necessary by the Secretary to help restore or maintain the area in which the property is situated as a suitable and stable living environment, except that in no case involving refinancing shall such principal amount exceed such estimated cost of repair or improvements and the amount (as determined by the Secretary) required to refinance existing indebtedness secured by the property.

"(4) The mortgage shall—

"(A) provide for complete amortization by periodic payments within such term (not exceeding twenty years) as the Secretary shall prescribe; and

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) on the amount of the principal obligation outstanding at any time, at such percent per annum not in excess of 6 per centum as the Secretary finds necessary to meet the mortgage market.

"(d) The Secretary shall not insure any mortgage under this section unless he has received satisfactory and enforceable assurances from the mortgagor that the refinancing or sale of the property (and any improvements thereto) will not result, directly or indirectly, in any increase in the rentals charged for dwelling units in the property for a period of at least one year from the date of final endorsement for mortgage insurance, or in any increases in such rentals thereafter in excess of such increases as the Secretary finds justified and approves on the basis of increased operating expenses. In addition, the Secretary shall place such further restrictions on the mortgagor as to sales, charges, capital structure, rate of return, and methods of operation as, in the opinion of the Secretary, will best effectuate the purpose of this section.

"(e) The Secretary may consent to the release of a part or parts of the mortgaged property from the lien of any mortgage insured under this section upon such terms and conditions as he may prescribe.

"(f) The provisions of—

"(1) subsections (b), (c), (d), (e), (f), (g), (h), (j), and (k) of section 204, or

"(2) subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207,

as may be appropriate, shall apply to mortgages insured under this section; except that (A) all references in the enumerated subsections of section 204 to the Mutual Mortgage Insurance Fund or the Fund shall be construed to refer to the Special Risk Insurance Fund and all references in such subsections to section 203 shall be construed to refer to this section, and (B) all references in the enumerated subsections of section 207 to the General Insurance Fund or the Fund shall be construed to refer to the Special Risk Insurance Fund and all references in such subsections to section 207 shall be construed to refer to this section."

(b) (1) The first sentence of section 238 (b) of the National Housing Act is amended by striking out "and 243" and inserting in lieu thereof "243, and 244".

(2) The third sentence of section 238(b) of such Act is amended by striking out "and 243" and inserting in lieu thereof "243, and 244".

(3) The fourth sentence of section 238(b) of such Act is amended by striking out "and 243" and inserting in lieu thereof "243, and 244".

TITLE III—COUNSELING AND IMPROVED MANAGEMENT ACTIVITIES

PURPOSE

SEC. 301. It is the purpose of this title to increase the capabilities of the Secretary of Housing and Urban Development to meet the urgent need for improved housing management practices and homeownership counseling services in federally assisted housing programs in a manner which will be responsive to the needs and desires of those assisted and supportive of the national housing production goal.

COUNSELING AND IMPROVED MANAGEMENT ACTIVITIES

SEC. 302. (a) Section 238 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(c) With respect to receipts from premium charges for any mortgage or loan the insurance of which is an obligation of the Special Risk Insurance Fund, and which is accepted for insurance pursuant to a commitment issued on or after the date of enactment of the Housing and Urban Development Act of 1971, up to 100 per centum of the amount received during the first twelve months after the mortgage or loan is accepted for insurance and 50 per centum of the amounts received thereafter shall be available to the Secretary for the following purposes:

"(1) the provision, either directly or by contract, of training programs in family budgeting, recordkeeping, maintenance, and other activities related to homeownership for families eligible for mortgages or loans which are or would be, an obligation of the Special Risk Insurance Fund;

"(2) making studies of typical homeowner problems, including but not limited to basic home maintenance problems, and disseminating information on such problems through periodic consumer bulletins;

"(3) conducting continuing analyses and studies designed to develop criteria for determining the eligibility of families for Federal homeownership assistance that makes such assistance available to a maximum number of families while furthering successful homeownership;

"(4) providing counseling programs in family budgeting, homemaking, and utilization of equipment for tenants in federally subsidized rental housing covered by mortgages or loans which are obligations of the Special Risk Insurance Fund;

"(5) providing training programs for local and other personnel recruited to be members of the management staffs of federally assisted rental housing;

"(6) preparing model management operating manuals for project managers in federally assisted rental housing projects;

"(7) providing 'seed money' loans (repayable with interest) and advanced training for those with management experience to help them form corporations to manage federally subsidized housing projects covered by mortgages or loans which are, or would be, obligations of the Special Risk Insurance Fund;

"(8) participating in Federal Housing Administration rental project application reviews and conferences prior to approval to ascertain that design, materials, and the management and operating budget and plan is conducive to good management and operating efficiency;

"(9) providing encouragement and assistance to management in the formation of tenant councils in projects covered by mortgages or loans which are obligations of the Special Risk Insurance Fund; and

"(10) engaging in adequate Federal monitoring of management operations in order to identify developing weaknesses before federally assisted projects covered by mortgages or loans which are obligations of the Special Risk Insurance Fund reach a serious problem condition."

SPECIAL ASSISTANT TO SECRETARY OF HOUSING AND URBAN DEVELOPMENT

SEC. 303. Section 4(d) of the Department of Housing and Urban Development Act is amended to read as follows:

"(d) There shall be in the Department a Special Assistant to the Secretary, designated by the Secretary, who shall be responsible for—

"(1) providing information and advice to nonprofit organizations desiring to sponsor housing projects assisted under programs administered by the Department,

"(2) maintaining surveillance over present and proposed fees and charges required in connection with federally assisted housing which will be reflected in monthly housing costs,

"(3) maintaining surveillance over present and proposed minimum property standards affecting and livability of housing,

"(4) investigating inquiries and complaints from consumer groups concerning procedures and regulations, and their interpretations by the Department, and

"(5) representing within the Department, the special interests and needs of the occupants of federally assisted housing."

TITLE IV—EXPANSION OF EXPERIMENTAL HOUSING ALLOWANCE PROGRAM

PURPOSE

SEC. 401. It is the purpose of this title to expand the existing demonstration program of housing allowances for low-income families by providing sufficient funding to allow the testing and evaluation of a wider variety of housing allowance techniques.

EXPANSION OF PROGRAM

SEC. 402. (a) Section 504 of the Housing and Urban Development Act of 1970 is amended by striking out subsection (b) and inserting in lieu thereof the following new subsection:

"(b) The program undertaken pursuant to this section shall include the development and utilization of different types of housing allowances, and different techniques for pro-

viding such allowances to families of low income, in order that a wide variety of potentially effective types of and techniques for providing housing allowances may be tested and evaluated. Particular attention shall be given to the impact of such allowances on rent levels for housing units of comparable size throughout the housing market and the extent to which any increased rent levels reflect improved housing services."

(b) Section 504(d) of such Act is amended by striking out "not to exceed $10,000,000 in each of the fiscal years 1972 and 1973" and inserting in lieu thereof "not to exceed $25,000,000 in each of the fiscal year 1972, 1973, and 1974".

(c) Section 504(e) of such Act is amended by striking out "1972 and 1973" and inserting in lieu thereof "1972, 1973, and 1974".

(d) Section 504(g) of such Act is amended by striking out "June 30, 1973" and inserting in lieu thereof "June 30, 1974".

TITLE V—HOUSING BLOCK GRANTS TO STATE AND METROPOLITAN HOUSING AGENCIES

STATEMENT OF PURPOSE

SEC. 501. It is the purpose of this title to provide for the establishment of State housing agencies and metropolitan housing agencies within States, to prescribe the powers and functions of State and metropolitan housing agencies, and to authorize the financial and other assistance needed to enable these agencies to develop, on an areawide basis, balanced housing programs which further the achievement of the national housing goal of a decent home and a suitable living environment for every American family. Its basic objective is to stimulate a better focusing of all available local, State, private, and Federal resources upon the achievement of the national housing goal by bringing about (1) greater State and local capabilities for meeting their housing and other development needs on a rational, areawide basis, (2) more equitable allocation of Federal housing subsidy funds in accordance with State and local goals and priorities, (3) greater State and local capabilities for aggregating their markets for housing resulting in increased housing production at lower cost, and (4) greater economic opportunity and improved living conditions for low- and moderate-income families that are now unable to obtain housing within reasonable proximity to their places of employment.

DEFINITIONS

SEC. 502. (a) As used in this title—

(1) The term "metropolitan area" means a standard metropolitan statistical area, as established by the Office of Management and Budget, subject, however, to such modifications or extensions as the Secretary deems to be appropriate for the purposes of this title.

(2) The term "State housing agency" includes an official State housing agency or (in a State where no such housing agency exists) an agency or instrumentality of State government designated by the Governor of the State and acceptable to the Secretary for purposes of this title.

(3) The term "metropolitan housing agency" means an official housing agency designated by the Governor (or Governors in the case of agencies with interstate jurisdiction) and acceptable to the Secretary for purposes of this title, empowered under State law or interstate compact to (A) establish housing needs and objectives throughout the metroplitan area involved, and (B) carry out all activities eligible for assistance under this title. To the greatest extent practicable, metropolitan housing agencies shall be representative of the elected officials of all of the units of general local government within the metropolitan area.

(4) The term "Secretary" means the Secretary of Housing and Urban Development.

(5) The term "unit of general local government" means any city, municipality, county, town, township, parish, village, or other general purpose political subdivision of a State, and the District of Columbia.

(6) The term "population," with respect to any area or unit, means the total resident population of such area of unit based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(7) The term "amount of poverty" means the number of persons (or, alternatively, the number of families and unrelated individuals) whose income are below the poverty level multiplied by two. Poverty levels shall be determined by the Secretary pursuant to criteria provided by the Office of Management and Budget, taking into account and making appropriate adjustments for regional variations in income and cost of living, and shall be based on data referable to the same point or period in time.

(8) The term "amount of overcrowding" means the number of housing units with 1.01 or more persons per room based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(9) The term "extent of housing deficiencies" means the number of housing units lacking some or all plumbing facilities based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(b) Where appropriate, the definitions in subsection (a) shall be based on the most recent data compiled by the United States Bureau of the Census and the latest published reports of the Office of Management and Budget on the date of the enactment of this Act (with respect to the fiscal year in which this Act is enacted), and ninety days prior to the beginning of each subsequent fiscal year. The Secretary may by regulation change or otherwise modify the definitions in subsection (a) in order to reflect any change or modification thereof made subsequent to such date by the United States Bureau of the Census or the Office of Management and Budget.

GRANTS TO HELP COVER INITIAL OPERATING EXPENSES

SEC. 503. (a) The Secretary is authorized to make and contract to make grants to State and metropolitan housing agencies to assist such agencies in defraying the administrative and operating expenses incurred by them in carrying out activities assisted under this title. Grants made to any such agency under this section shall not exceed (1) the full amount of its administrative and operating expenses during the first year of its operations in carrying out such activities, (2) two-thirds of such expenses during the second year of such operations, and (3) one-half of such expenses during the third year of such operations.

(b) There are authorized to be appropriated for grants under this section not to exceed $10.000,000 for each of the fiscal years ending June 30, 1973, June 30, 1974, and June 30, 1975. Any amount so appropriated shall remain available until expended, and any amounts authorized for any such fiscal year but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1978.

SPECIAL PROGRAM GRANTS

SEC. 504. (a) The Secretary is authorized to make grants to any State or metropolitan housing agency to assist such agency in facilitating the provision of housing for low- and moderate-income families throughout the State or metropolitan area over which it has jurisdiction through such means as—

(1) providing grants, loans, and technical and other assistance to public and private organizations carrying out homeownership and housing opportunity programs for low- and moderate-income families to help them fill unmet needs, initiate exceptional programs, and experiment with new approaches and programs for such families;

(2) providing grants, loans, and technical and other assistance to public and private organizations with respect to the construction, rehabilitation, and operation of housing for low- and moderate-income families including but not limited to assistance to help cover necessary preconstruction costs incurred for architectural assistance, land options, application fees, and similar items;

(3) encouraging, by means of studies, technical assistance, and advisory and information services, the elimination of unreasonable restraints on the provision of housing for low- and moderate-income families; and

(4) carrying out, by means of studies, technical and financial assistance, and advisory and information services, programs designed to aggregate housing markets in order to achieve increased production and economies of scale.

(b) In order to be eligible for assistance under this section, the applicant seeking such assistance shall demonstrate to the satisfaction of the Secretary that the funds requested are not available upon practicable terms and conditions from other sources.

(c) There are authorized to be appropriated for grants under this section not to exceed $30,000,000 for the fiscal year ending June 30, 1973, $30,000,000 for the fiscal year ending June 30, 1974, and $40,000,000 for the fiscal year ending June 30, 1975. Any amount so appropriated shall remain available until expended, and any amounts authorized for any such fiscal year but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1978.

METROPOLITAN INCENTIVE GRANTS

SEC. 505. (a) The Secretary is authorized to make and contract to make grants to State and metropolitan housing agencies to assist such agencies in carrying out programs which are designed to encourage the provision in metropolitan areas of an adequate supply of housing for low- and moderate-income families within reasonable proximity to their places of employment through the provision of financial assistance to units of general local government to help cover the difference between the cost to the unit of general local government involved of providing adequate supporting community services and facilities to the housing unit occupied by the low- or moderate-income family and the amount of revenues received through property and other taxes or assessments which are attributable to the housing unit occupied by such family. Assistance under this section shall be provided with respect to particular units of federally assisted low- and moderate-income housing and may not exceed for each such unit a total amount of $3,000, which shall be provided in installments not exceeding $500 per annum.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to make grants under contracts entered into under this section. The aggregate amount of contracts to make such grants shall not exceed amounts approved in appropriation Acts, and grants pursuant to such contracts shall not exceed $150,000,000 per annum prior to July 1, 1973, which maximum dollar amount shall be increased by $150,000,000 on July 1, 1973, and by $150,000,000 on July 1, 1974.

ALLOCATION AND DISTRIBUTION OF HOUSING SUBSIDY FUNDS

SEC. 506. (a) For the fiscal year commencing July 1, 1972, and for each succeeding fiscal year, the aggregate amount of contracts to make assistance payments under section 101 of the Housing and Urban Development Act of 1965 and section 235 of the National Housing Act, interest reduction payments under section 236 of the National Housing Act, and annual contributions under section

10(e) of the United States Housing Act of 1937 shall not exceed amounts approved in appropriation Acts. Of the amounts thus approved 80 per centum shall be allocated to metropolitan areas and made available to metropolitan housing agencies as provided in subsection (b).

(b) (1) The Secretary shall allocate for each metropolitan area an amount which bears the same ratio to the allocation for all metropolitan areas as the average of the ratios between—

(A) the population of that metropolitan area and the population of all metropolitan areas;

(B) the amount of poverty in that metropolitan area and the amount of poverty in all metropolitan areas; and

(C) the amount of overcrowding in that metropolitan area and the amount of overcrowding in all metropolitan areas.

(2) The amount allocated to each metropolitan area shall be made available to the eligible metropolitan housing agency for that area for further allocation by such agency in accordance with its approved housing program.

(c) The remainder of the amounts approved in appropriation Acts as provided in subsection (a) shall be allocated to the States and made available to State housing agencies as provided in subsection (d).

(d) (1) The Secretary shall allocate for each State an amount which bears the same ratio to the allocation for all States as the average of the ratios between—

(A) the population of that State and the population of all States;

(B) the amount of poverty in that State and the amount of poverty in all States;

(C) the amount of overcrowding in that State and the amount of overcrowding in all States; and

(D) the extent of housing deficiencies in the State and the extent of housing deficiencies in all States.

(2) The amount allocated to each State shall be made available to the eligible State housing agency for that State for further allocation by such agency in accordance with its approved housing program.

(e) The Secretary shall make available to all eligible State and metropolitan housing agencies the amounts allocated to them under this section within six months after the approval of such amounts in appropriation Acts. Any amounts withheld pursuant to section 507(b) shall first be made available to eligible State and metropolitan housing agencies capable of carrying out their approved housing programs on an accelerated basis, with any remaining amounts being allocated by the Secretary under such terms and conditions as he may prescribe taking into consideration the purposes of this title and such factors as population, amount of poverty, amount of overcrowding, extent of housing deficiencies, and other social and fiscal conditions.

STATE AND METROPOLITAN HOUSING PROGRAMS

SEC. 507. (a) Prior to the receipt of any financial or other assistance under this title for any fiscal year commencing with the fiscal year ending June 30, 1973 (and at least two months prior to the beginning of such fiscal year), each State and metropolitan housing agency shall submit to the Secretary a proposed housing program covering a three-year period which (1) establishes areawide housing needs, including the need to provide an adequate supply of standard housing for low- and moderate-income families within reasonable proximity to their places of employment with adequate supporting community services and facilities, (2) establishes adequate and feasible objectives toward meeting those needs, (3) identifies the number and types of housing units to be assisted with Federal subsidy funds, (4) identifies the income groups to be served and the general location of the housing units to be made available to each such group, and (5) identifies other local actions and programs to be undertaken to encourage needed housing production and preservation of the existing housing stock.

(b) If the Secretary determines—

(1) that an acceptable housing agency has not been established for a particular State or metropolitan area, or

(2) that the three-year housing program submitted by a State or metropolitan housing agency does not substantially comply with the requirements of this section,

he shall reduce, under such terms and conditions as he may prescribe, any financial and other assistance he would otherwise provide under this title in such State or metropolitan area by such amounts and to such extent as he deems necessary to further the purposes of this title.

ADMINISTRATION

SEC. 508. The authorities provided in this title shall be administered in such manner as (1) to recognize fully the rights, powers, and responsibilities of State and local governments, (2) to allow for innovation and diversity on the part of State and local governments in the design and implementation of their housing programs, and (3) to preclude the assignment of a disproportionate share of Federally-subsidized housing units to any unit of general local government.

INTERSTATE AGREEMENTS

SEC. 509. The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative effort and mutual assistance in support of housing programs adopted under this title as they pertain to interstate areas and to localities within such States, and to establish such agencies, joint or otherwise, as they may deem desirable for making such agreement and compacts effective.

TITLE VI—COMMUNITY DEVELOPMENT BLOCK GRANTS

PURPOSE

SEC. 601. It is the purpose of this title to further the development of a national urban growth policy by consolidating a number of complex and overlapping programs of financial assistance to communities of varying sizes and needs into a single, consistent system of Federal aid which—

(1) is funded in advance on a regular basis upon which communities can rely in their planning;

(2) can provide assistance on an annual basis with maximum certainty and efficiency and minimum delay;

(3) encourages community development activities which are consistent with comprehensive local and areawide development planning; and

(4) furthers achievement of the national housing goal of a decent home and a suitable living environment for every American family.

DEFINITIONS

SEC. 602. (a) As used in this title—

(1) The term "unit of general local government" means any city, municipality, county, town, township, parish, village, or other general purpose political subdivision of a State, and the District of Columbia.

(2) The term "metropolitan area" means a standard metropolitan statistical area, as established by the Office of Management and Budget, subject, however, to such modifications or extensions as the Secretary deems to be appropriate for purposes of this title.

(3) The term "metropolitan city" means (A) a city within a metropolitan area which is the central city of such area, as defined and used by the Office of Management and Budget, (B) any other city, within a metropolitan area, which has a population of fifty thousand or more, or (C) a combination of two or more units of general local government within a metropolitan area, recognized by the Secretary for purposes of this title and having a population of fifty thousand or more.

(4) The term "population", with respect to any area or unit, means the total resident population of such area or unit based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(5) The term "amount of poverty" means the number of persons (or, alternatively, the number of families and unrelated individuals) whose incomes are below the poverty level multiplied by two. Poverty levels shall be determined by the Secretary pursuant to criteria provided by the Office of Management and Budget, taking into account and making appropriate adjustments for regional variations in income and cost of living, and shall be based on data referable to the same point or period in time.

(6) The term "amount of overcrowding" means the number of housing units with 1.01 or more persons per room based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(7) The term "extent of housing deficiencies" United States Bureau of the Census and referable to means the number of housing units lacking some or all plumbing facilities based on data compiled by the United States Bureau of the Census and referable to the same point or period in time.

(8) The term "Federal grant-in-aid program" means a program of Federal financial assistance other than loans and other than the assistance provided by this title.

(9) The term "Secretary" means the Secretary of Housing and Urban Development.

(b) Where appropriate, the definitions in subsection (a) shall be based on the most recent data compiled by the United States Bureau of the Census and the latest published reports of the Office of Management and Budget on the date of the enactment of this Act (with respect to the fiscal year in which this Act is enacted), and ninety days prior to the beginning of each subsequent fiscal year. The Secretary may by regulation change or otherwise modify the definitions in subsection (a) in order to reflect any change or modification thereof made subsequent to such date by the United States Bureau of the Census or the Office of Management and Budget.

AUTHORIZATION OF GRANTS

SEC. 603. The Secretary is authorized to make and contract to make annual grants to units of general local government to help finance Community Development Programs approved in accordance with the provisions of this title. The amount of any such grant shall not exceed 90 per centum of the Secretary's estimate of the annual cost of the approved Community Development Program with respect to which it is made.

ELIGIBLE COMMUNITY DEVELOPMENT PROGRAMS

SEC. 604. (a) No grant may be made under this title unless the Secretary has determined that the applicant—

(1) has identified community needs and specified both short- and long-term community development objectives which are consistent with comprehensive local and areawide development planning and national urban growth policies;

(2) has formulated a program which includes activities designed to provide an adequate supply of standard housing, particularly for low- and moderate-income individuals and families who are employed in the community; and

(3) in the case of an applicant which is a metropolitan city—

(A) has established a realistic three-year schedule of program activities designating

resources which can and will be made available locally toward meeting those community needs;

(B) has made satisfactory provision for the periodic reexamination of program methods and objectives as information becomes available on the social, economic, and environmental consequences of program activities; and

(C) has formulated a comprehensive program which includes activities designed to—

(i) eliminate or prevent slums, blight, and deterioration; and

(ii) develop properly planned community facilities and public improvements, including the provision of supporting health, social, and similar services.

COMMUNITY DEVELOPMENT PROGRAM ACTIVITIES ELIGIBLE FOR ASSISTANCE

SEC. 605. A Community Development Program assisted under this title may include—

(1) the acquisition of real property (including air rights, water rights, and other interests therein) which is (A) blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth; (B) necessary for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources, and scenic areas, the provision of recreational opportunities, or the guidance of urban development; (C) to be used for the provision of public works, facilities, and improvements eligible for assistance under this title; or (D) to be used for other public purposes;

(2) the acquisition, construction, reconstruction, or installation of public works, facilities, and site or other improvement—including water and sewer facilities, neighborhood facilities, historic properties, utilities, streets, street lights, foundations and platforms for air rights sites, pedestrian malls and walkways, parks, and playgrounds;

(3) code enforcement in deteriorated or deteriorating areas in which such enforcement, together with those public improvements to be provided, may be expected to arrest the decline of the area;

(4) clearance, demolition, removal, and rehabilitation of buildings and improvements (including financing of the rehabilitation of privately owned properties);

(5) payments to housing owners for losses of rental income incurred in holding for temporary periods housing units to be utilized for the relocations of individuals and families displaced by program activities;

(6) disposition (through sale, lease, donation, or otherwise) of any real property acquired pursuant to this title or its retention for public purposes;

(7) provision of health, social, and similar services where the Secretary deems it necessary to properly support other approved community development activities; and

(8) such other projects or activities assisted under a Federal grant-in-aid program as the Secretary approves as part of a community development program.

AUTHORIZATION OF APPROPRIATIONS AND ALLOCATION OF FUNDS

SEC. 606. (a)(1) To finance grants for allocation to metropolitan areas under subsection (b), the Secretary is authorized to incur obligations on behalf of the United States in the form of grant agreements or otherwise in amounts aggregating not to exceed $7,500,000,000. This amount shall become available for obligation on July 1, 1972, and shall remain available until obligated. There are authorized to be appropriated for liquidation of the obligations incurred under this paragraph not to exceed $2,000,000,000 prior to July 1, 1973, which amount may be increased to not to exceed an aggregate of $4,500,000,000 prior to July 1, 1974, and to not to exceed an aggregate of $7,500,000,000 thereafter. Sums appropriated under this paragraph shall remain available until expended. The Secretary shall report annually to the Congress with respect to outstanding grants or other contractual agreements executed pursuant to this paragraph.

(2) There are authorized to be appropriated for grants to States and to units of general local government outside metropolitan areas under subsection (c) not to exceed $500,000,000 for the fiscal year commencing July 1, 1972, not to exceed $500,000,000 for the fiscal year commencing July 1, 1973, and not to exceed $500,000,000 for the fiscal year commencing July 1, 1974. Any amounts appropriated under this paragraph shall remain available until expended and any amounts authorized for any fiscal year under this paragraph but not appropriated may be appropriated for any succeeding fiscal year commencing prior to July 1, 1975.

(b)(1) The amount available for obligation under subsection (a)(1) shall be allocated by the Secretary to all metropolitan areas as provided in this subsection.

(2) The Secretary shall allocate to each metropolitan area an amount which bears the same ratio to the total amount available for obligation for any fiscal year as the average of the ratios between—

(A) the population of that metropolitan area and the population of all metropolitan areas;

(B) the amount of poverty in that metropolitan area and the amount of poverty in all metropolitan areas; and

(C) the amount of overcrowding in that metropolitan area and the amount of overcrowding in all metropolitan areas.

(3) From the amount allocated to each metropolitan area, the Secretary shall distribute to each metropolitan city within that area an amount which bears the same ratio to the allocation for the metropolitan area as the average of the ratios between—

(A) the population of that metropolitan city and the population of the metropolitan area;

(B) the amount of poverty in that metropolitan city and the amount of poverty in the metropolitan area; and

(C) the amount of overcrowding in that metropolitan city and the amount of overcrowding in the metropolitan area.

(4) The remainder of the allocation to each metropolitan area shall be distributed by the Secretary to units of general local government within that metropolitan area, taking into consideration such factors as population, amount of poverty, amount of overcrowding, and other fiscal and social conditions prevailing in the metropolitan area. Until such time as a metropolitan city is eligible to receive funds and carry out activities as provided by this title or in the event that such a city refuses to accept such funds, the funds otherwise available for allocation to it under paragraph (2) shall be added to the funds available for distribution by the Secretary under this paragraph.

(c) The amounts appropriated pursuant to subsection (a)(2) shall be distributed by the Secretary to States and to units of general local government outside metropolitan areas, taking into consideration such factors as population, amount of poverty, amount of overcrowding, extent of housing deficiencies, and other social and fiscal conditions.

(d) All computations and determinations by the Secretary under this section shall be final and conclusive.

LABOR STANDARDS

SEC. 607. All laborers and mechanics employed by contractors or subcontractors in the performance of construction work financed in whole or in part with grants received under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5): *Provided*, That this section shall apply to the construction of residential property only if such residential property is designed for residential use for eight or more families. The Secretary of Labor shall have, with respect to such labor standards, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276(e)).

MATCHING GRANTS

SEC. 608. Funds provided under this title may be used by a recipient to cover up to 90 per centum of the required non-Federal share of any Federal grant-in-aid program where assistance is being provided for community development activities approved by the Secretary.

EFFECTIVE DATE

SEC. 609. The provisions of this title shall be effective on July 1, 1972. After such effective date, no new grants or loans may be made pursuant to title I of the Housing Act of 1949, section 312 of the Housing Act of 1964, sections 702 and 703 of the Housing and Urban Development Act of 1965, or title VII of the Housing Act of 1961, except with respect to projects or programs for which funds have been committed on or before June 30, 1972.

TITLE VII—STATE AND METROPOLITAN DEVELOPMENT AGENCIES

DECLARATION OF PURPOSE

SEC. 701. It is the purpose of this title to encourage the formation of State and metropolitan development agencies which have broad and flexible authority to carry out development activities designed to (1) provide housing and related facilities for persons and families of low and moderate income, (2) promote the sound growth and development of neighborhoods through the revitalization of slum and blighted areas, and (3) increase and improve employment opportunities through the development and redevelopment of industrial, manufacturing, and commercial facilities.

ELIGIBLE DEVELOPMENT AGENCIES

SEC. 702. (a) A State or metropolitan development agency is eligible for assistance under this title only if the Secretary determines that it is fully empowered and has adequate authority, acting as a large-scale developer, to carry out the purposes specified in clauses (A), (B), and (C) of subsection (b), including the authority to sell, lease, or otherwise dispose of its interest in projects undertaken by it in carrying out the purposes of this title, to participate in programs or projects carried on by Federal, State, or local governments, to provide for the relocation of persons, families, business concerns, and nonprofit organizations displaced in carrying out its development activities, to exercise its powers and functions through subsidiaries established by it, and to establish community advisory committees to advise it concerning its proposed activities in any area.

(b) For the purposes of this title—

(1) a "State development agency" is any public body or agency, publicly sponsored corporation, or instrumentality of one or more States, and

(2) a "metropolitan development agency" is any public body or agency, publicly sponsored corporation, or other instrumentality of two or more units of general local government which are located in a standard metropolitan statistical area (as defined by the Office of Management and Budget) and one of which is the central city of such standard metropolitan statistical area,

but only if such public body or agency, publicly sponsored corporation, or other instrumentality has as its general purposes in whole or in part (A) the provision of decent, safe, and sanitary housing and related facilities

for low-income and moderate-income persons and families through construction, rehabilitation, or management of housing, (B) the revitalization of slum and blighted urban neighborhoods, through clearance, reconstruction, and rehabilitation of such neighborhoods and the provision of necessary public and community facilities and services, and (C) the development of job opportunities for unemployed and the underemployed persons through the development of new, and the redevelopment of existing, industrial, manufacturing, and commercial facilities.

(c) As used in this title, the term "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or any agency or instrumentality of the foregoing.

GUARANTEES OF OBLIGATIONS

SEC. 703. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to guarantee, and enter into commitments to guarantee, the bonds, debentures, notes, and other obligations issued by State and metropolitan development agencies to finance development activities as determined by him to be in furtherance of the purpose of this title. The Secretary may make such guarantees and enter into such commitments upon such terms and conditions as he may prescribe; except that no obligation shall be guaranteed under this title if the income from such obligation is exempt from Federal taxation. The Secretary is authorized to make grants to any State or metropolitan development agency the obligations of which are guaranteed under this title in amounts estimated by him not to exceed the difference between the interest paid on such obligations and the interest (as estimated by him) which would be paid on similar obligations the income from which is exempt from Federal taxation.

(b) The full faith and credit of the United States is pledged to the payment of all guarantees made under this title with respect to principal, interest, and any redemption premiums. Any such guarantee made by the Secretary shall be conclusive evidence of the eligibility of the obligations involved for such guarantee, and the validity of any guarantee so made shall be incontestable in the hands of a holder of the guaranteed obligation.

(c) The Secretary is authorized to establish and collect such fees and charges for and in connection with guarantees made under this title as he considers reasonable.

(d) The aggregate principal amount of the obligations which may be guaranteed under this title and outstanding at any one time shall not exceed $500,000,000.

LIMITATION OF GUARANTEES

SEC. 704. The Secretary shall take such steps as he considers reasonable to assure that bonds, debentures, notes, and other obligations which are guaranteed under section 703 will—

(1) be issued only to investors approved by, or meeting requirements prescribed by, the Secretary, or, if an offering to the public is contemplated, be underwritten upon terms and conditions approved by the Secretary;

(2) bear interest at a rate satisfactory to the Secretary;

(3) contain or be subject to repayment, maturity, and other provisions satisfactory to the Secretary; and

(4) contain or be subject to provisions with respect to the protection of the security interests of the United States, including any provisions deemed appropriate by the Secretary relating to subrogation, liens, and releases of liens, payment of taxes, cost certification procedures, escrow or trusteeship requirements, or other matters.

REVOLVING FUND

SEC. 705. (a) The Secretary is authorized to establish a revolving fund to provide for the timely payment of any liabilities incurred as a result of guarantees or grants under section 703 and for the payment of obligations issued to the Secretary of the Treasury under subsection (b) of this section. Such revolving fund shall be comprised of (1) receipts from fees and charges; (2) recoveries under security, subrogation, and other rights; (3) repayments, interest income, and any other receipts obtained in connection with guarantees made under section 703; (4) proceeds of the obligations issued to the Secretary of the Treasury pursuant to subsection (b) of this section; and (5) such sums, which are hereby authorized to be appropriated, as may be required for the purpose of making grants to agencies under section 703. Money in the revolving fund not currently needed for the purpose of this title shall be kept in cash on hand or on deposit, or invested in obligations of the United States or guaranteed thereby, or in obligations, participations, or other instruments which are lawful investments for fiduciary, trust, or public funds.

(b) The Secretary may issue obligations to the Secretary of the Treasury in an amount sufficient to enable the Secretary to carry out his functions with respect to the guarantees authorized by section 703. The obligations issued under this subsection shall have such maturities and bear such rate or rates of interest as shall be determined by the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any obligations so issued, and for that purpose he is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under that Act are extended to include purchases of the obligations hereunder.

(c) Notwithstanding any other provision of law relating to the acquisition, handling, improvement, or disposal of real and other property by the United States, the Secretary shall have power, for the protection of the interests of the fund authorized under this section, to pay out of such fund all expenses or charges in connection with the acquisition, handling, improvement, or disposal of any property, real or personal, acquired by him as a result of recoveries under security, subrogation, or other rights.

GRANTS

SEC. 706. (a) The Secretary is authorized to make and contract to make grants to State and metropolitan development agencies, in such amounts and under such terms and conditions as he prescribes, to assist in defraying the administrative and operating expenses of such agencies during the first three years of their operations. Grants made to any such agency under this section shall not exceed (1) the full amount of its administrative and operating expenses during the first year of its operations under this title, (2) two-thirds of such expenses during the second year of such operations, and (3) one-half of such expenses during the third year of such operations.

(b) There are authorized to be appropriated for grants under this section not to exceed $20,000,000 for each of the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974. Any amounts so appropriated shall remain available until expended, and any amounts authorized for any fiscal year but not appropriated may be appropriated for any succeeding fiscal year.

TECHNICAL ASSISTANCE

SEC. 707. The Secretary is authorized to provide, either directly or by contract or other arrangements, technical assistance to State and metropolitan development agencies to assist them in connection with planning and carrying out development activities in furtherance of the purpose of this title.

LABOR STANDARDS

SEC. 708. All laborers and mechanics employed by contractors or subcontractors in development activities assisted under this title shall be paid wages at rates not less than those prevailing on similar work in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5): *Provided*, That this section shall apply to the construction of residential property only if such residential property is designed for residential use for twelve or more families. No assistance shall be extended under this title with respect to any development activities without first obtaining adequate assurance that these labor standards will be maintained upon the work involved in such activities. The Secretary of Labor shall have, with respect to the labor standards specified in this section, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267), and section 2 of the Act of June 13, 1934 (40 U.S.C. 276c).

GENERAL PROVISIONS

SEC. 709. (a) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Secretary, in addition to any authority otherwise vested to him, shall—

(1) have the power, notwithstanding any other provision of law, in connection with any assistance under this title, whether before or after default, to provide by contract for the extinguishment upon default of any redemption, equitable, legal, or other right, title, or interest of a State or metropolitan development agency in any mortgage, deed, trust, or other instrument held by or on behalf of the Secretary for the protection of the security interests of the United States; and

(2) have the power to foreclose on any property or commence any action to protect or enforce any right conferred upon him by law, contract, or other agreement, and bid for and purchase at any foreclosure or other sale any property in connection with which he has provided assistance pursuant to this title. In the event of any such acquisition, the Secretary may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel and convert, dispose of, lease, and otherwise deal with, such property. Notwithstanding any other provision of law, the Secretary shall also have power to pursue to final collection by way of compromise or otherwise all claims acquired by him in connection with any security, subrogation, or other rights obtained by him in administering this title.

(b) There are authorized to be appropriated such sums as may be necessary for the administrative expenses of carrying out this title, including the expenses of providing assistance under section 707.

TITLE VIII—URBAN DEVELOPMENT BANK

FINDINGS AND DECLARATION OF PURPOSE

SEC. 801. It is the purpose of this title to broaden the sources and decrease the costs of capital funds for State and local governments by establishing, with State and local governments, an Urban Development Bank which could make long-term development loans and provide technical assistance to such governments and their agencies to help them meet needs for essential public works and community facilities, including the acquisition of land necessary thereto.

48-059 O - 72 - pt. 18 - 61

CREATION OF BANK

SEC. 802. There is hereby created a body corporate to be known as the Urban Development Bank, which shall have succession until dissolved by Act of Congress. The bank, which shall be an independent agency of the United States Government, shall maintain such offices as may be necessary or appropriate in the conduct of its business. Neither the bank nor any of its functions, powers, or duties shall be transferred to or consolidated with any other department, agency, or corporation of the United States Government unless the Congress shall otherwise by law provide.

BOARD OF DIRECTORS

SEC. 803 (a) The bank shall have a board of directors which shall consist of fourteen persons, one of whom shall be the president of the bank. The President of the United States, by and with the advice and consent of the Senate, shall appoint the directors, not more than three of whom shall be officers or employees of the United States and at least seven of whom shall be persons identified with or representative of State or local government.

(b) The board of directors shall meet at the call of its chairman, who shall require it to meet not less often than once each month.

(c) The President, by and with the advice and consent of the Senate, shall appoint a president of the bank, who shall serve at the pleasure of the President. The president shall be chairman of the board of directors. Subject to the general policies of the board, the management of the bank shall be vested in the president and he shall be the chief executive officer of the bank.

INITIAL EXPENSES

SEC. 804. In order to facilitate the formation of the bank, the Secretary of Housing and Urban Development is authorized to pay its initial organizing and operating expenses. There is authorized to be appropriated a sum not to exceed $1,000,000, which sum shall be available for the purposes of this section for a period of three years from the date of the enactment of this Act.

FUNCTIONS

SEC. 805. (a) The bank is authorized, subject to the provisions of this section, to make commitments to purchase, and to purchase, service, or sell, on terms and conditions determined by the bank, any obligation (or participation therein) of a State or local government; except that no obligation may be purchased under this title if the income from such obligation is exempt from Federal taxation.

(b) Purchases made by the bank shall be in accordance with sound and prudent development banking principles. No commitment for any purchase shall be entered into, and no purchase shall be made, unless the bank determines that the proceeds of such purchase will be used by the borrower to finance capital expenditures for public works and community facilities serving community needs (including works and facilities which are or could be part of a community development program assisted under title VI of the Housing and Urban Development Act of 1971).

(c) The bank shall develop criteria to assure that projects assisted by it are not inconsistent with comprehensive planning for the development of the community in which the projects to be assisted will be located or disruptive of Federal programs which authorize Federal assistance for the development of like or similar categories of projects.

(d) Any obligations purchased pursuant to this section may be in an amount not exceeding the total capital cost of the project to be financed with the proceeds thereof; shall be secured in such manner and be repaid in such period, not exceeding forty years, as may be determined by the bank; and shall bear interest at a rate determined by the bank which shall not be less than two-thirds of the current average yield on outstanding obligations of the bank as of the last day of the month preceding the date on which the purchase is made.

OBLIGATIONS OF THE BANK

SEC. 806. (a) The bank is authorized, with the approval of the Secretary of the Treasury, to issue and have outstanding obligations having such maturities and bearing such rate or rates of interest as may be determined by the bank. Such obligations may be redeemable at the option of the bank before maturity in such manner as may be stipulated therein. The aggregate amount of obligations of the bank outstanding at any one time shall not exceed $5,000,000,000, which amount shall be increased by $5,000,000,000 on July 1, 1973, and by $5,000,000,000 on July 1, 1974. The full faith and credit of the United States is pledged to the payment of all obligations issued pursuant to this subsection with respect to both principal and interest. The bank is authorized to purchase in the open market any of its outstanding obligations.

(b) In addition to the obligations of the bank authorized to be outstanding in subsection (a) of this section, the bank is authorized to issue obligations to the Secretary of the Treasury. The Secretary of the Treasury is authorized to purchase any such obligations in order to insure the financial integrity of the operations of the bank, and for such purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, as now or hereafter in force, and the purposes for which securities may be issued under the Second Liberty Bond Act as now or hereafter in force are extended to include such purchases. Each purchase of obligations by the Secretary of the Treasury under this subsection shall be upon such terms and conditions as to yield a return at a rate not less than a rate determinated by the Secretary of the Treasury, taking into consideration the current average yield on outstanding marketable obligations of the United States of comparable maturities. The Secretary of the Treasury may sell, upon such terms and conditions and at such price or prices as he shall determine, any of the obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such obligations under this subsection shall be treated as public debt transactions of the United States.

(c) The receipts and disbursements of the bank in the discharge of its functions shall not be included in the totals of the budget of the United States Government and shall be exempt from any annual expenditure and net lending (budget outlays) limitations imposed on the budget of the United States Government. In accordance with the provisions of the Government Corporation Control Act, the President shall transmit annually to the Congress a budget for program activities and for administrative expenses of the bank, which budget shall also include the estimated annual net borrowing by the bank from the United States Treasury. The President shall report annually to the Congress the amount of net lending of the bank, including any net lending created by the net borrowing from the United States Treasury, which would be included in the totals of the budget of the United States Government if the bank's activities were not excluded from those totals as a result of this subsection.

FEDERAL PAYMENT TO THE BANK

SEC. 807. (a) With respect to such amounts of purchases made by the bank as may be specified in appropriation Acts, the Secretary of Housing and Urban Development is authorized to make, and to contract to make, annual payments to the bank in such amounts as are necessary to equal the amount by which the dollar amount of interest paid by the bank on account of its obligations exceeds the dollar amount of interest received by the bank on account of purchases made by it pursuant to section 805 of this Act.

(b) There are hereby authorized to be appropriated to the Secretary of Housing and Urban Development such sums as may be necessary to carry out the provisions of the title, including such sums as may be necessary to make the annual payments required by contracts entered into by the Secretary pursuant to subsection (a) of this section.

GENERAL POWERS

SEC. 808. The bank shall have power—

(1) to sue and be sued, complain and defend, in its corporate name and through its own counsel;

(2) to adopt, alter, and use a corporate seal, which shall be judicially noticed;

(3) to adopt, amend, and repeal by its board of directors such bylaws, rules, and regulations as may be necessary for the conduct of its business;

(4) to conduct its business, carry on its operations, and have offices and exercise the powers granted by this title in any State without regard to any qualification or similar statute in any State;

(5) to lease, purchase, or otherwise acquire, own, hold, improve, use or otherwise deal in and with, any property, real, personal, or mixed, or any interest therein, wherever situated;

(6) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the bank;

(7) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

(8) to appoint such officers, attorneys, employees, and agents as may be required, to determine their qualifications, to define their duties, to fix their salaries, and to require bonds for them and fix the penalty thereof; and

(9) to enter into contracts to execute instruments to incur liabilities, and to do all things necessary or incidental to the proper management of its affairs and the proper conduct of its business.

TECHNICAL ASSISTANCE

SEC. 809. (a) The bank is authorized to provide technical assistance to State and local governments in the preparation and implementation of comprehensive development projects and programs, including the evaluation of priorities and the formulation of specific project proposals. The bank may charge appropriate fees for its services under this subsection.

(b) The bank is also authorized to undertake research and information gathering activities, and to facilitate the exchange of advanced concepts and techniques relating to municipal growth and development among State and local governments.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 810. (a) The financial transactions of the bank shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts are normally kept. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property

belonging to or in use by the bank and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositaries, fiscal agents, and custodians.

(b) The expenses of any audit performed under this section shall be borne out of appropriations to the General Accounting Office and appropriations in such sums as may be necessary are authorized. The bank shall reimburse the General Accounting Office for the full cost of such audit as billed therefor by the Comptroller General, and the General Accounting Office shall deposit the sums so reimbursed into the Treasury as miscellaneous receipts.

(c) A report of each such audit for a fiscal year shall be made by the Comptroller General to the President and to the Congress not later than six months following the close of such fiscal year. The report shall set forth the scope of the audit and shall include a statement (showing intercorporate relations) of assets and liabilities, capital, and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Congress informed of the operations and financial condition of the bank, together with such recommendations with respect thereto as the Comptroller General may deem advisable, including a report of any impairment of capital or lack of sufficient capital noted in the audit. A copy of each report shall be furnished to the Secretary of Housing and Urban Development, to the Secretary of the Treasury, and to the bank.

TAX EXEMPTION

SEC. 811. The bank, its property, its franchise, capital, reserves, surplus, security holdings, and other funds and its income, shall be exempt from all taxation now or hereafter imposed by the United States or by any State or local taxing authority; except that (1) any real property and any tangible personal property of the bank shall be subject to Federal, State, and local taxation to the same extent according to its value as other such property is taxed, and (2) any and all obligations issued by the bank shall be subjected both as to principal and interest to Federal, State, and local taxation to the same extent as the obligations of private corporations are taxed.

OBLIGATIONS AS LAWFUL INVESTMENTS, ACCEPTANCE AS SECURITY

SEC. 812. All obligations issued by the bank shall be lawful investment (and may be accepted as security) for all fiduciary, trust, and public funds the investment or deposit of which is under the authority or control of the United States or of any officer or officers thereof. All stock and obligations issued by the bank pursuant to this title shall be deemed to be exempt securities within the meaning of laws administered by the Securities and Exchange Commission, to the same extent as securities which are direct obligations of or obligations guaranteed as to principal or interest by the United States.

PREPARATION OF OBLIGATIONS

SEC. 813. In order to furnish obligations for delivery by the banks, the Secretary of the Treasury is authorized to prepare such obligations in such form as the board of directors may approve, such obligations when prepared to be held in the Treasury subject to delivery upon order by the bank. The engraved plates, dies, bed pieces and so forth executed in connection therewith shall remain in the custody of the Secretary of the Treasury. The bank shall reimburse the Secretary of the Treasury for any expenditures made in the preparation, custody, and delivery of such obligations.

ANNUAL REPORT

SEC. 814. The bank shall, as soon as practicable after the end of each fiscal year, transmit to the President and the Congress an annual report of its operations and activities.

AMENDMENTS RELATING TO FINANCIAL INSTITUTIONS

SEC. 815. (a) The sixth sentence of the seventh paragraph of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting "or obligations of the Urban Development Bank," immediately after "or obligations, participations, or other instruments of or issued by the Federal National Mortgage Association or the Government National Mortgage Association,".

(b) Section 5200 of the Revised Statutes, as amended (12 U.S.C. 84), is amended by adding at the end thereof the following new paragraph:

"(14) Obligations of the Urban Development Bank shall not be subject to any limitation based upon such capital and surplus."

(c) The first paragraph of section 5(c) of the Home Owners' Loan Act of 1933, as amended (12 U.S.C. 1464 (c)), is amended by inserting "or in obligations of the Urban Development Bank;" in the second proviso immediately after "any political subdivision thereof;".

(d) Paragraph (2) of section 14(b) of the Federal Reserve Act, as amended (12 U.S.C. 355), is further amended by inserting ", or any obligation of the Urban Development Bank" immediately before the period at the end thereof.

DEFINITIONS

SEC. 816. As used in this title—

(1) the term "bank" means the Urban Development Bank created by section 802 of this Act;

(2) the term "State" means the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands, or any agency or instrumentality of a State;

(3) the term "local government" means any county, municipality, or other political subdivision of a State, or any agency or instrumentality thereof, or any school or other special district created by or pursuant to State law; and

(4) the term "obligation" means any bond, note, debenture, or other instrument evidencing debt.

AUTHORIZATION FOR APPROPRIATIONS

SEC. 817. There are authorized to be appropriated without fiscal year limitation, such sums as may be necessary to carry out the purposes of this title.

TITLE IX—PLANNING AND MANAGEMENT

STATEMENT OF FINDINGS AND PURPOSE

SEC. 901. (a) The Congress finds and declares—

(1) that the ability of our system of government to respond effectively to the needs of all citizens depends upon the strength and capabilities of State and local governments;

(2) that the Federal grant-in-aid system has not given sufficient recognition to the need to work through and to strengthen elected officials of State and local government and regional combinations thereof;

(3) that State and local governments and regional combinations thereof must be aided in developing their planning and management capabilities if they are to fully carry out their responsibilities in the Federal system and if the fullest effectiveness of Federal expenditures is to be achieved;

(4) that existing Federal grant-in-aid programs tend to provide assistance in specific functional areas to specialized agencies and have not tended to strengthen the overall planning and management capabilities of elected State and local officials; and

(5) that, while basic reliance should be placed on State and local resources to support the improvement of State and local planning, decisionmaking, and management capabilities, the Federal Government must provide additional assistance if the Federal system is to be strengthened and the welfare of all citizens promoted.

(b) It is therefore the purpose of this title—

(1) to strengthen general purpose units of government and regional combinations thereof at the State and local levels (with major emphasis on actions by States to modernize both their own governmental machinery and that of their local governments) in order that such governments may use their revenues more effectively to cope with the complex problems they are faced with in a manner responsive to the economic and social needs of all affected citizens;

(2) to assist State and local governments in solving planning and management problems, including those resulting from the increasing concentration of population in metropolitan and other urban areas and the outmigration from and lack of coordinated development of resources and services in rural areas; to facilitate comprehensive planning and management for urban and rural development, including coordinated transportation systems, on a continuing basis by such governments; and to encourage such governments to establish and improve planning and management staffs and techniques on an areawide basis, and to engage private consultants where their professional services are deemed appropriate by the assisted governments; and

(3) to further the achievement of the national housing goal and a national urban growth policy by encouraging the development of local housing goals and by encouraging the States to take a large role in land use and development planning.

DEFINITIONS

SEC. 902. As used in this title—

(1) the term "Secretary" means the Secretary of Housing and Urban Development;

(2) the term "State" means any State of the United States, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands;

(3) the term "locality" includes any city, county, or other unit of general local government, the District of Columbia, any territory or possession of the United States, or metropolitan or other multijurisdictional area which the Secretary, guided by any criteria in an applicable State planning and management program, determines forms an economic and socially related development region, taking into account such factors as present and future population trends and patterns of urban growth, location of transportation corridors, facilities, and systems, and distribution of industrial, commercial, residential, governmental, institutional, and other activities;

(4) the term "governmental agency" means (A) an Indian tribe or organization determined by the Secretary to have governmental characteristics, and (B) an organization, including a nonprofit organization composed or predominantly composed of elected public officials, which meets State standards and criteria prescribed pursuant to section 904 or, in the absence of such standards and criteria, an areawide agency, designated pursuant to title II of the Demonstration Cities and Metropolitan Development Act of 1966 or title IV of the Intergovernmental Cooperation Act of 1968, which is organized to deal with matters of governmental concern to two or more public bodies or units of government; and

(5) the term "cities" means (A) a city within a standard metropolitan statistical area which is the central city of such area, as defined and used by the Office of Management and Budget, or (B) any other city which has a population of fifty thousand or more.

PLANNING AND MANAGEMENT PROGRAMS GENERALLY

SEC. 903. (a) Planning and management programs assisted under this title shall be designed by the State or locality to meet its own particular needs and to improve capabilities of elected officials for developing implementing, and evaluating policies, programs, and projects in a balanced manner that will further the purpose of this title. Activities which may be supported under this title are those which (1) will aid in the attainment of specified State or local objectives relating to governmental operation, land use, housing, development, resource management, or areawide and intergovernmental coordination, and (2) are carried out in a manner which assures periodic examination by States or localities of methods and objectives as information becomes available on the social, economic, and environmental consequences of program activities.

(b) The authorities provided in this title shall be administered in such a manner as (1) to recognize fully the rights, powers, and responsibilities of State and local governments, and (2) to allow for innovation and diversity on the part of State and local governments in the design and implementation of their planning and management programs.

(c) In carrying out the provisions of this title in areas whose development has significance for purposes of national growth and urban development objectives, the Secretary shall encourage the formulation of plans and programs which will include the studies, criteria, standards, and implementing procedures necessary for effectively guiding and controlling major decisions as to where growth should take place within such areas. Such plans and programs shall take account of the availability of and need for conserving land and other irreplaceable natural resources; of projected changes in size, movement, and composition of population; of the necessity for expanding housing and employment opportunities; of the opportunities, requirements, and possible locations for, new communities and large-scale projects for expanding or revitalizing existing communities; and of the need for methods of achieving modernization, simplification, and improvements in governmental structures, systems, and procedures related to growth objectives.

(d) Planning and management activities which qualify for assistance under this title shall include a housing element as part of the preparation of comprehensive land use plans. This housing element shall include a proposed housing program covering a three-year period which (1) establishes areawide housing needs, including the need to provide an adequate supply of standard housing for low- and moderate-income families within reasonable proximity to their places of employment and supporting community services and facilities, (2) establishes adequate and feasible objectives toward meeting those needs, (3) identifies the number and types of housing units to be assisted with Federal subsidy funds, (4) identifies the income groups to be served and the general location of the housing units to be made available to each such group, and (5) identifies other local actions and programs to be undertaken to increase housing production and to preserve the existing housing stock.

STATE PLANNING AND MANAGEMENT PROGRAMS

SEC. 904. (a) State planning and management programs shall be consistent with the provisions of section 903 and, in addition to the activities specified in section 905, shall include (1) a statewide development plan which seeks to integrate all important elements of community development (including land use) and which may include designation of potential growth areas and new community development sites, and (2) standards for determining which communities, or groups of communities, should be considered together as a single locality for purposes of establishing and carrying out local and areawide programs in support of purposes of this title together with criteria and procedures for measuring the adequacy of those programs and for determining whether they, and other significant local actions and projects, are consistent with the State program as developed pursuant to this section.

(b) In addition to the activities authorized in subsection (a), State planning and management programs may also include the preparation of plans and timetables for modernizing and revitalizing State and local governments, by methods such as those on the following illustrative checklist—

(1) interstate action in the form of proposed arrangements, by interstate compact or otherwise, for dealing with interstate regional problems, including those of metropolitan areas which overlap State lines, and for regional cooperation in such areas as health, education, welfare, conservation, resource development, transportation, recreation, housing;

(2) State direct action in the form of proposed strengthening and modernizing of State governments (by constitutional, statutory, and administrative changes), including recommendations concerning the short ballot; longer terms for constitutional officers; annual legislative sessions; adequately paid officers and legislators; modernized State borrowing powers; improved tax systems (including an income tax of at least moderate progressiveness); rationalized boards and commissions; increased assistance to local governments; revising the terms of State aids and shared taxes so as to encourage modern local governments and to compensate for differences in total local fiscal capacity; State assumption of direct fiscal responsibility for basic functions, and modern personnel systems;

(3) State action affecting localities in the form of proposed strengthening and modernizing by the State or local, rural, urban, and metropolitan governments (by constitutional, statutory, and administrative changes), including—

(A) changes designed to make local government more efficient and economical, as by—

(i) reducing the number of, or eliminating, local governments too small to provide efficient administration or possessing inadequate fiscal resources, and special districts not subject to democratic controls;

(ii) restricting local popular elections to policymakers (the short ballot);

(iii) concentrating on a single responsible executive for each local unit;

(iv) reform of personnel practices;

(v) grating adequate home rule powers to local governments of sufficient size and scope;

(vii) authorizing local governments to utiistration;

(vii) authorizing local governments to utilize nonproperty taxes, coordinated at the State or regional level;

(viii) easing restricions on the borrowing and taxing powers of local governments; and

(ix) encouraging the formation of multicounty and regional bodies.

(B) changes designed to strengthen local government in metropolitan areas, as by—

(i) liberalizing municipal annexation of unincorporated areas;

(ii) discouraging new incorporations not meeting minimum standards of total population and population density;

(iii) authorizing city-county consolidation, or transfers of specified functions between municipalities and counties;

(iv) authorizing intergovernmental contracts for the provision of services;

(v) authorizing municipalities to exercise extraterritorial planning, zoning, and subdivision control over unincorporated areas not subject to effective county regulation;

(vi) restricting zoning authority in metropolitan areas to metropolitan units, to larger muncipalities, to counties, or to the State, in order to prevent zoning by smaller municipalities which excludes housing for lower income families;

(vii) authorizing the formation of metropolitan councils of government and other regional governing bodies;

(viii) authorizing the establishment by the State, by local governmental bodies, or by the voters of the area directly, of metropolitan area study commissions to develop proposals to improve and coordinate local governmental structure and services, to permit side-by-side areawide and local governments, or to permit consolidation of municipalities; to implement such proposals, either directly or by presenting them to the voters of the area; and to present to the voters of the area such proposals;

(ix) authorizing the formation of metropolitan planning agencies to make recommendations to local governments concerning such matters as land use, zoning, building regulations, and capital improvements; and

(x) furnishing State financial and technical assistance to metropolitan areas for such matters as planning, building codes, urban renewal, consolidation, and local government and finance; and

(C) changes designed to make local government more responsive and democratic by decentralizing power and functions back to the neighborhood wherever possible.

(c) States may undertake the activities set forth in section 905 with respect to State governments or on behalf of localities or groups of localities, including areawide agencies, within the State. States also may make grants to localities or groups of localities, including areawide agencies, to support activities set forth in section 905, using funds received under this title.

PROGRAM ACTIVITIES

SEC. 905. In general, activities carried on in formulating, or as part of, a planning and management program, which may qualify for assistance as provided in this title, include the following:

(1) improving governmental systems and operations including revenue and resource allocation systems and methods for obtaining effective public participation in policy decisions;

(2) improving governmental structures, authorities, and coordinating mechanisms for dealing with the economic, social, and environmental complexities of modern society, including expansion of the role of elected executive officials and general units of government;

(3) establishing objectives, evaluating programs for achieving these objectives, and providing for program balance and coordination in response to State and local needs and priorities;

(4) formulating policies and plans governing the use, development, and conservation of land, and developing and carrying out supporting or implementing procedures;

(5) identifying and evaluating needs for housing, facilities, and services, and formulating specific programs for meeting the needs so identified;

(6) providing (directly or through grants or contracts) planning, technical, assistance, information, or advisory services to communities and agencies needing such assistance or services in connection with activities related to the purpose of this title;

(7) participating in organizations for joint or common governmental or governmental and private action, in solving problems of community revitalization and growth; and

(8) other activities or projects, consistent with the purpose of this title, which pertain

to the coordination, regulation, modernization, or improved implementation, management, or control of governmental functions.

AUTHORITY TO MAKE GRANTS

SEC. 906. (a) The Secretary may make grants, as provided in this section, to assist States and localities in formulating planning and management programs and carrying out the activities set forth in section 905. In making the initial distribution of funds among States and localities, the Secretary should take into consideration such factors as the applicant's population, social and economic conditions special opportunities to improve the working of government, unique developmental problems, and other factors consistent with the purpose of this title. In determining whether and on what conditions to continue assistance to any program initially approved, the Secretary shall consider the degree to which previous assistance has been effectively used by the applicant State or local government.

(b) Grants may be made under this section to States and cities and, where consistent with the provisions of State planning and management programs or where the Secretary finds it necessary for carrying out the purpose of this title, to other governmental subdivisions, and to metropolitan, regional, or other governmental agencies.

(c) The Secretary shall not require any matching or other expenditure of State or local funds as a condition to making grants under this title.

(d) There is authorized to be appropriated for grants under this section not to exceed $150,000,000 for the fiscal year ending June 30, 1973, and $150,000,000 for the fiscal year ending June 30, 1974. Of the aggregate amount so appropriated, $25,000,000 shall be available only for grants with respect to activities described in section 904(b), and $60,000,000 shall be available only for grants with respect to the development of the housing element described in section 903(d). Amounts appropriated for any fiscal year under the first sentence of this subsection shall remain available until expended, and amounts authorized but not appropriated for any fiscal year under such sentence shall be available for appropriation for any subsequent fiscal year ending on or before June 30, 1975.

CONDITIONS AND ADMINISTRATION OF GRANTS

SEC. 907. Grants made under this title may be used, subject to regulations and conditions prescribed by the Secretary, for any activities made eligible by the provisions of this title; but such regulations shall provide that grant assistance not be used to defray the cost of the acquisition, construction, repair, or rehabilitation of, or the preparation of engineering drawings or similar detailed specifications for, specific housing, capital facilities, or public works projects.

INTERSTATE AGREEMENTS

SEC. 908. The consent of the Congress is hereby given to any two or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative effort and mutual assistance in support of planning and management programs adopted under this title as they pertain to interstate areas and to localities within such States, and to establish such agencies, joint or otherwise, as they may deem desirable for making such agreement and compacts effective.

FEDERAL CONSULTATION AND COOPERATION

SEC. 909. (a) The Secretary shall consult with the heads of other Federal departments and agencies having responsibilities related to the purpose of this title, including responsibilities connected with the economic development of rural and depressed areas, and the protection and enhancement of the Nation's natural environment, with respect to (1) general standards, policies, and procedures to be followed in the administration of this title, and (2) particular grant actions or approvals which the Secretary believes to be of special interest or concern to one or more of such departments and agencies.

(b) Funds made available under any Federal assistance program for projects or activities approved as part of, or in furtherance of, a planning and management program assisted under this title may be used jointly with funds made available for such projects or activities under any other Federal assistance program, subject to regulations prescribed by the President. Such regulations may include provisions for common technical or administrative requirements where varying or conflicting provisions of law or regulations would otherwise apply, for establishing joint management funds and common non-Federal shares, and for special agreements, or delegations of authority, among different Federal agencies in connection with the supervision or administration of assistance. Such regulations shall in any case include appropriate criteria and procedures to assure that any special authorities conferred which are not otherwise provided for by law, shall be employed only as necessary to promote effective and efficient administration and in a manner consistent with the protection of the Federal interest and program purposes or statutory requirements of a substantive nature. For purposes of this section, the term "Federal assistance program" shall have the same meaning as under the Intergovernmental Cooperation Act of 1968.

(c) The Secretary may, as necessary or appropriate and with the approval of the President, delegate any of his powers under this title to the heads of other Federal agencies and authorize the redelegation thereof, subject to such conditions or provisions as may be appropriate to assure effective coordination between the powers so delegated and other powers or functions retained by the Secretary.

TECHNICAL ASSISTANCE

SEC. 910. (a) The Secretary may provide, directly or through contracts, grants, or other arrangements, technical assistance in the formulation or implementation of planning and management programs.

(b) Grant funds made available under this title may be used, subject to such limitations as the Secretary may prescribe, for the purpose of procuring specialized or technical services available pursuant to section 302 of the Intergovernmental Cooperation Act of 1968, and the Secretary is authorized directly to procure such services on behalf of any State or political subdivision which could receive or participate in assistance provided under this title, and the heads of other Federal agencies are authorized to provide such services.

REPEALING AND TRANSITION PROVISIONS

SEC. 911. (a) In addition to amounts authorized and appropriated under section 906, appropriations available for carrying out section 701 of the Housing Act of 1954 shall be available until expended for the purpose of carrying out this title. The provisions of this title shall be effective, in whole or in part, at such date or dates as the Secretary of Housing and Urban Development shall prescribe and the Secretary shall establish procedures for the orderly transfer of Federal assistance activities from the authority of section 701 of the Housing Act of 1954. Effective upon the completion of such transfer, section 701 of the Housing Act of 1954 is repealed.

(b) Title IX of the Demonstration Cities and Metropolitan Development Act of 1966 is hereby repealed.

BRIEF SUMMARY OF "THE HOUSING AND URBAN DEVELOPMENT ACT OF 1971"

TITLE I—HOUSING GOALS AND ANNUAL HOUSING REPORT

Title XVI of the Housing and Urban Development Act of 1968 (which set the national goal and required an annual housing report) would be amended, as follows:

(1) the national housing goal would be broadened to place greater emphasis on preservation of the existing housing stock through a reduction of losses to the existing stock and improved management and maintenance policies;

(2) the annual housing report would be required to include (a) a contingency mortgage credit plan, setting forth proposed governmental actions in the event of adverse monetary and economic conditions, (b) an analysis of changes in various housing costs affecting housing production and recommended actions to reduce the cost of inflationary elements, and (c) an analysis of annual changes in the number and condition of units in the existing housing inventory; and

(3) the HUD Secretary would be required to encourage (through the earmarking of section 701 planning funds) the setting of local housing goals covering major housing market areas (usually the SMSA's); these locally established goals would include both housing production needs and actions needed to preserve the existing housing stock, including (a) the number and types of subsidized units needed to serve various income groups, (b) Federal, State, and local programs to be utilized to meet the goals and the adequacy of private financing resources, (c) identification of such impediments as building codes and zoning regulations and plans to eliminate them, (d) plans to locate low- and moderate-income housing so as to provide greater access to employment opportunities and provide the public facilities needed to serve housing, and (e) plans to promote market aggregation in order to achieve the benefits of economies of scale.

TITLE II—PRESERVATION AND REVITALIZATION OF DECLINING NEIGHBORHOODS

A major new program would be initiated to help preserve older neighborhoods threatened by blight and housing abandonment.

First, cities would be required to designate "neighborhood preservation areas" and prepare 5-year plans for the improvement of basic community facilities and services within those areas. Eligible activities to be carried on would include (1) the repair of streets, sidewalks, parks, playgrounds, utilities, and public buildings to meet the needs of the area, (2) the improvement of private properties needed to eliminate dangers to public health and safety, (3) the demolition of structures determined to be structurally unsound or unfit for occupancy, and (4) the establishment of temporary public playgrounds on vacant land. Cities would receive 90 percent grants to finance these activities.

Second, in such areas, Federal mortgage insurance would be available to permit the preservation and upgrading of the housing stock by facilitating the refinancing of properties and their transfer to resident or nonprofit ownership. Structures covered by the Federally-insured mortgage must be basically sound, or capable of being brought up to standard without major rehabilitation. Furthermore, the mortgage insurance would be available only to permit refinancing or transfers of ownership *without raising rent levels* for at least one year. (After one year, rents could be raised, as in all FHA projects, to cover necessary increases in operating costs.)

Eligible borrowers would be—

(1) owner-occupants of 2–6 unit structures,

(2) purchasers who would become resident owners of 2–6 unit structures,

(3) cooperative or condominium organizations consisting of a majority of the occupants of structures containing 7 or more units, and

(4) nonprofit purchasers of structures containing 7 or more units.

The insured loans would bear market interest rates, have terms of up to 20 years, and would require equity contribution of at

least 3 percent by the borrower. Insured loans to current owners could not exceed the sum of previous outstanding indebtedness on the property, plus necessary improvements. If the resulting debt service plus operating expenses would make the project infeasible at existing rent levels, section 235 or 236 subsidies could be made available on behalf of occupants otherwise eligible for such subsidies.

TITLE III—COUNSELING AND IMPROVED MANAGEMENT ACTIVITIES

The Secretary of HUD would be authorized to carry out the following activities:

Homeownership assistance activities, such as—

(1) providing training programs in family budgeting, record keeping, and maintenance for eligible families in Federally-assisted homeownership programs, including the preparation of educational materials (booklets, guides, etc.),

(2) making studies of typical homeowner problems (roof repairs, plumbing problems, etc.) and disseminating information through periodic consumer bulletins, and

(3) conducting continuing analyses of FHA experience and other studies to determine criteria for homeownership in order to help screen section 235 applicants.

Tenant and management counseling activities, such as—

(1) providing counseling programs in family budgeting, homemaking, and utilization of equipment for tenants in all FHA-subsidized rental housing,

(2) providing training programs for local and other personnel recruited to be members of project management staffs,

(3) preparing model management operating manuals for project managers,

(4) providing "seed money" loans (repayable with interest) and advanced training for those with management experience to help them form corporations to manage subsidized housing projects,

(5) participating in FHA rental project application reviews and conferences prior to approval to ascertain that design and materials would be conducive to good management and operating efficiency,

(6) reviewing the required management and operating budget and plan (see below) to be submitted as part of rental project applications,

(7) providing encouragement and assistance to management in the formation of tenant councils, and

(8) engaging in adequate HUD monitoring of management operations in order to identify developing weaknesses before projects reach a serious problem condition.

These activities would be financed through the use of a portion of the one-half of 1 percent mortgage insurance premium now charged homebuyers and renters under the section 235, 236, and rent supplement programs. In rental projects, there would be no retention by FHA of the premium during the first year of the project's life; instead, it would be made available to the owner of the project to help finance the preparation of a project management and operating budget and plan by a qualified management organization. In subsequent years a portion of one-half of the 1 percent premium would help finance the new activities outlined above.

* * * * *

There would also be established within the Office of the HUD Secretary an office representing the overall interests of occupants of Federally-assisted housing. This office would be responsible for actively promoting occupant interests in the HUD programs through such activities as—

(1) maintaing surveillance over present and proposed fees and charges required in connection with Federally-assisted housing which will be reflected in monthly housing costs,

(2) maintaining surveillance over present and proposed minimum property standards in order to reduce costs and improve the quality of construction, and

(3) investigating complaints from consumer groups concerning the administration of HUD regulations and procedures affecting the quality of housing.

TITLE IV—HOUSING ALLOWANCES

The housing allowance demonstration program enacted in the 1970 Act would be expanded by authorizing $25 million annually for a 3-year period (rather than $10 million annually for 2 years, as under existing law). The greatly increased funding would permit the testing of several different types of housing allowance techniques in a limited number of metropolitan areas and careful evaluation of each technique, particularly with respect to the impact of allowances on existing rent levels and the extent that increased rent levels reflect improved housing services.

TITLE V—HOUSING BLOCK GRANTS TO STATE AND METROPOLITAN HOUSING AGENCIES

States would be encouraged to enact legislation establishing (a) *metropolitan housing agencies* to serve metropolitan housing market areas (usually SMSA's), and (b) *State housing agencies* to serve all areas of the State outside those areas. Both State and metropolitan housing agencies could be established and organized in any way deemed appropriate by the States, except that metropolitan agencies would be required to be representative of all the political jurisdictions in the metropolitan area.

These State and metropolitan agencies would—

(a) determine local housing needs, establish goals, and prepare programs covering a 3-year period,

(b) identify the number and types of units to be assisted with Federal subsidy funds,

(c) identify the income groups to be served and the general location of subsidized units throughout the housing market area, and

(d) identify other local actions and programs to be undertaken to increase housing production and to preserve the existing stock.

These 3-year programs would be required to reflect locally-conceived actions to achieve national goals with respect to (1) providing housing opportunities for all, particularly low- and moderate-income individuals and families, (2) providing greater access to places of employment, and (3) providing housing in conjunction with improved community facilities and services.

The housing block grant to State and metropolitan housing agencies would consist of three types of funds, as follows:

(1) *discretionary funds*—each agency would receive a small block of funds to finance locally-initiated programs to increase housing production and to preserve the existing housing supply (e.g. facilitating production through market aggregation activities and preserving the existing supply through emergency repair programs);

(2) *reservations of annual contract authority*—each agency would receive a block reservation of annual contract authority for federally-subsidized housing (authority now contained in the public housing sections 235–236, and rent supplement programs); of the amount of contract authority allocated, each agency would designate the amounts to be used for each type of housing, the general location of such housing, and the general income groups to be served; and

(3) *metropolitan incentive funds*—each agency would receive funds to provide to any jurisdiction in which subsidized units are to be located in accordance with the agency's plan a payment of up to $3.000 per unit over a 10-year period to cover part of the cost to the jurisdiction of providing public facilities and services needed to serve additonal housing units; in addition, the local tax exemption for public housing would be eliminated for new projects.

Housing block grant funds would be allocated among States and metropolitan areas pursuant to a formula based on population, housing condition, and number of households with incomes below poverty levels (this last factor to be weighted double). In addition, Federal funds would be available to help pay the administrative costs of State and metropolitan housing agencies (100 percent of cost during the first full year of operation, two-thirds of cost during the second year, and one-half of cost during the third year).

These State and metropolitan housing agencies would not build or own housing. Those functions would continue to be performed by eligible private developers and local housing authorities, as under the existing Federal subsidy programs. HUD would continue to process projects under the basic HUD programs (sections 235–236, rent supplements, and public housing), which would be consolidated into three major programs—single-family, rental, and public housing—through the housing consolidation proposals to be considered subsequently. Mortgage and income limits, rent-to-income ratios, and economic feasibility would continue to be set by Federal law.

If State and metropolitan housing agencies are not established for a particular jurisdiction or if the 3-year housing program they propose is deemed inadequate by the Secretary of HUD, the housing assistance funds that would otherwise be available to the area through the allocation formula would be retained by the Secretary and made available to (1) other State and metropolitan housing agencies whose programs can be accelerated, and (2) other sponsors (including voluntarily established metropolitan housing agencies) where this would help further the basic purposes of the title. In areas not covered by a State or metropolitan housing agency, title VI community development funds would not be available to any community unless it made *bona fide* efforts to establish such an agency.

TITLE VI—COMMUNITY DEVELOPMENT BLOCK GRANTS

Purpose—This proposal would consolidate the major HUD physical development programs into a single community development block grant. The program would be initiated in FY 1973.

Block Grants—Grants could not exceed 90 percent of the estimated annual cost of approved community development programs, with the required 10 percent local contributions being made in cash. To encourage coordination with other Federal grant programs which provide assistance for community development activities, localities would be allowed to use block grant funds to help make up the local share required under those programs.

Localities could use the block grant funds to carry out any activities now authorized under title I of the Housing Act of 1949 (urban renewal, rehabilitation loans and grants, demolition, code enforcement, and interim assistance); title VII of the Housing Act of 1961 (open space, urban beautification, and historic preservation); title VII of the Housing and Urban Development Act of 1965 (water and sewer, neighborhood facilities, and advance acquisition of land); and title I of the Demonstration Cities and Metropolitan Development Act of 1966 (activities for which model cities supplemental grants are authorized).

Eligible Community Development Programs—Eligible applicants for community development block grants would fall into three categories:

(1) *Units of general local government outside SMSA's.* Applicants may apply for a block grant for any eligible activity, but must, as a condition of grants, (A) identify their communities' needs, (B) specify both short- and long-term community development objectives, and (C) be making adequate efforts to provide housing for those employed in the area.

(2) *Units of general local government within SMSA's.* Application requirements would be the same as for small towns and cities outside SMSA's as in (1) above.

(3) *"Metropolitan cities" within SMSA's.* The term "metropolitan cities" would be defined to mean (A) cities within metropolitan areas which are central cities of metropolitan areas, as defined and used by the Office of Management and Budget, (B) cities within metropolitan areas having a population of 50,000 or more, or (C) a combination of units of general local government within the metropolitan area recognized by the Secretary as having a populaion of 50,000 or more. Applications from the cities would be required to involve balanced community development programs which, in addition to meeting the requirements applicable to units of general local government, also (A) eliminate or prevent slums, blight, and deterioration; and (B) develop properly planned public facilities, including necessary supporting social services.

Allocation of Grant Funds for Non-Metropolitan Areas—$500 million would be authorized annually for each of three fiscal years (1973–1975) for grants to communities outside SMSA's.

Allocation of Grant Funds for Metropolitan Areas—For the 247 SMSA's, $7.5 billion would be provided over a 3-year period through contract authorization similar to that contained in the 1970 mass transit legislation (i.e., contracts up to $7.5 million would be authorized immediately, with annual limitations of $2, 2.5, and 3 billion on actual disbursements or obligations); funds would be allocated on the basis of need (population, housing condition, and number of low-income families or persons, weighted twice) both *among* the 247 SMSA's, and *within* each SMSA; cities of over 50,000 would be assured through the formula of maximum annual grants, but could receive lower grant amounts if, first, their initial plans did not adequately reflect national priorities, or, second, if in subsequent years, the HUD Secretary determined that program performance was inadequate.

In general, the HUD Secretary would enter into 3-year grant agreements with applicants who would submit "performance statements" to the Secretary describing the results they expect to achieve with block grant funds during each year of the 3-year period. In order to allow for maximum local flexibility, the performance statement need not be so detailed as to tie the applicant to specific projects and locations. Wherever possible, the Secretary should develop measurable community development standards in terms of which local objectives can be set and local achievements evaluated. Sixty days prior to the end of each year's activities, a locality's program would be evaluated. The Secretary would have express authority to hold back additional grant funds if he finds this necessary to hold the applicant accountable to promised performance targets. If he finds the applicant is unwilling or unable to achieve the results agreed to, the unexpended funds obligated to the applicant may, in his discretion, be reallocated to other eligible applicants.

This proposal contemplates the termination of funding for the following HUD programs in fiscal 1973—the urban renewal and rehabilitation loan programs, the open space land programs, and the basic water and sewer and neighborhood facilities programs. Existing model cities programs would continue to be funded separately. A commitment would be made in the legislative history to hold cities harmless against any reduction in their program levels from the average of the past 5 years. With respect to basic water and sewer grants, it is anticipated that a large proportion of the $500 million annually earmarked for communities outside SMSA's would be used to help finance water and sewer facilities projects.

TITLE VII—STATE AND METROPOLITAN DEVELOPMENT AGENCIES

Purpose—To encourage the formation of and provide assistance to State and metropolitan development agencies.

Assistance—HUD would be authorized to—

(1) guarantee the taxable obligations of eligible development agencies and to make grants to cover the difference between the market interest rate paid on such obligations and the interest which would be paid on similar obligations if the income were exempt from Federal taxation; up to $500 million could be guaranteed at any one time;

(2) make grants to development agencies to help pay administrative costs during their first three years of operation (100 percent of cost during the first year; two-thirds during the second year, and one-half during the third year). Appropriations of $20 million for each of the fiscal years 1973, 1974, and 1975 would be authorized for these grants; and

(3) provide technical assistance to State and metropolitan development agencies.

Eligible Development Agencies—To be eligible for assistance, a State or metropolitan development agency must include in its purposes and have authority to carry out the following types of activities—(A) the provision of decent, safe, and sanitary housing and related facilities for low- and moderate-income persons and families through construction, rehabilitation, or management of housing, (B) the revitalization of slum and blighted urban neighborhoods through clearance, reconstruction, and rehabilitation of such neighborhoods and the provision of necessary public and community facilities and services, and (C) the development of job opportunities for unemployed and underemployed persons through the development of new, and the redevelopment of existing, industrial, manufacturing, and commercial facilities.

A *"metropolitan development agency"* would be defined as an agency, publicly sponsored corporation, or other instrumentality of two or more units of general local government within an SMSA, one of which is the central city of the SMSA. A *"State development agency"* would be defined as an agency, publicly sponsored corporation, or other instrumentality of one or more States.

TITLE VIII—URBAN DEVELOPMENT BANK

Purpose—To establish an Urban Development Bank to assist in broadening the sources and decreasing the costs of capital funds for State and local governments.

Creation of Bank—A body corporate would be established which would be an agency of the U.S. Government. The Bank would have a board of directors, composed of public and private members. A president, who would also be the chairman of the board, would be appointed by the President with advice and consent of the Senate.

Functions—The Bank would be authorized to purchase, service, and sell taxable obligations of State and local governments which finance capital expenditures for public works and facilities serving community needs. Obligations purchased could have a maturity of up to 40 years and would bear interest at a rate determined by the Bank, but not less than two-thirds of the current average yield on outstanding obligations of the Bank (this Bank lending rate would be generally equal to tax-exempt rates).

To raise capital for these loans the Bank would be authorized, with the approval of the Secretary of the Treasury to issue and have outstanding at any one time obligations in an amount not to exceed $5 billion in FY 1973, which amount would be increased by $5 billion in FY 1974, and by $5 billion in FY 1975. These obligations would be guaranteed by the United States, but would not be included in the Budget.

In addition to these obligations, the Bank would be authorized to issue obligations to the Secretary of the Treasury, who could purchase such obligations in order to insure the financial integrity of the operations of the Bank. Interest on obligations of the Bank purchased by the Secretary would be such as to yield a return at a rate not less than the current average yield on outstanding marketable obligations of the United States of comparable maturities.

The Bank would also be authorized to provide technical assistance to State and local governments and could charge appropriate fees for these services.

Federal Payments to the Bank—The Secretary of HUD would be authorized to (1) pay the initial organizing and operating expenses of the Bank (appropriations of $1 million would be authorized for this purpose); and (2) make annual payments to the Bank in such amounts as are necessary to equal the amount by which the dollar amount of interest paid by the Bank on account of its obligations exceeds the dollar amount of interest received by the Bank on account of loans made by it (appropriation of such amounts as may be necessary for this purpose would be authorized).

TITLE IX—PLANNING AND MANAGEMENT

The current section 701 comprehensive planning assistance program would be revised extensively to—

(1) discourage the use of funds for the production of "paper plans"; emphasis would be placed on "management" and on improving the capability of States and localities to actually carry out realistic development plans, rather than on drawing up the plans;

(2) place greater emphasis on the development of viable "housing plans" (currently required in section 701 planning); a portion of funds made available for planning and management would be earmarked for this purpose;

(3) place major emphasis on encouraging States to modernize both their own governmental machinery and that of their local governments; up to $25 million would be earmarked for this purpose over a 2-year period; the bill would spell out a long list of desirable governmental reforms;

(4) simplify the categories of public bodies eligible for assistance; States would be encouraged to take a larger role in growth and development planning (including land use planning) and in determining when groups of communities should be treated as a single unit for purposes of establishing and carrying out areawide plans and programs; and

(5) permit greater flexibility in the use of planning and management funds by authorizing funds to be used jointly with those available under other Federal programs; use of funds in connection with planning and management of community development block grant programs would be especially encouraged.

$150 million would be authorized for planning and management grants annually for a 2-year period (FY 1973–1974).

LIBERTY WITHOUT LAW IS A MYTH—J. EDGAR HOOVER

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DEVINE. Mr. Speaker, in the July Law Enforcement Bulletin the very able Director of the Federal Bureau of Investigation, J. Edgar Hoover, includes an excellent message which should be read by all Members of Congress, as well as the general public. The theme is "Liberty Without Law Is a Myth."

I am, accordingly, including Mr. Hoover's message:

MESSAGE FROM THE DIRECTOR TO ALL LAW ENFORCEMENT OFFICERS

Liberty, it has been said, is the right to do what the laws allow. Liberty is not, as some present-day protesters seem to think, the right to overrun the rights of others, and the law does not allow it.

The sentiment appears to be growing among some people that a person has a right to break the law if he is motivated by so-called political or moral issues. Further, some groups insist on the privilege of violating the rights of others while expressing their dissent in such wild schemes as trying to "shut down the Government." They are visionary rich and judgment poor.

Indeed, with respect to the Mayday demonstrations in the Nation's capital, the most neutral and objective observers must have felt that some influential components of our society, judging from their reactions, were sympathetic to the rebelling hordes who vowed "to bring the Government to a halt."

As elementary as it may seem, commonsense and public morality are necessary parts of liberty under the law. In the recent past, we have seen some ridiculous incidents in the name of rights, liberty, and freedom which were completely devoid of commonsense and morality. In fact, many such events were staged as if to perpetuate degradation and depravity rather than anything so uplifting and noble as rights and freedoms. Also, to my mind, we are right to question the sincerity of petitioners, regardless of their cause, who haul down the Nation's flag and destroy and burn government property.

Citizens taking to the streets to air their grievances should remember that they are exercising a most cherished right under the system of law. Their presence, however restrained and controlled, creates some degree of inconvenience and hardship for others, not to mention the costs involved which must be borne by the local and/or Federal Governments. These conditions are understandable. However, when demonstrators deliberately defy authority and violate the rights of others, let them know that the same system of law which willingly grants the opportunity to be heard will quickly and effectively curb their excesses. Liberty without law is a myth.

JOHN EDGAR HOOVER, *Director.*

JULY 1, 1971.

"FROM A MILITARY RETIREE'S POINT OF VIEW"

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DOWNING. Mr. Speaker, I have introduced again in this Congress a bill in behalf of our military retirees which would amend title 10 of the United States Code to equalize the retirement pay of members of the uniformed services of equal rank and years of service. I insert in the RECORD today an article written by Commander Justus P. White, Coast Guard, retired, entitled "From a Military Retiree's Point of View":

FROM A MILITARY RETIREES POINT OF VIEW

Persons who entered the uniformed services prior to June 1, 1956 have suffered a serious loss of earned retired pay due to the action of Congress in precipitously suspending a favorable system existing prior to that time and later substituting a less satisfactory system.

At that time and for almost a hundred years before then the U.S. Code contained specific provisions entitling uniformed services personnel to retired pay based upon current active duty rates.

Although such persons had no signed contract with the U.S. Government promising them that this system would be continued after their service was completed; there was certainly a moral obligation on the port of the Government not to reduce the benefit after it was earned.

The more than 500,000 retired career personnel, both regular and reserve, who had served in two World Wars, Korea, and Vietnam, believed that the Government would continue to honor that obligation by preserving their entitlement to those rights and benefits earned under existing law during their active service. Faith in that belief was strengthened by repeated governmental statements concerning the matter.

In 1806, in the case of United States vs. Heth (7 US 399, 2d Ed. 479), the Supreme Court stated:

"While it is true that pay is subject to the will of Congress, the presumption is where a person performs service under the prospect of certain emoluments, it is in the interest of the Government to engender a confidence in the minds of its citizens which leaves no room for distrust . . ."

The Military Retirement System was initiated by Congress during the Civil War. It was at this time that the basic principle of keeping retired pay geared to current active duty pay schedules was established. This basic principle apparently was not seriously challenged by successive Congresses until passage of the Joint Services Pay Act of 1922, which denied to those retired prior to the effective date of the Act the right to recompute their retired pay on the basis of the new schedules. The 69th Congress, in passing Public Law 204 in 1926, corrected this injustice and the Senate report, S. 364, 69th Congress, contained this statement:

"The 1922 legislation deprives all officers retired prior to the date of said benefits, thereby violating the basic law under which these officers gained their retirement rights. There is no justice in two pay schedules for equal merit and equal service."

In January 1931, a Joint Congressional Committee, after reviewing the overall Military Compensation System, stated in Senate Document 259, 71st Congress, 3rd session:

"The pay of any person on the retired list should be based on the pay of persons of like grade on the active list."

On June 16, 1942, the 77th Congress, in passing Public Law 607, recognized the provisions of existing law relative to computing retired pay when it stated in Section 15 thereof:

"On and after the effective date of this Act, retired officers * * * shall have their retired pay * * * computed as now authorized by law on the basis of pay provided in this Act."

In 1946, in passing Public Law 474, the Congress again adhered to the existing law by permitting those already retired to participate in the new pay schedules.

Career members of the uniformed services, regular and reserve, active and retired, had their faith in the dependability of their earned retirement rights further strengthened in 1949 when the Advisory Commission on Service Pay (The Hook Commission) recommended that the Congress continue to uphold the basic principle of keeping retired pay geared to current active duty pay schedules. The recommendations of this Commission were accepted by the Congress when it enacted Public Law 351 in October 1949. Section 511 of this law reads in part:

"Retired pay shall be computed on the monthly basic pay * * * which such member would be entitled to receive if serving on active duty in such grade."

In 1952 and again in 1955, Congress enacted legislation increasing the pay of the active services and, in each of these laws, continued the time-honored principle of equating retired pay to current active duty pay.

In 1957, the Cordiner Committee, which, like the Hook Commission, had been formed to study the military compensation system concluded:

"* * * that the incentive value of the existing military retirement system depends to a major degree upon its integral relationship with active duty compensation and the confidence which has been built up in the military body that no breach of faith or breach of retirement contract has ever been permitted by Congress and the American people."

"The uniformity of compensation thus achieved is considered appropriate and the inclusion of retired personnel within the new compensation system is considered by the Committee to be a mandatory and essential feature, fully in consonance with the long-established principle that retired compensation must always remain closely related to current active duty pay."

Obviously, the recommendations of the Cordiner Committee fell on deaf ears when the Congress, in enacting Public Law 85–422 on May 20, 1958, chose to ignore these recommendations by denying to those already retired, the right to have their retired pay recomputed on the basis of the active duty pay scales authorized by that Law. Such action was taken notwithstanding the fact that existing law (10 USC 1401) clearly provided that "retired pay would be computed at rates applicable on date of retirement and adjusted to reflect later changes in applicable permanent rates."

The reaction was immediate and the national conscience was thoroughly aroused. Hopes ran high, and with good reason, that this injustice would be corrected forthwith. Fifteen State Legislative bodies passed memorializing resolutions urging Congress to enact remedial legislation; over forty members of the House of Representatives and thirty-one Senators introduced bills designed to correct this tragic mistake; dozens of newspapers and magazines from coast to coast carried editorials calling upon the Congress to meet its moral obligations. On May 12, 1960, the House of Representatives without a dissenting vote, passed H.R. 11318, which would have restored the historic principles prescribed in Title 10, USC 1401. However, in spite of this overwhelming expression of public opinion, the Senate Armed Services Committee refused to hold hearings on the House passed bill and permitted it to die upon adjournment of the 86th Congress without giving the Senate an opportunity to debate the bill.

It is interesting to note that when the Pay Act of 1959 was enacted, no reference was made to Section 1401, although that is the Section which provided the statutory authority to compute retired pay on active duty rates. Further, in the hearing before the Senate Armed Services Committee on June 7, 1962, Senator Smith of Maine questioned Secretary McNamara relative to the provisions of existing law as it applied to computing retired pay and the Secretary replied:

"I don't recall that the law stated that retired pay would remain a constant, or would continue to have a constant relationship to active duty pay as active duty pay charged subsequent to retirement. I understand that was a practice rather than an action required by law."

Senator Smith requested that this point be checked and the Committee be provided with an appropriate statement. The information subsequently submitted by Secretary McNamara to the Committee established emphatically that authority for recomputa-

tion of pay by retired officers in the past had been based on clear provisions of law rather than on mere practice.

The distressing point of this exchange is that it occurred four years after passage of Public Law 85–422, which denied the benefits of Section 1401 to retirees, and the evidence is clear that the Secretary of Defense did not know what it provided. Also, one cannot help wondering how many of the seventeen Senators on this important Committee were fully aware of this important and vital Section of Title 10.

On October 2, 1963, Congress took the final step in destroying the century old tradition of computing compensation for military retirees. By this time there was a general awareness of the existence and contents of Section 1401 and Congress, in passing P.L. 88–132, specifically repealed that Section. In lieu of the law under which these military retirees had earned their retirement rights, this new Act provided that all retirees would have their retired pay adjusted in the future in accordance with a formula based on the illusive Consumer Price Index. A determined group, ably led by the Honorable L. Mendel Rivers, finally convinced Congress that a gross injustice had been visited upon those persons who had retired prior to June 1, 1958, and had been denied an increase based upon the pay scales authorized by P.L. 85–422. Belatedly, they were authorized the raises that they should have received in 1958.

One of the most tragic consequences of the new system is that merit and length of service are no longer primary factors in determining the compensation a retiree will receive during the inactive phase of his career. On the contrary, it has now become a matter of when the individual was born and how successful he was in manipulating a favorable retirement date. During the brief span of time since June 1, 1958, nine different categories of retirees of equal merit and equal service have been developed. For example, an O–6 (Captain or Colonel) with over 30 years of service retiring after April 15, 1970, receives $342.48 more per month than his brother officer of the same rank and length of service who retired prior to June 1, 1958.

Millions of words, both spoken and written have been addressed to this subject during the past ten years in an effort to justify the abrogation by the Government of its moral responsibility. And yet, the hard cold fact remains that those members of the Uniformed Services who entered upon their careers prior to June 1, 1958, performed their service under a legally guaranteed formula whereby their retired pay would be determined as a percentage of current active duty pay and the actions of Congress in passing Public Laws 65–422 and 88–132 reduced the guaranteed benefits after they had been fully or partly earned. The fact that such rights are not legally enforceable cannot in any way mitigate the moral responsibility of the Government to provide compensation to retirees in accordance with the laws in effect when the compensation was earned.

We agree fully with the sentiments expressed by one of the Justices of the Supreme Court in an opinion involving the right of the Government to take some reservation land belonging to the Tuscarora Indians and guaranteed to them in perpetuity, when he said, "Great Nations, like great men, should keep their word."

MILITARY RETIRED PAY

RETIRED PAY RECEIVED BY RETIREES WITH 24 YEARS SERVICE, AS AFFECTED BY DATE OF RETIREMENT

	Retired before June 1, 1958	Retired between June 1, 1958–March 31, 1963	Retired between April 1, 1963–March 31, 1964	Retired between September 1, 1964–August 30, 1965	Retired between September 1, 1965–June 30, 1966	Retired between July 1, 1965–June 30, 1968	Retired between July 1, 1968–June 30, 1969	Retired between July 1, 1969–April 16, 1970	Retired after April 17, 1970
MAJ	$475	$489	$547	$561	$569	$587	$604	$639	$691
E–7	263	272	596	303	322	333	342	362	392

Note: The differential in dollars and percentage in each grade between the oldest and youngest group is: Major, $216, 45.5 percent; sergeant (pay grade E–7) $129, 49 percent.

TRIBUTE TO LOUIS ARMSTRONG

HON. DAN KUYKENDALL

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. KUYKENDALL. Mr. Speaker, all the world mourns the passing of Louis Armstrong, one of the truly great music-makers of all time.

We in Memphis, where the music for which he was famous has become such a part of our own heritage, have a particular feeling for "Ole Satchmo," for it was through his trumpet that the compositions of one of Memphis' most famous citizens, W. C. Handy, traveled from New Orleans to Chicago and around the world. Our own famous Beale Street which reverberates to the blues of W. C. Handy and the jazz created by Louis Armstrong is a constant reminder of the important contributions these great artists have made to the world's musical culture.

Not only did Satchmo win fame as a musician, but even more important he was known around the world as a great human being who spread good will and understanding for his country, for his people, and for himself.

Yes, Louis Armstrong will be missed, but the world is a better place because he was here. And as long as men listen to the sound of music they will hear his horn and, as he himself said, "There never was and never will be a sound like it."

HOUSING AND URBAN DEVELOPMENT ACT OF 1971

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HANNA. Mr. Speaker, I am sponsoring today, with a number of my esteemed colleagues on the Banking and Currency Committee, the Housing and Urban Development Act of 1971. However, as Chairman PATMAN has so appropriately observed, there are those of us who join in sponsoring this bill while registering at the same time reservations with regard to certain portions of the proposed act.

Particular among my concerns is that aspect of this bill which provides for the allocation of the federally supplied subsidized housing funds by independent local and State housing agencies. I am hopeful that the questions of administrative competence and the mechanics of distribution will be very carefully considered and that the committee's final action will not be haphazard and will reflect the true needs of the housing public.

FARMERS FEED PEOPLE

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ZWACH. Mr. Speaker, in our House Committee on Agriculture, we are marking up pesticide legislation. We are trying to come up with a bill that will be acceptable to both agriculturists and environmentalists.

This is no easy task, since their views run in opposite directions on many of these matters.

Virginia Fries, news editor of the Olivia Times, in our Minnesota Sixth Congressional District, recently wrote an editorial on this problem.

In order to share her thinking with my colleagues and the thousands of other people who read it, I would like, with your permission, to insert her editorial in the CONGRESSIONAL RECORD:

FARMERS FEED PEOPLE

Because we are not hungry, we sometimes forget the vital role played by the American farmer.

American farming technology has been the target for much "viewing with dismay" by ecological purists and those with memories of "the good old days."

But what we really need is an effort to use this technology with wisdom. "It is simple. We either use the pesticides and fertilizers at our disposal or we starve," according to a recent article by Dr. Norman E. Borlaug, agronomist and 1970 Nobel Laureate.

"Without thinking, conservationists in and out of government—and only partially informed people in the communications media—have embarked on a crusade designed to end the use of agriculture chemicals such as pesticides and fertilizer. They give no thought to the end result of such action: The eventual starvation and political chaos that will plague the world," Dr. Borlaug says.

One man can now produce enough food for 40 people. "Perhaps we need to study the chemicals that accumulate and persist, but to ban the use of all of them would condemn hundreds of millions to death through starvation," according to Dr. Borlaug.

Perhaps other changes in farming technology—use of large machinery, larger farms, fewer farmers—are necessary, too, for even more efficiency in growing food for the world.

These changes have had a real impact on all rural areas, but to try to reverse the trend back to the 80-acre farm would probably be wasted and damaging effort. It would be better to direct our concern toward the economic welfare of the individual farmer and the best use of the know-how his sons have accumulated while growing up on the farm.

We need some of his sons in the field and others in the agri-business that supports our farm technology.

"The world population is expanding at an alarming rate. If we keep pushing ahead and if governments the world over continue to vigorously support research and production campaigns, then we will be able to meet the growing need for food," Dr. Borlaug says.

Because we are not hungry, let's not forget the vital role of the American farmer. V.F.

NATION'S ENERGY CRISIS

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HOLIFIELD. Mr. Speaker, we are today on the verge of a serious interruption in the supply of electrical energy in major areas of this country.

As indicated in this morning's New York Times, Big Allis, the million-kilowatt generator on the Con-Ed system failed yesterday requiring reductions in voltage and the importation of nearly every available kilowatt of electrical energy from the surrounding region in order to keep the voltage above the point at which all power must be interrupted.

According to the Electrical World Week for July 5, the Commonwealth-Edison system hit a peak demand of nearly 11,000 megawatts at a time when its generating capacity was down to 9,700 megawatts. It is reported that Commonwealth-Edison had to scramble to import 1,500 megawatts of power from eight different nearby utilities to avert the interruption of energy supplies.

I am afraid that the very serious nature of our predicament, as I have said many times before, is not appreciated by the public, and particularly by those elements of the public who are using every means available to them to stop any and all additions of electrical power generating capacity.

I suspect most people believe that the present practice of reducing voltage will avert any calamitous shutdown of our energy supply. The newspapers have been featuring articles reporting that simple reductions of voltage—5 to 8 percent—appear to be the solution to our energy supply problems. The public naturally concludes that future shortages can be taken care of in the same way—additional reductions of voltage.

The fact is that beyond a certain point, which we are now at in a number of cases, no further reduction in voltage is possible. The next step is to open the circuit breakers and shut the whole system down because major failures of equipment will occur with any further reduction of voltage. Shutting the system down or portions of it, particularly in certain highly populated areas, such as New York City, will result in the death of many people. Difficult as it is to accept, such an unfortunate incident may provide the only incentive to bring about a rational approach by many of those who are preventing us from expanding this vitally needed electrical generating capacity.

During the past 3 days—July 6 through July 8—a well balanced series of articles entitled "Nation's Energy Crisis," by John Noble Wilford was printed in the New York Times. Since these articles are so pertinent to the serious problem we face in our energy supply, I would like permission to include them in the RECORD at this point.

The articles follow:

[From the New York Times, July 6, 1971]

NATION'S ENERGY CRISIS: IT WON'T GO AWAY SOON, AS DEMAND FOR POWER GROWS

(By John Noble Wilford)

For the third straight summer Americans by the millions are living under the daily threat of power brownouts, blackouts and possible electricity rationing. But it is more than a seasonal shortage of power. It is part of a national crisis that won't go away—the energy crisis.

"The electric power supply situation in parts of the United States appears to be worse than last summer," reports the President's Office of Emergency Preparedness. Only the West Coast, according to the report, seems assured of adequate power for the moment.

In New York City, the margin is so thin that electric utility officials are counting on emergency gas-turbine generators standing ready on barges along the waterfront. Even so, there is no assurance that on some hot, humid day lights will not flicker out over large areas of the city.

Nationwide, authorities in the Administration and out expect the crisis to continue for some time.

In fact, they say, it is likely to persist for years, perhaps for as long as the industrial-technological civilization that has made modern America a model for many other nations continues to proliferate in its present form.

For it arises from a bewildering, seemingly unresolvable dilemma that has made energy, as one scientist said, the "Doctor Faustus of our age."

Americans are demanding more and more energy—more petroleum to turn the wheels of transportation, more oil, natural gas and coal to fire the boilers of electric utilities, more fuels and electricity for heat in the winter, air-conditioning in the summer and the year-round operations of industry. In the last 15 years, total consumption doubled; in the next 15 years, it is expected to double again.

But Americans are also demanding a quality environment. Appalled at ugly strip mines, oil slicks from tanker spills and leaky offshore wells, denuded corridors of land for transmission lines, sulphur oxides and fly ash from power plants and the specter, real or imagined, of radioactive perils from nuclear centers, they are resisting the construction of precisely those new facilities that are essential to the production of more power.

In the last few years, moreover, numerous technical breakdowns at power plants and miscalculations by both utilities managers and Federal officials have, under the most charitable interpretation, made an inevitable crisis worse.

Now, when thoughtful people close to the issue talk about solutions, they almost unanimously fall back on nuclear energy as the only satisfactory way to accommodate society's needs and keep the traditional energy distribution system intact.

But some are also beginning to ask questions about the larger economic system itself, about its underlying notion of freewheeling, permanent growth and about what, short of rigid national controls, could replace it if it should fail to meet the crisis.

Is it possible to have a thriving, motorized, computerized, air-conditioned society with a high standard of living shared by as many as possible and a largely uncontrolled economy—and to have a healthy, comfortable, even beautiful, environment, too?

A FAUSTIAN BARGAIN

At the beginning of the Industrial Revolution man unconsciously but decisively struck a Faustian bargain, giving up a bucolic environment for a power beyond anything his and his animals' muscles could provide. This eventually made it possible for modern man to command, at the twist of a knob on a 300-watt television set, an electrical force the equivalent of the energy output of a grown man, an unseen slave, and to harness in the Saturn 5 moon rocket the power of 900,000 horses.

Only now—now that the world is more crowded and energy is being expended at a rate more prodigous than anyone could have foreseen when Watt invented the steam engine—are the implications becoming sharply defined in the form of a perplexing question:

Can modern man strike a balance where he once struck a bargain?

The difficult search for answers, only barely begun, leads down many avenues: economic, technological, ecological, political, social and philosophical. "The energy situation is a microcosm of the problems facing the nation," says Dr. Edward E. Davis Jr., science adviser to President Nixon.

In order to obtain a balace with the environment, do you slow down the accelerating trend of energy consumption—and if so, how?

STAGNATION A RISK

Americans are 6 per cent of the world's population, but consume 35 per cent of the world's energy output. Since 1947, their consumption of electricity has been rising at an average rate of 7 per cent a year. Natural gas consumption has been rising at a rate of 5 to 6 per cent a year, with oil at 3 per cent and coal at 2 per cent.

Last year, despite the economic recession and declining birth rates, consumption rose even more sharply. Americans used 4.5 per cent more energy than in 1969, and 9.2 per cent more electricity.

If this consumption trend continues, Americans in the year 2000 would be using the equivalent of 76 trillion kilowatt hours of electricity and other energy sources—nearly four times the present usage rate.

But will the trend continue? Can it? Should it? And if it does not, do you risk economic stagnation, unemployment, even a decline in national power vis-a-vis the rest of the world? Can you accept the psychological wrench of living in a nation with its foot off the accelerator, after two centuries of vigorous and glorified growth?

Or do you increase the energy output, since it is a human tendency to want more and since it will take massive amounts to recycle wastes, treat sewage, run air-pollution-control mechanisms and power mass transportation systems needed to reduce auto pollution?

Do you raise prices of fuels and electricity to help pay for cleaning up the environment—even if it means dimming the prospects of poorer people to share fully in the high-energy society?

Do you encourage development of new, "cleaner" energy technologies—and if so, which ones? Can you get people who are increasingly disillusioned with technology to accept more nuclear power and pay for greater research toward "nonpolluting," virtually inexhaustible power from controlled nuclear fusion?

Or do you reject nuclear energy and continue to "live off earth's capital"—the limited, non-renewable fossil fuels (coal, oil and gas) that took millions of years to form and, in some cases, may last only another century? What, then, do you leave for generations to come?

And even if energy resources were infinite—if fusion became a practical way of supplying nuclear power years from now—do

you want power plants everywhere you look? Do you ignore the warnings of scientists who say that the environment is finite?

ALL ENERGY ENDS AS HEAT

All energy, scientists point out, eventually ends up as heat. The biosphere—Spaceship Earth's life-support system, that thin global envelope of air, water and soil that sustains life—can absorb only so much excess heat without atmospheric consequences perhaps as dire, some scientists say, as the melting of polar ice and flooding of coastal civilization.

"The 'scarcity' of the environment is now replacing the scarcity of fuel as the critical constraint in growth of the energy industry," says Dr. Norman H. Brooks, professor of environmental science at the California Institute of Technology. "The environment can no longer be regarded as infinite."

As in any crisis, this one has its optimists and alarmists. Petroleum companies and electric utilities see the problem primarily as one of meeting energy demands, if possible with a minimum impact on the environment. The Atomic Energy Commission takes the positon that there is no big problem, if only the public would accept nuclear power as its salvation. Many environmentalists tend to overlook economic needs, seeing only the smog and oil spills.

Part of the problem is that few people are really talking to each other, or listening. A recent discussion between two Massachusetts Institute of Technology professors, both electrical engineers, illustrates the point.

One said: "I worry about our continued energy growth. Some place we reach real trouble, and I bet it comes by 2100." To which his colleague responded: "I can't see how you're going to limit demand and go live in a tent by Walden Pond." The first professor snorted: "That's a Philip Sporn answer, and it's stupid."

Philip Sporn is the retired president of the American Electric Power Company. At a recent seminar on energy in Washington, Mr. Sporn conceded that the doubling of electricity demand every decade, a trend all this century, has "definite limits" and that the environmental concern "is legitimate enough." But he defended most utility practices while ecologists at the seminar spoke mostly of the biosphere and rarely about filling immediate energy needs.

SLIGHT MOVE TOWARD ACCORD

There are, however, some small beginnings toward a reconciliation of the two points of view. This is occurring where the problem is especially acute and controversial—over the issue of where to build new power plants.

Many of the nation's 3,400 power plants are old and inefficient and will have to be replaced soon. Moreover, the Federal Power Commission estimates a need for at least 255 new plant sites (91 for fossil-fuel plants, 164 nuclear) by 1990. Most of these new plants are expected to be mammoth, with greater potential for environmental damage.

For this reason, among others, proposed plant sites are being scrutinized more closely than ever. Even without serious opposition from conservationists, it now takes six to eight years for a new plant to move from conception to operation. Consolidated Edison Company's proposed Storm King plant on the Hudson has been tied up in the courts since 1965—with no resolution in sight.

An experiment in Minnesota serves as a possible model for reducing some delays raised by environmental questions.

Early last year, the Northern States Power Company in Minneapolis decided to share some of its decision-making responsibility for plant site selection with groups concerned with protecting the environment. Under a policy of "open planning," representatives from some 30 groups joined a task force set up by the utility.

Some were skeptical, suspecting it was only a public relations ploy. Some in the company were none too happy about sitting down with their sharpest critics. But after six weeks of meetings, recalls R. W. Comstock. Northern States Power's director of environmental affairs, the more vociferous critics settled down and the task force got busy on its recommendation for where to put the company's next power plant.

RECOMMENDATION FOLLOWED

They had four sites from which to choose. They rejected the company's first choice, the Louisville swamp on the Minnesota River, because the area was being considered as a state park. They ruled out two other possibilities because other plants were already in the area. Instead, they selected a site in Monticello, Minn., which the company deemed the least desirable economically. Nevertheless, Northern States Power followed the recommendation.

"It looks at this point as if the company will be able to install a generating station without a major public confrontation for the first time in over a decade," Mr. Comstock says. The citizens group has moved on to studies of future plant sites and the whole question of future energy needs.

Open planning is still highly controversial. Some utility executives see it as just one more nuisance in the already difficut procedure of getting plant sites approved. In some states, utilities must get 30 to 40 licenses, permits and certificates—from power, health, wildlife, waterways and other agencies—during the course of planning and building a plant.

Conservationists would like to see more utilities adopt more planning similar to the Minnesota example, but preferably at an even earlier stage of decision-making. Eventually, they want it made a permanent, legislated part of utilities industry operations.

As Peter Borrelli, eastern representative of the Sierra Club, an environment-protection group, says:

"Even to environmentalists, regardless of how hard a position they take on energy growth, certain facts jump out and present awesome managerial problems. Even if growth is curbed, even with zero population growth, we are going to see a threefold increase in electric power consumption in the next 20 years. It's going to happen, and we have to learn how to deal with this."

The Edison Electric Institute, an association representing 185 of the major investor-owned utilities, favors an approach to plant-site approval called "one-stop shopping."

"ONE-STOP SHOPPING"

The idea, which a few states have adopted, is to expedite site approvals by eliminating the need for a utility to go through two or three dozen state agencies. One agency, usually the equivalent of the public utility commission, would have over-all authority. Such is the purpose of legislation supported by Governor Rockefeller in the New York State legislature this year.

Most conservationists find one-stop shopping unacceptable. State utility commissions, they complain, are "historically in the pocket of industry" and do not normally take into serious consideration such issues as land conservation, wildlife protection and water pollution problems.

While plant-siting delays could prolong the crisis, that was only one factor in bringing about the immediate energy problems. Aside from pressures generated by environmentalists, the crisis is seen as the almost inevitable result of management miscalculations, technological troubles and certain Government policies.

In the case of electric power, for example, the nation's utilities underestimated demand. The Federal Power Commission had predicted in 1964 a 6.5 per cent annual growth rate, which became the basis for most planning. But the growth rate in recent years has run close to 9 per cent because, in part, of an unexpectedly sharp rise in air-conditioning.

Another miscalculation was made back in 1966 when the nation's first truly commercial nuclear plant was completed at Oyster Creek, N.J. Utilities began "thinking nuclear." They rushed to place orders. Consequently, the coal industry slowed down the development of new mines and, looking for new markets, signed some big export contracts, especially with Japan.

But manufacturers had trouble meeting delivery schedules for nuclear facilities. Some of the units had to be sent back to the factory because of poor workmanship. Shortages of skilled construction labor, strikes and various installation problems also contributed to delays of months and often years.

By then, one energy expert says, "it was too late to shift gears." Utilities were forced to rely a little longer on their older generators, which presented maintenance problems of two kinds.

One was the result of the utilities' "load-building" promotional policies, industry experts explain. They heavily promoted air-conditioning, among other things, so that summer and winter demands would balance out. But their success left them with little time to take generators "off line" for maintenance. The result was more equipment breakdowns.

And because of another trend—toward "economies of scale" through the use of bigger and bigger generators—a single breakdown could eliminate practically all of a utility's total reserve capacity. This was why the nine-month breakdown of "Big Allis," Con Edison's temperamental million-kilowatt generator in New York, was of such concern. That single generator accounts for 13 per cent of Con Edison's installed capacity this summer.

Short-sighted management is often given as another reason for the utilities' current predicament. The utilities, their critics say, have rarely attracted the more talented engineers or encouraged technical or managerial innovation.

Dr. Carroll L. Wilson, a professor at M.I.T.'s Sloan School of Management, observes: "In the utility industry, it's been so damned easy to grow. You didn't have to be half smart."

The attitude of some managements, says Mr. Borrelli of the Sierra Club, is "just push the juice out and pray."

FEDERAL AGENCIES BLAMED

Some of the blame, the utilities contend, rests on the Government regulatory bodies for the way they establish electricity rates. Utilities complain that they are not usually allowed to charge enough to finance expansion as rapidly as necessary.

It costs about $250-million to build a million-kilowatt fossil-fuel generating plant and as much as $280-million for a nuclear plant of the same capacity. Utilities say that with some of their present profit margins they find it hard to borrow the money for such expansions.

The low rates, which are based primarily on a return on invested capital, are also cited by the industry to explain its reluctance to invest heavily in research. Many of the state power commissions do not allow the companies to treat research as a business expense.

Utilities now spend less than 1 per cent of sales a year directly on research, primarily on transmission technology. Most fundamental research is financed by the Government and the electrical equipment manufacturers.

Another critical element in the current crisis involves the supply of fuels.

For years petroleum has been the nation's primary energy fuel. Last year it supplied 43 per cent of all domestic energy demands;

natural gas was next, with 33 per cent; bituminous coal, 20 per cent; water power, 4 per cent; anthracite, 0.3 per cent, and nuclear energy, 0.3 per cent. The figures add up to more than 100 per cent because the larger ones are rounded off.

NO IMMINENT THREAT

Although fossil fuel resources are finite, there is no threat of imminent depletion. According to recent Government estimates, the earth's coal will probably hold out for at least three or four centuries. Natural gas and oil, including that in oil shale and in the polar regions, may run out in a century.

But there is the more immediate problem of getting the fuels, especially the cleaner, environmentally acceptable ones, out of the ground and to market in sufficient quantities.

More and more communities, including New York, Chicago, Los Angeles and Boston, now requires or soon will require utilities to burn only fuels with 1 per cent sulphur content, or less. The restriction, made to reduce dangerous sulphur dioxide emissions, rule out much of the nation's available coal and crude oil. Chicago, near the big Illinois coal fields, must haul in low-sulphur coal from Wyoming at premium prices.

Aside from environmental concern, there is increased pressure on fuel supplies because of the growing importance of electricity. About two-thirds of the energy in coal or petroleum is lost in generating electricity, escaping out the stacks and into the water used for cooling.

There is no sure end to the nation's energy crisis in sight. John A. Carver Jr., a member of the Federal Power Commission, predicts: "For the next three decades we will be in a race for our lives to meet our energy demands."

On a national scale, there is a developing consensus among engineers and economists, utility executives and environmentalists over the need for a better-coordinated, long-range energy policy.

The "unrealistically" low price of electricity commands much attention. A 1 per cent tax or a surcharge on all electricity bills has been recommended to finance research in new technologies and to help curb demand. A similar suggestion, which President Nixon has endorsed, is that energy prices should reflect the "full cost to society"—what the product costs in water and air pollution as well as in raw materials and other conventional costs.

Meanwhile, in the absence of a coordinated national policy on energy, state agencies regulate local utilities and energy prices. The Federal Power Commission is responsible for the price of natural gas and some hydroelectric matters. The Atomic Energy Commission promotes and licenses nuclear power. The Department of the Interior oversees oil import quotas, mine safety, offshore petroleum deposits and other resources on public lands. Other agencies, local and Federal, are concerned with pollution standards.

The White House would like to see most of the Federal energy programs combined within a single Department of Natural Resources, which is part of the President's proposed governmental reorganization plan.

Although the energy industry has reservations about more Government restrictions, there is a new recognition that, as Mr. Comstock of Northern State Power puts it, "the old rules of the game have changed" and that it would help to agree on some new rules concerning both energy and the environment. No one expects it to be easy.

"There are no miracle solutions," Mr. Comstock says. "There are only hard choices—hard choices for me, for you, for my corporation, for all institutions, and some of these choices must be made very soon."

[From the New York Times, Wed., July 7, 1971]

A NUCLEAR FUTURE LOOMS THE NATION'S ENERGY CRISIS

(By John Noble Wilford)

Slowly, reluctantly and fearfully, the United States is moving toward a nuclear-powered future. It is not that people have learned to love the atom; it is because few can think of any other acceptable answer to the nation's energy crisis.

Nuclear power is technically difficult, initially expensive, a source of thermal pollution and the subject of acrimonious controversy and widespread anxiety about possible radiation hazards.

And yet to a growing number of technologists, economists and political leaders, it is the only way within the traditional economic's system to meet the ever rising consumer demand for a steady supply of reasonably inexpensive power without ravaging the environment.

Thus the Nixon Administration has made nuclear power the keystone of its "clean energy" plan for the decade. And future Administrations, barring unforeseen discoveries, can be expected to follow the same general policy.

For nuclear power, despite its drawbacks, is without doubt more plentiful, ultimately cheaper and relatively less damaging to the environment than other fuels. The alternatives, in other words, could be worse.

Coal, for example, is still plentiful; it might last for a few more centuries. But it cannot last forever. Most coal moreover, is too full of sulphur to meet present environmental standards. Thus no new fossil fuel plants are allowed in the entire Los Angeles basin. And the extraction of coal exacts great environmental and human costs.

The cheapest way to extract coal is by strip mining, which now accounts for one-third of production. But strip mining is desolating tens of thousands of acres a year of some of the most beautiful mountain country in the nation, with little likelihood that the damage will ever be repaired. Only 58,000 of the 1.8 million stripmined acres have so far been restored, the Department of Interior reports.

But if strip mining is outlawed, as many conservationists are urging, then a greater reliance will have to be placed on deep mining, which is not only roughly three times as expensive but more hazardous as well. More than 80,000 miners have died in deep mine accidents since 1910. Safety precautions, while they might make the process humanly acceptable, would make it even more expensive and less economical.

Other sources of energy are equally problematic. Petroleum costs are rising as the search for new supplies grows more difficult and expensive, extending to the poles and farther out on the continental shelf. The price of fuel oil in Boston, for example, has doubled in a year's time. Before oil begins running out in a century or so, it may have to be rationed so that what is left is used only for transportation and the manufacture of plastics—not for burning up in the production of electricity or home heating.

RELIANCE ON FOREIGN SOURCES

Moreover, a continued reliance on petroleum and natural gas would mean a growing dependence on foreign sources. American demand for petroleum will reach 28 million barrels a day by 1985, the Humble Oil and Refining Company estimates, and only 11 million barrels are expected to be domestic.

More than 90 per cent of the fuel oil used on the Eastern Seaboard already comes from abroad, mostly from the Caribbean. This gives a number of foreign governments a major voice in the price and flow of American fuel.

Damming more rivers cannot fill the need for energy either. Hydroelectric power accounts for only 4 per cent of present energy production, and most of the suitable dam sites have been exploited. Even the Tennessee Valley Authority, originally a water power project, now derives less than 20 per cent of its power from hydroelectric facilities.

Harness the tides or tap steam inside the earth? These are considered interesting but limited alternatives. Convert sunlight directly to electricity? Engineers doubt this would ever be practical for large-scale energy generation.

At every turn, then, the complications confound an easy solution to the energy crisis and nuclear power seems more and more attractive.

AN ALCHEMIST'S DREAM

Nuclear reactors now produce 1.4 per cent of the nations' electricity. By 1980 the figure is expected to be 25 per cent, and by the turn of the century 50 per cent. Electricity then will crackle along high-voltage lines from "nuclear parks," clusters of reactors far from urban centers, and through submerged lines from reactor stations on platforms anchored miles out in the Atlantic and Pacific waters.

Present nuclear reactors will seem old-fashioned. The more advanced types, called "breeders," will be a sort of alchemist's dream, making more fuel than they consume. Eventually, perhaps as early as the year 2000, there may be machines, based on the sun's energy-generating processes, that run on fuels almost as abundant as water itself.

But no energy-environment equation is ideal, not even the nuclear alternative. Nuclear power has its drawbacks, too.

Its technology has turned out to be more complex than expected. Development costs are high. Capital costs of a large nuclear plant have risen sharply in the last three years, from about $120 for each kilowatt capacity to more than $200.

Nuclear reactors produce even more waste heat than fossil-fuel generators. The problem of "thermal pollution," the heating of a stream or lake to the point that it can become inhospitable to fish, has disturbed environmentalists. And the safety of reactors is a matter of bitter controversy.

Since no one can forget nuclear energy's devastating debut at Hiroshima, people harbor deep-seated fears about anything atomic, fears over explosive accidents, insidious radiation leaks and the problem of how to dispose of radioactive fuel residues.

Public protests are holding up construction of several nuclear plants. The titles of some recent, widely discussed books reflects the gnawing concern: "Perils of the Peaceful Atom," "The Careless Atom" and "Population Control through Nuclear Pollution."

TOUGHER SAFETY RULES

Responding to recent attacks, the Atomic Energy Commission announced last month even stricter safety standards for nuclear reactors and reduced sharply the limit on the amount of radiation exposure that the public is permitted to receive from reactors—down to 1 per cent of the level permitted under current Federal radiation standards. Still, some critics raise questions about long-term genetic effects from repeated exposure to these minuscule doses.

These drawbacks and fears have been largely responsible for the slow and reluctant acceptance of nuclear power—until now. Whatever their reservations, engineers and many environmentalists, economists and utility executives now can see no realistic alternative to the atom.

"Nuclear power certainly is the best answer to our needs right now and probably in the long run," says Byron Lee Jr., assistant to the president of the Commonwealth Edison Company of Chicago. By the end of the year, 25 per cent of the utility's generating capacity will come from nuclear power.

Although the initial capital investment is higher for a nuclear plant, Mr. Lee says, fuel costs over the estimated 30-year life of a plant are considerably lower. And because low-sulphur coal and oil are expensive in the Midwest, as in other regions, nuclear power is also considered "environmentally preferable."

The trend toward nuclear power is strong. Although only 21 commercial nuclear reactors are now in operation, supplying less than 1 per cent of the nation's energy needs, more power-generating capacity is now on order for atomic plants than for the conventional types. There are 54 under construction in this country, and orders for 42 more. Even a major Texas utility, in the heart of gas country, plans to go nuclear.

$2-BILLION ASKED BY NIXON

The nuclear commitment was reinforced last month when President Nixon asked Congress to pledge $2-billion in Federal funds over the next decade for development of a commercial "fast breeder" reactor. This is considered the next major step in nuclear technology.

Conservation of resources is the breeder's chief selling point.

Conventional nuclear reactors of the water-cooled type obtain energy from the splitting of fission, of the extremely scarce form of uranium, U–235. It makes up only seven-tenths of 1 per cent of natural uranium, and is in danger of depletion in a few decades. The more abundant U–239 is the nonfissionable part of the fuel mix.

As the U–235 fissions, it releases energy, which boils water and creates the steam to drive turbines and produce electricity. Apart from the fuel and its unusual properties, the method is essentially the same as in ordinary fossil-fuel steam generators.

In the process, some neutrons that are released turn the U–238 into the fissionable plutonium, but in an inefficient maner. The breeder reactors will make the most of this transmutation of elements.

"A QUESTION OF RELIABILITY"

In the breeder, a fissionable fuel, either U–235 or plutonium 239, will be split for the heat-to-steam-to-electricity process. The surplus neutrons, allowed to travel at faster speeds, will react with the U–238 in such a way as to produce 14 atoms of plutonium for every 10 atoms consumed.

Like other nuclear technologies, the breeder has its highly vocal critics. A group of scientists, headed by Dr. Margaret Mead, the anthropologist, has filed a suit in Federal court in an effort to stir a national debate on the advisability of developing the breeder. They maintain that the A.E.C. has failed to make public enough information to judge the potential impact of breeder reactors on the environment.

To many scientists, however, the breeder is only an interim technology, a holding action until they can master the difficult art of controlling thermonuclear fusion. This is the release of tremendous energy through the fusing of light atoms, which is the basis of the hydrogen bomb and of the nuclear reactions going on inside the sun.

Although President Nixon has asked for $2-million in addition to the $30-million already budgeted for fusion, a number of scientists call the lower priority for this technology "a disgrace." They predict the Soviet Union may be the first to harness fusion.

As Dr. Richard F. Post of the Lawrence Radiation Laboratory at Livermore, Calif., puts it: "We've got two really good horses to ride and we ought to ride them both." He predicts that fusion power will be controlled in the 1980's and be economically "in full swing" by 1990.

Most scientists are somewhat less optimistic. They doubt that fusion will be a practical source of energy until after the turn of the century. A few question whether it will ever be practical.

Fusion's promise seems to make the continued effort worthwhile. Fusion produces few worrisome radioactive wastes except tritium, which most specialists believe can be recycled through the system without significant hazard.

More advanced fusion techniques might lead to direct conversion from energy to electricity, thus bypassing the steam process and its waste-heat inefficiencies. A runaway chain reaction would be unlikely, since the fusion reaction stops if it cools ever so slightly.

Another important advantage is that the most likely fuel for fusion would be one or more forms of hydrogen, such as deuterium, which are derived from sea water. Thirty cubic kilometers of seawater could contain a deuterium energy equivalent to the current inventory of the earth's fossil fuels.

Not all current energy research involves nuclear technology.

A number of researchers are working on processes to remove polluting chemicals from fuels before combustion and on devices, such as improved, electrostatic precipitators, to clean stack gases. Utilities are supporting research to improve transmission lines, since up to 20 per cent of the electricity generated is lost in transmission. This will become more critical as power plants are increasingly placed farther from urban centers.

Aircraft engine manufacturers are stepping up the development and sales of gas turbines, which are similar to jet engines, for generating electricity.

Though relatively small, gas turbine plants can be turned on and off quickly to handle a utility's periods of peak demand or as a back-up facility. They can burn a variety of liquid or gaseous fuels, from natural gas to kerosene, switching from one to another at a moment's notice.

One of the more promising lines of research is directed toward converting high-sulphur coal into sulphur-free, pipeline-quality gas—a synthetic form of natural gas.

The Department of Interior's Office of Coal Research is doubling its efforts in coal gasification, aiming toward the operation of a large demonstration plant by 1976. A smaller pilot plant is running in Chicago.

HEATING CRUSHED COAL

The gasification process involves heating crushed coal under very high pressures. Reactions between steam and the coal's carbon give off carbon monoxide and hydrogen. In a series of further reactions, sulphur is removed and the gases are converted to methane, which is what natural gas is.

Dr. Hoyte Hottel, proposed emeritus of chemical engineering at M.I.T., who is making a comparative study of new fuel sources for Research for the Future, Inc., is not optimistic about extracting oil from the plentiful shale deposits in the Western states.

"It requires heating up so much inert material to get a few gallons of oil," Dr. Hottel says. "I'm for leaving it alone until we've made more use of our other resources."

Many other technologies are expected to be investigated through a new National Science Foundation program called Research Applied to National Needs. The largest single item in the program's $81-million budget is energy resource research and analysis.

Through evolving combinations of research, nuclear and otherwise, the nation's engineers scientists and energy managers hope to find the technological "fix" for the current crises. It is a traditionally American response, this faith that it all can be worked out through some more Yankee ingenuity.

There are those, however, who have some doubts. Even new technologies, they say, may not be sufficient unless Americans learn to curb their seemingly insatiable appetite for more and more energy.

[From the New York Times, July 8, 1971]

NATION'S ENERGY CRISIS: IS UNBRIDLED GROWTH INDISPENSABLE TO THE GOOD LIFE?

(By John Noble Wilford)

In searching for ways to meet the nation's soaring energy needs without damaging the environment, some American experts are beginning to question one of this country's most cherished beliefs: the idea that boundless economic growth is indispensable to the good life.

If the environment is finite, according to these social scientists, engineers, economists and environmentalists, then perhaps economic growth has its limits too, particularly the unbridled growth that has characterized the United States almost from the start.

What those limits are, or more specifically how a slow-growth economy would be managed and what the social and political implications of such a policy of national planning might be, are questions that the critics of growth have given little detailed thought to.

But they agree that the changes needed to contain the energy crisis may well prove to be radical since, if the logic of the situation is carried to its end, whoever sets priorities for energy consumption wields enormous power over the economy and over the entire national life style.

They are convinced, in any case, that change of some sort will be essential. As Dr. Barry Commoner, an outspoken Washington University biologist, asserts:

A HOST OF PROBLEMS

"The environment got there first, and it's up to the economic system to adjust to the environment. Any economic system must be compatible with the environment, or it will not survive."

Controlling growth, economists say, would confront the nation with a host of difficult problems. Unemployment could rise. The poor could be locked in their poverty. Education, research and cultural pursuits might suffer. The nation could lose economic and political stature.

Millions of individual decisions traditionally made through the random choices of consumers and the supply-and-demand forces of a relatively uncontrolled economy would have to be passed upward to the national level and made through some form of comprehensive national planning.

Most authorities agree that such far-reaching Government power would run against the American grain and that the American people would not easily accept more controls unless the energy crisis got much worse. What the critics of growth are saying, in a word, is that the crisis is getting worse, and rapidly.

Consumption of all energy sources is rising between 3 and 4 per cent a year, which is faster than population increases and basic economic growth. By the year 2000, according to some projections there will be 320 million Americans (compared to 203 million now), and they may be using three or four times the current energy output. Hardly a shore or river bank would be without a power plant every few miles.

RE-EXAMINATION SUGGESTED

"We're not pessimists or doom-mongers. We just see technological reasons to do some new social thinking," says Dr. John List, as-

sistant professor of engineering at the California Institute of Technology's new Environmental Quality Laboratory.

"We've got about 20 years in which to reorganize," Dr. List continues. "Population growth hardly comes into it at all. It's growth in per capita consumption. It's just plain affluence. The only way out of it that we can see is to curb the energy consumption per person. Not exactly a no-growth situation, but slow it down from this 9 per cent [growth rate] madness."

A recent energy report by the President's Office of Science and Technology stated:

"It may well be timely to re-examine all of the basic factors that shape the present rapid rate of energy growth in the light of our resource base and the impact of growth on the environment."

Even Charles F. Luce, chairman of the Consolidated Edison Company, concedes:

"The answer to all of these environmental and resource problems is that we simply use less goods and services. In other words, that we get off this growth kick our economy has been on throughout the history of our country."

When slow-growth or no-growth ideas are raised, businessmen, economists and engineers usually react with variations of the time-honored principle that growth is progress and progress is good. They stand firm on the premise reflected by John L. O'Sullivan, the American editor credited with coining the expansionist expression "manifest destiny." Said Mr. O'Sullivan in 1845: "The only healthy state of a nation is perpetual growth."

BASIC LAW OF BIOSPHERE

But a crisis, if not completely catastrophic, can change thinking patterns and give impetus to social invention, as the economic crisis of the Depression years did in this country. To ecologists, such radical thinking is once again a necessity.

One of the basic laws of the biosphere is that energy, when expended, ends up as heat—the warmth of a stove or light bulb, the blast of an industrial furnace, the heat of an auto engine and the heat emitted by power plant stacks and cooling waters.

In power plants, conventional or nuclear, only 30 to 40 per cent of the fuel's heat is converted to electricity, and engineers doubt there can be any significant improvements in efficiency for at least two or three decades. Consequently, some 60 per cent of the heat is released in a concentrated dose at the power plant site and the other 40 per cent over the points of use, primarily the urban areas.

At some point, scientists caution, the cumulative effects of power generation could alter global climate.

CUTBACK WON'T BE EASY

Slowing down the rate of increase in energy consumption will not be easy. It would not help much to abolish many of those gadgets of affluence such as the electric toothbrush or electric carving knife. Each uses less than 8 kilowatt hours a year.

The big residential consumers are refrigerators, electric air-conditioners, freezers—all considered necessities by the "haves" and desired objects by the "have-nots." New Yorkers, for example, may not want Con Edison to spoil the Hudson Valley any more with power plants—but they keep buying more air-conditioners.

And residential consumption is slightly less than a third of the total. According to the Edison Electric Institute, 41 per cent of electricity is consumed by industry, 32 per cent residential, 23 per cent commercial (stores, shopping centers, office buildings, hospitals, etc.) and 4 per cent others (street lights, subways, etc.).

How to slow down growth—through restrictions on energy consumption or reductions in economic development in order to curb energy demand—is something most economists would rather not contemplate. Adam Smith, in "The Wealth of Nations" two centuries ago, summed up their position:

"The progressive state is in reality the cheerful and the hearty state to all the different orders of the society. The stationary state is dull; the declining melancholy."

Some economists, like Yale University's Dr. Henry C. Wallich, dismiss no-growth ideas as "absolute bunk."

They see more unemployment as the most immediate and deplorable effect. According to a "law" worked out by Dr. Arthur Okun, a senior fellow at the Brookings Institution and former economics adviser to President Johnson, the nation's basic economy must grow at a rate of 4 to 4½ per cent annually to absorb the growing labor force and increases in productivity, the output per man-hour. A 1 per cent drop in economic growth would thus lead to a one-third of 1 per cent rise in unemployment.

BEAUTIFUL THOUGHTS?

Any fundamental curbing of energy consumption, economists say, would mean stabilizing the gross national product, the total output of goods and services, which currently runs at an annual rate of slightly more than $1-trillion.

The only remotely realistic way to do that, the economists add, is to reduce the hours people work each week. It would mean asking people to trade added income for more leisure, to sacrifice future increases in their standard of living.

"What are they going to occupy their time with?" Dr. Wallich asks. "Religious contemplation, art, beautiful thoughts?"

The effect this could have on poor people presents a serious problem. Methods often suggested for reducing energy consumption, such as substantial price increases, would hit the poor hardest.

For a person in Harlem or Watts it could make the difference in having air-conditioning, or even a fan. More important, it could cost him his job. The increases could also hurt the users of subways and other electric mass-transit operations, but not the people who ride to work in automobiles, which are responsible for great amounts of pollution.

For these reasons, critics often call slow-growth ideas an "elitist" attitude, which one industry executive described as "I've got mine, Jack, let's stop here.

Critics of the critics, however, say the impact on the poor could be ameliorated through income redistribution and other social legislation. Besides, they say the argument is often used by "people who never really gave a second thought to poor people before."

Another argument against curbing energy production is that cleaning up the environment will take more, not less, energy. W. Donham Crawford, president of the Edison Electric Institute, contends:

"If you want to replace the internal-combustion engine with mass transit in our polluted cities, if you want to recycle aluminum and steel cans into useful products, if you are going to try to clean up the sewage and rivers and lakes, if you're going to clean the air, it will take enormous amounts of electricity."

CONFLICT OVER TIMING

But the conflict between many economists and ecologists may be over matters of timing and magnitude rather than of principle.

Dr. Walter W. Heller, University of Minnesota professor and former chairman of the Council of Economic Advisers under President Kennedy, says:

"I think of growth as a source of the problem, but also as a solution. We're doing a bad enough job in the face of growth. An absence of growth would be a corrosive factor in solving our problems. But we must, in time, redirect the proceeds of growth, and the first claim should be on repairing the ravages of growth."

It is also possible that growth rates will begin to taper off because of natural economic and cultural forces.

In California, as in many fast-growing states, there is a shift in construction from single-family homes to multiple dwellings; an apartment uses about two-thirds the electric power of a single-family house. Lower birth rates will mean a decrease in the labor force's growth 20 years from now—and there is already a gradual shift in the labor force from manufacturing to less power-demanding service and trade occupations.

Even without additional taxes or surcharges to support research and to discourage overuse, all forecasters predict considerably higher costs of energy, perhaps 50 per cent increases in the decade. This would be a result of resource scarcities and the costs of antipollution measures.

And it just may be that there is a saturation point for human energy needs. How many more cars and air-conditioners and appliances can the American middle classes need or want? Perhaps the consumers' boom will cool off. Perhaps at some point most growth in energy demand will reflect population gains and the acquisitions of poorer people.

END TO "EXPONENTIAL CURVES"

This could bring to an end the "exponential growth curves" that have been the pattern all this century—that is, the doubling of electricity consumption every 10 years. It has to end sometime, through some natural or willed deceleration, because, as Dr. Dennis Gabor, the British technologist, says:

"Exponential curves grow to infinity only in mathematics. In the physical world, they either turn round and saturate, or they break down catastrophically."

In random but not insignificant ways, Americans are showing signs of turning away from reflex Chamber-of-Commerce boosterism to a more selective approach toward growth.

Cancellation of the supersonic transport was the most dramatic expression of such a questioning attitude. Dr. John Kenneth Galbraith, the Harvard University economist, calls the SST decision "historic" because "for the first time we decided the advantages of a new type of growth were outweighed by the disadvantages."

Similar public protests killed proposals for a jet airport in the Everglades and the Cross-Florida Range Canal.

BASIC SOCIAL ISSUES

But to embark on a conscious policy of curbing growth raises fundamental social questions that go much deeper than the economics of living. They strike at the heart of American ethics and philosophy.

"Up till very recently, man has inhabited, psychologically, a virtually unlimited flat earth," says Dr. Kenneth E. Boulding, a University of Colorado economist, explaining the potential impact of the finite-earth concept on man's thinking. "There has always been somewhere to go over the horizon, some boundary to the known world beyond which there were further worlds to explore. Now this long period of human expansion has suddenly come to an end. We are living in just so big a house and there are only so many things that can be done with it. The psychological impact of this shift has barely begun to be felt."

Advocating a new "ecologic ethic," Dr. Garrett Hardin, professor of biology at the University of California at Santa Barbara, says:

"The ethical system under which we operated in the past was possibly adequate for an uncrowded world. But it is not adequate for a world that is already critically overcrowded, a world in which it is increasingly difficult for anyone to do anything at all without seriously affecting the well-being of countless other human beings."

No crisis so complex can be easily solved, but the few ideas being discussed generally involve the types of social innovations that may be necessary to match the nation's technological capabilities. The ideas center on some kind of national energy policy in the broader context of national economic and environmental planning. As a beginning, air and water and other environmental standards are being established on a national basis for the first time.

NEW IDEAS DISCUSSED

Writing in the summer issue of The American Scholar, Dr. Peter L. Marks, professor of biology at Cornell University, went so far as to advocate abolishing all state, county and city governments and replacing them "with regional governments based on ecological boundaries," such as a watershed.

Since he joined the General Electric Company last year, Dr. Thomas O. Paine, former head of the National Aeronautics and Space Administration, has initiated a "strategic study" of the nation's energy situation. The study, which is not yet completed, explores such ideas as regional land-use and water planning, a national energy system of interconnected transmission lines and priorities for resource exploitation and technological development.

These represent the probing first steps as the nation learns to make the transition from what Dr. Boulding of the University of Colorado calls the "cowboy economics" of unfettered growth to the planned, orderly growth of "spaceship economics," the concept of man's dependence on a finite, enclosed life-support system known as earth.

The energy crisis reflects the difficulty of that transition, the slow weighing of the costs of radical social change against the costs of letting things go unchanged. The crisis also confirms the agonizing truth of Buckminster Fuller's words.

"Now there is one outstandingly important fact regarding Spaceship Earth," Mr. Fuller, the inventor, says, "and that is that no instruction book came with it."

TRUTH IN FOOD LABELING NEEDED

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PATTEN. Mr. Speaker, unknown and conveniently hidden from the American consumer, a frightening situation exists in the area of food ingredient labeling. According to present regulations of the Food and Drug Administration—FDA—many of the major food manufacturers are exempted from telling consumers what ingredients they add to the foods they sell. Accordingly, even where there is a list of ingredients on the label of a food product, such a list may only be a partial disclosure. Curiously enough, it is often the potentially harmful ingredients that are not listed.

I would like to point out that on May 12, 1971, the Food and Drug Administration published a proposal in the Federal Register that would require the complete disclosure of all ingredients in standardized foods. A standardized food is one for which the FDA has set forth the types and amounts of ingredients in a particular product such as mayonnaise or cola beverages. The label of a standardized food need not disclose what ingredients are contained therein. Unstandardized foods presently must disclose all of their ingredients on the label.

However, this rule, which was recently put forth by the FDA to enforce ingredient disclosure, was not endorsed by that agency. In fact, the proposed rule itself was developed outside of the FDA and presented to it by a group of five George Washington University law students: Arthur Koch, Joan Levy, Louis Kaufman, Ellis Saul, and Gary Laden, calling themselves LABEL, Inc.—Law Students Association for Buyers' Education and Labeling. The fact that the FDA has allowed such weak and ineffective food labeling procedures to exist so long is definitely suspect; and its failure to directly ameliorate the situation as illustrated by its lack of endorsement of LABEL's proposal as published by the agency on May 12, 1971 is evidence of the FDA's obvious lack of concern.

I believe that it is essential that all consumers have the opportunity to know what ingredients are contained in the foods they eat. Heart patients, for example, have an absolute need to avoid specific food substances. Existing FDA procedures render such individuals helpless in adhering to strict dietary regimes. One study has cited the "yolk of the egg as the single highest source of cholesterol in the average American diet, as well as a source of considerable saturated fat. Consequently, the public should be encouraged to avoid egg yolk consumption"—Report of the Inter-Society Commission for Heart Disease Resources on the Primary Prevention of the Atherosclerotic Diseases, reprinted in Circulation, December 1971, the official Journal of the American Heart Association. Yet how can the presence of egg yolk be determined if a product goes unlabeled as to ingredients?

Furthermore, thousands of Americans are susceptible to allergic reactions from a variety of food substances, but due to inadequate food ingredient labeling, are unable to avoid these potentially offensive ingredients, and are left helpless in the face of possibly serious allergic reactions. Dr. Theron G. Randolph of Chicago's Human Ecology Research Foundation, believes that "mental confusion, agitation, comas, and amnesia can be caused by repeated contact with the wrong food substance."—Chicago's American, April 12, 1966, "Illness of the Mind Tied to Allergies." In addition, another recent study in the Annals of Allergy, volume 26, June 1968, "Recognition of Food Additives as a Cause of Symptoms of Allergy," by Dr. Ben F. Feingold, M.D., states:

"Our system of food production and food distribution is in a great measure dependent upon the use of a large number of chemicals . . . many of these chemicals . . . can be responsible for a variety of allergic reactions observed clinically.

This same study founds cases of asthma in children due to ingestion of artificial colors in foods and over 100 cases of sensitivity to synthetic flavors in foods.

In addition, religious dietary laws of the Mormon and Jewish faiths, among others, exhibit another reasonable need for full ingredient disclosure on all foods to enable observant members of these and other religious groups to avoid eating food substances prohibited by religious law.

I think the White House Conference on Food, Nutrition, and Health, 1970, put it most succinctly:

As a result of the maze of present laws and regulations governing food labeling, consumers are presented with confusing or incomplete information about the products they purchase. The label of an unstandardized food must bear a full statement of ingredients, whereas the label of a standardized food need not disclose the mandatory ingredients. Nutritional information may be required on the label of a special dietary food, but not on a general purpose food. Consumers have requested and are entitled to more meaningful and useful information than is now provided them about food.

At my request, the members of LABEL, Inc., have brought to my attention some of the abuses which existing labeling regulations presently permit. For example:

First. Many products list no ingredients whatsoever on their labels.

Second. Some products list several of their ingredients, but neglect to inform the consumer that this is only a partial disclosure.

Third. Retailers and distributors often receive a more informatively labeled product than the consumer.

It is therefore ironic that the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 341, authorizes the standardization of foods to "promote honesty and fair dealing in the interest of consumers." This very provision of the Federal Food, Drug, and Cosmetic Act which calls for the standardization of foods to promote honesty and fair dealing in the interest of consumers also permits the Food and Drug Administration to exempt the manufacturers of these standardized foods from disclosing to consumers the very ingredients contained within. Certainly the inability of consumers either for religious, health, or dietary reasons to avoid potentially harmful or religiously offensive substances due to lack of ingredient labeling does not evidence "honesty and fair dealing in the interest of the consumer."

As a result of these circumstances, I have, along with 29 other of my colleagues, cosponsored the Truth in Food Labeling Act—H.R. 9142—which was introduced by Representative ROSENTHAL, of New York. This bill would amend the Federal Food, Drug, and Cosmetic Act to require the labels on all foods to disclose each of their ingredients.

On June 14, 1971, Dr. Charles C. Edwards, Commissioner of the Food and Drug Administration, in testimony before the House Subcommittee on Activities of Regulatory Agencies Relating to Small Business, admitted that "primary jurisdiction over labeling" of foods rests with the FDA. Yet, despite the apparent need for more complete ingredient labeling of foods, the FDA still has not acted. In a very real sense, "we

are what we eat." Nevertheless, despite the great influx of chemical additives into the American food supply, we are still unable to discover the makeup of the mayonnaise we spread on our sandwiches, or the cola beverages which we drink with them. Americans with heart ailments, allergies, and religious dietary restrictions are presently unable to protect themselves. It is even more ironic that many pet foods are more informatively labeled as to ingredients than are human foods.

In essence, present FDA regulations have created sanctuaries for thousands of hidden ingredients in foods. The FDA has not shown the necessary zeal or desire to eradicate this problem. Therefore, it is essential that this Congress act swiftly to ameliorate this seriously deficient situation. I believe that the consumer has the right to know what ingredients are contained in the foods he purchases and consumes. I therefore urge support of the proposed Truth in Food Labeling Act to correct such a distressing problem.

I have taken the opportunity to include for the RECORD a copy of an editorial which was published in the Courier-News of Plainfield, N.J., on May 26, 1971, in favor of better food labeling. Also included are excerpts from letters sent to the FDA arguing for better and more protective food labels. These materials are included to give my colleagues an indication of the public's desire to have complete disclosure of all food ingredients to safeguard our Nation's health:

[From the Courier News of Plainfield, N.J., May 26, 1971]

LET'S KNOW WHAT WE'RE EATING

A national policy of detailed food labeling recommended by five students at George Washington University has been published by the federal Food and Drug Administration with the aim of assessing public reaction to the idea.

The trouble with this unusual move is that the public reaction comes mainly from opponents of a proposal. Critics are always quick to speak out while those who favor a suggestion often sit back hoping it will succeed without their intervention.

Hopefully, the FDA will take account of this trend when assessing reaction to the student plan. Certainly objections of the food industry—which has long been reluctant to tell consumers what they can expect to eat—shouldn't be allowed to overshadow consumer interests.

As things are, a housewife who doesn't want her family to eat too much cholesterol presently has to memorize the content of dozens of food items or carry a guide with her when shopping.

Under the student proposal she could tell by a glance at the label of any processed food not only whether it is high in cholesterol but whether it contains any other substance she wants to avoid.

The proposal would require so-called standardized foods, which account for 20 per cent of grocery store items, to meet full-labeling requirements that now apply only to nonstandardized foods and to cat and dog foods.

It's a case where supporters of the forward-looking student proposal should take a cue from protestors and critics by speaking out—letting the FDA know that they like the food labeling plan and want to be treated with at least as much consideration as cats and dogs.

CENTER FOR SCIENCE IN THE PUBLIC INTEREST,
Washington, D.C., June 3, 1971.

HEARING CLERK, HEW,
Rockville, Md.

DEAR SIR OR MADAM: This letter is in reference to LABEL's proposal for the complete labeling of foods (Federal Register, May 12, 1971). My interest in this matter is reflected in a similar proposal that I sent to Mr. James Grant, Deputy Commissioner of the Food and Drug Administration, on September 16, 1970.

I strongly agree with LABEL that all additives and ingredients should be listed on all food labels. Indeed, it is incredible that such a small and simple step, of obvious benefit to the consumer, was not taken years ago.

The most obvious reason for listing ingredients and additives on all food labels is that the shopper-consumer-citizen has the basic right to know what it is he or she is buying and eating. Interested persons should be able to determine from reading the label whether their ice cream contains sodium carboxymethylcellulose or their bread contains ethoxylated mono- and diglycerides or their mayonnaise contains monosodium glutamate or their soft drink contains brominated vegetable oil or their preserves contains lard. These "unlabeled optional" chemicals may be, but are not necessarily, used in the respective foods. That most hidden additives in standardized foods are safe from a health standpoint does not detract one iota from the consumer's right to know of their presence.

A second important reason for listing all ingredients on all foods is that persons may have religious or medical reasons for avoiding certain substances. Many persons of the Jewish faith, for instance, need to know whether foods contain dairy products. Complete labeling of bread and sherbet would inform or remind Jews that these foods generally contain milk products. Other religions reject all "unnatural" food additives and for the followers of such religions it is important that all additives be listed. Persons with heart trouble should be reminded by the list of ingredients that mayonnaise and salad dressing contain large amounts of vegetable oil.

The desirability of full disclosure of ingredients and additives is so clear cut that there should be no quibbling or reason to delay promulgation of new regulations.

Respectfully yours,

MICHAEL F. JACOBSON, Ph. D.

HEARING CLERK,
Department of Health, Education, and Welfare, Rockville, Md.

GENTLEMEN: In response to a letter from Mervyn F. Silverman, M.D., I wish to submit my comments in favor of whatever legislation is necessary to accomplish the ends of the petition filed by Label, Inc., requiring the listing of all ingredients on food products sold to the consuming public.

If, indeed, the consumers' voice is being heard as never before throughout the land, it may well be the direct result of too much standardization. People are humans and no two are alike. Part of our freedom in a democracy is the right to eat what agrees with us. What is one man's joy is another man's poison. Milk, the so-called "perfect food," is pure, unadulterated poison for some people, and they have the right to a label which tells them that it is used in the product.

Since my problems are all allergically oriented, my concern is not with listing ingredients in order of quantity of use. Even the most minute quantity, if present, spells doctor bills, medicines, days lost at work or school, all of which affect our Nation and our economy. And for the most part, the allergists are as helpless as the victims, since we cannot identify the offender except by trial and error—and we cannot pin-point an ingredient—just a whole product.

Those of us in our late forties lived for years relatively free of allergic reactions because it was simple to identify the known allergens. Then came the additives, preservatives, and for me, worst of all, the soybean. We became a Nation of food nuts—holding down cholesterol, swallowing extra vitamins, etc. Vitamins were put into hundreds of products that normally would not have them, in the pure form. Suddenly for several years, I could not eat chicken. When the FDA banned the injections of stilbestrol my doctor and I found out the reason why. I now eat it again with no problems, but occasionally I will eat a beef cut or serving that forces me back onto a restricted diet again. You now tell us what was banned in chicken is all right in cattle! Some eggs I can eat, some I cannot. I gave them up altogether rather than risk the illness, since I can't see what the farmer feeds them. I have eaten ice cream all my life. I am now down to one brand—or home made—and I shall probably never know what they now put in the others that is new and different. For the past few years I have once again been forced to buy almost everything fresh, cleaning, scraping, peeling and cooking to suit ourselves, even making my own salad dressings. To say that I find this frustrating, after years of eating anything, is putting it mildly. And a nutritionally balanced diet becomes an impossibility when the reading of labels no longer helps—I don't know what's in it because it's "standardized"!

It has taken me eighteen years to decide monosodium glutamate is possibly harmful in baby food—something that I found out when my two were babies by trial and error. Who would believe a layman? This also applied to the added use of salt. We also found out that our healthy, well cared for kids, could not tolerate milk with vitamin D added—it took an allergist two years to find it was the additive and not the milk!

As agencies such as the FDA become overwhelmed with individual complaints, there is only one clear solution. Every ingredient (including *kind* of spice) in every product for human consumption or use must be labeled, so that individuals can police themselves. FDA will then be free to tackle the problems which involve public safety and health such as mercury, lead, drugs, etc. The small individual differences which make for chronic misery and irritability will disappear when doctors and people can identify an offending item. For me, the indiscriminate use of the label "vegetable oil" in soups, salad dressings, frozen items, and even now bread, has been a nightmare. I, and thousands like me, NEED to know WHAT vegetable oil.

The manufacturers will plead it increases their cost; I will counter that it will also increase their sales. People who are allergic to cottonseed, or safflower, or soybean, or peanut oil, or whatever, who now buy none of these mixed products, will buy those they can. . . .

Ingredient labeling is a simple solution for a mass consumer problem. Please enact it.

Yours very truly,

AN ARLINGTON CONSUMER.

SIGNIFICANT MEASURES IN HEALTH FIELD

HON. RICHARDSON PREYER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PREYER of North Carolina. Mr. Speaker, on July 1, during the debate of

H.R. 8629, the Comprehensive Health Manpower Training Act of 1971, the chairman of the Public Health and Environment Subcommittee, the gentleman from Florida (Mr. ROGERS), stated:

This is the most significant step this Congress will have taken in the whole health field, I think, in its entire history.

H.R. 8629 and its companion bill H.R. 8630, the Nurse Training Act of 1971, are indeed significant measures.

As one of the eight sponsors of these two bills, I would like to emphasize the positive impact which this legislation would have on the health manpower needs of the country. These bills were the result of months of hearings held by the subcommittee and should go far toward relieving the shortage of trained medical and paramedical personnel.

As we know, various proposals are now pending both in the Senate and in the House to establish some type of national health program. It seems inevitable that a national health bill will be enacted in the reasonably near future, and our efforts to provide adequate health care for all of our citizens will be aided by the bills which passed on July 1 in two basic ways.

First, no system which purports to extend full health care to everyone could be expected to function properly without an increase in health personnel. Sheer numbers will be important, and these bills are aimed at eliminating the shortages of doctors, nurses, dentists, and others by 1978.

Second, this increase in the number of professionals should help to lower the already astronomical cost of health care. One needs only to visit any hospital or doctor's office to realize the disparity between the supply and the demand for medical facilities and attention. Logistically, an increased supply should reduce costs by helping to meet demands.

Although much has already been said about the specific features of H.R. 8629, I would like to call special attention to the provisions in the bill regarding family medicine and increased service to rural and ghetto areas. The trend among physicians has been toward specialized practice in more affluent areas. Without incentives and encouragement to the contrary, there is no reason to expect a reversal in this trend.

H.R. 8629 provides financial assistance for the establishment of training programs in family medicine. The bill also includes a loan-forgiveness provision which, it is hoped, will stimulate more physicians to practice in rural and ghetto areas where the shortage of doctors and other health professionals is particularly acute. I am hopeful that these two important features of the bill will substantially reduce the uneven national distribution of medical service personnel.

There is a health manpower crisis threatening the Nation today, and, without going further into a discussion of H.R. 8629 and H.R. 8630, I would simply state that the House of Representatives has acted wisely in approving this crucial legislation.

STATE OF THE JUDICIARY MESSAGES SHOULD BE PRESENTED AT JOINT SESSIONS

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. McCLORY. Mr. Speaker, on Monday, July 5, the Chief Justice of the United States delivered his second annual "Report on the State of the Federal Judiciary" before the American Bar Association in New York City.

While I am grateful that the American Bar Association has made it possible for us to obtain this vitally important information on the State of the Federal Judiciary from the Chief Justice himself, I am, nevertheless, of the opinion that Congress has the primary responsibility under the Constitution to respond to the needs of the judicial branch. Therefore, at the beginning of this session, two of my distinguished colleagues from the Committee on the Judiciary, Mr. McCULLOCH and Mr. HUTCHINSON, joined me in introducing House Joint Resolution 298. The purpose of this resolution is to amend title 28 of the United States Code to require the Chief Justice to provide Congress with certain information on the state of the judiciary as he shall judge necessary and expedient.

Mr. Speaker, I am inserting the report of the Chief Justice of the United States on the state of the judiciary with the hope that all of my colleagues in both bodies will take the time to read it. I frankly feel that this is an extraordinary way for Congress to obtain information which is vital to its constitutional mandate. It is my hope that future reports on the state of the judiciary will be delivered before Congress sitting in joint session.

The report follows:

REPORT ON THE STATE OF THE FEDERAL JUDICIARY

(Remarks of Chief Justice Warren E. Burger)

One year ago at the invitation of President Segal I undertook to report to you on problems of the federal courts as they appeared to me, and today I respond to President Wright's invitation to continue that discussion.

Last year's report covered a wide range of accumulated problems embracing developments in Federal Courts beginning with the turn of this century and the problems of deferred maintenance of the judicial machinery resulting from generations of neglect. Today I propose to present some specific current matters against the background of what was discussed in 1970.

Essentially the problems of the federal courts, in common with state courts, and indeed much of the entire fabric of our national life, are suffering from an accumulated neglect. This disrepair became an acute problem as the load increased, and we cannot ignore it any longer.

If the report to you in 1970 can be thought of primarily as a diagnosis of our ailments and a preliminary charting of a general course of treatment in very broad terms, today's report can be considered a diagnosis of specific problems and an examination of what has happened since August 1970.

I wish I could report to you that we have made great progress in the eleven months since the St. Louis meeting. We have made some, not enough, but some, and I will therefore again press on you matters which urgently demand attention.

INSTITUTE OF COURT MANAGEMENT

Last year I emphasized that one of the basic weaknesses of the federal judicial organization was lack of system and management planning of our work, particularly in light of the enormous growth in case volume in recent years. I spoke of the desperate need for a new category of trained personnel—traffic managers in a sense—to speed up the process and improve its quality. I was then able to report to you that, largely under the leadership of this Association, the Institute for Court Management had been created and in the summer of 1970 had commenced its operations with a full-time, intensive six-months' training course for court administrators at the University of Denver. The first thirty-one formally trained court administrators in our history received their certificates last December. This year the Institute is training two overlapping groups.

COURT EXECUTIVES ACT

The very existence of this facility aided substantially in securing the passage by Congress of the Court Executive Act which authorizes an executive officer for each of the eleven Circuit Councils in the federal system. We knew in the summer of 1970 that it would be virtually impossible at that time to find eleven qualified persons to fill these positions, except by "raiding" such states as New Jersey, New York, California and Colorado where the pioneer work of developing court administrators began.

To ensure that only qualified persons would be appointed to these new positions, Congress widely provided a Certification Board to prescribe definite standards and to certify those found qualified and eligible for appointment. As you know, the Circuit Councils are required by law to make appointments from the list certified by that statutory board.

Few important developments in judicial administration have moved so swiftly as this one, but the Circuits have yet to appoint the first Court Executive. To carry this totally new program into the federal courts will take time but by the end of 1971 I anticipate that all the various Circuits will have their Court Executives.

Actually the speed of enactment of this particular legislation has been remarkable and we now have a commitment to Congress to make this program show results. When it does I am confident further support from the Congress for other similar improvements will not be lacking. But we have the burden of proof and we must meet that burden.

ABA COMMITTEE ON STANDARDS OF JUDICIAL ADMINISTRATION

We are well aware that the creation of the new position of Court Executive for each of the eleven Circuits and the advent of the Institute to train people in court management will not, alone, solve our problems even under the most favorable circumstances. More than a generation has gone by and crushing new burdens have fallen on the courts since Chief Justice Vanderbilt and Judge Parker propounded The Standards of Judicial Administration in the 1930's. Judges and the Court Executives must now have new

standards and guidelines to meet the new problems. For this reason the Association has created the Commission on Judicial Administration to review the so-called Vanderbilt Standards and to pursue the work begun a few years ago by the American Bar Foundation on the problems of speeding the work of the courts.

STATE-FEDERAL JUDICIAL COUNCILS

At St. Louis I urged that a State-Federal Judicial Council be created in each state to deal with all the sensitive problems of relationships between the two court systems. Here I am happy to report real progress. As of today more than 40 states have created such councils by joint action of the state Chief Justices and the federal judges. The Conference of Chief Justices, and Chief Justice Calvert of Texas, its Chairman, gave vigorous leadership to this development. Many of these informal Councils have found that once the lines of communication were actively opened between state and federal judges, other important areas of common concern for improvement came to the surface.

NATIONAL CENTER FOR STATE COURTS

An important development emerged following the Williamsburg Conference on the Judiciary in March. There President Nixon strongly endorsed a proposal to create a National Center for State Courts to serve all the states much as the Federal Judicial Center was established to serve the federal courts. This was an idea whose period of gestation had run and the Williamsburg Conference resolved to proceed at once. A series of meetings sponsored by the Conference of Chief Justices, the ABA, The American Judicature Society, and the Institute of Judicial Administration has brought into existence the National Center for State Courts whose Articles of Incorporation were filed on June 15, 1971. When the new Center has demonstrated its value—as I am confident it will—the states should then be asked to assume at least part of its support.

I have felt an obligation to be concerned with problems of state courts as well as the federal courts because the problems of justice are indivisible and if we do not have strong and effective courts in both the state and federal systems, we have a failure of justice. The basic system of justice in this country is contained within the state and local courts of the fifty states, while federal courts were created under the Constitution as specialized and strictly limited courts, but time and lack of any consistent policy have brought into federal courts many purely local matters that do not belong in the federal system.

Because I believe profoundly that the state courts are the foundation of the entire system of justice, it becomes important in a period of increasing caseloads in all courts that state courts be strengthened in structure, organization and personnel so they can meet their proper share of the growing demands. Obviously it would be costly and impracticable to have fifty states create separate facilities to accomplish these objectives, and this is one of many reasons why a National Center for State Courts of the kind now being launched is indispensable. That Center can become a clearinghouse for information on problems common to all states, it can develop uniform standards where uniformity of action is desirable, and it can be a marketplace for the best ideas and best techniques to improve justice. It can also become a national forum for cooperation between the state and federal judicial systems.

JOINT JUDICIARY COUNCIL

At St. Louis I proposed that Congress, by statute, create a joint judiciary body with one-third of the members appointed by the President, one-third by the Congress, and one-third by the Judicial Branch. This would be a permanent working body but with advisory powers only. Representing all three branches, it would, I believe, establish a relationship of confidence with all the branches. Its continuing function would be to oversee the needs and problems of the federal court system and its jurisdiction. This function cannot be performed casually, sporadically or intermittently, and it cannot be performed by one branch of government acting alone. It must be an ongoing process so that the members of that body develop wide and expert knowledge and a basis for judgment on all the problems of the Courts.

This Commission would draw on studies made by the Committees on the Judiciary of both houses, by the Federal Judicial Center, the Department of Justice and private sources such as The Institute of Judicial Administration. This function is not now being performed in any coordinated or comprehensive way at present, and it cannot be performed except by a joint facility responsible primarily to Congress. It is imperative that some such device be created if we are not to continue the hit-or-miss process of expanding the burdens of federal courts heedless of their capacity to meet the burdens, and heedless of the overall soundness of particular legislation relating to the jurisdiction and operations of the federal courts.

But we cannot stand still while we are waiting for Congress to act. I hope, therefore, that the Association will consider creating some kind of a legislative implementation committee to present to the Congress such programs relating to federal courts as the Association considers worthy.

The broad ramifications of this proposed legislation cannot be adequately dealt with in a few minutes but I hope the Bar will study the matter and lend its support.

CORRECTIONS

If any phase of the administration of justice is more neglected than the operation of the courts, it is the correctional systems. Last year the Association created a Commission on Corrections and Correctional Facilities with a distinguished membership. That Commission has received private funding and now has an expert staff. Its Chairman is former Governor Richard Hughes of New Jersey who was a judge for 15 years and has firsthand knowledge of the shortcomings of our penal institutions.

That Commission wisely decided to forego the conventional pattern of preparing reports but has instead moved into direct action programs. One of these will be concentrated in a few states and will seek to provide qualified volunteer caseworkers to assist the badly understaffed probation and parole offices in their important work. The program hopes to attract 1000 young lawyers to engage in this work after providing them with some basic training in counseling for those released on probation or parole. This is much like programs used for several centuries in Holland, Denmark and other countries of Europe.

A second program is also direct action designed to bring extension school education into penal institutions. Another program of the Corrections Commissions is directed at helping to provide employment opportunities for released prisoners.

This is the largest undertaking in the corrections field ever undertaken by the organized bar and it deserves continued support. It is a measure of the new horizons of public service of the American Bar.

CRIMINAL PROCEDURE STANDARDS

The diversity of our political institutions has fostered governmental innovation and experimentation in the states and it would be a mistake to try to cast all civil or criminal procedure into a single rigid mold. [The Court Executives Act is but one example of the pioneering work of the state systems, and on which we in the Federal Courts are now trying to build under the Court Executives Act.]

There are certain areas, however, in which both the Federal Constitution and sound public policy argue for a greater degree of common standards and practice than we now have. One of these is the administration of criminal justice, in which, independent of federal constitutional requirements, it is sound policy to avoid wide variation from state to state in society's treatment of criminal conduct.

Over the past 30 years enormous progress has been made in the voluntary development of uniform state codes for civil matters and we now move into a period when the legal profession should seek to extend this voluntary acceptance of uniform patterns into the administration of criminal justice at the state level.

This Association has supplied solid foundations for such a development in the form of studies and reports of the Criminal Justice Project, first chaired by Judge J. Edward Lumbard of New York, and now by Judge William J. Jameson of Montana.

[Time may well prove the Criminal Justice Project to be one of the Association's greatest public service programs up to this point in its history. It is, as you know, a comprehensive set of standards covering every phase and stage of criminal justice and can be used by the states as a starting point for any complete revision of their criminal procedure.]

The drafters of these standards would not make claim to their perfection in any sense. Of necessity many of the standards reflect the traditional compromise of any deliberative process. In the six years work on these Standards I doubt that any one of the 100 lawyers, judges and law professors who worked on the project agreed with every standard on every subject, but taken as a whole the fifteen reports by the Association represent the richest source ever developed to bring the administration of criminal justice up to date.

Mr. Justice Clark, continuing his signal contributions to the law, is Chairman of the Association's Committee to implement these standards and much progress has been made in ten states by his committee.

Every bar association and every member of this Association should press his state to consider these standards as a starting point for improvement.

EDUCATION AND REGULATION OF THE LEGAL PROFESSION

The licensing and admission power over lawyers vested in each of the fifty state jurisdictions, ninety-three federal districts and eleven circuits, has led to a hodge podge of standards for admission, and regulations that are desperately in need of careful reexamination. Much that is being used is archaic and inadequate and must be discarded. This dispersal of authority over lawyers among fifty states and numerous federal courts has prevented meaningful regulation of professional conduct. More stringent discipline is needed in terms of protection of the public from the small minority of lawyers who have exploited uninformed laymen and abused the trust implicit in the franchise to engage in practice. A beginning has been made in the report of The Special Committee on Evaluation of Disciplinary Enforcement. Implementation of the recommendations of that Report is the largest piece of unfinished internal business of the legal profession and it cannot wait.[1]

. . strong, independent, competent legal profession is imperative to any free people. We live in a society that is diverse, mobile, and dynamic, but its very pluralism and creativeness make it capable of both enor-

Footnotes at end of article.

mous progress or debilitating conflicts that can blunt all semblance of order. The role of the lawyer in a Common Law system is to be the balance wheel, the harmonizer, the reconciler. He must be more than simply a skilled legal mechanic. He must be that but in a larger sense he must also be a legal architect, engineer, builder, and, from time to time, an inventor as well. This is the history of the lawyer in America and in this respect he is unique among the lawyers of all societies. To fulfill this mission there must first be adequate training—better than it now is—then clear and comprehensive standards of professional conduct and behavior and, finally, established means of regulation of professional conduct. The legal profession cannot claim exemption from the proposition that those having a monopoly on the performance of vital public services should be strictly regulated to protect the public interest. A profession ought to be able to regulate itself, but the truth is that the legal profession has not done so. I suggest that the time may come when, if the legal profession wants to avoid regulation from the outside, it must sternly regulate itself from within.

The basic raw material for comprehensive standards of professional conduct is now available. This Association has promulgated a general Code of Professional Responsibility together with suggested disciplinary enforcement standards, a detailed set of Standards for the Prosecution and Defense Lawyers, the Standards on Fair Trial and Free Press, and the Report on Disciplinary Enforcement. Those standards, taken together, offer the best hope for maintaining an honorable and effective Bar and every State Bar Association should move now to establish means to make sure those standards are rigorously enforced. Without strict enforcement of ethical standards the Bar will fail in its mission and it will never have, and it will never deserve, the confidence of the public.[2]

PUBLIC PARTICIPATION

We need not rely on Dr. George Gallup or Mr. Louis Harris to know that the public is deeply aroused and disturbed about the state of justice and all its works. We must believe that if the people are fully informed they will make the right decisions and to be sure the public is informed it is imperative that the Bar share the leadership for court improvement with all segments of the public—with leaders of Labor and Industry and with civic and community organizations. To break out of the mold of obsolete patterns of court organizations, the whole people—not just lawyers—must be drawn into the programs for change.

TRIAL DELAY

Time will not permit a discussion of all the complex of factors which now delay the processing of cases in the Federal District Courts but several examples may be useful. The advantages of the Individual Calendar have now been recognized by most federal courts. It is one of the keys to speedy improvement, especially in metropolitan courts where congestion is the greatest. I hope every District Court in the United States will adopt that proven mechanism of court administration without more delay.

Another matter affecting the trial courts deserves comment.

For thirty-five years English courts have dispensed with juries entirely in virtually all civil cases. The public, judges and lawyers in England show no signs of wanting to return to the jury system. A number of our states have long conducted civil cases with juries of five, six or seven members and in the past year more than a dozen federal districts have followed the examples of some of those states and reduced the size of federal juries for civil trials. With the reduced jury there is a consequent reduction in the confusion and cost of trials. A large court calls several hundred or even a thousand citizens for jury duty and often the court house has no assembly rooms large enough to contain them. Obviously reduced jury demands will reduce the administrative burdens of calling, processing jurors and the confusion involved in handling so many people.

This new develpoment deserves study and I have urged the recently appointed Committee on Rules of Civil Procedure to study the experience of Courts using five, six or seven-member juries.

If we find we can function with five or six-member juries in all federal civil cases we can probably save as much as three million dollars per year directly, and produce other indirect savings that may in the long run be more important than the millions saved directly.

DELAY IN APPEALS

The factors contributing to delay in processing appeals from the District Courts are somewhat less complex than those of trial courts, but so important that they deserve mention. A simple aspect long overlooked is that we must develop a way for the Courts of Appeals to take active direction and full responsibility for every appeal from the day the notice of appeal is filed. When that notice is filed the District Court loses jurisdiction, of course, and understandably loses interest. Up to now there has been a tendency for the appellate judges to assume that the lawyers will push the cases along but we should know by now that this is not always a safe assumption.

An appeal, like a ton of bricks, moves when it is pulled or pushed. Sometime the appeal lags because the transcript of testimony is not ready, since court reporters must often move on to the next trial thus delaying preparation of transcripts.

Another large factor in the excessive cost and excessive delay in criminal appeals is the tendency to appoint a new lawyer on appeal. The average criminal trial takes 2⅓ days to complete and except in a rare case no trial lawyer who represented the defendant in the trial, and who is worth his salt, needs a full trial transcript to conduct the appeal. But when a new lawyer is appointed he has no efficient way to prepare an appeal except to secure the entire transcript of testimony. Requiring the trial lawyer to conduct the appeal will thus save both time and money. No lawyer should be appointed by the Court in any criminal case unless he is competent and willing to conduct the case to its final disposition if there is an appeal. This should be made the subject of an agreed policy within each Circuit or the Congress should direct it.

We must promptly develop screening methods to identify those appeals that can be heard within thirty or sixty days without printed briefs and without a transcript. An alternate to be explored is to hear such appeals on a written brief but without oral argument. Some courts have experimented with this, with very favorable results.

There is a third factor in delay for which we judges are solely responsible. This is the excessive writing of opinions. We appellate judges tend to write more than is needed or useful and the excessive writing delays the process. Moreover it often confuses rather than aids the bar and adds needless cost to lawyers and the public and others who are compelled to maintain law libraries. With all deference, it is becoming increasingly apparent that appellate judges must discipline themselves to dispose of more cases without formal opinions and when opinions must be written every effort should be made to do so with greater brevity; moreover some cases should be decided summarily from the Bench. Some important cases require extensive treatment but this should be the exception, not the rule as it is today. I add, by way of confession, that this criticism—and it is criticism—is not confined to any particular level of appellate courts.[3]

With few exceptions in this country appeals move at a glacial pace because we are using the "cracker barrel" methods I spoke of last year to process vastly expanded volumes of cases. It is imperative that we develop some new methods and new procedures for appeals. This is a high priority. At the appellate level ingenuity and determination can bring swift results. Prompt decisions on appeal may well discourage a substantial number of the frivolous appeals taken only for delay. I will ask the Judicial Conference to authorize appointment of a Committee on Appellate Rules to consider these pressing problems.

The public is tired of the spectacle of appeals that lag for years and repeated appeals whose chief purpose is delay. I must repeat what I said to you at St. Louis last August: There Must Be Finality at Some Point.

THE SUPREME COURT

Of the work of the Supreme Court I will say only what I have said before, that we cannot keep up with the volume of work and maintain a quality historically expected from the Supreme Court. Nine Justices must now deal with approximately 4000 filings each year as compared with 1100 filings in 1940 and 1300 in 1950.

Either the quantity or quality of the work of the Court must soon yield to the realities. This view is shared by a growing number of legal scholars, judges and lawyers. Enlarged supporting staffs can help but the judicial function must be performed by nine Justices. On another occasion I will discuss this problem more fully.

STRUCTURE OF FEDERAL COURTS

One problem of the Federal Courts is of grave and immediate importance. In some courts it can reasonably be called an emergency.

The structure of the eleven federal circuits is at least 100 years out of date and must be reexamined. Everyone who knows the federal system knows this to be a moral certainty. The Fifth Circuit almost literally spans the continent from Key West around the Gulf to Western Texas, nearly three thousand miles. No courtroom in North America is large enough for that court to hold, comfortably, an *en banc* hearing of its fifteen Appeals Court judges. The Fifth Circuit is an unmanageable, administrative monstrosity. The Ninth Circuit runs from the Mexican Border to Alaska and out to Hawaii and Guam while the District of Columbia Circuit at Washington contains ten square miles.

An Advisory Committee of the American Bar Association in 1968 reported that reorganization of the Circuits was urgently needed.

The Judicial Conference of the United States has urged that Congress create a special commission appointed by the three branches of the federal government with power to recommend changes in this structure that would become law if approved by the Judicial Conference of the United States, but subject to a veto by the Congress. This is basically the familiar mechanism by which Congressional and Judicial salaries were finally adjusted after long delays. It is a sound procedure and it is the most efficient way to improve the organization and the administration of the Federal Circuits. The Congress is now considering this proposal.[4]

I urge this Association to give this subject prompt study and to consult with the Congress on a solution.

The recital of these vexing problems calls for no summary. There are other problems of the Federal Courts I have not mentioned. I have touched only the most pressing matters that call for prompt action.

I am confident that with the Association's

Footnotes at end of article.

great tradition of public service and your keen awareness of the insistent need and great ferment for change, you will lend your prestige and your support.

The American people look to you. I know you will not fail them.

FOOTNOTES

[1] ABA Report and Recommendations in Disciplinary Enforcement. June 1970.

[2] Very soon two other sets of Standards of the Association will be completed. One is a Code of Judicial Conduct and the other will fix Standards for the day-to-day function of trial court judges.

[3] More than 4000 cases are filed annually in the Supreme Court; written opinions or memorandum opinions are written in fewer than 200. The two situations are not fully comparable but the comparison is not without some relevance.

[4] H.W. 7378.

NATIONAL CHAMBER CITES NEEDS

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PRICE of Texas. Mr. Speaker, last March, a number of our colleagues joined with me in introducing legislation to establish a commission to study our present antitrust laws.

I am pleased that the Chamber of Commerce of the United States has endorsed this proposal and ask permission that a copy of the press release announcing Chamber support of my bill, House Resolution 5768, be printed at this point in the RECORD:

NATIONAL CHAMBER CITES NEED FOR REVIEW, MODERNIZATION OF NATIONS ANTITRUST LAWS

WASHINGTON, July 1.—A thorough review of national antitrust laws and recommendations for changes in light of today's economic climate—particularly in the foreign trade field—drew support today from the nation's largest business federation.

The Chamber of Commerce of the United States endorsed the establishment of a commission to study present antitrust laws, their effect on competition and economic growth and ways such rules should be changed to foster maximum growth.

The National Chamber's Board of Directors singled out two bills as examples of such measures: S. 1486, introduced by Sen. Jacob Javits (R-N.Y.) and six other senators, and H.R. 5768, sponsored by Rep. Robert Price (R-Tex.), and 15 of his fellow House members.

In its endorsement, the Board said that the review should be conducted under safeguards to protect cooperating businesses from possible abusive investigations.

The Board also included support for a presidentially-created body as an alternative means of bringing about review. W. F. Newton of the National Chamber's Antitrust and Trade Regulation Committee said that businessmen feel, "The most important thing is the beginning of such a review."

Mr. Newton, a member of the National Chamber's Board and a vice president of PPG Industries, Pittsburgh, said, "The present body of antitrust laws and their implementation is non-contemporary, conflicting, confusing, costly and contrary to the long-term economic well-being of the United States." He pointed to the problems in the fields of pricing and mergers and said that in the area of foreign competition, the U.S. is seriously handicapped because foreign producers are not governed by the same rules.

The Chamber spokesman explained that foreign producers, under government encouragement, can combine and form competitive units of maximum efficiency, while cooperative efforts of American firms are inhibited by the antitrust laws. Mr. Newton added, "This affects not only our ability to compete with foreign manufacturers in international markets, but is very seriously affecting our ability to resist penetration of many of our key domestic markets by foreign producers."

The goal of antitrust regulations, Mr. Newton concluded, should be "a body of law related to the 1970's rather than the 1890's."

HEALTH CARE FOR ALL

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mrs. ABZUG. Mr. Speaker, ours is the only major industrial nation that has neither a moral commitment to provide health care for all of its citizens nor a rational system for the delivery of such care.

Recently, New York City Local 1199, Drug and Hospital Workers' Union, spotlighted this problem at an all-day health care conference, which included a series of panels on health care delivery and was addressed by Dr. John L. S. Holloman, Jr., the director of HIP—Health Insurance Plan—Multiphasic Health Testing Center. I had the privilege of addressing the luncheon session.

As a union with over 50,000 members and with an outstanding reputation for social commitment, Local 1199 has set as one of its major goals the availability of adequate health care for all members of our society. In a nation with the most highly advanced medical technology in the world, the union finds it incongruous that we as a nation have not yet taken any direct action to provide a full scale national health plan for our citizens.

Local 1199 has established the following points as the major tenets of such a health care "bill of rights":

UNIVERSAL AND COMPREHENSIVE COVERAGE

There must be one system for all. Everyone must be entitled to care regardless of race, income, sex, age, religion or any of the barriers that now create inequalities. These services and facilities should be used to maintain health and prevent illness as well as to treat sickness.

EQUITABLE FINANCING

Health care should be removed from the profit-making arena and financed by the federal government from general revenues.

SOUND ORGANIZATION

To develop a national system for the delivery of health care it is necessary to:

(a) Create an organized service in which the providers of medical care work together with government and the community for common objectives.

(b) Establish neighborhood medical facilities and community medical centers easily accessible to the people they serve and controlled by duly elected community boards.

(c) Encourage the development of comprehensive group medical and dental practice with effective consumer participation.

(d) Finance a recruitment and training program to meet health manpower needs and support medical and health research requirements.

Local 1199 also points out that the problem of the Nation's health goes beyond what can be done to improve the delivery of medical care. It says:

To assure good health also means to provide decent food and housing, clean air and pure water.

We believe that our nation has the material and human resources required to fulfill these essential objectives. We believe that a national health budget must be adopted that makes the delivery of health care a matter of top priority. Our national emphasis must change from war and destruction to the preservation of life.

At this point, Mr. Speaker, I am including in the RECORD the text of Dr. Holloman's keynote speech and my own remarks:

SPEECH BY DR. JOHN HOLLOMAN

Good health and health care services are basic and universal human rights. Health as a human right has meaning only when health is understood to be a state of complete physical, mental and social well being and not merely the absences of disease or infirmity. Health is an all inclusive term which must be related directly to the quality of life.

We hear more and more about the health crisis in America. It is not a new development. It has been with us for some time. In America, unlike any other country, we are faced with philosophical and practical paradoxes in relation to health and the delivery of health services.

However, it is rather paradoxical that there is a health crisis in America, particularly when one considers that:

(a) No other nation has made as many contributions to medical research as America.

(b) No other nation provides the variety of health occupation specialties, as well as the quality of training for such careers, as America.

(c) America has demonstrated a capacity to provide some of her citizens with a quality of health care that is unsurpassed throughout the world.

(d) America has excelled in providing crisis care for some serious illnesses such as heart disorders, polio, and certain types of cancer, to name a few.

(e) America has some of the world's most most modern physical facilities, equipped to keep patients alive who might die if they were in some other part of the world.

Yet, in spite of these noteworthy accomplishments the level and quality of health care provided to the *total* American population is by many standards inferior. This situation exists primarily because of the serious imbalance in the availability of health care to all segments of the total American population.

There are basically two major constraints to guaranteeing the "Health Right" of every American citizen. These are the lack of a viable financing mechanism for assuring the capability of every person to pay for his required services, and the insufficient development of facilities and qualitative manpower resources for providing the total gamut of health services to every American who needs them. As a result of the lack of these two elements there are between 35–45 million Americans being denied adequate health care and America's international health care standing has seriously declined from where it was a decade ago.

Approximately 75,000 newborn babies die in the United States each year. In 1969, our infant death rate of 22.4 per 1,000 live births exceeded that of 14 other countries and should be compared with Sweden, the country with the lowest rate—12.9 per 1,000.

Nonwhite American babies die at a rate nearly double that of white American babies.

American mothers die in childbirth at a rate exceeding that of 11 other countries.

Nonwhite American mothers die in childbirth at a rate four times that of white American mothers.

American males have a shorter life expectancy than the males of 19 other industrial countries.

Nonwhite Americans have a life expectancy seven years shorter than that for white Americans.

American males, age 40, are more likely to die before they reach age 50 than males of the same age in 15 other countries.

The death rate for nonwhite American males between the ages of 40 and 50 is double that for white American males.

The irony of it all is that America could do so much better, particularly if more effective use were made of the resources now devoted to health. Moreover, it is essential for the Nation to correct its health manpower distribution problems, as well as to increase its supply of manpower in those health occupations where shortages do exist.

It is these problems—health manpower shortages in minority and poor areas, maldistribution of health manpower resources, and ineffective utilization of health manpower—that concern the Health Manpower Development Program (HMDP).

CURRENT HEALTH MANPOWER SHORTAGE

The Department of Health, Education and Welfare estimates that the Nation now suffers from a shortage of 48,000 physicians and 17,800 dentists. By 1980, we will lack 26,000 physicians and 56,000 dentists. Our shortage of nurses will have risen from 150,000 to 210,000; our shortage of allied health manpower—from 267,000 to 432,000. These shortages are most severe in minority and poor areas and the number of minority health careerists is small. Less than 2% of the Nation's physicians are black; fewer are brown and red.

As we look ahead through the 1970's to the 1980's and beyond, we are impressed by the enormity of health problems. As we examine the problems, searching for solutions, we come to recognize that health has a much broader scope than simple clinical entities. A more penetrating analysis of the health problem shows that elements which we must consider to go much deeper than shortages of health manpower, inadequate and ill distributed health facilities. The health problem cannot be reduced simply to money, although it cannot be solved without money.

When one thinks of health and its problems one must think beyond the delivery of personal health services. One must think beyond the problems of categorical diseases such as tuberculosis, birth defects, heart disease, cancer and stroke. It is important to take a holistic approach in order to solve the health problem. Health cannot be divorced from the environment just as it cannot be divorced from heredity. The incestuous relationship between poverty and ill health has been demonstrated and documented countless times. We are all further aware of some of the relationship between education and health. Since the early days of this century, even prior to WW I we were aware of the occupational hazards associated with conditions and types of employment. We have gone so far as to develop a specialty classification called Industrial Medicine.

Air pollution, water pollution and noise pollution which defile the physical environment and ultimately deprive us of our health, physical and mental, are also integral parts of the problem. Hunger and malnutrition are also parts of the same problem. It has been shown that 75% of all the mental retardation in this country can be found in our urban and rural poverty areas.

It is a sad commentary that the economists of this administration who advise the President have been convinced, until very recently, that the only way to check inflation is to create unemployment and thus slow down the economy.

The U.S. Department of Labor, Bureau of Statistics reports that the jobless rate for workers living in the poverty sections of the Nation's 100 largest metropolitan areas was 8.5% for the fourth quarter of 1970, an increase of 4.9% over the figure recorded for the same areas in the last quarter of 1969. A dire prediction is that the summer of 1971 might see the rate reach 60% for black teenagers. The rate for white teenagers is considerably lower.

On a racial basis, black unemployment in time of national prosperity has always been nearly twice that of the white population, and in times of recession, the ratio increases disproportionately.

On the local scene the proposed cuts in the city budget spell disaster for large numbers of city employees, many of them in health related occupations, who are now threatened with loss of employment and its benefits, and many of them will go on the relief rolls. The loss of these jobs will in turn effect other jobs and services in a concentric ring pattern so that all of NYC will feel the malevolent effect. This pattern is emerging in all major urban areas.

In what appears to be a simultaneous assault on the people of little power, we see proposed cut in welfare so that needy families and individuals will get less money for food and living expenses (less than 90¢ per day per person for food) and at a time when the cost of living has reduced the relative value of the assistance which is given to these dependent persons.

We have watched the perversion of Medicaid in our city and state. Less than two years ago we saw the New York State Legislature, in concert with the Federal government, arbitrarily drop, in New York City alone, 1,300,000 medically indigent people from the Medicaid rolls. We have watched the zeal with which the vested interests in our city, state, and nation have been protected by pork barrel politicians whose chief concern is usually their own re-election or personal advancement. These so-called representatives of the people have acted in such a manner as to cause an additional 400,000 medically indigent persons to be dropped as Medicaid eligible in the name of legislative economy, while providing no suitable substitute.

To further illustrate the problem we must recognize the fact that two-thirds of the nearly 20,000 physicians in the metropolitan area of New York take care of the more affluent one-third of the citizens. But to compound matters for poor people, nearly 85% of the physicians in New York refuse to see any Medicaid patients at all. Even the hospital's (municipal as well as voluntary) have joined in this conspiracy against the medically indigent. The intent of the Medicaid law was to give the Medicaid patient the right to choose his own physician and to be taken care of in semi-private accommodations like Blue Cross and other insurance patients. In general, hospitals have deliberately failed to do this, in spite of the fact that Medicaid has often been billed in amounts far in excess of the current Blue Cross and other insurance rates and for the same services which are delivered in crowded and inferior conditions. To further assure the dismal failure of Medicaid in New York, many other exclusions have been added to the eligibility requirements along with burdensome co-insurance features which are impractical and have added to the administrative confusion and disorder.

Perhaps the most sinister blow yet dealt to the indigent mother is the threat that Medicaid will no longer pay for abortion on demand, only to save the life of the mother when it is endangered. One of the principal reasons for the ultimate relaxation of the abortion law has been the well known fact that the more affluent women in our society have always been able to find relatively safe abortion in this country, or abroad, and that traditionally the poor have therefore been denied this resource. This regressive step would reinstitute the traditional discrimination against the poor mother. We live in a hypocritical society in which a child born out of wedlock is called a bastard, through no fault of his own, yet there are those among us who would deny the right of a woman to decide if and when she will bear a child.

The problem of alcoholism and its related illnesses is a health problem of far reaching proportions for the victim and his family. In addition to the direct physical and mental havoc which alcoholism inflicts upon the patient's person, alcohol is causally related to more than half of our 65,000 traffic fatalities annually. It is related to untold numbers of industrial and home accidents and fatalities.

The future of the young of this nation is jeopardized by the ever increasing problem of drug abuse and narcotics addiction. Here we have another area in which the legislature is forcing the curtailment of corrective programs, in the face of rising needs. This is indeed a false economy since 70% of our crime is related to narcotic addiction and the national future depends upon our youth.

The dental problem is at least as bad, if not worse, than the rest of the medical problem. The American people spend nearly 4 billion dollars yearly for dental care and yet more than 100,000,000 Americans do not visit a dentist at least once during a given year.

This brief glimpse of the magnitude of the problem is given without an attempt to show the adverse effects which these health problems have on our health indices and statistics. In 1971, our society affords the American Indian a life expectancy of less than 43 years. (White male expectancy at birth is 67 Years.) Most of the ethnic minorities of color, including the Chicanos, Puerto Ricans, are similarly handicapped with respect to health and life expectancy. Infant and maternal mortality are national health problems which affect minorities with disproportionate severity, and affect our national indices in these areas with respect to the rest of the world.

It is regrettable that in all likelihood the many fragments of the health problem will continue to be dealt with as separate and distinct issues rather than as the inextricably interwoven issues which, in fact, they are. An attempt to deal separately with the many issues involved and the many facets of the problem is to insure failure at the outset.

This is what the Nixon administration proposed to do. The administration is developing the proper rhetoric while moving with deliberate speed to maintain the status quo which would provide a financial windfall to the private health insurance companies.

The Medicredit plan of the AMA does not even address itself to the issues which I have raised. Medicredit would merely employ an insurance mechanism to pay for medical care which does not exist, with the plan that those who can afford to pay: getting income tax credit for insurance premiums, while the government would pay the premiums for the poor. Title 11 of Medicredit would provide for Peer Review by groups of physicians (of the physicians choosing) which is roughly what the situation has always been.

The greatest problem which we will have to face is the problem of disturbing the status quo. Organized medicine has forced as a prerequisite to Titles 18 and 19 of the Social Security Amendments of 1965 and to Partnership for Health Bills the following phrase: "without disturbing the traditional methods of medical practice." If the 1970's are to see solutions to our health problems,

then it becomes vitally necessary to disturb the traditional way in which things have been done. If health care is to be a basic right of all Americans, it must be an equal right. In order to insure that health care will be an equal right, we must plan it that way, it will not happen otherwise.

I would like to raise what I consider a most critical issue. Is there any substance, beyond rhetoric, to the now often repeated slogan, "Health care is a right, not a privilege"?

Under our present health care delivery system people are effectively divided on the basis of their means. They are divided according to their ability to pay and roughly accorded the inappropriate designation of private or charity. The assumption being that private patients are somehow more important than charity patients. In most medical schools, students still learn to look upon charity patients as clinical teaching material upon whom skills are to be perfected in order to be subsequently sold to the more affluent private patients. Today health care is a commodity which is sold to the highest bidder, and here again the poor get a bad deal because as Dr. Alonzo Yerby stated so succinctly: "The poor are often forced to barter their bodies for medical care." There is no higher price.

If health care is a right then it cannot simultaneously be a benevolence which professionals or legislators are free to arbitrarily give or withhold.

It is at this point that health changes of the 70's (and beyond) are least predictable because they are part of the fundamental issues that must be faced if a significant change is to be made in our health care delivery system. The best government estimates suggest that we have a minimum shortage of 50,000 doctors. Yet there are no government, or non government, plans which can be expected to end this shortage of doctors in this decade, or even in this century. Similarly all categories of health personnel are in short supply and there are no plans in operation designed to end these health manpower shortages significantly.

There are several things which can be done to perhaps relieve the impact of these shortages and which could assist in bringing about a more equitable distribution of health care.

The physical grouping together of physicians in neighborhood group practices or centers which could more effectively use and simultaneously share critically short ancillary medical manpower and facilities. We can also utilize less highly skilled personnel for those tasks which can safely be assigned to persons with less training than the physician. Home health care programs could be expanded and run by physicians assistants and nurse clinicians. Hospital networks could be established which would be complementary, rather than competitive, thus ending needless waste and duplication of services. New modular types of community hospitals and health centers could be constructed. Health education and preventive health programs and practices should be introduced where they are needed—which is just about everywhere. Automated multiphasic health testing should be universal and information gathered should be computer stored for rapid retrieval.

A nation such as ours, which enjoys calling itself a great nation, must provide a healthy life for all in a healthy and peaceful environment, if it is to be great, that is to say, humane. If this nation is to survive it must eradicate racism and end the polarization between races, classes and ages rather than use these differences as political weaponry. It must eliminate poverty and abolish hunger and malnutrition. It must salvage our cities and make them livable, once again, for all of our citizens. It must conserve existing recreational and wilderness areas, and designate new ones and it must provide transportation for masses of people, not just those with internal combustion air polluting cars. Educational and vocational training must be available to all. We must end pollution of our environment and develop methods and facilities for the treatment and recycling of solid wastes. We must attack corporate practices that continue to pollute without fear of punishment and we must develop sensible population policies which will check a burgeoning world population, but we must do it at home too, not just in the overpopulated "colored" countries of South America, Africa and Asia.

I predict that we will start on all these projects and more during the 1970's. I predict this because I fail to see how we can avoid to begin solving some of these problems and still survive. If we wait for some magic formula to save us, we may find that the price of survival is beyond our means or capabilities.

The Senate Bill S. 3, also known as the Kennedy Bill for National Health Security, is a combination of two national health insurance bills introduced at the last session of the Congress. Congresswoman Martha Griffiths of Michigan, with the strong backing of the AFL–CIO and other units of organized labor, introduced a bill which did have some of the same features and which would help bring about changes in our health care delivery system.

The late Walter Reuther called together a Committee of 100 for National Health Insurance, who have worked as a team for more than 3 years to produce the current bill.

The major provisions of the Health Security Bill are as follows:

ELIGIBLE PERSONS

Every individual residing in the United States will be eligible to receive benefits. There will be no requirement of past individual contributions as in social security, or a means test, as in Medicaid.

BENEFITS

With certain modest limitations, the benefits available under the program will cover the entire range of personal health care services, including the prevention and early detection of disease, the care and treatment of illness, and medical rehabilitation. There are no cutoff dates, no coinsurance, no deductibles, and no waiting periods. The principal limitations are:

A. Dental care, which is restricted to children through age 15 at the outset, with the covered age group increasing thereafter until persons through age 25 are covered.

B. Skilled nursing home care, which is limited to 120 days per benefit period. The limit does not apply, however, if the nursing home is owned or managed by a hospital, and payment for care is made through the hospital's budget.

C. Psychiatric hospitalization, which is limited to 45 consecutive days of active treatment during a benefit period; and psychiatric consultations, which are limited to 20 visits during a benefit period.

D. Prescribed medicines, which are not covered unless they are provided through a hospital or organized patient care program, or are required for the treatment of chronic or long-term illness.

E. In other respects the program provides full coverage for physicians' services, inpatient and outpatient hospital services and home health services and coverage for optometry services, podiatry services, devices and appliances, and certain other services under specified conditions.

COMPENSATION OF DOCTORS AND HOSPITALS

Providers of health care will be paid directly by the program. Individuals will not be charged for covered services.

FINANCING THE PROGRAM

The program will be financed out of a Health Security Trust Fund, acquired as follows:

1. 50 Percent from general tax revenues.
2. 36 Percent from a tax of 3.5 percent on employers payrolls.
3. 12 Percent from a tax of 1 percent on employees wages and unearned individual income up to $15,000 a year.
4. 2 Percent from a 2.5 percent tax self-employment income up to $15,000 a year.

COST OF THE PROGRAM

In fiscal year 1970, the benefits provided under the program would have totaled $41 billion, or 70 percent of the total personal health care expenses in the United States. None of the $41 billion in expenditures under the Health Security Program represents "new" money. Rather, this amount of money is already being spent by individuals, employers and governments for health care. The $41 billion actually expended in fiscal year 1970 consisted of $29.5 billion in private out-of-pocket payments and private health insurance payments, $11.5 billion in payments by federal, state and local governments.

Under the new program, however, the same amount of money will provide more health services for more people by revitalizing the existing health delivery system and reducing the inflation in the cost of health care.

In addition, under the new program, the relative contributions, of employers and of federal government will be increased, but the contributions of individuals and of state and local governments will be decreased. In fact, the program is a direct form of revenue sharing. It will relieve state and local governments of $2.5 billion a year in exepnditures for health care, thereby freeing substantial state and local funds for other purposes.

ADMINISTRATION

The program will be administered by a five-member Health Security Board in the Dept. of Health, Education and Welfare. The board will establish policy, standards and regulations for the program.

RESOURCES DEVELOPMENT FUND

An essential feature of the program is the Resources Development Fund, which will come into operation two years before benefits begin. In the first year of this "tooling period", $200 million will be appropriated for the fund; in the second year, $400 million will be made available. Once the benefits begin, up to 5 percent of the trust fund—about $2 billion a year—will be set aside for resources development. These funds will be used to support innovative health programs, particularly in areas like manpower, education, training, group practice development and other means to improve the delivery of health care.

INCENTIVES

Financial, professional and other incentives are built into the program to move the health care delivery system toward organized arrangements for patient care, and to encourage preventive care and the early diagnosis of disease. Incentives are also used to guarantee quality health care in rural areas.

STARTING DATE FOR BENEFITS

July 1, 1973. In the two year tooling up period prior to that date the Resources Development Fund will be used to prepare for the program.

It may seem to many that I have dealt harshly with health professionals and providers of services, with health care organizations and programs, with private health insurance companies, legislators and others—and perhaps, I have been guilty of this. But it is only because of their demonstrated past failures which have brought us to the point where we now find ourselves today. With few exceptions, this nation, from Mr. Nixon down to the most miserable patient waiting in pain on an uncomfortable bench in a charity clinic, has recognized that this nation is faced with a genuine health care crisis.

The prescriptions tried to date have only

worsened the overall situation. Quality universal health care remains utopian rhetoric. I submit that health care as an equal right for all cannot happen unless you and I, as patients and consumers, believe in it and work for it as a nationally desirable goal.

Health professionals and health organizations have vested interests in the status quo and can in all fairness hardly be expected to provide the altruistic leadership which is desired from them. They are intelligent enough to accommodate and to stimulate some forms of change, but they are simply too old and entrenched to really make the changes in philosophy and practice which are necessary.

You and I, as patients and consumers, have the most vested interest of all—we have our lives and the lives of our children as interests. We should stop competing for scarce services and begin to plan adequately for our health needs as equal societal rights. To do less is to shortchange ourselves and to mortgage the lives of our children.

SPEECH BY BELLA S. ABZUG TO LOCAL 1199 HEALTH CONFERENCE, JUNE 12, 1971

I am happy to be here again, speaking to a union that knows how to fight—and how to win. That's a good combination.

As a group that has been systematically excluded from protective labor legislation for more than 35 years, you've broken though the system that decreed no strikes for public service workers, thus condemning them to subsistence wages.

By your unity and your strength, you have succeeded in establishing a tradition whereby black, white and brown together have won dignity and recognition of the fact that all working people have a right to decent pay and working conditions.

Your union and other unions have been teaching this city and state something about the real value of labor. Just last week, for example, when bridge tenders and sewer workers showed that the city couldn't function without them, they were giving us a lesson in priorities.

If the city can't work without *your* work or the work of other public service employees, if our society desperately depends on you, then the power structure has to do more than threaten to send you to jail when you fight for your rights.

It has to decide that maybe you're more important than some highpaid commissioners, and that if the state can pay "lulus" to senators and assemblymen whose pensions, by the way, are computed on the basis of salaries *plus* lulus, then it must offer working people security in their jobs and in their retirement years.

As a group that deals face to face, day to day, with the casualties of our current priorities, you see basic rights denied. You see the nature of the war being waged right here.

What is wrong with the state of health care services is what is wrong with everything else in this country. Health care is one of the most painful examples. There is an ever widening gap between what the people need and what is. A gap even wider, if possible, than the one between President Nixon and his credibility.

The shortage of manpower, the shortage of facilities, most of all the shortage of funds, are not new problems, and their solution is not new either. The resources are there, they're just in the wrong places.

The real difference is in the minds of a majority of the people of the United States, who are saying in every way they know how that it's time to change our priorities, away from war, away from profiteering by big business and toward peace and meeting the needs of people.

With a Congress that is stacked with white, middle-class, middle-aged, male businessmen and lawyers and an Administration that is giving us recession PLUS inflation, we don't have an easy job ahead, but I believe that we are going to have to put together the kind of political coalition that will change our priorities.

Unless we do that, President Nixon and the Congress will continue to spend $76 billion a year—and more—to kill thousands overseas, while thousands die right here because funds are denied for health, housing and welfare.

But the war must stop. Our young men must be brought home.

And if they are wounded, the money must be spent on our VA hospitals, which are a disgrace.

And if they are on drugs, the money must be spent on rehabilitation programs.

And if they cannot find jobs, the money must be spent on education and training programs.

And if their mothers and wives and families are living in ghettos and slums, the money must be spent on housing.

In terms of cost, can we continue in the business of marketing weapons and death around the world, and continue to ignore the fact that we rank 14th in infant mortality?

Can we offer a half billion dollars to Lockheed Aircraft, which has been living off us for years, and then say as the Nixon administration just did, that all we can afford for a lead poisoning program to combat a health problem reaching epidemic proportions among children is $2 million?

When we have 30 million working women, and more than five million with children under age five, does it make sense to spend only $655 million for Head Start, Child Welfare, Maternal and Child Health Services for all of 1971? That is one man-made priority that Congresswoman Shirley Chisholm and I are trying to change. We've introduced a child care bill that calls for spending $5 billion to provide day care centers and night care centers and other facilities for the youngsters of parents who have to work or are going to school. We need your help on this right now, because the bill is in committee and I urge all of you to get in touch with Congressman John Brademas and let him know that you want a child care bill with sufficient funds to meet the needs of working women now.

We also have to challenge a system that allocates only 4.2% of its budget to health care, that condemns millions of citizens to subsistence wages, to welfare rolls, to increasing unemployment, to police harassment, while those vested interests wielding the power in this country don't even pay the taxes that support it.

We have to challenge a system in which health costs are rising faster than anything else and families can be ruined economically by illness. We need a national health insurance plan that will recognize decent health care as the right of all people and that will also begin shifting health priorities into preventive care and bring doctors and hospitals and clinics to areas that need them.

But as I indicated earlier, in order to get these things, we're going to have to organize and use our political clout. We saw in the recent disastrous session in Albany what happens when we are blocked from political power:

Hospitals and health services were cut.

Drug addiction programs were ordered to be shut down.

Mental health services were slashed.

Welfare payments were reduced to 88¢ a day for food.

Rent control was doomed for over a million families.

In the shock and outrage that followed this assault on the health and living standards in our city, I proposed that New York City take the necessary steps to become a state. I did this not because it is an easy process—but because it is time to question political forms and distribution of political power that no longer conform to the reality of our daily lives.

Four-fifths of Americans live in cities; most big cities are on the verge of bankruptcy. Yet, in the state legislatures and in the Congress, effective power is still wielded by rural, small town and suburban representatives.

New York City has a budget second in size only to that of the federal government. It provides more than half of the state's income. It is larger in population than 43 of the 50 existing states.

And yet, it is almost totally at the mercy of the state. It cannot change the working hours of its police, it cannot negotiate a pension agreement, it cannot change its tax base, it cannot change the way its government works without approval of state legislators who do not live in the city or understand or care about its problems.

The response of New Yorkers to the statehood proposal has been fantastic. And I believe this shows that most Americans are ready and eager for fundamental changes in our society that will give them control over the institutions that until now have controlled them.

We have the outlines of a potentially great and effective political coalition in our country—working people, the anti-war movement, the women's movement, the blacks and Puerto Ricans, students, the consumers and small businessmen who are hurt by the giant monopolies—and this is a coalition that can be built around the issues, not just personalities.

I stress political organization not because I happen to be a Congresswoman—and incidentally there are only 12 women and 12 blacks in Congress—but because our political institutions have been lagging so far behind the needs and aspirations of most Americans. Congress' failure to end a war which has been repudiated by three-fourths of the American people is just one example.

We need a Congress that will directly reflect a true cross-section of our people. You should start thinking about more union leaders, more women, more blacks and Puerto Ricans, more young people running for political office.

If we do this, we can create a permanent force for constructive political change that will utilize the great wealth and genius of our people to build a sane and peaceful society.

THE DEADLY PING-PONG DIPLOMACY

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HUNT. Mr. Speaker, in the Washington Post of July 6, the New China News Agency is reported to have announced that China has agreed to step up its gratuitous military aid to North Vietnam, the second agreement of its kind this year alone.

Also reported in the columns of the same paper was a rocket attack by North Vietnamese gunners on a barracks at the American airbase at Danang causing the heaviest U.S. casualties in a shelling attack since May.

With the advent of our new "Ping-Pong" diplomacy with China, one can only wonder how many "ping pongs" killed 3 American men and wounded 36 others in this attack.

ADDITIONAL FUNDING AND STAFFING OF VA HOSPITALS PERMITS BETTER MEDICAL CARE FOR AMERICA'S VETERANS

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. TEAGUE of Texas. Mr. Speaker, during the past several years a great deal has been said about the quality of care received by veterans in our VA hospitals. During the 91st Congress, our committee conducted a comprehensive investigation of the VA medical program and found that it was grossly underfunded and understaffed. As a result, Congress added $105 million to medical care appropriations for fiscal 1971 and just a few days ago the House voted over $120 million more than the budget request for fiscal 1972.

Mr. Speaker, on May 11, 1971, Congress also added $8 million to the VA medical care budget in the 1971 supplemental which has permitted the Veterans' Administration to add over 8,600 additional hospital employees. This action by the Congress has permitted the achievement of two goals—better staffing of VA hospitals and reducing the number of unemployed veterans of the Vietnam era. The final report on this new hospital staffing has just been received from the Veterans' Administration and indicates the results of this stepped up recruiting effort. You will note that 1,970 of these new employees are Vietnam era veterans.

New employment by category—final report, June 30, 1971

Category:	Number
Physicians	802
Dentists	51
Nurses	1,869
LPN's/NA's	1,537
Other GS	3,120
Wage Board	1,266
Total	8,645
Vietnam veterans included above	1,970

Mr. Speaker, each year the Committee on Veterans' Affairs receives numerous complaints from veterans who claim they are not receiving the care they believe they deserve. Our staff carefully checks all of these complaints and we endeavor to resolve whatever problems are found to exist. Sometimes we also receive laudatory letters about the care veterans receive, either from the veteran or from his friends or relatives. In recent weeks I have received three such letters which I want to share with my colleagues, and they are inserted in the RECORD at this point:

THE UNIVERSITY OF MICHIGAN,
Ann Arbor, Mich., June 21, 1971.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, Washington, D.C.

DEAR SIR: For the past several years my father had been a patient at the Bedford Veterans Administration Hospital in Bedford, Massachusetts. He was old, very ill, and there was little hope for recovery. Nevertheless, the staff at all levels of the VA Hospital at Bedford extended themselves on behalf of my father. I was greatly impressed by the concern and consideration they showed him at all times.

I should point out that at an earlier stage my father had been in a private nursing home. While the nursing home met the standards of the State of Massachusetts and was by no means an inexpensive institution, I was appalled by the lack of professional attention, the callous disregard for him, and the distinctive lack of professional standards that pervaded the entire nursing home. This experience made me all the more grateful for the qualities I found in the Bedford VA Hospital.

Your Bedford Hospital has shown me the quality of care we are capable of extending to our sick and old. I regret that all Americans, and not just Veterans, cannot benefit by the quality of medical care received by my father.

Very sincerely yours,

JASON L. FINKLE.

SAUGUS, CALIF.,
May 11, 1971.

Hon. OLIN E. TEAGUE,
Chairman, Committee on Veterans' Affairs, Washington, D.C.

DEAR CONGRESSMAN TEAGUE: I have today received your IBM questionnaire on VA service to veterans. I do feel that the response I should like to make cannot be contained in tiny squares on a punch-card.

My husband has been a patient in four VA Hospitals: Whipple, Arizona; Wadsworth, San Fernando and Sepulveda in California. In all of these hospitals he received more interested care than I have ever seen given in a private community hospital. On two occasions, his life was saved by the work of dedicated doctors, both times working against conditions that should have ended his life. Can gratitude for such care be shown on a punch card? Indeed not.

Not only this. For twenty-five years, I have been a Civil Service employee, and for the past six years have been retired. I spent almost twenty years of my Civil Service life in VA Hospitals, working with those doctors who gave more of their lives to their "jobs" than any doctor I have ever seen in a private hospital. I have seen them spend twenty hours continuously, working on a patient who needed them. I have seen doctors who came early and stayed late—because some one needed them. After seeing the service given to veterans in these hospitals, I must admit I look at our community hospitals with a very jaundiced eye!

Last week, I took a veteran suffering a massive gastric hemorrhage into Sepulveda Hospital. On Sunday (the doctors' day off) he had emergency surgery, and the doctors worked on him from 8:00 in the morning until 11:00 at night, when he was finally out of danger. Can you imagine the cost of this kind of treatment in a private hospital to a family where the man is out of work because of the unemployment in California?

Because of the out-patient care my husband gets in Sepulveda (for kidney involvement from arthritis) and in Wadsworth (for cancers of the skin and underlying structures) he has not had to be hospitalized for almost two years. Although he lives in a wheelchair, he is able to enjoy every minute of every day, and I cannot tell in words how grateful we both are for the help we have had. Nor can a punch card tell the story.

We need our VA Hospitals. In cases like ours, such care as my husband has had would have been out of the question had we been forced to rely on civilian hospitals and doctors. We could not have afforded it, and these later years that we now enjoy would have been poor indeed. We are not ashamed to sign our names to our endorsement of all the VA Hospitals and the Veterans Administration as a whole.

Sincerely,

MONTAGUE and DORIS L. TICEHURST.

JUNE 18, 1971.

Re Smith, Jessie Lee.

Mr. JACK D. POWELL,
Director, Veterans Administration Hospital, Big Spring, Tex.

DEAR MR. POWELL: As members of the family of the above named veteran, we wish to express our appreciation for the outstanding medical care provided by the staff of the Big Spring VA Hospital. The fact that Mr. Smith died on June 4, 1971, in no way changes our opinion of the entire hospital and staff, for we know that he was provided with the very best medical care available. There is no hospital in the world where better care could have been obtained, and we are pleased to know that the veterans of our country have available this type of medical care when they need it.

It was known for some time that this was a terminal case, yet for more than two months the entire hospital staff continued to provide every possible treatment, as well as so very many large and small courtesies. We would especially like to express our appreciation to Dr. R. A. Edwards and the entire staff of Ward 3-West. The doctors, nurses, and nursing assistants were so kind and courteous to the patient and to members of the family.

Mr. Smith was a good husband and a good father, and we loved him very much. His death was a deep personal loss to each of us. He had been a patient in the Big Spring VA Hospital on several occasions during the past ten years or so, and he never hesitated to inform people of the outstanding care he received on each admission. He was a simple man who expressed his views in simple, easy-to-understand language. Up until the final two days of his life, he continued to tell us how he liked and admired the staff members of Ward 3-West. We can only say that the people on 3-West certainly have a "feeling" for their work—they "care" for their patients. No higher compliment can be paid to them.

Please accept our thanks for the many kind courtesies shown the patient and the family. We hope that this letter, in some small measure, will let everyone concerned know that we are proud of the Big Spring VA Hospital, and we know that as long as the hospital remains in operation, every veteran who is admitted will receive the same outstanding care and treatment as our husband and father received.

I am signing this letter on behalf of myself and the other members of the immediate family of Mr. Smith, and each of us wish to express our appreciation for the kindness shown during this particularly difficult time in our lives.

Sincerely yours,

JAMES L. SMITH.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?

WHY INVITE ONLY ONE BLACK GOLFER?

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. STOKES. Mr. Speaker, I append below an article entitled "Why Invite Only One Black Golfer?" by Mr. Robert A. Jordan, who writes for the Boston Globe. The article appeared in the July 4 edition of that paper.

Mr. Jordan harshly, and rightly, condemns Golfer Gary Player for his invitation to Lee Elder to play in a South African golf tournament. As Mr. Jordan says, only Mr. Player can benefit from proffering such an invitation. It was a brilliant move by his publicity agent because, even if the South African sports minister refuses Elder a visa, Gary Player has absolutely nothing to lose. He can feign a miffed attitude toword his government and sportscasters will continue to refer to him as the "good" South African. Meanwhile, Lee Elder will have had his hand slapped for having accepted the invitation and South Africa will remain as impermeable as ever.

If Gary Player were really the "good" South African that liberals choose to believe he is, he would wholeheartedly condemn his country's policies and refuse to play his sport there, except in a fully integrated situation. He would, as Mr. Jordan suggests, invite all black golfers to practice their sport in his country, and then sit back and wait for his government's pronouncements. By doing so, Mr. Speaker, he would prove something to us. He would show us that apartheid is not the monolithic, doctrinaire, totalitarian system that it appears to be. He would offer to us the hope that internal dissension might just bring down the whole house of cards. But he has not and will not offer that hope to us, because he knows its deception.

I offer to you Mr. Robert Jordan's words:

WHY INVITE ONLY ONE BLACK GOLFER?

(By Robert A. Jordan)

Nobody, not even South African golfer Gary Player, can be so naive as to think that his highly-publicized token gesture to a black golfer two weeks ago would clear up what he considers a "general misimpression" about his country.

Player invited Lee Elder, leading money winner among black golfers this year, to participate in the South African PGA championship in Johannesburg this November because, as he put it:

"A lot of people are under the impression that a black man can not play in South Africa, and that is not true. One of the things this invitation can do is clear up that misimpression."

To those who know better, Player's invitation to Elder can do nothing to alter the only valid impression of South Africa—that it is a country which degrades, dehumanizes and destroys the lives of more than 13 million black people through the official blatant racist government policy known as apartheid.

Of course, Elder may be regarded by many blacks as an Uncle Tom for having immediately accepted Player's invitation. However, that is not the issue. The fact is, Elder is a good golfer, but when it comes to some US tournaments, including the Masters, his color does not make him quite good enough. So it is his personal choice to play wherever he can.

Realizing the prejudice against Elder in the US, Player might have much to gain by bringing him to a South African tournament. First, many people would then regard him as the welcome exception to South Africa's real policy. Moreover, it might weaken the reasons that black groups demonstrate at nearly every US tournament Player participates in.

Thus Player, not Elder, would be the real beneficiary if either of the above mentioned were accomplished. But as long as people are aware of the reality of US racism and South African apartheid, and Player's role in both countries, it can never happen. Particularly when Player himself has publicly defended his government. And if he had felt otherwise about his country, he would not argue that South Africa is misunderstood. Only a supporter of apartheid would feel that way.

If Player was truly sincere in his effort to prove that a black man can play in South Africa, then he would extend an open invitation to all black golfers to play in South Africa, whether in a tournament or simply on a golf course. This would, of course, be too much for both Player and the South African government.

The South African sports minister, who has the final word in such matters, has not yet decreed that Elder can play in the Johannesburg tournament. It was not that long ago when Arthur Ashe, among the world's greatest tennis players, was not allowed a visa to play there.

But it is obvious South Africa has nothing to lose by having Elder in its tournament, since it would take more than his golf club to make a crack in that thick racist structure.

Despite the fact that the news media, perhaps unwittingly, cast Player in the role of a "good" white South African, blacks and progressive whites should not be taken in by this political move that would only help relieve Player of his guilt—and South Africa of its shame.

NATION'S ENERGY CRISIS

HON. WILLIAM D. HATHAWAY

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HATHAWAY. Mr. Speaker, today's New York Times carried the last of three articles on the national energy crisis. I include it in the RECORD:

NATION'S ENERGY CRISIS: IS UNBRIDLED GROWTH INDISPENSABLE TO THE GOOD LIFE?

(By John Noble Wilford)

In searching for ways to meet the nation's soaring energy needs without damaging the environment, some American experts are beginning to question one of this country's most cherished beliefs: the idea that boundless economic growth is indispensable to the good life.

If the environment is finite, according to these social scientists, engineers, economists and environmentalists, then perhaps economic growth has its limits too, particularly the unbridled growth that has characterized the United States almost from the start.

What those limits are, or more specifically how a slow-growth economy would be managed and what the social and political implications of such a policy of national planning might be, are questions that the critics of growth have given little detailed thought to.

But they agree that the changes needed to contain the energy crisis may well prove to be radical since, if the logic of the situation is carried to its end, whoever sets priorities for energy consumption wields enormous power over the economy and over the entire national life style.

They are convinced, in any case, that change of some sort will be essential. As Dr. Barry Commoner, an outspoken Washington University biologist, asserts:

A HOST OF PROBLEMS

"The environment got there first, and it's up to the economic system to adjust to the environment. Any economic system must be compatible with the environment, or it will not survive."

Controlling growth, economists say, would confront the nation with a host of difficult problems. Unemployment could rise. The poor could be locked in their poverty. Education, research and cultural pursuits might suffer. The nation could lose economic and political stature.

Millions of individual decisions traditionally made through the random choices of consumers and the supply-and-demand forces of a relatively uncontrolled economy would have to be passed upward to the national level and made through some form of comprehensive national planning.

Most authorities agree that such far-reaching Government power would run against the American grain and that the American people would not easily accept more controls unless the energy crisis got much worse. What the critics of growth are saying, in a word, is that the crisis is getting worse, and rapidly.

Consumption of all energy sources is rising between 3 and 4 per cent a year, which is faster than population increases and basic economic growth. By the year 2000, according to some projections, there will be 320 million Americans (compared to 203 million now), and they may be using three or four times the current energy output. Hardly a shore or river bank would be without a power plant every few miles.

REEXAMINATION SUGGESTED

"We're not pessimists or doom-mongers. We just see technological reasons to do some new social thinking," says Dr. John List, assistant professor of engineering at the California Institute of Technology's new Environmental Quality Laboratory.

"We've got about 20 years in which to reorganize," Dr. List continues. "Population growth hardly comes into it at all. It's growth in per capita consumption. It's just plain affluence. The only way out of it that we can see is to curb the energy consumption per person. Not exactly a no-growth situation, but slow it down from this 9 per cent [growth rate] madness."

A recent energy report by the President's Office of Science and Technology stated:

"It may well be timely to re-examine all of the basic factors that shape the present rapid rate of energy growth in the light of our resource base and the impact of growth on the environment."

Even Charles F. Luce, chairman of the Consolidated Edison Company, concedes:

"The answer to all of these environmental and resource problems is that we simply use less goods and services. In other words, that we get off this growth kick our economy has been on throughout the history of our country."

When slow-growth or no-growth ideas are raised, businessmen, economists and engineers usually react with variations of the time-honored principle that growth is progress and progress is good. They stand firm on the premise reflected by John L. O'Sullivan, the American editor credited with

coining the expansionist expression "manifest destiny." Said Mr. O'Sullivan in 1845: "The only healthy state of a nation is perpetual growth."

BASIC LAW OF BIOSPHERE

But a crisis, if not completely catastrophic, can change thinking patterns and give impetus to social invention, as the economic crisis of the Depression years did in this country. To ecologists, such radical thinking is once again a necessity.

One of the basic laws of the biosphere is that energy, when expended, ends up as heat—the warmth of a stove or light bulb, the blast of an industrial furnace, the heat of an auto engine and the heat emitted by power plant stacks and cooling waters.

In power plants, conventional or nuclear, only 30 to 40 per cent of the fuel's heat is converted to electricity, and engineers doubt there can be any significant improvements in efficiency for at least two or three decades. Consequently, some 60 per cent of the heat is released in a concentrated dose at the power plant site and the other 40 per cent over the points of use, primarily the urban areas.

At some point, scientists caution, the cumulative effects of power generation could alter global climate.

CUTBACK WILL NOT BE EASY

Slowing down the rate of increase in energy consumption will not be easy. It would not help much to abolish many of those gadgets of affluence, such as the electric toothbrush or electric carving knife. Each uses less than 8 kilowatt hours a year.

The big residential consumers are refrigerators, electric air-conditioners, freezers—all considered necessities by the "haves" and desired objects by the "have-nots." New Yorkers, for example, may not want Con Edison to spoil the Hudson Valley any more with power plants—but they keep buying more air-conditioners.

And residential consumption is slightly less than a third of the total. According to the Edison Electric Institute, 41 per cent of electricity is consumed by industry, 32 per cent residential, 23 per cent commercial (stores, shopping centers, office buildings, hospitals, etc.) and 4 per cent others (street lights, subways, etc.).

How to slow down growth—through restrictions on energy consumption or reductions in economic development in order to curb energy demand—is something most economists would rather not contemplate. Adam Smith, in "The Wealth of Nations" two centuries ago, summed up their position:

"The progressive state is in reality the cheerful and the hearty state to all the different orders of the society. The stationary state is dull; the declining, melancholy."

Some economists, like Yale University's Dr. Henry C. Wallich, dismiss no-growth ideas as "absolute bunk."

They see more unemployment as the most immediate and deplorable effect. According to a "law" worked out by Dr. Arthur Okun, a senior fellow at the Brookings Institution and former economics adviser to President Johnson, the nation's basic economy must grow at a rate of 4 to 4½ per cent annually to absorb the growing labor force and increases in productivity the output per man-hour. A 1 per cent drop in economic growth would thus lead to a one-third of 1 per cent rise in unemployment.

"BEAUTIFUL THOUGHTS?"

Any fundamental curbing of energy consumption, economists say, would mean stabilizing the gross national product, the total output of goods and services, which currently runs at an annual rate of slightly more than $1-trillion.

The only remotely realistic way to do that, the economists add, is to reduce the hours people work each week. It would mean asking people to trade added income for more leisure, to sacrifice future increases in their standard of living.

"What are they going to occupy their time with?" Dr. Wallich asks. "Religious contemplation, art, beautiful thoughts?"

The effect this could have on poor people presents a serious problem. Methods often suggested for reducing energy consumption, such as substantial price increases, would hit the poor hardest.

For a person in Harlem or Watts it could make the difference in having air-conditioning, or even a fan. More important, it could cost him his job. The increases could also hurt the users of subways and other electric mass-transit operations, but not the people who ride to work in automobiles, which are responsible for great amounts of pollution.

For these reasons, critics often call slow-growth ideas an "elitist" attitude, which one industry executive described as "I've got mine, Jack, let's stop here."

Critics of the critics, however, say the impact on the poor could be ameliorated through income redistribution and other social legislation. Besides, they say the argument is often used by "people who never really gave a second thought to poor people before."

Another argument against curbing energy production is that cleaning up the environment will take more, not less, energy. W. Donham Crawford, president of the Edison Electric Institute, contends:

"If you want to replace the internal-combustion engine with mass transit in our polluted cities, if you want to recycle aluminum and steel cans into useful products, if you are going to try to clean up the sewage and rivers and lakes, if you're going to clean the air, it will take enormous amounts of electricity."

CONFLICT OVER TIMING

But the conflict between many economists and ecologists may be over matters of timing and magnitude rather than of principle.

Dr. Walter W. Heller, University of Minnesota professor and former chairman of the Council of Economic Advisers under President Kennedy, says:

"I think of growth as a source of the problem, but also as a solution. We're doing a bad enough job in the face of growth. An absence of growth would be a corrosive factor in solving our problems. But we must, in time, redirect the proceeds of growth, and the first claim should be on repairing the ravages of growth."

It is also possible that growth rates will begin to taper off because of natural economic and cultural forces.

In California, as in many fast-growing states, there is a shift in construction from single-family homes to multiple dwellings; an apartment uses about two-thirds the electric power of a single-family house. Lower birth rates will mean a decrease in the labor force's growth 20 years from now, and there is already a gradual shift in the labor force from manufacturing to less power-demanding service and trade occupations.

Even without additional taxes or surcharges to support research and to discourage overuse, all forecasters predict considerable higher costs of energy, perhaps 50 percent increases in the decade. This would be a result of resource scarcities and the costs of anti-pollution measures.

And it just may be that there is a saturation point for human energy needs. How many more cars and air-conditioners and appliances can the American middle classes need or want? Perhaps the consumers' boom will cool off. Perhaps at some point most growth in energy demand will reflect population gains and the acquisitions of poorer people.

END TO "EXPONENTIAL CURVES"

This could bring to an end the "exponential growth curves" that have been the pattern all this century—that is, the doubling of electricity consumption every 10 years. It has to end sometime, through some natural or willed deceleration, because, as Dr. Dennis Gabor, the British technologist, says:

"Exponential curves grow to infinity only in mathematics. In the physical world, they either turn round and saturate, or they break down catastrophically."

In random but not insignificant ways. Americans are showing signs of turning away from reflex Chamber-of-Commerce boosterism to a more selective approach toward growth.

Cancellation of the supersonic transport was the most dramatic expression of such a question attitude. Dr. John Kenneth Galbraith, the Harvard University economist, calls the SST decision "historic" because "for the first time we decided the advantages of a new type of growth were outweighed by the disadvantages."

Similar public protests killed proposals for a jet airport in the Everglades and the Cross-Florida Barge Canal.

BASIC SOCIAL ISSUES

But to embark on a conscious policy of curbing growth raises fundamental social questions that go much deeper than the economics of living. They strike at the heart of American ethics and philosophy.

"Up till very recently, man has inhibited, psychologically, a virtually unlimited flat earth," says Dr. Kenneth E. Boulding, a University of Colorado economist, explaining the potential impact of the finite-earth concept on man's thinking. "There has always been somewhere to go over the horizon, some boundary to the known world beyond which there were further worlds to explore. Now this long period of human expansion has suddenly come to an end. We are living in just so big a house and there are only so many things that can be done with it. The psychological impact of this shift has barely begun to be felt."

Advocating a new "ecologic ethic," Dr. Garrett Hardin, professor of biology at the University of California at Santa Barbara, says:

"The ethical system under which we operated in the past was possibly adequate for an uncrowded world. But it is not adequate for a world that is already critically overcrowded, a world in which it is increasingly difficult for anyone to do anything at all without seriously affecting the well-being of countless other human beings."

No crisis so complex can be easily solved, but the few ideas being discussed generally involve the types of social innovations that may be necessary to match the nation's technological capabilities. The ideas center on some kind of national energy policy in the broader context of national economic and environmental planning. As a beginning, air and water and other environmental standards are being established on a national basis for the first time.

NEW IDEAS DISCUSSED

Writing in the summer issue of The American Scholar, Dr. Peter L. Marks, professor of biology at Cornell University, went so far as to advocate abolishing all state, county and city governments and replacing them "with regional governments based on ecological boundaries," such as a water-shed.

Since he joined the General Electric Company last year, Dr. Thomas O. Paine, former head of the National Aeronautics and Space Administration, has initiated a "strategic study" of the nation's energy situation. The study, which is not yet completed, explores such ideas as regional land-use and water

planning, a national energy system of interconnected transmission lines and priorities for resource exploitation and technological development.

These represent the probing first steps as the nation learns to make the transition from what Dr. Boulding of the University of Colorado calls the "cowboy economics" of unfettered growth to the planned, orderly growth of "spaceship economics," the concept of man's dependence on a finite, enclosed life-support system known as earth.

The energy crisis reflects the difficulty of that transition, the slow weighing of the costs of radical social change against the costs of letting things go unchanged. The crisis also confirms the agonizing truth of Buckminster Fuller's words.

"Now there is one outstandingly important fact regarding Spaceship Earth," Mr. Fuller, the inventor says, "and that is that no instruction book came with it."

REVENUE SHARING WITH THE UNITED NATIONS BY TAKING FROM LOUISIANA AND OTHER OIL PRODUCING STATES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. RARICK. Mr. Speaker, while giving lipservice to returning power to the people at the local level and allowing them to have a bigger voice in deciding questions that affect their lives, the Nixon administration supports any plan to regionalize, nationalize, and internationalize.

The latest move to internationalize is an administration proposal to put part of the Continental Slope under United Nations jurisdiction.

Presently, the United States and other coastal nations have exclusive jurisdiction over natural resources of the submerged continental mass seaward to where the submerged portion of that mass meets the abyssmal ocean floor.

For some time, the Federal Government has opposed the States receiving tideland royalties in that area adjoining their shores.

Now the Nixon administration proposes to turn over control of the Continental Shelf beyond the 600-foot isobath to the United Nations, with proceeds to go to the "developing nations."

It seems ironical that the Federal Government, which has a public debt in excess of $200 billion, which has appropriated $52 million to the U.N. for 1972, and which anticipates a deficit in this year's budget of about $23 billion, wants to share revenue which it does not have—not only with the States, but also with the United Nations, supposedly for something called emerging nations.

I insert a related newsclipping at this point in my remarks:

[From the New Orleans Time Picayune, July 4, 1971]

U.N. RULE OF CONTINENTAL SLOPE FACING OPPOSITION—SUBMERGED LANDS WOULD BE INTERNATIONAL

(By W. Jeff Davis)

Now that Louisiana's offshore territory is likely to have no more oil or gas lease agreements after next May, the Administration proposal to put the continental slope under United Nations jurisdiction is finding strong opposition.

Under this agreement submerged lands less than 20 miles south of Southwest Pass in lower Plaquemines Parish will be international waters, and oil and gas development will have to be negotiated through that multi-nationed organization.

At the April 2 meeting of the American Petroleum Institute's board of directors, a resolution gave full endorsement to the recommendations of the National Petroleum Council's study, which vigorously opposes the proposal.

Under the recommendations lands from the shoreline out to the continental shelf's edge, where the water is 600 feet in depth, will stay in the possession of the adjacent country.

Offshore from Louisiana this distance varies from about 18 miles distance at the mouth of the Mississippi River, to about 130 miles seaward from Cameron Parish.

Then there is an abrupt drop to 2,000 foot water depths, in the next 10 to 15 miles distance seaward.

This is called the Continental Slope or Continental Margin.

Tenneco Oil Company has production on the edge of the Continental Shelf in the West Cameron area and Shell Oil Company has production on the edge in the Main Pass area, offshore from Plaquemines Parish.

Techniques have been developed to such an extent in the past decade that drilling in water depths of 2,000 feet, and even more, is a practical matter. Underwater production controls, resting on the ocean floor, is also an established practice.

Since less than 4,000,000 of the 14,000,000 acres offshore from Louisiana remain unleashed, and these are to go on the auction block next May, the state is expected to join the API in protesting the proposal to put the slope or margin into United Nations hands, with proceeds to go to the "developing nations" which are increasing almost with each edition of the daily papers.

The National Petroleum Council is an industry advisory body to the Secretary of the Interior.

The study states "The United States and other coastal states should not renounce but rather retain jurisdiction over the seabed and subsoil mineral resources to the outer edge of the submerged continent or island."

NEED RECOGNIZED

NPC further urged that "leases issued on the Continental Margin during the negotiations not be made subject to the as-yet-unknown terms of a future treaty." At the same time the Council recognizes the need for agreed international arrangements for the area beyond the Continental Margin and supports a treaty to that end."

Although Louisiana's offshore territory is the one which will be first affected, the Department of the Interior has estimated the U.S. has 1,332,000 square miles of Continental Margin out to the depth of 2,500 meters, much more than most countries, with vast mineral resources.

Interior statistics are that between the 200 meter isobath and the seaward edge of the U.S. Continental Rise alone, there are 867 billion barrels of oil, 68 billion barrels of natural gas liquids and 2,045 trillion cubic feet of natural gas.

Included in this estimate will be the offshore areas in Mississippi and Alabama. In the latter state the Oil and Gas Board has already checkerboarded the area offshore from Mobile Bay to include the outer limits of the Continental Island, almost to the 2,000 foot water depth contour or Isobath as it is called by marine surveyors.

JURISDICTION IN 1945

The United States government first asserted its seabed resources in a 1945 proclamation issued by President Truman. The proclamation stated that the natural resurces of "the subsoil and seabed of the Continental Shelf beneath the high seas but contiguous to the coasts of the United States" belonged to the U.S. An accompanying White House press release indicated that the Continental Shelf is generally regarded as extending to a depth of 100 fathoms (600 feet). However, the Truman proclamation itself did not delineate the boundaries of jurisdiction by defining a seaward limit for the Continental Shelf.

Nor were clear limits defined in the provisions of the Outer Continental Shelf Lands Act, enacted by the Congress in 1953, the first and only U.S. legislative declaration to date in this area. Instead, this Act was so worded as to apply to the full limit of U.S. jurisdiction, leaving that limit to be determined by applicable provisions of international law.

The United States adheres to the provisions of the 1958 Geneva Convention on the Continental Shelf, having become a party to that Treaty. The 1958 Geneva Convention states (in Article 2) that every coastal nation exercises over its Continental Shelf sovereign rights for the purpose of exploring it and exploiting its natural resources. These rights (under Article 1) embrace "the seabed and subsoil of the submarine areas adjacent to the coast but outside the area of the territorial sea, to a depth of 200 metres or, beyond that limit, to where the depth of the superjacent waters admit of the exploitation of the natural resources of the said areas."

BROAD INTERPRETATION

In practice, this language has been given a broad interpretation by the U.S. government, but in recent years differences have developed within the Administration. These differences focus on whether the U.S. should continue to stand on a broad definition or favor a narrow redefinition of the Continental Shelf.

On May 23, 1970, President Nixon sought to resolve these differences by issuing a Statement on U.S. Oceans Policy. The Statement proposed that all nations join in an international treaty under which they would "renounce all national claims over the natural resources of the seabed beyond the point where the high seas reach a depth of 200 meters."

On August 3, 1970, a U.S. Draft Convention was submitted to the United Nations Seabed Committee in Geneva. If adopted, the Convention would, to the extent of any inconsistencies, supersede the 1958 Geneva Convention, at least as regards parties to the new treaty. The Draft (in working paper form) failed to accomplish the President's announced objectives in some important respects and went far beyond them in others.

NPC CONCLUSION AND RECOMMENDATIONS

The principal thrust of what the API has endorsed is contained in the NPC Supplemental Report. These are:

A. "The August 3 Draft fails to interest either coastal states or the larger international community in three fundamental respects:

"1. It would unnecessarily compel coastal states to yield their existing rights to the seabed resources of the submerged continent seaward of the 200-meter isobath, for which they would receive in return the treaty the uncertain and ill-defined status of "trustee" of those resources;

"2. It calls for an interim or transitory arrangement lacking in necessary assurances to the potential investor of the integrity of his investment made during the period of negotiation preceding the conclusion of the treaty;

"3. It would impose operating conditions and financial terms applicable to licenses which would deter rather than encourage the search for and development of seabed petroleum resources in both the area of the outer

continental margin and the deep-ocean area beyond.

B. "The NPC adheres to and reasserts the conclusion reached in its 1969 Report . . . that

"The United States, in common with other coastal nations, now has exclusive jurisdiction over the natural resources of the submerged continental mass seaward to where the submerged portion of that mass meets the abyssal ocean floor and that it should declare its rights accordingly. We believe that this was the intent of the framers and delegates who composed the 1958 Geneva Convention. We are convinced that this interpretation is in the best interests of this Nation, whether or not it is in the best interest of the American oil and gas industries.'

"However, the NPC, while opposed to the renunciation by the U.S. of its rights to the mineral resources of the seabed of the submerged continent beyond the 200-meter isobath does endorse the following five principles enunciated in the President's Statement (hereinafter referred to as the President's five points):

"'. . . (1) The collection of substantial mineral royalties to be used for international community purposes, particularly economic assistance to developing countries . . . (and the establishment of) general rules, (2) to prevent unreasonable interference with other uses of the ocean, (3) to protect the ocean from pollution, (4) to assure the integrity of the investment necessary for such exploitation, and (5) to provide for peaceful and compulsory settlement of disputes.'"

C. These "principles and objectives can be secured without endangering our Nation's continuing control and development of the vital and necessary oil and gas resources of its off-shore continental margin."

DR. VIRGINIUS D. MATTIA—HUMANITARIAN

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. RODINO. Mr. Speaker, I share with many the tragic loss of a dear friend, Dr. Virginius D. Mattia. He has been taken from this world while in the prime of life, youthful in his ideals and strong in his actions. He was a dynamic, vital human being who accomplished great things on an international scale and somehow always managed to make them look easy, although they never were.

A totally dedicated man, he was determined to find new ways to relieve suffering and lengthen life. A humanitarian, he strived to ease the suffering of the poor and disadvantaged, and to strengthen the bonds of brotherhood among all men.

As a private citizen and as the president and chief executive officer of Hoffman-La Roche, Inc., Dr. Mattia never ceased to work toward the achievement of these towering goals, and his successes are a monument to his talent and tenacity. He is a man who long will be remembered for the love, confidence, and respect which he inspired in others, and his integrity, compassion, and ability will be missed by all who came in contact with him. I extend my sincere sympathy to his friends and loved ones. May God comfort them in their sorrow.

Following is a statement issued July 5, 1971, by the executive committee of Hoffman-La Roche, an editorial, and an article published in the Star-Ledger, which perfectly express the magnitude of Dr. Mattia's corporate leadership and personal dedication:

EXECUTIVE COMMITTEE STATEMENT

To All Members of the Roche Family:

It is our sad duty to inform you that Dr. V. D. Mattia, our President and Chief Executive Officer, passed away in his sleep on Sunday, July 4. As we mourn his loss our heartfelt sympathy goes out to his widow, his four children, his mother, and his sister, whose grief all of us share.

Dr. Mattia leaves behind a memorable record of inspiring leadership and forward-looking management marked by pioneering contributions to the growth and success of our company. In leading Roche to new heights of achievement, his primary concern was always for the men and women in our company whose well-being and whose future were foremost in his thoughts.

From the very inception of his career as a practicing physician, throughout his entire period of leadership of our company, he consistently advanced the cause of medicine and patient care, and he was a driving force behind the development of new and better weapons in the fight against disease and pain.

He set all of us a shining example of abiding dedication to human values, exemplified by his far-ranging efforts to help others. His selfless endeavors in many fields of civic activity and his profound devotion to the highest standards of responsibility will long be remembered by all who had the privilege of being associated with him.

In keeping with Dr. Mattia's personal wishes, his family has requested that no flowers be sent; instead, his friends may wish to make a contribution in his memory to the Essex County Heart Association.

A HUMANITARIAN

Dr. Virginius D. Mattia was in the front ranks of an emerging species in the American corporate sector—an executive with a profound sense of social commitment. It was an awareness that was deeply inbred, a dominant belief that characterized his adult life.

As president and operating head of one of the world's largest pharmaceutical companies—Hoffmann-La Roche Inc.—Dr. Mattia directed a major expansion program for the firm. One phase of the project included the Roche Institute of Molecular Biology, an integral component of the huge research complex at Roche Park in Nutley.

But Barney, as he was known to friends and associates, viewed his corporate accomplishment in humanitarian terms, using it as an influential instrument in social causes.

It was a sense of involvement that was expressed in many ways, not only in voluntary service to the community but in concrete terms, such as the establishment at Roche of the Medicare reimbursement program for indigent patients, which received national recognition.

A soft-spoken man devoid of pretensions, Dr. Mattia was the recipient of an award in 1969 from B'nai B'rith, an honor that exemplified an endeavor that he had held in high and long regard. The International Humanitarian Award cited him for "service to humanity . . . leadership in causes which promote brotherhood, advance scientific achievement and nurture educational and cultural well-being of youth."

In capsulated form, these words are the legacy of Dr. Mattia, whose passing leaves a gaping void in the community.

JERSEY BUSINESS

(By John Soloway)

Grievous as is its loss, the business community—in New Jersey and at-large—suffers not alone from the untimely death of Virginius Dante Mattia. Many more are poorer by his premature passing.

As chief executive of one of the nation's major business enterprises, "Barney" Mattia occupied a position of prominence and international influence in the ethical pharmaceutical field.

But Dr. Mattia was much more than a visionary, dedicated medical man and industrial leader; more than an inspirational, extremely able corporate administrator; more than a disciple truly devoted to research aimed at extending the life span, improving the health, and adding to the productive years of his fellow man.

First, and foremost, Barney Mattia was a humanitarian, and he long will be remembered as a human being in the broadest meaning of the term.

The worldwide B'nai B'rith Organization, itself a formidable force in the interest of humanity, bestowed upon him this signal recognition some years ago, and subsequently numerous others had sought—in proposed similar fashion—to focus public attention on his words and deeds, his dedication to the causes of the oppressed and the poor and the sick.

As graciously as he could, he declined such proffered encomia with an apologetic explanation that was simple and sincere and in keeping with a modesty that was truly a trademark.

"Just because I am privileged, by position or circumstance, to be enabled to do my bit," he recently told me, "ought not to call for testimonials."

And, as if he had a premonition of his own abbreviated lifetime—and the remaining days should be put to greater purpose—he had added with a heavy sigh: "There is so much more that needs to be done."

Long before it became fashionable for corporate chieftains to be concerned about and committed to the welfare of the indigent, the under-privileged and the ill, Barney Mattia preached—and practiced—a philosophy now forged as a principle of enlightened management.

"How successful a company is," he had said to me in an interview more than a decade ago, "cannot be measured by the results of the corporate balance sheet."

He was then 36, newly named as general manager of the ethical pharmaceutical division of Hoffmann-La Roche. He had gone through two wars and he was yet to endure an excruciating coronay a year before he was to become the youngest chief executive of one of the major drug manufacturing and research entites in the world.

But even at that early age, he had set his sights, had forged his resolve. He envisioned a new longevity for man, a better health, a greater usefulness. "A life span of 100 years," Mr. Mattia had predicted then, "should be a quite common thing if we can make certain basic discoveries . . . Moreover, they'll be health-filled, productive years for most people," he had prophesied.

Thus, when he became president in 1966, he set about almost at once to establish the Institute of Molecular Biology at Nutley, the world's first privately-funded study of life's processes, a multi-million dollar facility the quest of which and the work of its 200 eminent scientists, must go on as a memorial to the purpose of Virginius Dante Mattia.

The purpose of Barney Mattia had been evidenced even earlier when as executive vice president, he staunchly stood up before important stockholders and directors of the enterprise on two memorable occasions. In both, the issue was profitability.

One had to do with the establishment of the company's program to aid the indigent ill, a costly proposal. Under it, any doctor can prescribe without charge to the patient any Roche product for as long as the need remains.

The other revolved around research into which the company, having poured millions into the particular effort, was reportedly about to abandon its quest for the compound which is today perhaps the world's most-prescribed drug—Librium. Here again, Barney Mattia prevailed, and the world of medicine and man are the principal beneficiaries.

A national publication, recounting these and other contributions of Dr. Mattia a couple of years ago, characterized him as a "maverick of the pharmaceutical industry," an appelation also ascribed to him by some competitors less gifted and certainly less responsive to the needs of the times.

It may well be that Barney Mattia was a "maverick." Be that as it may, the fact is that his deeds were many and noteworthy—even as his feeling for his fellow man were deep and abiding.

CBS AND FRANK STANTON IMPROPERLY TREATED

HON. JEROME R. WALDIE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. WALDIE. Mr. Speaker, I believe the Interstate and Foreign Commerce Committee erred greatly in, first, issuing a subpena to CBS and, second, finding the president of CBS, Mr. Frank Stanton, in contempt for failing to produce the working materials from which the program "Selling of the Pentagon" was compiled. At issue here is far more than the prestige of a congressional committee. What is at stake here is the integrity of the first amendment guarantees of freedom of the press.

It is true that the committee feels abused by the failure of CBS to acceed to its demands to produce its "working materials." But that demand was improper both, in my view, as a perilously close effort to "censor" a media and as a needless confrontation with the first amendment over a "cause" of little consequence.

Mr. Speaker, it may be that at some remote time in the future the issue posed by this case must be met. But, surely, "The Selling of the Pentagon" is of such little consequence to the well-being of this Nation that whether it was accurate or inaccurate is not a pressing issue deserving of this momentous confrontation.

I was impressed by the sincerity and the dignity of Mr. Stanton's testimony before the committee, and I include it along with my remarks. I believe the Congress, the press, and the country will be well served if this unhappy matter is dropped where it now stands.

The testimony follows:

STATEMENT BY FRANK STANTON

I appear here today on a most serious matter. I have great respect for the Congress of the United States and for this important Subcommittee. I am mindful of my duty to comply with the requirements of a lawful Congressional subpoena. But I also have a duty to uphold the freedom of the broadcast press against Congressional abridgement. The conflict between these duties is the issue dividing us today. It raises a profound constitutional question going to the heart of the American democratic process.

My appearance is in response to the Subcommittee's subpoena dated May 26, 1971. That subpoena directs me to appear for the purpose of testifying and to bring with me "all film, workprints, outtakes, and sound-tape recordings, written scripts and/or transcript utilized in whole or in part by CBS in connection with its documentary, 'The Selling of the Pentagon', broadcast on February 23, 1971" except for "materials relating to segments not shown therein" and "official United States Government film that was utilized in the broadcast."

I would like to recapitulate the sequence of events that has led to my appearance here, and then to address the central and serious issues raised by your subpoena.

On February 23, the CBS Television Network broadcast a documentary, "CBS Reports: The Selling of the Pentagon," describing the public information activities of the Department of Defense. The broadcast was promptly acclaimed by many and sharply criticized by others. These criticisms were fully reported by CBS News.

On March 23, in response to the widespread public attention generated by the report, we rebroadcast it. At its conclusion, we broadcast a 22-minute postscript including earlier comments critical of the broadcast by Vice President Agnew, Secretary of Defense Laird, and Chairman Hébert of the House Armed Services Committee, as well as a response by Richard S. Salant, President of CBS News.

On April 18, in view of continued public interest in the substantive issues raised by the broadcast, we broadcast a CBS News Special Report, entitled "Perspective: The Selling of the Pentagon." This hour-long panel discussion presented contrasting points of view on the issues involved. Former Assistant Secretary of Defense for Public Affairs Arthur Sylvester, and General S. L. A. Marshall, a military commentator and historian, generally supported the Defense Department's public information program; Senator Fulbright and Adam Yarmolinsky, a Special Assistant to former Secretary of Defense McNamara, were critical of it.

Meanwhile, on April 7, this Subcommittee had issued a subpoena to CBS demanding the delivery of "all film, workprints, outtakes, sound-tape recordings, written scripts and/or transcripts" relating to the preparation of "The Selling of the Pentagon." On April 20, CBS furnished a film copy of the original broadcast and rebroadcast (with postscript) as well as transcripts of those broadcasts. But CBS respectfully challenged the Subcommittee's power to inquire by compulsory process into the editing of the broadcast and declined to produce materials not actually broadcast. The Subcommittee then allowed CBS 10 days to make a fuller response.

On April 30, without waiving its objections, CBS voluntarily supplied the Subcommittee with some general information unrelated to the editing process. And in support of its challenge to the Subcommittee's right of inquiry into this matter, CBS submitted an opinion of its counsel that the compulsory demand for production of materials not broadcast, for the purposes described in the Chairman's statement of April 20, was beyond the Subcommittee's power because of the First Amendment, and that CBS was under no legal duty to comply.

On May 26, the Chairman advised us that CBS had "satisfactorily met the requirements of Paragraphs 1, 3, 4 and 5 of the April 7 subpoena," but had failed to comply with Paragraph 2, which called for scripts, transcripts, workprints and other filmed materials *not* actually broadcast. The Subcommittee withdrew its April 7 subpoena and issued a new one. This May 26 subpoena requires me to appear for testimony and to produce the same materials called for in Paragraph 2, except that the letter accompanying the subpoena disclaimed any interest in transcripts and filmed materials of "interviews or events which did not appear, even in part, in the actual broadcast."

We have carefully reviewed with our counsel the May 26 letter and the accompanying subpoena. They have advised us that in their opinion[1] the subpoena still seeks to compel the production of materials compiled in preparing and editing the documentary but not actually broadcast; that the purpose of the Subcommittee investigation is still to make an official governmental inquiry into the editing process employed in producing the documentary; and that the Subcommittee may not constitutionally compel CBS to produce the subpoenaed materials or give oral testimony for such a purpose.

The First Amendment states that "Congress shall make no law . . . abridging the freedom of . . . the press." Clearly, the compulsory production of evidence for a Congressional investigation of this nature abridges the freedom of the press. The chilling effect of both the subpoena and the inquiry itself is plain beyond all question. If newsmen are told that their notes, films and tapes will be subject to compulsory process so that the government can determine whether the news has been satisfactorily edited, the scope, nature and vigor of their news gathering and reporting activities will inevitably be curtailed.

Our objection does not depend upon establishing that the government lacks power, under any and all circumstances, to subpoena a journalist or his unpublished materials. There are now pending before the Supreme Court several cases centering on the issue of whether the need of information for some important governmental purpose can under certain circumstances be so compelling as on balance to outweigh the repressive effect of such a subpoena. But this Subcommittee's legislative purpose—to prevent "distortions" or to control "editing practices" in broadcast news reports and thereby engage in official surveillance of journalistic judgments—has no constitutional warrant and therefore no benefit that can be balanced against the chilling effect of this subpoena, let alone outweigh it.

Based on the advice of our counsel and our own conviction that a fundamental principle of a free society is at stake, I must respectfully decline, as President of CBS, to produce the materials covered by the subpoena of May 26. For the same reasons, I must respectfully decline, as a witness summoned here by compulsory process, to answer any questions that may be addressed to me relating to the preparation of "The Selling of the Pentagon" or any other particular CBS news or documentary broadcast.

We take this position as a matter of conscience, because of our obligation to uphold the rights guaranteed by the First Amendment. That Amendment embodies our national commitment to freedom of the press. It protects the rights of journalists, not to make them into a privileged class, but to safeguard the liberties of us all by preserving one of the most indispensable

[1] Dated June 15, 1971, and submitted herewith.

elements of responsible democratic government—the right to report freely on the conduct of those in authority. In Judge Learned Hand's famous phrase: "To many this is, and always will be, folly; but we have staked upon it our all."

There can be no doubt in anyone's mind that the First Amendment would bar this subpoena if directed at the editing of a newspaper report, a book or a magazine article. Indeed, the Chairman has been quoted as having specifically conceded this point. However, it is urged that because broadcasters need governmental licenses while other media do not, the First Amendment permits such an intrusion into the freedom of broadcast journalism, although it admittedly forbids the identical intrusion into other press media. If broadcasters must comply with such subpoenas, broadcast journalism can never perform the independent and robust role in preserving those freedoms which the Constitution intended for American journalism. Only two weeks ago, in a major case applying the First Amendment to protect a news broadcast, the Supreme Court placed broadcast and print journalists on precisely the same footing.

As broadcasters, it is our duty and responsibility in the public interest to resist any government action that threatens to transform a free and vigorous news medium into a controlled and timid one.

I shall, however, do my best to answer questions of the Subcommittee which do not seek to probe so deeply into the news process as to reach specific journalistic practices or the editing of particular broadcasts. The line is a difficult one to draw, and I hope the members of the Subcommittee will bear with me as I deal with your questions. I hope we can achieve a dialogue consistent with the stand we feel compelled to take as a matter of constitutional principle.

As we have previously indicated to the Subcommittee, comments on "The Selling of the Pentagon" have raised important issues as to the practices employed, or that ought to be employed, in the editing of documentary broadcasts. While responsible journalists may reasonably differ concerning particular practices in particular cases, we do not intend to ignore these differences or to shrink from continuing self-examination of our own practices. What we do object to is being subjected to compulsory questioning in a government inquiry, expressly intended to determine whether this or any other CBS news report meets government standards of truth.

The objection I am making has been urged not only by CBS and not only by those who believe that "The Selling of the Pentagon" was an excellent and valuable piece of journalism. The same objection has also been made by many groups and individuals, in and out of public office, who have criticized the broadcast in whole or in part. Scores of newspapers, representing the entire spectrum of political opinion and varying in their views of the merits of the broadcast, have expressed the deepest concern in editorials strongly supporting our position.

Leaders in the nation's educational, civic and religious life have protested the inescapable implications of the subpoenas addressed to us. Professional associations representing every segment of journalism have joined in the protest. These associations include the American Society of Newspaper Editors, the American Newspaper Publishers Association, the National Newspaper Publishers Association, the American Association of Schools and Departments of Journalism, the American Newspaper Guild, the Associated Press Broadcasters Association, the Association for Education in Journalism, the Association of American Publishers, the Authors League of America, the Radio Television News Directors Association, and Sigma Delta Chi. Government officials, including the Director of Communications for the Executive Branch, who criticized the broadcast, and the Chairman of the Federal Communications Commission, have stated their opposition to the subpoena.

I can assure you that we at CBS have not taken lightly either your subpoena or the concern that prompted it. We recognize that journalists can make mistakes, that editing involves the exercise of judgment, and that we and other journalists can benefit by criticism. But I respectfully submit that where journalistic judgments are investigated in a Congressional hearing, especially by the Committee with jurisdiction to legislate about broadcast licenses, the official effort to compel evidence about our editing processes has an unconstitutionally chilling effect.

Let me close with the words of James Madison, written in 1799 and quoted by Mr. Justice Brennan in his opinion announcing the Court's decision two weeks ago applying the First Amendment to protect a news broadcast:

"Among those principles deemed sacred in America, among those sacred rights considered as forming the bulwark of their liberty, which the Government contemplates with awful reverence and would approach only with the most cautious circumspection, there is no one of which the importance is more deeply impressed on the public mind than the liberty of the press. That this *liberty* is often carried to excess; that it has sometimes degenerated into *licentiousness*, is seen and lamented, *but the remedy has not yet been discovered. Perhaps it is an evil inspirable from the good with which it is allied; perhaps it is a shoot which cannot be stripped from the stalk without wounding vitally the plant from which it is torn. However desirable those measures might be which might correct without enslaving the press, they have never yet been devised in America.*"

THE THREAT TO NATO'S NORTHERN FLANK

HON. JOHN G. SCHMITZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SCHMITZ. Mr. Speaker, the July edition of Air Force magazine contains a disturbing analysis of the military preparedness of NATO's northern flank. While much attention has been paid to the increasing Soviet military penetration of the Middle East and Mediterranean Sea little notice has been taken of the Soviet buildup in this area of the world.

This article is recommended to all those who wish to understand one aspect of the increasing Soviet military threat which is now ranged against the Free World. As our capability to decisively interfere with a Soviet military move against Europe through the application of our strategic nuclear weapons against the Soviet homeland vanishes, through acceptance of a posture very much less than nuclear superiority, the possibility of the Soviets utilizing their tremendous superiority in conventional forces against Europe increases.

This article outlines an existing situation with which the United States and its allies would probably be unable to cope at the conventional level. Since we no longer have the strategic nuclear superiority necessary to cope with this situation on the nuclear level, the question becomes, how are we going to cope with it at all?

The article by Mr. Stefan Geisenheyner, Air Force magazine editor for Europe, follows:

NATO'S NORTHERN FLANK—VITAL

(By Stefan Geisenheyner)

While most Western leaders openly voice concern about the rapidly deteriorating military situation in the Mediterranean region, little or nothing is being said about the equally grave picture that has developed during the past decade on NATO's northern flank.

Britain, Denmark, Norway, and West Germany—NATO's northern forces—are faced with a difficult defensive task that has to be accomplished against overwhelming Warsaw Pact strength on land, at sea, and in the air.

According to some experts, the power gap between East and West in the northern region has widened to the extent that the credibility of NATO's all-important deterrent posture is in jeopardy. German military sources say that the West is trying to defend the northern flank with three divisions, 150 ships, and about 200 combat aircraft. These forces are opposed by twenty divisions, 1,100 ships, and at least 500 aircraft.

The broad term, "northern flank," applies to the southern littoral of the Baltic Sea, which includes the coastlines of Germany, Denmark, and its Baltic islands; the Norwegian coast from Oslo to the North Cape; and, finally, the approximately 100 miles of land frontier between the USSR and Norway, located far above the Arctic Circle, west of Murmansk.

The strategic value of this northern flank rests on two vital anchors. The first is NATO's blocking position in the western Baltic, which serves to contain the Soviet Baltic Sea Fleet. The second is the North Cape region, stretching from Narvik to the Soviet border. NATO forces in that area would counter any Soviet thrust toward the west through northern Norway. They also could threaten Murmansk, the USSR's only year-round, ice-free harbor in the west with free access to the open seas. The Norwegian coastline between these two anchors is of only minor strategic value.

If one of the two anchors should fall to military pressure or be bypassed politically, the northern flank of NATO would collapse. Should the North Cape region fall, the very powerful Soviet fleet stationed in the Murmansk area would have unhindered access to the open sea and, with the help of landing operations, could neutralize Norwegian coastline defenses. This, in turn, would threaten the British Isles—the same way Britain was threatened during World War II when the Germans held Norway. Should the Baltic defenses fall, the Soviet fleet in that sea could break out and cut NATO lines of communication to the north, which would isolate and collapse the North Cape defenses.

The same military situation existed during World War II when the Germans blocked the Baltic and the approaches to Murmansk. Allied convoys were constantly harassed, and the German defenses did not collapse until 1945. As a result, Soviet forces were denied a major role in the western theaters of war.

Today, however, the situation is vastly different. The Soviets learned much from the World War II experience. In another war, they would have a good chance of breaking out into the open seas. Their numerical and qualitative superiority is so pronounced that they would not have to rely on tactical nuclear weapons to reach that goal. The defensive task of NATO is com-

plicated by the fact that neither Denmark nor Norway permits the permanent stationing of foreign troops or the storage of nuclear weapons on their territory.

THE NORTHERN ANCHOR

The Soviet navy has fleets stationed in the Far East, the Black Sea, the Baltic, and the Arctic. The Arctic Fleet is the most modern and the largest, consisting of cruisers, destroyers, motor torpedo boats (MTBs), and landing craft. The majority of the submarine fleet is stationed at Murmansk and at other harbors in the White Sea, and a strong tactical air force supports several infantry and armored divisions in the Murmansk region. The exact strength of the naval forces there is not known, but it is believed to consist of five to six cruisers, forty destroyers, and about 150 submarines. The ground troops are estimated at 50,000 men. The whole Murmansk region and the approaches to it are well defended by missiles and a tight radar network.

By comparison, NATO strength is quite limited. One brigade of Norwegian mountain troops is located at Kirkenes, with the major operational mission of fighting guerrilla-type delaying actions that would provide time for the main line of defense north of Tromsö to be manned by troops flown in from the south. The strength of this brigade is now at about 6,000, supported by an estimated fifty aircraft and a number of MTBs.

The Tromsö line, however, is basically indefensible. It can be assumed that in case of war the Soviets would strike over land and by air through northern Finland, or possibly Sweden, toward Narvik, thereby bypassing the North Cape and Tromsö defenses. Such a military envelopment is taken for granted by NATO's military planners. The biannual maneuvers, called "Arctic Express," are designed to develop tactics to counter such a thrust from the east through Sweden, and from the north along the coastline against the Tromsö main line of defense. "Arctic Express" involves airlifting an international strike force from the south, supported by strong air and naval forces.

These defensive measures serve to protect the airfields available in the Narvik, Tromsö, and Bodö regions. They are vital to NATO because only airpower can block the sea lanes to Murmansk. Relatively powerful Norwegian Air Force elements are permanently stationed in the region, with the task of surveillance of the Arctic Ocean and Barents Sea and, in case of war, neutralization of the Soviet Arctic Fleet. The local air forces are not strong enough to accomplish this goal, but the threat alone would severely hinder free movement of the Soviets. Here, too, help from the south would be needed. The major air bases at Bodö and Bardufoss are used regularly by aircrews from the south who fly practice missions to the north. It is not unusual for USAFE Phantoms, British Harriers, German Starfighters, and Norwegian F–5s to conduct joint operations above the Arctic Circle.

LOGISTICS

Obviously, successfully defending the region hinges on an uninterrupted flow of supplies from the south. Due to the lack of road or rail connections through central Norway, supplies would have to be airlifted in or arrive by ship. The ability to defend these logistic lines is essential to the deterrent posture at the North Cape, Britain, Denmark, Germany, and Norway have, therefore, allotted relatively strong naval and air forces for this task. Germany has gone so far as to withdraw all its destroyers and frigates from the Baltic and reassign them to the Northern Sea Command, which is responsible for the security of the supply line to the north.

The exact strength of these protective forces has not been made public. It can be assumed, however, that major parts of the British and Norwegian air forces are engaged in this task. Ten to fifteen frigates and ten destroyers, at most, from Britain, Norway, Denmark, and Germany are available to secure the sea lanes to Narvik. This force is far from sufficient. Most experts believe that the Soviet fleet located at Murmansk would cut this NATO protective screen to ribbons by sheer quantity, if allowed to break out from the White Sea region. The NATO forces permanently stationed at the North Cape are not strong enough to prevent such a Soviet breakout.

NATO politicians are reluctant to allow public disclosure of these matters. In 1969, a British TV team produced a documentary about NATO's northern flank. The newsmen received the wholehearted cooperation of the military, who could finally discuss its problems openly. Or so they thought. The film may have been a far too critical assessment of the situation and, though endorsed by the commanding general of NATO's northern forces, was banned for security reasons by the alliance's Secretary-General. Even today, the film's contents remain under security wraps. To some, it seems shortsighted to suppress the realities about the dismaying situation at the North Cape; nobody is more aware of the realities there than the Soviets.

THE SOUTHERN ANCHOR

The other anchor of the northern flank is located at the western exit of the Baltic, known in NATO terminology as the Baltic approaches. These include Denmark and its Baltic islands and the short stretch of the West German coastline from Denmark to the East German border. This defensive line makes up only five percent of the Baltic's total coastline. About sixty percent of the coastline is shared by Sweden, which is strictly neutral, and by Finland. The latter, though neutral, is liable to be occupied by the USSR in case of conflict.

The Russo-Finnish peace treaty of 1947 stipulated that the Soviets would intervene if Finland were threatened. Past Soviet actions, in particular those regarding Czechoslovakia, leave small doubt that Finland would be occupied if the Soviets deemed it necessary. The remaining coastline of the Baltic belongs to the USSR and its allies, Poland and East Germany.

Soviet influence in the Baltic has expanded tremendously since World War II. At the start of that war, the USSR owned only sixty miles of Baltic coastline, in the Leningrad region. During the past thirty years, the Baltic has become, in fact, a Soviet-dominated inland sea. The forces available to secure, and if possible to increase, these gains are substantial.

At present, the Soviet Baltic Fleet consists of three missile cruisers, ten missile destroyers, twenty-six conventional destroyers, thirty frigates, sixty-five missile patrol boats, 130 conventionally armed MTBs, and seventy submarines.

In addition, an amphibious force consisting of several marine divisions and 300 to 400 landing craft is available. Almost unlimited air support can be called on from nearby mainland Russia.

Soviet defensive forces are just as formidable. They consist of a tight radar network and associated antiaircraft defenses, which would make counterstrikes most difficult and costly. These forces are augmented by the air, naval, and land forces of East Germany and Poland.

NATO has very little to counter this threat and, above all, to create a credible deterrent posture. As in the North Cape region, the defenders of the Baltic are outnumbered in every respect, at a ratio of about ten to one.

Denmark's forces consist of four infantry brigades with supporting armor and artillery elements. Its small navy has two frigates assigned to the Northern Sea Command and sixteen MTB's in the Baltic. The Danish air force has 112 combat aircraft, at least one-third of which are obsolescent. All these forces are assigned to NATO and cooperate closely with the Germans.

The West Germans contribute their MTB fleet of forty boats plus about sixty minesweepers to defend the Baltic approaches. A naval air arm of about 150 F–104G Starfighters, helicopters, and transports is available to support overwater operations. One armored division with its supporting tactical air force elements has been earmarked for shore defense. These forces are obviously inadequate to contain opposing Soviet forces.

Gen. Kurt Ramberg, the Danish Chief of Staff, gave a realistic assessment of the defense situation in the Baltic, in a November 1970 speech. He said that Denmark would not be able to defend against even the first wave of a conventional attack. Allied reinforcements, therefore, would not have time to come to Denmark's aid before that country was overrun by the enemy.

SWEDEN

One factor that plays a significant role in NATO planning, and assuredly also in Soviet strategy, is the strong military presence of Sweden in the center of the northern flank. That nation's strict adherence to its neutralist policy is, in some ways, an asset to NATO and a liability to the USSR. The geo-strategic location of Sweden blocks the Soviet approaches to Baltic defenses and to the North Cape. The attacker would have to take, in both cases, a round-about way to reach his goal. Even if he succeeded, he could by no means be sure of Swedish intentions. That nation might decide to join the battle after all, to defend itself from complete encirclement by the Soviet Union. If Norway, Finland, and Denmark were under Soviet rule, Sweden would be cut off from the West and could no longer exist as an independent nation.

In any event, the possible Swedish actions and reactions remain a mystery to both NATO and the USSR. Sweden has made it clear that it will not tolerate any foreign activity on its soil, and has considerable capability to support this policy. Any aggressor must thoroughly consider the possible implications before attacking Sweden, the strongest power in northern Europe. Its air force is one of the largest in the world, with about 800 combat-ready, technically advanced fighters. Its coastal defenses are exemplary, the navy is modern, and the army boasts some of the best equipment the state of the art can offer. In addition, the Swedish population is politically stable and reliable.

Even the USSR would not want to get unnecessarily involved with Sweden as it surely would if it were to drive toward the Tromsö defense line through or over Swedish territory. On the other hand, a successful Soviet attack against Sweden alone, who cannot officially count on any help from her Scandinavian neighbors, would automatically collapse NATO's northern flank. A Soviet-occupied Sweden would result in the opening of the Baltic straits, and thereby make NATO defense positions at the North Cape untenable.

It seems reasonable, therefore, to assume that if a war should break out, Sweden would be involved. If that nation were attacked by the USSR, for whatever reason, NATO would be forced to intervene in order to protect its own interests. However, such speculation cannot play a role in NATO's military planning. It has to be assumed that Sweden would remain neutral and able to defend its territory without taking sides.

SERIOUS SITUATION

The situation on NATO's northern flank is serious because of the numerical weakness of the alliance's northern forces. This fact has not yet been brought forcibly to the attention of the Western world, whose major concern is directed toward the southern flank. The defensive positions in the north depend completely on the fast arrival of outside help in case of war.

The feelings of the defenders are best summed up by a statement of German Admiral Jeschonnek in 1969: "In view of the power gap, the defenders would fall prey to hopeless defeatism if the assurance was not available that they are backed by the powerful fleets of the Atlantic allies." This statement was made two years ago. Today, it remains doubtful if NATO's defensive forces at North Cape and the western Baltic could hold out long enough for help to arrive.

In NATO's southern region, Soviet tactics are primarily political. In the north, the pressure is of a military nature and is growing greater by the year. If nothing is done to strengthen the northern defensive positions, they will become militarily useless in the near future. When that point is reached, they will no longer fulfill their primary deterrent purpose. That would be almost as advantageous to the Soviets as would the actual physical elimination of NATO's northern defenses.

VEYSEY CALLS FOR ACTION TO STOP SERUM HEPATITIS

HON. VICTOR V. VEYSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. VEYSEY. Mr. Speaker, a quiet but urgent medical problem facing our country today is the prevalence of serum hepatitis contracted through blood transfusions. Most of the public is unaware of the danger, but the Department of Health, Education, and Welfare estimates that one in every 200 of the thousands of people who receive blood transfusions each day contract serum hepatitis from that blood. This risk is dramatically increased if the patient needs more than one transfusion.

The National Academy of Sciences estimates that blood transfusions result in 30,000 overt cases of hepatitis, and as many as 3,000 deaths in the United States every year. Since there are steps that can be taken today to reduce the death rate from hepatitis this record is completely unacceptable.

Tests for the presence of the disease in donated blood have been improved in recent years but the best detector currently available, the "Australia" or serum hepatitis antigen is only 20 to 30 percent effective. The National Institutes of Allergies and Infectious Diseases is researching this subject, but people continue to die from undetected hepatitis in the blood they receive.

We urgently need a higher priority on detector research and steps to cut down on the supply of blood from those segments of the donor population that can be shown to be the source of the greatest amount of hepatitis.

Nearly one-fourth of the 6 to 7 million units of blood collected annually are from donors who are paid for their contribution. These paid donors frequently include drug addicts, skid row derelicts, and others with a predisposition to hepatitis. Their need for money greatly increases their incentive to lie about past exposure to the disease. No medical authority contends this reliance on paid donors is desirable but they tell me it is necessary since the amount of blood contributed by nonpaid donors is simply not enough to satisfy the Nation's need for fresh blood. I am not convinced.

Recent studies comparing the incidence of serum hepatitis among paid donors with that among nonpaid volunteers clearly indicates most of the hepatitis is coming from the paid donors.

For example, in one study of patients hospitalized at the clinical center of the National Institutes of Health in Bethesda, Md., hepatitis developed in 51 percent of the recipients of commercial blood, but the disease did not appear in any of the patients who received only blood from volunteer donors. The National Red Cross estimates blood from nonpaid donors carries only one-tenth the risk of hepatitis as that from commercial donors.

The Division of Biologics Standards of the National Institutes of Health which has responsibility for setting standards for blood shipped interstate tells me it would be impossible to supply the blood needs of the Nation if paid donation was prohibited outright. They tell me they cannot even decide on an appropriate definition of "paid donor" to allow them to begin regulating this trade in disease.

I am not satisfied with these protestations. I think the NIH should begin seriously restricting paid blood donation and beefing up voluntary recruitment programs. Congress would not shirk from supporting such efforts once the need was shown. I urge the National Institutes to put a higher priority on stopping this stoppable disease.

Mr. Speaker, as one part of a program to encourage voluntary blood donation I am today introducing legislation to amend the Internal Revenue Code to provide that nonpaid, voluntary blood donations shall be considered as charitable contributions deductible from gross income. A tax deduction for donating blood could lead directly to a decrease in the number of deaths we suffer annually from serum hepatitis.

I urge my colleagues to join with me in stopping these unnecessary deaths.

THE AMERICAN WORKER

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. GAYDOS. Mr. Speaker, the question of free trade versus unfair foreign competition has been aired in the House many times during the past few years with little concrete results. The time has now come to stop talking and do something. The American worker, the ultimate victim of unfair competition and outmoded trade policies, is demanding it.

He knows we are in a trade war. He knows we are losing the battle today and will lose the war tomorrow if we continue to pursue our antiquated trade policies. His job and his future are at stake and he will lose both if we continue to permit foreign manufacturers to glut the American market without regard to the ultimate consequences.

Evidence of the workers' concern is a petition and foreign trade policy statement of the Steel Service Center Institute which I have recently received and will include in the RECORD for the benefit of my colleagues. It is signed by thousands of steelworkers who know that vital industry has been the target of a record quantity of imports during the first 4 months of this year. They know, and say, the time has come for more than a "lethargic awareness" of this critical problem.

Mr. Speaker, I agree with these steelworkers. So does the entire Pennsylvania delegation which recently introduced the Steel Trade Act of 1971. This legislation does not disrupt free trade among nations, but clearly demonstrates to the steelworker that Congress is aware of the danger to him, does care, and is attempting to stem the tide of steel imports.

The text of the petition and statement follow:

JUNE 7, 1971.

Hon. JOSEPH M. GAYDOS,
House of Representatives,
Washington, D.C.

DEAR SIR: We who have signed below are employees of the American steel industry, and we are taking this means to express to you our concern about the tremendous *importing of steel products* which has precisely the effect of *exporting* our jobs. We urge you, as an elected representative of the Commonwealth of Pennsylvania, to acquaint yourself thoroughly with the unfair foreign competition in steel which is jeopardizing our jobs, and to proceed with specific proposals toward corrective action.

The attached statement about imported steel was drawn up by the Steel Service Center Institute. We want you to know that as employees of United States Steel Corporation, as citizens of the United States, as residents of Pennsylvania, as voters and as taxpayers, we support this statement.

May we hear from you soon as to your proposals for new legislation to stop the exportation of our jobs to foreign countries. The time is at hand for more than lethargic awareness of this American steel industry problem!

STEEL SERVICE CENTER INSTITUTE: FOREIGN TRADE POLICY STATEMENT

The Steel Service Center Institute's members are deeply concerned about the health and future of the domestic steel industry in the United States and recommend that federal governmental agencies seriously consider the unusual and frequently unfair competitive problems faced by the domestic steel industry in competing with foreign steel in both the domestic and foreign markets. SSCI recommends that a special study be made regarding:

1. The unfairness in international competition where many foreign steel producers are instruments of the government and thus used by their governments in establishing trade policies, regardless of whether or not profits are derived from sales under those policies. For example, if the British Government feels that it needs hard currency by exporting goods, the British Steel Corporation exports products with a price level that drops from $30 to $40 per ton.

2. The lack of attention on the part of our negotiators in the Kennedy Round and the general low level of interest in the State Department (although this has improved lately) in regard to nontariff barriers in other countries against steel produced in the United States.

Most other nations have turned to a wide variety of nontariff barriers to effectively limit or reduce the extent of imports in their countries. This is brought about through various devices, such as import licenses or by added value and/or turnover taxes which are refunded on exports and added on that steel which isn't produced in the country involved.

3. The unfairness of the treatment of imports in the United States, where imported steel in its original bundles isn't taxed by local or state assessors, whereas domestic steel is taxed in those states which have personal property and/or franchise tax assessments. (This has been taken to the Michigan and California Supreme Courts, and they have ruled that under the Constitution Congress reserves the right unto itself to tax imports and that state and municipal governments cannot make assessments on imported goods in original bundles.)

4. On foreign steel products, import duties into the U.S. are frequently substantially lower than the duty on identical products from the United States into foreign countries, thereby effectively encouraging imports from other countries and discouraging exports of the same product from United States' mills. For example, on structural tubing, duty into the United States is $2 a ton; yet duties on American products into Canada, for example, are 17½ per cent f.o.b. mill value on a product that averages around $230 a ton f.o.b. mill in the United States.

5. Many foreign governments offer a wide variety of aids that work effectively to hold down the costs of foreign steel producers. These aids take the form of low transportation costs on government-owned equipment, special depreciation allowances, and low-cost loans.

For example, while our government was discouraging mergers, the French Government worked closely with the major steel producers and financial institutions and offered loans at a discount below the prime rate to encourage expansion and rationalization (mergers) of the French steel producers.

Another example was the Japanese Government's encouragement of the consolidation of its two largest steel producers into one company—the Nippon Steel Company—which is now the largest single steel producer in the world.

LOCKING UP THE GHETTOS

HON. WILLIAM (BILL) CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. CLAY. Mr. Speaker, I want to share with my colleagues a recent editorial which appeared in the St. Louis Post-Dispatch. The editorial discusses the President's recent statement on equal housing opportunities. It was a long-awaited statement but we will still need to wait a long time for anything constructive to be done to integrate the suburbs. The Post editorial states:

The policy, in 8000 words, amounts to doing as little as possible to promote better housing for millions. Doing as little as possible means enforcing laws that prohibit racial discrimination, but not carrying out laws or policies that encourage racial integration and housing dispersal.

The Post points up the fact that:

What is wrong can only be the political knowledge that the city poor and minorities wield relatively little national political power, whereas the Nixon Administration has consistently followed a suburban as well as Southern strategy. That means locking up the ghettos until the inhabitants can somehow, some day buy their way out. Or until there is a different housing policy or different Administration in Washington.

President Nixon's policy statement raises serious questions whether members of minority groups will ever be granted equal opportunities in the realm of housing. The St. Louis Post-Dispatch follows:

[From the St. Louis (Mo.) Post-Dispatch, June 13, 1971]

LOCKING UP THE GHETTOS

If President Nixon's long-awaited statement on housing and the suburbs is not disappointing, it is only because it was expected. The President had already indicated his stand and so had Attorney General Mitchell, his political mentor on suburban policy.

The policy, in 8000 words, amounts to doing as little as possible to promote better housing for millions. Doing as little as possible means enforcing laws that prohibit racial discrimination, but not carrying out laws or policies that encourage racial integration and housing dispersal.

Mr. Nixon attempts to draw a clear line between suburban housing practices intending racial discrimination, which violate the law, and suburban policies aimed at barring minority groups only because they are poor. The President mentions two Supreme Court decisions, one against racial zoning in Lackawanna, N.Y., and the other upholding a California provision for referendums on public housing projects.

In fact, no such clear distinction can be made between zoning out low-income groups and zoning out blacks, or Spanish Americans or other minorities who mostly constitute the low-income groups. By making his distinction Mr. Nixon is only siding with the subtle efforts of white suburbs to block urban minorities from moving out to better homes, schools and job opportunities.

Yet past federal housing programs promoted those lily-white suburbs. What is wrong with a program now of helping core-city minorities also? The National Association of Real Estate Boards has just predicted a record housing year. What is wrong with assuring a decent share of it for the poor?

What is wrong can only be the political knowledge that the city poor and minorities wield relatively little national political power, whereas the Nixon Administration has consistently followed a suburban as well as Southern strategy. That means locking up the ghettos until the inhabitants can somehow, some day buy their way out. Or until there is a different housing policy or different Administration in Washington.

WAR, POLITICS, AND PRESS: VIEWS ON "PENTAGON PAPERS"

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DUNCAN. Mr. Speaker, one of the finest editorials I have ever read in any newspaper concerning the war and the Pentagon papers appeared in the July 6, 1971, Knoxville, Tenn., Journal. I include this article in the RECORD at this point:

WAR, POLITICS, AND PRESS: VIEWS ON "PENTAGON PAPERS"

There are two fallacies into which it is easy to fall because of the cause celebre over the "Pentagon Papers." One is that only now are we learning how the John F. Kennedy and Lyndon B. Johnson, especially the latter, got the United States deeper into the war in Indochina. The other is that the New York Times and Washington Post, by journalistic gallantry and derring-do, have saved the sanctity of the free press.

Regarding the first, so far what the "Pentagon Papers" have brought forth in the newspapers is particularization, not a revelation of American involvement in Vietnam that the public did not know about before. It is a matter of certain details, communications, settings and situations which previously had not been described.

Of course, the disclosures have made plainer the hypocrisy of President Johnson about the war in the 1964 political campaigns, his avoidance of discussing what was in his mind, and the rank injustice of his partisans toward the forthright Barry Goldwater. But discerning persons already had a sense of that situation.

Though some doves act as if they had discovered the depth of the U.S. involvement only during the past several years and now are citing the Pentagon documents as confirmation, any adult who has been reading the news alertly has known since 1965 that this nation was in the hostilities on a large and increasing scale. There was no secrecy about it. The salient facts were printed again and again.

A look back in successive past issues of the World Almanac shows this to be true. The one for 1965, recording events of 1964, reported how Defense Secretary Robert S. McNamara and Gen. Maxwell D. Taylor, returned from South Vietnam, "laid before President Johnson a new plan for increasing military and economic support." Then at a press conference McNamara said publicly, "But I want to emphasize that it (victory) is not going to come soon. This is not that kind of war. This is a war for the confidence of the people and the security of those people, and that kind of war is a long, hard war." This was on May 14, 1964.

PUBLIC HAD OVERALL PICTURE

In the almanac's next edition it was recorded that on June 28, 1965, Johnson ordered an increase from 75,000 to 125,000 men of the U.S. forces in Vietnam and on Aug. 4, 1965, asked Congress to appropriate $1.7 billion more for the war, while McNamara told a Senate committee the strength of the American armed forces would be raised by 340,000 men.

So it went, according to the public record of the time. In February, 1965, U.S. Forces were engaged in continuous bombing of North Vietnam. By November, 1966, American forces in Vietnam numbered 358,000, with 33,000 more stationed in Thailand. As of March, 1967, the total in Vietnam was 427,-

48-059 O - 72 - pt. 18 - 63

000. On Aug. 3, 1967, President Johnson announced there would be 525,000 by the following June.

The above is cited, not by way of extenuation of Johnson's handling of matters, but as retrospective evidence that the people of this nation were not kept in the dark about the growing engrossment of the United States in the war. They had the overall picture all along. Only after President Richard M. Nixon began his program of Vietnamization was the build-up reversed by gradual withdrawal of troops at a pace calculated not to jeopardize the viability of South Vietnam.

The U.S. Supreme Court's 6–3 decision against restraining the New York Times and Washington Post from continuing publication of accounts based on the "Pentagon Papers" was hailed, of course, by many editors as a great triumph of freedom of the press. The Times called it a "historic decision" and "a ringing victory for freedom under the law."

While The Knoxville Journal would be among the first to decry any governmental attempt to gag the press in what was a clearly unconstitutional way, we wish the present case had been a better and more decisive test. And we wish the newspapers which occasioned it had come to court with cleaner hands.

In the first place, the Supreme Court majority did not uphold the absolute right of newspapers to publish whatever they can get their hands on. It did find that the government had failed to make a showing of justification for a restraint in the interest of national security and it did voice abhorrence of the idea of prior restraint on the press.

NO IMMUNITY FROM CRIMINAL ACTION

But at the same time members of the court warned that newspapers are not immune from criminal action for publishing sensitive documents which may harm the nation. As Associate Justices Potter Stewart and Byron White put it: "Prior restraints require an unusually heavy justification under the First Amendment; but failure by the government to justify prior restraints does not measure its constitutional entitlement to a conviction for criminal publication."

Another question about the decision was pointed out by Chief Justice Warren E. Burger and Justices Harry A. Blackmun and John M. Harlan, the dissenters. They deplored the haste of action and what Harlan called "this frenzied train of events." The chief justice said none of the courts having heard it "knew all the facts," and "we literally do not know what we are acting on." In view of this pell-mell superficiality, it can hardly be considered the definitive case of its kind.

Burger also had occasion to remark that the Times had "the purloined documents" in its "unauthorized possession" for three or four months before publication. If this was so, it lends credance to the suspicion that, far from being concerned only for the public's "right to know," the Times rather was timing publication for political propaganda effect when Congress was considering extension of the draft and a stated date for complete withdrawal from the war.

If this case has a really constructive feature in the national interest, we believe it can be an easing up of overclassification of government documents by bureaucrats. We trust that comes about.

A TRIBUTE TO THE SONS OF ITALY

HON. CHARLES J. CARNEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. CARNEY. Mr. Speaker, the Governor of Ohio having proclaimed July 8–11 Sons of Italy Days, I would like to take this opportunity to extend my best wishes to the Sons of Italy, 13th Grand Lodge of Ohio, who are holding their convention in Dayton, Ohio, this week.

Smaller in size than almost any one of our Western States, Italy has contributed a larger number of immigrants to the American culture than any other nation in the world, with the single exception of Germany. Combining foreign born and native born of foreign parentage, we find that one in every eight of the total foreign white population is Italian.

Despite the early arrival of Christopher Columbus, Amerigo Vespucci, and Giovanni da Varrazano, Italians in general were not quick in coming to America. Over the first century of our national existence, our farmlands proved attractive to many Europeans, but not to the Italians who were then experiencing some of the best harvests in European history. By 1850, there were less than 4,000 Italians in the entire United States, out of a total population of 23 million. Thirty years later, the number was not significantly larger. But in the 1880's disaster befell Italian agriculture, and before the turn of the century almost a million Italians had sailed for America. In a single year, as many as 30,000 were said to have made the trip—which number exceeded the total population of Venice, one of Italy's most important cities.

Over the years, our country has derived the greatest benefit from Italian immigration. In the matter of accomplishment, Italian-Americans are clearly unsurpassed, there being no American industry to which they have not provided significant contributions, nor any art form in which they have failed to excel. From A. P. Giannini, in banking, to Vince Lombardi, in professional football; from Marconi's pioneer efforts in radio communications, to Enrico Caruso's dominance in the world of grand opera; from Constantino Brumidi, the outstanding artist, to Rocky Marciano, heavyweight champion of the world—all were superlative contributors to the American tradition, as have been millions more.

Although numbered among the newer immigrants to America, within a span of little more than half a century the Italians have established themselves as a formidable force, economically, politically, and socially—and the country acknowledges that contribution.

Under the circumstances, it is a great pleasure to congratulate the 13th Grand Lodge of Ohio, on the occasion of Sons of Italy Days.

YOUR RIGHT TO HAVE A GUN FOR LAWFUL USE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. WYMAN. Mr. Speaker, of course there is a problem with guns around. There always will be. It is elemental learning that a gun barrel is to be treated with the respect and caution of a rattlesnake.

Yet, to take away all guns from all citizens within the urban community except for the military, the police, and gun clubs is bunk on guns because you would never take them away from the criminal. He would have them under the table and he can get them.

What about your house or apartment when that robber or rapist has a gun and you do not because it is illegal for you? The illegality never bothered your attacker in the first place—and it never will.

We must learn to live with guns—to use them wisely in necessary defense or target practice or hunting ventures or in any lawful way. We must also provide very serious penalties for the unlawful use of a gun or carrying one while committing a crime—penalties that assure a mandatory minimum sentence.

Beyond such penalties, the risk to society of denying guns to law-abiding citizens for their personal protection far outweighs the risk to society from criminals with guns or the accessibility of a gun to an emotionally distraught person.

All this is without regard to the additional serious legal problem of whether what the following editorial from today's Washington Post recommends would require a constitutional amendment:

THE KILLERS

Let us say it again. Guns in the hands of fools, kids, drunks and thugs kill people. The gun crowd may bemuse themselves with their idiotic cant that "guns don't kill people; people kill people." But the plain fact is that guns enable people to kill people easily, thoughtlessly, comfortably, on the spur of the moment, without getting their hands all bloody or their clothing stained or being obliged to engage in a lot of physical effort; and unregistered guns in unlicensed hands enable people to kill people and get away with it, whenever they happen to feel vexed or high on drugs or otherwise homicidal. That is what handguns, at least, are for; they were devised to enable people to kill people. Most of them, eventually, will fulfill the purpose for which they were devised.

All right, you think we're overemotional about gun killings just because a nice, decent, law-abiding naval officer, 41 years old, and his 19-year-old son were shot to death Monday night, in plain view of their family, at a suburban Virginia intersection after what Fairfax County police called an altercation in a traffic encounter. The gun crowd will try to tell you that if the murderer had not had a gun he might have used a knife or club; but killing isn't quite that simple with a knife or club. The gun crowd will try to tell you that this was an "accident," that tempers get frayed on these hot summer nights and people will kill people.

This wasn't exactly a rare or isolated gun killing. Last week it involved a decent law-abiding Silver Spring man of 37, who had spent much of his childhood hiding from the Nazis in Poland and who was shot to death during the holdup of his mother's grocery store near Dupont Circle—right in front of her eyes. A knife or a club would have involved a lot of contact and scuffling and time to call for help, while a gun made it all possible in a fraction of a second; and in point of fact, without the gun, the killer would, in all probability, never have dared to undertake the holdup.

And on Tuesday evening a nice, decent, law-abiding Vietnam war veteran, just 20 years old, was pronounced dead at Arlington Hospital after being shot at his home. Police have charged his 17-year-old brother, remarking that "it appears the two brothers had not gotten along and had a disagree-

ment before the shooting." Against any other weapon than a gun, the veteran might have had a chance to defend himself.

These are not "accidents." They are consequences—the direct, certain, inevitable consequences of community carelessness about firearms. It is a form of madness to allow guns—and especially handguns—to be in the possession of anyone who wants them, as much a form of madness as it would be to allow anyone of any age or condition to own and operate an automobile, without even any means of identifying ownership.

It is not true that the community can do nothing to curb gun killing. It can do what it has long done to curb killing by deadly poisons. It can do what James V. Bennett suggests under the heading "For the Record" on another part of this page today. It can limit the possession of handguns to police officers, the military and properly supervised gun clubs. It can stop being hypnotized and bedazzled by the gun crowd—the crowd that makes money out of manufacturing and peddling guns and the crowd that thinks it's fun to play with them and doesn't care how many people get killed just so it doesn't have to undergo the inconvenience of sensible regulations.

Twenty thousand Americans, here in the United States, were killed by guns during the past year; 200,000 were injured. It is callous, immoral madness not to do anything that might help stop this gunplay.

EDGAR E. PARKER——DISTINGUISHED PUBLIC SERVANT

HON. WILLIAM R. ANDERSON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ANDERSON of Tennessee. Mr. Speaker, we are living through a critical period when human values and individual goals and purpose are being questioned. Sometimes we question whether the rewards are worth the effort of doing a good job. Then we learn of someone like Mr. Edgar E. Parker, who was born and raised in Montgomery County, Tenn.

Mr. Parker has just retired from a lifetime of Federal service. His life represents an example of one who has contributed in full measure to the betterment of his organization, to our Government, and to our society and our way of life.

I have two letters which reflect the life and distinguished public service of my fellow Tennessean and I include them to be printed in the RECORD:

LETTER OF COMMENDATION

DEPARTMENT OF THE ARMY,
Fort Campbell, Ky., May 25, 1971.

Mr. EDGAR E. PARKER,
Commissary Officer, Services Division, DIO, USATC and Fort Campbell, Fort Campbell, Ky.:

1. On the occasion of your retirement from civil service employment after more than thirty-three years of loyal and outstanding performance of duty, I wish to commend you for the admirable record that you have established and left for others to follow. While it was not my pleasure to be acquainted with you during your early and mid-period tenure, I have come to know you quite well during my current tour at Fort Campbell, Kentucky and it has been a distinct pleasure.

2. In all my military career I have never had the opportunity to meet a more devoted and dedicated employee. Your willingness to accept greater responsibility and to give guidance which has been meaningful never ceased during those years. The fact that you rose to the top of the Quartermaster activities at this post attests to your success.

3. We, who have had the pleasure to work with you closely at Fort Campbell, Kentucky, will miss you greatly. Our loss will mean a greater gain to your family, friends and to your community which you have become so much a part of.

4. As you leave the active status of civil service employment, our best wishes go with you for a long and continued pursuit of personal satisfaction and happiness in all your endeavors.

WILLIAM B. MILLER,
Colonel, Infantry, U.S. Army,
Chairman, Commissary Advisory Council.

LETTER OF APPRECIATION

DEPARTMENT OF THE ARMY,
Fort Campbell, Ky., May 28, 1971.

Mr. EDGAR E. PARKER,
Commissary Officer, Services Division, Directorate of Industrial Operations, Fort Campbell, Ky.:

1. Upon the occasion of your retirement, I wish to express to you my sincere appreciation for the many years that you have faithfully served Fort Campbell in making the commissary operation responsive, efficient, and an example of what can be accomplished through dedication to duty.

2. You have been an energetic, alert, and conscientious Federal employee, whose devotion to duty is highly commendable. Your services as Assistant Commissary Officer and subsequently as Commissary Officer have been exceptionally valuable to this command. You have cheerfully and intelligently adapted yourself to changing situations, and have successfully met each new challenge. Your contacts with others have been most courteous and cooperative. The respect which you have won from your associates, superiors, and subordinates alike, is most commendable and reflects great credit upon yourself, and the Federal Service.

3. I am advised that you have accumulated more than 2700 hours of sick leave to your credit. You are to be especially commended for this wise and thoughtful use of your sick leave benefits, which reflects favorably upon your attitude towards your job and the accomplishment of our mission at this installation.

4. As you retire, you may certainly be very proud of the many years of commendable service you have rendered as an employee of the Federal Government and the accomplishment of a job well done. Personnel of the Services Division, Directorate of Industrial Operations, join me in wishing you health and happiness in the years ahead.

WILLIAM H. BIRDSONG, Jr.,
Brigadier General, USA,
Commanding.

SPEECH OF COLONEL MACNEIL AS USED IN "THE SELLING OF THE PENTAGON"

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ADAMS. Mr. Speaker, I have just completed reviewing the materials in the House Committee on Interstate and Foreign Commerce files regarding the contempt citation of Dr. Frank Stanton of CBS. This citation for contempt is based on a demand by the Subcommittee on Investigations of the House Committee on Interstate and Foreign Commerce that Dr. Stanton and CBS produce all the film taken but not used in the documentary, "The Selling of the Pentagon."

On March 8, 1971, starting on page 5401 of the CONGRESSIONAL RECORD, the Honorable F. EDWARD HÉBERT placed in the RECORD pertinent text of "The Selling of the Pentagon" and the entire text of the interview of Daniel Z. Henkin, Assistant Secretary of Defense for Public Affairs by Roger Mudd of the Columbia Broacasting System.

The other segment of the program used by the proponents of the contempt citation is a purported misquoting of Colonel MacNeil, one of those referred to in the documentary as a member of the "traveling colonels." The committee staff has the text of Colonel MacNeil's speech, which is purportedly a continuous segment. I am placing in the RECORD, first the committee analysis of Colonel MacNeil's speech, and immediately following that, the entire speech which was given by the Defense Department to the committee:

COMMITTEE ANALYSIS

A purportedly continuous segment of Col. MacNeil's speech, broadcast in "The Selling of the Pentagon"—in reality, a CBS paste-up of excerpts from five different pages in the Colonel's prepared text, drawn out of context, and not in sequential order.

(NOTE.—The third excerpt—taken from page 48 of the Colonel's speech—is in fact a quotation from Laotian Prime Minister Souvanna Phouma. Colonel MacNeil's attribution of that statement to him was clipped out by CBS, and the quotation made to appear as a foreign policy comment by the Colonel himself, which would have been a violation of the Pentagon regulation described by Roger Mudd.

Also in this sequence, a series of short camera shots of the audience was used to conceal the splicing of the Colonel's words, thus avoiding the "jump" in the film that would have occurred if the camera had been kept on Col. MacNeil at the podium.)

FROM THE TRANSCRIPT OF "THE SELLING OF THE PENTAGON", PAGE 7

ROGER MUDD. . . . the Army has a regulation stating: "Personnel should not speak on the foreign policy implications of U.S. involvement in Vietnam."

Colonel MACNEIL:

FROM PAGE 55

Well now we're coming to the heart of the problem—Vietnam.

FROM PAGE 36

Now the Chinese have clearly and repeatedly stated that Thailand is next on their list after Vietnam.

FROM PAGE 48

If South Vietnam becomes Communist it will be difficult for Laos to exist. The same goes for Cambodia, and the other countries of Southeast Asia.

FROM PAGE 73

I think if the Communists were to win in South Vietnam, the record in the north—what happened in Tet of '68—makes it clear

there would be a bloodbath in store for a lot of the population of the south.

FROM PAGE 88

The United States is still going to remain an Asian power.

TEXT OF COLONEL MACNEIL'S SPEECH

SOUTHEAST ASIA

(NOTE.—Charts maps, and illustrations not printed in RECORD.)

V.A. on (1 minute before starting bell).

This morning we will talk about—

Overlay # 1 on (Sea Map).

The portion of Southeast Asia—lying between India and China—an area which contains over 120 million people.

V.A. off.

I am sure that no one here is unaware of Southeast Asia, as a result of the debates, discussions, cross-examinations of persons involved, the conflicting national election platforms on the war in Vietnam.

V.A. on (Southeast Asia Map).

To orient ourselves—this whole area is called Southeast Asia—including Australia and New Zealand.

But this morning we want to talk about the Asian mainland of Southeast Asia, which is also called continental Southeast Asia.

V.A. off V.A. on (Sea Map).

Here we have the mainland—plus the island nations of Indonesia and the Phillippines.

Overlay #1 off.

But this is the area we are going to discuss—the mainland of Southeast Asia—lying between India and China.

First, we'll have an overall look at the area—then tour individual countries—and finish with Vietnam.

V.A. off.

We are talking about a Southeast Asia which contains 281 million people; 118 million people in mainland Southeast Asia, alone. In discussing Southeast Asia, there are several introductory and basic points which we should be familiar with, eight of them.

I think the first thing we should do is to discuss—

V.A. on (Eight Points on Southeast Asia).

The people of Southeast Asia, in many respects, they are not very different from us, or people in the mid-East, or Europe, or elsewhere. If representatives of these countries, nationalities, and cultures, each listed in priority, the ten most important principles or values or ethics, by which they ordered their lives, we would discover that we had all listed the same ten. But we would also discover that our priority listings of these values were varied; and that it is this variance which causes the conflicts between us.

We do have the same values, but our environments so differ—that we have all adjusted our priority of values to fit these differing environments.

In fact—we will find that most of the arguments we have with our wives—stems from this same type of conflict—what is important to one—does not have the same priority position on the listing of the values of the other.

(Question—who changes their priority?)

Flap No. 1 off.

Second, I think it essential that we understand that in mainland Southeast Asia we have the confluence of two great and different civilizations—the Indian and Chinese civilizations.

Overlay #2 off.

Third, we must be aware that the impact of Islam coming from the Mid-East was absorbed by Southeast Asia and remains today as only one of the major religions and cultural forces and is found only in Indonesia, the Philippines, and Malaya.

Overlay #3 off.

Fourth, the impact of Christianity and western culture was definitely a mixed blessing. They were disruptive to Southeast Asian Society because of their tenets and technology which together were a threat to the established social order. They were also frightening to Southeast Asian rulers because of the ferocity of the economic and political rivalry of these Christian, Western Nations.

In brief—and this is an important concept—to Asian leaders of the 17th through early 20th centuries, the political, social, and psychological impact of Christianity and the political, military, and economic impact of western ships and guns were indistinguishable.

Flap #4 off.

Fifth, a thought for perspective, and this one to stress the importance of China and the traditional view of China in Southeast Asia. Although China stagnated during the past two centuries, as did Europe during the middle ages, the capital of China, Peking, was the greatest intellectual and cultural center of the world, greater than existed in either Greece or Rome. Just as did we, and do we today, look back toward Greece and Rome and acknowledge our cultural debt to both, so does all of mainland Southeast Asia look toward China.

Flap #5 off.

Sixth, more than 3000 years ago—waves of people came down from China displaced by stronger invaders and these waves in turn displaced the local inhabitants—(ancient antiphathies still exist between the original inhabitants and their conquerors).

Flap #6 off.

Seventh—the Buddhist religion came from two directions.

Hinayana—passive or pure Buddhism—spread from India into Burma, Thailand, Laos, and Cambodia.

And although replaced in India today by Hinduism and Islam, Buddhism remains today the major religion of Burma, Thailand, Laos, and Cambodia.

V.A. Off.

Although the same Hinayana Buddhism also entered China from India—a different kind of Buddhism—Mahayana—came down into Vietnam from China where it had—mixed with Taoism—marked by the Confucian—ethics of the importance of the family.

V.A. On (Hinayana and Mahayana Buddhism) (Explain and Discuss).

Mahayana—unlike Hinayana—can be a divisive influence—it is a religion of many sects and beliefs—which may be actively opposed to each other—as is sometimes the case in Vietnam.

V.A. Off. (Pause). V.A. on (Eight Points on Southeast Asia). Flap #7 off.

Last—because of either inital origins in China or Chinese conquest or influence, the majority of the people of Mainland Southeast Asia are the racial and social cousins of the Chinese—although their art, culture, and literature have been heavily influenced by India.

V.A. off.

I have lived, worked, and travelled through all the countries of Continental Southeast Asia and I have respect and admiration for these peoples and countries—especially those who have had the courage to line up with the United States, and whose position on the map of Asia looks like this—

V.A. on (Chicom Threat).

Despite the current upheaval in Red China—China is again dominating Southeast Asia as she has during most of the past two thousand years.

If you lived in one of these countries—and were a leader in that country, what would your foreign policy be toward Red China?

A country that calls the war in South Vietnam a "war of liberation?" that called her seizure of Tibet in 1951 a "war of liberation?" who says Thailand is next on the list? (Pause) Red China has the largest land army in the world—and nuclear weapons. Why?

Did she develop nuclear weapons to defend herself against her neighbors, these small countries shown here? (Pause) Red China has the world's largest population, but she can't feed her people.

Does that make you feel very comfortable—in your rich Southeast Asia rice bowl?

V.A. off. V.A. on (Thai Farmer).

One of the hard facts that people like this Thai farmer in southeast Asia have to look at is this—that Red China takes a total view of southeast Asia.

And in her view—none of the nation's of Southeast Asia has been liberated from colonialism—except North Vietnam.

And they will not be liberated in the Chinese viewpoint—until each and every one has a Communist government and its assets are available to China.

V.A. off.

But let us get on with our study of the area, and move forward—to the beginning of World War II—

V.A. on (Map of Colonial Southeast Asia).

Only one nation on mainland Southeast Asia was independent—Thailand.

All the rest were colonies of France or Britain or Holland.

Early in World War II—the Japanese occupied all of Southeast Asia—and left in 1945—after setting up local governments or turning over power to groups which had cooperated with the Japanese.

Overlay No. 1 on.

Since then—all have gained their independence—the British Colonies peacefully—Indonesia after a struggle with the Dutch, and French Indo-China after a long war with the French.

V.A. off.

The Japanese occupation taught us some important things about Southeast Asia.

V.A. on (map of Southeast Asia Resources).

Strategic importance—all shipping between Europe and the Far East (by way of the Indian Ocean) must pass through the Straits of Malacca—between the Malay peninsula and Sumatra—or other straits of the island barrier. Indonesia under Sukarno tried to make the Indonesian waters territorial waters.

These straits and other interior Indonesian straits then are sea routes comparable in importance to the Panama Canal.

Overlay #1 on.

And by denial—the Japanese occupation of the mainland Southeast Asia showed us the importance of the resources of the area.

Tungsten from Burma.

Rubber and tin from most of the countries.

Oil from Indonesia and Burma, plus copra and cocoanut oil.

But these industries still make up only about 30 percent of national production.

The other 70 percent is almost all food production—mainly the growing of rice.

V.A. off.

The people live on a rice economy.

V.A. on (Topographic Map of Southeast Asia).

Southeast Asia has four of the world's greatest rice bowls, while China is chronically short of food.

The principal rice bowls are southern Burma—southern Thailand—almost all of Cambodia—and the Mekong Delta in South Vietnam.

There is a secondary rice bowl—in North Vietnam—Red River delta—but not nearly as important as the Mekong delta—in the south.

The green area on the map—river valleys—deltas—coast line—is where the people are. This is where you can grow rice—and where you can catch fish.

So—that's where the people live, and there is an important message in that.

V.A. off.

Not all real estate in Vietnam—has the same value—especially in terms of fighting for it.

V.A. on (Vietnam river village).

This is a river village in South Vietnam. Notice the boats—sampans.

As a matter of fact—there is very little means of surface transportation in many parts of southeast Asia—other than the rivers, canals, and seacoasts.

As military men, we actually have to reorient our thinking because rivers, Mangrove swamps, irrigation and drainage systems are not barriers. They are routes of communication—by sampans.

When I used to fly over the area—the thing that always impressed me was the number of river craft—the thousands of sampans.

V.A. off. V.A. on (Floating Market on Chao Phrya River).

There is life on the river—the floating market—on a river near Bangkok.

The sampans comprise the floating market—both sellers and buyers.

What the automobile is to the United States—the sampan is to much of southeast Asia—and the roads are the water routes. (pause) The people of mainland southeast Asia—suffer from a variety—of health problems—malaria—dysentery—tuberculosis, and many debilitating intestinal parasites.

There is a shocking shortage of doctors, hospitals, and public health services—even simple sanitation measures are not always practiced. (pause) With the exception perhaps of Laos—the people of mainland southeast Asia—are much better fed than the people of China or India—or the Philippines for that matter.

V.A. off.

There is a very valid saying among Americans in Southeast Asia.

If you go to Southeast Asia direct from the United States—things look pretty bad.

But if you go to India first—then things in Southeast Asia look pretty good.

Let's start our tour—of individual countries—with Burma.

V.A. on (Map of Burma).

Larger than France—but smaller than Texas isolated—somewhat—by a ring of mountains—on three sides—in the West-North- and East.

It is ironic that Burma is relatively underpopulated—and she has a surplus in food production.

And here she is—wedged in between two of the most overpopulated and underfed countries in the world—India and Red China.

The economic lifeline of Burma is the Irrawaddy River.

This is Kipling's famous "Road to Mandalay" from Rangoon to Mandalay.

Overlay No. 1 on.

In 1962—General Ne Win, head of the Armed Forces, seized the Government, and threw all his enemies into jail—Communists included.

He still has a couple of tribal uprisings on his hands—in the hills. (Ancient antipathies.)

He has isolated his country—made it a closed society. seized control of all business—and called it the Burmese way to socialism.

He drove the Indians and overseas Chinese out of financial and business control of his country—but he also succeeded in almost wrecking his economy.

However, Burma does remain able to feed her people.

And she is the world's number three exporter of rice.

V.A. off.

Now Thailand—

V.A. on (Map of Thailand).

The ancient kingdom of Anna and the King of Siam.

You may recall that Yul Brunner used to play the part of the King of Siam—no wonder Bob Hof likes to give this lecture.

Thailand—land of beautiful women and beautiful race horses—the Kentucky of the Far East. It is the home of SEATO headquarters—the Southeast Asia Treaty Organization.

But SEATO has no standing forces—like NATO has in Europe. (pause) Two-thirds of her population is concentrated—around Bangkok—on the Gulf of Siam.

Like Burma—Thailand produces a surplus of rice—and has replaced Burma as the world's number one exporter.

Although she remains an agricultural economy—small and light consumer industries are starting to boom.

Her economy is beginning to takeoff and she has a bright economic future.

One "if"—if she controls her population.

There is one neglected region—the Korat Plateau of the northeast. Nature neglected it and the Bangkok government in the past also has neglected it.

Most of it is too dry in the dry season for raising rice—and there are terrible floods in the wet season.

But today active measures are being taken to make the area more accessible by road, and to improve the economy, provide education, medical aid, etc., all designed to make the people in this area identify themselves with Bangkok, and as citizens of Thailand.

The people in the northeast—particularly in the past—tended to regard themselves as Laotians, and regarded the Mekong River not as a boundary but just as a Laotian river.

It is in this northeast area that Communist guerrillas, supported by North Vietnam and China, have appeared and started their program of terror to gain the obedience of the people. (Pause.) Today—in the shadow of Red China—she has cast her lot with the United States.

United States official relations with Thailand go back to 1833—when the two countries signed a treaty of amity and commerce—our first treaty in the Far East.

In 1950, Thailand was one of the first countries to send troops to Korea.

Overlay #1 on.

This is the Prime Minister Thanom Kittikachorn—staunchly pro-American—a blunt speaking domino.

He said in 1967—"Thailand is situated near Vietnam and it will be the next target of the communists as they have already proclaimed. This is why Thailand realizes the necessity to send military units to help oppose communist aggression in Vietnam when it is still at a distance from our country."

The United States has built a number of military bases in Thailand. (Six.)

For example—jet bases at Udorn—Ubon—Korat—Thakhli—and Don Muang—the Bangkok international airport—and I am sure you have read about U Tapao—near Sattahip on the Gulf of Siam.

Our B–52 bombers takeoff from U Tapao on strike missions against targets in Vietnam.

V.A. off.

The people of Thailand seem to have a strong sense of nationality and racial identity.

V.A. on (Thai King & Queen).

The people are united by their Hinayana Buddhist faith—and their love for the king and queen, even though the political role of this couple is purely ceremonial, and will remain so under the new Thai Constitution.

The King has only one wife—but he has many relatives—his grandfather had 92 wives!

I've seen them both in Bangkok. All I can say is that the Queen's pictures do not do her justice.

V.A. off.

But let's go on—to the Malay Peninsula.

V.A. on (Map of Malaysia).

In 1963, Singapore (city—tip of peninsula), Sarawak, and North Borneo joined with Malaya to form the Federation of Malaysia, under Prince Abdul Rahman.

Overlay #1 on.

But Singapore was 70 percent Chinese—while the rest of Malaysia was controlled by Malays—who are Moslems. This led to frictions—and Singapore withdrew from Malaysia in 1965 and is now a separate republic in the United Nations.

Overlay #2 on.

The Prime Minister is Lee Kuan Yew—an ethnic Chinese—frequently a critic of U.S. foreign policy.

And when he visited the United States last fall, he strongly supported our policies in Southeast Asia and Vietnam.

Prominent Americans sit back here in the United States and say that it is all right to let the Communists take over South Vietnam—that it would not affect the rest of Southeast Asia, and they scoff at the domino theory largely because they don't have to live there.

Ask this domino, Lee Kuan Yew, what he has to say.

He says that the United States is buying time for all Asians who want self-determination.

He also says that if the Americans pull out of Vietnam—all of Southeast Asia is lost.

Still another domino—Malaysia's Prince Abdul Rahman—also supports the U.S. position in Vietnam for the same reasons.

It is of interest that the Soviet Union is a strong believer in the domino theory as a result of the Sino-Soviet split. The Soviets want neither China nor a Chinese style communism dominating Southeast Asia.

Malaya has no illusions—she had a Communist guerrilla war—that she won—but it took 11 years—it took a ratio of 10 to 1 against the guerrillas—and Malaya was not backed up to a common boundary with a Communist country.

Malaysia is the world's largest producer of tin—about one-third of the world's natural rubber—the largest producer of iron in the Far East, most iron ore going to Japan.

She even has some oil in Borneo. Generally, her economic future looks good as does that of Singapore—one of the great trade centers of the world.

And both—Malaya and Singapore are fortunate in leadership.

V.A. off.

And now we come to what used to be—French—Indo-China.

V.A. on (Map of Laos).

Both Vietnams—plus Laos and Cambodia. (Explain heavy red line—Ho Chi Minh Trail.) Laos first—shown here in blue.

Shares Common borders with six other countries, over 1,000 miles with North Vietnam and Red China.

No railroad in Laos. What roads there are—flood during the rainy season.

But the people along the rivers—move about in sampans and other river craft on water routes—in fact—the Mekong River is one of the great highways of Asia—it serves Laos—northeast Thailand—Cambodia—South Vietnam.

You I am sure have heard of the Mekong River Development Project.

It is designed to harness the mighty Mekong and bring prosperity to places like Laos and the Korat Plateau of northeast Thailand.

The average Laotian raises barely enough food for his family. (Most live in the Mekong Valley.)

One problem is thousands of refugees from the eastern half of Laos (brown)—held by the Communists.

Overlay No. 1 on.

These refugees have crowded into the valley of the Mekong and have to be fed. They are being fed by the United States and Thailand.

Strangely—Souvanna's half brother—Prince Souvanna Phong—is the head of the Pathet Lao—the Laotian communists.

Souvanna's position as a domino is also quite clearly stated in Nov. 1967—"We can count about 40,000 North Vietnamese soldiers in our country who fight beside the 15,000 Pathet Lao who are armed, paid, trained, and encadred by North Vietnam . . . by what right, what moral do they assume the right to liberate us? If South Vietnam becomes communist it would be difficult for Laos to exist; the same goes for Cambodia and the other countries of Southeast Asia."

That heavy red line is the Ho Chi Minh trail.

Actually it is a whole series of trails, roads, and waterways—through dense jungles.

North of the Ho Chi Minh trail—guarding its northern flank—the communists also control the Plain of Jars in Laos.

The Plain of Jars is a keystone of sorts between Burma, southern China, and North Vietnam.

The Red Chinese are busy helping the Pathet Lao—to build roads down into Laos—from south China.

V.A. off.

Which should give the Thais—across the Mekong from the Plain of Jars—something to think about.

V.A. on (map of Cambodia).

Let's move south—to Cambodia.

She is a natural ricebowl—encircled by hills—with a vast area of flat lands in the center—ideal for rice growing. (Tonle sap)

Overlay No. 1 on.

Prince Sihanouk is the chief of state. (pause) Sihanouk started out as a neutralist. But in 1965—he sent our ambassador home.

And in 1967 he withdrew much of his mission in Peking.

The U.S. position in Vietnam—has given him the courage lately—to scold Peking and North Vietnam for interfering in his country. In May 1967 he said, "They—the Khmer-Viet Minh—launched these attacks because they want to create civil war. . . . If we fail in our operations against them and if the Khmer (Cambodian) Viet Minh emerge victorious, they can transform the nation into a communist country.

"If not they must continue to accept independence and neutrality . . . How can we have confidence in the Viet Minh? Will we be able to escape falling into their hands once we turn communist? . . . If we side with the Viet Minh, we will lose our independence . . . The masters of the Khmer Viet Minh are the Viet Minh of North Vietnam and the Viet Cong." (pause) We hear a lot about hot pursuit—and Viet Cong sanctuary in Cambodia.

The facts are that Sihanouk has no power to stop the Viet Cong or North Vietnamese from using his territory.

And he can use only words to keep American and South Vietnamese forces out—to try to prevent his country from becoming a battleground.

But—there is something else we should note.

Cambodia feels herself hemmed in between two ancient enemies—South Vietnam—and Thailand. And there is mutual and ancient antipathy between these three countries.

The Cambodians once had a vast empire, the Khmer Empire, which included the famous cities of Angkor Thom and Angkor Wat—(story about Jeep from Bangkok to Angkor Thom, etc.) But warlike Siamese kings seized large chunks of Khmer territory—and made them part of Siam—now Thailand.

And the Khmer once owned the Delta of the Mekong. But the Vietnamese—moving south from Annam—drove the Khmer back into Cambodia—taking the rice-rich Delta of the Camau Peninsula away from them.

V.A. off.

And now—We come to the heart of the problem—Vietnam.

Before I talk about that—here is an extract from a letter from Colonel Dan Bird, USA, written when he was commander of an Army communications group.

V.A. on (Extract of letter from Colonel Bird in Vietnam).

Read it while we take our one-minute break (break).

V.A. off.

V.A. on (map of Vietnam).

According to Vietnamese history—China is the "Greater Dragon"—and Vietnam is the "Smaller Dragon."

The origin of the Vietnamese race—is in a people who were driven out of Central China by the Han Chinese thousands of years ago.

First—The Nam Viets (as they called themselves) settled in the Red River Valley around Hanoi—roughly the North Vietnam of today.

They drove the natives of Indonesian stock—up into the hills—away from the coast—and the Red River Valley.

Where they remain the Montagnard—or Mountaineers of today.

The Greater Dragon—the Chinese—in the form of the Han dynasty—(before the birth of Christ)—invaded North Vietnam over 2,000 years ago and remained for nearly 1,000 years as occupiers and rulers.

The Vietnamese rebelled many times—10 major rebellions.

And finally—nearly a thousand years ago they succeeded in driving—the Chinese out—of North Vietnam.

Chinese—and Mongols attempted invasion repeatedly—but were always thrown back. (Mountains—Discuss on map.)

The Chinese left behind a great deal of Chinese culture—90 percent of the words in spoken Vietnamese are uncorrupted Chinese borrow words.

And they left behind a Mandarin bureaucracy form of government. (The original civil service.)

But the Chinese left behind a legacy—hatred and fear of China. (pause) and the smaller dragon himself became hungry—for land as his people increased.

Flap #1 off.

And the Vietnamese pushed into central Vietnam 20 years before Columbus discovered America, destroying a Malay kingdom in the process—a Hindu-Islamic empire centered around Nha-Trang—again the process of annihilation or chasing people up into the hills—took place.

Flap #2 off.

Finally—in the 1600's and 1700's—when the infant United States was just getting underway—the smaller dragon pushed south again—to drive the Khmer—the Cambodians—out of the rich Mekong Delta, the Camau peninsula.

So now—we have the small dragon—complete.

People seem to think that Vietnam was always united. It was not.

The south—with its capital at Hue—fought the north—capital at Hanoi—for over 150 years—from 1527 to 1673.

Then they had a 100-year truce—the dividing line—the 17th parallel—same as today.

Finally—in the early years of the last century—about the time of the Louisiana Purchase—the south—with the help of the French—defeated the north and reunited the country and ruled it from Hue.

But it didn't stay united because the French had come to stay.

In the middle of the last century—they conquered—and colonized—all of Vietnam—plus Laos and Cambodia, creating—French Indo-China.

Actually the French made three colonies out of Vietnam—Tonkin in the north—Annam in the center—and Cochin China in the south—Saigon, in the Delta—and Hanoi, in the north—prospered under the French—and became in many ways French cities.

And Hue—in the center—the ancient political and cultural capital of the south—has never forgiven them either their prosperity or their Frenchness. In addition—Hue retains her old animosities with Hanoi, deriving from the many wars between north and south Vietnam, when Hue was the capital of the south. (pause) When the Japanese departed after World War II, the French in a sense were invited back in by Ho—but this was to displace the Chinese under Lu Han from Yunnan province who, like a swarm of locusts, were stripping the country.

The French then tried to regain complete control, but were fought by the popular nationalist front which was called the Viet Minh—and which was under the leadership of Ho Chi Minh.

Overlay No. 3 on.

This was not a Communist front, but it became a Communist-dominated nationalist front under Ho Chi Minh; a front whose leadership by 1951 had excluded non-Communist Viet Minh leaders.

After eight years of bitter fighting—military, political, and pyschological—the French were defeated at Dien Bien Phu (in the north near Laos)—and this military defeat of only 15,000 of the total 300,000 French Union forces in Indo-china was a major pyschological and political defeat that had its effect in France rather than in Indo-China, and the divided French public and government gave up the war.

V.A. off.

There is a lesson here and I quote President Johnson—

V.A. on (Quote from 19 March 1968 Speech of President).

"There in South Vietnam, aggression fights not only on the battlefield of village and hill and jungle and city. The enemy has reached out to fight in the hearts and minds of the American people.

"He has mounted a heavy and calculated attack on our character as a people, on our confidence, and our will as a Nation. . . . That offensive is aimed squarely at the citizens of America. It is a assault designed to crack America's will . . . We are the real target because of what we represent.

". . . We cannot let them win something in Washington that they cannot win in Hue, in the I Corps, or in Khe Sanh."

V.A. off.

V.A. on (Map of Vietnam).

A cease-fire accord was signed in Geneva in 1954 (but not by the U.S. or South Vietnam)—which again divided Vietnam at the 17th parallel giving the north—to Ho Chi Minh.

V.A. off.

At the time of partition—North Vietnam had a population of nearly 18 million.

South Vietnam—had about 16 million—nearly 2 million less.

Unfortunately for North Vietnam—which has the most people—the Mekong Delta in the south produces far more rice than the Red River Delta in the north.

Ho Chi Minh won the north.

But in the south—leadership—V.A. on (Map of Vietnam) fell to the anti-French, anti-Communist patriot Ngo Dinh Diem.

Diem inherited political chaos in 1954.

E.G. the Binh Xuyen—a sort of mafia—was running the police force and organized vice, around Saigon.

And two religious sects, the Hoa Hao and the Cao Dai, had their own private armies.

But Diem was a strong man.

He took control of the army and made it his strength.

He smashed the Binh Xuyen—and he defeated and took over the private armies of the sects—(pause) the Geneva accords called for general and free elections on a referendum throughout Vietnam before 1956 to allow the peoples, both north and south, to freely express their will and desire as to reunification of the nation.

But Diem refused to go along with elections for good reasons.

He knew that free elections are impossible under communism. He knew, as did we and the signatories of the Geneva Accords of 1954, that Ho Chi Minh was breaching the agreement to hold free and secret balloting under international supervision. Ho would not agree to the conditions of supervised, free, and secret elections.

Ho knew that the controlled votes of nearly 18 million people in the north—all voting Communist—would out-vote the 16 million people in the south.

Diem also knew that nearly a million people had already voted with their feet—they went south by foot and ship and plane tc escape communism at the time of partition.

By contrast—less than 100,000 went north.

Why? The answer is simple.

Very few people try to break into jail. Do you remember the mass exodus from East Germany to the west?

Overlay #1 on.

Diem also knew that uncle—Ho Chi Minh—murdered at least 100 thousand people in North Vietnam—"liquidated" them—in consolidating the victory of the people's republic.

The impact is roughly equivalent to that which would be felt here in the United States if the U.S. Government murdered a million 300 thousand citizens.

If the Communists were to win in South Vietnam—the record in the north makes it abundantly clear—what kind of a widespread blood bath would be in store for the population of the south?

V.A. off.

Very few people gave Diem much chance for success.

But, considering the problems he faced—his record in his first years was impressive.

Food production—per capita—rose 20 percent from 1956 to 1960.

But, it dropped 10 percent in the north. (Peasants revolt in 1956)

South Vietnam produced a rice surplus—began exporting rice, and the economy became stabilized.

This was too much for old Ho Chi Minh. He felt cheated.

He had expected to win South Vietnam—through the elections. But the elections were not held.

However, he had made other plans; based on his belief in Mao's axiom, that political power grows out of the barrel of a gun.

When the separation took place in 1954—hard-core Communist cadres in the south hid their arms and went underground to build and staff a Communist infrastructure, deep within the population of South Vietnam. 80,000 were ordered north—to be trained by the North Vietnamese Army.

When South Vietnam started to look like a going concern—the cadres were activated—those trained in the north were infiltrated, and Viet Cong guerrilla warfare commenced under leadership and direction from the north.

The Viet Cong—in the south—was the military arm of the Lao Dong which is the Communist Party of North Vietnam. And the Viet Cong leadership has operated for and in response to the orders of the Government of North Vietnam.

(Four kinds of Viet Cong: (1) Local guerrillas, (2) provincial guerrillas, (3) main force units, (4) terrorist/infrastructure units (most valuable is local guerrilla—explain)).

It was not until 1962 that a South Vietnam Communist Party appeared on the scene.

And we know from hundreds of captured documents—that the People's Revolutionary Party which dominates the National Liberation Front is merely a cover for the Lao Dong—the Communist Party—of North Vietnam which controls it. The front is controlled by the Central Office for South Vietnam (COSVN) which is a part of the North Vietnamese governmental structure.

Ho Chi Minh's objective—make no mistake about this—was and still is to unify Vietnam—but only under a Communist government.

V.A. on (map of Vietnam).

Overall command of Viet Cong forces is under a North Vietnamese general officer in the south (one killed recently). Regular North Vietnamese units operate independently and in conjunction with Viet Cong Forces, and "beef up" decimated Viet Cong main forces units, throughout South Vietnam.

The North also provides an abundance of military materiel and supplies to the Viet Cong.

The enemy we face in Vietnam is a local force—organized, controlled, and supported by an outside power in the North. But it does have its roots in the South. In the infrastructure—and we must not forget this. It is a war of and for the South, and victory will be found in the south. (Long pause) In the beginning the Viet Cong couldn't get the peasants in the south much interested in unification—especially under communism—and rule by the Northerners at that.

People in the south don't like Northerners (we have some like that too), so the Viet Cong turned to making their cause an anti-government cause.

This was something peasants could understand.

(The Vietnamese peasant has never had much use for past governments in Vietnam, mandarin, colonialist, Diemist, or military juntas. All of these had proved largely indifferent to the legitimate grievances of the peasants.)

Because of these grievances, the Viet Cong was able to gain the support of many people, including non-Communists.

And the Diem Government certainly had its faults.

As time went on—Diem seemed to respond to Communist pressure—with more and more pressure on his people.

In 1961—it was oppressive—and ruthlessly repressive—especially to Buddhists—as a result of Madame Nhu's influence.

The generals began to fear that Diem would drive the people into the arms of the Viet Cong.

So, the military took over—in a coup.

Diem and his brother Nhu were murdered. Then coup replaced coup.

Overlay #1 on.

The war against the Viet Cong went on but—the sects (Cao Dai/Hao Hao) stopped resisting the government on Diem's death and came over to the government side—with their militant militia—to fight the Viet Cong.

V.A. off.

But during the political—and military confusion following Diem's death.

The Viet Cong got stronger and built themselves up to battalion and larger-sized units and nearly cut South Vietnam in two in the early spring of 1965, as the prelude to take over.

But, at this point the United States came to the aid of her little ally—and the war was on in earnest, when the Marines landed in Danang in March 1965. (pause). Really—today—V.A. on (Four Kinds of War in Vietnam) there are four wars in Vietnam.

Overlay #1 off.

The first is the conventional military conflict—the fight against the Viet Cong main force units—and the regiments and divisions from the North.

Overlay #2 off.

The second is the quest for a political solution—the political stability that any country needs if it is to move forward—socially and economically.

Overlay #3 off.

The third is the terror that the Viet Cong guerrillas wage against the people in the countryside, and during Tet 1968—in the cities.

Overlay #4 off.

The fourth war is the "other war"—to help the Vietnamese people to find a better way of life.

I will talk about the four wars in order—starting with the conventional.

V.A. off.

We had over 522 thousand U.S. troops in South Vietnam as of 15 April.

V.A. on (U.S. Forces in Vietnam).

The buildup was rapid and effective—moving hundreds of thousands of men to battlefields thousands of miles away.

The enemy has lost every major engagement in the last two years. The Tet offensive was the third war, the terror war, and I will discuss this in a moment.

Another big test—with the marines at Khe Sanh, did not come. (Pause) We can be proud of the performance of our young men on the battlefield.

They are bigger, stronger, smarter, and better trained—than we were in World War II or Korea and—quietly—very professionally—these young men are going about their grim tasks in Vietnam.

There is nothing wrong with this generation.

V.A. off.

And this is the U.S. Army.

V.A. on (U.S. Army in Vietnam).

Bob Hof pointed out to me that the man in the lead—is carrying a movie camera just like the Marines.

Which proves that the Army can learn a thing or two from Marines.

V.A. off.

On the battlefield—we are not alone.

We have paid a steep price—to purchase time for Vietnam and other Asian nations to gain self-determination—and to grow stronger—economically, politically, and militarily.

How well this has worked—only time will tell. (Pause) But the United States will still remain an Asian power. In July 1969 President Nixon said:

V.A. on.

"Our determination to honor our commitments is fully consistent with our conviction that the nations of Asia can and must increasingly shoulder the responsibility for achieving peace and progress in the area. The challenge to our wisdom is to support the Asian countries' efforts to defend and develop themselves, without attempting to take from them the responsibilities which should be theirs."

V.A. off.

Thank you.

Our Vietnamese allies (700,000 plus which includes regular forces, regional forces, popular forces, and paramilitary) have performed—with the valor of people who have been fighting for more than 27 years—since the Japanese invasion of Indochina in World War II—or in the long view—since the French seizure of power in the mid-19th Century.

Mr. Speaker, following that point in the speech in which Colonel Mac-

Neil said "The enemy has lost every major engagement in the last 2 years. The Tet offensive was the third war, the terror war, and I will discuss this in a moment." And prior to the statement that "Our Vietnamese allies—700,000 plus which includes regular forces, regional forces, popular forces, and paramilitary—have performed—with the valor of people who have been fighting for more than 27 years—since the Japanese invasion of Indochina in World War II—or in the long view—since the French seizure of power in the mid-19th century," Colonel MacNeil's oral remarks differed somewhat from the written text. At this point I am inserting his remarks as actually given:

If anyone wants to discuss the fighting qualities of the Vietnamese—I'll be happy to do so. (VNAF KIA 56,888—1 January 1961—16 March 1968) (774,000—about 13.6 to 1 ratio in terms of U.S. population) (U.S. lost 291,577 KIA in World War II) and Koreans. Thais, Australians, New Zealanders, and Filipinos—are fighting beside us on the battlefields.

As of 15 April—Australia—about 7,000, to increase to 8,000 by 1 July.

New Zealand—nearly 600.

Not token forces—these are tiny countries in terms of population.

Thailand—sent an air transport group and one of the pilots was the son of the prime minister—Thanom.

And also sent combat infantry forces—2,000—despite the fact that she has insurgency of her own in the Northeast, and by June 1968 is scheduled to have a 12,500-man division in Vietnam.

As for the South Koreans—South Korea has sent more actual ground combat troops to South Vietnam—in proportion to her population—than the United States—two full divisions. 50,000 plus.

And they are splendid fighters. Especially the Korean marines.

What about the second war—the struggle for political stability?

The greatest political problem seems to be disunity.

Traditionally, people in the South don't like people in the center—people in the center don't like people in the North or South—and back down and vice versa.

Buddhists don't like Catholics—and vice versa. (Explain)

Buddhists in the South don't get along with Buddhists from Hue in the center.

And then there are the sects—principally the Hoa Hao and the Cao Dai—Buddhist offshoots who incorporate some Catholicism, some Animism, and some Confucianism.

Cao Dai is an interesting religion (founded in 1919)—they worship Confucius, Buddha, Christ, and Mohammed. Their saints include—Joan of Arc—Thomas Jefferson and Winston Churchill. They seem to touch all the bases. (Temples.)

The Hoa Hao—discuss. (Founded in 1939—discuss.)

They are good fighters—the sects.

They keep their areas clear of Viet Cong.

V.A. on (Montagnards).

Then there are the Montagnards.

The Mountain Tribes. They have been kicked around for years by Vietnamese governments from Saigon. (French attitude)

Most of them like Americans—thanks to our special forces (the Green Berets)—but most of them dislike all Vietnamese—north or south. (Moi)

But there is one thing that most all these people have in common—Buddhists—Catholics—Hoa Hao—Cao Dai—Montagnards.

They collectively and separately hate—and fear—the Viet Cong.

V.A. off.

But—they hate them more than they fear them—they have proved that in the elections.

V.A. on (Balloting in Vietnam).

There have been four major elections—during the past two years and in all these elections—around 80 percent of the voters voted.

(Here in the U.S. we think a 50 percent turnout is good.)

They didn't—many of them—know what they were voting for.

But—they knew what they were voting against.

In voting—they defied the Viet Cong—who had ordered them not to vote—and threatened them with death—and blew up polling places—attacked candidates.

Incidents of terror—increased 15 times the usual rates—prior to the elections.

But who would have believed all this political activity possible two, three, or four years ago?

To quote an outside—and astute—observer— the London Economist—says that democracy in Vietnam is a bit behind Turkey—ahead of Yugoslavia—and miles ahead of any Orthodox Communist country.

So we begin to see some light—in the political picture.

V.A. off.

But what about the third war?

The third war is to make the people safe from Viet Cong terror.

I want to emphasize the third war.

It is so important—but it gets so few—headlines.

At least—few until Tet—of 1968 when the guerrillas reinforced with North Vietnamese struck at the cities.

This was still a piece of the third war.

Terror—men not in uniform—striking at civilian targets.

But why this counteroffensive? It was launched because the Republic of South Vietnam had, in 1967, made marked progress on the economic, political, military, and pacification fronts; and the rate of this progress influenced the north to order the National Liberation Front, and the Viet Cong and North Vietnamese forces in South Vietnam, to launch this major, maximum effort, counteroffensive. (Pause.) Some Americans were quick to say that the war is lost in Vietnam. (Explain movement of populace during Tet.)

Apparently the Vietnamese did not think so.

There was no general uprising in support of the Viet Cong. Not on the part of civilians.

Not defection on the part of the South Vietnamese armed forces; captured documents state that both the uprisings and defections were expected to occur. The Viet Cong and North Vietnamese lost an estimated 38,000 killed, 6,000 as prisoners of war, and unestimated wounded. They surfaced their cadres, infiltrated both Viet Cong and North Vietnamese elements, and they were cut down. The Vietnamese armed forces remained remarkably steady and were well reported on by the U.S. press—for the first time. (Recovery from this Tet counteroffensive is rapid—Discuss.)

The second counteroffensive of April and May is being successfully contained and reconstruction and rehabilitation (pacification) continues.

V.A. on (Strategic Hamlet—Aerial View).

75 percent of the population lives in villages—like this strategic hamlet—this is an aerial view.

Those rings around it are barbed wire—and ditches filled with sharp bamboo stakes.

The Vietnamese people have taken a lot of casualties fighting the Viet Cong—more actual casualties than the United States took in World War II. (Not in ratio).

And this in a population a fraction of our size.

V.A. off.

But the amazing thing is that more casualties have been taken by the regional forces—and the popular forces—than by the Army of Vietnam—two to one.

V.A. on (Vietnamese Farmers).

Like the villager here in black pajamas. That's one of our agricultural specialists with them.

I don't say that the Regular Army of Vietnam hasn't fought well—but people defending their villages—what we would call home guard and "militia"—have taken even more casualties. (Pause.) A lot of the so-called "deserters" just go home and join the local forces—to defend family and village.

Buddhists, Hoa Hao, Cao Dai, Catholics, Montagnard—just plain village people—

That we have supplied with a few carbines and ammunition.

And a radio so that they can call for reinforcements and fire support.

V.A. off.

Which—hopefully will arrive before they are overrun.

V.A. on (Vietnamese Women).

These are the little people of Vietnam. They fight against the terror of the Viet Cong.

They elect their village officials as they have for hundreds of years.

Elections are nothing new to them. The democratic process of election is well understood at the village level.

The Viet Cong terror tries to eliminate these officials; they murder their chiefs and school teachers—

We know what they are trying to do, and how—

V.A. off.

The Russian anarchist Kropotkin defined terror as "the propaganda—of the dead."

Let me quote from an official New Zealand white paper:

V.A. on (New Zealand paper).

"In 1963, over 1,500 civilians and more than 500 government officials were murdered by the Viet Cong . . . more than 7,000 were kidnapped. (Ratio 13.6 to 1.)

"In 1964, almost 1,800 government officials, schoolmasters, and village leaders were assassinated and some 10,000 kidnapped."

And here are some later figures—in 1965—another 1,800 assassinated—in 1966—1,700.

In 1967—5,368 civilians kidnapped and another 3,820 assassinated. (Ratio 13.6 to 1.)

The object is to demoralize the people—to gain their obedience and support through mortal fear.

V.A. off.

V.A. on (Mauldin Cartoon).

When I hear people criticize the United States for killing civilians accidentally—in attacking military targets.

I wonder why these same people seem to take so little notice of the tens of thousands of civilians murdered deliberately by the Viet Cong.

V.A. off.

The third war is likely to be the toughest one.

But I don't think any government can survive in Saigon—if it cannot protect the people against terror. (Gangsters—discuss) (Dakson) (hands) ( ) (crime).

The third war is a dirty war. It will take a long time.

The guerrilla has the initiative; no place in Vietnam is completely secure and will not be, until the opponents of the government are eliminated or exchange their guns for the political processes inherent in any lawful society. The guerrilla can concentrate his forces at a time and place of his own choosing. The defenders must be prepared to defend all areas at all times, and this is obviously impossible.

Security is vital to political, economic, and social progress, but security is nonexistent without the collaboration of the people. And to secure this collaboration there must be a responsible and responsive government with a program. And we do have a government with a program in South Vietnam which today does draw its powers and mandate to govern from the consent of the governed. (Long pause.) This third war has to be won. It is no use just to win the conventional military war because four out of five Vietnamese still live in the countryside.

And despite what has happened in the cities—it is the countryside where the third war will be won or lost.

V.A. on (Population Areas of Vietnam).

V.A. off.

V.A. on (Economic Sectors of Vietnam).

These two visual aids make the point again that not all real estate in Vietnam has the same value—especially in terms of fighting for it.

V.A. off.

It is not going to be won by conventional setpiece battles, nor accumulated statistics. It will be won by the relentless pursuit of political ends by the South Vietnamese (with our help and support), the pursuit of political goals by political means—but behind a protective military shield, behind protective military actions and methods which are compatible with these political goals.

In other words, the South Vietnamese Nationalists must wage war of national liberation. A revolutionary war to destroy the Viet Cong infrastructure and replace it with a free government and state structure. The winning of this revolutionary war can be achieved only by the South Vietnamese (with our help) because—it is their revolution—

So, while the security of a place cannot be assured, it can be assured that it will not permanently fall in the hands of the opponents of the government (pause).

Overall progress is steady, but there have been, and will continue to be ebbs and flows. This has been the history of all wars, military, economic, political, or social.

The attacks on Saigon and Hue (32 of the 44 provincial capitals) during Tet were significant. However, these attacks were not a military or political success for the Viet Cong, according to their own stated objectives. The Vietnamese people have recovered from darker days than these.

"Temporary reverses make headlines in the U.S. news media. They are not headline news for the bulk of the Vietnamese people who—living in the hamlets—have suffered from this sort of thing for over 10 years.

"In fact, no Vietnamese citizen alive today can remember when his country was either not occupied by a foreign power, or in a state of war.

"Any Vietnamese today, who is 30 years old or younger, has lived his entire life under active wartime conditions. (Pause) "if we are to support them, our will must be at least as great as theirs." (Pause) but this third war must be won. And we are training the Army of Vietnam to do it—to help the popular forces and the village militia.

And that leads us to the fourth war. The other war—

To help the Vietnamese to a better way of life. This economic/political war—remember, is not apart, it is not separate from the military struggle it is waged behind the security gained by the military shield.

V.A. on (Vietnamese children).

The men fom A.I.D.—the agency for int'l dev't—show people how to grow rice better—and dig wells—build dams and roads and bridges—and schools. (Self help.)

These men are mostly young.

We hear a lot of noise from the colleges—from peaceniks and Vietniks.

But these same colleges are quietly training young men to be country agents in Vietnam.

Out there they call them province representatives.

I've met a number of these AID men.

Some of them are pretty terrific.

This is a Jim McKay—AID's provincial representative in Vo Dat Province.

The kids have gathered around to admire the little girl's upper lip—the girl holding the baby.

She used to have a hairlip—but Jim McKay got her on an airplane to Saigon—and her lip was repaired—in the American hospital.

V.A. off.

Men are not the only American civilians in Vietnam.

V.A. on (U.S. girl in Vietnam).

This young lady is a Miss Jeanne Williams of the International Volunteer Service.

She's teaching English at the Qui Nhon Normal School.

Attractive—Isn't she? That's an Ao Dai she's wearing—the traditional dress of Vietnamese women.

There are more like her.

There is nothing wrong with a generation that produces young people like this.

And we are assisting in the training of many young Vietnamese people to go out in the villages and do similar things—Pacification teams we call them.

It must be a good program.

The Viet Cong have already killed over 1,612 from January 1966 up to mid-March 1968 and designated them as priority targets.

V.A. off.

V.A. on (Army Doctor).

And our own Armed Forces—civic actions—medical aid—(discuss) (also Armed Forces of Vietnam efforts.) (Pause) controversies.

1. Draft 18 year olds—increase South Vietnamese armed forces by 135,000 or 238,000 or 268,000—problems in equipping, training facilities, training, providing required officers and NCO's, etc.

2. Peace talks in SVN—bombing—1,952 million tons of Europe and North Africa by United States and allies.

1,800 million up to 1 May 1968 on North and South Vietnam. 95,430 tons of Khe Sahn area during 73 days of that campaign.

(North Vietnam hurting—Charles Collingwood, CBS, said—was ready to talk prior to President Johnson's 31 March offer of de-escalation.)

In Col. Hof's lecture last week—geopolitics—he showed—in a strategic sense—that the war in Vietnam—like the war in Korea was—is a step or stage in the American policy of containment—which is concerned with the long range security of the United States. Vietnam is important to our national security. (U.S. security interests encompass, etc.)

The loss of Vietnam to the free world start the fall of the Domino countries adjacent to it and to Red China, and then we shall face a threat from a hostile Asia quite similar to the threat we perceived in Europe nearly 30 years ago as the Dominoes adjacent to and around Germany fell into the grasp of the Third Reich.

No one should be confused as to what is at stake—it is our national security.

But—there is more to it—than just the national interests and security of the U.S. as the G.I.'s coming back from Vietnam will tell you.

The little people of Vietnam—are worth saving. (Pause) there is a simple question that can resolve a lot of discussion of the Vietnam War—and that question is—"Are we our brother's keeper?" You can ask this medic—or look in the Bible.

Or ask any returning soldier, airman, sailor, or marine.

V.A. off.

Once again—let no one be confused as to what is at stake—

The security of the United States is at stake—in Vietnam over the long run; and so is our credibility in many other areas of the world in which we also have national security interests and treaties with nations whose national security interests parallel our own. We cannot be selective—we must live up to our pledged word in all treaties for collective security.

But in the short run—it is the strength of our national character that is being tested—and our endurance and patience as the leader of the free world.

Thank you.

EAST PAKISTAN SITUATION WORSENS EACH DAY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. GALLAGHER. Mr. Speaker, during May, the Asian and Pacific Affairs Subcommittee of the Committee on Foreign Affairs held 2 days of hearings into the crisis in East Pakistan. Those hearings are now printed and available from the full committee office. In June I visited the refugee camps and saw very clearly the dimensions of the tragedy which had already occurred. The army of Pakistan's sweep through East Pakistan, brutalizing those who won the election and guaranteeing a lasting insurgency, continues to this day and utilizes American military equipment. In spite of formal statements by the Department of State, our military supplies continue to be shipped to the Government of Pakistan.

I have introduced House Resolution 9160 which calls for a total suspension of all American military, economic, and relief assistance to the government of Pakistan until the army ceases its brutal policies and refugees are allowed, as far as feasible, to return to their homes and reclaim their lands and properties. I am very pleased that the cosponsors of my amendment to the Foreign Assistance Act of 1971 are, as of this moment, Congressmen LEE HAMILTON, GILBERT GUDE, PARREN MITCHELL, SEYMOUR HALPERN, and BENJAMIN ROSENTHAL. I have reintroduced that amendment today.

In addition, I support the joint resolution of my colleague on the Committee on Foreign Affairs, Congressman BRADFORD MORSE, which would immediately stop military aid.

At the conclusion of my remarks in the RECORD I will insert a number of articles and expressions of opinion about the dangers in this situation which amount each day. I am especially delighted to allow the readers of the RECORD to share the views of the Honorable Chester Bowles. I had the pleasure of serving with Chester Bowles as a member of the House Foreign Affairs Committee and his subsequent experience in the diplomatic field give his opinions a special emphasis and importance. Mr. Bowles spells out a

very frightening prognosis and concludes:

If this is in fact correct the United States, once again, has committed an absymal error in Asia, one that historians may find even more difficult to condone or excuse than the debacle in Indochina.

Mr. Speaker, many people throughout the world were hopeful that the speech by Pakistani President Yahya Khan on June 28, would hold the key to a peaceful solution. I will include the text of that speech, as well as some highly critical comments made in Newsweek of July 12 and the Washington Star of July 7. I find it difficult to avoid agreeing with their conclusions.

The New Yorker of July 3, contains an especially perceptive description of the tragedy.

My imaginative colleague on the Committee on Foreign Affairs, Congressman BENJAMIN ROSENTHAL, Chairman of the Committee on Europe, draws an analogy with Vietnamese policy debate in a letter to the President of June 30.

Sydney H. Schanberg has recently been expelled from East Pakistan by the Government of Pakistan. The New York Times of July 4 carries two articles by Mr. Schanberg which, in my judgment, are accurate and which provide excellent evidence why Mr. Schanberg's presence does not suit the Army's pleasure. Several days after my first hearing, the Washington Daily News described another expulsion by Pakistan. This time, a Bengali aid to the Embassy here in Washington was fired because he attended the hearing of my Asian and Pacific Affairs Subcommittee on May 11.

Mr. Speaker, the main hope of those of us who oppose the current policy of the administration is that Presidential Advisor Henry Kissinger would either be able to change the mind of President Yahya about the barbaric course in East Pakistan, or that he would recommend a formal change in our own policy. The necessity for this action was highlighted by the Washington Star on July 4 when it disclosed that Pakistan is seeking to purchase U.S. jet bombers.

Mr. Speaker, I insert the document, referred to in the RECORD at this point and I would implore my colleagues to seriously consider supporting legislative alternatives to administration policy and to use their influence to deflect our Government from its tragically shortsighted course.

The articles follow:

[From the New York Times, July 5, 1971]

SOUTH ASIA: THE APPROACH OF TRAGEDY

(By Chester Bowles)

ESSEX, CONN.—Unless two rather unlikely developments occur, South Asia is in imminent danger of erupting into a tragic, needless war.

These developments are: First, that the ruling West Pakistan Government turns away from the path of terror against its own subjects in East Pakistan and agrees to a settlement that will stem the flow of frightened, homeless refugees into India; and second, that the world community soon mounts a massive campaign to relieve India of the burden of supporting nearly six million refugees who have already crossed the border.

The Indian Government is making a Herculean effort to provide food, medical assistance and shelter to these destitute and frightened people. The cost, which is estimated at more than $10 million a week, is being assumed by India at a time when its economic assistance from the World Bank and the Consortium (the United States, Britain, France, Italy, Germany, Japan and Canada) has been sharply reduced and more than $500 million in principal and interest on past debts is scheduled to be repaid this year alone.

These economic constraints are compounded by political factors. Prime Minister Gandhi has emphasized that the refugees belong to "every political persuasion—Moslem, Christian, Buddhist and Hindu." But reports are now spreading that the West Pakistan military has begun to focus its fury on the Hindu minorities throughout East Pakistan. If this is true it is bound to create religious tension with India's 65 million Moslem minority.

Finally, India fears that an independent East Bengal may encourage West Bengal, where the Communist party Marxists are the largest single element, to merge into a single Bengali nation and thereby create a target for Chinese intrigue and subversion.

In a recent speech in the Indian Parliament. Mrs. Gandhi asserted, "This is not as some say 'an internal problem' of Pakistan. It is a problem which threatens the peace of South Asia. Has Pakistan the right to compel at bayonet-point not thousands, not hundreds of thousands, but millions to flee their homes? This is an intolerable situation. This Government may have its faults, but it does not lack courage. It is not afraid to take a risk that is a necessary risk."

The possible sequence of events that may soon confront us is appalling: (1) India in a desperate effort to cut off the flow of refugees, return the present refugees to their own homes and prevent the establishment of an extreme left-wing government in East Pakistan may move troops into East Pakistan; (2) Pakistan may then be expected to reply by attacking India in Kashmir and the Indian Punjab; (3) China may deliver an ultimatum to India (similar to the one she delivered in October of 1965 toward the end of the East Pakistan war); (4) the Soviet Union then supports the Indian position and wards China off, and the escalation continues.

This scenario may be dismissed by many as a bad dream. In my opinion it is a very real possibility, and if the situation continues to drift, a probability.

Mrs. Gandhi's government has acted responsibly in its handling of the crisis on its northeast border, but the financial and political pressures are rapidly pushing India to the breaking point.

The world community through the United Nations channel, by direct initiative or any other means, must act. What is happening in East Pakistan is an immoral and humanitarian outrage which must be condemned and stopped. At the same time India must be relieved of the responsibility for the care of the six million refugees This long-suffering, struggling, democratic country which a few months ago seemed about to achieve economic self-sufficiency must not be allowed to suffer, perhaps go under, because of a situation not of its own making.

It is reported in the press that members of the Consortium and the World Bank with the exception of the United States have agreed to stop economic aid to Pakistan until a political understanding is reached with East Pakistan and the East Pakistanis are assured their full share.

Since the outbreak of the struggle in East Pakistan in late March the United States has shipped three cargoes of military equipment to Pakistan that can only be used against her own people in East Pakistan or against India. This step has been taken despite a solemn assurance to Congress that no arms would be sent. It was first accepted as just another bureaucratic blunder which did not represent United States policy. However, in the last few days there is evidence this was not an accident but a deliberate decision.

If this is in fact correct the United States, once again, has committed an abysmal error in Asia, one that historians may find even more difficult to condone or excuse than the debacle in Indochina.

[From Pakistan Affairs Special Issue, June 30, 1971]

FULL TEXT OF PRESIDENT YAHYA KHAN'S ADDRESS TO THE NATION ON JUNE 28, 1971

Recent happenings in East Pakistan have caused anguish to all of us. For me, personally, these tragic events have been a cause of distress and disappointment. Throughout these last two and a quarter years, my aim has been to bring back democracy in the country and to ensure justice for every region of Pakistan. In particular, I have been conscious of the legitimate demands of East Pakistanis. Many steps have been taken and planned towards meeting them. I have every reason to believe that my scheme to revive the democratic way of life was fully supported by the people and their political leaders in both wings of the country. They all took part in the elections on the basis of the Legal Framework Order of 1970 which provided for maximum autonomy to the provinces, within the concept of one Pakistan and adequate strength to the centre to carry out its functions.

The defunct Awami League also participated in the elections on the basis of the Legal Framework Order and therefore at that time it was felt that they too subscribed to the concept of *one* Pakistan. However, later their leadership gradually moved away from the principles of the Legal Framework Order and based their electioneering on hatred of West Pakistan and tried to cause tension and misunderstanding between the two wings.

SIX POINTS WERE NEGOTIABLE

When I questioned Mujibur Rahman on the Awami League's six points during some of our talks, he *confirmed* to me that these were negotiable. He also clearly indicated that all major provisions of the constitution would be settled by political parties in parleys outside the Assembly. This lobbying, he affirmed, was usual practice with politicians. After elections when I wanted the parties to get together and come to some consensus on the future constitution of Pakistan, it became quite clear that Mujibur Rahman was not going to budge from his position which, to put it bluntly, was tantamount to secession. Another indication of his evil design is the fact that he refused to visit West Pakistan and have talks in this wing despite repeated invitations. He had no intention of acting in a responsible and patriotic manner as leader of the majority party in the country *as a whole*. He had already made up his mind that he was going to break the country in two, preferably by trickery and if this did not succeed, by physical violence.

As I told you in my address of the 26th of March, I had a series of meetings with Mujibur Rahman and his advisers during my stay in Dacca from the 15th of March onwards. Whilst he was having these talks with us, he and his followers were secretly preparing for a final break, through physical violence. Towards the concluding sessions of the talks, it became quite evident that the intention of Mujibur Rahman and his advisers was not to come to an understanding on the basis of

one Pakistan but was somehow to extract from me a "proclamation" which would, in effect, divide the National Assembly into two separate constituent assemblies, give birth to a confederation and, by removal of the authority of martial law, create complete chaos in the country. Through this plan he expected to establish a separate state of Bangla Desh. That, needless to say, would have been the end of Pakistan as created by the Father of the Nation.

Unscrupulous and secessionist elements of the defunct Awami League had brought the country to the brink of disintegration. Our dear homeland which symbolises fulfillment of our aspirations and the culmination of the relentless struggle of the Muslims of the subcontinent was in very grave danger of breaking up. The violent non-cooperation movement of Sheikh Mujibur Rahman and his clique for over three weeks had let loose elements which at once indulged in widespread loot, arson and killing.

VOTE WAS FOR PROVINCIAL AUTONOMY AND NOT INDEPENDENCE

The people of East Pakistan had voted for provincial autonomy and not for the disintegration of the country. Instead of setting controversial political and constitutional issues with mutual understanding and in a spirit of give and take for the sake of national solidarity, some of the leading elements of the defunct Awami League chose a path of defiance, disruption and secession. All my efforts to help the political parties to arrive at a consensus over an acceptable and lasting constitutional framework were frustrated by certain leaders of the defunct Awami League. On the one hand they brought negotiations to an impasse by their persistent intransigence and obduracy and, on the other, intensified their nefarious activities of open defiance of the Government. The very existence of the country, for the creation of which thousands of our brethren laid down their lives and millions suffered untold miseries, was at stake. It was in these circumstances that I ordered the armed forces to restore the authority of the Government. No Government worth its name could allow the country to be destroyed by open and armed rebellion against the state.

The valiant armed forces of Pakistan who have always served the nation with devotion moved out with firm determination to put an end to the activities of the miscreants. They had a difficult task to perform. It is unfortunate that our neighbour which has never missed an opportunity to weaken or cripple our country rushed to help the secessionists with men and material to inflame the situation further. This was all preplanned. As our troops moved forward and fanned out, the whole dark plan of collusion between the Awami League extremists, rebels and our hostile neighbour gradually unfolded itself. It became obvious that secessionists, miscreants, rebels, and intruders from across the border had planned their whole operation carefully and over a considerable period of time. Their aim was to destroy the integrity of Pakistan and force the eastern zone to secede from the rest of the country. While miscreants, rebels, and intruders were putting up physical resistance to the Pakistan army, the Indian radio and press launched a malicious campaign of falsehood against Pakistan and tried to mislead the world about happenings in East Pakistan. The Indian Government began to utilise every coercive measure, including diplomatic offensives, armed infiltration and actual threats of invasion. This open interference in our internal affairs could have had very grave consequences but by the grace of God our armed forces soon brought the situation under control. destroying the anti-national elements. The nation is proud of the armed forces who deserve all its admiration and appreciation. Let us on this occasion bow our heads in gratitude to the Almighty that our country has been saved from disintegration.

NO FRESH ELECTIONS

In my last address to the nation I had assured you that my main aim remained the transfer of power and I had further stated that I would take fresh steps towards the achievement of this aim. Let me at the outset say categorically that there is no question of holding fresh elections. The mischief of some misguided persons should not be allowed to nullify the entire results of the first-ever-election held in the country at enormous cost in terms of money, time and energy. I have banned the Awami League as a political party. However, members-elect of the National Assembly and the Provincial Assemblies of this defunct party retain their status as such, in their individual capacities. I may, however, add that those elected members who have taken part in anti-state activities or have committed criminal acts, or have indulged in anti-social activities, will be disqualified from membership of the National and Provincial Assemblies. I have not yet finally assessed the exact number of those who would be disqualified. After thorough investigation, a list of such persons will be published. Once this is done, vacancies caused would be filled through the usual method of by-elections.

In the meanwhile, I would ask those members of the National Assembly and members of the Provincial Assembly elect of the defunct Awami League, who had nothing to do with the secessionist policies of the ruling clique of that party and who are not guilty of any criminal acts in pursuance of such policies, or who have not committed atrocities against their fellow Pakistanis, to come forward and play their part in rebuilding the political structure in East Pakistan.

After a close and careful study of the situation, particularly of recent happenings, I have come to the conclusion that the task of framing a constitution by an assembly is not feasible. In fact, the history of constitution-making in our country is not very encouraging, nor a happy one. Two constituent assemblies took nine years to produce a constitution (that is from 1947 to 1956). Leaders of the country spent an inordinately long period of time on the floor of the legislature in trying to produce a constitution, while urgent social and economic problems remained unattended and neglected. But the most regrettable phenomenon of constitution-making in Pakistan was that it gave vent to all sorts of regional and parochial sentiments. In fact, constitution-making gave rise to the worst type of political bickering and intrigue, which threatened the very existence of our country. And when in the end they at last produced a constitution in 1956, it was the product of all sorts of conflicting compromises and expediencies. The result was that the constitution was short lived and the country came under martial law from October 1958 to June 1962. After that the country was governed under a constitution which, for well known reasons, was unpopular right from the start. There was great resentment and a political upheaval in 1969 against this constitution. I, therefore, thought that the people's representatives should frame a constitution of their own, but in order to eliminate the unhappy aspects of the previous attempts at constitution-making in Pakistan, I put a limit of one hundred and twenty days for this exercise. And I also laid down some basic principles for the constitution in my Legal Framework Order. When I fixed the time limit of one hundred and twenty days, it was done in consultation with political leaders, including Mujibur Rahman, and it was expected that they would devote their full attention to the framing of the constitution and that general agreement on the broad aspects of the constitution and that general agreement on the broad aspects of the constitution would be arrived at outside the assembly, so as to facilitate the task of constitution-making within the stipulated period. But unfortunately my hopes and plans were frustrated by the uncompromisings and unpatriotic attitude of the defunct Awami League.

GROUP OF EXPERTS TO DRAFT NEW CONSTITUTION

Against this background and in view of present circumstances, I find that there is no other alternative for me but to have the constitution prepared by a group of experts. This constitution will be subject to amendments by the National Assembly on the basis of an amending procedure, as will be laid down in the constitution itself. The constitution will be based on a careful study of a number of constitutions and will be based also on the aspirations of the people of various regions of Pakistan, as assessed by me over the last two years. I have already set up a constitution committee and a draft is being prepared by them. Once a draft is ready, I will consult various leaders of the assembly regarding the provisions of the draft. Final shape will be given to the constitution, in the light of my discussions and consultations with various experts and leaders.

I may add that certain guidelines with regard to the future constitution have already been spelled out in the Legal Framework Order of 1970, which were generally welcomed by the people. First, the constitution of Pakistan must be based on Islamic ideology, on the basis of which Pakistan was created, and on the basis of which it is still preserved. It must be the constitution of the Islamic Republic of Pakistan in a true sense. The constitution shall also provide for full social and economic justice to various sections of our society. The constitution should be a federal one and it must have all its characteristics. As stated in the Legal Framework Order, the provinces shall have maximum autonomy, including legislative, administrative and financial powers, but the federal government shall also have adequate powers, including legislative, administrative and financial powers to discharge its responsibilities in relation to external and internal affairs and to preserve the independence and territorial integrity of the country.

BY-ELECTIONS TO BE HELD FOR A FEW SEATS DECLARED VACANT

I have also indicated to the committee that, in the interest of the integrity of the country, it would be a good thing, if we ban any party which is confined to a specific region, and is not national in a practical sense. Then again, we must eschew this business of having two, three or four subparties within a party. In short it is my hope that this constitution will ensure that everything which tends to make our political life cumbersome, shaky, insecure and unpatriotic is eradicated and that it helps to infuse a right spirit in the people and the politicians. The constitution must serve Pakistan as a whole, and not any individual or group. It must allow each province to develop itself along the right lines without detracting, in any way, from the strength of the centre and the integrity of the nation as a whole. I might clarify here that this constitution will come into force with effect from the first session of the National Assembly. By-elections to be held before this will, however, be on the same basis as the general elections already held, namely, the Legal Framework Order of 1970.

So much for the future constitution of Pakistan. Now to continue with my plan of transfer of power. As I said earlier, by-elections will be held to fill vacant seats in the National as well as in the Provincial Assemblies. Considering the mood of the people, I feel sure that the campaign for these by-elections will be based on the principles contained in the Legal Framework Order. No one will tolerate propagation of views which tend to militate against the integrity of Pakistan. I also feel that the campaign should be a brief one. After these elections are completed, the National and Provincial Assemblies will be duly summoned and gov-

ernments will be formed at the national as well as the provincial levels throughout the country. The National Assembly will not have to function as a constituent assembly but will become our central legislature as soon as it is sworn in.

Since the nation has recently been subjected to a very severe jolt, I have decided that the national and provincial governments will have at their disposal the cover of martial law for a period of time. In actual practice martial law will not be operative in its present form, but we cannot allow chaos in any part of the country, and the hands of the governments need to be strengthened until things settle down.

In order to meet the requirements of this new plan, the Legal Framework Order of 1970 will be duly amended.

THE TIME-FRAME OF THE PLAN

Let me now say a word about the time-frame of this plan. It is obvious that the plan, in its entirety, cannot be launched immediately because it is important that a reasonable amount of normalcy returns to the country before we think in terms of transferring power. But, on the other hand, the launching of the plan must not be delayed unduly. When we speak of normalcy, the main considerations are restoration of law and order, rehabilitation of the administrative structure which was badly disrupted, and a degree of economic rehabilitation.

As regards law and order, I am glad to be able to tell you that the army is in full control of the situation in East Pakistan. It has crushed the mischief mongers, saboteurs, and infiltrators. But it will take some time before the law and order situation becomes completely normal. The process is in full swing with the active cooperation of the people and their patriotic leaders. The people of East Pakistan have manifested a great sense of patriotism and national unity in helping the armed forces to root out miscreants and infiltrators.

As a result of the noncooperation movement, the economy of East Pakistan had come to a standstill. Widespread arson, loot and intimidation resorted to by the Awami League seccessionists, antisocial elements and infiltrators brought untold sufferings to innocent people. A large number of them were terrorised and uprooted and their properties were mercilessly destroyed. They have my fullest sympathy as also the sympathy of the entire nation. It would be inhuman if their speedy rehabilitation is not given priority and the attention it deserves. I would like to repeat once again that all citizens of Pakistan, of any religion, caste, or creed, who crossed the border and went into India, because of the panic due to false propaganda by the rebels, miscreants and others, must return to their homes and hearths. The Government of East Pakistan have made all necessary arrangements for their reception and transportation. I would ask the Indian Government not to put impediments in the way of these unfortunate people, who want to resume their normal lives in their own homes and who want to be re-united with their near and dear ones. We shall gladly and gratefully accept any assistance that the United Nations can extend in facilitating the move of these displaced persons back to Pakistan.

PARTICIPATION OF THE PEOPLE

I have heard a view being expressed that power should not be transferred to elected representatives of the people until complete normalcy has returned in every sphere. I am afraid I do not agree with this view, because it is utterly unrealistic and impractical. It also ignores one very important aspect of national life, which is that normalcy in its accepted meaning can never return to a country without full participation of the people in its administration. The very process of bringing back normalcy requires the active interest of people in the process and this can only happen when the representatives of the people assume responsibility for administration of the country.

TRANSFER OF POWER IN ABOUT FOUR MONTHS

I firmly believe that as soon as we have acquired a basic infrastructure of law and order and the various echelons of the administration gather full strength it will be possible for me to put my plan of transfer of power into operation. Appreciating the situation as it exists today and as it is likely to develop in the near future, it is my hope and belief that I would be able to achieve my goal in a matter of four months or so. The precise timing will naturally depend on the internal and external situation at the time. I am absolutely convinced that the country's integrity and well being lie in fulfillment of the plan that I have just outlined to you and in the achievement of the final objective.

Let me now turn to the vital subject of the economy. Recent events have cast their shadow on the general economic situation. The economy had been subjected to serious strains during a long period of political uncertainty before and after the elections. In March, the economy of East Pakistan was brought to a virtual standstill.

With the success of army action, the situation is generally returning to normal and economic activity is reviving in the province. I am sure that all patriotic elements in the province would rally round the forces of law and order to achieve complete normalcy and to restart the process of building up the economy of Pakistan.

The rehabilitation of the economy will demand both short-term measures and long-term strategy to rehabilitate it and revive it to its full vigour. For this purpose, we have taken many initiatives which will soon begin to produce the results we desire.

Our exports have sharply declined in recent months in East Pakistan, causing a drain on our foreign exchange reserves, which were already under severe strain. Collection of taxes has also suffered at a time when we need all the resources at our command, to preserve our national integrity and maintain the tempo of economic activity.

The government is taking various steps to meet the present difficult economic situation. These are not always pleasant decisions. We have to use our resources with much greater restraint. This involves hardship and sacrifices. But there is no alternative. This is the only realistic way for a nation to solve its economic problems.

Some weeks ago, I ordered a thorough revision of our import policy. All unessential items or those without which we could do for some time were banned even under the bonus scheme. Bonus vouchers thus released are to be used under the revised import policy for raw materials and other essential imports.

MAXIMUM ECONOMY AND AUSTERITY

In domestic spending also, maximum economy is being exercised. For the next year we have prepared a modest development programme which would meet our immediate and unavoidable needs The emphasis would be on rehabilitation of the economy, particularly in East Pakistan.

I want the country to make early progress towards self-reliance. We must look increasingly towards our own resources for meeting our national objectives. This requires maximum austerity in both public and private spending. The Government is making all necessary adjustments in economic policies with this objective. But these can succeed only with the enthusiastic support of the people. Let us, as a nation, adopt a more austere way of life suited to our own stage of economic development and eschew every form of ostentatious consumption.

For many years now we have been receiving aid for our development programme from a number of aid-giving countries. This we thankfully acknowledge. I regret to have to say, however, that lately there have been indications that foreign aid is acquiring certain political overtones and the people of Pakistan are getting the impression that strings are sought to be attached to such aid. If this be the case, let me say it quite categorically, that aid which seeks to make in-roads into our sovereignty is not acceptable to us. We shall be fully prepared to do without it.

I am confident that the private sector would come forward to play an active role in developing Pakistan's own resources. Private investment financed from its own savings can play a major role in reviving the economy at this stage.

This is an hour of crisis for the nation. We need the same determination and resolute will which we showed on a number of previous occasions to safeguard the integrity of Pakistan against internal upheavals and external aggression. Each one of us has a *duty* to work hard and to rebuild the momentum of economic activity. This is necessary to generate resources for economic development. Each worker in a factory and peasant on his farm can contribute to this national effort by taking part in the overall effort to maximise production and make his contribution to the integrity and solidarity of Pakistan.

MAXIMISE PRODUCTION AND EXPORTS

Let us resolve today, individually and collectively, to maximise production and exports. We must work hard and learn to reduce our dependence on others in every field in the shortest possible time. Any sacrifice which this will entail must be borne with patriotic fervour and national solidarity.

I appeal to both labour and management to maintain the best of relations. Let there be understanding and accommodation rather than bickering and strife. Strikes and lockouts should be avoided at all costs. Such wastage of the country's productive capacity would be totally unpatriotic at this critical juncture in our national life. I cannot afford to let such unpatriotic activities go unchallenged. Stringent measures shall be taken to curb such tendencies.

Our agriculturists have done a remarkable job in recent years. Food production has increased rapidly since 1965, bringing the country to the threshold of food self-sufficiency. Let them consolidate and improve on their performance in food-grains and at the same time turn their attention to the production of export crops which present great opportunities for increased output. Government would be willing to provide all the necessary facilities and incentives for this purpose.

I have candidly presented before you difficulties we face today. But let this not give rise to despondency. A large part of the problem we face today is of a temporary nature. It has not affected the basic strength of the economy. We have a large potential for increasing production, both in agriculture and industry. We have today a sizable class of progressive agriculturalists, industrial entrepreneurs and middle class investors. These are assets on which the foundation of a rapidly developing economy are laid. The nation has faced a difficult challenge before in its short history. I have no doubt that we would be able to overcome the present difficulties with our united efforts and resume our endeavour to build for a prosperous and just society.

FOREIGN REACTIONS

Now a word about foreign reactions to our internal trouble. It is a matter of satisfaction that in the difficult situation that the country has faced in the past few months, reaction and response from an overwhelming number of countries has been one of sympathy and understanding of the problem

we are facing and are trying to resolve. Our friends abroad have given complete support to action taken by the government to maintain the unity and integrity of Pakistan. They have at the same time warned those who have attempted to interfere in our internal affairs to desist from such actions. I should like to take this opportunity to express, on behalf of the government and people of Pakistan, and on my own behalf, our appreciation and gratitude to them.

We are also heartened by the favorable response of the international community, particularly the United Nations Organisation and its agencies, to our need for cooperative assistance in repairing the damage to the economic life of East Pakistan. At present, we are engaged in consultations with friendly governments and with the U.N. Secretary-General for securing the necessary help for relief work in different fields.

Our plans for reconstruction of the economy and an early resumption of political activity in East Pakistan are threatened by India's continued interference in our internal affairs. Armed infiltration and open encouragement and assistance to secessionists have heightened tension between the two countries. There has also been a spate of unfriendly statements from responsible sources in India, threatening unilateral action against Pakistan if we did not yield to arbitrary demands. The need of the hour is to desist from such actions and statements as would further inflame the situation. It is through discussions and not through conflict that problems can be resolved. Statesmanship demands exercise of caution and restraint so that our problems are not further complicated.

WE WANT TO LIVE IN PEACE

As I have said before, armed conflict would solve nothing. On our part, we want to live in peace and harmony with all our neighbours. We do not interfere in the affairs of other people, and we will not allow anyone else to interfere in ours. If, however, a situation is forced upon us, we are fully prepared to defend our territorial integrity and sovereignty. Let there be no misunderstanding or miscalculation about our resolve to maintain the independence and solidarity of Pakistan.

My dear countrymen, in the end I would again like to impress upon you that this is an hour of trial for the nation. Each one of us has to do his utmost honestly and sincerely so that our homeland, which is so dear to us, continues its march on the path of progress. No sacrifice would be too great to bring back economic stability and to ensure the unity of Pakistan. What we need to meet this challenge is a revival of the spirit and enthusiasm with which we succeeded in establishing Pakistan, and firm determination and resolute will which we have on many occasions shown in defending our country from internal and external threats.

Our enemies are gloating on false hopes of disunity amongst our ranks. They have tried their level best to undo our dear country, but they forget that they are dealing with a people who have an unshakable reliance on the help of almighty God. Let us rise to the occasion, let us come up to the expectations of the Father of the Nation and once again prove it to our enemies that we are a united nation, always ready to frustrate their designs and foil their evil intentions, and that any effort to harm us will spell their own disaster.

I have full faith in the patriotism of our people and I am sure that every single Pakistani will cooperate with me wholeheartedly in the achievement of our common goal, namely, the restoration of democracy in the country, preservation of its integrity and solidarity and betterment of the lot of the common man. May God grant us success in our efforts. God bless you all.

[From the Evening Star, July 7, 1971]

INDIA PREPARES TO ACT ON REFUGEE ISSUE

(By Kuldip Nayar)

NEW DELHI.—India is clearing the decks for stronger measures than it has applied so far to deal with the situation created by the 6 million people, mostly Hindus, who are refugees from East Pakistan.

As far as India is concerned, Pakistan is deliberatly driving the refugees into India. There is continuing public clamor for the government here to take steps—including war—against Pakistan.

A state of emergency is being considered for the eastern states—Assam, West Bengal, Nagaland, Tripura, Manipur and Meghalaya—bordering on Pakistan. This measure, which gives martial law-like powers to the government, was adopted at the time of the India-Chinese Border War in October 1962.

Already New Delhi has armed itself with an Internal Security Act under which any person can be detained for six months without trial. The British government used a similar statute to detain members of the Congress party, who are now at the helm of affairs and who were then waging an independence struggle.

Also, West Bengal has come under the direct rule of New Delhi, and the state legislature has been dissolved. A central minister has been designated to look after the state's problems exclusively.

Nearly half a million refugees, out of a total of 6 million, have been moved from the border to the interior, and most of the others are being removed from places right on the border. U.S. and Soviet transport planes are helping in this transfer.

The reasons for what looks like India's preparations for some action are many.

One, before Gen. Yahya Khan's recent broadcast there was a ray of hope that pressed as Pakistan was by the world powers, including the United States. Yahya Khan might make a gesture toward the Awami League which won 98 percent of the seats in East Pakistan in the elections for the National Assembly two months before the military action of the West against the East.

Instead, Yahya Khan called upon Awami League members to denounce their leader Sheikh Mujibur Rahman. At the same time he said he would disqualify from membership of the assembly those who had participated in "anti-national activities."

Two, despite the favorable response which India's foreign minister, Sardar Swaran Singh, reportedly aroused in the world capitals, including Washington and Moscow, to India's predicament in the wake of the refugees' influx, there has been no visible effort to curb Pakistan. It is still, as far as India is concerned, hounding out the Hindu minority from its eastern wing.

Indian opinion remains shocked over the reports that arms have been shipped by the United States to Pakistan. The Indian foreign minister has said that "the attitude of the U.S. government, to say the least, is extremely callous."

Indians also feel the help received for refugees relief is woefully small—$40 million against India's expense of $400 million for the first six months.

Three, there is strong pressure within India, even from believers in nonviolence like Jayaprakash Narayan and J. B. Kripalani, that there is little left other than to take some strong action against Pakistan.

Narayan, who recently returned from an extensive tour of over a dozen foreign countries, says that if India acts against Pakistan, it will have to go it alone because no country was prepared to undertake any burden except, possibly, a share in relief for the refugees.

The Indian government has resisted successfully all the pressures so far. Mrs. Indira Gandhi, the prime minister, has said more than once that the solution to the problem created by the influx of 6 million refugees from East Pakistan is neither war nor the recognition of Bangla Desh.

Last week she told her party members that she would not be pushed to taking an "adventurous step."

The fact that she is taking certain steps to deal with the situation on India's eastern border itself indicates that she wants to at least mollify irritated public opinion.

PAKISTAN—PROTRACTED WAR

Almost from the moment President Mohammed Yahya Khan unleashed his army on Pakistan's eastern region three months ago. he has been under mounting pressure both at home and from abroad to seek a political rather than a military solution to the crisis. Thus, when Yahya announced that he would address the nation last week on his plans for the future of Pakistan, there was a ripple of hope that he would finally offer an olive branch to the battered but still-defiant Bengalis of East Pakistan. The speech, however, proved a stunning disappointment to those who longed for an end to the strife that has cost more than 200,000 Bengali lives and driven 6 million refugees into India. "That wasn't a speech," quipped one foreign diplomat. "It was a regimental order."

There was good reason for this view. For instead of seeking to convince the Bengalis that they still had a future within united Pakistan, Yahya seemed bent on antagonizing them even further. He blamed the civil war on Sheikh Mujibur Rahman, the imprisoned political leader of East Pakistan, claiming that "Mujib" had plotted from the beginning to divide the nation "through physical violence." Banning the East Pakistan-based Awami League, which won control of the National Assembly in last December's elections, the President promised to revive national and provincial legislatures as soon as "law and order" is restored. But above all, Yahya made it clear that even if such a "transfer of power" to civilians is achieved—at a still unspecified date—martial law would continue for some time.

HOSTILITY

Small wonder, then, that Yahya's words were received coolly in West Pakistan and with open hostility in the east. Said one high Bengali civil servant: "Yahya has offered us nothing but the back of his hand. Of course, this is a boon to the liberation movement. If he had offered us something, there might have been some who would have given it a try. This way he has assured the undying opposition of Bengal."

The evidence last week was that such opposition was not to be taken lightly. For despite the fact that the West Pakistani Army still controls East Pakistan, there are numerous indications that rebellion is far from over. The once-disorganized Mukti Fouj liberation fighters have recently shown impressive progress in guerrilla warfare. They have blown up dozens of bridges, cutting major rail lines and highways. They have destroyed electric power plants. And they have assassinated members of non-Bengali "peace committees," appointed by the military to provide local government. As a result, Yahya's army is growing nervous, and two additional divisions have been requested to reinforce the four already in the eastern region. "This is the way it started in Vietnam," foreign diplomat in the East Pakistani capital of Dacca told NEWSWEEK's Loren Jenkins last week. "The army can hold on as long as it is willing to pay the price. But the government cannot afford to fight a protracted guerrilla war."

A similar conclusion was reached last week by a team from the World Bank, which coor-

dinates an eleven-nation consortium that supplies about $500 million a year in aid to Pakistan. After touring the devastated eastern region, the team recommended that aid be withheld in an effort to force Yahya to seek a political solution to the strife. The only opposition came from the U.S., which announced that it would continue its aid to Islamabad in order to maintain its influence with Yahya—and, presumably, to enhance the possibility of persuading him to move toward peace. The fallacy in such thinking, of course, is that thus far neither side in the conflict has shown any inclination to negotiate. Indeed, it may well be, as one diplomat in Dacca noted last week, that "there can be no reconciliation. Pakistan died the day the army entered the eastern region."

[From the New Yorker, July 3, 1971]

THE TALK OF THE TOWN

NOTES AND COMMENT

Last December, in accordance with the declared wishes of General Agha Muhammad Yahya Khan, a military dictator of Pakistan, free elections were held in that country for a constituent assembly that was to draft a constitution to return the government to civilian control. In the elections, the Awami League, the party of Sheikh Mujibur Rahman, won by a majority, in part because it was based in East Pakistan, or East Bengal, where more than half of the hundred and thirty million Pakistanis live. The Awami League immediately put forward a demand for regional autonomy, which was supported by most East Pakistanis—and not without some reason, since East Pakistan is separated from West Pakistan by a thousand miles of Indian territory, is far poorer than West Pakistan, and for many years now has been economically exploited by West Pakistan. But General Yahya Khan, after some parleying, condemned the idea of regional autonomy as secessionist (though how the majority could secede from the minority was never established). Then, on the twenty-fifth of March, a little over three months after the elections, he shelved the idea of a constituent assembly and, much as General Yakubu Gowon had done in Biafra and President Joseph Mobutu in Katanga, ordered his troops to crush the "secessionist" movement. In the months since, a large part of the intellectual and artistic community of East Pakistan has been exterminated, and, by State Department estimates, at least two hundred thousand Bengalis have been massacred. The military action has so disrupted the planting cycle of rice, the staple crop, that, according to one responsible British correspondent, as many as twenty million Bengalis are in danger of dying of starvation by the onset of winter. In the meantime, nearly six million refugees have crossed the border into India, and a hundred thousand more are arriving every day. Some of them have found shelter in tents, but many of them have been herded into crude and insanitary camps where they must live and sleep in the open. Thousands of these refugees have already died in an outbreak of cholera, the camps are now being deluged by the monsoon rains, and it is feared that many thousands more will die, not only of cholera but of pneumonia and other diseases. In an attempt to prevent the spread of infection to Calcutta—where, even under normal conditions, a million destitute people sleep every night on the streets, and where most people have no running water and no sewage facilities of any kind—the Indian government has placed a sort of cordon around the city.

Nevertheless, increasing numbers of refugees are slipping into Calcutta. The stability of India itself, the world's largest democracy, is threatened.

When, last November, almost half a million East Pakistanis perished in a flood, there was at least an outpouring of sympathy from the United States, and some medical and economic aid was provided. In contrast, not only has the unspeakable man-made disaster of recent months gone almost unnoticed here but until the middle of April America was shipping military supplies to General Yahya Khan's troops. True, our government has just pledged a total of ninety million dollars to India in connection with this crisis—about the amount it spends on the Vietnam war every couple of days—but only some of the money will go for direct relief of the refugees. Supposedly, one important reason we are still fighting in Vietnam is that our precipitate departure would lead to a massacre of South Vietnamese, but, despite the fact that hundreds of thousands of Bengalis *have been* massacred, President Nixon hasn't seen fit to make a single public statement about East Pakistan, ostensibly on the ground that Pakistan is a political and military ally, indispensable to the defense of Southeast Asia. It seems that the qualities of generosity and sympathy for which we as a people were long renowned have been so deadened during the Vietnam years that we are now unable to respond to the simplest and starkest of human emergencies.

JUNE 30, 1971.

Hon. RICHARD M. NIXON,
The President,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As you may know, the Subcommittee on Asian and Pacific Affairs of the House Foreign Affairs Committee is now holding hearings on the many bills and resolutions relating to ending the War in Indochina through congressional initiative. The major argument against such proposals is that such a fund cut-off or establishing a date-certain would restrict Presidential flexibility.

However, the recent Administration actions in regard to shipments of military equipment to the Government of Pakistan has caused me to wonder whether there really is any flexibility at all within the Executive Branch. In conversations with Members of the Foreign Affairs Committee, Administration spokesmen conveyed the clear impression that all military shipments were stopped on March 25, 1971, the date of the action by the Army of Pakistan in East Pakistan. Now, it seems clear from press accounts that the Administration has no power to stop any shipments which were approved before March 25, but which have left American ports recently or will leave American ports in the near future.

I regard March 25, 1971 as a crucial date in American-Pakistan relations; a date which must influence all subsequent events. It is my personal view that all American aid—military, economic, even food relief—must be channelled through international agencies for I am convinced that any aid to the Government of Pakistan will be diverted to their subjugation of the forces inside East Pakistan which won the recent election.

No matter what the Administration may feel about that view—spelled out in the Gallagher amendment (H.R. 9160) to the Foreign Assistance Act of 1961, which I cosponsored—it does seem to me that the Administration and I are agreed that military aid to the Government of Pakistan is inappropriate at this time. Yet, we see ships being loaded today and we are informed that more ships will be loaded with military supplies for that Government in the near future.

I therefore call upon you to show that the Executive Branch has flexibility and to stop the shipment of this obviously lethal equipment to the Government of Pakistan.

I would deeply appreciate your prompt consideration of this request, because continuation of such shipments increases the lack of respect for American credibility, adds to the problems of the compassionate Indian Government, and, quite frankly, makes it much less likely for any success to come from the efforts of the many people involved today in seeking justice and mercy in East Pakistan.

My kind regards.

Sincerely yours,

BENJAMIN S. ROSENTHAL,
Member of Congress.

[From the New York Times, July 4, 1971]

HINDUS ARE TARGETS OF ARMY TERROR IN AN

(By Sydney H. Schanberg)

FARIDPUR, PAKISTAN, June 29.—The Pakistani Army has painted big yellow "H's" on the Hindu shops still standing in this town to identify the property of the minority eighth of the population that it has made its special targets.

Members of the Moslem majority—who, though not exempt from the army's terror, feel safer than the Hindus—have painted on their homes and shops such signs as "All Moslem House."

The small community of Christians, mostly Baptists, have put crosses on their doors and stitched crosses in red thread on their clothes.

Compared with some towns in East Pakistan, Faridpur, which sits in the central part of the province 85 miles by road and ferry west of the capital, Dacca, suffered only moderate physical damage when the army struck here in April. The attack was part of the offensive begun March 25 to crush the Bengali autonomy movement.

Though a number of shops, most of them belonging to Hindus, have been razed in Faridpur, most of it is physically intact. But every other aspect of life has been shattered, and the hate and terror and fear that wrack the town make it typical of virtually every community in this conquered province of 75 million people.

EASED UP ON EXECUTIONS

Only about half of Faridpur's 35,000 people have returned, although the flow has been growing. Recently the army eased up on its executions and burning of villages in an attempt to demonstrate that normality has returned. The change in tactics began in mid-June, just before the central Government announced that it was allowing foreign newsmen back into the region.

An undetermined number of Faridpur's 10,000 Hindus have been killed and others have fled across the border to predominantly Hindu India.

Some Hindus are returning to Faridpur, but it is not out of faith in a change of heart by the army but rather out of despair. They do not want to live as displaced persons in India and they feel that nowhere in East Pakistan is really safe for them, so they would rather be unsafe in their own town.

A Hindu barber said that he was still in hiding but that he sneaked into Faridpur every day to do a few hours' work to earn enough to eat. "I come into town like a thief and leave like a thief," he said.

Those Hindus who slipped into town keep guards posted at night. "None of us sleep very soundly," a young carpenter said. "The daylight gives us a little courage."

THIS IS OUR HOME

A 70-year-old Hindu woman who was shot through the neck said that as bad as conditions were and as frightened as she was, "this is our home—we want to stay in golden Bengal."

On April 21, when the army rolled into Faridpur, the old woman and her 84-year-old husband ran to seek refuge in a Hindu village, Bodidangi, about three miles away. The next day the army hit Bodidangi and,

reliable local reports say, as many as 300 Hindus were massacred.

The old woman stumbled and fell as she tried to flee Bodidangi, she related, and two soldiers caught her. She said they beat her, ripped off her jewelry, fired a shot at point-blank range into her neck and left her for dead.

She and her husband had owned a small piece of property on which they rented out a few flimsy huts. Only the dirt floors are left, she said.

The campaign against the Hindus was—and in some cases still is—systematic. Soldiers fanned through virtually every village asking where the Hindus lived. Hindu property has been confiscated and either sold or given to "loyal" citizens. Many of the beneficiaries have been Biharis, non-Bengali Moslem migrants from India, most of whom are working with the army now. The army has given weapons to large numbers of the Biharis, and it is they who have often continued the killing of Hindus in areas where the army has eased off.

Hindu bank accounts are frozen. Almost no Hindu students or teachers have returned to the schools.

ASSURANCES BY YAHYA

President Agha Mohammad Yahya Khan has appealed to the Hindus to return from their hiding places and from India—possibly four million of the six million Bengali who have fled to India are Hindu—and has assured them of an equal role in East Pakistani life. However, army commanders in the field in East Pakistan privately admit to a policy of stamping out Bengali culture, both Moslem and Hindu—but particularly Hindu.

Although thousands of "antistate" Bengali Moslems have been killed by the army, the Hindu became particular scapegoats as the martial-law regime tried to blame Hindu India and her agents in East Pakistan for the autonomy movement.

In Faridpur—and the situation was much the same throughout East Pakistan—there was no friction to speak of between Hindu and Moslem before the army came.

The army tried to drive a wedge between them. In April, as a public example, two Hindus were beheaded in a central square in Faridpur and their bodies were soaked in kerosene and burned. When some Hindus, trying to save their lives, begged to convert to Islam, they were shot as unworthy nonbelievers (in some cases, however, converts are being accepted).

The army also forced Moslems friendly to Hindus to loot and burn Hindu houses; the Moslems were told that if they did not attack Hindus, they themselves would be killed. Most of the Hindu houses in the region around Faridpur—some say 90 per cent—were burned as a result.

Still, there is no sign of a hate-Hindu psychology among the Bengali Moslems. Many have taken grave risks to shelter and defend Hindus; others express shock and horror at what is happening to the Hindus but confess that they are too frightened to help.

Many Bengalis, in fact, feel that the army has only succeeded in forging a tighter bond between Hindu and Moslem in East Pakistan.

[From the New York Times, July 4, 1971]

EAST PAKISTAN—AN "ALIEN ARMY" IMPOSES ITS WILL

(By Sydney H. Schanberg)

DACCA.—"Doesn't the world realize that they're nothing but butchers?" asked a foreigner who has lived in East Pakistan for many years. "That they killed—and are still killing—Bengalis just to intimidate them, to make slaves out of them? That they wiped out whole villages, opening fire at first light and stopping only when they got tired?"

The foreigner, normally a calm man, was talking about the Pakistani Army and the bloodbath it has inflicted on East Pakistan in its effort to crush the Bengali independence movement.

Most of the foreign residents—diplomats, missionaries, businessmen—also talk the way this man does now. They are bursting with three months of pent-up anger and outrage. And they are very eager to tell what they know to those foreign newsmen who were permitted to re-enter East Pakistan in the past fortnight and travel around unescorted for the first time since March 25, when the army began its suppression campaign.

Pakistan's military regime considers the foreign press implacably hostile, but it is desperate to prove to the world its claim that order has been restored, that the army is in control and that normality is fast returning to East Pakistan.

The army is, indeed, in control, except for a few areas near the border with India, where the Mukti Fouj, or "Liberation Army," is active and growing more so—with aid from India.

Yet, East Pakistan is anything but normal. For this is clearly and simply a military occupation by an alien army.

Bengali police have been replaced by police from West Pakistan, the country's dominant wing that lies more than 1,000 miles away, with India in between. West Pakistanis are also being flown in to replace officials in every Government department, in some cases even down to the level of typists.

Houses and shops of those Bengalis who were killed or fled to villages in the countryside have been turned over to Moslem non-Bengali residents of East Pakistan, who are collaborating with the army. The temples of the minority Hindus—the army's special scapegoats—are being demolished for no other reason than to demonstrate that those who are not part of the army's design of "Islamic integrity" are not true Pakistanis and will not be tolerated.

Bengali youths, who just over three months ago were exultantly marching through the streets and shouting their slogans of defiance at the military regime, now talk in whispers, slipping up to foreign newsmen for a few seconds to murmur some information about a massacre, the murder of a family member or the destruction of a village. Anonymous letters containing such details find their way every day into newsmen's mailboxes at the Hotel Inter-Continental.

The effluvia of fear is overwhelming. But there is also a new spirit. Many of the Bengalis—a naive and romantic people—realize now that no other country is going to save them, that they will have to do it all themselves and that it will take a long time.

Significant numbers of young men are slipping off to join the Liberation Army, which operates from border areas and from sanctuaries just across the border in India. Bengali guerrilla terrorism is increasing. A number of army collaborators have been executed, and more and more homemade bombs explode in Dacca. The resistance is still sporadic, peripheral and disorganized, but it is growing.

With each terrorist act, the army takes revenge, conducting reprisals against the nearest Bengali civilians. Several hundred civilians were reported to have been rounded up and mowed down by the Army in Noakhali District recently after the Mukti Fouj executed a member of one of the army's "Peace Committees" and his wife and children.

The once widely held theory that the cost of the occupation would prove prohibitive and compel Pakistan to pull the army out fairly quickly has been discarded. Even without the World Bank consortium's massive annual aid, which has been suspended in censure of the repression, the Islamabad regime seems determined to keep its grip on East Pakistan.

President Yahya Khan's speech to the nation last Monday was supposed to have unveiled his long-awaited plan for returning Pakistan—East and West—to civilian rule. It turned out to be exactly the opposite—a declaration that the military dictatorship would continue, with a hand-picked civilian government as camouflage.

In his speech, which Western diplomats here described as "a disaster," the President, who is also army chief, heaped praise on the army for rescuing the country from "the brink of disintegration . . . by the grace of Allah." He also extended his "fullest sympathy" to the six million Bengalis, mostly minority Hindus, who have fled to India—"because of false propaganda by rebels," he said. He appealed to them to "return to their homes and hearths" for "speedy rehabilitation."

Just the day before President Yahya's speech, an army platoon stormed into several predominantly Hindu villages 30 miles from Dacca, killing men and looting and burning homes. Reports of similar pogroms come from other parts of the province. No one knows exactly how many Bengalis the army has killed, but reliable foreign sources here put the figure somewhere over 100,000—and possibly much higher.

The East Pakistani economy, which used to provide the national treasury not only with half its exports and foreign exchange but also with a captive market for West Pakistan's manufactured goods, has been badly crippled by the upheaval. However, the military regime seems willing—at least for the present—to pay the severe economic price of holding East Pakistan as a colony, no matter how sullen or resistant the population.

"It's a medieval army operating as if against serfs," said one Westerner here. "It will use any method just to own East Pakistan and keep milking it dry. Even if the Bengalis are serious about the resistance, it will take five to 10 years to make a dent."

[From Washington Daily News, May 18, 1971]

EMBASSY AIDE IS ALL FIRED UP OVER FIRING

Two civil servants holding minor positions in the Embassy of strife-torn Pakistan here have been discharged for reasons of "misconduct," apparently because one of them attended a congressional hearing on the Pakistani situation and the other a peaceful rally.

Both men are Bengali, the faction from East Pakistan seeking independence in the face of crushing government military might. Since March 25, thousands of Bengalis have been reportedly killed or maimed from bullets, starvation and disease. Hundreds of thousands, meanwhile, have taken refuge in India, which is sympathetic to the Bengali secessionist movement.

Abdur Razzaque Kahan, 34, of Arlington, contends he was fired yesterday from his job as assistant education officer because he attended a House subcommittee hearing which dealt with the Pakistani civil war on May 11. Mr. Kahan, whose wife is expecting their second child, has worked in the embassy since February, 1964.

The other man discharged was Ghausuddin Ahmed, who worked at the embassy since October, 1965, as a courier and an assistant in the accounts division. He was dismissed in April, shortly after he took part in a rally held by Bengali sympathizers at the Capitol and the White House. He has since moved to New York City and was unavailable for comment.

The embassy press attache confirmed the discharges, but refused to amplify the charges against the men. All he would say was that "nobody's fired because he's an East Pakistani, fundamentally."

He said, however, "no employe of the government of Pakistan can participate in anything to do with politics. This is part of the fundamental structure of our government."

The press attache described Messrs. Kahan and Ahmed as "both locally recruited. They

have no long-term contract with the government, no pensions or claims. We keep these kind of people on as long as they behave themselves."

Referring to Mr. Kahan's attendance at the House hearing, the attache declared: "He has no business to be in those areas. There was a lack of discipline."

Mr. Kahan said he requested and was granted a leave of absence on May 11 to attend the House hearing. "So I couldn't think why they fired me. They've always appreciated my work. I have letters of commendation. But now they can say anything. They told me that my going there was an act of insubordination."

[From the Sunday Star, July 4, 1971]

PAKISTAN SEEKS U.S. BOMBERS DESPITE EMBARGO

President Mohammad Yahya Khan asked the United States to sell Pakistan seven B57 reconnaissance-bombers on June 9, three months after the government imposed a ban on all military sales to his country, diplomatic sources said yesterday.

Even though Pakistan is near bankruptcy because of the civil war that erupted in East Pakistan in late March, Yahya apparently is willing to pay the $1,250,000 that each of the sophisticated jet planes would cost, or a total of $8,750,000.

State Department officials, acknowledging Yahya's request, said it was being held in abeyance while the United States reviews its entire military assistance program to Pakistan.

The request heightened the anger of Indian diplomats already smarting from disclosures that military equipment was shipped from New York aboard Pakistani vessels in late June in violation of the sales ban.

Both incidents are considered certain to be discussed when Dr. Henry A. Kissinger, President Nixon's national security affairs adviser, visits India and Pakistan next week on his way to Paris from Saigon.

Pentagon officials would not comment on the Pakistani request.

The B57, which was manufactured until 1959, can be used as a tactical bomber with a 6-ton bomb load or for reconnaissance at altitudes of 50,000 feet.

There was concern here that the jet request indicates that Pakistani officials do not take seriously the ban imposed by the United States in early April, retroactive to March 25, the date the East Pakistan civil war began.

State Department officials acknowledged June 23 that the embargo had been violated. It was understood that about $2,000 worth of aircraft engine parts and accessories had been shipped on a Pakistani vessel from New York despite revocation of the sale license.

The department indicated it was a case of a Defense Department subcontractor making a delivery agreed upon before the ban went into effect.

Some officials believe Yahya has interpreted such shipments as a signal of tacit endorsement by the Nixon administration of his stern measures against East Pakistan.

There also was concern here that Pakistan envoys are misinforming Yahya about the real extent of international criticism of his methods of putting down the civil strife. This, they fear, could undermine world pressure on Yahya to restore civil government in East Pakistan.

H.R. 9160

A bill to amend the Foreign Assistance Act of 1961 to suspend all assistance to the Government of Pakistan

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 620 of chapter 2 of part III of the Foreign Assistance Act of 1961, relating to prohibitions against furnishing assistance, is amended by adding at the end thereof the following new subsection:

"(v)(1) All military, economic, or other assistance to the Government of Pakistan, all sales of military equipment, and all sales of agricultural commodities (whether for cash, credit, or by other means), under this or any other Act, shall be suspended on the date of enactment of this subsection.

"(2) The President shall take measures as may be necessary to assure that no military equipment provided by the United States to any other country shall be transferred to the Government of Pakistan. If the President determines that any such transfer has been made after the date of enactment of this subsection, he shall suspend all assistance under this or any other Act to the country making the transfer and shall suspend all sales of military equipment under the Foreign Military Sales Act to such country.

"(3) The provisions of this subsection shall cease to apply when the President reports to the Congress that international inspection teams have ascertained that the Government of Pakistan is cooperating fully in allowing the situation in East Pakistan to return to reasonable stability and that refugees from East Pakistan in India have been allowed, to the extent feasible, to return to their homes and to reclaim their lands and properties."

A PIONEER

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. MAZZOLI. Mr. Speaker, I would like to call the attention of my colleagues to the accomplishment of one of my constituents. Lee A. Dentinger, who has been totally deaf since 2 years of age, has just graduated from Jefferson County Area Vocational School as an expert in electronics and television repair.

Because of his accomplishment at the school, there is a new understanding among the teachers and staff of the need and the possibilities for training those with hearing handicaps. Next fall, for the first time, nearly all of the vocational school's programs of study will be opened to people with hearing handicaps.

Mr. Dentinger has shown the way, and because of his dedication and hard work new opportunities have been opened to others whose talents might otherwise have gone undeveloped.

Mr. Speaker, I would like to recognize Mr. Dentinger's achievement by inserting in the RECORD at this point an article by Linda Stahl that appeared in the Louisville Courier-Journal last week. It is entitled, appropriately, "A Pioneer."

A PIONEER

THE FIVE-YEAR EFFORT OF A DEAF STUDENT INSPIRES A VOCATIONAL STUDIES PROGRAM FOR OTHERS LIKE HIM

(By Linda Stahl)

Five years ago Lee A. Dentinger enrolled as a part-time electronics student at Jefferson County Area Vocational School in Jeffersontown.

While holding down a full-time job during the day, he faithfully attended classes three hours a night, five days a week, eleven months out of each year.

This week, with no special ceremony, Dentinger received his graduation diploma, having completed 2,640 hours of training in electronics and an additional 317 hours of training in television and radio repair.

Although a modest man, Dentinger, 42, is rightfully proud of his accomplishment and the school officials are especially impressed by him. He is the first deaf student to be graduated from a state post-secondary vocational school.

He leaves behind him not only a good scholastic record but the inspiration for a program that will open all areas of the school's vocational study, except nursing, to deaf persons this fall for the first time.

They will be able to study in courses like printing, business and office education and drafting in regular classes where they will be aided by "interpreters" competent in sign language.

Dentinger has been totally deaf since he lost his hearing through an illness when he was 2 years old. But he was trained to speak, read lips and use sign language and he explained in an interview last night how he feels about the new vocational educational opportunities for the deaf.

"It is good that we can train the deaf now so we can have better pay," he said. "A lot of hearing people shy away from giving us jobs, but now we will be qualified for better ones."

Dentinger realizes that he is a lucky exception among the deaf population because for 20 years he has had a job he likes as a data processor at Beiknap, Inc., 111 E. Main. It was because of his job that he became interested in learning more about electronics.

In addition to being able to bring more knowledge to his regular job, Dentinger is now able to hold down a parttime job on Saturdays at Newland Electronics as a TV and radio repairman.

It's a vocation that he loves, but his wife, Harriette, jokingly complains that he hasn't had time to fix their own television set.

Dentinger, his wife, and two children, Lee Jr., 8, and Lisa, 4, live at 2333 Winston Ave. Although both his children enjoy normal hearing, his wife, too, is totally deaf. But in graceful and rapid sign language, she whips off the things she wants her husband to do in the evenings now that he has completed his nightly courses. Cut the grass. Paint the house. Stay at home.

Often there to interpret during conversations between the Dentingers and persons who do not know sign language is Jesse L. Wright, night guidance counselor and mathematics teacher at the vocational school.

He has been teaching himself sign language for three months. "It was through Lee that the school got interested in opening classes to the deaf," Wright said. Last January two courses were opened to those with hearing handicaps and Wright, along with Dr. Charles E. Aebersold, wrote the program of study.

Now Bill L. Evans, regional supervisor of the school, has given the go ahead to open all courses, except nursing, to the deaf, and federal money will help cover the additional costs.

"I've learned more patience and understanding through this experience," Wright said. "I have become aware of the willingness and keen awareness of deaf students."

COMMITTEE MOVE AGAINST CBS "CONTEMPTIBLE"

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. STOKES. Mr. Speaker, I call to your attention the July 4 article by Mr.

Carl T. Rowan entitled "Committee Move Against CBS 'Contemptible.' "

It is to Mr. Rowan's credit that he has again, in no uncertain terms, gone right to the guts of an issue which could influence the history of our Constitution and our country. I speak, of course, of the House Commerce Committee's contempt citation of the president of CBS, Mr. Frank Stanton.

In his article, Mr. Rowan reminds us that it is the responsibility of all the media to bring to account those individuals, whether appointed or elected, who are supposed to serve the public good.

The fact, Mr. Speaker, is not that CBS went too far with "The Selling of the Pentagon." which was a most responsible journalistic effort. Rather, what was pointed up with the showing of this valuable documentary is that we should have more of the same, more of the time.

Mr. Speaker, is it our fate to let the Commerce Committee govern the amount and quality of educational materials we can perceive? Are we to be subjected to continuous viewing of the caliber of "Petticoat Junction"? Are we to pander to the lowest tastes of our population? Or should we try to educate our citizenry to the fact that the world is not as perceived in half-hour situation comedies, half-hour newscasts, or even in half-hour speeches by politicians?

As our universe grows in complexity, our newspapers and television must respond accordingly and from a position of strength. The Government should not be permitted to dilute the information we receive. But this is precisely what will happen if the House concurs in the Commerce Committee's contempt citation. We might as well resign ourselves to being a Nation of mindless automatons who learn everything we know of the world from the "Beverly Hillbillies."

I urge my colleagues to fully consider the magnitude of the consequences of finding Mr. Stanton in contempt.

Submitted herewith is Mr. Rowan's article as it appeared in the New Bedford, Mass., Sunday Standard-Times on July 4, 1971.

COMMITTEE MOVE AGAINST CBS "CONTEMPTIBLE"

(By Carl T. Rowan)

WASHINGTON—Members of the House Commerce Committee have let their egos overload their logic, so pride apparently is going to drive them to push contempt proceedings against Dr. Frank Stanton, president of the Columbia Broadcasting System.

And that will produce another constitutional confrontation every bit as historic as the great hassle between the newspapers and the government over "the Pentagon Papers."

Rep. Harley O. Staggers, D-W.Va., chairman of the House committee, wants Stanton held in contempt of Congress because Stanton refuses to give Congress all the films, scripts, and recordings that contributed to CBS's controversial documentary, "The Selling of the Pentagon."

Stanton would not be worth much as a guardian of the public interest if he did not invite a contempt citation because what the congressmen seek to do is contemptible.

They want to establish a precedent under which politicians who don't like a television presentation can call in the producers and their rough film and scripts and try to impugn their motives and judgment in editing the program.

The day isn't coming when an American newspaperman will turn over his notes, or recorded interviews, or photographs and let some congressman or government official second-guess his choice of a lead, of quotes to emphasize, or photographs to print. The whole country is in trouble if Congress is permitted to single out television for this kind of bullying.

There has never been a television documentary of merit that did not irk some congressman. Some senators still curse "Harvest of Shame," the late Edward R. Murrow's great documentary on migrant workers.

A moss-backed minority in the Congress screamed angrily when television focused its cameras on the ugly truth of hunger in America.

"The Selling of the Pentagon" has won some lofty prizes, but that won't silence the howls of those who, out of vested interests, feel compelled to defend anything and everything about the defense establishment.

Can anyone imagine television networks ever doing worthwhile programs on controversial issues if they are always subject to second-guess harassment from bellyaching congressmen who can pass judgment on whether the documentary meets their idea of "fairness"?

No group of politicians ought ever to have that kind of power, and it bespeaks a lofty level of arrogance, or conceit, that Rep. Staggers and Rep. William L. Springer, R-Ill., should imagine that the public wants them to exercise such power.

Stanton speaks for the preservation of a free society when he says:

"The chilling effect of both the subpoena and the inquiry itself is plain beyond all question. If newsmen are told that their notes, films, and tapes will be subject to compulsory process so that the government can determine whether the news has been satisfactorily edited, the scope, nature and vigor of their news gathering and reporting activities will inevitably be curtailed."

Staggers counters with the argument that television is so powerful it "sends chills up and down the spine of many men in this country." Calling the networks the nation's most powerful instruments of public opinion, he said they "can ruin every president, and every member of Congress."

Staggers needs to be reminded that the 1st Amendment protections of the press were designed precisely to keep a few chills running down the spines of those who spend the public's money and do the public's business. Those chills are what keep a lot of public servants honest, including presidents.

If those constitutional protections were justified for the written media 150 years ago, when their power was viewed as awesome, they are justified for television in this frightful new atomic era when a powerful, free press is all the more needed.

One could at least entertain Staggers argument if the performance of the networks had been of such overweening abuse of power that numbers of honorable men were driven from public life into ruin. But such has not been the case; indeed, it might be said that the networks have dealt too gently with numerous scoundrels who deserved to be chased away from the public trough.

Stanton concedes that journalists make mistakes, including mistakes of judgment in editing. Some of the editing techniques used to prepare "The Selling of Pentagon" are certainly questionable.

Staggers, Springer, and other congressmen are within their rights to complain of what they think are errors, to attempt to call the public's wrath down upon an offending station or network. But the Constitution draws the line right there. And heaven help the people if the day ever comes when the politicians are given the bullying powers over this powerful medium that some House members now seek to seize.

TRIALS OF SOVIET JEWS

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mrs. ABZUG. Mr. Speaker, the latest in a series of trials of Soviet Jews has resulted in the conviction of nine Jews in Kishinev and their sentencing to 1- to 5-year prison terms. The trials of Soviet Jews and the unwarranted prison sentences imposed on them have justly been condemned by those who cherish individual liberty and freedom of conscience.

As one who has fought against violations of human and civil rights in my own country, I have called on the Soviet Government, in cablegrams to Moscow, in letters to its representatives here, and in public statements, to guarantee the rights of Jews to emigrate from the Soviet Union without hindrance and to permit them complete cultural and religious freedom within the Soviet Union.

The freedom of religion ostensibly guaranteed by the Soviet Constitution has been applied liberally to the Christian and Moslem denominations, such as provision of religious articles and church organizations and training of clergymen, but it has been severely curtailed for Jews.

It is particularly shocking that the Soviet Union should be continuing its policy of prosecuting Jews wishing to emigrate to Israel or expressing concern with the survival and maintenance of Jewish culture and religion within the Soviet Union at the very same time that it is relaxing barriers to such emigration. If this relaxation is to have any lasting significance it should be accompanied by the extension of true civil liberties to all Soviet Jews.

As the New York Times noted in its July 1 news report on the Kishinev trials:

The principal charge against the nine seemed to be their involvement in a group that coordinated information about Jewish life with other groups in Leningrad and Riga.

In other words, these Jewish defendants are being sent to prison camps for having exercised their most elementary rights and seeking to live as Jews.

I protest this deprivation of democratic rights, and call on the Soviet Government to abandon its policy of intimidation and repression against those Soviet Jews who seek to preserve their Jewish heritage. At this point, I include in the RECORD the full text of the Times news story reporting on the Kishinev trials:

NINE JEWS IN KISHINEV GET UP TO 5 YEARS

Moscow.—The Moldavian Supreme Court today found all nine Jews on trial in Kishinev guilty of anti-Soviet actions and sentenced them to prison-camp terms ranging from one to five years.

The 10-day trial in the Moldavian capital was the last in a series involving 34 persons—all but two of them Jews—who were arrested in the wake of an alleged plot by a dozen of them to hijack a small AN–2 plane in Leningrad last June and to flee abroad.

Eleven defendants got terms of 4 to 15 years last December in Leningrad—the death

sentences of 2 of these were commuted to 15 years—one got 10 years in a Leningrad courtmartial in January, 9 received terms of up to 10 years in Leningrad in May and 4 got terms of up to 3 years in Riga also last month.

TWO PLANS INDICATED

Judge Dmitri Boryuzha, who headed the three-man Moldavian panel, read the verdict, which said that the nine defendants had been involved in working out a plan for "a bandit attack" on a Soviet passenger plane and that some of the group had stolen a duplicating machine and "distributed anti-Soviet writings."

An account by Tass, Soviet press agency, left the impression that the nine in Kishinev were linked to the plan by the 12 in Leningrad to seize the AN–2 plane. The evidence at the various trials, however, has indicated that, except for the 12 actually arrested at the airport, the other accused had discussed and then discarded another hijacking plan.

Tass also left the impression that the stolen duplicating machine had been used to print the "anti-Soviet" material. Evidence at the trials, as reported by Tass earlier, indicated that the machine, a photocopier, had never been put into operation.

The principal charge against the nine seemed to be their involvement in a group that coordinated information about Jewish life with other groups in Leningrad and Riga. These groups distributed material pointing up what they regarded as difficulties encountered by Jews trying to live a Jewish life in the Soviet Union or seeking to emigrate to Israel.

EMIGRATION IS EASED

As a result of the trials, and the reaction to them, as well as some apprehension among Soviet Jews about a possible crackdown, the authorities have eased some of the barriers to emigration that normally apply to Soviet citizens. About a thousand Jews a month have been leaving the country, some five times more than in previous years.

All nine Kishinev defendants are members of the professions, with degrees in various scientific fields.

Tass said that "using coded telephone messages and contacts through foreign tourists, the criminal group systematically received advice and instructions from Zionist circles in Israel."

David Chernoglaz, who was charged with acting as liaison with Jews in Leningrad, was given a five-year term. Anatoly Goldfeld got four years. Aleksandr Galperin, two and a half years, and Arkady Voloshin, Semyon Levit, Lazar Trakhtenberg, Harry Kizhner and Gilel Shur, two years each. David Rabinovich got one year.

In addition, Jewish sources said, five witnesses who refused to testify received six-month suspended sentences.

"FORESTRY SPECIAL" IN BANKS, ALA.

HON. WILLIAM L. DICKINSON

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DICKINSON. Mr. Speaker, on May 13 Seaboard Coast Line Railroad Co. conducted a "Forestry Special"—a cooperative field program concerned with forestry, ecology, and natural resources. Seaboard ran a special train carrying the Governor, Lieutenant Governor, members of the Governor's cabinet, State legislators, educators, and business and industrial leaders from Montgomery to Banks, Ala., for a field program.

On May 24 I placed in the CONGRESSIONAL RECORD a copy of the proceedings of the special program and listed the cooperating companies, organizations and individuals who donated time, money, and energy in assuring the success of the program. A serious oversight was made when this list was prepared, and I would like to take this opportunity to make a correction. The First Farmers & Merchants National Bank of Troy—a very fine financial institution—donated money for the operation of the program. Again, I was pleased to participate in this undertaking, and I salute Seaboard and the companies, organizations, and individuals who made it possible.

MALE AND FEMALE WORKERS: THE MYTH AND THE REALITY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. FRASER. Mr. Speaker, a myth is an unproved collective belief, accepted uncritically and often used to justify an existing social institution or the status quo generally. The Women's Bureau of the U.S. Department of Labor Employment Standards Administration recently punctured some existing myths concerning working women. The Bureau published in April a three-page bulletin, "The Myth and The Reality." Nine traditional beliefs about female workers are effectively rebutted.

I am pleased by this publication. Needed social change is not facilitated by obeisance to myth. Reality must govern our actions.

The bulletin follows:

THE MYTH AND THE REALITY

Male Workers More Equal Than Female Workers?

No! All Workers Are Equal.

THE MYTH

A woman's place is in the home.

THE REALITY

Homemaking is no longer a full-time job. Goods and services formerly produced in the home are now commercially available; labor-saving devices have lightened or eliminated much work around the home.

Today half of all women between 18 and 64 years of age are in the labor force, where they are making a substantial contribution to the growth of the Nation's economy. Studies show that 9 out of 10 girls will work outside the home at some time in their lives.

THE MYTH

Women aren't seriously attached to the labor force; they work only for "pin money."

THE REALITY

Of the 31 million women in the labor force in March 1970, nearly half were working because of pressing economic need. They were either single, widowed, divorced, or separated or had husbands whose incomes were less than $3,000 a year. Another 5.7 million were married and had husbands with incomes between $3,000 and $7,000—incomes which, by and large, did not meet the criteria established by the Bureau of Labor Statistics for even a low standard of living for an urban family of four.

THE MYTH

Women are out ill more than male workers; they cost the company more.

THE REALITY

A recent Public Health Service study shows little difference in the absentee rate due to illness or injury: 5.9 days a year for women compared with 5.2 for men.

THE MYTH

Women don't work as long or as regularly as their male coworkers; their training is costly—and largely wasted.

THE REALITY

While it is true that many women leave work for marriage and childen, this absence is only temporary for the majority of them. They return when the children are in school. Despite this break in employment, the average woman worker has a worklife expectancy of 25 years as compared with 43 years for the average male worker. The single woman averages 45 years in the labor force.

Studies on labor turnover indicate that net differences for men and women are generally small. The 1968 rates for accessions and separations in manufacturing for men and women were 4.4 and 5.3, and 4.4 and 5.2, respectively, per 100 employees.

THE MYTH

Women take jobs away from men; in fact, they ought to quit those jobs they now hold.

THE REALITY

There were 31.5 million women in the labor force on the average in 1970. The number of unemployed men was 2.2 million. If all the women stayed home and the unemployed men were placed in the jobs held by women, there would be 29.3 million unfilled jobs.

Moreover, most unemployed men do not have the education or the skills to qualify for the jobs held by women, such as secretaries, teachers, and nurses.

In addition, the majority of the 7 million single women in the labor force support themselves; and nearly all of the 5.9 million widowed, divorced, or separated women working or seeking work support themselves and their families. They also need jobs.

THE MYTH

Women should stick to "women's jobs" and shouldn't compete for "men's jobs."

THE REALITY

Jobs, with extremely rare exceptions, are sexless. Women were found in all of the 479 occupations listed in the 1960 decennial census. Tradition rather than job content has led to labeling certain jobs as women's and others as men's. For example, although few women work as engineers, studies show that two-thirds as many girls as boys have an aptitude for this kind of work.

THE MYTH

Women don't want responsibility on the job; they don't want promotions or job changes which add to their load.

THE REALITY

Relatively few women have been offered positions of responsibility. But when given these opportunities, women, like men, do cope with job responsibilities in addition to personal or family responsibilities. In 1970, 4.3 million women held professional and technical jobs; another 1.3 million worked as nonfarm managers, officials, and proprietors. Many others held supervisory jobs at all levels in offices and factories.

THE MYTH

The employment of mothers leads to juvenile delinquency.

THE REALITY

Studies show that many factors must be considered when seeking the causes of juvenile delinquency. Whether or not a mother is employed does not appear to be a determining factor.

These studies indicate that it is the quality of a mother's care rather than the time consumed in such care which is of major significance.

THE MYTH

Men don't like to work for women supervisors.

THE REALITY

Most men who complain about women supervisors have never worked for a woman.

In one study where at least three-fourths of both the male and female respondents (all executives) had worked with women management was favorable. On the other hand, the study showed a traditional/cultural bias among those who reacted unfavorably to women as managers.

In another survey in which 41 percent of the firms indicated they hired women executives, none rated their performance as unsatisfactory; 50 percent rated them adequate; 42 percent rated them the same as their predecessors; and 8 percent rated them better than their predecessors.

THE REVEREND ARTURO SKINNER

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ROONEY of New York. Mr. Speaker, it has long been my policy to send flowers to the living—to pay tribute to those who are still with us rather than to eulogize those who have passed on. In this spirit I would like to call to the attention of all the Members of this body the magnificent public service record of one of my distinguished friends in Brooklyn. The respected Rev. Arturo Skinner, pastor and founder of Deliverance Evangelistic Center, Inc., is a man who fully deserves our praise and commendation for his great work in behalf of his fellow men.

Through his efforts and those of his constituent congregations, many hundreds of students are helped to obtain college educations.

More than 3,000 persons are helped each week—many of whom are dope addicts, alcoholics, and derelicts from all walks of life. Such help is focused on attaining continuous rehabilitation and employment.

Through Reverend Skinner's efforts, scores of elderly persons, widows, orphans, and displaced persons are given essential help.

Reverend Skinner's church activities are equally impressive as he lectures and ministers each month to thousands of ministers, missionaries and workers from across the United States. His centers located in 20 States and eight foreign countries, support missionaries in the United States, Asia, Africa, and elsewhere.

The full-time employees of his headquarters are responsible for editing and publishing the Deliverance Voice magazine, which is mailed to some 100,000 readers throughout the world. They also assist in the preparation for the Crusades conducted by Apostle Skinner over a large part of these United States.

Twenty-one radio stations in the United States and the Caribbean carry Reverend Skinner's radio broadcast, "Hour of Deliverance."

There is small wonder that Arturo Skinner is so wholeheartedly devoted to easing the lot of his fellow men, for he comes from that distinguished "Watson Family" so well-known for their dedication to public service. The late James S. Watson was the first elected Negro judge of a New York Municipal Court. His daughter, Miss Barbara Watson, serves as Administrator of the U.S. Department of State's Bureau of Security and Consular Affairs. His son, James L. Watson is a judge of the U.S. Customs Court. Arturo Skinner is an adopted son in this fine family.

Mr. Speaker, I am truly grateful that this devoted churchman and distinguished public servant is a fellow citizen of Brooklyn. I wish him and his colleagues the utmost in success in their many worthy undertakings. May God richly bless him and those whom he strives so diligently to help.

CALLS FOR GUIDELINES ON SURVEILLANCE

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SCHEUER. Mr. Speaker, I would like to bring to the attention of this body a letter sent me by the President of Swarthmore, Robert D. Cross. Dr. Cross is concerned, as am I, about recent developments which have led him to believe that the FBI has been conducting secret surveillance of the college, concentrating especially on student activists and black students.

I believe deeply in the importance of academic freedom as well as individual liberty. The "broad and indiscriminate surveillance" of which Dr. Cross speaks threatens both these concepts, and is therefore a cause for deep concern. The Congress must establish clear guidelines establishing definite limits on this kind of snooping. Dr. Cross delineates clearly and eloquently the issues and problems which arise from such surveillance in this important letter, which follows:

SWARTHMORE COLLEGE,
Swarthmore, Pa., June 1, 1971.

TO MEMBERS AND FRIENDS OF SWARTHMORE: According to documents widely reprinted, the FBI undertook over the past few years to maintain a special surveillance of Swarthmore College. To judge from the documents quoted, the FBI gave particular, but not exclusive attention to alleged "activists," and to black students and their organizations. Apparently the FBI attempt to secure special "informants" from among those living and working in the college community. A special committee of faculty, students, and an administrator appointed by me could find no clear evidence that the FBI had in fact enlisted informants. With the refusal of the FBI to comment at all, formal hearings by the College on the allegations made in the documents would be fruitless. Looking ahead, we are attempting to develop, define, and make more public procedures which will guide all members of the college community in preserving the confidentiality of records, safeguarding in the broader sense the necessary privacy of individuals, and promoting the mutual trust that is essential both for the College and for its right relations with the society from which it cannot be isolated. One specific outcome will be the promulgation this summer of a clearer set of guidelines for all in the community to respect.

But there is a broader issue, and a problem which the College can not resolve by itself, however judiciously it acts. I acknowledge the duty of the FBI to protect national security and to conduct investigations of specific criminal acts or conspiracies. But broad and indiscriminate surveillance may chill free speech and jeopardizes academic freedom. It steps beyond the line of punishing or deterring illegal action and inhibits the espousal of unpopular or controversial causes. If such surveillance is suspected to exist, no person at a college can know what opinion is "safe," nor to whom it may be "safe" to express an idea, nor with whom one may associate. Free speech and academic freedom may be threatened for many as effectively by the *suspicion* that an indiscriminate surveillance is being carried out as by the fact that such a surveillance is actually being carried out.

In our own situation, I believe that the kind of surveillance which the documents indicate Swarthmore College was subjected to exceeded any reasonable purpose the FBI may have had. It suggests a disregard for the normal liberties and inhibits the decent functioning of our kind of institution.

I am sending this letter to you, to our Senators, and to leading colleges and universities, urging them to join me in requesting that Congress and the Administration take effective measures to prevent the FBI from blanket surveillance of any college community. We shall do our best to be good citizens, at the same time that we resist unwarranted incursions from without. The government, in turn, must take every possible step to prevent these incursions from being attempted.

ROBERT D. CROSS,
President.

"YES: THE SHAWNEE COMMUNITY MINISTRY AND THE CRIME PROBLEM"

HON. ROMANO L. MAZZOLI

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. MAZZOLI. Mr. Speaker, all of us have been deeply concerned with the problem of crime in the streets, especially those of us who represent urban districts. We have passed legislation to provide Federal help to local jurisdictions and police forces, providing more money for law enforcement. Such aid is vitally needed.

But much of the responsibility for making our streets safe again lies with the people themselves. That is why it is encouraging to see people getting together and taking initiatives to make their communities more safe and peaceful places to live.

Mr. Speaker, I would like to bring to the attention of my colleagues the recent efforts in this direction by the Shawnee Community Ministry of Louisville. The community ministry, under the leadership of Mr. Eugene Robinson, has organized a noon-to-midnight escort service for women and elderly people who are residents of the Shawnee area, as a deterrent to crime. There will be 50 escorts on call during those hours at the Covenant Memorial Presbyterian Church, ready for immediate dispatch.

Mr. Speaker, this seems to me to be an admirable example of a community coming to grips with its problems, and I think Mr. Robinson and the Shawnee Community Ministry are to be commended for their innovative efforts.

For the information of my colleagues, I insert at this point in the RECORD the text of an article by Clarence Matthews in last week's Louisville Times about the Shawnee Community Ministry's YES—youth escort service.

WESTERN LOUISVILLE ESCORT SERVICE—SAFE CONDUCT OFFERED FOR THE ELDERLY

(By Clarke Matthews)

Elderly persons and women who have to travel the streets of Western Louisville alone will be given protection under a new crime-prevention program begun today by the Shawnee Community Ministry, Inc.

The community ministry, an association of several western Louisville churches created in March to solve social problems in their area, has organized the Youth Escort Service (YES) to work as a deterrent to rapes and robberies, which have been on the increase in Western Louisville in recent months.

YES will provide escort service from noon to midnight, said Eugene Robinson, organizer for the community ministry and originator of the program.

It will cover the area bounded by the Shawnee Parkway, Greenwood and the Ohio River.

The community ministry has applied for a $17,602 federal grant through the city and the Kentucky Crime Commission to operate YES on a year-round basis.

Most of the money would be used to pay the salaries of six senior and 44 younger escorts, who will be paid $2.50 an hour.

The remaining portion of the grant would be used to furnish and provide food for the "center" where the escorts will be stationed while they wait for calls for service, Robinson said.

"But we intend to do this (operate the service) on our own if we do not get the money," Robinson added.

He said 28 persons, 14 to 26 years old, including Kentucky Colonels basketball forward Jim Ligon, already have agreed to participate. Young women will work in teams during the daytime, he said.

The escorts will be stationed at the Covenant Memorial Presbyterian Church, 3701 W. Broadway, in a center in the basement at the rear of the building.

When an elderly person wants to go to a store to cash a check or a nurse wishes to be met by someone at her bus stop, they will be able to call the center, which is temporarily using the church telephone number, for an escort. An escort will then be dispatched to accompany them.

Eventually, YES hopes to provide 24-hour service.

Escorts, who will not be permitted to accept tips, will be provided with an identification card bearing their picture, number and name. The cards are provided through the cooperation of the Louisville Police Department and other agencies.

Robinson said YES is the first step in what he termed a "community control" approach to problems in western Louisville.

"This started when the residents realized that if there was going to be any security in our area, we would have to do something ourselves," Robinson said. "There are too many people and not enough police."

If the grant is received, YES will provide opportunities for young people who currently have no means of earning money for themselves, he added. They will be paid while on duty at the center in four-hour shifts.

"They will just simply be there," Robinson noted. "Many of them were just hanging out anyway. . . . This will give them a chance to hang out while providing a community service."

The idea of community control could be expanded to deal with such problems as burglaries, muggings and keeping the streets clean, he said.

In its application for the grant, the community ministry said crimes against individuals have increased "to the point of being commonplace" in some sections of western Louisville.

The application is now before the Kentucky Crime Commission in Frankfort, Robinson said.

TESTIMONY OF THE AMERICAN INSTITUTE OF PLANNERS

HON. PAUL S. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SARBANES. Mr. Speaker, in testimony before the Joint Economic Committee on May 12, 1971, regarding regional planning issues, Mr. Robert Young speaking for the American Institute of Planners gave a thorough summary of planning activities at each level of government and suggested some changes in Federal programs he felt would encourage planning at the State and regional levels.

In addition to being chairman of the metropolitan and regional planning department of the American Institute of Planners, Mr. Young is also the able executive director of the Baltimore Regional Planning Council.

I believe Mr. Young's testimony deserves the careful study of the Members of the Congress.

I include Mr. Young's testimony:

STATEMENT OF ROBERT N. YOUNG

Mr. Chairman and members of the Subcommittee, I am Robert N. Young, Chairman of the Metropolitan and Regional Planning Department of the American Institute of Planners and Executive Director of the Baltimore Regional Planning Council. The American Institute of Planners is the national society of professional urban and regional planners and is devoted to improving the art and science of comprehensive planning. Our 6,000 members work at all levels of government and in private practice. Accompanying me today is Mr. Philip S. Clayton, Director of Program Services of my staff.

On behalf of the membership of the American Institute of Planners, I would like to thank the Committee for the opportunity to appear and present our views and recommendations on various regional planning issues, and to offer any assistance our organization can provide.

A new public planning structure is emerging today in the United States. It is specifically geared to increasing the decision making capacity of the elected public officials of the general purpose governments. In this emerging planning structure, the planning function is positioned in direct relation to this most important political decision making capacity. Key elements of this emerging planning structure are:

The President of the United States and the Executive Office of the President and Congress;

The Governors of the States and their State offices of Planning or Planning Coordination;

Regional Council of Governments made up of elected officials of the units of local general government, together with their professional staffs; and

Local general governments, the cities and counties of the country, with their planning departments.

Those who are elected to govern are responsible for the condition and the functioning of the physical, social, and economic environments of the jurisdictions they serve.

Those elected to govern must have the opportunity to govern and must be held responsible for the well being of the people and the government within their jurisdictions.

Any governmental arrangements of programs that becloud, confuse, or in any way inhibit the elected officials of the units of the general government of this country from meeting this responsibility head on must be swept away or otherwise altered.

The units of general government include the Federal government, the States, and the cities and counties of the country. These are the basic building blocks of our Federal system.

Special purpose solutions to governmental problems which operate outside this basic general purpose governmental framework must be carefully scrutinized and evaluated in terms of whether or not they strengthen the ability of the elected officials to deal with the problems and opportunities of their individual jurisdictions.

If such programs or governmental arrangments tend to cloud responsibility or weaken the general government elected official's ability to govern effectively, they must be redressed and reordered.

These principles do not in any way negate the great need for widespread citizen participation in the affairs of the government of this country. On the contrary, it is only when political responsibility is clear and understood—only when those responsible can be unequivocally recognized—that citizen groups can have a chance to participate with any hope that their positions will have an effect.

The concerns of planning and of planners are as broad as the concerns of those elected to govern—the chief executives and the legislative bodies.

Planning assists those who are elected to govern in the establishment of goals and targets, in the ordering of priorities, in the mixing of programs and the allocation of resources to achieve identified desired ends, and in the post audit evaluation of results. The planner's role is inexorably tied to the development, the application, and the evaluation of public policy and the identification of the public interest.

Under these circumstances, the proper positioning of the planners and the planning office is directly under the chief executive and through the chief executive to the legislative body. What I am speaking of here is policy planning, wherein activities of the various agencies, boards, and bureaus and departments of a government are most effectively mixed toward the end of achieving effective government in all of its aspects—where priorities and program targets can be established and the need and content of new program effort can be recognized and set.

The planning of a new town, the planning of the delivery of health services or outdoor recreation, or the planning for the most effective law enforcement system and the administration of criminal justice, important as these things are, are but pieces of the entire system. While functional areas of concern must be effectively and intelligently and creatively planned for and accomplished, they are not ends in themselves; they are parts contributory to the total aim of a healthy community and all subject to overview by resopnsible elected officials.

Too often, Federal law and policy as adopted by the Congress, and as administered by an agency within one of the major Federal departments, results in the setting-up of a functional planning hierarchy, complete with all of its trappings, all of the way from the Chairman of the Congressional Committee who wrote the functional program into law and his counterpart on the Congressional Appropriations Committee, through an As-

sistant Secretary and a Bureau Chief and their opposite numbers in a functional department in the State government, down to and including, in too many cases, a specialized single purpose Planning Commission at the regional level.

Under these conditions, concepts of a balance or even priority setting in attacking urban problems becomes a mockery to local elected officials as they have to deal with separate and often uncontrollable power centers in special purpose functional areas.

A recent study was conducted by Harold F. Wise and Associates concerned with the structure for regional decision making in an eight county area in North Central California, where there is a very effective Council of Governments in operation, doing a very respectable regional planning and coordination job. Remarkably operating within this region, there were, including the Council of Governments, seven separate planning agencies. The Council of Governments has a very broadly based planning program, including planning and intergovernmental policy development work in areas of land use, water and waste management, highways, mass transit, airports, open space, recreation, housing, law enforcement, and criminal justice.

But in addition to the responsibilities of this particular agency, planning is being undertaken separately by an Economic Development District, by two Comprehensive Health Planning Agencies, covering different parts of the region, but both organized under PL 89–749, and, in addition, a Regional Medical Program. There is a Multi-County Community Action Planning Agency to coordinate and plan for OEO poverty programs, and a Cooperative Area Manpower Planning System, all of these covering generally the same jurisdiction.

Beyond these seven planning agencies, there are five more special purpose agencies that had a planning responsibility and, in addition, the legislature has given these agencies regulatory responsibilities to enforce their plans. While these regions generally go beyond the boundaries of the other counties in question, they do cover the jurisdiction or parts of the jurisdiction that was had under study. These special purpose agencies deal with planning and regulation in water quality, air pollution, a third one in flood control, and a fourth one in the planning and regulation of land adjacent to major airports. The fifth one overlaps the region and extends into the adjacent state and deals with the physical development of a major and scenic inter-state recreation area.

In the airport land use case, State law directed counties to establish such Commissions, and one of the counties concerned determined that this responsibility should be carried on by the regional Councils of Governments, so this function is, in fact, fortuitously included under the umbrella agency function of the Council of Governments, even though State law did not require it to be so located.

This is indicative of the kind of thing that has been occurring at the State level and at the regional level throughout the United States as a largely unintended but very real consequence of increasing Federal participation in State and local activities, and the resultant splintering of the political decision making process throughout the country.

Special purpose functional planning removed from local political decision making by local general governments, no matter how highly qualified its staff, simply does not have a broad enough concern to integrate all of these activities into an effective governmental system of services.

Planning for economic development and the expansion of employment, law enforcement and the administration of criminal justice, delivery of health services, particularly to the poor, community action programs, manpower development, to say nothing of planning for education is often not being done effectively at the regional level in this country today.

There are laws that require that planning be accomplished in these functional areas. The target population of each of these programs is just about the same people, but we have a half dozen separate public programs going along their uncoordinated ways, supporting highly skilled staffs, and serving a people who must wonder just what is being done to them.

If vitally important American governmental traditions are to be preserved the Federal government must also take strong action to maintain the strength of local government so that it will not be overwhelmed by growing state and Federal governmental power. The Council of Governments movement, which I will discuss later, are means of strengthening local governments by enabling them to pool technical and other resources and to coordinate efforts.

For a long time, elected officials and planners have worked to tie planning in metropolitan areas and regions more closely with governmental policy making. The Council of Governments movement and expanded participation of elected officials in regional planning agencies over the last decade has gone a long way toward this objective. All of these provide forums through which local officials can discuss common issues and reach cooperative agreements. Most of them provide a mechanism for areawide review and comment on more than 100 categories of local applications for Federal grants. Many of them also have planning and research capabilities. This work often includes social and economic matters as well as physical development plans.

The Regional Planning Council of Baltimore with which I am associated, is one of the oldest of these kinds of organization. Its policy body consists of a majority of elected officials. It is required by state law to maintain a general development plan for the region and is now revising the plan which was adopted in 1967 after public hearings. The Council also conducts an areawide comprehensive health planning program in accordance with the Comprehensive Health Planning and Public Health Services Amendments Act of 1966; it conducts regional planning for Law Enforcement and the Administration of Justice under contract with the State of Maryland and in accordance with the Safe Streets Act; it does library planning under contract with the local and state library agencies in the region; it does some social and economic analysis under contract with the Baltimore Model Cities Agency; under funding from the Urban Mass Transportation Administration the Council did preliminary planning for rapid transit and helped in the creation of an agency to implement the plans. Much of the other work of the council, including housing and land use planning as well as work with local governments to plan and implement areawide utility systems, is financed by HUD under the Comprehensive Planning Assistance Program.

The work programs of regional agencies vary considerably, partly because of differing needs and interests and partly because of the sporadic financing which I will discuss soon. Some organizations do economic development planning under financing from the Economic Development Administration; some emphasize joint purchasing and other aids to efficient administration. Many still have very small staffs. In general, councils of government and other types of metropolitan and regional agencies have been increasingly effective in enabling member governments to do things together which they couldn't do separately.

THE FEDERAL LEVEL

The current situation

Planning assistance and planning requirement: In 1969, two parallel Federal Interagency Task Forces made recommendations to the then Bureau of the Budget, with regard to the various Federal Planning Assistance Programs and the Federal programs that contained within them planning requirements.

They found that there were some 36 Federal Planning Assistance programs on the books, which collectively carried appropriations during FY 1969 of approximately $300,000,000. These planning assistance programs were administered by 11 Federal departments and agencies; the responsibilities for administering the programs were spread among 18 separate offices or bureaus.

There are over 80 Federal programs that contain within them planning requirements as a condition to the receipt of Federal funds.

During FY 1969, over 40,000 applications were received by Federal agencies dealing with these programs, of which some 33,000 were approved. These programs are administered through 40 separate program offices in 11 Federal departments and agencies.

This, then, is the planning structure of the Federal government. Over 50 program offices currently develop and define planning and administer funds for planning assistance or interpret plans prepared.

From a Congressional point of view, the insistence of planning requirements as a condition to Federal financial assistance makes eminent good sense. Planning requirements are a form of insurance designed to protect and make useful Federal participation in local projects.

To the extent that planning requirements focus on a particular project, they ought to focus on the larger community. Federal planning requirements ought to say, as OMB Circular No. A–95 does say, "These things that we are helping to finance must fit together with related activities in a thought-through manner and be of long-range benefit to the total community." Comprehensive planning assistance works toward the same end:

The problem is not to reduce planning requirements or planning assistance, but to relate them directly to and within the framework of the American political decision making system and thereby the planning structure of the country, as outlined at the beginning of this paper. Under these circumstances, planning can make its maximum contribution.

Reorganization Plan No. 2: In partial reaction to this situation, and recognizing the need for more effective policy development and program management at the Federal executive level, the President issued Reorganization Plan No. 2 of 1970, which changed the name of the Bureau of the Budget to the Office of Management and Budget and established in the Executive Office of the President a new mechanism known as the Domestic Affairs Council.

Within the Executive Office of the President, the Domestic Council is to assume leadership for the development of domestic policy and thereby to tie together and, hopefully, to rationalize the efforts of the various Federal departments and agencies.

On the other hand, the Office of Management and Budget is responsible for the execution of policies and the management of the Federal establishment.

There is some hope that this recent development will be useful in bringing some order and providing direction to the maze of planning related programs scattered throughout the operational agencies of the Federal government.

Office of Management and Budget Circular No. A–95: OMB Circular No. A–95 is perhaps the single most significant Federal attempt to

date to tie together the Federal grant-in-aid system to the planning and coordination efforts of States and local regional intergovernmental planning and development agencies.

Congressional authority upon which this circular is based is contained in Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and Title IV of the Intergovernmental Cooperation Act of 1968. The mechanisms established by Circular No. A–95 are also used to secure the viewpoints on certain Federal or Federally assisted projects affecting the environment of State and local agencies which are authorized to develop and enforce environmental standards pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969.

Although A–95 is addressed to Federal departments and establishments, it calls for these departments and establishments to obtain the viewpoints of affected State and areawide regional clearinghouses on proposed projects for which Federal financial assistance is being sought under specific programs. Such comments and recommendations by the clearinghouses would include information concerning:

"The extent to which the project is consistent with or contributes to the fulfillment of *comprehensive planning* for the State, region, metropolitan area, or locality in the achievement of physical, economic, and social development objectives."

The Circular was recently revised and expanded. The revised list of programs includes more than 100 Federal assistance programs administered by 21 separate Federal agencies which are housed within 9 Federal departments: Agriculture, Commerce, Defense, Health, Education and Welfare, Housing and Urban Development, Interior, Justice, Labor, Transportation; together with 8 programs in 4 independent Federal agencies: The Appalachian Regional Commission, the National Science Foundation, the Office of Economic Opportunity, and the Water Resources Council.

This is a massive effort which, in accordance with Congressional mandate, seeks to relate significant portions of the Federal grant-in-aid system to State, regional and local planning.

While the bulk of the programs relate to Federally assisted construction of facilities, significantly included are Federal grants for *planning assistance* in such areas as air pollution control, solid waste, comprehensive health planning, the regional medical program, higher education, again, juvenile delinquency, comprehensive planning, community renewal, outdoor recreation, water pollution control, law enforcement, manpower planning, highway planning, urban mass transportation, community action, and water resources planning.

In order to properly comment on these planning proposals, the State and regional clearinghouses should have competence themselves for the enunciation of State, regional, metropolitan, and local objectives in each of these areas of concern.

Few, if any, State or regional planning agencies have totally achieved this competence at the present time.

All but two of the Standard Metropolitan Statistical Areas within the United States have organized regional clearinghouses and metropolitan planning agencies and are currently engaged in the project review process afforded by the circular.

In addition, approximately 150 regional (non-metropolitan) clearinghouses (optional with the Governors) have been designated by the Governors and are operating within the opportunities afforded by the Circular.

Metropolitan and regional clearinghouses today cover approximately one-half of the counties in the country. In these counties live over 80% of the population of the United States.

The list of regional planning agencies will expand and grow as Governors establish a system of planning and development districts to identify intergovernmental interests and to plan on an intergovernmental basis in the non-metropolitan areas of their states.

Needs for Federal policy and action: It would appear from the previous discussion that significant initial beginnings have been made to reverse the destructive and splintering effects on the States and special purpose oriented units of local general government of the hundreds of functional Federal grants-in-aid, including grants for special purpose planning.

The result of the President's Reorganization Plan No. 2 of 1970, establishing the Domestic Council and emphasizing the management side of the Office of Management and Budget within the Executive Office of the President, are significant beginnings in the direction of the development of integrated Federal policy, on the one hand, and the management of the Federal grant system in relation to State and regional comprehensive planning, on the other.

The effects of Circular No. A–95 are just beginning to be felt. However, both at the State and regional level, there needs to be considerably more done in the way of State and regional comprehensive planning in order to more fully develop agreed to and enunciated systems of regional goals, objectives, and priorities, and a system of program effort evaluation, all within a comprehensive planning process.

Unless this comprehensive planning process is nourished and accelerated, there is grave danger that the clearinghouse function will become merely a stopping off place for proposed projects and will contribute greatly to bureaucratic paper shuffling, rather than being a part of orderly development to achieve planned objectives.

In the best of all possible worlds, State and regional agencies should be so engrossed in and have such a total handle on the objectives of their jurisdictions that they should be initiating within their constituents applications for Federal assistance to carry out and implement their plans, rather than reacting to casual and occasional actions on the part of their constituencies.

When the clearinghouses reach this point, their review and comment function becomes much more simple, in that they have played a major part in the initiation and preparation of applications and know in advance that these activities are indeed designed as implementing actions to the realization of their own comprehensive planning objectives. The long-range contribution of A–95 will be the strengthening of orderly comprehensive planning at State and regional levels.

There is still, however, a series of desperately felt needs for additional strengthening of Federal policy and action within the framework established by Reorganization Plan No. 2 and Circular No. A–95.

1. Strengthening of the comprehensive planning process of the units of general government below the Federal level, including regional organizations, is an absolute must. At the present time, there are only two programs which provide comprehensive planning funds. These are the 701 program under the Housing Act of 1954, as amended, administered by the Department of Housing and Urban Development, and the Economic Development Act of 1965 through the Economic Development Administration within the Department of Commerce.

Each of these agencies, understandably favors institutions organized under their programs and in many parts of the country today, regrettably, there are Economic Development Districts operating within parts of one or more regional planning jurisdictions. Both are engaged in comprehensive planning and there is no consistent Federal policy which would merge these functions under a single agency and provide for joint funding to accomplish the objectives of these two Federal departments.

2. Consistent under-funding of the 701 program continues to be a basic problem: The 701 program was initially conceived within the Urban Renewal Administration for cities of under 25,000 population, on a 50–50 matching basis to permit these cities to engage in comprehensive planning in order that they would become eligible for the urban renewal program. The intent was to underpin a specific Federal categorical program: urban renewal.

In 1959, 1961, 1965, 1966, 1967, 1968, and in 1970, the purposes for which 701 funds could be used were expanded dramatically. The population ceiling for local planning assistance was removed, all counties became eligible, authorization for state-level planning support was included, the Federal grant share increased from 50% to ⅔, metropolitan Councils of Governments were included, as well as authorization for studies of State statutes, grants to the Appalachia Regional Commission and local development districts were authorized, and finally grants for non-metropolitan districts, Economic Development Districts, non-metropolitan Councils of Governments and Regional Commissions and planning for new communities were included.

Furthermore, the Housing Act of 1968 required that the land use component of all comprehensive planning should specifically contain a housing element for the jurisdiction concerned at whatever level of government such planning was accomplished.

During this period of time, Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 and the Intergovernmental Cooperation Act of 1968 were adopted and the number of intergovernmental Regional Planning Agencies increased from a mere handful to over 600, nationwide, at the present time.

In short, from the modest beginnings during FY 1955, when $1,000,000 was appropriated to the 701 program through FY 1970 and FY 1971, when $50,000,000 was appropriated, the demand has far outstripped the supply of dollars. In developing budgetary justifications for an adequate supply of 701 monies, there has never been, to my knowledge, an in-depth program analysis as to the needs for funding in relation to the demands established by the various Congressional actions which broadened the 701 program.

At the same time, HUD has set up its own system of priorities and special project categories which administratively broadens the demand areas for these funds.

Regional planning agencies, however, are still in precarious positions as participants in regional planning and decision making. The reason is not, as many allege, that membership in these bodies is voluntary. There is too much at stake in most regions for members to which to pull out—or to stay out long if they do. The problem is financial. These agencies have no taxing powers. Because of the crisis in local finance most of the financing of areawide agencies must come from Federal sources. Federal funding for regional agencies is still inadequate and unpredictable. Most Federal funding for regional agencies comes from the Comprehensive Planning Assistance Program, yet despite rising costs, creation of new planning agencies, and increasing demands on regional agencies by HUD, OMB and other Federal agencies *the funding of this program has been about static for four years—and it remains static for regional planning organizations in the President's FY 1972 budget for comprehensive planning and management even though funding for local and state planning agencies is proposed to be doubled.*

Funding regional planning agencies has reached a critical point. Unless increased

funding is provided, the planning and decision making capabilities which have been built at great effort in many areas will be lost. Precious time as well as money will then have to be spent later to re-establish these capabilities. *Already I have heard several reports of major areawide agencies which have had to lay off experienced professionals. When this happens in the face of urgent national needs to solve regional problems, something is wrong.*

The total investment being made in regional planning through HUD's Comprehensive Planning Assistance Program is about $20 million or ten cents per capita. The cost of public and private investment related to urban development has been estimated by the National Planning Association at 11% of the Gross National Product—with a trillion dollar GNP this would be about $110 billion per year. Within this total there are certain key investments, mainly public ones such as water and sewer systems, transportation and open space, which help to guide development. The technical tools, utilizing systems analysis and other methods, are now available to guide decision makers in making key public investments. In many cases the money is not available from local, state or Federal sources to do the necessary work. In other cases, such work is being done but by agencies which are not linked to local governmental decision making. These points will be discussed further in replying to the Chairman's five questions.

To carry out Congressional intent and to strengthen the comprehensive planning process, to support the structure of general purpose governmental political decision making as it is now evolving, would today require funding of at least $150,000,000 a year.

3. There has been a lack of reliability of not only the amounts but the timing of the flow of 701 funding: In addition to the problems outlined under Point 2 above, HUD has not developed, to date, consistent procedures which would permit local planning agencies to anticipate funding, either in terms of the time of delivery of dollars or in terms of the dollar amounts that would become available.

This is not intended to be critical of the hard-working personnel that deal with the 701 program. It is, on the contrary, a statement of fact that relates to the lateness of action on the HUD appropriation bill and the fact that the Department, unfortunately, since its organization as a Department in 1965, coupled with successive reorganization plans and the transitions occasioned by a change of Administration over the last two years, has not been in a position to establish internal consistency of policy with regard to the administration of the 701 program.

4. Funding should be projected on a two year rather than a single year basis: It is very hard to staff and conduct a work program on a year to year basis.

5. Another step to improve regional decision making within the framework of present law would be to appropriate funds for implementation of Section 205 of the Demonstration Cities and Metropolitan Development Act of 1966: This section provides a 20% bonus of Federal grants for key urban development projects to governments which participate in regional planning projects and governments which participate in regional planning and programming work. Funding of this section would provide a major incentive for implementation of the planning system outlines in the Chairman's letter of January 11, 1971.

6. Transportation planning funds should go to the sole regional planning agency in each SMSA: Another part of the Federal funding problem is the Department of Transportation's support of regional transportation planning. Under the Highway Act of 1962 SMSA's were required to have a continuing, coordinated comprehensive metropolitan transportation planning process. The Act further provided for 1½% of the highway funds allocated to states be given to state highway departments for planning. Often the metropolitan transportation planning process was not a part of the regional planning agency's program. Thus state highway departments, or autonomous transportation planning agencies, rather than regional planning agencies were the recipients of DOT's 1½% planning funds. It is now widely acknowledged that one regional planning agency in each SMSA should be designated as the land use and transportation planning agency for the SMSA. DOT and HUD should agree upon and designate one regional planning agency in each SMSA as the recipients of their planning funds.

7. HUD may have to promote its own programs and seek to utilize the 701 program to these ends: HUD has been the first and strongest supporter of comprehensive planning and management at local, regional, and state scales. How long it can provide this essential support is an important question.

Since the Department of Housing and Urban Development is one of several departments and independent agencies responsible to the President and since it stands on equal footing with all of the other departments, by the very nature of its organizational position in the Federal hierarchy, it must seek to establish a record for its own programs and utilize every devise at its disposal to support these objectives. This is the psychology of departmental organization and a part of the endless play of power politics between the large elements of the Federal structure. Its policies with regard to the support of comprehensive planning and coordination on the part of the general purpose governments and regional councils may state otherwise, but the fact of its organizational positioning must undermine and weaken the effectiveness of these enunciated polices.

To state it differently, many Federal officials and observers feel that comprehensive planning is regarded as "the glue" that enhances the executive management and coordination ability at the several levels of government. Because of the nature of HUD's operational programs and the need to establish a record of achievement, the "glue" function cannot win in the long run, as contrasted to the bricks and mortar of housing, open space, water and sewer, urban renewal and a host of other hardware oriented construction types of activity that HUD finances and supports.

Perhaps even more importantly, because of its departmental status in the Federal hierarchy, its equality with other departments and programs, the Department of Housing and Urban Development is not in a position to knock heads with other Federal agencies as their programs are implemented at the State and regional intergovernmental levels. HUD cannot require of comprehensive planning agencies that HUD funds be used to coordinate planning funded under other agencies programs health planning or law enforcement planning, for instance.

Whatever may be the aims of HUD, even with White House support, to use 701 as a coordinative instrument, its line agency status will always frustrate these objectives to some extent.

While it is proper for the Federal government to leave organizational arrangements to the States and localities, the Federal government must and should be in a position to strengthen the local comprehensive planning process and the responsibilities of locally elected officials, particularly in the most important emerging area of regional, intergovernmental, comprehensive planning.

The effective participation of elected local government officials in regional decision making depends on their having an adequate level of authority and accountability with respect to all aspects of planning being conducted in their own community and area of responsibility.

This objective can best be achieved when and if the Federal government, the State governments, and regional planning agencies are able as a matter of natural course, jointly to package available Federal planning assistance programs money in support of units of local general government and their comprehensive planning processes.

Again, given its position of equality with other operating agencies within the Federal structure, HUD does not seem to be in a position to effectively accomplish this very necessary packaging function.

8. There needs to be established a central planning coordination mechanism in the Executive Office of the President: Such a planning coordination mechanism would have as its principal objective the establishment of clearer and more consistent relationships between the various Federal planning assistance programs and the emerging planning structure of the country below the Federal level, ie., the Governors and their State planning operations and regional planning and policy development.

Such a central planning coordination mechanism in the Executive Office of the President can perform the packaging function and relate planning assistance programs to the units of general government below the Federal level.

A further function of this central planning coordination mechanism would be to develop consistency between the planning requirements of the over 80 Federal programs that contain planning requirements as the condition to Federal funding.

This planning and coordination mechanism would, of course, relate to the operations of the Domestic Council and the Office of Management and Budget reflective of the domestic policies developed by the Domestic Council and facilitate the management of the Federal establishment.

The President's New Federalism policies should insist on the accomplishment of this point, which is geared to the strengthening of the executive and the legislative functions of the States and the units of local general government.

THE REGIONAL LEVEL

Evolving structure

Adapting political structures within a region to solve contemporary social and economic problems remains an elusive goal. Even though this goal has been repeatedly advocated, organizational solutions to these problems as some form of governmental consolidation, has resulted in only a handful of general government consolidations. Organizing the planning functions of general purpose governments in metropolitan regions in ways that they can deal effectively with regional social and economic problems is a national dilemma that will be faced more and more frequently in the 1970s.

Organizing for the regional planning function will be determined by how we organize general purpose governments. Thus, the institutionalization of the planning process is highly dependent on the governmental structure it is intended to serve. The organization for regional planning will also suggest Federal, state and local governmental roles which can help the planning function meet its objectives.

Constitutional constraints

Because state government is responsible for creating local governments—cities, counties, townships—and for permitting local governments to provide services, state government plays the pivotal role in intergovernmental relations. Intergovernmental relations has been the Achilles heel of effective regional planning. Planning is highly dependent on voluntary cooperation which has proven difficult to attain in regions with a plethora of local government needs and interests to serve.

Voluntary cooperation may be supplanted by legislatively mandated governmental responsibilities at the regional level. This would require establishing a regional agency to provide regional services that can best be provided on a regional scale. State governments could permit or require regional service districts controlled by local elected officials (Virginia, for example, now permits this). In almost all states constitutional or statutory amendments would have to be passed and many would also require statewide referenda to require or permit regional service districts.

Interstate metropolitan areas represent special legal problems to mandatory regional services or planning. In order to establish regional service areas with taxing, operational and planning responsibilities that cross state lines, each state involved and Congress must pass legislation. There is no suitable alternative to interstate compacts for establishing an agency with these fundamental tasks.

Financing public improvements of area wide importance is a fundamental concern of regional planning agencies. More and more regional planning agencies have begun to realize their responsibility to identify the financial implications of development plans they prepare. Recommendations on regional transportation systems, water and sewer systems and open space are especially important determinants of regional development. The public investment decisions for these and other capital improvements are a continuous concern of many regional planning agencies.

Parameters of citizen participation in the regional planning process are established as a result of the organization for that process. The most effective avenues of communication between citizen organizations and regional planning policy making boards are: (1) through locally elected officials who comprise the boards, and (2) the public hearing process for regional development plans, functional elements of regional plans and regional scale projects at the time land is to be purchased for their construction. The first avenue permits citizens to communicate with their regional representatives through the ballot box and, while he is in office, directly on specific problems. The second avenue encourages organized citizen review and comment at the plan-making and initial public investment decision stages of the regional development process.

Regional planning and decision making on a wholesale scale is a relatively recent phenomenon. It is the newest and one of the most significant building blocks in the emerging planning structure of the United States. At the regional level, there are the following concerns:

1. Regional agencies must be structured so that they are composed at least of a majority of elected officials from units oi local general government within the region.

Thus structured, regional councils of elected local officials should be viewed as instruments of *an integral part of the system of local general purpose government* in the State. They exist for the purposes of determining the intergovernmental policies and activities of the local general purpose governments within the regions wherein they operate.

Having defined matters of intergovernmental importance, regional agencies should be able to move toward action on a cooperative, intergovernmental basis.

Regional councils, as a part of the system of local general purpose government, should be the sole policy and action "umbrella" agency for the region. They must be *the* agency to coordinate and direct all intergovernmental activities conducted within their region, whether such intergovernmental activities are conducted by special purpose units of government (e.g., special sewer, water, or transit districts), organized under State law, or special organizations established in response to Federal law or policy (e.g., health planning councils organized as non-profit corporations).

Coordination and direction should include at least the approval or modification of proposed work programs, financial arrangements, public works or the delivery of public services, jurisdictional boundaries, budgets, and organizational structure of special purpose agencies within the region should also be subject to regional council review, approval, or modification.

Such reviews by the regional council would be accomplished within a framework of adopted policies and the comprehensive planning program of the regional council.

Regional councils should plan the location, timing of improvements, and capital improvements programming for the public facilities necessary on an intergovernmental basis within the region.

Some local officials fear regional councils as the interposition of a "new layer of government." It must be recognized that there generally already *is* another layer of government at the regional scale—the special purpose districts operating in or special purpose groups planning in the region.

Regional councils should be able to easily organize and bring into being new subordinate regional operating agencies that they find necessary to the accomplishment of identified regional goals, objectives, and needs.

Regional councils need to be able to speak with a single local voice in terms of State actions and Federal actions and programs operating within their areas of jurisdiction. Certainly OMB Circular No. A–95 provides them with this opportunity with regard to Federally assisted activities. They should not, however, stop there. They should not be merely mechanisms to react to applications for Federal assistance. They should be mechanisms for the identification of local needs and local desire and for the allocation of effort to accomplish local needs within the region. States need to recognize this need for coordinating and directing all intergovernmental action in the region as a part of the system of local general government.

2. Members of planning and policy determination agencies at the regional level must be those who are elected to govern and who must stand for re-election on the basis of their records of achievement. *Ex officio* members of regional agencies who are, themselves, State officials or Federal officials or local planning commissioners should have primarily a supportive place in the identification of the public interest at the regional scale.

Federal and State officials have to act as reviewers and judge regional proposals. They should not be placed in the position of being the accused, the prosecutor, the judge, and the jury, or wearing several hats at the same time. Lay planning commissioners of local units of government are not responsible for their actions before the electorate.

Regional councils of elected officials must be in the position, within our present form of government, of deciding upon the relative importance and necessity of concerted regional action vs. local individual action.

Eventually, in some areas of the country, regional councils may evolve and emerge into directly elected metropolitan government. This is a local and State option. But there are many alternatives. Cetrainly the formation of the Meropolitan Council within the Minneapolis-St. Paul metropolitan area by the legislature of the State of Minnesota is an example of moving from traditional planning commissioner-oriented metropolitan planning toward an action program within the Twin Cities Metropolitan Area. The legislature, in its wisdom, determined that the governing body would be 15 members appointed by the Governor.

In Virginia, regional service districts coterminus with the 23 existing regional planning agencies may be established by local referenda. In other areas, regional councils of elected officials—councils of government—seem to be the best configuration at the present time.

Sooner or later, these councils will have to deal with the one-man-one-vote proposition. Until that day, a conference of elected officials within the region to determine regional and local responsibilities, and most particularly to react to Federal mandates, seems to be the best construct, within the present system of local general purpose government at the local level.

The balance of my comments respond specifically to the five points raised in the Chairman's letter of January 11, 1971.

"Within present Constitutional constraints how can we provide for appropriate popular representation of the people whose lives are affected under the plans drawn up and executed through this regional planning structure?"

I assume this question requires a response on two levels of regional planning representation and feedback. The first is the Federal regional level and the second is the local (metropolitan or rural) regional level.

An organization of elected officials is called for in response to problems of coordination at the Federal regional level. Joint committees of Congressmen from states comprising each of the ten Federal administrative regions should be established to: (1) monitor how the Federal regional offices are implementing Federal regional development policies, and (2) periodically meet with the heads of regional planning agency policy boards to coordinate the Federal and regional perspectives of regional development policies. Beyond the functions of monitoring and coordinating Federal regional development policies, the ten joint Congressional Committees could initiate Federal legislative changes to better approach and solve regional development problems. Congress could then assume more legislative initiative which departments of the Executive Branch have long cherished.

At the local regional level at this point in time there is much discussion of the American political process. The question of popular representation in regional planning and decision making is closely related to the broader discussion of political process. And, I believe that the answers to representation are to be found in American political tradition. Some ways in which representation is now being achieved in many metropolitan areas are outlined below.

a) Elected officials should play key roles in regional planning and decision making. This can be done and is being done in a variety of ways. I disagree with those who think that metropolitan government is the only answer. It has been an answer in some cases and should be an alternative which any community can consider. The council of governments movement, in which the policy body or regional agency is made up of local elected officials, is another alternative. For many areas today this may be the best alternative. Because of various Federal requirements and incentives for regional decision making and because of recognition of regional problems, councils of government today are more than the voluntary organizations they were five years ago. In many cases they are now thought of as essential components of local government structure. In other cases, regional planning organizations which are not under the direct control of elected officials are seeking greater participation by elected officials.

It is fundamental in our political system that elected officials be given maximum opportunity and information to represent their constituents in making regional

decisions. There are different ways of achieving this and each area should be given leeway to use its own inventiveness in finding solutions best fitted to its needs.

b) Citizens should have access to regional decision making. The most effective representation is usually through the citizen's elected representatives. However, there may not always be effective communication between individual citizens and elected officials. In this event, citizens should have mechanisms through which they can present viewpoints to the policy board as a whole.

Experimentation in means of securing citizen participation is underway by regional planning agencies and should be continued. However, many of the means which have proved effective are well known to members of this committee. These include public hearings on proposed plans and other policies; informal meetings; public meetings of the policy board; citizen representation on advisory groups to the policy board; use of mass media to encourage communication between policy boards and citizens; and similar devices. I do not think that the same mechanisms would be uniformly effective in different areas. Probably what is needed are simple performance objectives which could be met in different ways but which would insure that each citizen at least had a reasonable opportunity to (a) know about proposed regional plans and policies, and (b) express his viewpoints on them.

(c) Key administrative, technical, and professional persons from local and state agencies should also be included in the advisory committee structure.

d) A single comprehensive regional planning agency is necessary in order to provide for representation of governmental, citizen, and technical viewpoints. A proliferation of regional agencies clearly makes representation inefficient and also makes communication and coordination difficult. Federal policy should strongly encourage development of single regional agencies with comprehensive concerns and with mechanisms for political, citizen, and professional participation. The comprehensive agency should be recognized and supported by the Executive Office of the President, including OMB, and by each Federal agency having regional programs. Where the comprehensive areawide organization provides for adequate representation, it should be authorized to review and comment upon proposals by any agencies in the area to spend Federal funds. Bureau of the Budget Circular No. A–95 requires areawide agencies designated as "Metropolitan clearinghouses" to review Federal grant applications. This program improves regional planning, coordination, and decision making. An extension of it to allow elected officials, working cooperatively, to review at their discretion any proposal for expenditure of Federal funds, while still in the draft stage, would further enhance the potential for cooperation.

"What objectives or goals should be spelled out in the statute as a guide to the operations of this regional set-up?"

Regional planning agencies ought to be given latitude in setting their own objectives. To impose too many objectives, especially through administrative requirements and guidelines, may mean that an agency is required to do things which in its special situation don't need to be done or can't be done and to draw resources from things which can and should be done.

I think it is proper for Congress to require regional planning agencies to consider problems which are of national concern and to develop goals and program work to deal with these problems. It might be made mandatory, for example, for regional planning agencies to consider regional problems of employment and economic development; housing; natural environment, agriculture, and open space; criminal justice; transportation, communication and public utilities; education; and government finance. This consideration could take the form of an overall work program which should be required by law to be brief and general so as to be a useful decision making tool for policy makers. Perhaps half the Federal funds for planning and management could be required to spread among some of the categories set forth above. The other half would be considered discretionary funds to avoid temptation to force local problems to fit the categories. Having encouraged the areawide organization to be representative and responsible, it then should be given resources to exercise its responsibilities. The major legislative requirement should be broad and general with an emphasis on action. It should generally express the mandate for local governments to work together and with state and Federal agencies and private groups to solve metropolitan and regional problems as expeditiously as possible. (For the information of the Committee a summary of the goals approved by the Baltimore Regional Planning Council is appended to my testimony.)

Most regional agencies which are funded by HUD, in whole or part, prepare work programs called Overall Program Designs which provide a mechanism for doing the sort of work discussed above. This would be a good building block provided the Overall Program Design can be adapted to the needs of other Federal agencies *without* becoming so cumbersome as to be useless—this is why I previously stressed the term "brief and general".

One goal should be to provide local governments within regions and the state and Federal governments with recommendations on planning for and coordination of regionally significant expenditures within these areas. No veto power would be involved and the recommendations would be advisory with whatever force and effect their logic merited.

Concerning special and general revenue sharing, I understand and agree with the widespread concern for "cutting red tape". However, I do not think that the public expenditures which might be made under these programs will yield full returns unless major categories of expenditure are required to be considered in the context of coordinated regional plans and programs. There are many administrative areas in which measures to simplify procedures and to expedite action would be helpful and I will discuss some of them later. I do not think that "simplification" means that rational, cooperative decision making by key local elected officials should not be fully encouraged by the Federal government. Increased expenditures for urban development and related matters should be paired with increased emphasis on cooperative planning to help make effective use of limited funds which are available for public improvements.

"What standards would have to be spelled out in the statute as guides for the regional coordinators and as requirements for the performance of local units?"

It would probably be the opinion of the policy body of my council, and probably that of other councils, that when very important standards are to be set, they should be set legislatively rather than administratively. We seem to have problems between elected officials involved in regional planning and administrators, whether state or Federal, when elected officials feel that administrators have gone beyond the intent of the law in establishing standards, requirements, guidelines, and other controls. This is, of course, a very old governmental problem and one which perennially bothers elected officials and administrators. Other administrative problems are the need for more uniformity among the requirements of various Federal agencies and the need for further administrative simplification. Some of the things which might be considered in establishing standards are:

a) Requirements for representation as discussed under question 1 and allowing latitude for local innovation.

b) Requirements for short and readable overall work programs discussed under question 2.

c) Requirements for uniform Federal grant application and accounting and auditing procedures insofar as possible.

d) Requirements that both local and Federal procedures emphasize agency self-management and place emphasis on expeditious solution of regional problems. The purpose of this is to help insure that the necessary checks and balances don't impede necessary forward motion. The HEW publication entitled "A Program for Grantee Self-Management" might be of interest to this regard.

"What powers would have to be lodged in the ten regional coordinators and how should they be tied to the Presidential office in Washington?"

Linkages between the ten Federal administrative regions and regional planning agencies should be more formally organized. The Federal regions' administrative offices of the Executive Branch could assist in carrying out the Federal government's metropolitan development policies. The heads of each regional office of each Federal Department should develop and maintain lines of communication with the heads of all regional planning agencies in that Federal region. The purposes of this communication would be to:

1. Assure that Federal regional administrators are kept abreast of regional planning agencies;

2. Assure that Federal administrators are aware of long range work programs of regional planning agencies and their relationships to Federal programs;

3. Alert heads of regional planning agencies to new Federal legislation and Federal agency guidelines affecting regional planning and development;

4. Jointly, with heads of regional planning agencies, develop strategies for implementing Federal government metropolitan development policies.

Closer communication between the heads of Federal regional offices and regional planning agencies could improve the prospects of implementing regional development policies.

The major power to be lodged in the coordinator should be the power to expedite. Consideration might be given to naming the function "expediter" or something similar. Even within the scope of a single Federal agency things can happen too slowly for a fully effective and different attack on fast changing regional problems. It is important that other Federal agencies be systematically brought into the decision making system so that Federal programs dealing with regions are better coordinated. At the same time, it is also important that decision making not be slowed down but speeded up. This could be done if the regional coordinator had the power, responsibility, and the personal qualifications to coordinate the actions of key Federal agencies, to expedite decisions, to actively advocate the solution of regional problems, and to promote administrative simplification. He should be responsible for asking such questions as "how can we do it better and faster", and he should have enough power to make things happen when they need to happen. An additional function of the regional coordinator might be to "certify" regional planning agencies as having met legislative objectives.

I do not have specific recommendations on how regional coordinators should be tied to the Office of the President. It is clear that key decisions which must be made by this position should not be made by an administrator buried deep within an agency and removed from elected officials. How he can be

given the power necessary to do his job and be properly related to the Presidency is a question better left in the hands of this committee and others who have thought about this problem.

"Should a pool of unrestricted funds be available to each regional coordinator to be allocated by him in whatever manner would promote the objectives of the Act and comply with the standards thereunder in order to supply funds which would not be available under any of the other Federal grant programs but would be vital to the success of a particular plan? If this is needed, how big a pool would be required initially?"

This is a good idea. It would promote flexibility and responsiveness in problem solving. Furthermore, the responsibilities involved would be a further incentive for selection of regional coordinators of a sufficiently high caliber to get this complex job done.

Concerning the amount of discretionary funds which should be available, our experience with the comprehensive planning assistance program might be of some help. In my own agency, we have found that when 20% of planning funds are available to be focused on new problems without need for extensive renegotiation of the planning grant we have enough latitude to deal with most of the minor but pressing problems which arise.

APPENDIX A—SUMMARY OF REGIONAL GOALS

The underlying purpose of the Baltimore Regional Planning Council provided by its legislation is to assist its member governments in "such activities as the Council finds necessary or desirable for the solution of problems affecting more than one unit of government within the area." Goals listed below indicate current "areas of concern" of the Council and its member governments. The activity of the Council in regard to the goals is defined in its work program. Major efforts may be devoted to work in regard to some goals and for others there may be only periodic monitoring of changes in conditions; this will depend on determinations by the Council of urgency, responsibility and other factors.

Natural environment: Preservation and enhancement of sunlight, air, water and land resources and wildlife and vegetation of the region to support and enrich human life.

Shelter: Adequate choice of decent homes in suitable living environments within economic reach of all citizens of the region.

Economic well-being: Adequate and rewarding employment for everyone able to work; economical and effective delivery of welfare or other supplements and assistance to those who cannot otherwise provide; opportunity for securing goods and services, public and private, necessary for satisfactory life in today's society; balanced and beneficial economic development; and sound fiscal bases for governments in the region.

Health: Provision for the best level of physical and mental health attainable for every person at all stages of life, and an environment which contributes positively to healthy individual and family living.

Safety and justice: Adequate and equal justice and protection of life and property against crime, fire, traffic hazards and other threats to personal and public safety.

Transportation and communication: Movement of people and materials efficiently, conveniently, and confortably as well as reliably and safely. Efficient transmission of energy and communication. These should be consistent with enhancement of the esthetic, physical, economic and social environment.

Recreation: Opportunities sufficient to accommodate the full range of human needs for recreation.

Education: Opportunities for attainment of knowledge commensurate with the needs and capabilities of all the region's citizens and appropriate to a complex and changing world.

The Council's enabling legislation provides for a method of solving the region's problems which includes:

Participation by other public and private agencies and citizens of the region;

Comprehensive planning and implementation for orderly regional development;

Efficient, economical and effective development and use of financial and other resources.

THE TORTURE OF THE GREEKS

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. EDWARDS of California. Mr. Speaker, the military government continues to rule Greece by martial law, supported by massive military aid from the American taxpayer. Thus, the American Government must also be an accomplice in the long and sordid history of torture and atrocity inflicted by the Greek colonels on the people cruelties documented and proven since the regime grabbed power in 1967.

The New York Times has consistently and objectively reported the news from Greece. Its editorials also have called to our attention the dismaying events in Greece and the incredible American participation.

I include here in the RECORD an editorial from the July 5, 1971, edition and an article entitled "The Torture of the Greeks" from the July 7 edition.

GREECE'S POLITICAL PRISONERS

In his letter on this page, Greece's Ambassador to the United States indulges in semantics in an effort to persuade Americans that there are no longer any "political prisoners" under the military dictatorship he serves. But his definition of "political prisoner" is too narrow and his "facts" are misleading.

By any reasonable definition, Greece still has several hundred "political prisoners," and the evidence that some of these have been tortured is now too impressive to doubt. It is true that the Athens regime earlier this year either released or changed the status of about 300 Greeks who had been held, without warrant or charge, for political offenses or merely for their political views. Those releases, however, left in prison another 350 to 400 who had been convicted—most of them by military courts—for political acts against the junta.

There is also a group of prominent Greeks still awaiting trial for allegedly working or plotting against the regime. These Greeks were finally charged in May, though most had been seized late in 1970 and held without charge for as long as six months. The junta reportedly will try to link these defendants to Andreas Papandreou's Pan-Hellenic Liberation Front.

One of these is Christos Sartzetakis, the lawyer whose prosecution of high police officials in the murder of a leftist member of Parliament was re-enacted in the motion picture "Z." Mr. Sartzetakis was seized without warrant last Christmas Eve and held in solitary confinement for more than four months before being charged and permitted access to his lawyer. Would Ambassador Vitsaxis seriously contend that Mr. Sartzetakis is not a "political prisoner?"

THE TORTURE OF THE GREEKS

(The following article is taken from letters written on tissue and smuggled out of an Athens prison. They came from members of the student resistance organization, Rigas Ferraios, and describe their treatment by Greek security police.)

My name is Fotis Provatas. On Christmas Eve, 1970, five individuals in civilian clothes, without a search or arrest warrant, searched my home for hours and then forced me to follow them to the general security of Athens. For 22 days I was kept in strict solitary confinement in a damp, dark, dirty cell in the basement of the security. From 14/1/71 to 20/1/71, day of my transfer to the Korydallos Prison, I was kept in a room of the fourth floor of the security.

They undressed me by force and threatened to rape me. As I was standing naked they punched me repeatedly in the face, the back, the stomach, the legs, the buttocks and on the heart. They repeatedly hit and squeezed my genitals. They dragged me around from the hair for long. They threw me naked on the floor, where they trampled me down. They kicked me, they hit me with a thick wooden club, while someone smothered my shouting with a nylon typewriter cover. They threatened that they would throw me down from the terrace. They threatened that both my friend Costarakos Costas and myself would be lost in a car accident. From the continuous blows given with a thick wooden ruler on my joints and in the palms of my hand, the bones finally broke in both palms.

My name is George Theodosius Spiliotis. Right from the start of my arrest they hit me on the head and threatened that they would throw me off a precipice on Mount Parnes. They also stuck a pistol in my temples and threatened to kill me. They beat me till 11 o'clock in the evening in an office. They punched me on the head. They banged my head against the wall, dragging me by the hair. They punched me on the heart, on the ribs, on the stomach. They gave me repeated electric shocks. The blows on the head caused my nose to bleed. They put their fingers in the sockets of my eyes, they pretended to attempt to strangle me and they squeezed my genitals.

After all this, they took me on the terrace for "falanga." They tied me on a bench and started beating the soles of my feet with a thick iron pipe. The pain pierced through my body and on to the head which they kept beating at the same time. They again beat my genitals with a stick, they pressed my eye-bulbs with their fingers, or alternatively the throat to the point of strangulation. At the same time, with thick sticks they beat my fingers and my knees.

While they kept me tied on the bench, they would occasionally stop the beatings on the soles and start squeezing my genitals. The pain would make me turn on my face—I was lying on my back—and this caused new terrible pains from the ropes around my legs.

My name is Lycourgos Flessas. Agents of the general security of Athens arrested me without warrant. They took me to the Athens General Security. They immediately started slapping my face, giving me electric shock and punching me up. They pushed me in the laundry room. There they tied me on a bench and left my feet sticking out a bit. A police lieutenant started to beat the soles with an iron pipe, while somebody else threw his coat over my head to smother the shouting. Another police lieutenant hit me hard on the stomach and threatened that he would torture my girl friend, whom they had arrested the previous day. After a couple of hours they made me stand up and got me to walk about. They threw me in cell 7. In a nearby cell my girl friend was. She had suffered a nervous breakdown and was moaning all the time. They held her in this condition for one week.

My name is Costas Costarakos. On 23/12/1970, I was arrested in the house of my childhood friends. They were also arrested, together with my brother, my brother-in-law, my sister and my fianceé. They took me to the general security, where, right from the

start, in the office of a police captain, three policemen in plain clothes started beating me and punching me in the stomach, shouting "Get ready to die." Right after this, after handcuffing my hands behind my back, they took me to the terrace laundry room. There, without taking off the handcuffs, they stretched me on the bench, they stuffed my mouth with pieces of rope and scrap paper, so as to smother my shouting and they started the falanga torture. Pain is terrible in the head. At the same time they squeezed and hit my genitals, and they also banged my head on the wall. During this torture, my torturers by shrieks and bangings tried to build up an atmosphere of false emotional tension, in order to terrify me. This lasted about three hours, in the night of 23 to 24, December. After this they threw me in a cell.

ON THE MORALITY OF THE WAR

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DRINAN. Mr. Speaker, I include in the RECORD an extraordinarily clear condemnation of the war in Vietnam by Bishop Thomas J. Gumbleton, the Catholic auxiliary bishop of the Archdiocese of Detroit.

This article, reprinted from the New York Times of July 2, 1971, states categorically that "continuing American military involvement in Southeast Asia is gravely immoral."

The excellent statement of Bishop Gumbleton follows:

ON THE MORALITY OF THE WAR

(By Thomas J. Gumbleton)

DETROIT.—The military involvement of the United States in Southeast Asia is more than a hotly debated political issue. "Vietnam" is an urgent moral question demanding an examination by all thinking Americans. That war is always a moral matter should be clear enough. Political and military policies which provide soldiers and weapons for the purposes of death and destruction require a moral judgment of the individual citizens with whose tax money and, in some cases, very lives those policies are implemented.

A citizen is untrue to his human dignity as an intelligent, compassionate person if he surrenders his conscience to his government in time of war. In their collective pastoral letter of Nov. 15, 1968, the American Catholic Bishops expressed the hope that "in the all-important issue of war and peace, all men will follow their consciences." And prior to this, Pope John XXIII in *Pacem In Terris* had indicated that conscience today might require a new attitude toward war. "Therefore, in an age such as ours which prides itself on its atomic energy, it is contrary to reason to hold that war is now a suitable way to restore rights which have been violated."

We may think of this as a new attitude toward war. In fact, it is a moral position which links up with the earliest Christian tradition in regard to war. For three centuries Christians generally refused service in military campaigns, rejecting killing as an immoral means to an end. Strong statements of men such as Saint Justin, Saint Clement of Alexandria, Saint Cyprian and others show the common Christian attitude in regard to the morality of war.

Obviously, for one who would follow the earliest Christian tradition, supporting the Vietnam war is morally unthinkable. But even if one were to base his conscientious judgment of the Vietnam war on the "just war" doctrine, I believe his conclusion could only be that continuing American military involvement in Southeast Asia is gravely immoral.

This doctrine is based on the obvious enough premise that war is an unspeakable physical evil. Like other physical evils, it sometimes cannot be avoided. In certain circumstances a doctor—and the patient also—would accept the need to amputate an arm or leg. Similarly, the evil of war is "justified" in certain circumstances. Otherwise it is immoral.

One condition is that war must be waged by a legitimate public authority for the common good. Is it really serving the common good to fight an undeclared war thousands of miles away against an enemy that poses no threat to the United States? And does Congressional approval of funds to equip American forces sent to Vietnam under questionable circumstances (Gulf of Tonkin Resolution) constitute a legitimate declaration of war?

A second condition is that a just cause is required. One will demand clear and cogent reasons before he will accept the amputation of his arm. To "justify" war requires no less. Here the obvious question is: What is the cause for which American forces are fighting in Southeast Asia? Millions of Americans can be excused for having no clear answer to that question. We have been given so many different reasons, even to the point where we are told it is simply to uphold American prestige rather than accept the humiliation of defeat. We may be excused for not knowing the reason for the war. We cannot be morally excused for participating without sure knowledge that the reason is sufficient.

A final consideration is that to be "just" the war must be fought within the limits of what is called the "principle of proportionality." In 1968 the American Bishops asked: "Have we already reached, or passed, the point where the principle of proportionality becomes decisive? How much more of our resources in men and money should we commit to this struggle? Has the conflict in Vietnam provoked inhuman dimensions of suffering?"

Without even considering the death and destruction in Laos and Cambodia can we find any "justifying proportionality" in what we are doing in this war?

Whether we judge this war in the light of the earliest Christian tradition on war, or according to the "just war" doctrine, I can reach only one conclusion: our participation in it is gravely immoral.

When Jesus faced His captors He told Peter to put away his sword. It seems to me He is saying the same thing to the people of the United States in 1971.

PIE IN THE SKY

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SCHEUER. Mr. Speaker, for many months I have been encouraging various agencies of this Government to apply their technical resources and know-how to the problem of controlling the international flow of illicit drugs. During the floor debate on the authorization for the National Aeronautics and Space Administration, I engaged in a colloquy with some of my colleagues on the possibility of using NASA satellite photography techniques to detect opium poppyfields wherever they are grown throughout the world. The gist of this colloquy was that NASA does indeed have such a capability, but that it will take time and money to apply them in this way. I bring to the attention of my colleagues the following article from the Public Information Center News of December 1970, which describes in great detail many other, more significant sources of resistance to such farsighted programs. The time to begin disseminating the benefits of our expensively developed space technology is now. Congress must exercise determined leadership and overcome the resistance to making the benefits of this technology available.

The article follows:

PIE IN THE SKY

(By Everet Clark)

If the National Academy of Sciences had existed several thousand years ago it might have opposed the discovery of the wheel. Think of the economic upheaval! Think of the political impact! Think of that greatest of all dangers, imparting knowledge to those who are not yet ready for it!

That may be a slander on the good grey men of the Academy. But it is exactly what is happening in the scientific-political-economic world today regarding one of the most revolutionary advances in mankind's history. That advance is his ability to see himself, his traffic patterns, his city growth, his forest fires and crop failures, his potential new fishing grounds and oil wells and uranium fields from space—now, and in a comprehensive and immediately useful way.

The United States and the Soviet Union have spied on each other from space for military purposes for almost a decade. They know it and 100 other nations of the world know it. Several American Presidents have made a practice of handing visiting heads of state snapshots of their capitals taken by the relatively crude cameras of meteorological satellites from several hundred miles above the earth. The mere paranoia of secrecy that surrounds the highly sophisticated military big-brothers of the simple weather satellites is enough to give even the dumbest foreign politician the rest of the message. It is simply: "I spy."

Russia and the United States have gotten away with this because they founded the club. They have been the two scorpions in the space bottle. The bottle, and the scorpion club, are growing. N.A.T.O. now is in the spy satellite business. It is like nuclear proliferation—given enough time, any (rich) nation can join.

Nuclear power, radar, supersonic planes and most other advances pioneered by the military find their way eventually into the civilian economy. It is inevitable that the spy satellite will do so. Knowledgeable British space engineers, in fact, have accused the United States for several years of exploiting other nations' oil resources with information gleaned by military satellite. No one has admitted such base actions. But 23 months ago, Dr. George E. Mueller, then head of Manned Space Flight for the civilian space agency, said this about far less potent non-military space vehicles:

"Oil companies are already using our satellite pictures to mark potential oil bearing areas on the ocean floor. Considering the high cost of oil prospecting, it seems reasonable to expect that oil companies will finance their own space satellites as a more economical means of finding those deposits."

Oversell? President Nixon, the State Department, Defense, Interior, Agriculture, Transportation, NASA and other agencies do

not think so. All of them are preparing for a massive assault from space on the mysteries of the earth—not the military secrets, which are already known to a sobering degree, but to the inventorying—and management—of man's natural environment.

A military spy satellite nowadays can picture a Moscow street from space so clearly that a shrewd analyst can determine one make of car from another. To find diseased crops and forests, fresh water springs escaping into the sea around a water-short island, no such sophistication is necessary.

"You don't look for the leaves on the trees," an earth resources expert says. "You don't look for the grasshopper in the grass. You look for the swath it's cut."

In other words, the peaceful exploitation of space for the benefit of mankind is more than ready to go. Why is this not a reason for rejoicing? Because vast armies of men with what they think are good intentions are trying to keep it from happening.

If the British engineers are right, the United States and Russia already know far more about their neighbors than is good for the neighbors. If the two super-powers have behaved honorably and ignored the vast potential for economic-political exploitation picked up by the undiscriminating cyclopses of space, all well and good.

But the future must be faced and it is bringing agony to the bureaucracy and its appendages. The fruits of military space espionage may remain secret and partially unused. But a primitive, underfunded and controversial civilian "spy" system is about to move in on the earth's natural secrets. In 1972 the National Aeronautics and Space Administration will launch the first Earth Resources Technology Satellite (ERTS). NASA has hoped for years to save this observation task for its far more expensive manned orbiting stations but budget cuts have eliminated many of those. The very limited ERTS program, capable of seeing far less than existing military spycraft, has been sharply criticized by congressional committees and such potential user agencies as the Interior Department for being too little and too late—particularly considering what is already being done by the intelligence orbiters. Ironically, the government is using the problems posed by even this low-keyed approach as justification for a tortoise-like pace toward global resource monitoring.

It took Sputnik to prod the United States into space. It took the American Telephone and Telegraph Company, hardly the nation's most progressive institution, to launch the young space agency into the communications satellite field. Nothing—not logic, not the obvious fact that Russia might take the initiative—has yet inspired the United States into using and sharing the tremendous civilian benefits to be garnered from space observation.

History may not have repeated itself before but it appears in danger of doing so now. Several years before Sputnik, the National Security Council secretly alerted the Pentagon that Russia might launch an artificial satellite of the earth—and soon. It took no superb intelligence apparatus to know this. The Russians had been declaring it publicly but few had bothered to listen. But the National Security Council—supposedly the most sensitive, concerned political body the nation has—said something else. It warned that a Russian first would have: 1.) vast military potential 2.) certain psychological advantages, in what was then the coldest of wars. National fumbling, too politically complex to explore here, handed Russia the advantage despite the warnings.

Now, 13 years after Sputnik, the National Security Council has set up an unusually secret subgroup to worry about earth resources satellites. The clandestine, interagency group has not been reported on anywhere. Nor has it even been charged with preventing another psychological Pearl Harbor like Sputnik. It has simply been told to worry about how the United States can take natural (and economic) inventory of the world and have the world like it. That less-than-cosmic assignment is probably just as well, since the group is reliably reported by insiders to be getting nothing done, anyway.

Despite slow progress, attitudes on earth monitoring are hardening and the number of people involved is increasing. The National Academy of Sciences—enthusiastic about this turn of the wheel of progress—long ago urged NASA to double its spending for ERTS. The State Department and the Agency for International Development have been told to prepare the world to share what the United States can learn from space—but not before the late 1970's. Some aerospace companies are deep into plans to sell technical earth resources expertise to backward nations. But other private enterprisers already are lobbying against government "giveaways" that, they say, would keep American companies from exploiting abroad the pay offs from the nation's expensive space programs. Progressive congressmen who have offered to take the initiative for an even bolder program than ERTS—unveiling the military satellites—have been rebuffed by the White House with the excuse that only the Executive Branch understands the problem. Even the aerospace industry, which developed the military satellites, uses the civilian program as an excuse to worry endlessly over cost-benefits, the complexity of data handling and the possibilities of unwise use of information. Like all the other groups involved with the space spooks, it is more interested in maintaining an American-Russian monopoly than in spreading knowledge to the world. It doesn't want the military spies brought in from the cold when there can be a duplicating civilian market for spy satellites.

President Nixon has warned, in a United Nations speech, that the United States will go ahead with an earth resources satellite and that if others know what is good for them they will rush to get aboard, but there is far more talk than progress.

U. Alexis Johnson, Under Secretary of State, sounded essentially the same warning in a public speech last spring; but he, like other officials who have spoken on the subject, revealed a patronizing attitude toward other nations, and an incredible confusion and protectionist stance here at home.

Johnson concedes that science—particularly space science—is "essentially international in its view and synoptic in the character of its projects." But he worries that "proper organization and careful attention to international arrangements" must *precede* the sharing of data from space. At the same time he says "you scientists and engineers are creating opportunities and problems faster than our political organization is able to handle them." He agonizes over "who will receive the data . . . in what form? By what means?" And the crucial question: "How are the potential users of these data and results to be prepared to handle them, to understand them and, of most importance, to apply them in development and resource management?"

"At the outset the development of this capability (exploration of earth resources) will be primarily, if not exclusively, a matter for the major space powers and advanced nations," Johnson said. Between the founders of the fraternity and its future pledges lie "proprietary concern . . . national sensitivities . . . how best to organize thie international participation" and all the other stumbling blocks that political obfuscators can manufacture.

And of course the fraterity would have dues ("People value what they pay for," Johnson said) and it must at all costs try not to offend those who do not want to or can't afford to partake of its exclusivity:

"And, finally," Johnson said, "We shall have to find ways to provide assurances that the capability to acquire environmental and resource data on a world-wide basis will not be used to the disadvantage of those countries who, for one reason or another, do not participate directly in the international arrangements for this program—those whose political posture or sensitivities or those whose economic circumstances do not permit such participation."

The way around these bramble bushes is so screamingly simple that it cannot succeed. A small body of politicians, disarmament experts, earth resources experts, and intelligence analysts—and even some military men—agree on the beautiful simplicity. But they also agree it won't work, any more than President Eisenhower's proposal to throw open the skies to aircraft reconnaissance did a decade and a half ago.

The simple plan: Turn over good, but not the best, military spy satellites and their cameras and other sensors to the United Nations now. Make everything they see, hear and feel available to all nations—free. Keep hidden the latest, most sophisticated technology and assume that the Russians will do the same, as a sort of security blanket for the big boys. But create a "third force" by throwing open to the rest of the world the new exclusive club of spying from space. The military deterrent power of this third force might or might not be revolutionary; the impact on environmental monitoring would certainly be, if the experts are right.

The Defense Department, the Central Intelligence Agency, the Air Force (which flies most military spy satellites) and the State Department (which gets all the diplomatic headaches) are essentially opposed to free-form data sharing. So are many commercial interests. Lesser agencies are fighting for primacy in the meager civilian earth-resources satellite program. Meanwhile, the military storage bins fill with unused information—with which we dare not suddenly overwhelm the unprepared nations.

If Sputnik—or the wheel—had had these hurdles, it would never have moved.

VETERANS' ADMINISTRATION BUDGET SLASHES

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ANDERSON of California. Mr. Speaker, I have always felt that our veterans—those who have given so much to our country—should receive the very best medical attention that this country can provide.

My actions regarding Veterans' Administration expenditures have been indictated by the words of Abraham Lincoln, who stated:

Let us strive on to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow and orphan.

We all know that the veterans hospitals are understaffed and overcrowded. We all realize that attention must be

given to the returning GI's who are drug addicts.

Yet, the administration continues to frustrate the will of Congress by callously cutting back on funds—funds lawfully appropriated by Congress, and desperately needed by the VA.

Mr. Speaker, the Veterans of Foreign Wars have been in the forefront of the fight to preserve and improve our veterans hospitals. I commend them for their leadership, and for bringing this problem to the attention of the American public.

Most recently, the July 1971 VFW magazine published a hard-hitting article which I insert in the RECORD at this point. This article should raise the ire of every Member of Congress, and, hopefully, we will be able to resolve this situation before even more veterans are denied the medical attention they so rightly deserve.

The article follows:

VA BUDGET SLASHERS

The five men most responsible for wielding the economy axe on the Veterans Administration budget requests are a quintet rarely seen or heard by the public at large.

Their most recent and possibly most damaging foray into the area of veterans benefits is the proposed slash of the VA hospital daily patient load by 7,000, equal to the closing of 14 facilities of 500 beds each.

Another scheme that could reduce the projected level well under 68,000 beds by 1978 already has been put into writing.

The five Office of Management and Budget slashers are Richard Nathan, Paul O'Neill, William Robinson, James Tschirgi and Harry Havens.

It is unlikely that these five will appear before microphones or television cameras to explain their recommended budget cuts. That role is left to George P. Shultz, OMB director, and Caspar W. Weinberger, the deputy director.

With predictions that a federal plan for universal health care will be a certainty in the next few years, it is probably that budget planners will cut even deeper slices from the VA hospital system.

For years the V.F.W. has acted as a watchdog over attempts by previous Administrations to chop away at VA budgets, particularly in the field of hospitals, and it has been a continuing struggle to prevent the slashers from realizing their goal.

Under President Harry S Truman, 16 proposed new hospitals were approved, but the budget slashers carried the day and they were never built.

It was not until 1965 in the administration of President Lyndon B. Johnson that anything of such magnitude was attempted again. That was when the old Bureau of the Budget, OMB's predecessor, announced that 11 hospitals, four domiciliaries and 17 regional offices would be closed.

Thanks to V.F.W. action—the mobilization of the Truth Squad that alerted the public to the proposed fate of these VA installations—the order was cancelled in part. Five hospitals, two domiciliaries and eight regional offices were saved.

From 1965 to 1971, the budget staff whittled away here and there and by 1969 the inadequacy of VA hospital staffing and financing was apparent. Because of V.F.W. insistence, President Richard M. Nixon added $50 million to the VA budget and Congress came up with another $105 million. OMB intruded itself again by ordering the VA to use the additional funds for salary hikes and purchases instead of hiring more people to care for veterans.

Last January $125 million was added to the VA budget for medical care. While this was not enough, it could be corrected by Congress. But the real shock came when V.F.W. officials discovered a 7,000 cut—from 86,000 to 79,000—in the VA hospital system average daily census.

The V.F.W. asks:

What are the motives and objectives of those who really call the shots deep in the bowels of this vast bureaucracy? They may be personally anti-veteran. There is plenty of proof of this even if denied. They certainly are against extensive care of veterans who need treatment. Perhaps they oppose federal operation of hospital systems. They also have attempted to wipe out Public Health Service hospitals. Do they plan also a complete abolition of the VA hospital system and transferring individual VA hospitals to states, counties, cities, church groups or other organizations qualified to operate them?

Whatever the answer, the cut of 7,000 in the daily patient load must be defeated as has been pointed out repeatedly in the *V.F.W. Magazine* since last April. Each year a million veterans become eligible for VA benefits. Appealing to the budget slashers will be fruitless. Only President Nixon and Congress can prevent the threatened damage. Each V.F.W. member should write President Nixon, his senators and representative for the sake of sick veterans.

A TET MEMORANDUM FROM ELLSBERG

HON. BARRY M. GOLDWATER, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. GOLDWATER. Mr. Speaker, many of my colleagues and I have been attempting to put the entire "Pentagon Papers" situation into perspective; a situation which is outrageous and tragic in its lack of any perspective at all. The columnists Evans and Novak, in the July 7, 1971, Washington Post clearly show flawed and erroneous thinking on the part of Daniel Ellsberg and I present the Evans and Novak column for my colleagues' information:

A TET MEMORANDUM FROM ELLSBERG

(By Rowland Evans and Robert Novak)

The flawed vision of Daniel Ellsberg in viewing the Vietnam war, a failing that was to have profound implications for his country, was laid bare in a private memorandum he wrote for the Pentagon on Feb. 28, 1968, spectacularly misinterpreting the just completed Communist Tet offensive.

Ellsberg, then a Vietnam expert for the Rand Corp. think tank, had been asked to interpret the bloody Tet offensive for the Defense Department's Office of International Security Affairs (ISA). His memorandum was apocalyptic: "I think that the war is over"—Communists taking over the countryside, the South Vietnamese government and army deteriorating, a rapid renewal of the Communist offensive. "Two months from now . . . things are going to get much worse," he said, precluding any possibility for improvement.

No prophecy could have been more false. In truth, the Tet offensive was the Communist high-water mark, triggering a three-year decline in their Vietnamese strength (which may now be ending). But Ellsberg, exasperated with Saigon's corrupt government and shoddy army, could see in Tet only the vindication of his own warnings. It was a view widely shared in ISA, whose staffers wrote the Pentagon Papers.

Thus, the spectacular mistakes of Ellsberg's 1968 memo transcend the personal. His flawed vision is the flawed history of the Pentagon Papers. It is the all-is-lost syndrome that deeply influenced U.S. policy in the months after the Tet offensive and finally led to Ellsberg's disclosure of the Pentagon Papers.

For these reasons, Ellsberg's errors about Tet are worthy of examination. Herewith are some prophecies he sent the Pentagon along with the actual outcome of events:

Ellsberg's prophecy No. 1: The Communist Tet offensive of Jan. 29–Feb. 29 was a prelude to "the takeover of the countryside" by the Vietcong, "inexorably sucking" South Vietnamese and U.S. forces "toward the environs of the towns and cities, away from the hamlets and outlying regions."

The actual outcome by their desperate Tet attacks, the Communists depleted their forces in the countryside and have not adequately rebuilt them since.

Ellsberg prophecy No. 2: The Vietcong will be drafting ever more recruits, whereas South Vietnamese armed forces "will probably be considerably smaller." By April 1, Saigon's force "will be, at most, 75–80 per cent of its actual strength in December, 1967, and quite possibly closer to 60 per cent" because of heavy desertions.

The actual outcome: Saigon forces increased by 122,000 the next six months, finally surpassing one million. In contrast, Vietcong recruiting in the countryside was never the same, and the Communist war effort was increasingly carried by regulars from the North.

Ellsberg prophecy No. 3: "It is the death of pacification"—Communist control of South Vietnam will steadily increase, never receding. By April 1, "U.S. sub-sector teams will be withdrawn from a number of districts, and a number of province towns will be under siege. Some will have fallen." Some 400,000 U.S. troops would be needed to prevent this.

The actual outcome: Far from U.S. teams being withdrawn or province towns falling, Communist control of the countryside steadily receded, without any increase in U.S. troops.

Ellsberg prophecy No. 4: "The best guess is that the VC (Vietcong) cadres are busy learning lessons from the initial attacks on how to do better next month." By early April, there will be another round of heavy attacks, including renewed pressure of the U.S. Marine base at Khe Sanh.

The actual outcome: The Vietcong were hopelessly decimated by the Tet offensive. Not since then have they even contemplated an offensive comparable to Tet. By April 1, the relief of Khe Sanh had begun.

Moreover, Ellsberg completely missed this point: By their brutal assault on villages, the Communists irrevocably diminished their own political base in South Vietnam. While Ellsberg's memo predicted post-Tet tensions would result in U.S. air and artillery attacks on South Vietnamese villages, U.S. sensitivity about such politically self-defeating tactics has greatly increased since then.

Flawed though Ellsberg's judgment was, however, this mentality—in high places in and out of government—helped erode U.S. support of the war and undermine a political consensus at home. Now, in the confusion wrought by publication of the Pentagon Papers, the mistaken Dr. Ellsberg is apothesized while those who correctly interpreted Tet as a calamitous Communist setback are in disgrace.

THE PENTAGON PAPERS

HON. GEORGE McGOVERN

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Thursday, July 8, 1971

Mr. McGOVERN. Mr. President, I am continuing in my effort to place in the CONGRESSIONAL RECORD material for the information of Congress and the public.

Among the material I am making available today, I invite special attention to the Lansdale Team's report covering the 1954–55 period in Vietnam. The report tells the story of the Saigon Military Mission, a clandestine operation designed to aid the South Vietnamese against the Vietminh. This operation, the onset of direct American military involvement in Vietnam, was carried out as a part of official Government policy.

We have been told in recent days that only the two previous administrations have been tainted by the practice of deceiving the American people concerning the extent and nature of our involvement in Indochina. The Lansdale report indicates that there is no reason to attach a partisan label to the administrations that have involved us militarily in Vietnam while shielding us from knowledge of that involvement. Indeed, President Nixon, who was reputed to take part in the major decisions of the Eisenhower administration, was thus probably involved in the decision to initiate American military involvement in Vietnam. As a result, present administration spokesmen should not attempt to focus attention exclusively on the last two Democratic administrations.

The Pentagon papers show conclusively that for almost a quarter of a century, every American regime has inched closer to full-scale military action, while deceiving the American people. The papers teach the lesson that there must come a time to say "enough." That time is now long past.

Mr. President, I ask unanimous consent to have printed in the RECORD the documents and summaries from the following papers:

First. The New York Times, July 1, 2, 3, 4, 5, and 6.

Second. The Washington Post, July 1, 2, 3, and 4.

Third. The St. Louis Post-Dispatch, June 30, July 1, 2, 4, and 6.

Fourth. The Boston Globe, July 1, 3, and 4.

Fifth. The Christian Science Monitor, June 29 and 30, and July 1.

Sixth. The Chicago Sun Times, June 26 and 27.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, July 1, 1971]

PENTAGON PAPERS: STUDY REPORTS KENNEDY MADE "GAMBLE" INTO A "BROAD COMMITMENT"

(By Hedrick Smith)

The Pentagon's study of the Vietnam war concludes that President John F. Kennedy transformed the "limited-risk gamble" of the Eisenhower Administration into a "broad commitment" to prevent Communist domination of South Vietnam.

Although Mr. Kennedy resisted pressures for putting American ground-combat units into South Vietnam, the Pentagon analysts say, he took a series of actions that significantly expanded the American military and political involvement in Vietnam but nonetheless left President Lyndon B. Johnson with as bad a situation as Mr. Kennedy inherited.

"The dilemma of the U.S. involvement dating from the Kennedy era," the Pentagon study observes, was to use "only limited means to achieve excessive ends."

Moreover, according to the study, prepared in 1967–68 by Government analysts, the Kennedy tactics deepened the American involvement in Vietnam piecemeal, with each step minimizing public recognition that the American role was growing.

The expansion of that role, over three decades, is traced in the 3,000 pages of the Pentagon's study, which is accompanied by 4,000 pages of documents on the Vietnam era. Previous articles in The Times's presentation of this material have recounted President Johnson's movement to war in 1964 and 1965.

President Kennedy made his first fresh commitments to Vietnam secretly. The Pentagon study discloses that in the spring of 1961 the President ordered 400 Special Forces troops and 100 other American military advisers sent to South Vietnam. No publicity was given to either move.

Small as the numbers seem in retrospect, the Pentagon study comments that even the first such expansion "signaled a willingness to go beyond the 685-man limit on the size of the U.S. (military) mission in Saigon, which, if it were done openly, would be the first formal breach of the Geneva agreement." Under the interpretation of that agreement in effect since 1956, the United States was limited to 685 military advisers in Vietnam. Washington, while it did not sign the accord, pledged not to undermine it.

On May 11, 1961, the day on which President Kennedy decided to send the Special Forces, he also ordered the start of a campaign of clandestine warfare against North Vietnam, to be conducted by South Vietnamese agents directed and trained by the Central Intelligence Agency and some American Special Forces troops. [See text, action memorandum, May 11, 1961, Page 3.]

The President's instructions, as quoted in the documents, were, "In North Vietnam . . . [to] form networks of resistance, covert bases and teams for sabotage and light harassment." The American military mission in Saigon was also instructed to prepare South Vietnamese Army units "to conduct ranger raids and similar military actions in North Vietnam as might prove necessary or appropriate."

The Pentagon study reports that the primary target of the clandestine campaign against North Vietnam, and Laos as well, was to be "lines of communication"—railroads, highways, bridges, train depots and trucks.

The study does not report how many agents were actually sent north, though documents accompanying it describe some of the build-up and training of the First Observation Group, the main South Vietnamese unit conducting the covert campaign.

Within weeks of President Kennedy's May 11 decision, moreover, the North Vietnamese Government made repeated protests to the International Control Commission that its airspace and territory were being violated by foreign aircraft and South Vietnamese ground raids thrusting into the demilitarized zone along the border between the two Vietnams.

In July, 1961, Hanoi announced publicly that it had captured and was putting on trial three South Vietnamese participants in undercover operations who had survived the crash of a plane that was shot down, Hanoi said, while preparing to drop them into North Vietnam. The North Vietnamese, protesting formally to Britain and the Soviet Union—the co-chairmen of the 1954 Geneva conference on Vietnam—described in detail what they said the survivors had disclosed about their American training and equipment.

Mr. Kennedy's May 11 orders, the study discloses, also called for infiltration of South Vietnamese forces into southeastern Laos to find and attack Communist bases and supply lines.

On Oct. 13, moreover, the President reportedly gave additional secret orders for allied forces to "initiate ground action, including the use of U.S. advisers if necessary," against Communist aerial resupply missions in the vicinity of Tchepone, in the southern Laotian panhandle.

The Pentagon study does not analyze these covert operations in detail, but it shows Mr. Kennedy's decisions as part of an unbroken sequence that built up to much more ambitious covert warfare against North Vietnam under President Johnson in 1964.

COMBAT-SUPPORT EFFORTS BEGUN

The analysts handling the Kennedy period put more stress, however, on the evolution of President Kennedy's decision in November, 1961, to expand greatly the American military advisory mission in Vietnam and, for the first time, to put American servicemen in combat-support roles that involved them increasingly in actual fighting.

In a cablegram to Washington on Nov. 18, cited in the study, Frederick E. Nolting Jr., the United States Ambassador in Saigon, described the significance attached to those moves.

He said he had explained to President Ngo Dinh Diem of South Vietnam that the new roles of American servicemen "could expose them to enemy action."

"In response to Diem's question," Mr. Nolting continued, [I] said that in my personal opinion these personnel would be authorized to defend themselves if attacked. I pointed out that this was one reason why the decisions were very grave from U.S. standpoint."

[From the New York Times, July 1, 1971]

KEY VIETNAM TEXTS FROM THE KENNEDY YEARS

(NOTE.—Following are texts of key documents accompanying the Pentagon's study of the Vietnam war, dealing with the Administration of President John F. Kennedy up to the events that brought the overthrow of President Ngo Dinh Diem in 1963. Except where excerpting is specified, the documents are printed verbatim, with only unmistakable typographical errors corrected.)

U.S. AMBASSADOR'S 1960 ANALYSIS OF THREATS TO SAIGON REGIME

(Cablegram from Elbridge Durbow, United States Ambassador in Saigon, to Secretary of State Christian A. Herter, Sept. 16, 1960.)

As indicated our 495 and 538 Diem regime confronted by two separate but related dangers. Danger from demonstrations or coup attempt in Saigon could occur earlier; likely to be predominantly non-Communistic in origin but Communists can be expected to endeavor infiltrate and exploit any such attempt. Even more serious danger is gradual Viet Cong extension of control over countryside which, if current Communist progress continues, would mean loss free Viet-nam to Communists. These two dangers are related because Communist successes in rural areas embolden them to extend their activities to Saigon and because non-Communist temptation to engage in demonstrations or coup is partly motivated by sincere desire prevent Communist take-over in Viet-nam.

Essentially [word illegible] sets of measures required to meet these two dangers. For Saigon danger essentially political and psychological measures required. For countryside danger security measures as well as political, psychological and economic measures needed. However both sets measures should be carried out simultaneously and to some extent individual steps will be aimed at both dangers.

Security recommendations have been made in our 539 and other messages, including formation internal security council, centralized intelligence, etc. This message therefore deals with our political and economic recommendations. I realize some measures I am recommending are drastic and would be most [word illegible] for an ambassador to make under normal circumstances. But conditions here are by no means normal. Diem government is in quite serious danger. Therefore, in my opinion prompt and even drastic action is called for. I am well aware that Diem has in past demonstrated astute judgment and has survived other serious crises. Possibly his judgment will prove superior to ours this time, but I believe nevertheless we have no alternative but to give him our best judgment of what we believe is required to preserve his government. While Diem obviously resented my frank talks earlier this year and will probably resent even more suggestions outlined below, he has apparently acted on some of our earlier suggestions and might act on at least some of the following:

1. I would propose have frank and friendly talk with Diem and explain our serious concern about present situation and his political position. I would tell him that, while matters I am raising deal primarily with internal affairs, I would like to talk to him frankly and try to be as helpful as I can by giving him the considered judgment of myself and some of his friends in Washington on appropriate measures to assist him in present serious situation. (Believe it best not indicate talking under instructions.) I would particularly stress desirability of actions to broaden and increase his [word illegible] support prior to 1961 presidential elections required by constitution before end April. I would propose following actions to President:

2. Psychological shock effect is required to take initiative from Communist propagandists as well as non-Communist oppositionists and convince population government taking effective measures to deal with present situation, otherwise we fear matters could get out of hand. To achieve that effect following suggested:

(A) Because of Vice President Tho's knowledge of south where Communist guerilla infiltration is increasing so rapidly would suggest that he be shifted from ministry national economy to ministry interior. (Diem has already made this suggestion but Vice President most reluctant take job.)

(B) It is important to remove any feeling within armed forces that favoritism and political considerations motivate promotions and assignments. Also vital in order deal effectively with Viet Cong threat that channels of command be followed both down and up. To assist in bringing about these changes in armed forces, I would suggest appointment of full-time minister national defense. (Thuan has indicated Diem has been thinking of giving Thuan defense job.)

(C) Rumors about Mr. and Mrs. Nhu are creating growing dissension within country and seriously damage political position of Diem government. Whether rumors true or false, politically important fact is that more and more people believe them to be true. Therefore, becoming increasingly clear that in interest Diem government some action should be taken. In analagous situation in other countries including US important, useful government personalities have had to be sacrificed for political reasons. I would suggest therefore that President might appoint Nhu to ambassadorship abroad.

(D) Similarly Tran Kim Tuyen, Nhu's henchman and head of secret intelligence service, should be sent abroad in diplomatic capacity because of his growing identification in public mind with alleged secret police methods of repression and control.

(E) One or two cabinet ministers from opposition should be appointed to demonstrate Diem's desire to establish government of national union in fight against VC.

3. Make public announcement of disbandment of Can Lao party or at least its surfacing, with names and positions of all members made known publicly. Purpose this step would be to eliminate atmosphere of fear and suspicion and reduce public belief in favoritism and corruption, all of which party's semicovert status has given rise to.

4. Permit National Assembly wider legislative initiative and area of genuine debate and bestow on it authority to conduct, with appropriate publicity, public investigations of any department of government with right to question any official except President himself. This step would have three-fold purpose: (A) find some mechanism for dispelling through public investigation constantly generated rumors about government and its personalities; (B) provide people with avenue recourse against arbitrary actions by some government officials, (C) assuage some of intellectual opposition to government.

5. Require all government officials to declare publicly their property and financial holdings and give National Assembly authority to make public investigation of these declarations in effort dispel rumors of corruption.

6. [Words illegible] of [word illegible] control over content of the Vietnamese publication [word illegible] magazines, radio, so that the [words illegible] to closing the gap between government and [words illegible] ideas from one to the other. To insure that the press would reflect, as well as lead, public opinion without becoming a means of upsetting the entire GVN [word illegible], it should be held responsible to a self-imposed code of ethics or "canon" of press-conduct.

7. [Words illegible] to propaganda campaign about new 3-year development plan in effort convince people that government genuinely aims at [word illegible] their welfare. (This suggestion [word illegible] of course upon assessment of soundness of development plan, which has just reached us.)

8. Adopt following measures for immediate enhancement of peasant support of government: (A) establish mechanism for increasing price peasant will receive for paddy crop beginning to come on market in December, either by direct subsidization or establishment state purchasing mechanism; (B) institute modest payment for all corvee labor; (C) subsidize agroville families along same lines as land resettlement families until former on feet economically; (D) increase compensation paid to youth corps. If Diem asks how these measures are to be financed I shall suggest through increased taxes or increased deficit financing, and shall note that under certain circumstances reasonable deficit financing becomes a politically necessary measure for governments. I should add that using revenues for these fundamental and worthy purposes would be more effective than spending larger and larger sums on security forces, which, while they are essential and some additional funds for existing security forces may be required, are not complete answer to current problems.

9. Propose suggest to Diem that appropriate steps outlined above be announced dramatically in his annual state of union message to National Assembly in early October. Since Diem usually [word illegible] message in person this would have maximum effect, and I would recommend that it be broadcast live to country.

10. At [words illegible] on occasion fifth anniversary establishment Republic of Vietnam on October 26, it may become highly desirable for President Eisenhower to address a letter of continued support to Diem. Diem has undoubtedly noticed that Eisenhower letter recently delivered to Sihanouk. Not only for this reason, but also because it may become very important for us to give Diem continued reassurance of our support. Presidential letter which could be published here may prove to be very valuable.

Request any additional suggestions department may have and its approval for approach to Diem along lines paras 1 to 9.

We believe US should at this time support Diem as best available Vietnamese leader, but should recognize that overriding US objective is strongly anti-Communist Vietnamese government which can command loyal and enthusiastic support of widest possible segments of Vietnamese people, and is able to carry on effective fight against Communist guerillas. If Diem's position in country continues deteriorate as result failure adopt proper political, psychological economic and security measures, it may become necessary for US government to begin consideration alternative courses of action and leaders in order achieve our objective.

MEMORANDUM FROM ROSTOW TO KENNEDY WITH NINE PROPOSALS FOR ACTION

(Memorandum from Walt W. Rostow, deputy Presidential assistant for national security, to President Kennedy, April 12, 1961.)

Now that the Viet-Nam election is over, I believe we must turn to gearing up the whole Viet-Nam operation. Among the possible lines of action that might be considered at an early high level meeting are the following:

1. The appointment of a full time first-rate back-stop man in Washington. McNamara, as well as your staff, believes this to be essential.

2. The briefing of our new Ambassador, Fritz Nolting, including sufficient talk with yourself so that he fully understands the priority you attach to the Viet-Nam problem.

3. A possible visit to Viet-Nam in the near future by the Vice President.

4. A possible visit to the United States of Mr. Thuan, acting Defense Minister, and one of the few men around Diem with operational capacity and vigor.

5. The sending to Viet-Nam of a research and development and military hardware team which would explore with General McGarr which of the various techniques and gadgets now available or being explored might be relevant and useful in the Viet-Nam operation.

6. The raising of the MAAG ceiling, which involves some diplomacy, unless we can find an alternative way of introducing into Viet-Nam operation a substantial number of Special Forces types.

7. The question of replacing the present ICA Chief in Viet-Nam, who, by all accounts, has expanded his capital. We need a vigorous man who can work well with the military, since some of the rural development problems relate closely to guerrilla operations.

8. Sending the question of the extra funds for Diem.

9. The tactics of persuading Diem to move more rapidly to broaden the base of his government, as well as to decrease its centralization and improve its efficiency.

Against the background of decisions we should urgently take on these matters, you may wish to prepare a letter to Diem which would not only congratulate him, reaffirm our support, and specify new initiatives we are prepared to take, but would make clear

to him the urgency you attach to a more effective political and morale setting for his military operation, now that the elections are successfully behind him.

VIETNAM "PROGRAM OF ACTION" BY KENNEDY'S TASK FORCE

(Excerpts from "A Program of Action for South Vietnam," May 8, 1961, presented to President Kennedy by an interdepartmental task force comprising representives from the Departments of State and Defense, the Central Intelligence Agency, the International Cooperation Administration, the United States Information Agency and the Office of the President.)

2. Military:

a. The following military actions were approved by the President at the NSC meeting of 29 April 1961:

(1) Increase the MAAG as necessary to insure the effective implementation of the military portion of the program including the training of a 20,000-man addition to the present G.V.N. armed forces of 150,000. Initial appraisal of new tasks assigned CHMAAG indicate that approximately 100 additional military personnel will be required immediately in addition to the present complement of 685.

(2) Expand MAAG responsibilities to include authority to provide support and advice to the Self-Defense Corps with a strength of approximately 40,000.

(3) Authorize MAP support for the entire Civil Guard force of 68,000. MAP support is now authorized for 32,000; the remaining 36,000 are not now adequately trained and equipped.

(4) Install as matter of priority a radar surveillance capability which will enable the G.V.N. to obtain warning of Communist overflights being conducted for intelligence or clandestine air supply purposes. Initially, this capability should be provided from U.S mobile radar capability.

(5) Provide MAP support for the Vietnamese Junk Force as a means of preventing Viet Cong clandestine supply and infiltration into South Vietnam by water. MAP support which was not provided in the Counter-Insurgency Plan, will include training of junk crews in Vietnam or at U.S. bases by U.S. Navy personnel.

b. The following additional actions are considered necessary to assist the G.V.N. in meeting the increased security threat resulting from the new situation along the Laos-G.V.N. frontier:

(1) Assist the G.V.N. armed forces to increase their border patrol and insurgency suppression capabilities by establishing an effective border intelligence and patrol system, by instituting regular aerial surveillance over the entire frontier area, and by applying modern technological area-denial techniques to control the roads and trails along Vietnam's borders. A special staff element (approximately 6 U.S. personnel), to concentrate upon solutions to the unique problems of Vietnam's borders, will be activated in MAAG, Vietnam, to assist a similar special unit in the RVNAF which the G.V.N. will be encouraged to establish; these two elements working as an integrated team will help the G.V.N. gain the support of nomadic tribes and other border inhabitants, as well as introduce advanced techniques and equipment to strengthen the security of South Vietnam's frontiers.

(2) Assist the G.V.N. to establish a Combat Development and Test Center in South Vietnam to develop, with the help of modern technology, new techniques for use against the Viet Cong forces. (Approximately 4 U.S. personnel.)

(3) Assist the G.V.N. forces with health, welfare and public work projects by providing U.S. Army civic action mobile training teams, coordinated with the similar civilian effort. (Approximately 14 U.S. personnel.)

(4) Deploy a Special Forces Group (approximately 400 personnel) to Nha Trang in order to accelerate G.V.N. Special Forces training. The first increment, for immediate deployment in Vietnam, should be a Special Forces company (52 personnel).

(5) Instruct JCS, CINCPAC, and MAAG to undertake an assessment of the military utility of a further increase in the G.V.N. forces from 170,000 to 200,000 in order to create two new division equivalents for deployment to the northwest border region. The parallel political and fiscal implications should be assessed. . . .

4. Economic:

1. Objective: Undertake economic programs having both a short-term immediate impact as well as ones which contribute to the longer range economic viability of the country.

a. Undertake a series of economic projects designed to accompany the counterinsurgency effort, by the following action:

(1) Grant to ICA the authority and funds to move into a rural development-civic action program. Such a program would include short-range, simple, impact projects which would be undertaken by teams working in cooperation with local communities. This might cost roughly $3 to $5 million, mostly in local currency. Directors of field teams should be given authority with respect to the expenditure of funds including use of dollar instruments to purchase local currency on the spot.

b. Assist Vietnam to make the best use of all available economic resources, by the following action:

(1) Having in mind that our chief objective is obtaining a full and enthusiastic support by the G.V.N. in its fight against the Communists, a high level team preferably headed by Assistant Secretary of the Treasury John Leddy, with State and ICA members, should be dispatched to Saigon to work out in conjunction with the Ambassador a plan whereby combined U.S. and Vietnamese financial resources can best be utilized. This group's terms of reference should cover the broad range of fiscal and economic problems. Authority should be given to make concessions necessary to achieve our objectives and to soften the blow of monetary reform. Ambassador Nolting and perhaps the Vice President should notify Diem of the proposed visit of this group stressing that their objective is clearly to maximize the joint effort rather than to force the Vietnamese into inequitable and unpalatable actions.

(2) As a part of the foregoing effort, an assessment should be undertaken of the fiscal and other economic implications of a further force increase from 170,000 to 200,000 (as noted in the Military section above).

c. Undertake the development of a long-range economic development program as a means of demonstrating U.S. confidence in the economic and political future of the country by the following action:

(1) Authorize Ambassador Nolting to inform the G.V.N. that the U.S. is prepared to discuss a long-range joint five-year development program which would involve contributions and undertakings by both parties. . . .

5. Psychological:

a. Assist the G.V.N. to accelerate its public information program to help develop a broad public understanding of the actions required to combat the Communist insurgents and to build public confidence in the G.V.N.'s determination and ability to deal with the Communist threat.

b. The U.S. Country Team, in coordination with the G.V.N. Ministry of Defense, should compile and declassify for use of media representatives in South Vietnam and throughout the world, documented facts concerning Communist infiltration and terrorists' activities and the measures being taken by the G.V.N. to counter such attacks.

c. In coordination with CIA and the appropriate G.V.N. Ministry, USIS will increase the flow of information about unfavorable conditions in North Vietnam to media representatives.

d. Develop agricultural pilot-projects throughout the country, with a view toward exploiting their beneficial psychological effects. This project would be accomplished by combined teams of Vietnamese Civic Action personnel, Americans in the Peace Corps, Filipinos in Operation Brotherhood, and other Free World nationals.

e. Exploit as a part of a planned psychological campaign the rehabilitation of Communist Viet Cong prisoners now held in South Vietnam. Testimony of rehabilitated prisoners, stressing the errors of Communism, should be broadcast to Communist-held areas, including North Vietnam, to induce defections. This rehabilitation program would be assisted by a team of U.S. personnel including U.S. Army (Civil Affairs, Psychological Warfare and Counter-Intelligence), USIS, and USOM experts.

f. Provide adequate funds for an impressive U.S. participation in the Saigon Trade Fair of 1962.

6. Covert Actions:

a. Expand present operations in the field of intelligence, unconventional warfare, and political-psychological activities to support the U.S. objective as stated.

b. Initiate the communications intelligence actions, CIA and ASA personnel increases, and funding which were approved by the President at the NSC meeting of 29 April 1961.

c. Expand the communications intelligence actions by inclusion of 15 additional Army Security Agency personnel to train the Vietnamese Army in tactical COMINT operations. . . .

7. Funding:

a. As spelled out in the funding annex, the funding of the counter-insurgency plan and the other actions recommended in this program might necessitate increases in U.S. support of the G.V.N. budget for FY 61 of as much as $58 million, making up to a total of $192 million compared to $155 million for FY 60. The U.S. contribution for the G.V.N. Defense budget in FY 62 as presently estimated would total $161 million plus any deficiency in that Budget which the G.V.N. might be unable to finance. The exact amount of U.S. contributions to the G.V.N. Defense budgets for FY 61 and FY 62 are subject to negotiation between the U.S. and the G.V.N.

b. U.S. military assistance to G.V.N., in order to provide the support contemplated by the proposed program would total $140 million, or $71 million more than now programmed for Vietnam in the U.S. current MAP budget for FY 62. . . .

Annex 6: Covert actions

a. Intelligence: Expand current positive and counter-intelligence operations against Communist forces in South Vietnam and against North Vietnam. These include penetration of the Vietnamese Communist mechanism, dispatch of agents to North Vietnam and strengthening Vietnamese internal security services. Authorization should be given, subject to existing procedures, for the use in North Vietnam operations of civilian air crews of American and other nationality, as appropriate, in addition to Vietnamese. Consideration should be given for overflights of North Vietnam for photographic intelligence coverage, using American or Chinese Nationalists crews and equipment as necessary.

b. Communications Intelligence: Expand the current program of interception and direction-finding covering Vietnamese Com-

munist communications activities in South Vietnam, as well as North Vietnam targets. Obtain further USIB authority to conduct these operations on a fully joint basis, permitting the sharing of results of interception, direction finding, traffic analysis and cryptographic analysis by American agencies with the Vietnamese to the extent needed to launch rapid attacks on Vietnamese Communist communications and command installations.

This program should be supplemented by a program, duly coordinated, of training additional Vietnamese Army units in intercept and direction-finding by the US Army Security Agency. Also, US Army Security Agency teams could be sent to Vietnam for direct operations, coordinated in the same manner—Approved by the President at the NSC meeting of 29 April 1961.

c. Unconventional Warfare: Expand present operations of the First Observation Battalion in guerrilla areas of South Vietnam, under joint MAAG–CIA sponsorship and direction. This should be in full operational collaboration with the Vietnamese, using Vietnamese civilians recruited with CIA aid.

In Laos, infiltrate teams under light civilian cover to Southeast Laos to locate and attack Vietnamese Communist bases and lines of communications. These teams should be supported by assault units of 100 to 150 Vietnamese for use on targets beyond capability of teams. Training of teams could be a combined operation by CIA and US Army Special Forces.

In North Vietnam, using the foundation established by intelligence operations, form networks of resistance, covert bases and teams for sabotage and light harassment. A capability should be created by MAAG in the South Vietnamese Army to conduct Ranger raids and similar military actions in North Vietnam as might prove necessary or appropriate. Such actions should try to avoid any outbreak of extensive resistance or insurrection which could not be supported to the extent necessary to stave off repression.

Conduct overflights for dropping of leaflets to harass the Communists and to maintain morale of North Vietnamese population, and increase gray broadcasts to North Vietnam for the same purposes.

d. Internal South Vietnam: Effect operations to penetrate political forces, government, armed services and opposition elements to measure support of government, provide warning of any coup plans and identify individuals with potentiality of providing leadership in event of disappearance of President Diem.

Build up an increase in the population's participation in and loyalty to free government in Vietnam, through improved communication between the government and the people, and by strengthening independent or quasi-independent organizations of political, syndical or professional character. Support covertly the GVN in allied and neutral countries, with special emphasis on bringing out GVN accomplishments, to counteract tendencies toward a "political solution" while the Communists are attacking GVN. Effect, in support, a psychological program in Vietnam and elsewhere exploiting Communist brutality and aggression in North Vietnam.

e. The expanded program outlined above was estimated to require an additional 40 personnel for the CIA station and an increase in the CIA outlay for Vietnam of approximately $1.5 million for FY 62, partly compensated by the withdrawal of personnel from other areas. The US Army Security Agency actions to supplement communications intelligence will require 78 personnel and approximately $1.2 million in equipment. The personnel and fund augmentations in this paragraph were approved by the President at the NSC meeting of 29 April 1961.

f. In order adequately to train the Vietnamese Army in tactical COMIT operations, the Army Security Agency estimates that an additional 15 personnel are required. This action has been approved by the US Intelligence Board.

1961 MEMORANDUM FROM THE JOINT CHIEFS ON COMMITMENT OF U.S. FORCES

(Memorandum on "U.S. Forces in South Vietnam" from the Joint Chiefs of Staff to Secretary of Defense Robert S. McNamara, May 10, 1961.)

1. In considering the possible commitment of U.S. forces to South Vietnam, the Joint Chiefs of Staff have reviewed the over-all critical situation in Southeast Asia with particular emphasis upon the present highly flammable situation in South Vietnam. In this connection the question, however, of South Vietnam should not be considered in isolation but rather in conjunction with Thailand and their over-all relationship to the security of Southeast Asia. The views of the Joint Chiefs of Staff on the question regarding the deployment of U.S. forces into Thailand were provided to you by JCSM–311–61, dated 9 May 1961. The current potentially dangerous military and political situation in Laos, of course, is the focal point in this area. Assuming that the political decision is to hold Southeast Asia outside the Communist sphere, the Joint Chiefs of Staff are of the opinion that U.S. forces should be deployed immediately to South Vietnam; such action should be taken primarily to prevent the Vietnamese from being subjected to the same situation as presently exists in Laos, which would then require deployment of U.S. forces into an already existing combat situation.

2. In view of the foregoing, the Joint Chiefs of Staff recommend that the decision be made now to deploy suitable U.S. forces to South Vietnam. Sufficient forces should be deployed to accomplish the following purposes:

a. Provide a visible deterrent to potential North Vietnam and/or Chinese Communist action;

b. Release Vietnamese forces from advanced and static defense positions to permit their fuller commitment to counter-insurgency actions;

c. Assist in training the Vietnamese forces to the maximum extent possible consistent with their mission;

d. Provide a nucleus for the support of any additional U.S. or SEATO military operation in Southeast Asia; and

e. Indicate the firmness of our intent to all Asian nations.

3. In order to maintain U.S. flexibility in the Pacific, it is envisioned that some or all of the forces deployed to South Vietnam would come from the United States. The movement of the troops could be accomplished in an administrative manner and thus not tax the limited lift capabilities of CINCPAC.

4. In order to accomplish the foregoing, the Joint Chiefs of Staff recommend that:

a. President Diem be encouraged to request that the United States fulfill its SEATO obligation, in view of the new threat now posed by the Laotian situation, by the immediate deployment of appropriate U.S. forces to South Vietnam;

b. Upon receipt of this request, suitable forces could be immediately deployed to South Vietnam in order to accomplish the above-mentioned purposes. Details of size and composition of these forces must include the views of both CINCPAC and CHMAAG which are not yet available.

U.S. APPROVAL, IN 1961, OF STEPS TO STRENGTHEN SOUTH VIETNAM

(National Security Action Memorandum 52, signed by McGeorge Bundy, Presidential adviser on national security, May 11, 1961.)

1. The U.S. objective and concept of operations stated in report are approved: to prevent Communist domination of South Vietnam; to create in that country a viable and increasingly democratic society, and to initiate, on an accelerated basis, a series of mutually supporting actions of a military, political, economic, psychological and covert character designed to achieve this objective.

2. The approval given for specific military actions by the President at the National Security Council meeting on April 29, 1961, is confirmed.

3. Additional actions listed at pages 4 and 5 of the Task Force Report are authorized, with the objective of meeting the increased security threat resulting from the new situation along the frontier between Laos and Vietnam. In particular, the President directs an assessment of the military utility of a further increase in G.V.N. forces from 170,000 to 200,000, together with an assessment of the parallel political and fiscal implications.

4. The President directs full examination by the Defense Department, under the guidance of the Director of the continuing Task Force on Vietnam, of the size and composition of forces which would be desirable in the case of a possible commitment of U.S. forces to Vietnam. The diplomatic setting within which this action might be taken should also be examined.

5. The U.S. will seek to increase the confidence of President Diem and his Government in the United States by a series of actions and messages relating to the trip of Vice President Johnson. The U.S. will attempt to strengthen President Diem's popular support within Vietnam by reappraisal and negotiation, under the direction of Ambassador Nolting. Ambassador Nolting is also requested to recommend any necessary reorganization of the Country Team for these purposes.

6. The U.S. will negotiate in appropriate ways to improve Vietnam's relationship with other countries, especially Cambodia, and its standing in world opinion.

7. The Ambassador is authorized to begin negotiations looking toward a new bilateral arrangement with Vietnam, but no firm commitment will be made to such an arrangement without further review by the President.

8. The U.S. will undertake economic programs in Vietnam with a view to both short-term immediate impact and a contribution to the longer-range economic viability of the country, and the specific actions proposed on pages 12 and 13 of the Task Force Report are authorized.

9. The U.S. will strengthen its efforts in the psychological field as recommended on pages 14 and 15 of the Task Force Report.

10. The program for covert actions outlined on page 15 of the Task Force Report is approved.

11. These decisions will be supported by appropriate budgetary action, but the President reserves judgment on the levels of funding proposed on pages 15 and 16 of the Task Force Report and in the funding annex.

12. Finally, the President approves the continuation of a special Task Force on Vietnam, established in and directed by the Department of State under Sterling J. Cottrell as Director, and Chalmers B. Wood as Executive Officer.

REPORT BY VICE PRESIDENT JOHNSON ON HIS VISIT TO ASIAN COUNTRIES

(Excerpts from memorandum, "Mission to Southeast Asia, India and Pakistan," from Vice President Lyndon B. Johnson to President Kennedy, May 23, 1961.)

I took to Southeast Asia some basic convictions about the problems faced there. I have come away from the mission there—and to India and Pakistan—with many of those convictions sharpened and deepened by what

48-059 O - 72 - pt. 18 - 65

I saw and learned. I have also reached certain other conclusions which I believe may be of value as guidance for those responsible in formulating policies.

These conclusions are as follows:

1. The battle against Communism must be joined in Southeast Asia with strength and determination to achieve success there—or the United States, inevitably, must surrender the Pacific and take up our defenses on our own shores. Asian Communism is compromised and contained by the maintenance of free nations on the subcontinent. Without this inhibitory influence, the island outposts—Philippines, Japan, Taiwan—have no security and the vast Pacific becomes a Red Sea.

2. The struggle is far from lost in Southeast Asia and it is by no means inevitable that it must be lost. In each country it is possible to build a sound structure capable of withstanding and turning the Communist surge. The will to resist—while now the target of subversive attack—is there. The key to what is done by Asians in defense of Southeast Asian freedom is confidence in the United States.

3. There is no alternative to United States leadership in Southeast Asia. Leadership in individual countries—or the regional leadership and cooperation so appealing to Asians—rests on the knowledge and faith in United States power, will and understanding.

4. SEATO is not now and probably never will be the answer because of British and French unwillingness to support decisive action. Asian distrust of the British and French is outspoken. Success at Geneva would prolong SEATO's role. Failure at Geneva would terminate SEATO's meaningfulness. In the latter event, we must be ready with a new approach to collective security in the area.

We should consider an alliance of all the free nations of the Pacific and Asia who are willing to join forces in defense of their freedom. Such an organization should:

(a) have a clear-cut command authority

(b) also devote attention to measures and programs of social justice, housing, land reform, etc.

5. Asian leaders—at this time—do not want American troops involved in Southeast Asia other than on training missions. American combat troop involvement is not only not required, it is not desirable. Possibly Americans fail to appreciate fully the subtlety that recently-colonial peoples would not look with favor upon governments which invited or accepted the return this soon of Western troops. To the extent that fear of ground troop involvement dominates our political responses to Asia in Congress or elsewhere, it seems most desirable to me to allay those paralyzing fears in confidence, on the strength of the individual statements made by leaders consulted on this trip. This does not minimize or disregard the probability that open attack would bring calls for U.S. combat troops. But the present probability of open attack seems scant, and we might gain much needed flexibility in our policies if the spectre of combat troop commitment could be lessened domestically.

6. Any help—economic as well as military—we give less developed nations to secure and maintain their freedom must be a part of a mutual effort. These nations cannot be saved by United States help alone. To the extent the Southeast Asian nations are prepared to take the necessary measures to make our aid effective, we can be—and must be—unstinting in our assistance. It would be useful to enunciate more clearly than we have—for the guidance of these young and unsophisticated nations—what we expect or require of them.

7. In large measure, the greatest danger Southeast Asia offers to nations like the United States is not the momentary threat of Communism itself, rather that danger stems from hunger, ignorance, poverty and disease. We must—whatever strategies we evolve—keep these enemies the point of our attack, and make imaginative use of our scientific and technological capability in such enterprises.

8. Vietnam and Thailand are the immediate—and most important—trouble spots, critical to the U.S. These areas require the attention of our very best talents—under the vest closest Washington direction—on matters economic, military and political.

The basic decision in Southeast Asia is here. We must decide whether to help these countries to the best of our ability or throw in the towel in the area and pull back our defenses to San Francisco and a "Fortress America" concept. More important, we would say to the world in this case that we don't live up to treaties and don't stand by our friends. This is not my concept. I recommend that we move forward promptly with a major effort to help these countries defend themselves. I consider the key here is to get our best MAAG people to control, plan, direct and exact results from our military aid program. In Vietnam and Thailand, we must move forward together.

a. In Vietnam, Diem is a complex figure beset by many problems. He has admirable qualities, but he is remote from the people, is surrounded by persons less admirable and capable than he. The country can be saved—if we move quickly and wisely. We must decide whether to support Diem—or let Vietnam fall. We must have coordination of purpose in our country team, diplomatic and military. The Saigon Embassy, USIS, MAAG and related operations leave much to be desired. They should be brought up to maximum efficiency. The most important thing is imaginative, creative, American management of our military aid program. The Vietnamese and our MAAG estimate that $50 million of U.S. military and economic assistance will be needed if we decide to support Vietnam. This is the best information available to us at the present time and if it is confirmed by the best Washington military judgment it should be supported. Since you proposed and Diem agreed to a joint economic mission, it should be appointed and proceed forthwith.

b. In Thailand, the Thais and our own MAAG estimate probably as much is needed as in Vietnam—about $50 million of military and economic assistance. Again, should our best military judgment concur, I believe we should support such a program. Sarit is more strongly and staunchly pro-Western than many of his people. He is and must be deeply concerned at the consequence to his country of a communist-controlled Laos. If Sarit is to stand firm against neutralism, he must have—soon—concrete evidence to show his people of United States military and economic support. He believes that his armed forces should be increased to 150,000. His Defense Minister is coming to Washington to discuss aid matters.

The fundamental decision required of the United States—and time is of the greatest importance—is whether we are to attempt to meet the challenge of Communist expansion now in Southeast Asia by a major effort in support of the forces of freedom in the area or throw in the towel. This decision must be made in a full realization of the very heavy and continuing costs involved in terms of money, of effort and of United States prestige. It must be made with the knowledge that at some point we may be faced with the further decision of whether we commit major United States forces to the area or cut our losses and withdraw should our other efforts fail. We must remain muster in this decision. What we do in Southeast Asia should be part of a rational program to meet the threat we face in the region as a whole. It should include a clear-cut pattern of specific contributions to be expected by each partner according to his ability and resources. I recommend we proceed with a clear-cut and strong program of action.

I believe that the mission—as you conceived it—was a success. I am grateful to the many who labored to make it so.

LANSDALE MEMO FOR TAYLOR ON UNCONVENTIONAL WARFARE

(Excerpts from memorandum from Brig. Gen. Edward G. Lansdale, Pentagon expert on guerrilla warfare, to Gen. Maxwell D. Taylor, President Kennedy's military adviser, on "Resources for Unconventional Warfare, S E Asia," undated but apparently from July, 1961. Copies were sent to Secretary of Defense Robert S. McNamara, Deputy Secretary of Defense Roswell L. Gilpatric, Secretary of State Dean Rusk, Allen W. Dulles, Director of Central Intelligence, and Gen. C. P. Cabell, Deputy Director of Central Intelligence.)

This memo is in response to your desire for early information on unconventional-warfare resources in Southeast Asia. The information was compiled within Defense and CIA.

A. South Vietnam

1. Vietnamese

a. First Observation Group:

This is a Special Forces type of unit, with the mission of operating in denied (enemy) areas. It currently has some limited operations in North Vietnam and some shallow penetrations into Laos. Most of the unit has been committed to operations against Viet Cong guerrillas in South Vietnam.

Strength, as of 6 July, was 340. The First Observation Group had an authorized strength of 305 and now is being increased by 500, for a total of 805, under the 20,000-man force increase. Personnel are volunteers who have been carefully screened by security organizations. Many are from North Vietnam. They have been trained for guerrilla operations, at the Group's training center at Nha Trang. The unit is MAP-supported, as a TO&E unit of the RVNAF (Republic of Vietnam Armed Forces). It receives special equipment and training from CIA and U.S. control is by CIA/MAAG.

The Group and its activities are highly classified by the Government of Vietnam. Only a select few senior RVNMAF officers have access to it. Operations require the approval of President Diem, on much the same approval basis as certain U.S. special operations. The unit is separate from normal RVNAF command channels.

The Group was organized in February, 1956, with the initial mission of preparing stay-behind organizations in South Vietnam just below the 17th Parallel for guerrilla warfare in the event of an overt invasion by North Vietnamese forces. It was given combat missions against Viet Cong guerrillas in South Vietnam last year, when these Communist guerrillas increased their activities. The plan is to relieve the Group from these combat assignments, to ready its full strength for denied area missions, as RVNAF force increases permit relief. It is currently being organized into twenty teams of 15 men each, with two RS–1 radios per team, for future operations.

b. Other RVNAF:

MAAG-Vietnam has reported the formation of additional volunteer groups, apart from the First Observation Group, for similar operations to augment the missions of the Group. As of 6 July, the additional volunteers were reported as:

1). 60 Mois (Montagnard tribesmen) recruited, being security screened, to receive Special Forces training.

2). 400 military (RVNAF), to receive Special Forces training. 80 will be formed into small teams, to augment operations of the

First Operations Group. 320 will be formed into two Ranger (Airborne) companies.

3). 70 civilians, being organized and trained for stay-behind operations, penetration teams, and communicators.

Other special units of the RVNAF, now committed to operations against the Viet Cong and with Special Forces/Ranger training, are:

9,096 Rangers, in 65 companies.

2,772 more Rangers being activated, part of 20,000-man increase.

4,786 Paratroopers.

2,000 Marines.

673 men in Psychological Warfare Bn.

In addition, cadres from all other combat elements of the RVNAF have received Special Forces/Ranger training.

2. U.S.

a. Defense:

(1) There are approximately 6 officers and 6 enlisted men from the 1st Special Group on Okinawa currently attached to the MAAG to assist with Ranger-type training.

(2) There are three 4-man intelligence training teams present—Combat Intelligence, Counter-Intelligence, Photo-Interpretation and Foreign Operations Intelligence (clandestine collection) in addition to eight officers and two enlisted intelligence advisors on the MAAG staff.

(3) There are two Psychological Warfare staff officers on the MAAG staff and a 4-man Civil Affairs mobile training team (3 officers—1 enlisted man) advising the G-5 staff of the Vietnamese Army in the psy/ops-civic action fields.

b. CIA:

(1) There are 9 CIA officers working with the First Observation Group in addition to one MAAG advisor.

(2) CIA also has five officers working with the Vietnamese Military Intelligence Service and one officer working with the covert [one word illegible] of the Army Psychological Warfare Directorate.

B. Thailand

1. Thai

a. Royal Thai Army Ranger Battalion (Airborne):

A Special Forces type unit, its stated mission is to organize and conduct guerrilla warfare in areas of Thailand overrun by the enemy in case of an open invasion of Thailand. It currently has the mission of supplying the Palace Guard for the Prime Minister.

Based at Lopburi, the Ranger Battalion has a MAP authorized strength of 580. It is organized into a Headquarters and Headquarters company, a Service company, and four Ranger companies. The Battalion has 4 command detachments and 26 operations detachments, trained and organized along the lines of U.S. Special Forces in strength, equipment, and rank structure.

The Ranger Battalion is loosely attached to the 1st Division. In reality, it is an independent unit of the Royal Thai Army, under the direct control of Field Marshal Sarit, the Commander in Chief, and receives preferential treatment.

Each ranger company has been assigned a region of Thailand, in which it is to be prepared to undertake guerrilla warfare in case of enemy occupation. Field training is conducted in these assigned regions, to acquaint the detachments with the people, facilities and terrain.

b. Police Aerial Resupply Unit (PARU):

The PARU has a mission of undertaking clandestine operations in denied areas. 99 PARU personnel have been introduced covertly to assist the Meos in operations in Laos, where their combat performance has been outstanding.

This is a special police unit, supported by CIA (CIA control in the Meo operations has been reported as excellent), with a current strength of 300 being increased to 550 as rapidly as possible. All personnel are specially selected and screened, and have been rated as of high quality. Officers are selected from the ranks.

Training consists of 10 weeks' basic training, 3 weeks' jumping, 3 weeks' jungle operations, 4 weeks' police law and 3 months of refresher training yearly. Forty individuals have been trained as W/T communicators.

All personnel have adequate personal gear to be self-sustaining in the jungle. Weapons are M-1 rifles, M-3 submachine guns and BAR. In addition, personnel are trained to use other automatic weapons, 2.34 rocket launchers, and 60-mm. mortars.

There are presently 13 PARU teams, totaling 99 men, operating with the Meo guerillas in Laos. Combat reports of these operations have included exceptionally heroic and meritorious actions by PARU personnel. The PARU teams have provided timely intelligence and have worked effectively with local tribes.

c. Thai Border Patrol Police (BPP):

The mission of the BPP is to counter infiltration and subversion during peacetime, in addition to normal police duties, in the event of an armed invasion of Thailand, the BPP will operate as guerilla forces in enemy-held areas, in support of regular Thai armed forces.

The BPP has a current strength of 4,500. It was organized in 1955 as a gendarmerie patrol force (name changed to BPP in 1959), composed of 71 active and 23 reserve platoons, from existing police units. It is an element of the Thai National Police, subordinate to the Ministry of the Interior.

Although technically a police organization, the BPP is armed with infantry weapons, including light machine guns, rocket launchers and light mortars. It is trained in small-unit infantry tactics and counter-guerrilla operations. Training is currently being conducted by a 10-man U.S. Army Special Forces team from Okinawa, under ICA auspices.

This unusual police unit was created initially to cope with problems posed by foreign guerrilla elements using Thailand as a safe-haven: the Vietminh in eastern Thailand and the Chinese Communists along the Malayan border in the south. There has been some tactical liaison with Burmese Army units.

2. U.S.

a. Defense:

(1) A Special Forces qualified officer is assigned to advise the RTA Ranger Battalion.

(2) A ten-man Special Forces team from the 1st Special Forces Group in Okinawa is currently conducting training for the Thai Border Patrol Police under ICA auspices.

(3) There are 5 officers and 1 enlisted man attached to MAAG as advisers to J-2 and the Thai Armed Forces Security Center.

b. CIA:

(1) 2 advisers with PARU.

(2) 3 officers who work with the Border Patrol Police providing advice, guidance and limited training in the collection and processing of intelligence in addition to management of their communications system.

C. Laos

1. Lao

a. Commandos:

According to CINCPAC, there are two special commando companies in the Lao Armed Forces (FAL), with a total strength of 256. These commandos have received Special Forces training.

b. Meo Guerrillas:

About 9,000 Meo tribesmen have been equipped for guerrilla operations, which they are now conducting with considerable effectiveness in Communist-dominated territory in Laos. They have been organized into Auto-Defense Choc units of the FAL, of varying sizes. Estimates on how many more of these splendid fighting men could be recruited vary, but a realistic figure would be around 4,000 more, although the total manpower pool is larger.

Political leadership of the Meos is in the hands of Touby Lyfoung, who now operates mostly out of Vientiane. The military leader is Lt-Col Vang Pao, who is the field commander. Command control of Meo operations is exercised by the Chief of CIA Vientiane with the advice of Chief MAAG Laos. The same CIA paramilitary and U.S. military teamwork is in existence for advisory activities (9 CIA operations officers, 9 LTAG/Army Special Forces personnel, an addition to the 99 Thai PARU under CIA control) and aerial resupply.

As Meo villages are over-run by Communist forces and as men leave food-raising duties to serve as guerrillas, a problem is growing over the care and feeding of non-combat Meos. CIA has given some rice and clothing to relieve this problem. Consideration needs to be given to organized relief, a mission of an CIA nature, to the handling of Meo refugees and their rehabilitation.

c. National Directorate of Coordination:

This is the Intelligence arm of the RLG. Its operations are mainly in the Vientiane area at present. It has an armed unit consisting of two battalions and is under the command of Lt-Col Siho, a FAL officer. In addition to intelligence operations this force has a capability for sabotage, kidnapping, commando-type raids, etc.

d. There is also a local veteran's organization and a grass-roots political organization in Laos, both of which are subject to CIA direction and control and are capable of carrying out propaganda, sabotage and harassment operations. Both are located (in varying degrees of strength and reliability) throughout Laos.

2. U.S.

a. Defense:

(1) There are 154 Special Forces personnel (12 teams) from the 7th Special Forces Group at Fort Bragg, N.C., attached to the MAAG and providing tactical advice to FAL commanders and conducting basic training when the situation permits.

(2) A 10-man intelligence training team is assisting the FAL in establishing a military intelligence system.

(3) An 8-man psychological warfare team is assisting the FAL with psy war operations and operation of its radio transmitters.

b. CIA:

(1) Nine CIA officers are working in the field with the Meo guerrillas, backstopped by two additional officers in Vientiane.

(2) Three CIA officers plus 2-3 Vietnamese are working with the National Directorate of Coordination.

D. Others

1. Asian

a. Eastern Construction Company [Filipinos]:

This is a private, Filipino-run public service organization, similar to an employment agency, with an almost untapped potential for unconventional warfare (which was its original mission). It now furnishes about 500 trained, experienced Filipino technicians to the Governments of Vietnam and Laos, under the auspices of MAAGs (MAP) and USOMs (ICA activities). Most of these Filipinos are currently augmenting U.S. military logistics programs with the Vietnamese Army and Lao Army. They instruct local military personnel in ordnance, quartermaster, etc. maintenance, storage, and supply procedures. MAAG Chiefs in both Vietnam and Laos have rated this service as highly effective. CIA has influence and some continuing interest with individuals.

The head of Eastern Construction is

"Frisco" Johnny San Juan, former National Commander, Philippines Veterans Legion, and former close staff assistant to President Magsaysay of the Philippines (serving as Presidential Complaints and Action Commissioner directly under the President). Its cadre are mostly either former guerrillas against the Japanese in WW II or former Philippine Army personnel. Most of the cadre had extensive combat experience against the Communist Huk guerrillas in the Philippines. This cadre can be expanded into a wide range of counter-Communist activities, having sufficient stature in the Philippines to be able to draw on a very large segment of its trained, experienced, and well-motivated manpower pool.

Eastern Construction was started in 1954 as Freedom Company of the Philippines, a non-profit organization, with President Magsaysay as its honorary president. Its charter stated plainly that it was "to serve the cause of freedom." It actually was a mechanism to permit the deployment of Filipino personnel in other Asian countries, for unconventional operations, under cover of a public service organization having a contract with the host government. Philippine Armed Forces and government personnel were "sheep-dipped" and served abroad. Its personnel helped write the Constitution of the Republic of Vietnam, trained Vietnam's Presidential Guard Battalion, and were instrumental in founding and organizing the Vietnamese Veterans Legion.

When U.S. personnel instrumental in the organization and operational use of Freedom Company departed from the Asian area, direct U.S. support of the organization (on a clandestine basis) was largely terminated. The Filipino leaders in it then decided to carry on its mission privately, as a commercial undertaking. They changed the name to Eastern Construction Company. The organization survived some months of very hard times financially. Its leaders remain as a highly-motivated, experienced, anti-Communist "hard core."

b. Operation Brotherhood (Filipino):

There is another private Filipino public-service organization, capable of considerable expansion in socio-economic-medical operations to support counter-guerrilla actions. It is now operating teams in Laos, under ICA auspices. It has a measure of CIA control.

Operation Brotherhood (OB) was started in 1954 by the International Jaycees, under the inspiration and guidance of Oscar Arellano, a Filipino architect who was Vice President for Asia of the International Jaycees. The concept was to provide medical service to refugees and provincial farmers in South Vietnam, as part of the 1955 pacification and refugee program. Initially Filipino teams, later other Asian and European teams, served in OB in Vietnam. Their work was closely coordinated with Vietnamese Army operations which cleaned up Vietminh stay-behinds and started stabilizing rural areas. . . .

c. The Security Training Center (STC):

This is a counter-subversion, counter-guerrilla and psychological warfare school overtly operated by the Philippine Government and covertly sponsored by the U.S. Government through CIA as the instrument of the Country Team. It is located at Fort McKinley on the outskirts of Manila. Its stated mission is: "To counter the forces of subversion in Southeast Asia through more adequate training of security personnel, greater cooperation, better understanding and maximum initiative among the countries of the area." . . .

The training capability of the STC includes a staff of approximately 12 instructors in the subjects of unconventional and counter-guerrilla warfare. . . .

d. CAT. Civil Air Transport (Chinese Nationalist):

CAT is a commercial air line engaged in scheduled and non-scheduled air operations throughout the Far East, with headquarters and large maintenance facilities located in Taiwan. CAT, a CIA propietary, provides air logistical support under commercial cover to most CIA and other U.S. Government agencies' requirements. CAT supports covert and clandestine air operations by providing trained and experienced personnel, procurement of supplies and equipment through overt commercial channels, and the maintenance of a fairly large inventory of transpcrt and other type aircraft under both Chinat and U.S. registry.

CAT has demonstrated its capability on numerous occasions to meet all types of contingency or long-term covert air requirements in support of U.S. objectives. During the past ten years, it has had some notable achievements, including support of the Chinese Nationalist withdrawal from the mainland, air drop support to the French at Dien Bien Phu, complete logistical and tactical air support for the Indonesian operation, air lifts of refugees from North Vietnam, more than 200 overflights of Mainland China and Tibet, and extensive air support in Laos during the current crisis. . . .

2. U.S.

b. CIA:

(1) Okinawa—Support Base.

Okinawa Station is in itself a paramilitary support asset and, in critical situations calling for extensive support of UW activity in the Far East, could be devoted in its entirety to this mission. Located at Camp Chinen, it comprises a self-contained base under Army cover with facilities of all types necessary to the storage, testing, packaging, procurement and delivery of supplies—ranging from weapons and explosives to medical and clothing. Because of its being a controlled area, it can accommodate admirably the holding of black bodies in singletons or small groups, as well as small groups of trainees. . . .

(4). Saipan Training Station.

CIA maintains a field training station on the island of Saipan located approximately 160 miles northeast of Guam in the Marianas Islands. The installation is under Navy cover and is known as the Naval Technical Training Unit. The primary mission of the Saipan Training Station is to provide physical facilities and competent instructor personnel to fulfill a variety of training requirements including intelligence tradecraft, communications, counter-intelligence and phychological warfare techniques. Training is performed in support of CIA activities conducted throughout the Far East area.

In addition to the facilities described above, CIA maintains a small ship of approximately 500 tons' displacement and 140 feet in length. This vessel is used presently to provide surface transportation between Guam and Saipan. It has an American Captain and First Mate and a Philippine crew, and is operated under the cover of a commercial corporation with home offices in Baltimore, Maryland. Both the ship and the corporation have a potentially wider paramilitary application both in the Far East area and elsewhere.

CABLE OF DIEM'S TREATY REQUEST

Cablegram from the United States Embassy in Saigon to the State Department, Oct. 1, 1961. A copy of the message was sent to the commander in chief of Pacific forces.

Discussion with Felt and party, McGarr, Nolting yesterday Diem asked for bilateral defense treaty. Large and unexplained request. Serious. Put forward as result of Diem's fear of outcome of Laos situation, SVN vulnerability to increase infiltration, feelings that SEATO action would be inhibited by UK and France in the case of SVN as in Laos.

Nolting told Diem question had important angle and effect on SEATO. Major repeated to Thuan and believe he understands better than Diem some of thorny problems.

Fuller report of conversation with Diem will follow but would like to get quick preliminary reaction from Washington on this request.

Our reaction is that the request should be seriously and carefully treated to prevent feeling that U.S. is not serious in intention to support SVN. But see major issues including overriding Article 19, Geneva Accords, possible ratification problems as well as effect on SEATO.

Diem's request arises from feeling that U.S. policy on Laos will expose his flank in infiltration and lead to large-scale hostilities in SVN. So seeking a stronger commitment than he thinks he has now through SEATO. Changing U.S. policy on Laos, especially SEATO decision to use force if necessary to protect SVN and Thailand, would relieve pressure for bilateral treaty.

NOTE ON A PLAN FOR INTERVENTION

Supplemental note to a paper entitled "Concept for Intervention in Viet-Nam," Oct. 11, 1961. According to the Pentagon history, the paper was drafted mainly by U. Alexis Johnson, Deputy Under Secretary of State for Political Affairs, and was either a "talking paper" for a meeting that included Secretary of State Dean Rusk and Secretary of Defense McNamara "or a revision put together later in the day, after the meeting."

As the basic paper indicates, the likelihood of massive DRV and Chicom intervention cannot be estimated with precision. The SNIE covers only the initial phase when action might be limited to 20–25,000 men. At later stages, when the JCS estimate that 40,000 US forces will be needed to clean up the Viet Cong threat, the chances of such massive intervention might well become substantial, with the Soviets finding it a good opportunity to tie down major US forces in a long action, perhaps as part of a multiprong action involving Berlin and such additional areas as Korea and Iran.

Because of this possibility of major Bloc intervention, the maximum possible force-needs must be frankly faced. Assuming present estimates of about 40,000 US forces for the stated military objective in South Vietnam, plus 128,000 US forces for meeting North Vietnam and Chicom intervention, the drain on US-based reserve forces could be on the order of 3 or 4 divisions and other forces as well. The impact on naval capabilities for blockade plans (to meet Berlin) would also be major. In light of present Berlin contingency plans, and combat attrition, including scarce items of equipment, the initiation of the Vietnam action in itself should indicate a step-up in the present mobilization, possibly of major proportions.

1961 REQUEST BY SOUTH VIETNAM FOR U.S. COMBAT FORCES

Cablegram from United States Embassy in Saigon to the State Department, Oct. 13, 1961, on requests by Nguyen Dinh Thuan, Defense Minister of South Vietnam. Copies of this message were sent to Commander in Chief of Pacific forces and to the United States Embassies in Bangkok, Thailand, and Taipei, Taiwan.

Thuan in meeting October 13 made the following requests:

1. Extra squadron of AD–6 in lieu of proposed T–28's and delivery ASAP.

2. U.S. Civilian contract pilots for helicopters and C–47's for "non-combat" operations.

3. U.S. combat units or units to be introduced into SVN as "combat-trainer units". Part to be stationed in North near 17th Parallel to free ARVN forces there for anti-

guerrilla action in high plateau. Also perhaps in several provincial seats in the highlands of Central Vietnam.

4. U.S. reaction to proposal to request Nationalist China to send one division of combat troops for operations in the Southwest.

Thuan referred to captured diary of VM officer killed in Central SVN, containing information on VM plans and techniques. Being analyzed, translated and would pass on. Said Diem in light of situation in Laos, infiltration into SVN, and JFK's interest as shown by sending Taylor, requested U.S. to urgently consider requests.

On U.S. combat trainer units, Nolting asked whether Diem's considered request, in view of repeated views opposed. Thuan so confirmed, Diem's views changed in light of worsening situation. Wanted a symbolic U.S. strength near 17th to prevent attacks there, free own forces there. Similar purpose station U.S. units in several provincial seats in central highlands, freeing ARVN ground forces there. Nolting said major requests on heels of Diem request for bilateral treaty. Nolting asked if in lieu of treaty. Thuan said first step quicker than treaty and time was of the essence. Thuan said token forces would satisfy SVN and would be better than treaty (Had evidently not thought through nor discussed with Diem).

Discussed ICC angle. Nolting mentioned value SVN previously attached to ICC presence. Thuan agreed, felt case could be made for introduction of U.S. units for guard duty not combat unless attacked. Could be put in such a way to preserve ICC in SVN. Nolting said doubted if compatable but could be explored (McGarr and I call attention to two points: in view of proposed units, training function more a cover than reality; if send U.S. units should be sufficient strength, since VC attack likely).

On Chinat force, Thuan said Chiang had earlier given some indication (not too precise I gathered) of willingness. Thuan said GVN did not want to follow-up without getting U.S. reaction. Idea to use about 10,000 men in southwest as far from 17th as possible. Also intended to draft eligibles of Chinese origin into forces. Thuan thought perhaps Chinats could be introduced covertly, but on analyses gave this up. Nolting said he thought Chinats would want something out of deal, maybe political lift from introducing Chinat forces on Asia mainland (Nolting thinks trial balloon only).

Questions will undoubtedly be raised with Taylor. Obvious GVN losing no opportunity to ask for more support as a result of our greater interest and concern. But situation militarily and psychologically has moved to a point where serious and prompt consideration should be given.

(Note: Will be meeting on this in Admiral Heinz's office, 1330, 16 October to get reply out today. Applicable CINCPAC 140333, 140346.)

Taylor's Summary of Findings on His Mission to South Vietnam

Cablegram from Baguio, the Philippines, by Gen. Maxwell D. Taylor, Presidential military adviser, to Mr. Kennedy, Nov. 1, 1961.

1. Transmitted herewith are a summary of the fundamental conclusions of my group and my personal recommendations in response to the letter of the President to me dated 13 October 1961. At our meeting next Friday I hope to be allowed to explain the thinking which lies behind them. At that time I shall transmit our entire report which will provide detailed support for the recommendations and will serve as a working paper for the interested departments and agencies.

2. It is concluded that:

a. Communist strategy aims to gain control of Southeast Asia by methods of subversion and guerrilla war which by-pass conventional U.S. and indigenous strength on the ground. The interim Communist goal—en route to total take-over—appears to be a neutral Southeast Asia, detached from U.S. protection. This strategy is well on the way to success in Vietnam.

b. In Vietnam "and Southeast Asia" there is a double crisis in confidence: doubt that U.S. is determined to save Southeast Asia; doubt that Diem's methods can frustrate and defeat Communist purposes and methods. The Vietnamese (and Southeast Asians) will undoubtedly draw—rightly or wrongly—definitive conclusions in coming weeks and months concerning the probable outcome and will adjust their behavior accordingly. What the U.S. does or fails to do will be decisive to the end result.

c. Aside from the morale factor, the Vietnamese Government is caught in interlocking circles of bad tactics and bad administrative arrangements which pin their forces on the defensive in ways which permit a relatively small Viet-Cong force (about one-tenth the size of the GVN regulars) to create conditions of frustration and terror certain to lead to a political crisis, if a positive turning point is not soon achieved. The following recommendations are designed to achieve that favorable turn, to avoid a further deterioration in the situation in South Vietnam, and eventually to contain and eliminate the threat to its independence.

3. It is recommended:

GENERAL

a. That upon request from the Government of Vietnam (GVN) to come to its aid in resisting the increasing aggressions of the Viet-Cong and in repairing the ravages of the Delta flood which, in combination, threaten the lives of its citizens and the security of the country, the U.S. Government offer to join the GVN in a massive joint effort as a part of a total mobilization of GVN resources to cope with both the Viet-Cong (VC) and the ravages of the flood. The U.S. representatives will participate actively in this effort, particularly in the fields of government administration, military plans and operations, intelligence, and flood relief, going beyond the advisory role which they have observed in the past.

SPECIFIC

b. That in support of the foregoing broad commitment to a joint effort with Diem, the following specific measures be undertaken:

(1) The U.S. Government will be prepared to provide individual adminstrators for insertion into the governmental machinery of South Vietnam in types and numbers to be worked out with President Diem.

(2) A joint effort will be made to improve the military-political intelligence system beginning at the provincial level extending upward through the government and armed forces to the Central Intelligence Organization.

(3) The U.S. Government will engage in a joint survey of the conditions in the provinces to assess the social, political, intelligence, and military factors bearing on the prosecution of the counter-insurgency in order to reach a common estimate of these factors and a common determination of how to deal with them. As this survey will consume time, it should not hold back the immediate actions which are clearly needed regardless of its outcome.

(4) A joint effort will be made to free the Army for mobile, offensive operations. This effort will be based upon improving the training and equipping of the Civil Guard and the Self-Defense Corps, relieving the regular Army of static missions, raising the level of the mobility of Army forces by the provision of considerably more helicopters and light aviation, and organizing a Border Ranger Force for a long-term campaign on the Laotian border against the Viet-Cong infiltrators. The U.S. Government will support this effort with equipment and with military units and personnel to do those tasks which the Armed Forces of Vietnam cannot perform in time. Such tasks include air reconnaissance and photography, airlift (beyond the present capacity of SVN forces), special intelligence, and air-ground support techniques.

(5) The U.S. Government will assist the GVN in effecting surveillance and control over the coastal waters and inland waterways, furnishing such advisors, operating personnel and small craft as may be necessary for quick and effective operations.

(6) The MAAG, Vietnam, will be reorganized and increased in size as may be necessary by the implementation of these recommendations.

(7) The U.S. Government will offer to introduce into South Vietnam a military Task Force to operate under U.S. control for the following purposes:

(a) Provide a U.S. military presence capable of raising national morale and of showing to Southeast Asia the seriousness of the U.S. intent to resist a Communist take-over.

(b) Conduct logistical operations in support of military and flood relief operations.

(c) Conduct such combat operations as are necessary for self-defense and for the security of the area in which they are stationed.

(d) Provide an emergency reserve to back up the Armed Forces of the GVN in the case of a heightened military crisis.

(e) Act as an advance party of such additional forces as may be introduced if CINCPAC or SEATO contingency plans are invoked.

(8) The U.S. Government will review its economic aid program to take into account the needs of flood relief and to give priority to those projects in support of the expanded counter-insurgency program.

Cable From Taylor to Kennedy on Introduction of U.S. Troops

Cablegram from Baguio, the Philippines, by General Taylor to President Kennedy, Nov. 1, 1961.

This message is for the purpose of presenting my reasons for recommending the introduction of a US military force into SVN. I have reached the conclusion that this is an essential action if we are to reverse the present downward trend of events in spite of a full recognition of the following disadvantages:

a. The strategic reserve of US forces is presently so weak that we can ill afford any detachment of forces to a peripheral area of the Communist bloc where they will be pinned down for an uncertain duration.

b. Although US prestige is already engaged in SVN, it will become more so by the sending of troops.

c. If the first contingent is not enough to accomplish the necessary results, it will be difficult to resist the pressure to reinforce. If the ultimate result sought is the closing of the frontiers and the clean-up of the insurgents within SVN, there is no limit to our possible commitment (unless we attack the source in Hanoi).

d. The introduction of US forces may increase tensions and risk escalation into a major war in Asia.

On the other side of the argument, there can be no action so convincing of US seriousness of purpose and hence so reassuring to the people and Government of SVN and to our other friends and allies in SEA as the introduction of US forces into SVN. The views of indigenous and US officials consulted on our trip were unanimous on this point. I have just seen Saigon 575 to State

and suggest that it be read in connection with this message.

The size of the US force introduced need not be great to provide the military presence necessary to produce the desired effect on national morale in SVN and on international opinion. A bare token, however, will not suffice; it must have a significant value. The kinds of tasks which it might undertake which would have a significant value are suggested in Baguio 0005. They are:

(a) Provide a US military presence capable of raising national morale and of showing to SEA the seriousness of the US intent to resist a Communist takeover.

(b) Conduct logistical operations in support of military and flood relief operations.

(c) Conduct such combat operations as are necessary for self-defense and for the security of the area in which they are stationed.

(d) Provide an emergency reserve to back up the Armed Forces of the GVN in the case of a heightened military crisis.

(e) Act as an advance party of such additional forces as may be introduced if CINC PAC or SEATO contingency plans are invoked.

It is noteworthy that this force is not proposed to clear the jungles and forests of VC guerrillas. That should be the primary task of the Armed Forces of Vietnam for which they should be specifically organized, trained and stiffened with ample US advisors down to combat battalion levels. However, the US troops may be called upon to engage in combat to protect themselves, their working parties, and the area in which they live. As a general reserve, they might be thrown into action (with US agreement) against large, formed guerrilla bands which have abandoned the forests for attacks on major targets. But in general, our forces should not engaged in small-scale guerrilla operations in the jungle.

As an area for the operations of US troops, SVN is not an excessively difficult or unpleasant place to operate. While the border areas are rugged and heavily forested, the terrain is comparable to parts of Korea where US troops learned to live and work without too much effort. However, these border areas, for reasons stated above, are not the places to engage our forces. In the High Plateau and in the coastal plain where US troops would probably be stationed, these jungle-forest conditions do not exist to any great extent. The most unpleasant feature in the coastal areas would be the heat and, in the Delta, the mud left behind by the flood. The High Plateau offers no particular obstacle to the stationing of US troops.

The extent to which the Task Force would engage in flood relief activities in the Delta will depend upon further study of the problem there. As reported in Saigon 537. I see considerable advantages in playing up this aspect of the TF mission. I am presently inclined to favor a dual mission, initially help to the flood area and subsequently use in any other area of SVN where its resources can be used effectively to give tangible support in the struggle against the VC. However, the possibility of emphasizing the humanitarian mission will wane if we wait long in moving in our forces or in linking our stated purpose with the emergency conditions created by the flood.

The risks of backing into a major Asian war by way of SVN are present but are not impressive. NVN is extremely vulnerable to conventional bombing, a weakness which should be exploited diplomatically in convincing Hanoi to lay off SVN. Both the DRV and the Chicoms would face severe logistical difficulties in trying to maintain strong forces in the field in SEA, difficulties which we share but by no means to the same degree. There is no case for fearing a mass onslaught of Communist manpower into SVN and its neighboring states, particularly if our airpower is allowed a free hand against logistical targets. Finally, the starvation conditions in China should discourage Communist leaders there from being militarily venturesome for some time to come.

By the foregoing line of reasoning, I have reached the conclusion that the introduction of [word illegible] military Task Force without delay offers definitely more advantage than it creates risks and difficulties. In fact, I do not believe that our program to save SVN will succeed without it. If the concept is approved, the exact size and composition of the force should be determined by Sec Def in consultation with the JCS, the Chief MAAG and CINCPAC. My own feeling is that the initial size should not exceed about 8000, of which a preponderant number would be in logistical-type units. After acquiring experience in operating in SVN, this initial force will require reorganization and adjustment to the local scene.

As CINCPAC wil point out, any forces committed to SVN will need to be replaced by additional forces to his area from the strategic reserve in the US. Also, any troops to SVN are in addition to those which may be required to execute SEATO Plan 5 in Laos. Both facts should be taken into account in current considerations of the FY 1963 budget which bear upon the permanent increase which should be made in the US military establishment to maintain our strategic position for the long pull.

Evaluation and Conclusions of Taylor's Report on Vietnam

Excerpts from General Taylor's report, Nov. 3, 1961, on his mission to South Vietnam for President Kennedy.

LIMITED PARTNERSHIP

. . . Following are the specific categories where the introduction of U.S. working advisors or working military units are suggested . . . an asterisk indicating where such operations are, to some degree, under way.

—A high-level government advisor or advisors. General Lansdale has been requested by Diem; and it may be wise to envisage a limited number of Americans—acceptable to Diem as well as to us—in key ministries. . . .

—A Joint U.S.-Vietnamese Military Survey, down to the provincial level, in each of three corps areas, to make recommendations with respect to intelligence, command and control, more economical and effective passive defense, the build-up of a reserve for offensive purposes, military-province-chief relations, etc. . . .

—Joint planning of offensive operations, including border control operations.* . . .

—Intimate liaison with the Vietnamese Central Intelligence Organizations (C.I.O.) with each of the seven intelligence [rest of sentence illegible].

—Jungle Jim. . . .

—Counter infiltration operations in Laos.* . . .

—Increased covert offensive operations in North as well as in Laos and South Vietnam.* . . .

—The introduction, under MAAG operational control, of three helicopter squadrons—one for each corps area—and the provision of more light aircraft, as the need may be establisehd. . . .

—A radical increase in U.S. trainers at every level from the staff colleges, where teachers are short—to the Civil Guard and Self-Defense Corps, where a sharp expansion in competence may prove the key to mobilizing a reserve for offensive operations. . . .

—The introduction of engineering and logistical elements within the proposed U.S. military task force to work in the flood area within the Vietnamese plan, on both emergency and longer term reconstruction tasks. . . .

—A radical increase in U.S. special force teams in Vietnam: to work with the Vietnamese Ranger Force proposed for the border area . . .; to assist in unit training, including training of Clandestine Action Service. . . .

—Increase in MAAG support for the Vietnamese Navy.* . . .

—Introduction of U.S. Naval and/or Coast Guard personnel to assist in coastal and river surveillance and control, until Vietnamese naval capabilities can be improved. . . .

Reconsideration of the role of air power, leading to more effective utilization of assets now available, including release from political control of the 14 D–6 aircraft, institution of close-support techniques, and better employment of available weapons. . . .

To execute this program of limited partnership requires a change in the charter, the spirit, and the organization of the MAAG in South Vietnam. It must be shifted from an advisory group to something nearer—but not quite—an operational headquarters in a theater of war. . . . The U.S. should become a limited partner in the war, avoiding formalized advice on the one hand, trying to run the war, on the other. Such a transition from advice to partnership has been made in recent months, on a smaller scale, by the MAAG in Laos.

Among the many consequences of this shift would be the rapid build-up of an intelligence capability both to identify operational targets for the Vietnamese and to assist Washington in making a sensitive and reliable assessment of the progress of the war. The basis for such a unit already exists in Saigon in the Intelligence Evaluation Center. It must be quickly expanded. . . .

In Washington, as well, intelligence and back-up operations must be put on a quasi-wartime footing. . . .

CONTINGENCIES

The U.S. action proposed in this report—involving as it does the overt lifting of the MAAG ceiling, substantial encadrement and the introduction of limited U.S. forces—requires that the United States also prepare for contingencies that might arise from the enemy's reaction. The initiative proposed here should not be undertaken unless we are prepared to deal with any escalation the communists might choose to impose. Specifically we must be prepared to act swiftly under these three circumstances: an attempt to seize and to hold the Pleiku-Kontum area; a political crisis in which the communists might attempt to use their forces around Saigon to capture the city in the midst of local confusion; an undertaking of overt major hostilities by North Vietnam.

As noted earlier, the present contingency plans of CINPAC must embrace the possibility both of a resumption of the communist offensive in Laos and these Vietnamese contingency situations. Taken together, the contingencies in Southeast Asia which we would presently choose to meet without the use of nuclear weapons appear to require somewhat more balanced ground, naval, and air strength in reserve in the U.S. than we now have available, so long as we maintain the allocation of the six divisions for the Berlin crisis.

Therefore, one of the major issues raised by this report is the need to develop the reserve strength in the U.S. establishment required to cover action in Southeast Asia up to the nuclear threshold in that area, as it is now envisaged. The call up of additional support forces may be required.

In our view, nothing is more calculated to sober the enemy and to discourage escalation in the face of the limited initiatives proposed here than the knowledge that the United States has prepared itself soundly to deal with aggression in Southeast Asia at any level.

CONCLUSIONS OF MCNAMARA ON REPORT BY GENERAL TAYLOR

Memorandum for the President from Secretary of Defense McNamara, Nov. 8, 1961, as provided in the Pentagon analysts' narrative.

The basic issue framed by the Taylor Report is whether the U.S. shall:

a. Commit itself to the clear objective of preventing the fall of South Vietnam to Communism, and

b. Support this commitment by necessary immediate military actions and preparations for possible later actions.

The Joint Chiefs, Mr. Gilpatric and I have reached the following conclusions:

1. The fall of South Vietnam to Communism would lead to the fairly rapid extension of Communist control, or complete accommodation to Communism, in the rest of mainland Southeast Asia and in Indonesia. The strategic implications worldwide, particularly in the Orient, would be extremely serious.

2. The chances are against, probably sharply against, preventing that fall by any measures short of the introduction of U.S. forces on a substantial scale. We accept General Taylor's judgment that the various measures proposed by him short of this are useful but will not in themselves do the job of restoring confidence and setting Diem on the way to winning his fight.

3. The introduction of a U.S. force of the magnitude of an initial 8,000 men in a flood relief context will be of great help to Diem. However, it will not convince the other side (whether the shots are called from Moscow, Peiping, or Hanoi) that we mean business. Moreover, it probably will not tip the scales decisively. We would be almost certain to get increasingly mired down in an inconclusive struggle.

4. The other side can be convinced we mean business only if we accompany the initial force introduction by a clear commitment to the full objective stated above, accompanied by a warning through some channel to Hanoi that continued support of the Viet Cong will lead to punitive retaliation against North Vietnam.

5. If we act in this way, the ultimate possible extent of our military commitment must be faced. The struggle may be prolonged and Hanoi and Peiping may intervene overtly. In view of the logistic difficulties faced by the other side, I believe we can assume that the maximum U.S. forces required on the ground in Southeast Asia will not exceed 6 divisions, or about 205,000 men (CINCPAC Plan 32-59, Phase IV). Our military posture is, or with the addition of more National Guard or regular Army divisions, can be made, adequate to furnish these forces without serious interference with our present Berlin plans.

6. To accept the stated objective is of course a most serious decision. Military force is not the only element of what must be a most carefully coordinated set of actions. Success will depend on factors many of which are not within our control—notably the conduct of Diem himself and other leaders in the area. Laos will remain a major problem. The domestic political implications of accepting the objective are also grave, although it is our feeling that the country will respond better to a firm initial position than to courses of action that lead us in only gradually, and that in the meantime are sure to involve casualties. The over-all effect on Moscow and Peiping will need careful weighing and may well be mixed; however, permitting South Vietnam to fall can only strengthen and encourage them greatly.

7. In sum:

a. We do not believe major units of U.S. forces should be introduced in South Vietnam unless we are willing to make an affirmative decision on the issue stated at the start of this memorandum.

b. We are inclined to recommend that we do commit the U.S. to the clear objective of preventing the fall of South Vietnam to Communism and that we support this commitment by the necessary military actions.

c. If such a commitment is agreed upon, we support the recommendations of General Taylor as the first steps toward its fulfillment.

1961 RUSK-MCNAMARA REPORT TO KENNEDY ON SOUTH VIETNAM

Excerpts from memorandum for President Kennedy from secretary of State Rusk and Secretary of Defense McNamara, Nov. 11, 1961, as provided by the Pentagon study.

1. United States National Interests in South Viet-Nam.

The deteriorating situation in South Viet-Nam requires attention to the nature and scope of United States national interests in that country. The loss of South Viet-Nam to Communism would involve the transfer of a nation of 20 million people from the free world to the Communist block. The loss of South Viet-Nam would make pointless any further discussion about the importance of Southeast Asia to the free world; we would have to face the near certainty that the remainder of Southeast Asia and Indonesia would move to a complete accommodation with Communism, if not formal incorporation with the Communist bloc. The United States, as a member of SEATO, has commitments with respect to South Viet-Nam under the Protocol to the SEATO Treaty. Additionally, in a formal statement at the conclusion session of the 1954 Geneva Conference, the United States representative stated that the United States "would view any renewal of the aggression . . . with grave concern and seriously threatening international peace and security."

The loss of South Viet-Nam to Communism would not only destroy SEATO but would undermine the credibility of American commitments elsewhere. Further, loss of South Viet-Nam would stimulate bitter domestic controversies in the United States and would be seized upon by extreme elements to divide the country and harass the Administration. . . .

3. The United States' Objective in South Viet-Nam.

The United States should commit itself to the clear objective of preventing the fall of South Viet-Nam to Communist [sic]. The basic means for accomplishing this objective must be to put the Government of South Viet-Nam into a position to win its own war against the guerrillas. We must insist that that Government itself take the measures necessary for that purpose in exchange for large-scale United States assistance in the military, economic and political fields. At the same time we must recognize that it will probably not be possible for the GVN to win this war as long as the flow of men and supplies from North Viet-Nam continues unchecked and the guerrillas enjoy a safe sanctuary in neighboring territory.

We should be prepared to introduce United States combat forces if that should become necessary for success. Dependent upon the circumstances, it may also be necessary for United States forces to strike at the source of the aggression in North Viet-Nam.

4. The use of United States forces in South Vietnam.

The commitment of United States forces to South Viet-nam involves two different categories: (A) Units of modest size required for the direct support of South Viet-Namese military effort, such as communications, helicopter and other forms of airlift, reconnaissance aircraft, naval patrols, intelligence units, etc., and (B) larger organized units with actual or potential direct military mission. *Category (A) should be introduced as speedily as possible.* Category (B) units pose a more serious problem in that they are much more significant from the point of view of domestic and international political factors and greatly increase the probabilities of Communist bloc escalations. Further, the employment of United States combat forces (in the absence of Communist bloc escalation) involves a certain dilemma: if there is a strong South Vietnamese effort, they may not be needed; if there is not such an effort, United States forces could not accomplish their mission in the midst of an apathetic or hostile population. Under present circumstances, therefore, the question of injecting United States and SEATO combat forces should in large part be considered as a contribution to the morale of the South Viet-Namese in their own effort to do the principal job themselves.

5. Probable Extent of the Commitment of United States Forces.

If we commit Category (B) forces to South Viet-Nam, the ultimate possible extent of our military commitment in Southeast Asia must be faced. The struggle may be prolonged, and Hanoi and Peiping may overtly intervene. It is the view of the Secretary of Defense and the Joint Chiefs of Staff that, in the light of the logistic difficulties faced by the other side, we can assume that the maximum United States forces required on the ground in Southeast Asia would not exceed six divisions, or about 205,000 men (CINCPAC Plan 32/59 Phase IV). This would be in addition to local forces and such SEATO forces as may be engaged. It is also the view of the Secretary of Defense and the Joint Chiefs of Staff that our military posture is, or, with the addition of more National Guard or regular Army divisions, can be made, adequate to furnish these forces and support them in action without serious interference with our present Berlin plans. . . .

In the light of the foregoing, the Secretary of State and the Secretary of Defense recommend that:

1. We now take the decision to commit ourselves to the objective of preventing the fall of South Viet-Nam to Communism and that, in doing so, we recognize that the introduction of United States and other SEATO forces may be necessary to achieve this objective. (However, if it is necessary to commit outside forces to achieve the foregoing objective our decision to introduce United States forces should not be contingent upon unanimous SEATO agreement thereto.)

2. The Department of Defense be prepared with plans for the use of United States forces in South Viet-Nam under one or more of the following purposes:

(a) Use of a significant number of United States forces to signify United States determination to defend Viet-Nam and to boost South Viet-Nam morale.

(b) Use of substantial United States forces to assist in suppressing Viet Cong insurgency short of engaging in detailed counter-guerrilla operations but including relevant operations in North Viet-Nam.

(c) Use of United States forces to deal with the situation if there is organized Communist military intervention.

3. We immediately undertake the following actions in support of the GVN:

. . . (c) Provide the GVN with small craft, including such United States uniformed advisers and operating personnel as may be necessary for quick and effective operations in effecting surveillance and control over coastal waters and inland waterways. . . .

(e) Provide such personnel and equipment

as may be necessary to improve the military-political intelligence system beginning at the provincial level and extending upward through the Government and the armed forces to the Central Intelligence Organization.

(f) Provide such new terms of reference, reorganization and additional personnel for United States military forces as are required for increased United States participation in the direction and control of GVN military operations and to carry out the other increased responsibilities which accrue to MAAG under these recommendations. . . .

(i) Provide individual administrators and advisers for insertion into the Governmental machinery of South Viet-Nam in types and numbers to be agreed upon by the two Governments. . . .

5. Very shortly before the arrival in South Viet-Nam of the first increments of United States military personnel and equipment proposed under 3., above, that would exceed the Geneva Accord ceilings, publish the "Jordan report" as a United States "white paper," transmitting it as simultaneously as possible to the Governments of all countries with which we have diplomatic relations, including the Communist states.

6. Simultaneous with the publication of the "Jordan report," release an exchange of letters between Diem and the President.

(a) Diem's letter would include reference to the DRV violations of Geneva Accords as set forth in the October 24 GVN letter to the ICC and other documents; pertinent references to GVN statements with respect to its intent to observe the Geneva Accords; reference to its need for flood relief and rehabilitation; reference to previous United States aid and the compliance hitherto by both countries with the Geneva Accords; reference to the USG statement at the time the Geneva Accords were signed; the necessity of now exceeding some provisions of the Accords in view of the DRV violations thereof; the lack of aggressive intent with respect to the DRV; GVN intent to return to strict compliance with the Geneva Accords as soon as the DRV violations ceased; and request for additional United States assistance in framework foregoing policy. The letter should also set forth in appropriate general terms steps Diem has taken and is taking to reform Governmental structure.

(b) The President's reply would be responsive to Diem's request for additional assistance and acknowledge and agree to Diem's statements on the intent promptly to return to strict compliance with the Geneva Accords as soon as DRV violations have ceased. . . .

STATE DEPARTMENT STUDY IN LATE 1962 ON PROSPECTS IN SOUTH VIETNAM

Excerpts from research memorandum from Roger Hilsman, director of the State Department Bureau of Intelligence and Research, to Secretary of State Rusk, Dec. 3, 1962. The memorandum bore the title "The Situation and Short-Term Prospects in South Vietnam" and a footnote said that the report was based on information available through Nov. 12, 1962.

. . . President Ngo Dinh Diem and other leading Vietnamese as well as many US officials in South Vietnam apparently believe that the tide is now turning in the struggle against Vietnamese Communist (Viet Cong) insurgency and subversion. This degree of optimism is premature. At best, it appears that the rate of deterioration has decelerated with improvement, principally in the security sector, reflecting substantially increased US assistance and GVN implementation of a broad counterinsurgency program.

The GVN has given priority to implementing a basic strategic concept featuring the strategic hamlet and systematic pacification programs. It has paid more attention to political, economic, and social counterinsurgency measures and their coordination with purely military measures. Vietnamese military and security forces—now enlarged and of higher quality—are significantly more offensive-minded and their counterguerrilla tactical capabilities are greatly improved. Effective GVN control of the countryside has been extended slightly. In some areas where security has improved peasant attitudes toward the government appear also to have improved.

As a result, the Viet Cong has had to modify its tactics and perhaps set back its timetable. But the "national liberation war" has not abated nor has the Viet Cong been weakened. On the contrary, the Viet Cong has expanded the size and enhanced the capability and organization of its guerrilla force—now estimated at about 23,000 in elite fighting personnel, plus some 100,000 irregulars and sympathizers. It still controls about 20 percent of the villages and about 9 percent of the rural population, and has varying degrees of influence among additional 47 percent of the villages. Viet Cong control and communication lines to the peasant have not been seriously weakened and the guerrillas have thus been able to maintain good intelligence and a high degree of initiative, mobility, and striking power. Viet Cong influence has almost certainly improved in urban areas not only through subversion and terrorism but also because of its propaganda appeal to the increasingly frustrated non-Communist anti-Diem elements.

The internal political situation is considerably more difficult to assess. Diem has strengthened his control of the bureaucracy and the military establishment. He has delegated a little more authority than in the past, and has become increasingly aware of the importance of the peasantry to the counterinsurgency effort. Nevertheless, although there are fewer reports of discontent with Diem's leadership within official circles and the civilian elite, there are still many indications of continuing serious concern, particularly with Diem's direction of the counterinsurgency effort. There are also reports that important military and civilian officials continue to participate in coup plots. Oppositionists, critics, and dissenters outside the government appear to be increasingly susceptible to neutralist, pro-Communist, and possibly anti-US sentiments. They are apparently placing increased reliance on clandestine activities.

The Viet Cong is obviously prepared for a long struggle and can be expected to maintain the present pace and diversity of its insurgent-subversive effort. During the next month or so, it may step up its military effort in reaction to the growing GVN-US response. Hanoi can also be expected to increase its efforts to legitimatize its "National Front for the Liberation of South Vietnam" (NFLSV) and to prepare further groundwork for a "liberation government" in South Vietnam. On the present evidence, the Communists are not actively moving toward neutralization of South Vietnam in the Laos pattern, although they could seek to do so later. Elimination, even significant reduction, of the Communist insurgency will almost certainly require several years. In either case, a considerably greater effort by the GVN, as well as continuing US assistance, is crucial. If there is continuing improvement in security conditions, Diem should be able to alleviate concern and boost morale within the bureaucracy and the military establishment. But the GVN will not be able to consolidate its military successes into permanent political gains and to evoke the positive support of the peasantry unless it gives more emphasis to non-military aspects of the counterinsurgency program, integrates the strategic hamlet program with an expanded systematic pacification program, and appreciably modified military tactics (particularly those relating to large-unit actions and tactical use of air-power and artillery). Failure to do so might increase militant opposition among the peasants and their positive identification with the Viet Cong.

A coup could occur at any time, but would be more likely if the fight against the Communists goes badly, if the Viet Cong launches a series of successful and dramatic operations, or if Vietnamese army casualties increase appreciably over a protracted period. The coup most likely to succeed would be one with non-Communist leadership and support, involving middle and top echelon military and civilian officials. For a time at least, the serious disruption of government leadership resulting from a coup would probably halt and possibly reverse the momentum of the government's counterinsurgency effort. The role of the US can be extremely important in restoring this momentum and in averting widespread fighting and a serious internal power struggle. . . .

MEMO FROM JOINT CHIEFS URGING A GREATER ROLE IN SOUTH VIETNAM

Excerpts from memorandum from the Joint Chiefs of Staff to Secretary of Defense McNamara, Jan. 13, 1962, Mr. McNamara sent the memorandum to President Kennedy with a covering letter that said in part: "The Joint Chiefs of Staff have asked that the attached memorandum . . . be brought to your attention. The memorandum requires no action by you at this time. I am not prepared to endorse the experience with our present program in South Vietnam."

3. Military Considerations. . . .

a. Early Eventualities—Loss of the Southeast Asian Mainland would have an adverse impact on our military strategy and would markedly reduce our ability in limited war by denying us air, land and sea bases, by forcing greater intelligence effort with lesser results, by complicating military lines of communication and by the introduction of more formidable enemy forces in the area. Air access and access to 5300 miles of mainland coastline would be outflanked, the last significant United Kingdom military strength in Asia would be eliminated with the loss of Singapore and Malaya and U.S. military influence in that area, short of war, would be difficult to exert.

b. Possible Eventualities—Of equal importance to the immediate losses are the eventualities which could follow the loss of the Southeast Asian mainland. All of the Indonesian archipelago could come under the domination and control of the U.S.S.R. and would become a communist base posing a threat against Australia and New Zealand. The Sino-Soviet Bloc would have control of the eastern access to the Indian Ocean. The Philippines and Japan could be pressured to assume at best, a neutralist role, thus eliminating two of our major bases in the Western Pacific. Our lines of defense then would be pulled north to Korea, Okinawa and Taiwan resulting in the subsequent overtaking of our lines of communications in a limited war. India's ability to remain neutral would be jeopardized and, as the Bloc meets success, its concurrent stepped-up activities to move into and control Africa can be expected. . . .

. . . 13. Three salient factors are of the greatest importance if the eventual introduction of U.S. forces is required.

a. Any war in the Southeast Asian Mainland will be a peninsula and island-type of campaign—a mode of warfare in which all elements of the Armed Forces of the United

States have gained a wealth of experience and in which we have excelled both in World War II and Korea.

b. Study of the problem clearly indicates that the Communists are limited in the forces they can sustain in war in that area because of natural logistic and transportation problems.

c. Our present world military posture is such that we now have effective forces capable of implementing existing contingency plans for Southeast Asia without affecting to an unacceptable degree our capability to conduct planned operations in Europe relating to Berlin or otherwise.

14. The Joint Chiefs of Staff recommend that in any consideration of further action which may be required because of possible unacceptable results obtained despite Diem's full cooperation and the effective employment of South Vietnam armed forces, you again consider the recommendation provided you by JCSM-320-61, dated 10 May 1961, that a decision be made to deploy suitable U.S. forces to South Vietnam sufficient to accomplish the following:

a. Provide a visible deterrent to potential North Vietnam and/or Chinese Communist action;

b. Release Vietnamese forces from advanced and static defense positions to permit their future commitment to counter-insurgency actions;

c. Assist in training the Vietnamese forces;

d. Provide a nucleus for the support of any additional U.S. or SEATO military operations in Southeast Asia; and

e. Indicate the firmness of our intent to all Asian nations.

We are of the opinion that failure to do so under such circumstances will merely extend the date when such action must be taken and will make our ultimate task proportionately more difficult.

[From the New York Times, July 1, 1971]

QUESTIONS FOR KENNEDY

The Pentagon study shows President Kennedy facing three main questions on Vietnam during his term of office: whether to make an irrevocable commitment to prevent a Communist victory; whether to commit ground combat units to achieve his ends; whether to give top priority to the military battle against the Vietcong or to the political reforms necessary for winning popular support.

President Kennedy's response during 34 months in office, as the Pentagon account tells it, was to increase American advisers from the internationally accepted level of 685 to roughly 16,000 to put Americans into combat situations—resulting in a tenfold increase in American combat casualties in one year—and eventually to inject the United States into the internal South Vietnamese maneuvering that finally toppled the Diem regime.

The judgment of the Pentagon study is that while President Kennedy's actions stopped short of the fundamental decision to commit ground troops, nonetheless, "the limited-risk gamble undertaken by Eisenhower had been transformed into an unlimited commitment under Kennedy." Later, more cautiously, the study says that Mr. Kennedy's policies produced a "broad commitment" to Vietnam's defense, giving priority to the military aspects of the war over political reforms.

The study also observes that the pervasive assumption in the Kennedy Administration was that "the Diem regime's own evident weaknesses—from the 'famous problem of Diem as administrator' to the Army's lack of offensive spirit—could be cured if enough dedicated Americans, civilians and military, became involved in South Vietnam to show the South Vietnamese, at all levels, how to get on and win the war."

President Kennedy and his senior advisers are described in the study as considering defeat unthinkable and assuming that the mere introduction of Americans would provide the South Vietnamese with what the authors call "the elan and style needed to win."

The description of the debates in the Kennedy Administration presented in the study are revealing—particularly when the President decides against committing ground troops—because they emerge, in effect, as a rehearsal for the planning in the Johnson era that led to outright war in 1965. Many of the same officials advanced many of the same arguments, and the intelligence community offered some of the same ominous forewarnings.

President Kennedy was told that sending ground troops would be a "shot in the arm" that would "spark real transformation" of the South Vietnamese Army. The Joint Chiefs of Staff calculated that, at worst, no more than 205,000 American soldiers would be required to cope not only with the Vietcong but also with North Vietnam and Communist China if they should intervene. Both military and civilian advisers contended that American bombing of the North—even the mere threat of it—would hold Hanoi and the other Communist nations at bay.

In secretly urging the first commitment of American ground troops to Vietnam in November, 1961, Gen. Maxwell D. Taylor, then the President's personal military adviser, discounted the risks of a major land war. In a private message to the President from the Philippines, on his way home from Saigon on Nov. 1, he said:

"The risks of backing into a major Asian war by way of SVN are present but are not impressive. NVN is extremely vulnerable to conventional bombing, a weakness which should be exploited diplomatically in convincing Hanoi to lay off SVN.

"Both the D.R.V. [Democratic Republic of (North) Vietnam] and the Chicoms would face severe logistical difficulties in trying to maintain strong forces in the field in SEA [Southeast Asia], difficulties which we share but by no means to the same degree. There is no case for fearing a mass onslaught of Communist manpower into SVN and its neighboring states, particularly if our air-power is allowed a free hand against logistical targets."

In General Taylor's recommendations for an initial commitment of 6,000 to 8,000 American ground troops, the account relates, he had a co-author, Walt W. Rostow, then the senior White House aide working on Southeast Asia.

On Nov. 5 Secretary of Defense Robert S. McNamara sent President Kennedy a memorandum stating that he and the Joint Chiefs of Staff were "inclined to recommend" General Taylor's proposal—but with the significant warning that much greater troop commitments were likely in the future. [See text, McNamara conclusions, Nov. 8, 1961.]

"The struggle may be prolonged and Hanoi and Peiping may intervene overtly," the McNamara memorandum told the President. It estimated that even so, "the maximum U.S. forces required on the ground in Southeast Asia will not exceed six divisions, or about 205,000 men."

TOPIC DOMINATED DISCUSSIONS

The President eventually rejected this approach. But the Pentagon study comments that the ground-troop issue so dominated the discussions that Mr. Kennedy's ultimate decisions to approve the advisory build-up and the introduction of combat-support troops was made "without a careful examination" of precisely what it was expected to produce and how.

The study concludes that the Kennedy strategy was fatally flawed from the outset for political as much as for military reasons. It depended, the study notes, on successfully prodding President Diem to undertake the kind of political, economic and social reforms that would, in the slogan of that day, "win the hearts and minds of the people."

"The U.S. over-all plan to end the insurgency was on shaky ground on the GVN side," the study comments. "Diem needed the U.S. and the U.S. needed a reformed Diem."

It also says: "If he could not [reform], the U.S. plan to end the insurgency was foredoomed from its inception, for it depended on Vietnamese initiatives to solve a Vietnamese problem."

And in the end, the Pentagon account relates, the Kennedy Administration concluded that President Diem could not reform sufficiently and in 1963 abandoned him.

Abandoning President Diem was what Ambassador Eldridge Durbrow had suggested in September, 1960, [see text, Sept. 16] and again that December, shortly before Mr. Kennedy took office as President. Drawing on the Ambassador's reports, among others, a national intelligence estimate provided for Mr. Kennedy on March 28, 1961, gave a bleak appraisal of the situation in Vietnam:

"An extremely critical period for President Ngo Dinh Diem and the Republic of Vietnam lies immediately ahead. During the past six months the internal security situation has continued to deteriorate and has now reached serious proportions . . .

"More than one-half of the entire rural region south and southwest of Saigon, as well as some areas to the north, are under considerable Communist control. Some of these areas are in effect denied to all government authority not immediately backed by substantial armed force. The Vietcong's strength encircles Saigon and has recently begun to move closer in on the city . . .

"The deterioration in the position of the Diem Government reached a new extreme in November when army para-troop officers joined forces with a number of civilian oppositionists in a narrowly defeated attempt to overthrow Diem. On the surface, Diem's position appears to have improved somewhat since then. . . .

"However, the facts which gave rise to the coup attempt have not been seriously dealt with and still exist. Discontent with the Diem Government continues to be prevalent among intellectual circles and, to a lesser degree, among labor and business groups. There has been an increasing disposition within official circles and the Army to question Diem's ability to lead in this period. Many feel that he is unable to rally the people in the fight against the Communists because of his reliance on virtual one-man rule, his toleration of corruption extending even to his immediate entourage, and his refusal to relax a rigid system of public controls."

This assessment, the Pentagon study relates, echoed the themes and even some of the language of Ambassador Durbrow's cablegrams. One of these, on Sept. 24, 1960, suggested that if President Diem was unable to regain support through political and social reform, "it may become necessary for U.S. Government to begin consideration alternative courses of action and leaders."

A CHALLENGE FOR THE UNITED STATES

However serious the problem in South Vietnam, the situation in Laos was far more critical. "The Western position was in the process of falling apart as Kennedy took office," the Pentagon account says.

And during the spring of 1961, when President Kennedy made his first series of Vietnam decisions, Laos—not Vietnam—was the dominant issue and largely determined how Vietnam should be handled, according to the Pentagon account.

The Eisenhower Administration had chosen to back right-wing elements in Laos, and by early 1961 they were reeling under Communist and neutralist attacks. President Kennedy chose to seek a political compromise and a military cease-fire rather than to continue to support the Laotian rightists.

Because of this shift in strategy in Laos, the Pentagon study says, the Kennedy Administration felt impelled to show strength in Vietnam to reassure America's allies in Asia.

In what the Administration saw as a global power competition with the Soviet Union, the account notes, Washington thought it dangerous to give ground too often. Summing up the Administration's reasoning, the author writes: "After the U.S. stepped back in Laos, it might be hard to persuade the Russians that we intended to stand firm anywhere if we then gave up on Vietnam."

Moreover, the Kennedy Administration sensed a particular challenge in the declaration by the Soviet Premier, Nikita S. Khrushchev, on Jan. 6, 1961, that Moscow intended to back "wars of national liberation" around the world. In response, counterinsurgency—as strategy against guerrilla war became known—grew to be a primary preoccupation of the Kennedy White House, as a steady flow of Presidential decision papers testifies.

"Vietnam was the only place in the world where the Administration faced a well-developed Communist effort to topple a pro-Western government with an externally aided pro-Communist insurgency," the Pentagon study comments. "It was a challenge that could hardly be ignored."

On April 12 Mr. Rostow, the senior White House specialist on Southeast Asia and a principal architect of counterinsurgency doctrine, put Vietnam directly before President Kennedy with a memorandum [see text] asserting that the time had come for "gearing up the whole Vietnam operation." He proposed a series of moves that the study calls "pretty close to an agenda" for the Kennedy Administration's first high-level review of Vietnam. Among other things Mr. Rostow proposed these measures:

"The appointment of a full-time first-rate backstop man in Washington."

"A possible visit to Vietnam in the near future by the Vice President."

"The raising of the MAAG [Military Assistance Advisory Group] ceiling, which involves some diplomacy, unless we can find an alternative way of introducing into the Vietnam operation a substantial number of Special Forces types."

"Settling the question of extra funds for Diem."

"The tactics of persuading Diem to move more rapidly to broaden the base of his Government, as well as to decrease its centralization and improve its efficiency."

Virtually all the Rostow proposals eventually became policy except his suggestion for a "first-rate backstop man." His candidate, the study notes, was Brig. Gen. Edward G. Lansdale, a long-time Central Intelligence Agency operative who was close to President Diem and who in 1961 was in charge of "special operations" for the Pentagon. The State Department blocked his appointment, the study reports.

On April 20—the day after the collapse of the Bay of Pigs invasion of Cuba—President Kennedy ordered a quick review of the Vietnam situation. As quoted by Secretary McNamara, the President's instructions were to "appraise . . . the Communist drive to dominate South Vietnam" and "recommend a series of actions (military, political and/or economic, overt and/or covert) which, in your opinion, will prevent Communist domination of that country."

GILPATRIC HEADED TASK FORCE

The task force, headed by Roswell L. Gilpatric, Deputy Secretary of Defense, turned in its report on April 27.

The report, quoted in the Pentagon study, recommended a 100-man increase in the American military advisory mission in Saigon, more American arms and aid for the Vietnamese regional forces known as the Civil Guard, the release of funds for a previously approved expansion of the South Vietnamese Army and the dropping of earlier conditions that President Diem undertake political and social reforms in return. Allied efforts, the report said, should be infused with a sense of urgency to impress friends and foes alike that "come what may, the U.S. intends to win this battle." The emphasis was in the original report.

Even before the report was submitted, it was overtaken by events: The Laotian crisis was at its peak. President Kennedy met with the National Security Council on April 26 to decide whether to send troops into Laos. Late that night the Joint Chiefs of Staff alerted the commander in chief of Pacific forces, Adm. Harry D. Felt, "to be prepared to undertake air strikes against North Vietnam, and possibly southern China," the account reports.

Overnight the Vietnam recommendations changed. "As insurance against a conventional invasion of South Vietnam" through the eastern, mountainous portions of Laos, the Gilpatric task force recommended quick expansion of the South Vietnamese Army by two divisions—40,000 men—plus the first major input of American troops, as training forces, according to the Pentagon study.

The April 28 "Laos annex," the narrative recounts, called for "a 1,600-man [American] training team for each of the two new [South Vietnamese] divisions, plus a 400-man Special Forces contingent to speed up counter-insur-forces: a total of 3,600 men."

On April 29—described in the narrative as a day of "prolonged crisis meeting at the White House"—Admiral Felt was alerted to prepare to move one American combat brigade of 5,000 men with air elements to northeastern Thailand and another to Danang, on the South Vietnamese coast, as a threat to intervene in Laos. "Decision to make these deployments not firm," the Joint Chiefs of Staff cabled Admiral Felt. The tactics were directly related to the Laos crisis.

Acting on Vietnam that day, the study reports, President Kennedy approved the modest 100-man increase in the American advisory mission and a few other steps suggested in the first Gilpatric task force's report.

"The only substantial significance that can be read into these April 29 decisions," the analyst writes, "is that they signaled a willingness to go beyond the 685-man limit of the U.S. military mission in Saigon." Publicity would have entailed "the first formal breach of the Geneva agreements," the study says, so the move was kept quiet.

By May 1 the acute fever of the Laos crisis had eased, the account goes on, and there was a "strong sense . . . that the U.S. would not go into Laos: that if the cease-fire failed, we would make a strong stand, instead, in Thailand and Vietnam."

Vietnam planning was directly affected. The State Department drafted the first of several revisions to tone down the Gilpatric task force's recommendations. When the task-force report finally went before the National Security Council on May 9, the study recounts, the State Department had largely prevailed. Shortly before that the White House announced that Vice President Johnson was leaving within days for a trip to Saigon and other Asian capitals.

RECOMMENDATION WAS MODIFIED LATER

The final task-force report, quoted in the Pentagon account, recommended the deployment of 400 Special Forces soldiers and an immediate Pentagon study of a further build-up "in preparation for possible commitment of U.S. forces to Vietnam, which might result from an N.S.C. decision following discussions between Vice President Johnson and President Diem." The idea of sending 3,200 other soldiers right away was dropped.

In place of a Pentagon proposal made on May 1 for unilateral American intervention in Vietnam if that became necessary to "save the country from Communism," the final report by the Gilpatric task force proposed a new "bilateral arrangement with Vietnam.

"On the grounds that the Geneva accords have placed inhibitions upon Free World action while at the same time placing no restrictions upon the Communists," the report said, "Ambassador Nolting should be instructed to enter into preliminary discussions with Diem regarding the possibility of a defensive security alliance despite the inconsistency of such action with the Geneva accords. . . . Communist violations, therefore, justify the establishment of the security arrangements herein recommended."

A STERNER OBJECTIVE

On May 11, two days after Vice President Johnson's departure for Saigon, President Kennedy made his decisions. As recorded in National Security Action Memorandum 52, a copy of which accompanies the Pentagon study, the American objective was stated more bluntly and more ambitiously than in typical public pronouncements. The memorandum said the American objective was "to prevent Communist domination of South Vietnam," whereas six days earlier President Kennedy himself spoke at a news conference of a vaguer desire "to assist Vietnam to obtain its independence."

The memorandum also specified measures that were not disclosed to the public: Presidential approval for the deployment of 400 Special Forces troops, for Ambassador Nolting to start negotiations on "a new bilateral arrangement with Vietnam" and for the initiation of a covert-warfare campaign against North Vietnam.

The one step, in the Pentagon analyst's view, that involved the United States more than the President's public statements suggested was the decision to send Special Forces. "Obviously the President was sold on their going," the study comments, "and since the Vietnamese Special Forces were themselves supported by C.I.A. rather than the regular military-aid program, it was possible to handle these troops covertly."

PROVISIONS FOR COVERT WARFARE

According to the documentary record, President Kennedy's specific orders on covert warfare called for these steps:

"Dispatch . . . agents to North Vietnam" for intelligence gathering.

"Infiltrate teams under light civilian cover to southeast Laos to locate and attack Vietnamese Communist bases and lines of communications."

"In North Vietnam, using the foundation established by intelligence operations, form networks of resistance, covert bases and teams for sabotage and light harassment."

"Conduct overflights for dropping of leaflets to harass the Communists and to maintain morale of North Vietnamese population, and increase gray [unidentified-source] broadcasts to North Vietnam for the same purposes."

Train "the South Vietnamese Army to conduct ranger raids and similar military actions in North Vietnam as might prove necessary or appropriate."

The documents also show that Mr. Kennedy approved plans "for the use in North Vietnam operations of civilian air crews of

American and other nationality, as appropriate, in addition to Vietnamese." The plans, quoted in full in the final report of the Gilpatric task force, designate the South Vietnamese Army's First Observation Group, stationed at Nhatrang, as the main unit for carrying on unconventional warfare in Laos, South Vietnam and North Vietnam.

In July, 1961, General Lansdale submitted to General Taylor, the President's military adviser, a preliminary report on preparations for this clandestine warfare. By that time, the report said, the First Observation Group had "some limited operations in North Vietnam and some shallow penetrations into Laos." [See text, Lansdale memo.]

The Lansdale report stated, however, that most of the unit's operations had been directed against the Vietcong in South Vietnam and that this was being changed to focus it entirely on North Vietnam and Laos—"denied areas," in official terminology.

"The plan is to relieve the group from these combat assignments [against the Vietcong]to ready its full strength for denied-areas missions," General Lansdale said. As of July 6, the unit was to be expanded to 805 men from 340. "Personnel are volunteers who have been carefully screened by security organizations," General Lansdale said. "Many are from North Vietnam. They have been trained for guerrilla operations at the group's training center at Nhatrang."

ADDITIONAL VOLUNTEERS WERE TRAINED

In addition, the Lansdale report said, 400 selected South Vietnamese soldiers, 60 montagnard tribesmen and 70 civilians were being formed into "additional volunteer groups, apart from the First Observation Group, for similar operations." The general listed 50 Americans—35 from the Defense Department and 15 from the C.I.A.—engaged in training these groups and preparing other South Vietnamese intelligence and psychological-warfare operations. According to the Pentagon study, these were to be augmented by some of the 400 Special Forces soldiers President Kennedy ordered to the field on May 11.

The study does not report on the actual operations of the units during the Kennedy years.

Bernard Fall, in his history "The Two Vietnams," published in 1963, described the organization of the First Observation Group into 15-man combat teams and 24-man support teams. "One such unit was captured near Ninhbinh (180 miles north of the 17th Parallel) in July, 1961, when its aircraft developed engine trouble," Mr. Fall reported.

In July the Hanoi radio, as monitored by the United States Government, carried several English-language broadcasts on the incident, saying that North Vietnam had shot down a plane encroaching on its airspace and describing a number of American-made items to try to authenticate the plane's origin. According to the broadcasts, the plane was marked in red letters "C–47," the oil tank "Douglas Aircraft" and the radio apparatus "Bendix Radio, Baltimore, U.S.A.," and some of the 10 men aboard carried "Colt" automatics. The generator was marked "Signal Corps U.S. Army," one broadcast said.

The North Vietnamese Government announced plans to try three survivors on charges of sabotage and espionage, saying that they confessed to having been trained by Americans who gave them a map and traced out their flight route over North Vietnam. Hanoi protested the incident formally to Britain and the Soviet Union, as co-chairmen of the 1954 Geneva conference on Vietnam, asserting that since May 13, 1961—two days after President Kennedy's orders were issued—the "U.S.-Diem regime" had "continuously carried out espionage and provocative acts against the North."

The North Vietnamese Foreign Minister described the C–47 incident as "an extremely impudent violation of the Geneva agreements." During July and August the North Vietnamese also broadcast descriptions of the build-up of the First Observation Group and the American organization and training of that unit, with details that corresponded almost exactly with the Lansdale report.

The North Vietnamese Government also formally protested several times to the International Control Commission that South Vietnamese units had conducted raids into the demilitarized zone separating the two Vietnams.

On Nov. 1 The New York Times carried a dispatch from Saigon quoting informants as reporting disaffection in North Vietnam and citing as evidence the sabotaging of an industrial plant at Vinh on Aug. 11 and other similar incidents.

DIEM AT THE FULCRUM

President Kennedy's decision in May deferred—but did not settle—the issue of combat troops for South Vietnam. Throughout the summer and fall of 1961 the Administration's debate on that crucial matter was significantly affected by the attitude of President Diem, according to the Pentagon account. Initially, it relates, Vice President Johnson found the South Vietnamese leader reluctant; in midsummer he warmed to the idea somewhat; by fall he was appealing to the United States to become a co-belligerent.

The Vietnam troop decisions were also affected by the confrontation with the Soviet Union over Berlin. At his meeting in Vienna with Premier Khrushchev in June, President Kennedy managed to strike a general bargain to seek neutralizatoin in Laos. But the Soviet leader applied pressure on the Berlin issue by threatening to sign a peace treaty with East Germany, making Western access to West Berlin extremely vulnerable. The tension on this issue mounted—and overshadowed developments in Southeast Asia—until, on Oct. 17, Premier Khrushchev dropped the idea of the peace treaty with East Germany.

Vice President Johnson, on his whirlwind mission through Asia to bolster the confidence of America's allies, met with President Diem on May 12. According to an embassy report of their meeting, when Mr. Johnson raised the possibility of sending American combat units to Vietnam or working out a bilateral defense treaty, he found Mr. Diem uninterested. The embassy report quoted President Diem as saying he wanted American combat troops only in the event of an open invasion.

In his private report to President Kennedy on May 23, the Vice President painted American alternatives in Asia in blacks and whites, giving Thailand and Vietnam pivotal significance. "We must decide whether to help these countries to the best of our ability," he declared, "or throw in the towel in the area and pull back our defenses to San Concept." [See text, Vice President's memo, May 23, 1961.]

Nonetheless, alluding to President Diem's response on the troop question, Mr. Johnson told Mr. Kennedy: "Asian leaders—at this time—do not want American troops involved in Southeast Asia other than on training missions. . . . This does not minimize or disregard the probability that open attack would bring calls for U.S. combat troops."

If this seemed to close the issue for President Kennedy, as the study indicates, it was not the last word from President Diem. Responding to a suggestion from Vice President Johnson, the South Vietnamese leader spelled out his military proposals in a letter to President Kennedy on June 9.

BIG EXPANSION OF ARMY IS URGED

The letter, quoted extensively in the Pentagon account, urged a major expansion of the South Vietnamese Army, from 170,000 to 270,000 men, accompanied by "considerable" United States build-up with "selected elements of the American armed forces." President Diem said that the increases were needed "to counter the ominous threat" of Communist domination—a threat that he documented by what the study calls "inflated infiltration figures."

The plea for "selected elements of the American armed forces," according to the Pentagon narrative, sounded "very much like" a request for the kind of forces that the Defense Department had proposed in April and that the American advisory mission in Saigon was urging in midsummer.

The real interest of the Joint Chiefs and other military officers, the account says, was "in getting U.S. combat units into Vietnam, with the training mission a possible device for getting this accepted by Diem" and by civilian leaders in Washington.

The White House, preoccupied by Berlin, sidestepped the issue by agreeing in August to finance a much more modest increase in the Vietnamese Army—30,000 men—and by postponing any build-up of American advisers, according to the study.

Moreover, the writer suggests that the White House was already developing other ideas about Southeast Asia. During the summer discussions, Mr. Rostow once again produced proposals that, in the study's words, were a "quite exact" prescription for President Kennedy's decisions in the fall. In what is described in the account as a handwritten note to Secretary McNamara on a piece of scratch paper, probably passed by hand during a meeting about June 5, Mr. Rostow said:

"Bob:

"We must think of the kind of forces and missions for Thailand now, Vietnam later. "We need a guerrilla *deterrence* operation in Thailand's northeast.

"We shall need forces to support a counter-guerrilla war in Vietnam:

"aircraft
"helicopters
"communications men
"special forces
"militia teachers
"etc.

"WWR"

The emphasis on deterrence was Mr. Rostow's.

In late fall President Diem jolted the Kennedy Administration into its most urgent consideration of the troop issue—and its most significant military decisions—with a sudden, secret request for the bilateral defense treaty he previously spurned.

On Sept. 29 the study recounts, Mr. Diem had a gloomy meeting with American officials, and Ambassador Nolting sent Washington this cablegram:

"Diem asked for bilateral defense treaty. Large and unexplained request. Serious. Put forward as result of Diem's fear of outcome of Laos situation, SVN vulnerability to increased infiltration, feelings that SEATO action would be inhibited by U.K. and France in the case of SVN as in Laos. . . .

"Our reaction is that the request should be seriously and carefully treated to prevent feeling that U.S. is not serious in intention to support SVN. But see major issues including overriding Article 19, Geneva accords, possible ratification problems as well as effect on SEATO.

"Diem's request arises from feeling that U.S. policy on Laos will expose his flank [to] infiltration and lead to large-scale hostilities in SVN. So seeking a stronger commitment than he thinks he has now through SEATO."

Admiral Felt, the Pacific commander, who was also present at the Sept. 29 meeting, cabled a fuller report several days later saying that President Diem wanted not only a treaty but also an accelerated American "military buildup." Specifically, Admiral Felt said,

the President pressed for a "large increase in advisers of all types" and American tactical air squadrons to help break up the larger Vietcong units that had recently been massing for attacks.

The Felt message explained that the stepped-up scale of combat in Vietnam was worrying President Diem as much as the threat of infiltration or attack from the Laotian side, if not more. It added: "Diem said VC now able to assemble large units, had extensive radio net, operating in one or more battalions with heavy arms capable of raiding principal cities in provinces. . . . Could enter a city, burn out stores, attack leaders, withdraw."

The Pentagon narrative explains that the Vietcong, now believed to be 17,000 strong, had nearly tripled the level of their attacks to 450 a month in September.

"SHATTERING EFFECT IN SAIGON"

"The most spectacular attack, which seems to have had a shattering effect in Saigon," the writer goes on, "was the seizure of Phuocthanh, a provincial capital only 55 miles from Saigon," where the Vietcong held the town most of the day and publicly beheaded the province chief, departing before the South Vietnamese Army arrived.

For Washington the situation had become more alarming than it was in the spring. Then Laos was the primary cause of Vietnam's jitters. "This time," the study comments, "the problem was not directly Laos, but strong indications of moderate deterioration of Diem's military position and very substantial deterioration of morale in Saigon."

Even before President Diem's request for a treaty, momentum for American intervention in Southeast Asia had been mounting.

By early October the Pentagon papers recount, several proposals had emerged: The Joint Chiefs of Staff advocated allied intervention to seize and hold major portions of Laos, mainly to protect the borders of South Vietnam and Thailand; the "Rostow proposal" urged sending a force of about 25,000 men from the Southeast Asia Treaty Organization into Vietnam to try to guard the border with Laos; and several other plans suggested putting American forces into the Vietnamese Central Highlands or the port of Danang, with or without a training mission.

In the bureaucratic maneuvering that led up to the important National Security Council meeting of Oct. 11, a significant new element was injected.

For the first time, the study notes, a proposal was put before President Kennedy urging that the United States accept "as our real and ultimate objective the defeat of the Vietcong." The analyst says this was suggested in a compromise paper drafted hastily by U. Alexis Johnson, Deputy Under Secretary of State. The paper said that "three divisions would be a guess" on the number of American troops needed but that a more precise estimate would be forthcoming from the Joint Chiefs of Staff.

A "SOMEWHAT CONFUSING" BLEND

The study describes this as a "somewhat confusing" blend of earlier proposals by Mr. Rostow and the Joint Chiefs of Staff, put together on Oct. 10. "It was pretty clear," the account continues, "that the main idea was to get some American combat troops into Vietnam, with the nominal excuse for doing so quite secondary."

The Joint Chiefs provided a supplemental note estimating "that 40,000 U.S. forces will be needed to clean up the Vietcong threat" and that 128,000 additional soldiers would be sufficient to cope with possible North Vietnamese or Chinese Communist intervention. The note, which accompanies the historical study, cited the Berlin crisis as another strain on American military manpower and urged "a step-up in the present mobilization, possibly of major proportions."

A third paper, which the narrative terms notable for its candor, also advocated "early and hard-hitting" intervention in Vietnam. This paper, a note to Secretary McNamara from William P. Bundy, Acting Assistant Secretary of Defense, said:

"It is really now or never if we are to arrest the gains being made by the Vietcong. Walt Rostow made the point yesterday that the Vietcong are about to move, by every indication, from the small-unit basis to a moderate battalion-size basis. Intelligence also suggests that they may try to set up a 'provisional government' . . . in the very Kontum area into which the present initial plan would move SEATO forces. If the Vietcong movement 'blooms' in this way, it will almost certainly attract all the back-the-winner sentiment that understandably prevails in such cases and that beat the French in early 1954 and came within an ace of beating Diem in early 1955."

Mr. Bundy bluntly put the odds as he saw them:

"An early and hard-hitting operation has a good chance (70 per cent would be my guess) of *arresting* things and giving Diem a chance to do better and clean up . . . It all depends on Diem's effectiveness, which is very problematical. The 30 per cent chance is that we would wind up like the French in 1954; white men can't win this kind of fight.

"On a 70–30 basis, I would myself favor going in. But if we let, say, a month go by before we move, the odds will slide . . . down to 60–40, 50–50 and so on."

The italics are Mr. Bundy's.

A MORE PESSIMISTIC ASSESSMENT

The intelligence community provided what the study calls a "conspicuously more pessimistic (and more realistic)" assessment than the formal recommendations of the Pentagon or Mr. Rostow. In spite of all the American worry about infiltration into South Vietnam through Laos, a special national intelligence estimate on Oct. 5 reported "that 80–90 per cent of the estimated 17,000 VC had been locally recruited, and that there was little evidence that the VC relied on external supplies," according to the Pentagon account.

The intelligence estimate also included a warning about the kind of enemy shrewdness and tenacity that became reality. The estimate, drafted while the Administration was thinking primarily of SEATO—rather than unilateral American—intervention, forecast:

"The Communists would expect worthwhile political and psychological rewards from successful harassment and guerrilla operations against SEATO forces. The D.R.V. would probably not relax its Vietcong campaign against the GVN [Government of (South) Vietnam] to any significant extent. Meanwhile, Communist strength in south Laos would probably be increased by forces from North Vietnam to guard against an effort to partition Laos. . . . The Soviet airlift would probably be increased with a heavier flow of military supply into south Laos. . . ."

Confronted with such conflicting advice, President Kennedy decided to send General Taylor to Saigon. According to minutes of the National Security Council meeting on Oct. 11, quoted in the Pentagon account, the general was instructed to consider three strategies:

Bold intervention to "defeat the Vietcong," using up to three divisions of American troops.

Sending "fewer U.S. combat forces" to Vietnam, not to crush the insurgency but "for the purpose of establishing a U.S. 'presence' in Vietnam."

Stepping up U.S. assistance and training of Vietnam units, furnishing of more U.S. equipment, particularly helicopters and other light aircraft, trucks and other ground transport"—short of using American combat forces.

MISSION: "AN ECONOMIC SURVEY"

The minutes said President Kennedy was to announce the Taylor mission, at an afternoon news conference, "as an economic survey." But, the account says, the President did "not make the hardly credible claim that he was sending his personal military adviser to Vietnam to do an economic survey." After a vaguely worded announcement, the narrative relates, President Kennedy was "noncommittal when asked whether Taylor was going to consider the need for combat troops."

Even before General Taylor and his party could leave Washington, the Diem Government had sent new and urgent requests for American combat troops. Ambassador Nolting reported to Washington on Oct. 13 that Nguyen Dinh Thuan, the Vietnamese Acting Defense Minister, had requested: "U.S. combat units or units to be introduced into SVN as 'combat trainer units' . . . Wanted a symbolic U.S. strength near 17th [Parallel] to prevent attacks there, free own forces there. Similar purpose station U.S. units in several provincial seats in Central Highlands. . . . Thuan said first step quicker than [defense] treaty and time was of the essence. Thuan said token forces would satisfy SVN and would be better than treaty." [See text, request by South Vietnam, Oct. 13, 1961.]

The South Vietnamese Government's state of alarm was communicated by Mr. Nolting's additional report that Saigon was considering asking Nationalist China "to send one division of combat troops in the southwest." Ambassador Nolting said he had tried to discourage this approach.

The Pentagon study goes on to report that Administration officials effectively squelched press speculation about the troop question with carefully managed news leaks at this point.

It cites a dispatch on Oct. 14 in The New York Times reporting that military leaders, including General Taylor, were reluctant to send combat units to Vietnam and that this question was "near the bottom of the list" of things the general would consider.

From the way the dispatch was handled, the account says, it clearly "came from a source authorized to speak for the President, and probably from the President himself." He adds that "in the light of the recommendations quoted throughout this paper, and particularly most of the staff papers . . . that led up to the Taylor mission, most of this was simply untrue." But he concludes: "The Times story had the apparently desired effect. Speculation about combat troops almost disappeared from news stories."

STATE OF EMERGENCY

The Taylor mission arrived in Saigon on Oct. 18 and was greeted by what the Pentagon study calls a "spectacular opening shot"; President Diem's formal declaration of a state of emergency. Within the next week General Taylor met twice with the chief of state.

According to an embassy message to Washington on Oct. 20, President Diem told General Taylor at their first meeting that he wanted a bilateral defense treaty, American support for another expansion of the South Vietnamese Army and a list of combat-support items very close to those suggested in June by Mr. Rostow in his handwritten note to Secretary McNamara.

"He asked specifically for tactical aviation, helicopter companies, coastal patrol forces and logistic support (ground transport)," the embassy report said. He did not, however, repeat the earlier request for actual American ground combat units.

By the second Diem-Taylor meeting, on Oct. 24, American and South Vietnamese officials had discussed the disastrous flooding in the Mekong River Delta, where the American military advisory mission, headed by

Lieut. Gen. Lionel C. McGarr, thought American troops might be of some help.

General Taylor had incorporated this idea in a series of recommendations, which he put before President Diem at the second meeting. Item E, the study reports, was headed, "Introduction of U.S. Combat Troops," and it proposed "a flood-relief task force, largely military in composition, to work with GVN over an extended period for rehabilitation of area. Such a force might contain engineer, medical, signal and transportation elements as well as combat troops for the protection of relief operations."

The general directed two messages to Washington after that meeting, both quoted in the Pentagon account. The first, sent through regular channels, reported that President Diem's reaction to all of General Taylor's recommendations—including the flood-relief task force—"was favorable."

ASSURANCE TO DIEM IS FAVORED

In his second message, sent privately to President Kennedy and the President's most senior advisers, General Taylor was more specific. He proposed a force of 6,000 to 8,000 American soldiers not only to cope with the flooding but significantly, as the narrative points out, to assure "Diem of our readiness to join him in a military showdown with Vietcong or Vietminh." [See texts, Taylor's messages, Nov. 1 and 5, 1961.]

General Taylor said that he envisioned mostly logistics forces but that "some combat troops" would be necessary to defend the American engineer troops and their encampments. He warned that "any troops coming to VN may expect to take casualties."

The general underscored the propaganda advantage of relating the introduction of American ground troops to the need for flood relief as "offering considerable advantages in VN and abroad" and leaving President Kennedy his choice on future action. "As the task is a specific one," he explained, "we can extricate our troops when it is done if we so desire. Alternatively, we can phase them into other activities if we wish to remain longer."

He acknowledged, in conclusion: "This kind of task force will exercise little direct influence on the campaign against the VC. It will, however, give a much needed shot in the arm to national morale."

General Taylor's proposals engendered State Department opposition. His messages, evidently relayed to Secretary of State Dean Rusk, who was in Japan for a conference, prompted Mr. Rusk to cable Washington, warning about the risks of making a military commitment without reciprocal political reforms by President Diem.

According to his Nov. 1 message, which is appended to the Pentagon study, Mr. Rusk said that if, as previously, the South Vietnamese leader was not willing to trust his military commanders more and to take steps to bring more non-Communist elements into influential roles, it was "difficult to see how a handful of American troops can have decisive influence." While attaching the "greatest possible importance" to the security of Southeast Asia, Mr. Rusk expressed reluctance to see American prestige committed too deeply for the sake of "a losing horse."

Similar reservations were already reflected by reports from two middle-level State Department members of General Taylor's mission. Sterling J. Cottrell and William J. Jorden submitted separate dissents to General Taylor on their way home by way of Bangkok and the Philippines.

Mr. Cottrell, head of the interagency Vietnam task force in Washington, asserted in a memorandum dated Oct. 27 that "since U.S. combat troops of division size cannot be employed effectively, they should not be introduced at this stage" despite the "favorable psychological lift" it would give the Vietnamese.

"Since it is an open question whether the GVN can succeed even with U.S. assistance," he went on, "it would be a mistake for the U.S. to commit itself irrevocably to the defeat of the Communists in SVN." But if combined American and Vietnamese efforts failed in the South, he recommended moving "to the 'Restow plan' of applying graduated punitive measures on the D.R.V. with weapons of our choosing."

Mr. Jorden reported finding explosive pressures for political and administrative change in South Vietnam as well as "near paralysis" in parts of the Government because so many decisions had to await personal approval by President Diem. Many Government officials and military officers, he said, "have lost confidence in President Diem and his leadership." He urged that the United States not identify itself "with a man or a regime."

Quite contrary pressures were being exerted on Washington, however, by the American mission in Saigon. On Oct. 31, the study says, the embassy reported to Washington the Vietnamese people's "virtually unanimous desire" for the introduction of American troops.

From Baguio, in the Philippines, where he had stopped to draft his formal report with Mr. Rostow and his other aides, General Taylor sent two more messages to President Kennedy on Nov. 1, urging a commitment of a "U.S. military task force" to Vietnam.

But, the messages show, he now listed the flood-relief mission as secondary to the objective of providing a "U.S. military presence capable of raising national morale and of showing to Southeast Asia the seriousness of the U.S. intent to resist a Communist takeover."

Writing in more sweeping language than he used in Saigon a week before, the general now advocated a "massive joint effort" with the South Vietnamese "to cope with both the Vietcong and the ravages of the flood." The presence of American ground units, he said, was "essential" to "reverse the present downward trend of events."

His second message discounted the risks of sliding into a major Asian land war accidentally and sought to assure President Kennedy that the American troops would not be aggressively hunting down the Vietcong guerrillas though they would be involved in some combat. He wrote:

"This force is not proposed to clear the jungles and forests of Vietcong guerrillas. That should be the primary task of the armed forces of Vietnam for which they should be specifically organized, trained and stiffened with ample U.S. advisers down to combat battalion levels.

"However, the U.S. troops may be called upon to engage in combat to protect themselves, their working parties and the area in which they live. As a general reserve, they might be thrown into action (with U.S. agreement) against large, formed guerrilla bands which have abandoned the forests for attacks on major targets."

The parenthetical matter was in General Taylor's original cablegram.

The message also repeated the theme, attributed by the analyst and by Mr. Cottrell to Mr. Rostow, that bombing of North Vietnam could be used as a diplomatic threat to hold Hanoi at bay.

PRIOR KENNEDY CONCURRENCE HINTED

The language of all of General Taylor's messages, the Pentagon study comments, suggests that the support forces—helicopter companies, the expanded advisory mission, tactical air support—"were essentially already agreed to by the President before Taylor left Washington."

The general's interest, the study explains, was in getting a commitment of "ground forces (not necessarily all or even mainly infantrymen, but ground soldiers who would be out in the countryside where they could be shot at and shoot back)." His argument for ground troops, the study observes, was based more on "psychological than military reasons."

The formal report by the Taylor mission, submitted on Nov. 3, incorporated the proposal for what the analyst calls a "hard commitment on the ground" and other measures, all under the over-all concept of a new American role in Vietnam: "limited partnership." The drift of the report, which the Pentagon narrative says was probably written with Mr. Rostow, was reflected in the proposal that the American military advisory mission in Saigon not only should be "radically increased" but also should undertake more active direction of the war by becoming "something nearer [to]—but not quite—an operational headquarters in a theater of war."

The main evaluation section, the study comments, "puts Saigon's weakness in the best light and avoids suggesting that perhaps the U.S. should consider limiting rather than increasing commitments to the Diem regime."

The dissents of Mr. Cottrell and Mr. Jorden were submitted, along with a military annex, which said: "The performance of ARVN [the Army of South Vietnam] is disappointing and generally is characterized by a lack of aggressiveness and at most levels is devoid of a sense of urgency."

The Taylor report, the Pentagon account notes, proposed solving this type of problem through administrative reforms in the army and the infusion of Americans. The writer comments that there was no serious demand for pressing President Diem to make the kind of reforms that Secretary Rusk felt necessary.

Moreover, the Pentagon study notes two important underlying assumptions for the report. The first was that South Vietnamese problems—whether the Army's lack of spirit or President Diem's bottlenecks—"could be cured if enough dedicated Americans become involved." There was great implicit faith, the study goes on, that Americans could provide the South Vietnamese "with the élan and style needed to win."

The second major assumption, the analyst notes, was that "if worse comes to worst, the U.S. could probably save its position in Vietnam by bombing the North."

Both these assumptions, as the Pentagon narrative recounts in later sections, were essential ingredients in the advice given to President Johnson in late 1964 and 1965, as he made the decisions to move forcefully into the war.

As the Taylor recommendations were submitted to President Kennedy, he also received a special national intelligence estimate forecasting that American escalation would be matched by Hanoi. According to the Pentagon account, the Nov. 5 estimate considered four possibilities—expanding the American advisory mission, plus an American airlift for Vietnamese troops; sending an 8,000-to-10,000-man flood-relief task force; sending a 25,000-to-40,000-man combat force, and warning Hanoi, in conjunction with any of those steps, that the United States "would launch air attacks against North Vietnam" unless Hanoi stopped supporting the Vietcong.

"The gist" of the intelligence estimate, the Pentagon account says, "was that the North Vietnamese would respond to an increased U.S. commitment with an offsetting increase in infiltrated support for the Vietcong." The greater the American involvement, the intelligence estimate prophesied, the stronger the North Vietnamese reaction. The estimate also implied, the narrative goes on, that "threats to bomb would not cause Hanoi to stop its support for the Vietcong, and . . . actual attacks on the North would bring a

strong response from Moscow and Peiping. . . ."

Nonetheless, the Taylor recommendations received backing from Secretary McNamara, Deputy Secretary Gilpatric and the Joint Chiefs of Staff. In a memo on Nov. 8 to President Kennedy, reprinted in the study, Mr. McNamara summarized their position:

"We are inclined to recommend that we do commit the U.S. to the clear objective of preventing the fall of South Vietnam to Communism and that we support this commitment by the necessary military actions.

"If such a commitment is agreed upon, we support the recommendations of General Taylor as the first steps toward its fulfillment."

"MIRED IN INCONCLUSIVE STRUGGLE"

But the memorandum warned President Kennedy that the 8,000-man task force "probably will not tip the scales decisively," meaning that "we would be almost certain to get increasingly mired down in an inconclusive struggle."

"In short," the study comments, "the President was being told that the issue was not whether to send an 8,000-man task force, but whether or not to embark on a course that, without some extraordinary good luck, would lead to combat involvement in Southeast Asia on a very substantial scale."

The Pentagon narrative says that while the Joint Chiefs' position was clear, Mr. McNamara's position "remains a little ambiguous," especially in view of his qualified phrase "inclined to recommend" sending ground troops. The implication seems to be that Secretary McNamara was willing to go along with the Joint Chiefs to this extent to draw them out for President Kennedy on the full, long-term meaning of their recommendations.

Moreover, as the study records, three days later Mr. McNamara joined Mr. Rusk in a quite different recommendation and, the analyst says, "one obviously more to the President's liking (and, in the nature of such things, quite possibly drawn up to the President's specifications)." [See text, Rusk-McNamara report, Nov. 11, 1961.]

This memorandum, almost totally adopted by President Kennedy as policy, contained stronger rhetoric than the earlier McNamara note but milder recommendations. The memorandum, quoted nearly in full in the Pentagon account, began with a strong exposition of the domino theory:

"The loss of South Vietnam would make pointless any further discussion about the importance of Southeast Asia to the Free World; we would have to face the near certainty that the remainder of Southeast Asia and Indonesia would move to a complete accommodation with Communism, if not formal incorporation within the Communist bloc."

The language on the troop issue, omitting any mention of the flood-relief task force, seems carefully drafted:

"The commitment of United States forces to South Vietnam involves two different categories: (A) units of modest size required for the direct support of South Vietnamese military effort, such as communications, helicopter and other forms of airlift, reconnaissance aircraft, naval patrols, intelligence units, etc., and (B) larger organized units with actual or potential direct military missions. *Category (A) should be introduced as speedily as possible.* Category (B) units pose a more serious problem. . . ."

The italicized emphasis is in the original document.

The two Secretaries recommended that the United States "now take the decision to commit ourselves to the objective of preventing the fall of South Vietnam to Communism and that, in doing so, we recognize that the introduction of United States and other SEATO forces may be necessary to achieve this objective." But for the present it said only that the Pentagon should prepare plans for ground combat forces.

Three lines of reasoning for opposing a commitment of ground combat troops emerge from this document.

The first and possibly the most significant, the Pentagon study suggests, is that such a move "prior to a Laotian settlement would run a considerable risk of stimulating a Communist breach of the cease-fire and a resumption of hostilities in Laos," leaving the President the unattractive choice of "the use of combat forces in Laos or an abandonment of that country to full Communist control." The second reason was the need "to involve forces from other nations" as well; otherwise it would be "difficult to explain to our own people why no effort had been made to invoke SEATO or why the United States undertook to carry this burden unilaterally." The third was the dilemma underlying the troop proposals—that "if there is a strong South Vietnamese effort, they may not be needed [but] if there is not such an effort, United States forces could not accomplish their mission in the midst of an apathetic or hostile population."

The Rusk-McNamara memorandum fully acknowledged that even sending support troops and more advisers would mean openly exceeding military ceilings imposed by the 1954 Geneva accords. The memorandum proposed an exchange of letters with President Diem in which President Kennedy would assert "the necessity now of exceeding some provisions of the accords in view of the D.R.V. violations." It also called for the release of a white paper, "A Threat to Peace," reporting on infiltration from North Vietnam and on Vietcong terrorism.

Embracing the essence of Mr. Rusk's message from Japan, the joint memorandum added a demand for reform from President Diem before the United States build-up would be put in motion.

The President accepted all major recommendations, according to the study, except for the unqualified commitment to the goal of saving South Vietnam from Communism. His decisions were formally embodied on Nov. 22 in a national security action memorandum, No. 111, entitled "First Phase of Vietnam Program."

CONCRETE EVIDENCE DEMANDED

But on Nov. 14 Washington sent a summary of the President's decisions—evidently made the day before—to Ambassador Nolting. The message demanded "concrete demonstration by Diem that he is now prepared to work in an orderly way [with] his subordinates and broaden the political base of his regime." For the first time it sought to inject the United States more deeply into managing the war by asserting: "We would expect to share in the decision-making process in the political, economic and military fields as they affect the security situation."

Possibly to assuage President Diem's expected disappointment, it noted that the decisions on combat-support troops and many more advisers "will sharply increase the commitment of our prestige to save SVN." It concluded by asserting that while the Pentagon was preparing contingency plans for ground combat forces, the "objective of our policy is to do all possible to accomplish [our] purpose without use of U.S. combat forces."

No Presidential paper in the Pentagon record clearly details Mr. Kennedy's thinking, but two documents shed light: the Nov. 14 message and some unsigned notes of a National Security Council meeting that, according to the Pentagon account, took place on Nov. 15.

The notes included these entries: "Pres expressed concern over 2-front war. Another bother him, no overt Chicom aggression in SVN, unlike Korea. These Diem's own people; difficult operating area. If go beyond advisers need other nations with us . . . Pres receiving static from Congress; they against using US troops."

KENNEDY RAISED A QUESTION

At another point, Mr. Kennedy reportedly asked why it was important to retain South Vietnam and Laos. The notes record the reply from Gen. Lyman L. Lemnitzer, Chairman of the Joint Chiefs of Staff: "We would lose Asia all the way Singapore. Serious setback to U.S. and F.W. [free world]."

President Kennedy was also reportedly concerned about the lack of support from the British and worried about the proposed letter acknowledging that the United States would be breaking the Geneva accords. "Pres asked Rusk," the notes say, "why do we take onus, saying we are going to break Geneva accords (in letter to Diem). Why not remain silent. Don't say this ourselves. Directed State to reword letter." The parentheses were in the original notes.

The Nov. 14 message reflects similar reasoning. The implication is that one important consideration for President Kennedy was fear that sending ground combat forces to South Vietnam, in the language of the message, "might wreck chances for agreement" in Laos and lead to a breakdown of the cease-fire there.

A second drawback cited in the message was the risk of provoking confrontations with the Soviet Union elsewhere—the "two front" problem—especially in Berlin where the acute crisis had eased less than a month before.

The decision disappointed President Diem who, according to the Pentagon study, was seeking a firm U.S. commitment to him. The account reports that Ambassador Nolting cabled Washington on Nov. 18 to say that the South Vietnamese leader had immediately inquired about ground combat units. After hearing Mr. Nolting's response, the Ambassador said, President Diem "took our proposals rather better than I expected." Two days later the Ambassador said he was getting high-level reports that President Diem was upset and brooding.

DIEM WOULD STILL HOLD THE REINS

If this was a bargaining tactic to get the United States to back down on its demands for reform, the study says, it worked. On Dec. 7 Washington sent the embassy new instructions, the account goes on, softening demands for reforms and settling for "close partnership" and frequent consultation with the South Vietnamese Government rather than insisting, as before, on taking part in decision-making.

Whether intentionally or not, the Pentagon study contends, the over-all effect of these actions was to give the military side of the war higher priority than the political side.

"To continue to support Diem without reform," the study comments, "meant quite simply that he, not we, would determine the course of the counterinsurgent effort and that the steps he took to assure his continuance in power would continue to take priority over all else." The account says that this emphasis came to plague the Kennedy Administration when South Vietnamese disaffection with the Diem regime boiled over in 1963.

COPTERS AND CASUALTIES

Even before the American decisions on the troop build-up were announced formally on Dec. 14 with a public exchange of letters between Presidents Kennedy and Diem, the first two American helicopter companies had arrived—400 men with 33 H-21C helicopters. On Feb. 5 the press reported that the first helicopter had been shot down by the enemy.

Despite the Administration's efforts to

draw a careful bureaucratic distinction between support troops ("Category A") and combat troops ("Category B"), this was hard to maintain in the field. The study records without comment that by mid-February President Kennedy was asked at a news conference if the Administration was being "less than candid" about American involvement in Vietnam. He acknowledged that American troops were "firing back" to protect themselves although he contended that these were not combat troops "in the generally understood sense of the word."

The Pentagon study goes on to record that on April 11, two days after two American soldiers were killed in a Vietcong ambush while on a combat operation with Vietnamese troops, President Kennedy was asked at a news conference: "Sir, what are you going to do about the American soldiers getting killed in Vietnam?"

In reply, the President said: "We are attempting to help Vietnam maintain its independence and not fall under the domination of the Communists . . . We cannot desist in Vietnam." Months later, he admitted to increased casualties along with the build-up he ordered.

According to Pentagon records, nearly 10 times as many Americans were killed or wounded in action in 1962 as in 1961—figures closely paralleling the tenfold build-up in American forces to 11,000 men by the end of 1962. The Pentagon statistics show that the number of killed and wounded in combat increased from 14 in 1961 to 109 in 1962 and to 489 in 1963.

PERIOD OF NEW COMMITMENTS

Although the Pentagon study describes the Kennedy years as a period of new commitments, it does not indicate whether in this case President Kennedy—by putting American airmen in position to fly tactical air missions and ground advisers to take part in combat operations with South Vietnamese units—crossed an important firebreak in the American involvement in Vietnam.

Documents accompanying the Pentagon study amply recount the rapid tempo of the American build-up—rapid by the standards by the previous seven years. A military briefing paper for the President on Jan. 9, 1962, cited in the Pentagon account, reported:

The number of American servicemen in Vietnam jumped from 948 at the end of November to 2,646 by Jan. 9 and would reach 5,576 by June 30.

Two Army helicopter companies were flying combat support missions and an air commando unit code-named Jungle Jim was "instructing the Vietnamese Air Force in combat air support tactics and techniques."

United States Navy Mine Division 73, with a tender and five minesweepers, was sailing from Danang along the coastline.

American aircraft from Thailand and from the Seventh Fleet aircraft carriers off Vietnam were flying surveillance and reconnaissance missions over Vietnam.

Six C–123 spray-equipped aircraft "for support of defoliant operations" had "received diplomatic clearance" to enter South Vietnam.

"UNDER COMBAT CONDITIONS"

At a news conference on March 18, 1962, Secretary McNamara acknowledged under questioning that American "training" of the South Vietnamese "occasionally takes place under combat conditions." He added that "there has been sporadic fire aimed at U.S. personnel, and in a few minor instances they have returned the fire in self-defense." News reports in the spring of 1962 told of American pilots flying in the front, or action, seats of "trainer" aircraft while Vietnamese trainees rode behind.

A SPURT OF OPTIMISM

Whatever public uneasiness was expressed in the news-conference questions, the Pentagon study notes, official American assessments on the war in the spring and summer of 1962 took on an increasingly favorable tenor.

One special object of praise and of American official confidence, the account notes, was the development of the strategic-hamlet program as an all-embracing counterguerrilla strategy in rural Vietnam. But the Pentagon study comments that the optimism proved misplaced.

Government documents available in the Pentagon records describe this strategy as a program to regroup the Vietnamese population into fortified hamlets in which the Government was to undertake political, social and economic measures designed both to weed out Vietcong sympathizers and to gain popular allegiance through improved local services and better security.

President Diem formally adopted the strategy for the Mekong Delta in mid-March, 1962, and made it nationwide in August. By Sept. 30, according to the study, the Diem Government was stating that more than a third of the total rural population was living in completed hamlets.

One flaw inherent in this strategy, the Pentagon study asserts, was that Saigon and Washington had different objectives for it: President Diem saw it as a means of controlling his population, non-Communist as well as Communist, while Washington saw it as a means of winning greater allegiance and thereby squeezing out the Vietcong.

VIETAMESE EXAGGERATED REPORTS

Moreover, the account goes on, popular allegiance was so difficult to assess that even American officials turned increasingly to physical aspects of the program for statistical evaluations of progress. It left them vulnerable, the study notes, to exaggerated Vietnamese reports, which they did not uncover until after the Diem Government had been overthrown in 1963.

Fundamentally, the Pentagon analysts assert, the strategic hamlets "failed dismally," like previous programs tried by the French and the Vietnamese, "because they ran into resentment if not active resistance" from peasants who objected to being moved forcibly from their fields and their ancestral homes.

The Pentagon study lays "a principal responsibility for the unfounded optimism of U.S. policy" in 1962 and early 1963 on inadequate and relatively uninformed American intelligence and reporting systems. The official optimism, the Pentagon account discloses, reached its peak in the plans for an American military "phase-out" in Vietnam on the assumption that the war against the Vietcong would be won by the end of 1965.

The tone was set, the analyst writes at a Honolulu conference on Vietnam strategy. On July 23, 1962, the same day that the Laotian peace agreement was signed in Geneva, Secretary McNamara ordered the start of planning for American withdrawal from Vietnam and long-term projections for reducing American financial aid to the Saigon Government.

Mr. McNamara is depicted in the study as repeatedly pressing the somewhat reluctant military command to come up with a long-range plan for an American phase-out, in part because of satisfaction with what he called the "tremendous progress" in early 1962.

But Mr. McNamara's orders also reflected domestic political problems. At the Honolulu conference, the account says, "he observed that it might be difficult to retain public support for U.S. operations indefinitely."

"Political pressures would build up as losses continued," it added.

DIVERGENT ESTIMATES OF COST

The Pentagon account gives no indication that this planning was personally originated by President Kennedy or that it was ever presented to him in completed form. For roughly 18 months, with little urgency, documents flowed back and forth between Mr. McNamara and the American military mission in Saigon through Pentagon channels, with Mr. McNamara constantly urging lower budget figures and reduction to 1,500 American troops by late 1968. Even so, the President was told in February, 1963, by a senior White House aide, Michael V. Forrestal, to expect a long and costly war.

"No one really knows," Mr. Forrestal wrote in a report to Mr. Kennedy on Feb. 11, "how many of the 20,000 'Vietcong' killed last year were only innocent, or at least persuadable, villagers, whether the strategic hamlet program is providing enough govt. services to counteract the sacrifices it requires, or how the mute mass of villagers react to the charges against Diem of dictatorship and nepotism." The report, which accompanies the Pentagon study, went on to say that Vietcong recruitment inside South Vietnam was so effective that the war could be continued even without infiltration from the North.

Moreover, while the phase-out planning continued, the American involvement grew to 16,732 men in October, 1963. And the analyst comments that once the political struggle began in earnest against President Diem in May, 1963, this planning took on an "absurd quality" based on "the most Micawberesque predictions" of progress.

"Strangely," the Pentagon study continues, "as a result of the public White House promise in October and the power of the wheels set in motion, the U.S. did effect a 1,000-man withdrawal in December of 1963." But the study discounts this as "essentially an accounting exercise" offset in part by troop rotations.

Because of the complete political upheaval against the Diem regime in 1963, the situation deteriorated so profoundly in the final five months of the Kennedy Administration, according to a private report from Secretary McNamara quoted in the study, that the entire phase-out had to be formally dropped in early 1964.

Thus, the Pentagon study relates, in spite of the military build-up under the Kennedy Administration, President Kennedy left President Johnson a Vietnamese legacy of crisis, of political instability and of military deterioration at least as alarming to policy makers as the situation he had inherited from the Eisenhower Administration.

DECISION "ALMOST BY DEFAULT"

The decision to build up the combat support and advisory missions, the Pentagon study comments, was made "almost by default" because the Kennedy Administration was focused so heavily in the fall of 1961 on the question of sending ground combat units to Vietnam. That decision, the analyst writes, was reached "without extended study or debate" or precise expectation of what it would achieve.

Despite the tens of thousands of words in the Pentagon account of the Kennedy Administration, backed by scores of documents, the study does not provide a conclusive answer to the most vigorously debated question about President Kennedy's Vietnam policy since his death in November, 1963: If President Kennedy had lived until 1965, would he have felt compelled by events, as President Johnson was, to undertake full-scale land war in South Vietnam and an air war against the North?

The situation, as the Pentagon account discloses, had changed significantly between 1961 and 1965. In 1961 President Kennedy was confronted by other crises—Berlin, Cuba, Laos—while he faced his harshest decisions on Vietnam, and these acted as restraints; President Johnson did not have quite the same distractions elsewhere. Too, President Diem never pushed so aggressively for American escalation as did Gen. Nguyen Khanh, the South Vietnamese leader in 1964 and 1965. Nor, as the analysts note, had other

measures short of full-scale air and ground combat been exhausted, without producing success.

The Pentagon account, moreover, presents the picture of an unbroken chain of decision-making from the final months of the Kennedy Administration into the early months of the Johnson Administration, whether in terms of the political view of the American stakes in Vietnam, the advisory build-up or the hidden growth of covert warfare against North Vietnam.

"No reliable inference can be drawn," the Pentagon study concludes, "about how Kennedy would have behaved in 1965 and beyond had he lived. (One of those who had advised retaining freedom of action on the issue of sending U.S. combat troops was Lyndon Johnson.) It does not prove that Kennedy behaved soundly in 1961. Many people will think so; but others will argue that the most difficult problem of recent years might have been avoided if the U.S. had made a hard commitment on the ground in South Vietnam in 1961."

HIGHLIGHTS OF THE PERIOD

The Pentagon study reaches no conclusion as to how the course of the Vietnam war might have changed if John F. Kennedy had lived—but it sums up the Kennedy years as a time of significantly deepening United States involvement.

Here, arranged chronologically, are highlights of those two and a half years:

1961

National intelligence estimate reports "extremely critical period" for South Vietnam and Saigon regime is "immediately ahead." Says President Ngo Dinh Diem's "reliance on virtual one-man rule and a toleration of corruption" lead many in military and government to "question Diem's ability to lead in this period."

President orders 400 Special Forces soldiers and 100 other military advisers to South Vietnam, study says. Also orders clandestine campaign of "sabotage and light harassment" in North by South Vietnamese agents trained by United States.

Task force headed by Roswell W. Gilpatric proposes discussion with President Diem on "possibility of a defensive security Alliance" despite violation of Geneva accords. President approves.

Vice President Lyndon B. Johnson, in report on mission to Saigon, says United States must decide "whether to help these countries" or to "throw in the towel" and "pull back our defenses to San Francisco."

President Diem, in letter to President Kennedy, asks "considerable" build-up United States forces and 100,000-man increase in South Vietnamese Army. Uses "inflated infiltration figures" to support threat of Communism, study says.

White House agrees to finance 30,000-man increase in South Vietnam's Army.

U. Alexis Johnson, Deputy Under Secretary of State, in draft paper, urges President Kennedy to accept "defeat of the Vietcong" as "real and ultimate" objective.

Joint Chiefs of Staff estimate 40,000 United States servicemen will be needed to "clean up the Vietcong threat."

William P. Bundy note to Mr. McNamara urges "early and hard-hitting United States intervention. Gives this 70 percent chance of "arresting things"; estimates 30 percent chance "we would wind up like the French in 1954; white men can't win this kind of fight."

National intelligence estimate reports "little evidence" that Vietcong rely on external supplies, Pentagon account says. Ambassador Frederick E. Nolting Jr. reports that Saigon is considering asking Nationalist China for "one division of combat troops" and wants United States "combat-trainer units."

General Taylor meets with President Diem. Recommends Mekong Delta flood "relief task force, largely military in composition," including "combat troops" for protection. Recommends 6,000–8,000-man U.S. force, warns they "may expect to take casualties" but can be removed or phased into "other activities."

He discounts risk of "major Asian war," says North is "extremely vulnerable to conventional bombing."

Secretary of Defense McNamara says he and Joint Chiefs are "inclined to recommend" General Taylor's proposal although "struggle may be prolonged." Estimates maximum United States ground-force requirement "will not exceed six divisions."

Secretary of State Rusk cables Washington stressing importance of political reforms, reluctance for United States prestige tie with a "losing horse."

General Taylor, in message to President Kennedy, says "U.S. military task force is essential."

Mr. McNamara and Mr. Rusk, in joint memo, back General Taylor's recommendations. Say losing South Vietnam "would make pointless any further discussion about the importance of Southeast Asia to the Free World." Recommend initially "U.S. units of modest size" for "direct support" "as speedily as possible"; insist on government reform as precondition.

National Security Council meeting. Notes say President asks importance of South Vietnam and Laos. Gen. Lyman L. Lemnitzer, Chairman of Joint Chiefs: "We would lose Asia all the way to Singapore."

President approves major recommendations. President Diem said to be upset by United States response. Demands for reforms softened, insistence on American participation in decision-making withdrawn.

1962

Military briefing paper for President reports 948 United States servicemen were in South Vietnam by end of November; 2,646 by Jan. 9. Also helicopter combat-support missions, Navy mine-sweepers sailing along coast, United States aircraft in surveillance, reconnaissance missions.

Mr. McNamara orders planning for United States withdrawal, partly on basis of what he calls "tremendous progress," also difficulty in holding public support for American operations "indefinitely."

1963

Michael V. Forrestal, White House aide, reports to Kennedy, that long, costly conflict should be expected. Says Vietcong recruiting is so effective that guerrillas could do without infiltration.

United States by October, has 16,732 men in Vietnam. Planning for withdrawal continues, study says, on "the most Micawberesque predictions" of progress.

KEY VIETNAM TEXTS FROM PERIOD OF DIEM COUP

Following are texts of key documents accompanying the Pentagon's study of the Vietnam war, for the period of the 1963 coup d'état against President Ngo Dinh Diem, the events leading up to it and its aftermath. Except where excerpting is specified, the documents are printed verbatim, with only unmistakable typographical errors corrected.

NOTES ON KENNEDY MEETING ON DIEM REGIME IN JULY 1963

Memorandum by Roger Hilsman, Assistant Secretary of State for Far Eastern Affairs, on a meeting held at the White House July 4, 1963. Besides President Kennedy and Mr. Hilsman, participants were Under Secretary of State George Ball; Under Secretary of State Averell Harriman; McGeorge Bundy, Presidential assistant for national security, and Michael V. Forrestal, Southeast Asia specialist on the White House staff.

The President was briefed on developments in Indonesia, Laos and Viet-Nam. The portion on Viet-Nam follows:

A joint agreement was signed on June 16 in which the Government met the Buddhists' five demands. The Buddhists and the Government then worked together on the funeral arrangements for the bonze who burned himself to death so that incidents could be avoided. The funeral came off without trouble.

Since then there have been rumors circulating in Saigon that the Government does not intend to live up to the agreement. These rumors were given credence by an article appearing in the English-language "Times" of Viet-Nam, which is dominated by the Nhus. The article contained a veiled attack on the US and on the Buddhists. There was a suggestion that the monk who burned himself to death was drugged and a provocative challenge to the Buddhists that, if no further demonstrations occurred on July 2, this would amount to an admission by the Buddhists that they were satisfied with the Government's action. (The President injected questions on the possibility of drugging, to which Mr. Hilsman replied that religious fervor was an adequate explanation.)

At this point there was a discussion of the possibility of getting rid of the Nhus in which the combined judgment was that it would not be possible.

Continuing the briefing, Mr. Hilsman said that the Buddhists contained an activist element which undoubtedly favored increasing demands as well as charging the Government with dragging its feet. There was thus an element of truth in Diem's view that the Buddhists might push their demands so far as to make his fall inevitable.

During these events the US had put extremely heavy pressure on Diem to take political actions. Most recently we had urged Diem to make a speech which would include announcements that he intended to meet with Buddhist leaders, permit Buddhist chaplains in the army and so on. If Diem did not make such a speech and there were further demonstrations, the US would be compelled publicly to disassociate itself from the GVN's Buddhist policy. Mr. Hilsman reported that Diem had received this approach with what seemed to be excessive politeness but had said he would consider making such a speech.

Our estimate was that no matter what Diem did there will be coup attempts over the next four months. Whether or not any of these attempts will be successful is impossible to say.

Mr. Hilsman said that everyone agreed that the chances of chaos in the wake of a coup are considerably less than they were a year ago. An encouraging sign relative to this point is that the war between the Vietnamese forces and the Viet Cong has been pursued throughout the Buddhist crisis without noticeable let-up.

At this point Mr. Forrestal reported on General Krulak's views that, even if there were chaos in Saigon, the military units in the field would continue to confront the Communists.

Mr. Hilsman went on to say that Ambassador Nolting believes that the most likely result of a coup attempt that succeeded in killing Diem was civil war. Mr. Hilsman disagreed with this view slightly in that he thought civil war was not the most likely result but that it was certainly a possible result.

The timing of Ambassador Nolting's return and Ambassador Lodge's assumption of duty was then discussed. The President's initial view was that Ambassador Nolting should return immediately and that Ambassador Lodge should assume his duties as soon thereafter as possible. The President volunteered that Ambassador Nolting had

done an outstanding job, that it was almost miraculous the way he had succeeded in turning the war around from the disastrously low point in relations between Diem and ourselves that existed when Ambassador Nolting took over. Mr. Hilsman pointed out the personal sacrifices that Ambassador Nolting had been forced to make during this period, and the President said that he hoped a way could be found to commend Ambassador Nolting publicly so as to make clear the fine job he had done and that he hoped an appropriate position could be found for him in Washington so that he could give his children a suitable home in the years immediately ahead.

The President's decision was to delegate the authority to decide on the timing of Ambassador Nolting's return to the Assistant Secretary for Far Eastern Affairs; that Ambassador Lodge should report to Washington no later than July 15 so that he could take the Counterinsurgency Course simultaneously with the normal briefings for an ambassador; and that Ambassador Lodge should arrive in Saigon as soon as possible following completion of the CI Course on August 14. Arrangements were made for Ambassador Nolting to see the President at 4:00 p.m. on Monday, July 8.

INTELLIGENCE ESTIMATE ON '63 UNREST

Excerpts from Special National Intelligence Estimate 53-2-63, "The Situation in South Vietnam," July 10, 1963.

CONCLUSIONS

A. The Buddhist crisis in South Vietnam has highlighted and intensified a widespread and long-standing dissatisfaction with the Diem regime and its style of government. If—as is likely—Diem fails to carry out truly and promptly the commitments he has made to the Buddhists, disorders will probably flare again and the chances of a coup or assassination attempts against him will become better than ever . . .

B. The Diem regime's underlying uneasiness about the extent of the US involvement in South Vietnam has been sharpened by the Buddhist affair and the firm line taken by the US. This attitude will almost certainly persist and further pressure to reduce the US presence in the country is likely. . . .

C. Thus far, the Buddhist issue has not been effectively exploited by the Communists, nor does it appear to have had any appreciable effect on the counterinsurgency effort. We do not think Diem is likely to be overthrown by a Communist coup. Nor do we think the Communists would necessarily profit if he were overthrown by some combination of his non-Communist opponents. A non-Communist successor regime might be initially less effective against the Viet Cong, but, given continued support from the US could provide reasonably effective leadership for the government and the war effort. . . .

WASHINGTON MESSAGE TO LODGE ON NEED TO REMOVE NHUS

Cablegram from the State Department to Ambassador Henry Cabot Lodge in Saigon, Aug. 24, 1963.

It is now clear that whether military proposed martial law or whether Nhu tricked them into it, Nhu took advantage of its imposition to smash pagodas with police and Tung's Special Forces loyal to him, thus placing onus on military in eyes of world and Vietnamese people. Also clear that Nhu has maneuvered himself into commanding position.

U.S. Government cannot tolerate situation in which power lies in Nhu's hands. Diem must be given chance to rid himself of Nhu and his coterie and replace them with best military and political personalities available.

If, in spite of all your efforts, Diem remains obdurate and refuses, then we must face the possibility that Diem himself cannot be preserved.

We now believe immediate action must be taken to prevent Nhu from consolidating his position further. Therefore, unless you in consultation with Harkins perceive overriding objections you are authorized to proceed along following lines:

(1) First we must press on appropriate levels of GVN following line:

(a) USG cannot accept actions against Buddhists taken by Nhu and his collaborators undercover martial law.

(b) Prompt dramatic actions redress situation must be taken, including repeal of decree 10, release of arrested monks, nuns, etc.

(2) We must at same time also tell key military leaders that U.S. would find it impossible to continue support GVN militarily and economically unless above steps are taken immediately which we recognize requires removal of Nhu from the scene. We wish give Diem reasonable opportunity to remove Nhu, but if he remains obdurate, then we are prepared to accept the obvious implication that we can no longer support Diem. You may also tell appropriate military commanders we will give them direct support in any interim period of breakdown central government mechanism.

(3) We recognize the necessity of removing taint on military for pagoda raids and placing blame squarely on Nhu. You are authorized to have such statements made in Saigon as you consider desirable to achieve this objective. We are prepared to take same line here and to have Voice of America make statement along lines contained in next numbered telegram whenever you give the word, preferably as soon as possible.

Concurrently, with above, Ambassador and country team should urgently examine all possible alternative leadership and make detailed plans as to how we might bring about Diem's replacement if this should become necessary.

Assume you will consult with General Harkins re any precautions necessary protect American personnel during crisis period.

You will understand that we cannot from Washington give you detailed instructions as to how this operation should proceed, but you will also know we will back you to the hilt on actions you take to achieve our objectives.

Needless to say we have held knowledge of this telegram to minimum essential people and assume you will take similar precautions to prevent premature leaks.

LODGE'S REPLY TO WASHINGTON

Cablegram from Ambassador Lodge to Secretary of State Dean Rusk and Assistant Secretary of State Roger Hilsman, Aug. 25, 1963.

Believe that chances of Diem's meeting our demands are virtually nil. At same time, by making them we give Nhu chance to forestall or block action by military. Risk, we believe, is not worth taking, with Nhu in control combat forces Saigon.

Therefore, propose we go straight to Generals with our demands, without informing Diem. Would tell them we prepared have Diem without Nhus but it is in effect up to them whether to keep him. Would also insist generals take steps to release Buddhist leaders and carry out June 16 agreement.

Request immediate modification instructions. However, do not propose move until we are satisfied with E and E plans. Harkins concurs. I present credentials President Diem tomorrow 11 A.M.

CIA AIDE'S CABLE TO CHIEF ON CONTACT WITH SAIGON GENERALS

Cablegram from John Richardson, the Central Intelligence Agency's Saigon station chief, to John A. McCone, Director of Central Intelligence, Aug. 26, 1963.

During meeting with Harkins, Trueheart, Mecklin and COS on morning 26 Aug Lodge made decision that American official hand should not show. Consequently, Harkins will take no initiative with VNese generals. (Conein to convey points below to Gen. Khiem; Spera to Khanh; if Khiem agrees on Conein talking to Don, he will).

(A) Solicitation of further elaboration of action aspects of present thinking and planning. What should be done?

(B) We in agreement Nhus must go.

(C) Question of retaining Diem or not up to them.

(D) Bonzes and other arrestees must be released immediately and five-point agreement of 16 June fully carried out.

(E) We will provide direct support during any interim period of breakdown central gov mechanism.

(F) We cannot be of any help during initial action of assuming power of state. Entirely their own action, win or lose. Don't expect be bailed out.

(G) If Nhus do not go and if Buddhists situation is not redressed as indicated, we would find it impossible continue military and economic support.

(H) It hoped bloodshed can be avoided or reduced to absolute minimum.

(I) It hoped that during process and after, developments conducted in such manner as to retain and increase the necessary relations between VNese and Americans which will allow for progress of country and successful prosecution of the war.

C.I.A. STATION CHIEF'S CABLE ON COUP PROSPECTS IN SAIGON

Cablegram from Mr. Richardson to Mr. McCone, Aug. 28, 1963.

Situation here has reached point of no return. Saigon is armed camp. Current indications are that Ngo family have dug in for last ditch battle. It is our considered estimate that General officers cannot retreat now. Conein's meeting with Gen. Khiem (Saigon 0346) reveals that overwhelming majority of general officers, excepting Dinh and Cao, are united, have conducted prior planning, realize that they must proceed quickly, and understand that they have no alternative but to go forward. Unless the generals are neutralized before being able to launch their operation, we believe they will act and that they have good chance to win. If General Dinh primarily and Tung secondly cannot be neutralized at outset, there may be widespread fighting in Saigon and serious loss of life.

We recognize the crucial stakes involved and have no doubt that the generals do also. Situation has changed drastically since 21 August. If the Ngo family wins now, they and Vietnam will stagger on to final defeat at the hands of their own people and the VC. Should a generals' revolt occur and be put down, GVN will sharply reduce American presence in SVN. Even if they did not do so, it seems clear that American public opinion and Congress, as well as world opinion, would force withdrawal or reduction of American support for VN under the Ngo administration.

Bloodshed can be avoided if the Ngo family would step down before the coming armed action. . . . It is obviously preferable that the generals conduct this effort without apparent American assistance. Otherwise, for a long time in the future, they will be vulnerable to charges of being American puppets, which they are not in any sense. Nevertheless, we all understand that the effort must succeed and that whatever needs to be done on our part must be done. If this attempt by the generals does not take place or if it fails, we believe it no exaggeration to say that VN runs serious risk of being lost over the course of time.

LODGE CABLE TO SECRETARY RUSK ON U.S. POLICY TOWARD A COUP

Cablegram from Ambassador Lodge to Secretary Rusk, Aug. 29, 1963.

We are launched on a course from which there is no respectable turning back: the overthrow of the Diem government. There is no turning back in part because US prestige is already publicly committed to this end in large measure and will become more so as the facts leak out. In a more fundamental sense, there is no turning back because there is no possibility, in my view, that the war can be won under a Diem administration, still less that Diem or any member of the family can govern the country in a way to gain the support of the people who count, i.e., the educated class in and out of government service, civil and military—not to mention the American people. In the last few months (and especially days) they have in fact positively alienated these people to an incalculable degree. So that I am personally in full agreement with the policy which I was instructed to carry out by last Sunday's telegram.

2. The chance of bringing off a Generals' coup depends on them to some extent; but it depends at least as much on us.

3. We should proceed to make all-out effort to get Generals to move promptly. To do so we should have authority to do following:

(a) That Gen. Harkins repeat to Generals personally message previously transmitted by CAS officers. This should establish their authenticity. Gen. Harkins should have order on this.

(b) If nevertheless Generals insist on public statement that all US aid to VN through Diem regime has been stopped, we would agree, on express understanding that Generals will have started at same time. (We would seek persuade Generals that it would be better to hold this card for use in event of stalemate. We hope it will not be necessary to do this at all.)

(c) VNese Generals doubt that we have the will power, courage, and determination to see this thing through. They are haunted by the idea that we will run out on them even though we have told them pursuant to instructions, that the game had started.

5. We must press on for many reasons. Some of these are:

(a) Explosiveness of the present situation which may well lead to riots and violence if issue of discontent with regime is not met. Out of this could come a pro-Communist or at best a neutralist set of politicians.

(b) The fact that war cannot be won with the present regime.

(c) Our own reputation for steadfastness and our unwillingness to stultify ourselves.

(d) If proposed action is suspended, I believe a body blow will be dealt to respect for us by VNese Generals. Also, all those who expect US to straighten out this situation will feel let down. Our help to the regime in past years inescapably gives a responsibility which we cannot avoid.

6. I realize that this course involves a very substantial risk of losing VN. It also involves some additional risk to American lives. I would never propose it if I felt there was a reasonable chance of holding VN with Diem.

[Point 7 unavailable.]

8. . . . Gen. Harkins thinks that I should ask Diem to get rid of the Nhus before starting the Generals' action. But I believe that such a step has no chance of getting the desired result and would have the very serious effect of being regarded by the Generals as a sign of American indecision and delay. I believe this is a risk which we should not run. The Generals distrust us too much already. Another point is that Diem would certainly ask for time to consider such a far-reaching request. This would give the ball to Nhu.

9. With the exception of par. 8 above Gen. Harkins concurs in this telegram.

RUSK CABLE TO LODGE ON VIEWS OF NATIONAL SECURITY COUNCIL

Cablegram from Secretary Rusk to Ambassador Lodge, Aug. 29, 1963. The Pentagon study says the message followed a meeting of the National Security Council.

1. Highest level meeting noon today reviewed your 375 and reaffirmed basic course. Specific decisions follow:

2. In response to your recommendation, General Harkins is hereby authorized to repeat to such Generals as you indicate the messages previously transmitted by CAS officers. He should stress that the USG supports the movement to eliminate the Nhus from the government, but that before arriving at specific understandings with the generals, General Harkins must know who are involved, resources available to them and overall plan for coup. The USG will support a coup which has good chance of succeeding but plans no direct involvement of U.S. armed forces. Harkins should state that he is prepared to establish liaison with the coup planners and to review plans, but will not engage directly in joint coup planning.

3. Question of last approach to Diem remains undecided and separate personal message from Secretary to you develops our concern and asks your comment.

4. On movement of U.S. forces, we do not expect to make any announcement or leak at present and believe that any later decision to publicize such movements should be closely connected to developing events on your side. We cannot of course prevent unauthorized disclosures or speculation, but we will in any event knock down any reports of evacuation.

5. You are hereby authorized to announce suspension of aid through Diem government at a time and under conditions of your choice. In deciding upon the use of this authority, you should consider importance of timing and managing announcement so as to minimize appearance of collusion with Generals and also to minimize danger of unpredictable and disruptive reaction by existing government. We also assume that you will not in fact use this authority unless you think it essential, and we see it as possible that Harkins' approach and increasing process of cooperation may provide assurance Generals desire. Our own view is that it will be best to hold this authority for use in close conjunction with coup, and not for present encouragement of Generals, but decision is yours.

FURTHER RUSK CABLE TO LODGE ON DIEM-NHU RELATIONSHIP

Cablegram from Secretary Rusk to Ambassador Lodge, Aug. 29, 1963.

Deeply appreciate your 375 which was a most helpful clarification. We fully understand enormous stakes at issue and the heavy responsibilities which you and Harkins will be carrying in the days ahead and we want to do everything possible from our end to help.

Purpose of this message is to explore further question of possible attempt to separate Diem and the Nhus. In your telegram you appear to treat Diem and the Nhus as a single package whereas we had indicated earlier to the Generals that if the Nhus were removed the question of retaining Diem would be up to them. My own personal assessment is (and this is not an instruction) that the Nhus are by all odds the greater part of the problem in Vietnam, internally, internationally and for American public opinion. Perhaps it is inconceivable that the Nhus could be removed without taking Diem with them or without Diem's abandoning his post. In any event, I would appreciate your comment on whether any distinction can or should be drawn as between Diem and Counselor and Madame Nhu.

The only point on which you and General Harkins have different views is whether an attempt should be made with Diem to eliminate the Nhus and presumably take other steps to consolidate the country behind a winning effort against the Viet Cong. My own hunch, based in part on the report of Kattenburg's conversations with Diem is that such an approach could not succeed if it were cast purely in terms of persuasion. Unless such a talk included a real sanction such as a threatened withdrawal of our support, it is unlikely that it would be taken completely seriously by a man who may feel that we are inescapably committed to an anti-Communist Vietnam. But if a sanction were used in such a conversation, there would be a high risk that this would be taken by Diem as a sign that action against him and the Nhus was imminent and he might as a minimum move against the Generals or even take some quite fantastic action such as calling on North Vietnam for assistance in expelling the Americans.

It occurs to me, therefore, that if such an approach were to be made it might properly await the time when others were ready to move immediately to contitute a new government. If this be so, the question then arises as to whether an approach to insist upon the expulsion of the Nhus should come from Americans rather than from the Generals themselves. This might be the means by which the Generals could indicate that they were prepared to distinguish between Diem and the Nhus. In any event, were the Generals to take this action it would tend to protect succeeding Vietnam administrations from the charge of being wholly American puppets subjected to whatever anti-American sentiment is inherent in so complex a situation.

I would be glad to have your further thoughts on these points as well as your views on whether further talks with Diem are contemplated to continue your opening discussions with him. You will have received formal instructions on other matters through other messages. Good luck.

LODGE'S RESPONSE TO RUSK ON DIEM'S CLOSENESS TO BROTHER

Cablegram from Ambassador Lodge to Secretary Rusk, Aug. 30, 1963.

I agree that getting the Nhus out is the prime objective and that they are "the greater part . . ."

This surely cannot be done by working through Diem. In fact Diem will oppose it. He wishes he had more Nhus, not less.

The best chance of doing it is by the Generals taking over the government lock, stock and barrel.

After this has been done, it can then be decided whether to put Diem back in again or go on without him. I am rather inclined to put him back, but I would not favor putting heavy pressure on the Generals if they don't want him. My greatest single difficulty in carrying out the instructions of last Sunday is inertia. The days come and go and nothing happens. It is, of course, natural for the Generals to want assurances and the US Government has certainly been prompt in its reactions. But here it is Friday and, while in one way much has been done, there is not yet enough to show for the hours which we have all put in.

If I call on Diem to demand the removal of the Nhus, he will surely not agree. But before turning me down, he will pretend to consider it and involve us in prolonged delays. This will make the Generals suspicious of us and add to the inertia.

Such a call by me would look to the Nhus like an ultimatum and would result in their

taking steps to thwart any operation dealing with them.

I agree with you that if a sanction were used, it could provoke an even more fantastic reaction. In fact I greatly dislike the idea of cutting off aid in connection with the Generals' operation and while I thank you for giving me the authority to make an announcement, I hope I will never have to use it.

It is possible, as you suggested . . . for the Generals when, as and if their operation gets rolling to demand the removal of the Nhus before bringing their operation to fruition. But I am afraid they will get talked out of their operation which will then disintegrate, still leaving the Nhus in office.

If the Generals' operation does get rolling, I would not want to stop it until they were in full control. They could then get rid of the Nhus and decide whether they wanted to keep Diem.

It is better for them and for us for them to throw out the Nhus than for us to get involved in it.

I am sure that the best way to handle this matter is by a truly VNese movement even if it puts me rather in the position of pushing a piece of spaghetti.

I am contemplating no further talks with Diem at this time.

CABLE BY U.S. GENERAL IN SAIGON TO TAYLOR ON END OF AUGUST PLOT

Cablegram from Gen. Paul D. Harkins, United States commander in Saigon, to Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, Aug. 31, 1963.

(saw Khiem: he stated Big Minh had stopped planning at this time, and was working on other methods; others had called off planning also, himself and Khanh, following Minh. He knew Thao was making plans—but that few of military trusted him because of his VC background—and that he might still be working for the VC. The Generals were not ready as they did not have enough forces under their control compared to those under President and now in Saigon. He indicated they, the Generals, did not want to start anything they could not successfully finish.

. . . At a meeting yesterday, Mr. Nhu said he now went along with everything the U.S. wants to do, and even had the backing of Pres. Kennedy. I said this was news to me. Khiem said he wondered if Nhu was again trying to flush out the generals. He intimated the generals do not have too much trust in Nhu and that he's such a friend of Mr. Richardson the generals wonder if Mr. Nhu and Mme. Nhu were on the CIA payroll. . . .

. . . I asked if someone couldn't confront the Nhus with the fact that their absence from the scene was the key to the overall solution. He replied that for anyone to do that would be self-immolation—he also went on to say he doubted if the Nhus and Diem could be split.

. . . So we see we have an "organisation de confusion" with everyone suspicious of everyone else and none desiring to take any positive action as of right now. You can't hurry the East. . . .

MEMO ON WASHINGTON MEETING IN AFTERMATH OF AUGUST PLOT

Memorandum by Maj. Gen. Victor H. Krulak, special assistant to the Joint Chiefs of Staff for counterinsurgency and special activities, on a meeting at the State Department Aug. 31, 1963. Besides General Krulak, participants were Vice President Johnson; Secretary Rusk; Secretary McNamara; Deputy Secretary of Defense Roswell L. Gilpatric; McGeorge Bundy; General Taylor; Edward R. Murrow, director of the United States Information Agency; Lieut. Gen. Marshall S. Carter, Deputy Director of the Central Intelligence Agency; Richard Helms and William E. Colby of the C.I.A.; Frederick E. Nolting Jr., former Ambassador in Saigon; Assistant Secretary Hilsman, and Paul M. Kattenburg of the State Department, head of the Interdepartmental Working Group on Vietnam.

1. Secretary Rusk stated that, in his judgment, we were back to where we were about Wednesday of last week, and this causes him to go back to the original problem and ask what in the situation led us to think well of a coup. Ruling out hatred of the Nhus, he said, there would appear to be three things:

a. The things that the Nhus had done or supported, which tended to upset the GVN internally.

b. The things that they had done which had an adverse external effect.

c. The great pressures of U.S. public opinion.

2. Mr. Rusk then asked if we should not pick up Ambassador Lodge's suggestion in his message of today (Saigon 391) and determine what steps are required to re-gird solidarity in South Vietnam—such as improvement in conditions concerning students and Buddhists and the possible departure of Madame Nhu. He said that we should determine what additional measures are needed to improve the international situation—such as problems affecting Cambodia—and to improve the Vietnamese position wherein U.S. public opinion is concerned. He then said that he is reluctant to start off by saying now that Nhu has to go; that it is unrealistic.

3. Mr. McNamara stated that he favored the above proposals of the Secretary of State, with one additional step—that is to establish quickly and firmly our line of communication between Lodge, Harkins and the GVN. He pointed out that at the moment our channels of communication are essentially broken and that they should be reinstituted at all costs.

4. Mr. Rusk added that we must do our best not to permit Diem to decapitate his military command in light of its obviously adverse effect on the prosecution of the war. At this point he asked if anyone present had any doubt in his mind but that the coup was off.

5. Mr. Kattenburg said that he had some remaining doubt; that we have not yet sent the generals a strong enough message; that the BOA statement regarding the withdrawal of aid was most important, but that we repudiated it too soon. He stated further that the group should take note of the fact that General Harkins did not carry out his instructions with respect to communication with the generals. Mr. Rusk interrupted Kattenburg to state that, to the contrary, he believed Harkins' conduct was exactly correct in light of the initial response which he received from General Khiem (they were referring to Harkins' report in MACV 1583).

6. Mr. Hilsman commented that, in his view, the generals are not now going to move unless they are pressed by a revolt from below. In this connection Ambassador Nolting warned that in the uncoordinated Vietnamese structure anything can happen, and that while an organized successful coup is out, there might be small flurries by irresponsible dissidents at any time.

7. Mr. Hilsman undertook to present four basic factors which bear directly on the problem confronting the U.S. now. They are, in his view:

a. The mood of the people, particularly the middle level officers, non-commissioned officers and middle level bureaucrats, who are most restive. Mr. McNamara interrupted to state that he had seen no evidence of this and General Taylor commented that he had seen none either, but would like to see such evidence as Hilsman could produce. Mr. Kattenburg commented that the middle level officers and bureaucrats are uniformly critical of the government, to which Mr. McNamara commented that if this indeed is the fact we should know about it.

b. The second basic factor, as outlined by Hilsman, was what effect will be felt on our programs elsewhere in Asia if we acquiesce to a strong Nhu-dominated government. In this connection, he reported that there is a Korean study now underway on just how much repression the United States will tolerate before pulling out her aid. Mr. McNamara stated that he had not seen this study and would be anxious to have it.

c. The third basic factor is Mr. Nhu, his personality and his policy. Hilsman recalled that Nhu has once already launched an effort aimed at withdrawal of our province advisors and stated that he is sure he is in conversation with the French. He gave, as supporting evidence, the content of an intercepted message, which Mr. Bundy asked to see. Ambassador Nolting expressed the opinion that Nhu will not make a deal with Ho Chi Minh on Ho's terms.

d. The fourth point is the matter of U.S. and world opinion; Hilsman stated that this problem was moving to a political and diplomatic plane. Part of the problem, he said, is the press, which concludes incorrectly that we have the ability to change the things in Vietnam of which they are critical. To this Mr. Murrow added that this problem of press condemnation is now worldwide.

8. Mr. Kattenburg stated that as recently as last Thursday it was the belief of Ambassador Lodge that, if we undertake to live with this repressive regime, with its bayonets at every street corner and its transparent negotiations with puppet bonzes, we are going to be thrown out of the country in six months. He stated that at this juncture it would be better for us to make the decision to get out honorably. He went on to say that, having been acquainted with Diem for ten years, he was deeply disappointed in him, saying that he will not separate from his brother. It was Kattenburg's view that Diem will get very little support from the military and, as time goes on, he will get less and less support and the country will go steadily down hill.

9. General Taylor asked what Kattenburg meant when he said that we would be forced out of Vietnam within six months. Kattenburg replied that in from six months to a year, as the people see we are losing the war, they will gradually go to the other side and we will be obliged to leave. Ambassador Nolting expressed general disagreement with Mr. Kattenburg. He said that the unfavorable activity which motivated Kattenburg's remarks was confined to the city and, while city support of Diem is doubtless less now, it is not greatly so. He said that it is improper to overlook the fact that we have done a tremendous job toward winning the Vietnam war, working with this same imperfect, annoying government.

10. Mr. Kattenburg added that there is one new factor—the population, which was in high hopes of expelling the Nhus after the VOA announcement regarding cessation of aid; now, under the heel of Nhu's military repression, they would quickly lose heart.

11. Secretary Rusk commented that Kattenburg's recital was largely speculative; that it would be far better for us to start on the firm basis of two things—that we will not pull out of Vietnam until the war is won, and that we will not run a coup. Mr. McNamara expressed agreement with this view.

12. Mr. Rusk then said that we should present questions to Lodge which fall within these parameters. He added that he believes we have good proof that we have been winning the war, particularly the contrast between the first six months of 1962 and the first six months of 1963. He then asked the Vice President if he had any contribution to make.

13. The Vice President stated that he

agreed with Secretary Rusk's conclusions completely; that he had great reservations himself with respect to a coup, particularly so because he had never really seen a genuine alternative to Diem. He stated that from both a practical and a political viewpoint, it would be a disaster to pull out; that we should stop playing cops and robbers and get back to talking straight to the GVN, and that we should once again go about winning the war. He stated that after our communications with them are genuinely reestablished, it may be necessary for someone to talk rough to them—perhaps General Taylor. He said further that he had been greatly impressed with Ambassador Nolting's views and agreed with Mr. McNamara's conclusions.

14. General Taylor raised the question of whether we should change the disposition of the forces which had been set in motion as a result of the crisis. It was agreed that there should be no change in the existing disposition for the time being.

WHITE HOUSE CABLE TO LODGE ON PRESSURE FOR SAIGON REFORMS

Cablegram from White House to Ambassador Lodge, Sept. 17, 1963. The Pentagon study says this message followed a meeting of the National Security Council but adds, "There is no evidence on the degree of consensus of the principals in this decision."

1. Highest level meeting today has approved broad outline of an action proposals program designed to obtain from GVN, if possible, reforms and changes in personnel necessary to maintain support of Vietnamese and US opinion in war against Viet Cong. This cable reports this program and our thinking for your comment before a final decision. Your comment requested soonest.

2. We see no good opportunity for action to remove present government in immediate future; therefore, as your most recent messages suggest, we must for the present apply such pressures as are available to secure whatever modest improvements on the scene may be possible. We think it likely that such improvements can make a difference, at least in the short run. Such a course, moreover, is consistent with more drastic effort as and when means become available, and we will be in touch on other channels on this problem.

3. We share view in your 523 that best available reinforcement to your bargaining position in this interim period is clear evidence that all U.S. assistance is granted only on your say-so. Separate telegram discusses details of this problem, but in this message we specifically authorize you to apply any controls you think helpful for this purpose. You are authorized to delay any delivery of supplies or transfer of funds by any agency until you are satisfied that delivery is in U.S. interest, bearing in mind that it is not our current policy to cut off aid, entirely. In other words, we share your view that it will be helpful for GVN to understand that your personal approval is a necessary part of all U.S. assistance. We think it may be particularly desirable for you to use this authority in limiting or rerouting any and all forms of assistance and support which now go to or through Nhu or individuals like Tung who are associated with him. This authorization specifically includes aid actions currently held in abeyance and you are authorized to set those in train or hold them up further in your discretion. We leave entirely in your hands decisions on the degree of privacy or publicity you wish to give to this process.

4. Subject to your comment and amendment our own list of possible helpful action by government runs as follows in approximate order of importance:

A. Clear the air—Diem should get everyone back to work and get them to focus on winning the war. He should be broadminded and compassionate in his attitude toward those who have, for understandable reasons, found it difficult under recent circumstances fully to support him. A real spirit of reconciliation could work wonders on the people he leads; a punitive, harsh or autocratic attitude could only lead to further resistance.

B. Buddhists and students—Let them out and leave them unmolested. This more than anything else would demonstrate the return of a better day and the refocusing on the main job at hand, the war.

C. Press—The press should be allowed full latitude of expression. Diem will be criticized, but leniency and cooperation with the domestic and foreign press at this time would bring praise for his leadership in due course. While tendentious reporting is irritating, suppression of news leads to much more serious trouble.

D. Secret and combat police—Confine its role to operations against the VC and abandon operations against non-Communist opposition groups thereby indicating clearly that a period of reconciliation and political stability has returned.

E. Cabinet changes to inject new untainted blood, remove targets of popular discontent.

F. Elections—These should be held, should be free, and should be widely observed.

G. Assembly—Assembly should be convoked soon after the elections. The Government should submit its policies to it and should receive its confidence. An assembly resolution would be most useful for external image purposes.

H. Party—Can Lao party should not be covert or semi-covert but a broad association of supporters engaged in a common winning cause. This could perhaps be best accomplished by

I. Repeal or suitable amendment Decree 10.

J. Rehabilitation by ARVN of pagodas.

K. Establishment of Ministry of Religious Affairs.

L. Liberation of passport issuances and currency restrictions enabling all to leave who wish to.

M. Acceptance of Buddhist Inquiry Mission from World Federation to report true facts of situation to work.

5. You may wish to add or subtract from the above list, but need to set psychological tone and image is paramount. Diem has taken positive actions in past of greater or less scope than those listed, but they have had little practical political effect since they were carried out in such a way as to make them hollow or, even if real, unbelievable (e.g., martial law already nominally lifted. Assembly elections scheduled, and puppet bonzes established).

6. Specific "reforms" are apt to have little impact without dramatic, symbolic move which convinces Vietnamese that reforms are real. As practical matter we share your views that this can best be achieved by some visible reduction in influence of Nhus, who are symbol to disaffected of all that they dislike in * * *. This we think would require Nhus departure from Saigon and preferably Vietnam at least for extended vacation. We recognize the strong possibility that these and other pressures may not produce this result, but we are convinced that it is necessary to try.

7. In Washington, in this phase, we would plan to maintain a posture of disapproval of recent GVN actions, but we would not expect to make public our specific requests of Diem. Your comment on public aspects of this phase is particularly needed.

8. We note your reluctance to continue dialogue with Diem until you have more to say, but we continue to believe that discussions with him are at a minimum an important source of intelligence and may conceivably be a means of exerting some persuasive effect even in his present state of mind. If you believe that full control of U.S. assistance provides you with means of resuming dialogue, we hope you will do so. We ourselves can see much virtue in effort to reason even with an unreasonable man when he is on a collision course. We repeat, however, that this is a matter for your judgment.

9. Meanwhile, there is increasing concern here with strictly military aspects of the problem, both in terms of actual progress of operations and of need to make effective case with Congress for continued prosecution of the effort. To meet these needs, President has decided to send Secretary of Defense and General Taylor to Vietnam, arriving early next week. It will be emphasized here that it is a military mission and that all political decisions are being handled through you as President's Senior Representative.

10. We repeat that political program outlined above awaits your comment before final decision. President particularly emphasizes that it is fully open to your criticism and amendment. It is obviously an interim plan and further decisions may become necessary very soon.

LODGE CABLE TO KENNEDY ON MEANS OF BRINGING REFORMS

Cablegram from Ambassador Lodge to State Department "for President only," Sept. 19, 1963.

1. Agree that no good opportunity for action to remove present government in immediate future is apparent and that we should, therefore, do whatever we can as an interim measure pending such an eventuality.

2. Virtually all the topics under paragraph 4, letters A to M, have been taken up with Diem and Nhu at one time or another, most of them by me personally. They think that most of them would either involve destroying the political structure on which they rest or loss of face or both. We, therefore, could not realistically hope for more than lip service. Frankly, I see no opportunity at all for substantive changes. Detailed comments on items A to M are contained in separate telegram.

3. There are signs that Diem-Nhu are somewhat bothered by my silence. According to one well placed source, they are guessing and off-balance and "desperately anxious" to know what U.S. posture is to be. They may be preparing some kind of a public relations package, possibly to be opened after the elections. I believe that for me to press Diem on things which are not in the cards and to repeat what we have said several times already would be a little shrill and would make us look weak, particularly in view of my talk with Nhu last night at a dinner where I had a golden opportunity to make the main points of your CAP 63516 as reported in 541.

4. Also, I doubt that a public relations package will meet needs of situation which seems particularly grave to me, notably in the light of General Big Minh's opinion expressed very privately yesterday that the Viet Cong are steadily gaining in strength; have more of the population on their side than has the GVN; that arrests are continuing and that the prisons are full; that more and more students are going over to the Viet Cong; that there is great graft and corruption in the Vietnamese administration of our aid; and that the "Heart of the Army is *not* in the war." All this by Vietnamese No. 1 General is now echoed by Secretary of Defense Thuan (See my 542), who wants to leave the country.

5. As regards your paragraph 3 on withholding of aid, I still hope that I may be informed of methods, as requested in my 478, September 11, which will enable us to apply sanctions in a way which will really affect Diem and Nhu without precipitating an economic collapse and without impeding the war effort. We are studying this here and have not yet found a solution. If a way to do this were to be found, it would be one of the greatest discoveries since the enactment of the Marshall Plan in 1947 because, so far as I know, the U.S. had never yet been able

to control any of the very unsatisfactory governments through which we have had to work in our many very successful attempts to make these countries strong enough to stand alone.

6. I also believe that whatever sanctions we may discover should be directly tied to a promising coup d'etat and should *not* be applied without such a coup being in prospect. In this connection, I believe that we should pursue contact with Big Minh and urge him along if he looks like acting. I particularly think that the idea of supporting a Vietnamese Army independent of the government should be energetically studied.

7. I will, of course, give instructions that programs which one [sic] can be effectively held up should be held up and not released without my approval provided that this can be done without serious harmful effect to the people and to the war effort. Technical assistance and (omission) support to communications support programs may be one way. This would be a fly-speck in the present situation and would have no immediate effect, but I hope that U.S. (omission) may get Vietnamese officials into the habit of asking me to release items which are held up and that, over a long period of time, it might create opportunities for us to get little things done.

8. But it is not even within the realm of possibility that such a technique could lead them to do anything which causes loss of face or weakening of their political organization. In fact, to threaten them with suppression of aid might well defeat our purposes and might make a bad situation very much worse.

9. There should in any event be no publicity whatever about this procedure. If it is possible (omission) a program, I intend to (omission).

10. As regards your paragraph 6 and "dramatic symbolic moves," I really do not think they could understand this even if Thao wanted to, although I have talked about it to Diem, and to Nhu last night (See my 541). They have scant comprehension of what it is to appeal to public opinion as they have really no interest in any other opinion than their own. I have repeatedly brought up the question of Nhu's departure and have stressed that if he would just stay away until after Christmas, it might help get the Appropriation Bill through. This seems like a small thing to us but to them it seems tremendous as they are quite sure that the Army would take over if he even stepped out of the country.

11. Your paragraph 8. I have, of course, no objection to seeing Diem at any time that it would be helpful. But I would rather let him sweat for awhile and not go to see him unless I have something really new to bring up. I would much prefer to wait until I find some part of the AID program to hold up in which he is interested and then have him ask me to come and see him. For example, last night's dinner which I suspect Nhu of stimulating is infinitely better than for me to take the initiative for an appointment and to call at the office. Perhaps my silence had something to do with it.

McNamara-Taylor Report on Mission to South Vietnam

Excerpts from memorandum for President Kennedy from Secretary McNamara and General Taylor, dated Oct. 2, 1963, and headed "Report of McNamara-Taylor Mission to South Vietnam."

A. CONCLUSIONS

1. The military campaign has made great progress and continues to progress.

2. There are serious political tensions in Saigon (and perhaps elsewhere in South Vietnam) where the Diem-Nhu government is becoming increasingly unpopular.

3. There is no solid evidence of the possibility of a successful coup, although assassination of Diem or Nhu is always a possibility.

4. Although some, and perhaps an increasing number, of GVN military officers are becoming hostile to the government, they are more hostile to the Viet Cong than to the government and at least for the near future they will continue to perform their military duties.

5. Further repressive actions by Diem and Nhu could change the present favorable military trends. On the other hand, a return to more moderate methods of control and administration, unlikely though it may be, would substantially mitigate the political crisis.

6. It is not clear that pressures exerted by the U.S. will move Diem and Nhu toward moderation. Indeed, pressures may increase their obduracy. But unless such pressures are exerted, they are almost certain to continue past patterns of behavior.

B. RECOMMENDATIONS

We recommend that:

1. General Harkins review with Diem the military changes necessary to complete the military campaign in the Northern and Central areas (I, II, and III Corps) by the end of 1954, and in the Delta (IV Corps) by the end of 1965. This review would consider the need for such changes as:

a. A further shift of military emphasis and strength to the Delta (IV Corps).

b. An increase in the military tempo in all corps areas, so that all combat troops are in the Field an average of 20 days out of 30 and static missions are ended.

c. Emphasis on "clear and hold operations" instead of terrain sweeps which have little permanent value.

d. The expansion of personnel in combat units to full authorized strength.

e. The training and arming of hamlet militia at an accelerated rate, especially in the Delta.

f. A consolidation of the strategic hamlet program, especially in the Delta, and action to insure that future strategic hamlets are not built until they can be protected, and until civic action programs can be introduced.

2. A program be established to train Vietnamese so that essential functions now performed by U.S. military personnel can be carried out by Vietnamese by the end of 1965. It should be possible to withdraw the bulk of U.S. personnel by that time.

3. In accordance with the program to train progressively Vietnamese to take over military functions, the Defense Department should announce in the very near future presently prepared plans to withdraw 1000 U.S. military personnel by the end of 1963. This action should be explained in low key as an initial step in a long-term program to replace U.S. personnel with trained Vietnamese without impairment of the war effort.

4. The following actions be taken to impress upon Diem our disapproval of his political program.

a. Continue to withhold commitment of funds in the commodity import program, but avoid a formal announcement. The potential significance of the withholding of commitments for the 1964 military budget should be brought home to the top military officers in working level contacts between USOM and MAVC and the Joint General Staff; up to now we have stated $95 million may be used by the Vietnamese as a planning level for the commodity import program for 1964. Henceforth we could make clear that this is uncertain both because of lack of final appropriation action by the Congress and because of executive policy.

b. Suspend approval of the pending AID loans for the Saigon-Cholon Waterworks and Saigon Electric Power Project. We should state clearly that we are doing so as a matter of policy.

c. Advise Diem that MAP and CIA support for designated units, now under Colonel Tung's control (mostly held in or near the Saigon area for political reasons) will be cut off unless these units are promptly assigned to the full authority of the Joint General Staff and transferred to the field.

d. Maintain the present purely "correct" relations with the top GVN, and specifically between the Ambassador and Diem. Contact between General Harkins and Diem and Defense Secretary Thuan on military matters should not, however, be suspended, as this remains an important channel of advice. USOM and USIA should also seek to maintain contacts where these are needed to push forward programs in support of the effort in the field, while taking care not to cut across the basic picture of U.S. disapproval and uncertainty of U.S. aid intentions. We should work with the Diem government but not support it....

As we pursue these courses of action, the situation must be closely watched to see what steps Diem is taking to reduce repressive practices and to improve the effectiveness of the military effort. We should set no fixed criteria, but recognize that we would have to decide in 2–4 months whether to move to more drastic action or try to carry on with Diem even if he had not taken significant steps.

5. At this time, no initiative should be taken to encourage actively a change in government. Our policy should be to seek urgently to identify and build contacts with an alternative leadership if and when it appears.

6. The following statement be approved as current U.S. policy toward South Vietnam and constitute the substance of the government position to be presented both in Congressional testimony and in public statements.

a. The security of South Vietnam remains vital to United States security. For this reason, we adhere to the overriding objective of denying this country to Communism and of suppressing the Viet Cong insurgency as promptly as possible. (By suppressing the insurgency we mean reducing it to proportions manageable by the national security forces of the GVN, unassisted by the presence of U.S. military forces.) We believe the U.S. part of the task can be completed by the end of 1965, the terminal date which we are taking as the time objective of our counterinsurgency programs.

b. The military program in Vietnam has made progress and is sound in principle.

c. The political situation in Vietnam remains deeply serious. It has not yet significantly affected the military effort, but could do so at some time in the future. If the result is a GVN ineffective in the conduct of the war, the U.S. will review its attitude toward support for the government. Although we are deeply concerned by repressive practices, effective performance in the conduct of the war should be the determining factor in our relations with the GVN.

d. The U.S. has expressed its disapproval of certain actions of the Diem-Nhu regime and will do so again if required. Our policy is to seek to bring about the abandonment of repression because of its effect on the popular will to resist. Our means consist of expressions of disapproval and the withholding of support from the GVN activities that are not clearly contributing to the war effort. We will use these means as required to assure an effective military program. . . .

Lodge Message on Meeting of C.I.A. Agent With Gen. Minh

Cablegram from Ambassador Lodge to the State Department, Oct. 5, 1963.

1. Lt. Col. Conein met with Gen Duong Van Minh at Gen. Minh's Headquarters on Le Van Duyet for one hour and ten minutes morning of 5 Oct. 63. This meeting was at the initiative of Gen Minh and has been specifically cleared in advance by Ambassa-

dor Lodge. No other persons were present. The conversation was conducted in French.

2. Gen. Minh stated that he must know American Government's position with respect to a change in the Government of Vietnam within the very near future. Gen. Minh added the Generals were aware of the situation is deteriorating rapidly and that action to change the Government must be taken or the war will be lost to the Viet Cong because the Government no longer has the support of the people. Gen. Minh identified among the other Generals participating with him in this plan:

Maj. Gen. Tran Van Don
Brig. Gen. Tran Thien Khiem
Maj. Gen. Tran Van Kim

3. Gen. Minh made it clear that he did not expect any specific American support for an effort on the part of himself and his colleagues to change the Government but he states he does need American assurances that the USG will not attempt to thwart this plan.

4. Gen. Binh also stated that he himself has no political ambitions nor do any of the other General Officers except perhaps, he said laughingly, Gen. Ton That Dinh. Gen. Minh insisted that his only purpose is to win the war. He added emphatically that to do this continuation of American Military and Economic Aid at the present level (He said one and one half million dollars per day) is necessary.

5. Gen. Minh outlined three possible plans for the accomplishment of the change of Government:

a. Assassination of Ngo Dinh Nhu and Ngo Dinh Can keeping President Diem in Office. Gen. Minh said this was the easiest plan to accomplish.

b. The encirclement of Saigon by various military units particularly the unit at Ben Cat.

c. Direct confrontation between military units involved in the coup and loyalist military units in Saigon. In effect, dividing the city of Saigon into sectors and cleaning it out pocket by pocket. Gen. Minh claims under the circumstances Diem and Nhu could count on the loyalty of 5,500 troops within the city of Saigon.

6. Conein replied to Gen. Minh that he could not answer specific questions as to USG non-interference nor could he give any advice with respect to tactical planning. He added that he could not advise concerning the best of the three plans.

7. Gen. Minh went on to explain that the most dangerous men in South Viet-Nam are Ngo Dinh Nhu, Ngo Dinh Can and Ngo Trong Hieu. Minh stated that Hieu was formerly a Communist and still has Communist sympathies. When Col. Conein remarked that he had considered Col. Tung as one of the more dangerous individuals, Gen. Minh stated "if I get rid of Nhu, Can and Hieu, Col. Tung will be on his knees before me."

8. Gen. Minh also stated that he was worried as to the role of Gen. Tran Thien Khiem since Khiem may have played a double role in August. Gen. Minh asked that copies of the documents previously passed to Gen. Khiem (plan of Camp Long Thanh and munitions inventory at that camp) be passed to Gen. Minh personally for comparison with papers passed by Khiem to Minh purportedly from CAS.

9. Minh further stated that one of the reasons they are having to act quickly was the fact that many regimental, battalion and company commanders are working on coup plans of their own which could be abortive and a "catastrophe."

10. Minh appeared to understand Conein's position of being unable to comment at the present moment but asked that Conein again meet with Gen. Minh to discuss the specific plan of operations which Gen. Minh hopes to put into action. No specific date was given for this next meeting. Conein was again noncommittal in his reply. Gen. Minh once again indicated his understanding and stated that he would arrange to contact Conein in the near future and hoped that Conein would be able to meet with him and give the assurance outlined above.

Further Lodge Comments to Rusk

Cablegram from Ambassador Lodge to Secretary Rusk, Oct. 5, 1963.

Reference Big Minh-Conein meeting (CAS Saigon 1455). While neither General Harkins nor I have great faith in Big Minh, we need instructions on his approach. My recommendation, in which General Harkins concurs, is that Conein when next approached by Minh should:

1. Assure him that US will not attempt to thwart his plans.

2. Offer to review his plans, other than assassination plans.

3. Assure Minh that US aid will be continued to Vietnam under Government which gives promise of gaining support of people and winning the war against the Communists. Point out that it is our view that this is most likely to be the case if Government includes good proportion of well qualified civilian leaders in key positions. (Conein should press Minh for details his thinking Re composition future Government). I suggest the above be discussed with Secretary McNamara and General Taylor who contacted Minh in recent visit.

Kennedy Position on Coup Plots

Cablegram from White House to Ambassador Lodge, transmitted on Central Intelligence Agency channel, Oct. 5, 1963. The Pentagon study says this message emanated from a meeting of the National Security Council.

In conjunction with decisions and recommendations in separate EPTEL, President today approved recommendation that no initiative should now be taken to give any active covert encouragement to a coup. There should, however, be urgent covert effort with closest security, under broad guidance of Ambassador to identify and build contacts with possible alternative leadership as and when it appears. Essential that this effort be totally secure and fully deniable and separated entirely from normal political analysis and reporting and other activities of country team. We repeat that this effort is not repeat not to be aimed at active promotion of coup but only at surveillance and readiness. In order to provide plausibility to denial suggest you and no one else in Embassy issue these instructions orally to Acting Station Chief and hold him responsible to you alone for making appropriate contacts and reporting to you alone.

All reports to Washington on this subject should be on this channel.

White House Cable for Lodge on Response to General Minh

Cablegram from White House to Ambassador Lodge, Oct. 6, 1963.

1. Believe CAP 63560 gives general guidance requested REFTEL. We have following additional general thoughts which have been discussed with President. While we do not wish to stimulate coup, we also do not wish to leave impression that U.S. would thwart a change of government or deny economic and military assistance to a new regime if it appeared capable of increasing effectiveness of military effort, ensuring popular support to win war and improving working relations with U.S. We would like to be informed on what is being contemplated but we should avoid being drawn into reviewing or advising on operational plans or any other act which might tend to identify U.S. too closely with change in government. We would, however, welcome information which would help us assess character of any alternate leadership.

2. With reference to specific problem of General Minh you should seriously consider having contact take position that in present state his knowledge he is unable present Minh's case to responsible policy officials with any degree of seriousness. In order to get responsible officials even to consider Minh's problem, contact would have to have detailed information clearly indicating that Minh's plans offer a high prospect of success. At present contact sees no such prospect in the information so far provided.

3. You should also consider with Acting Station Chief whether it would be desirable in order to preserve security and deniability in this as well as similar approaches to others whether appropriate arrangements could be made for follow-up contacts by individuals brought in especially from outside Vietnam. As we indicated in CAP 63560 we are most concerned about security problem and we are confining knowledge these sensitive matters in Washington to extremely limited group, high officials in White House, State, Defense and CIA with whom this message cleared.

Lodge Message to Bundy on Dealings With Generals

Cablegram from Ambassador Lodge to McGeorge Bundy, Oct. 25, 1963.

1. I appreciate the concern expressed by you in ref. a relative to the Gen. Don/Conein relationship, and also the present lack of firm intelligence on the details of the general's plot. I hope that ref. b will assist in clearing up some of the doubts relative to general's plans, and I am hopeful that the detailed plans promised for two days before the coup attempt will clear up any remaining doubts.

2. CAS has been punctilious in carrying out my instructions. I have personally approved each meeting between Gen. Don and Conein who has carried out my orders in each instance explicitly. While I share your concern about the continued involvement of Conein in this matter, a suitable substitute for Conein as the principal contract is not presently available. Conein, as you know, is a friend of some eighteen years' standing with Gen. Don, and General Don has expressed extreme reluctance to deal with anyone else. I do not believe the involvement of another American in close contact with the generals would be productive. We are, however, considering the feasibility of a plan for the introduction of an additional officer as a cut-off between Conein and a designee of Gen. Don for communication purposes only. This officer is completely unwitting of any details of past or present coup activities and will remain so.

3. With reference to Gen. Harkins' comment to Gen. Don which Don reports to have referred to a presidential directive and the proposal for a meeting with me, this may have served the useful purpose of allaying the General's fears as to our interest. If this were a provocation, the GVN could have assumed and manufactured any variations of the same theme. As a precautionary measure, however, I of course refused to see Gen. Don. As to the lack of information as to General Don's real backing, and the lack of evidence that any real capabilities for action have been developed, ref. b provides only part of the answer. I feel sure that the reluctance of the generals to provide the U.S. with full details of their plans at this time, is a reflection of their own sense of security and a lack of confidence that in the large American community present in Saigon their plans will not be prematurely revealed.

4. The best evidence available to the Embassy, which I grant you is not as complete as we would like it, is that Gen. Don and the other generals involved with him are seriously attempting to effect a change in the government. I do not believe that this

is a provocation by Ngo Dinh Nhu, although we shall continue to assess the planning as well as possible. In the event that the coup aborts, or in the event that Nhu has masterminded a provocation, I believe that our involvement to date through Conein is still within the realm of plausible denial. CAS is perfectly prepared to have me disavow Conein at any time it may serve the national interest.

5. I welcome your reaffirming instructions contained in CAS Washington 74228. It is vital that we neither thwart a coup nor that we are even in a position where we do not know what is going on.

6. We should not thwart a coup for two reasons. First, it seems at least an even bet that the next government would not bungle and stumble as much as the present one has. Secondly, it is extremely unwise in the long range for us to pour cold water on attempts at a coup, particularly when they are just in their beginning stages. We should remember that this is the only way in which the people in Vietnam can possibly get a change of government. Whenever we thwart attempts at a coup, as we have done in the past, we are incurring very long lasting resentments, we are assuming an undue responsibility for keeping the incumbents in office, and in general are setting ourselves in judgment over the affairs of Vietnam. Merely to keep in touch with this situation and a policy merely limited to "not thwarting" are courses both of which entail some risks but these are lesser risks than either thwarting all coups while they are stillborn or our not being informed of what is happening. All the above is totally distinct from not wanting U.S. military advisors to be distracted by matters which are not in their domain, with which I heartily agree. But obviously this does not conflict with a policy of not thwarting. In judging proposed coups, we must consider the effect on the war effort. Certainly a succession of fights for control of the Government of Vietnam would interfere with the war effort. It must also be said that the war effort has been interfered with already by the incompetence of the present government and the uproar which this has caused.

7. Gen. Don's intention to have no religious discrimination in a future government is commendable and I applaud his desire not to be "a vassal" of the U.S. But I do not think his promise of a democratic election is realistic. This country simply is not ready for that procedure. I would add two other requirements. First, that there be no wholesale purges of personnel in the government. Individuals who were particularly reprehensible could be dealt with later by the regular legal process. Then I would be impractical, but I am thinking of a government which might include Tri Quang and which certainly should include men of the stature of Mr. Buu, the labor leader.

8. Copy to Gen. Harkins.

Bundy's Reply on Coup Hazards

Cablegram from McGeorge Bundy to Ambassador Lodge, Oct. 25, 1963.

Your 1964 most helpful.

We will continue to be grateful for all additional information giving increased clarity to prospects of action by Don or others, and we look forward to discussing with you the whole question of control and cut-out on your return, always assuming that one of these D-Days does not turn out to be real. We are particularly concerned about hazard that an unsuccessful coup, however carefully we avoid direct engagement, will be laid at our door by public opinion almost everywhere. Therefore, while sharing your view that we should not be in position of thwarting coup, we would like to have option of judging and warning on any plan with poor prospects of success. We recognize that this is a large order, but President wants you to know of our concern.

Harkins Message to Taylor Voicing Doubts on Plot

Cablegram from General Harkins in Saigon to General Taylor, Oct. 30, 1963.

Your JCS 4188–63 arrived as I was in the process of drafting one for you along the same lines. I share your concern. I have not as yet seen Saigon 768. I sent to the Embassy for a copy at 0830 this morning—as of now 1100—the Embassy has not released it. Also CINCPAC 0–300040Z infor JCS came as a surprise to me as I am unaware of any change in local situation which indicates necessity for actions directed. Perhaps I'll find the answer in Saigon 768. Or perhaps actions directed in CINCPAC 300040Z are precautionary in light of Gen. Don's statement reported in CAS 1925 that a coup would take place in any case not later than 2 November. It might be noted Don also is supposed to have said CAS Saigon 1956—that though the coup committee would not release the details, the Ambassador would receive the complete plan for study two days prior to the scheduled times for the coup.

I have not been informed by the Ambassador that he has received any such plan. I talked to him yesterday on my return from Bangkok and he offered no additional information. He has agreed to keep me completely informed if anything new turns up.

Incidentally he leaves for Washington tomorrow (31st) afternoon. If the coup [one word illegible] to happen before the second he's hardly going to get two days notice.

One thing I have found out, Don is either lying or playing both ends against the middle. What he told me is diametrically opposed to what he told Col. Conein. He [word illegible] Conein the coup will be before November 2nd. He told me he was not planning a coup. I sat with Don and Big Minh for 2 hours during the parade last Saturday. No one mentioned coups. To go on:

Both CAS Saigon 1896 and 1925 were sent first and delivered to me after dispatch. My 1991 was discussed with the Ambassador prior to dispatch. My 1993 was not, basically because I had not seen CAS Saigon 1925 before dispatch and I just wanted to get the record straight from my side and where my name was involved.

The Ambassador and I are certainly in touch with each other but whether the communications between us are effective is something else. I will say Cabot's methods of operations are entirely different from Amb Nolting's as far as reporting in the [word illegible] is concerned.

Fritz would always clear messages concerning the military with me or my staff prior to dispatch. So would John Richardson if MACV was concerned. This is not [word illegible] today. Cite CAS 1896 and 1925 for examples. Also you will recall I was not the recipient of several messages you held when you were here.

CINCPAC brought this matter up again when I saw him in Bangkok, this past [word illegible] end. He is going to make a check when he returns to see if he holds messages I [word illegible] not received. Have just received Saigon 768. I will have to report you are correct in believing that the Ambassador is forwarding military reports and evaluation [word illegible] consulting me. For his weekly report to the President, at his request, I furnish [word illegible] a short military statement. For preparation of 768 I made no mention of the [word illegible] I will answer 768 separately today.

There is a basic difference apparently between the Ambassador's thinking and mine on the interpretation of the guidance contained in CAP 63560 dated 6 October and the additional thoughts, I repeat, thoughts expressed in CAS Washington 74228 dated 9 October. I interpret CAP 63560 as our basic guidance and that CAS 74228 being additional thoughts did not change the basic guidance in that no initiative should now be taken to give any active covert encouragement to a coup. The Ambassador feels that 74228 does change 63560 and that a change of government is desired and feels as stated in CAS Saigon 1964 that the only way to bring about such a change is by a coup.

I'm not opposed to a change in government, no indeed, but I'm inclined to feel that at this time the change should be in methods of governing rather than complete change of personnel. I have seen no batting order proposed by any of the coup groups. I think we should take a hard look at any proposed list before we make any decisions. In my contacts here I have seen no one with the strength of character of Diem, at least in fighting Communists. Certainly there are no Generals qualified to take over in my opinion.

I am not a Diem man per se. I certainly see the faults in his character. I am here to back 14 million SVN people in their fight against communism and it just happens that Diem is their leader at this time. Most of the Generals I have talked to agree they can go along with Diem, all say it's the Nhu family they are opposed to.

Perhaps the pressures we have begun to apply will cause Diem and Nhu to change their ways. This apparently not evident as yet. I'm sure the pressures we have begun to apply if continued will affect the war effort. To date they have not. I am watching this closely and will report when I think they have.

I do not agree with the Ambassador's assessment in 768 that we are just holding our own. The GVN is a way ahead in the I, II and parts of the III Corps and making progress in the Delta. Nothing has happened in October to change the assessment you and Secretary McNamara made after your visit here.

I would suggest we not try to change horses too quickly. That we continue to take persuasive actions that will make the horses change their course and methods of action. That we win the military effort as quickly as possible, then let them make any and all the changes they want.

After all, rightly or wrongly, we have backed Diem for eight long hard years. To me it seems incongruous now to get him down, kick him around and get rid of him. The U.S. has been his mother superior and father confessor since he's been in office and he has leaned on us heavily.

Leaders of other under-developed countries will take a dim view of our assistance if they too were led to believe the same fate lies in store for them.

Further Harkins Comments to General Taylor

Cablegram from General Harkins to General Taylor, Oct. 30, 1963.

1. Admiral Felt not addee [sic] this message but will be provided copy upon his arrival Saigon tomorrow.

2. I now hold copy of SAIGON 768 and this amplifies my MAC 2028 which initially responded to your JCS 4188–63.

3. SAIGON 768 was Ambassador Lodge personal report to President in response to DEPTEL 576 which is possible explanation why I had not seen 768 until one week after dispatch and only when I requested a copy so that I might intelligently respond to your JCS 4188–63 which referred to 768.

4. Upon receipt of DEPTEL 576 Ambassador Lodge requested that I provide him brief suggested inputs for responses to questions 1 and 2 (a) 1 of DEPTEL 576 in that they were principally military in nature. I have done this on weekly basis but have had no knowledge as to whether my suggested brief inputs were utilized in his personal report since as indicated abot [sic] these were not opened to me.

5. My suggested brief inputs for para 1 which were provided the Ambassador for

use as he saw fit in drafting his personal evaluations for the past three weeks follow:

16 OCT: On balance we are gaining in contest with the VC. There will continue to be minor ups and downs but the general trend has been and continues upward.

23 OCT: While significant changes are, and will be, difficult to identify on a day to day or even weekly comparative basis as regards the contest with the Viet Cong, the general trend continues to be favorable. The tempo of RVN-initiated operations is increasing and recently the tempo of VC-initiated activity has fallen off.

30 OCT: No change from that previously reported. National day affair this past week tended to bring about a slight reduction in the tempo of RVN initiated actions, however VC actions also waned and on balance the trend continues to be favorable.

6. My suggested brief inputs for paragraph 2 (a) which were provided the Ambassador for use as he saw fit in drafting his personal evaluations for the past three weeks follow:

16 OCT: The government has responded at many points when we have cited need for improvement in the campaign against the VC (shift of boundaries; placement of VNSF activities in corps areas under OPCON of corps comdr; reallocation of forces). Additionally Gen Don and Gen Stilwell, my G-3 have spent the last week in the conduct of a Corps by Corps assessment of the present situation with a view to further desirable reallocation of forces. Based on their recommendations I will make further recommendations to Pres. Diem. (for inclusion in ANS to para 2 (a) Ambassador was advised that US/GVN military relations remain good).

23 OCT: Response received from the government in reaction to military areas where we have cited needed improvement has been favorable in some areas, while in other areas no indication of response has been received to date. In no case have they flatly resisted recommended improvements. Favorable indications are the commitment of nearly half of the general reserve to operations, plans for possible further redistribution of forces, and a recognition of the requirement to effect consolidation in the strategic hamlet program.

30 OCT: No specific responses have been received from the government this past week in reaction to military areas where we have cited need for improvement. This is believed due in great part to their preoccupation with National day affairs.

7. Comparison of my 23 October suggested brief inputs quoted above with SAIGON 678 indicates Ambassador Lodge did not see fit to utilize my suggestions to any significant degree. It also is apparent that upon further reflection Ambassador determined that more detailed response was required than he initially felt necessary when he requested brief inputs on principally military items.

8. I believe certain portions SAIGON 768 require specific comment. These follow:

Para F of answer to question 1—View of Vice Pres Tho that there are only 15 to 20 all-around hamlets in the area south of Saigon which are really good is ridiculous and indicates need for him to get out of Saigon and visit countryside so as to really know of progress which is being made. In past two weeks I have visited nine Delta provinces (Tay Ninh, Binh Duong, Hau Nghia, Long An, Kien Phong, Kien Hoa, An Giang, Phong Dinh, Chuong Thien) eight of which are south of Saigon, and I do not find the province chiefs or sector advisors to hold the same views as Vice Pres Tho.

Para H of answer to question 1—I am unable to concur in statement that quote one cannot drive as much around the country as one could two years ago end of quote. I believe it will be some time before, if we ever do, experience mass surrenders of the VC. I am unable to concur in statement that VC is quote in fact, reckoned at a higher figure than it was two years ago end quote. I have not observed the signs that hatred of the government has tended to diminish the Army's vigor, enthusiasm and enterprise. I find it difficult to believe the few rumors one hears regarding Generals being paid off with money and flashy cars. Most cars I see in use by Generals are same they have been using for past two years and few if any qualify as flashy to my mind. I do not concur with the evaluation of the 14 October report of the Delta Subcommittee of the Committee on Province Rehabilitation which states that the VC are gaining. Moreover take exception to the implication that the report represents official country team agency views and is consequently authoritative in the views it presents. Agency representatives on this subcommittee served as individuals in reporting to the COPROR Committee, incidentally there were wide divergencies even among subcommittee members. COPROR Committee received but did not place its stamp of approval or concurrence on report of its Sub-Committee. COPROR Committee returned the report to its Sub-Committee for rework. Consequently this report has not as yet been submitted to country team nor has it been referred to individual country team agencies for review and/or comment. Any views quoted from this Sub-Committee report therefore have no rpt no validity as expressions of country team or individual agency views.

Para J of answer to question 1—With regard to the quote existing political control over troop movement, which prevents optimum use of the Army and quote. I do not deny that political influences enter into this picture however I feel we have made and are making significant strides in this area and do not concur that time is not working for us—so long as political controls remain as at present.

Para J of answer to question 1—As indicated in paras 5 and 6 above and in other reports I have filed my evaluation is that from the military point of view the trend is definitely in RVN favor consequently I cannot concur that quote we at present are not doing much more than holding our own and quote.

Answer under (a) to question 2— I am correctly quoted here but para 6 gives full context of my suggested input.

Answer under (c) to question 2—As indicated para 6 above Ambassador was advised that US/GVN military relations remain good.

BUNDY CABLE TO LODGE VOICING WHITE HOUSE CONCERN

Cablegram from McGeorge Bundy to Ambassador Lodge, Oct. 30, 1963.

1. Your 2023, 2040, 2041 and 2043 examined with care at highest levels here. You should promptly discuss this reply and associated messages with Harkins whose responsibilities toward any coup are very heavy especially after you leave (see para. 7 below). They give much clearer picture group's alleged plans and also indicate chances of action with or without our approval now so significant that we should urgently consider our attitude and contingency plans. We note particularly Don's curiosity your departure and his insistence Conein be available from Wednesday night on, which suggests date might be as early as Thursday.

2. Believe our attitude to coup group can still have decisive effect on its decisions. We believe that what we say to coup group can produce delay of coup and that betrayal of coup plans to Diem is not repeat not our only way of stopping coup. We therefore need urgently your combined assessment with Harkins and CAS (including their separate comments if they desire). We concerned that our line-up of forces in Saigon (being cabled in next message) indicates approximately equal balance of forces, with substantial possibility serious and prolonged fighting or even defeat. Either of these could be serious or even disastrous for U.S. interests, so that we must have assurance balance of forces clearly favorable.

3. With your assessment in hand, we might feel that we should convey message to Don, whether or not he gives 4 or 48 hours notice that would (A) continue explicit hands-off policy, (B) positively encourage coup, or (C) discourage.

4. In any case, believe Conein should find earliest opportunity express to Don that we do not find presently revealed plans give clear prospect of quick results. This conversation should call attention important Saigon units still apparently loyal to Diem and raise serious issue as to what means coup group has to deal with them.

5. From operational standpoint, we also deeply concerned Don only spokesman for group and possibly cannot be discounted he may not be in good faith. We badly need some corroborative evidence whether Minh, and others directly and completely involved. In view Don's claim he doesn't handle "military planning" could not Conein tell Don that we need better military picture and that Big Minh could communicate this most naturally and easily to Stillwell? We recognize desirability involving MACV to minimum, but believe Stillwell far more desirable this purpose than using Conein both ways.

6. Complexity above actions raises question whether you should adhere to present Thursday schedule. Concur you and other U.S. elements should take no action that could indicate U.S. awareness coup possibility. However, DOD is sending berth-equipped military aircraft that will arrive Saigon Thursday and could take you out thereafter as late as Saturday afternoon in time to meet your presently proposed arrival Washington Sunday. You could explain this being done as convenience and that your Washington arrival is same. A further advantage such aircraft is that it would permit your prompt return from any point en route if necessary. To reduce time in transit, you should use this plane, but we recognize delaying your departure may involve greater risk that you personally would appear involved if any action took place. However, advantages your having extra two days in Saigon may outweigh this and we leave timing of flight to your judgment.

7. Whether you leave Thursday or later, believe it essential that prior your departure there be fullest consultation Harkins and CAS and that there be clear arrangements for handling (A) normal activity, (B) continued coup contacts, (C) action in event a coup starts. We assume you will wish. Truehart as charge to be head of country team in normal situation, but highest authority desires it clearly understood that after your departure Harkins should participate in supervision of all coup contacts and that in event a coup begins, he become head of country team and direct representative of President, with Truehart in effect acting as POLAD. On coup contacts we will maintain continuous guidance and will expect equally continuous reporting with prompt account of any important divergences in assessments of Harkins and Smith.

8. If coup should start, question of protecting U.S. nationals at once arises. We can move Marine Battalion into Saigon by air from Okinawa within 24 hours if—[sic] available. We are sending instructions to CINCPAC to arrange orderly movement of seaborne Marine Battalion to waters adjacent to South Vietnam in position to close Saigon within approximately 24 hours.

9. We are now examining post-coup contingencies here and request your immediate recommendations on position to be adopted after coup begins, especially with respect to requests for assistance of different sorts from one side or the other also request you forward contingency recommendations for ac-

tion if coup (A) succeeds, (B) fails, (C) is indecisive.

10. We reiterate burden of proof must be on coup group to show a substantial possibility of quick success; otherwise, we should discourage them from proceeding since a miscalculation could result in jeopardizing U.S. position in Southeast Asia.

LODGE RESPONSE TO BUNDY ON LETTING COUP PLAN PROCEED

Cablegram from Ambassador Lodge to McGeorge Bundy, Oct. 30, 1963. The Pentagon study identifies this message as a reply to Mr. Bundy's cablegram.

1. We must, of course, get best possible estimate of chance of coup's success and this estimate must color our thinking, but do not think we have the power to delay or discourage a coup. Don has made it clear many times that this is a Vietnamese affair. It is theoretically possible for us to turn over the information which has been given to us in confidence to Diem and this would undoubtedly stop the coup and would make traitors out of us. For practical purposes therefore I would say that we have very little influence on what is essentially a Vietnamese affair. In addition, this would place the heads of the Generals, their civilian supporters, and lower military officers on the spot, thereby sacrificing a significant portion of the civilian and military leadership needed to carry the war against the VC to its successful conclusion. After our efforts not to discourage a coup and this change of heart, we would foreclose any possibility of change of the GVN for the better. Diem/Nhu have displayed no intentions to date of a desire to change the traditional methods of control through police action or take any repeat any actions which would undermine the power position or solidarity of the Ngo family. This, despite our heavy pressures directed DEPTEL 534. If our attempt to thwart this coup were successful, which we doubt, it is our firm estimate that younger officers, small groups of military, would then engage in an abortive action creating chaos ideally suited to VC objectives.

2. While we will attempt a combined assessment in a following message, time has not yet permitted substantive examination of this matter with General Harkins. My general view is that the U.S. is trying to bring this medieval country into the 20th Century and that we have made considerable progress in military and economic ways but to gain victory we must also bring them into the 20th Century politically and that can only be done by either a thoroughgoing change in the behavior of the present government or by another government. The Viet Cong problem is partly military but is is also partly psychological and political.

3. With respect to paragraph 3 Ref., I believe that we should continue our present position of keeping hands off but continue to monitor and press for more detailed information. CAS has been analyzing potential coup forces for some time and it is their estimate that the Generals have probably figured their chances pretty closely and probably also expect that once they begin to move, not only planned units, but other units will join them. We believe that Vietnam's best Generals are involved in directing this effort. If they can't pull it off, it is doubtful other military leadership could do so successfully. It is understandable that the Generals would be reticent to reveal full details of their plan for fear of leaks to the GVN.

4. Re para. 4, Ref., we expect that Conein will meet Don on the night of 30 Oct or early morning 31 Oct. We agree with Para. 4, Ref., that we should continue to press for details and question Don as to his estimate of the relative strengths of opposing forces. We do not believe, however, that we should show any signs of attempting to direct this affair ourselves or of giving the impression of second thoughts on this Vietnamese initiation. In the meantime, we will respond specifically to CAS Washington 79126. Please note that CAS Saigon 2059 corrects CAS Saigon 2023 and two regiments of the 7th Division are included in the coup forces.

5. Apparently Para. 5, Ref., overlooks CAS 1445, 5 Oct 1963 which gave an account of the face to face meeting of General "Big Minh" and Conein at Minh's instigation and through the specific arrangement of Gen Don. Minh specifically identified Gen Don as participating in a plan to change the government. Please note that Minh's remarks parallel in every way the latter statements of Gen. Don. We believe that the limitation of contact to Don and Cein [sic] is an appropriate security measure consonant with our urging that the smallest number of persons be aware of these details.

6. We do not believe it wise to ask that "Big Minh" pass his plans to Gen. Stilwell. The Vietnamese believe that there are members of the U.S. military who leak to the Government of Vietnam. I do not doubt that this is an unjust suspicion but it is a fact that this suspicion exists and there is no use in pretending that it does not.

7. I much appreciate your furnishing the berth-equipped military aircraft which I trust is a jet. I intend to tell Pan American that a jet has been diverted for my use and therefore I will no longer need their services. This will undoubtedly leak to the newspapers and the GVN may study this move with some suspicion. I will answer any inquiries on this score to the effect that I am most pleased by this attention and that this is obviously done as a measure to insure my comfort and save my time. To allay suspicions further, I will offer space on the aircraft to MACV for emergency leave cases, etc., and handle this in as routine fashion as possible. I wish to reserve comment as to my actual time of departure until I have some additional information, hopefully tomorrow.

8. Your para. 7 somewhat preplexes me. It does not seem sensible to have the military in charge of a matter which is so profoundly political as a change of government. In fact, I would say to do this would probably be the end of any hope for a change of government here. This is said impersonally as a general proposition, since Gen. Harkins is a splendid General and an old friend of mine to whom I would gladly entrust anything I have. I assume that the Embassy and MACV are able to handle normal activities under A, that CAS can continue coup contacts under B, and as regards C, we must simply do the very best we can in the light of events after the coup has started.

9. We appreciate the steps taken as outlined in para. 8. However, we should remember that the GVN is not totally inept in its foreign soundings and that these moves should be as discreet and security conscious as possible. I would, of course, call for these forces only in case of extreme necessity since my hope coincides with the Generals that this will be an all-Vietnamese affair.

10. We anticipate that at the outset of the coup, unless it moves with lightning swiftness, the GVN will request me or Gen. Harkins to use our influence to call it off. I believe our responsibilities should be that our influence certainly could not be superior to that of the President who is Commander-in-Chief and that if he is unable to call it off, we would certainly be unable to do so and would merely be risking American lives attempting to interfere in this Vietnamese problem. The Government might request aircraft. Helicopters, for the evacuation of key personalities that would have to be studied closely, but we would certainly not commit our planes and pilots between the battle lines of the opposing forces. We should, rather, state that we would be willing to act in this fashion during a truce in which both sides agree to the removal of key personalities. I believe that there would be immediate political problems in attempting to take these personalities to another neighboring country and probably we would be best served in depositing them in Saipan where the absence of press, communications, etc., would allow us some leeway to make a further decision as to their ultimate disposition. If senior Vietnamese personalities and their families requested asylum in the Embassy or other American installations, we would probably have to grant it in light of our previous action with respect to Tri Quang. This will undoubtedly present later problems but hopefully the new government might feel disposed to help us solve this problem. Naturally, asylum would be granted on the same basis as the Buddhists, i.e., physical presence at the Embassy or other location.

11. As to requests from the Generals, they may well have need of funds at the last moment with which to buy off potential opposition. To the extent that these funds can be passed discreetly, I believe we should furnish them, provided we are convinced that the proposed coup is sufficiently well organized to have a good chance of success. If they are successful, they will undoubtedly ask for prompt recognition and some assurance that military and economic aid will continue at normal level. We should be prepared to make these statements if the issue is clear-cut predicating our position on the President's stated desire to continue the war against the VC to final victory. VOA might be an important means of disseminating this message. Should the coup fail, we will have to pick up the pieces as best we can at that time. We have a commitment to the Generals from the August episode to attempt to help in the evacuation of their dependents. We should try to live up to this if conditions will permit. American complicity will undoubtedly be charged and there might be some acts taken against specific personalities which we should anticipate and make provision against as best we can. Should the coup prove indecisive and a protracted struggle is in progress, we should probably offer our good offices to help resolve the issue in the interest of the war against the VC. This might hold some benefit in terms of concessions by GVN. We will naturally incur some opprobrium from both sides in our role as mediator. However, this opprobrium would probably be less distasteful than a deadlock which would open the door to the VC. We consider such a deadlock as the least likely possibility of the three.

12. As regards your para. 10, I do not know what more proof can be offered than the fact these men are obviously prepared to risk their lives and that they want nothing for themselves. If I am any judge of human nature, Don's face expressed of sincerity and determination on the morning that I spoke to him. Heartily agree that a miscalculation could jeopardize position in Southeast Asia. We also run tremendous risks by doing nothing.

If we were convinced that the coup was going to fail, we would, of course, do everything we could to stop it.

13. Gen. Harkins has read this and does not concur.

FURTHER BUNDY INSTRUCTIONS TO LODGE ON CONTINGENCY PLANS

Cablegram from McGeorge Bundy to Ambassador Lodge, Oct. 30, 1963.

1. Our reading your thoughtful 2063 leads us to believe a significant difference of shading may exist on one crucial point (see next para.) and on one or two lesser matters easily clarified.

2. We do not accept as a basis for U.S. policy that we have no power to delay or discourage a coup. In your paragraph 12 you say that if you were convinced that the coup was going to fail you would of course do everything you could to stop it. We believe that on this same basis you should take action to

persuade coup leaders to stop or delay any operation which, in your best judgment, does not clearly give high prospect of success. We have not considered any betrayal of generals to Diem, and our 79109 explicitly reject that course. We recognize the danger of appearing hostile to generals, but we believe that our own position should be on as firm ground as possible, hence we cannot limit ourselves to proposition implied in your message that only conviction of certain failure justifies intervention. We believe that your standard for intervention should be that stated above.

3. Therefore, if you should conclude that there is not clearly a high prospect of success, you should communicate this doubt to generals in a way calculated to persuade them to desist at least until chances are better. In such a communication you should use the weight of U.S. best advice and explicitly reject any implication that we oppose the effort of the generals because of preference for present regime. We recognize need to bear in mind generals' interpretation of U.S. role in 1960 coup attempt, and your agent should maintain clear distinction between strong and honest advice given as a friend and any opposition to their objectives.

We continue to be deeply interested in up-to-the-minute assessment of prospects and are sending this before reply to our CAS 79126. We want continuous exchange latest assessments on this topic.

5. To clarify our intent, paragraph 7 of our 79109 is rescinded and we restate our desires as follows:

a. While you are in Saigon you will be Chief of Country Team in all circumstances and our only instruction is that we are sure it will help to have Harkins fully informed at all stages and to use advice from both him and Smith in framing guidance for coup contacts and assessment. We continue to be concerned that neither Conein nor any other reporting source is getting the clarity we would like with respect to alignment of forces and level of determination among generals.

b. When you leave Saigon and before there is a coup, Truehart will be Chief of the Country Team. Our only modification of existing procedures is that in this circumstance we wish all instruction to Conein to be conducted in immediate consultation with Harkins and Smith so that all three know what is sold in Conein. Any disagreement among the three on such instruction should be reported to Washington and held for our resolution, when time permits.

c. If you have left and a coup occurs, we believe that emergency situation requires, pending your return, that direction of country team be vested in most senior officer with experience of military decisions, and the officer in our view is Harkins. We do *not* intend that this switch in final responsibility should be publicized in any way, and Harkins will of course be guided in basic posture by our instructions, which follow in paragraph 6. We do not believe that this switch will have the effect suggested in your paragraph 8.

6. This paragraph contains our present standing instructions for U.S. posture in the event of a coup.

a. U.S. authorities will reject appeals for direct intervention from either side, and U.S.-controlled aircraft and other resources will not be committed between the battle lines or in support of either side, without authorization from Washington.

b. In event of indecisive contest, U.S. authorities may in their discretion agree to perform any acts agreeable to both sides, such as removal of key personalities or relay of information. In such actions, however, U.S. authorities will strenuously avoid appearance of pressure on either side. It is not in the interest of USG to be or appear to be either instrument of existing government or instrument of coup.

c. In the event of imminent or actual failure of coup, U.S. authorities may afford asylum in their discretion to those to whom there is any express or implied obligation of this sort. We believe however that in such a case it would be in our interest and probably in interests of those seeking asylum that they seek protection of other Embassies in addition to our own. This point should be made strongly if need arises.

d. But once a coup under responsible leadership has begun, and within these restrictions, it is in the interest of the U.S. Government that it should succeed.

7. We have your message about return to Washington and we suggest that all public comment be kept as low-key and quiet as possible, and we also urge that if possible you keep open the exact time of your departure. We are strongly sensitive to great disadvantage of having you out of Saigon if this should turn out to be a week of decision, and if it can be avoided we would prefer not to see you pinned to a fixed hour of departure now.

Lodge's Last Talk With Diem

Excerpt from cablegram from Ambassador Lodge to State Department, Nov. 1, 1963, as provided in the body of the Pentagon study. According to the narrative, the message says that at 4:30 P.M. on Nov. 1 President Diem telephoned Ambassador Lodge and the following conversation ensued:

Diem. Some units have made a rebellion and I want to know what is the attitude of the US?

Lodge. I do not feel well enough informed to be able to tell you. I have heard the shooting, but am not acquainted with all the facts. Also it is 4:30 a.m. in Washington and the US Government cannot possibly have a view.

Diem. But you must have some general ideas. After all, I am a Chief of State. I have tried to do my duty. I want to do now what duty and good sense require. I believe in duty above all.

Lodge. You have certainly done your duty. As I told you only this morning, I admire your courage and your great contributions to your country. No one can take away from you the credit for all you have done. Now I am worried about your physical safety. I have a report that those in charge of the current activity offer you and your brother safe conduct out of the country if you resign. Had you heard this?

Diem. No. (And then after a pause) You have my telephone number.

Lodge. Yes. If I can do anything for your physical safety, please call me.

Diem. I am trying to re-establish order.

Order by Johnson Reaffirming Kennedy's Policy on Vietnam

Excerpts from National Security Action Memorandum 273, Nov. 26, 1963, four days after the assassination of President Kennedy, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase.

"A National Security Action Memorandum was drafted to give guidance and direction to our efforts to improve the conduct of the war under the new South Vietnamese leadership. It described the purpose of the American involvement in Vietnam as, "to assist the people and Government of that country to win their contest against the externally directed and supported Communist conspiracy." It defined contribution to that purpose as the test of all U.S. actions in Vietnam. It reiterated the objectives of withdrawing 1,000 U.S. troops by the end of 1963 and ending the insurgency in I, II, and III Corps by the end of 1964, and in the Delta by the end of 1965. U.S. support for the new regime was confirmed and all U.S. efforts were directed to assist it to consolidate itself and expand its popular support. . . .

The objectives of the United States with respect to the withdrawal of U.S. military personnel remain as stated in the White House statement of October 2, 1963. . . .

The President expects that all senior officers of the government will move energetically to insure the full unity of support for established U.S. policy in South Vietnam. Both in Washington and in the field, it is essential that the government be unified. It is of particular importance that express or implied criticism of officers of other branches be assiduously avoided in all contacts with the Vietnamese government and with the press. . . .

We should concentrate our efforts, and insofar as possible we should persuade the government of South Vietnam to concentrate its effort, on the critical situation in the Mekong Delta. This concentration should include not only military but political, economic, social, educational and informational effort. We should seek to turn the tide not only of battle but of belief, and we should seek to increase not only the controlled hamlets but the productivity of this area, especially where the proceeds can be held for the advantage of anti-Communist forces . . .

It is a major interest of the United States government that the present provisional government of South Vietnam should be assisted in consolidating itself in holding and developing increased public support.

. . . And in conclusion, plans were requested for clandestine operations by the GVN against the North and also for operations up to 50 kilometers into Laos; and, as a justification for such measures, State was directed to develop a strong, documented case "to demonstrate to the world the degree to which the Viet Cong is controlled, sustained and supplied from Hanoi, through Laos and other channels."

The Series So Far: From Covert War to Bombing of North to Ground Troops

Covert warfare sponsored by U.S. in '64

President Lyndon B. Johnson's Administration, amid his hesitation and reluctance to make final decisions, was sponsoring covert South Vietnamese warfare against North Vietnam starting in February, 1964, and drawing up plans that spring for overt war.

These activities—long before the Aug. 4, 1964, Tonkin Gulf destroyer incident that led to a Congressional vote authorizing "all necessary steps" to aid Southeast Asian countries—were described in the first installment.

The series was based on a Defense Department study, commissioned in 1967 by Secretary Robert S. McNamara to learn how American involvement in Southeast Asia developed. The study ranged from World War II until the start of peace talks in Paris in May, 1968.

There are gaps in the Pentagon study—the researchers lacked access to Presidential files—and in that part of it obtained by The Times—it lacks the chapter on diplomatic initiatives, some of which are continuing.

A report by M'Namara

The first of 13 documents published in the initial installment was a report on Dec. 21, 1963, by Secretary McNamara to President Johnson. This said "plans for covert action into North Vietnam were prepared as we had requested."

"They present," he went on, "a variety of sabotage and psychological operations against North Vietnam from which I believe we should aim to select those that provide maximum pressure with minimum risk."

The "covert military operations," drawn up by the Central Intelligence Agency station and the military command in Saigon, were begun Feb. 1, 1964, as Operation Plan 34A. President Johnson's hope was that they might eventually induce North Vietnam to halt the Vietcong and Pathet Lao insurrections.

Through 1964, they included flights over North Vietnam by U–2 spy planes, the kidnapping of North Vietnamese citizens for intelligence information, commando raids from the sea to blow up rail and highway bridges and the bombardment of coastal installations by PT boats.

"HIRED PERSONNEL" USED

They differed from relatively low-level and unsuccessful intelligence and sabotage efforts the C.I.A. had carried out earlier in North Vietnam. The 34A attacks were under the control of Gen. Paul D. Harkins, chief of the United States Military Assistance Command in Saigon, with raids performed by the South Vietnamese or their "hired personnel."

The covert war had a second major segment—air operations in Laos by 25 to 40 propeller-driven T–28 fighter-bombers. These bore Laotian Air Force markings, but were manned in part by pilots of Air America, a C.I.A.-controlled line and in part by Thai pilots under the control of Ambassador Leonard Unger.

Regular United States Air Force and Navy jet planes, code-named Yankee Team, gathered photographic intelligence for the T–28 bombing raids. The reconnaissance moved from high-altitude flights at the start of 1964 to low-altitude sorties in May; in June armed escort jets were added, bombing and strafing when the reconnaissance planes were fired on.

A third element in the covert military pressure was the patrolling by American destroyers in the Gulf of Tonkin. Code-named De Soto patrols, the ships collected intelligence on warning radars and coastal defenses.

In a memorandum on Jan. 22, 1964, Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, contended that "the United States must be prepared to put aside many of the self-imposed restrictions" and to "undertake bolder actions," even to "commit U.S. forces as necessary in direct actions against North Vietnam."

DIFFERENCE OF OPINION

The Johnson Administration was convinced from radio interceptions that North Vietnam was directing the Vietcong despite intelligence analyses that argued "the primary sources of Communist strength in South Vietnam are indigenous" arising from social and nationalist aims.

On March 16, 1964, describing a worsening situation, Secretary McNamara urged new plans up to "graduated overt military pressure," ready on 30 days' notice for strikes against North Vietnam by the South Vietnamese Air Force and an American air commando squadron, code-named Farmgate, that operated with South Vietnamese markings.

President Johnson approved the McNamara recommendations at a National Security Council meeting March 17, 1964. On March 20, President Johnson cabled Ambassador Henry Cabot Lodge in Saigon:

". . . our planning for action against the North is on a contingency basis at present, and immediate problem in this area is to develop the strongest military and political base for possible later action."

On April 17, the Joint Chiefs approved a so-called scenario, Operation Plan 37–64, including escalation steps against North Vietnam up to air attacks and mining of ports, initially by South Vietnamese but possibly using United States aircraft.

Military action was not to begin until after a joint Congressional resolution.

On May 4, South Vietnam's head of government, Gen. Nguyen Khan, told Ambassador Lodge he wanted the United States to start bombing and to send in 10,000 troops.

The Pentagon study reported that at a Honolulu meeting on June 1 and 2, 1964, Secretary McNamara said, "it might be necessary as the action unfolded . . . to deploy as many as seven divisions" of American troops.

One effort to apportion American aims in South Vietnam was attributed to a memorandum by John T. McNaughton, Assistant Secretary of Defense, as follows:

"70 pct.—To avoid a humiliating U.S. defeat (to our reputation as a guarantor).

"20 pct.—To keep SVN (and then adjacent) territory from Chinese hands.

"10 pct.—To permit the people of SVN to enjoy a better, freer way of life."

One move at United States request had J. Blair Seaborn, Canadian member of the International Control Commission, pass on a warning June 18 to North Vietnam's Premier, Pham Van Dong, that escalating the warfare could bring "the greatest devastation" to North Vietnam.

Separate from the Defense Department study, which was prepared in 1967 and 1968, was a 1965 Defense Department command and control study of the Tonkin Gulf incident.

In a 34A operation, South Vietnamese naval commandos raided two North Vietnamese islands in the gulf at midnight July 30. On Aug. 2, a De Soto intelligence-gathering patrol by the destroyer Maddox wound up in a clash with North Vietnamese PT boats, which the study said apparently mistook the Maddox for a South Vietnamese escort vessel.

On Aug. 3, President Johnson ordered the destroyer C. Turner Joy to reinforce the Maddox in the gulf. That night, two clandestine 34A bombardments were staged by South Vietnamese PT boats.

On the night of Aug. 4, Tonkin Gulf time, the two American destroyers were attacked by North Vietnamese torpedo boats, according to the Pentagon account.

At a national Security Council meeting on the afternoon of Aug. 4, Washington time, President Johnson ordered American reprisal air strikes, chosen by the Joint Chiefs from a 94-target list drawn up at the end of May. He also decided to seek the Congressional resolution of full military support for South Vietnam.

"CONSENSUS" ON BOMBING REACHED BEFORE THE ELECTION

Leaders of the Johnson Administration reached a "consensus" at a White House strategy meeting on Sept. 7, 1964, the Pentagon study of the war says, that sustained air attacks against North Vietnam would probably have to be launched, and indicated a start for early 1965.

In the second installment, The Times reported that the analysis had added that "what prevented action for the time being was a set of tactical considerations."

First among these, the analysis went on, was that "the President was in the midst of an election campaign in which he was presenting himself as the candidate of reason and restraint as opposed to the quixotic Barry Goldwater," who was publicly advocating full-scale bombing of North Vietnam.

Before that "consensus," there had been an Aug. 18 cablegram from Ambassador Maxwell Taylor—one of 16 texts published with the installation—declaring that "the present in-country pacification plan is not enough." The Ambassador urged "deliberate escalation of pressure against North Vietnam, using Jan. 1, 1965, as a target D-Day" to start bombing military facilities.

MARINES FOR DANANG

The bombing plan, Ambassador Taylor added, would entail sending Army Hawk anti-aircraft missile units to protect airfields at Saigon and Danang and a force of Marines to Danang.

On Aug. 26, a memorandum by the Joint Chiefs of Staff termed "accelerated" actions against North Vietnam "essential to prevent a complete collapse of the U.S. position in Southeast Asia."

On Sept. 3, a memorandum by Assistant Secretary of Defense McNaughton said "the situation in South Vietnam is deteriorating." He proposed actions to cause "increasing apprehension" in North Vietnam and "likely at some point to provoke a military D.R.V. [North Vietnam] response" so that "the provoked response should be likely to provide good grounds for us to escalate if we wished."

The Sept. 7 "consensus" meeting was attended by President Johnson, Secretary of State Dean Rusk, Secretary of Defense McNamara, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs; Ambassador Taylor, and John A. McCone, Director of Central Intelligence.

A Sept. 8 memorandum by Assistant Secretary of State William P. Bundy described "the consensus reached in discussions . . . for review and decision by the President."

PATROLS TO RESUME

It was followed by a Sept. 10 memorandum by McGeorge Bundy, adviser to the President on national security. This reported Mr. Johnson's approval of resumption of American naval patrols in the Gulf of Tonkin and resumption of South Vietnamese coastal raids against North Vietnam. The raids had been covert, but were to be admitted now.

The patrols resumed Sept. 12, and the raids in October. A covert stepup in air operations in Laos ordered by the President began Oct. 14.

On Nov. 1, a Vietcong mortar barrage struck American planes and facilities at Bienhoa airfield. President Johnson, at a White House meeting, held off on reprisals and expressed concern over possible counter-retaliation by North Vietnam or Communist China against American bases and civilian dependents.

On Nov. 24, a select committee of the National Security Council heard General Wheeler, speaking for the Joint Chiefs, argue for a hard, fast bombing campaign—as entailing "less risk of a major conflict before achieving success" than the option of gradually rising air strikes, favored by Assistant Secretaries McNaughton and Bundy.

"A LOSING GAME"

On Nov. 27, Ambassador Taylor, in a briefing, urged gradually increasing air strikes—"we are playing a losing game in South Vietnam."

On Nov. 29, there was a "draft position paper" by an interagency working group on Vietnam headed by William Bundy. It set out "first-phase actions" over 30 days to intensify South Vietnamese maritime, Laotian air and United States reconnaissance operations already under way.

Reprisal air strikes against North Vietnam by South Vietnamese forces, "supplemented as necessary by U.S. forces," were proposed to take place preferably within 24 hours of "any VC provocation."

The next phase would be "progressively more serious air strikes," as well as possible aerial mining of ports and a naval blockade.

The Pentagon study says President Johnson became "cautious and equivocal." In a White House meeting on Dec. 1, he said he wanted "new, dramatic, effective" aid from allied countries.

AIR STRIKES BEGIN

Nevertheless, on Dec. 14, Operation Barrel Roll began the 30 days of Phase I—air strikes by United States Air Force and Navy jets against infiltration routes and facilities in the Laotian panhandle.

On Jan. 6, 1965, William Bundy, in a memorandum, suggested "an early occasion for reprisal action" against North Vietnam and "possibly beginning low-level reconnaissance" at once.

"Introduction of limited U.S. ground forces into the northern area of South Vietnam," Mr. Bundy added, "still has great appeal to many of us, concurrrently with the first air attacks into the D.R.V."

The Pentagon study reported that a Jan. 27 memorandum by Mr. McNaughton, agreed to by Secretary McNamara, favored initiating air strikes against North Vietnam.

On Feb. 6, nine Americans were killed and 76 wounded in Vietcong attacks on a military advisers' compound and a helicopter base. The study said this "triggered a swift, though long-contemplated Presidential decision to give an 'appropriate and fitting' response."

Within 14 hours, 49 Navy jets raided Donghoi in North Vietnam. Next, the enemy attacked an American barracks; the President on Feb. 11 launched a heavier reprisal raid. On Feb. 13, he decided to begin Operation Rolling Thunder—the sustained air war against North Vietnam.

JOHNSON DECIDES TO USE GROUND TROOPS

President Johnson decided on April 1, 1965, to use American ground troops for offensive action in South Vietnam because the Administration quickly found that sustained bombing of North Vietnam—begun on March 2—was not going to stave off collapse in South Vietnam.

The President's decision was described in the third installment, published June 15, of The Times series on the Defense Department history.

One of 16 documents published with that installment was National Security Action Memorandum 328, dated April 6, 1965. This reported that the President had "approved an 18–20,000 man increase in U.S. military support forces to fill out existing units and supply needed logistic personnel."

Further, he approved sending ashore two Marine battalions that Gen. William C. Westmoreland, the commander in Vietnam, had asked for on March 17, adding to two Marine battalions with 3,500 men that had landed March 8 as defenders of Danang airfield.

A CHANGE OF MISSION

Mr. Johnson also approved deployment of a Marine air squadron and "a change of mission for all Marine battalions . . . to permit their more active use. . . ." He approved "urgent" efforts to get South Korean, Australian and New Zealand troops.

And he desired that "premature publicity be avoided," and the actions "should minimize any appearance of sudden changes in policy."

There was a comment in an April 2 memorandum by Mr. McCone of the Central Intelligence Agency that bombings "have not caused a change in the North Vietnamese policy of directing Vietcong insurgency, infiltrating cadres and supplying material" and "if anything, the strikes to date have hardened their attitude."

Mr. McCone warned of becoming "mired down in combat in the jungle in a military effort that we cannot win."

The March 8 landings had brought the United States force in South Vietnam to 27,000 men. In mid-March, Gen. Harold K. Johnson, the Army Chief of Staff, made two recommendations relating to a possible ground war.

One was to send a division of American troops to South Vietnam to hold coastal enclaves or to defend the Central Highlands, freeing Saigon Government forces for offensive action against the Vietcong.

The other was to establish a four-division force of American and Southeast Asia Treaty Organization troops to interdict infiltration by patrolling the demilitarized zone on the border between North and South Vietnam and the Laotian border region.

BEFORE N.S.C. MEETING

In preparation for April 1–2 National Security Council meetings, Assistant Secretary of Defense McNaughton wrote in a memorandum:

"Can the situation inside SVN be bottomed out (a) without extreme measures against the D.R.V. and/or (b) without deployment of large numbers of U.S. (and other) combat troops inside SVN? The answer is perhaps, but probably no."

General Westmoreland, in a report completed March 26 for the same strategy meeting, contended that South Vietnamese troops could not hold the line against growing Vietcong strength long enough for the bombing to become effective.

General Westmoreland asked for the equivalent of two American divisions to arrive by June, to bring strength in Vietnam up to about 70,000.

He proposed to send an Army division to "defeat" the Vietcong in the Central Highlands, and indicated that more troops might be required if bombing failed to achieve results.

On March 20, the Joint Chiefs of Staff had proposed sending two American divisions and one South Korean division for offensive combat operations.

The Joint Chiefs, the Pentagon study said, "had the qualified support" of Secretary McNamara.

A "MOBILE ROLE" SOUGHT

On April 4, Ambassador Taylor proposed "the use of Marines in a mobile counter-insurgency role in the vicinity of Danang for the improved protection of that base and also in a strike role as a reserve in support of [South Vietnamese Army] operations anywhere within 50 miles of the base." This was described as an enclave strategy.

On April 20, Secretary McNamara met General Westmoreland and other officials in Honolulu. The Pentagon study said there were 33,500 American troops then in Vietnam.

The conferees agreed that United States ground forces should be increased from 4 to 13 maneuver battalions involving 82,000 men, with 4 battalions involving 7,250 men also to be sought from Australia and South Korea.

A series of major military victories by the Vietcong in May and June led General Westmoreland to ask on June 7 for still more help—for a total of 44 battalions.

The study said that on June 13, he proposed a "search-and-destroy strategy for U.S. and third-country forces," with the "primary focus" for South Vietnamese forces to be pacification.

AUTHORITY FOR WESTMORELAND

On June 26, the study reported, General Westmoreland was given authority to commit United States forces whenever he decided they were needed "to strengthen the relative position" of Government forces.

The first major ground action by United States forces took place June 27–30, with the 173d Airborne Brigade, an Australian battalion and South Vietnamese in "a search-and-destroy operation into Vietcong base areas."

On July 17, Deputy Secretary of Defense Cyrus R. Vance said in a cablegram that President Johnson had decided to go ahead with a plan to deploy 34 battalions. On July 30, the Joint Chiefs backed deployment of 44 battalions, involving 193,887 United States soldiers.

The search-and-destroy strategy, the study commented, "left the U.S. commitment to Vietnam open-ended." As to President Johnson and Secretary McNamara, it added, "there are manifold indications that they were prepared for a long war."

U.S. AND DIEM'S OVERTHROW: STEP BY STEP

The Pentagon's secret study of the Vietnam war discloses that President Kennedy knew and approved of plans for the military coup d'état that overthrew President Ngo Dinh Diem in 1963.

"Our complicity in his overthrow heightened our responsibilities and our commitment" in Vietnam, the study finds.

In August and October of 1963, the narrative recounts, the United States gave its support to a cabal of army generals bent on removing the controversial leader whose rise to power Mr. Kennedy had backed in speeches in the middle nineteen-fifties and who had been the anchor of American policy in Vietnam for nine years.

The coup, one of the most dramatic episodes in the history of the American involvement in Vietnam, was a watershed. As the Pentagon study observes, it was a time when Washington—with the Diem regime gone—could have reconsidered its entire commitment to South Vietnam and decided to disengage.

At least two Administration officials advocated disengagement but, according to the Pentagon study, it "was never seriously considered a policy alternative because of the assumption that an independent, non-Communist SVN was too important a strategic interest to abandon."

The effect, according to this account, was that the United States, discovering after the coup that the war against the Vietcong had been going much worse than officials previously thought, felt compelled to do more—rather than less—for Saigon. By supporting the anti-Diem coup, the analyst asserts, "the U.S. inadvertently deepened its involvement. The inadvertence is the key factor."

According to the Pentagon account of the 1963 events in Saigon, Washington did not originate the anti-Diem coup, nor did American forces intervene in any way, even to try to prevent the assassinations of Mr. Diem and his brother Ngo Dinh Nhu, who, as the chief Diem political adviser, had accumulated immense power. Popular discontent with the Diem regime focused on Mr. Nhu and his wife.

But for weeks—and with the White House informed every step of the way—the American mission in Saigon maintained secret contacts with the plotting generals through one of the Central Intelligence Agency's most experienced and versatile operatives, an Indochina veteran, Lieut. Col. Lucien Conein. The colonel, who is now in retirement, first landed in Vietnam in 1944 by parachute for the Office of Strategic Services, the wartime forerunner of the C.I.A.

So trusted by the Vietnamese generals was Colonel Conein that he was in their midst at Vietnamese General Staff headquarters as they launched the coup. Indeed, on Oct. 25, a week earlier, in a cable to McGeorge Bundy, the President's special assistant for national security, Ambassador Lodge had occasion to describe Colonel Conein of the C.I.A.—referring to the agency, in code terminology, as C.A.S.—as the indispensable man:

"C.A.S. has been punctilious in carrying out my instructions. I have personally approved each meeting between General Don [one of the three main plotters] and Conein who has carried out my orders in each instance explicitly. . . .

"Conein, as you know, is a friend of some 18 years' standing with General Don, and General Don has expressed extreme reluctance to deal with anyone else. I do not believe the involvement of another American in close contact with the generals would be productive." [See text, Lodge message to Bundy, Oct. 25, Page 11.]

So closely did the C.I.A. work with the generals, official documents reveal, that it provided them with vital intelligence about the arms and encampments of pro-Diem military forces after Mr. Lodge had authorized C.I.A. participation in tactical planning of the coup.

So intimately tied to the conspiracy did the Ambassador himself become that he offered refuge to the families of the generals if their plot failed—and he obtained Washington's approval. Near the end, he also sent a message to Washington seeking authority to put up the money for bribes to win over

officers still loyal to President Diem. [See text, Lodge response to Bundy, Oct. 30.]

WE MUST GO TO WIN . . .

The fear of failure—fed by bitterly conflicting advice from Ambassador Lodge and Gen. Paul D. Harkins, chief of the American Military Assistance Command in Saigon—dogged President Kennedy to the end.

In late August, with a coup by the generals expected any hour, President Kennedy sent a private message to Ambassador Lodge. Possibly thinking back to the collapse of the Bay of Pigs invasion of Cuba, he said: "I know from experience that failure is more destructive than an appearance of indecision. . . . When we go, we must go to win, but it will be better to change our minds than fail."

In his Aug. 30 cablegram, obtained by The New York Times along with the Pentagon study, the President also pledged "We will do all that we can to help you conclude this operation successfully."

On Oct. 30, after the plot had been postponed and later revived, the White House cabled Mr. Lodge with instructions to delay further any coup that did not have "a high prospect of success." But it left the ultimate judgment up to the Ambassador and asserted that once a coup "under responsible leadership" had begun, "it is in the interest of the U.S. Government that it should succeed." [See text, Bundy cable to Lodge, Oct. 30.]

The conclusions of the Pentagon study run contrary to the denial of American involvement by Ambassador Lodge in a press interview on June 29, 1964, and the impression given by the more carefully worded disavowals of American responsibility published in the memoirs of some Kennedy Administration officials.

"For the military coup d'état against Ngo Dinh Diem, the U.S. must accept its full share of responsibility," the Pentagon account asserts.

"Beginning in August of 1963 we variously authorized, sanctioned and encouraged the coup efforts of the Vietnamese generals and offered full support for a successor government. In October we cut off aid to Diem in a direct rebuff, giving a green light to the generals. We maintained clandestine contact with them throughout the planning and execution of the coup and sought to review their operational plans and proposed new government."

STEP-BY-STEP U.S. COLLUSION

The intrigues of the Vietnamese generals and of Mr. Nhu have largely been recounted before. Two added elements emerge from the Pentagon study: the step-by-step American collusion with the conspiracy, revealed previously only in shadowy outline; and the feud inside the American Government that brought it close to paralysis at decisive moments.

For if the Diem regime was a house divided against itself, so was the Kennedy Administration.

In Saigon, the two chief antagonists were Ambassador Lodge, considered even by admirers an aloof, shrewd Massachusetts Brahmin politician; and General Harkins, an affable, athletic cavalry officer who had been a protégé of the World War II tank commander, Maj. Gen. George S. Patton, 3d.

As the Pentagon study recounts it, the Ambassador quickly became a partisan of the anti-Diem plot, while General Harkins resented what he felt would be shabby treatment of President Diem. "I would suggest we try not to change horses too quickly," the general declared in a cable to Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, on Oct. 30, less than 48 hours before the coup. [See text, Harkins message to Taylor.]

"After all, rightly or wrongly, we have backed Diem for eight long hard years. To me it seems incongruous now to get him down, kick him around and get rid of him. The U.S. has been his mother superior and father confessor since he's been in office and he leaned on us heavily."

The Ambassador and the general clashed at almost every juncture on almost every major issue and their controversy reverberated at the highest levels of government in Washington.

At one point, the study relates, the two men even relayed contradictory messages to the plotters. Subsequently, Ambassador Lodge held such tight control over the conspiratorial maneuvering that General Harkins protested to Washington that he was being kept in the dark.

Ultimately, the Pentagon narrative shows, it was Mr. Lodge—a supremely self-confident ambassador, a former Republican vice-presidential nominee with independent political power, firm in his views, jealous of his ambassadorial prerogatives, intent on asserting his full authority—who exerted critical influence on the Government.

POLITICAL DECAY

Until the eruption of Buddhist demonstrations against the Diem regime in May, 1963, much of the American public was oblivious to the "political decay" in Vietnam described in the Pentagon account: the atmosphere of suspicion, the pervasive but latent disaffection with the autocratic Diem regime, the taint of corruption, the suppressed discontent in the Army.

In America, the early months of 1963 were a season of bullish public pronouncements about the war. In his State of the Union address on Jan. 14, President Kennedy declared that the "spearpoint of aggression has been blunted in Vietnam" while Adm. Harry D. Felt, commander in chief of Pacific forces, predicted victory within three years.

Although this reflected the view prevailing among policymakers, a national intelligence estimate on April 17 offered a less glowing picture. Provided that outside help to the Vietcong was not increased, the intelligence paper estimated that the guerrillas could be "contained militarily" but added that there was still no persuasive evidence that the enemy had been "grievously hurt" by the allied war efforts. Conclusion: "The situation remains fragile."

Moreover, as the Pentagon account recalls, military officers had twice tried to kill President Diem—in November, 1960, and again in February, 1962. Deeply distrustful of the army, the South Vietnamese President had placed loyal favorites in sensitive posts commanding troops around Saigon, established a trusted network of military chiefs in all provinces and stripped potential challengers and malcontents of troop commands.

U.S. SOMEWHAT ON THE DEFENSIVE

Over the years, secret intelligence reports had told of the corrosive effect of such methods on military morale. Periodically, they also described the gulf between the mandarin ruler and the apathetic peasantry, or the alienation of an urban middle class resentful of overbearing political controls and of its lack of real political voice.

At times even Washington felt exasperated with its chosen ally for failing to strive for greater popular allegiance through political, military and economic reforms. But the United States had become accustomed to having President Diem reject its advice and, early in 1963, found itself somewhat on the defensive before his complaint that there were too many prying Americans roaming his land.

"As the U.S. commitment and involvement deepened," the Pentagon chronicle relates, "frictions between American advisers and Vietnamese counterparts at all levels increased. Diem, under the influence of Nhu, complained about the quantity and zeal of U.S. advisers. They were creating a colonial impression among the people, he said."

Despite such frictions, the Kennedy Administration was content to continue the general policy that, the Pentagon analyst observes, was aptly captured in a journalistic aphorism: "Sink or swim with Ngo Dinh Diem."

As the Pentagon study recounts the 1963 political crisis, the spark of revolt was struck in the central Vietnamese city of Hue on May 8, when Government troops fired into a crowd of Buddhists displaying religious banners in defiance of a Government decree. Nine persons were killed and 14 injured, when they were crushed by armored vehicles.

The regime blamed a Vietcong provocateur. The Buddhists demanded that the Government admit it was the guilty party and pay indemnities to families of the victims. President Diem refused and, despite superficial compromises, the deadlock was never broken. The two sides slid into a series of increasingly violent confrontations.

The Buddhist protests—mass demonstration and the immolations of yellow-robed monks—were met by police truncheons and growing arrests. Mrs. Nhu, the bachelor President's outspoken sister-in-law, angered the opposition by ridiculing the fiery Buddhist suicides as "barbecues." There was an outcry of shock abroad, especially in America, which brought the Kennedy Administration under strong public criticism for the United States' policy of backing President Diem.

LIGHTNING ROD FOR FRUSTRATIONS

The original May incident was hardly enough to shake the foundations of power. The Pentagon account blames the regime's mandarin rigidity for fueling the crisis. The Buddhist protests became a lightning rod for accumulated political frustrations. For the first time, the protests exposed the American public to the depth of Vietnamese disaffection with the Government.

By early July C.I.A. agents were tipped off to two rapidly developing coup plots. And a special national intelligence estimate on July 10 forecast that unless President Diem satisfied the Buddhists, "disorders will probably flare again and the chances of a coup or assassination attempts against him will become better than ever." [See text, intelligence estimate 53–2–63.]

The very next day, Mr. Nhu daringly faced down some senior generals and the plotting subsided temporarily.

Throughout May and June the United States Embassy tried to prod President Diem into meeting Buddhist demands by alternately soft and hard tactics. Ambassador Frederick E. Nolting, a soft-spoken Virginian who, the Pentagon narrative notes, considered it his duty to get along with President Diem, tried gentle persuasion. When he left on vacation, his deputy, William C. Truehart, took a tougher line, warning Mr. Diem on June 12 that unless the Buddhist crisis was solved, the United States would be forced to dissociate itself from him.

Cutting short his vacation, Ambassador Nolting rushed to Washington early in July to urge the Administration not to abandon President Diem yet, arguing that his overthrow would plunge Vietnam into religious civil war. Although President Kennedy had already decided to send Mr. Lodge to Saigon as Ambassaor late in August, he granted Mr. Nolting a last chance to try to talk President Diem into conciliating the Buddhists.

The Pentagon study relates that on Aug. 14, the eve of his departure, Ambassador Nolting extracted such a promise. As a final gesture to the departing American envoy, President Diem gave a press interview on Aug. 15 saying that conciliation had always been his policy toward the Buddhists and, contradicting Mrs. Nhu's earlier criticism, asserted that

his family was pleased with the Lodge appointment.

SHOCK FOR WASHINGTON

Six days later the dam broke. South Vietnamese Special Forces troops in white helmets carried out midnight raids against Buddhist pagodas throughout the country. More than 1,400 people, mostly monks, were arrested and many of them beaten. Two days later, the army generals conspiring against President Diem first sought official American support.

The pagoda raids stunned Washington.

"In their brutality and their blunt repudiation of Diem's solemn word to Nolting, they were a direct, impudent slap in the face for the U.S.," the narrative asserts. "For better or worses, the Aug. 21 pagoda raids decided the issue for us."

American officials found them particularly galling because the raiding parties were led by Vietnamese Special Forces, which were largely financed by the C.I.A. for covert war operations, but which had in effect become the private army of Mr. Nhu.

The Pentagon account describes how Mr. Nhu had telephone lines to the United States Embassy cut to keep American officials ignorant and how he fooled them into believing the army had carried out the crackdown.

Becaues the army had declared martial law the day before and because some of those raiding parties wore borrowed paratroop uniforms, the embassy initially put the blame on Saigon's army in reporting to Washington.

Actually, the study explains, Mr. Nhu had bypassed the regular army chain of command and had ordered the raids personally. This version does not make it clear whether President Diem had approved in advance or merely accepted after the fact.

DENOUNCED IN TWO CAPITALS

Both in Washington and Saigon, the United States denounced the raids and dissociated itself from such repressive policies. Mr. Lodge in Honolulu for final briefings, was told to fly at once to Saigon where he landed on the morning of Aug. 22. Significantly, the next section of the Pentagon narrative is entitled "Lodge vs. Diem."

What the study terms the "first requests for support" came from the acting chief of staff of the armed forces, Maj. Gen. Tran Van Don, a French-trained Vietnamese aristocrat, and one of his deputies, Maj. Gen. Le Van Kim, reputed to be the real brains behind the coup. Despite their high positions, neither general had direct command over troops because Mr. Nhu had become suspicious of them.

Drawing on a C.I.A. information report, the study recounts that on Aug. 23, General Don told an American agent that the Voice of America should retract its broadcasts blaming the army for the pagoda raids and put out an accurate version in order to help the army. It was time, he said, for the United States to make its position known on internal Vietnamese affairs.

General Kim was more explicit. The pagoda raids, he told another agent, showed the lengths to which Mr. Nhu would go, and a firm American stand now in favor of his removal would unify the army and permit it to take action against both Mr. Nhu and his wife.

Significantly, the embassy reported that high civilian officials were also telling American diplomats that the Nhus' removal was vital. Nguyen Dinh Thuan, President Diem's Defense Minister, gave the blunt advice that "under no circumstances should the United States acquiesce in what the Nhus had done." Foreign Minister Vu Van Mau resigned and shaved his head like a Buddhist monk in protest.

Less than 48 hours after his arrival in Saigon, Ambassador Lodge cabled the State Department to report the coup feelers but cautioned that the most pivotal commanders around Saigon were still loyal to the Ngo brothers. Other officers' loyalties were unknown. Those circumstances, Mr. Lodge reckoned, would make American support of a coup d'état a "shot in the dark."

INITIAL U.S. SANCTION FOR COUP

His message reached Washington Saturday morning, Aug. 24, setting off what became one of the most controversial actions in the Kennedy Administration. The State Department, over the signature of Acting Secretary George W. Ball, sent Ambassador Lodge a reply that served as the initial American sanction for the coup.

It began by saying that the United States could not tolerate the powerful role of Mr. Nhu and his wife any longer. The key passage went on to declare in the stuttering language of cables:

"We wish give Diem reasonable opportunity to remove Nhus, but if he remains obdurate, then we are prepared to accept the obvious implications that we can no longer support Diem. You may also tell appropriate military commanders we will give them direct support in any interim period of breakdown central government mechanism." [See text, Washington message to Lodge, Aug. 24.]

Moreover, the message gave Ambassador Lodge broad leeway on how to proceed and pledged to "back you to the hilt on actions you take to achieve our objectives."

This crucial message also cleared the way for public retractions of the earlier Voice of America broadcasts and instructed Mr. Lodge to pass the word that Washington could not provide further military and economic support to South Vietnam unless "prompt dramatic actions" were taken to release the jailed Buddhists and fulfill their demands.

The Pentagon study, drawing upon Roger Hilsman's book "To Move a Nation," published in 1964, explains that the controversial message was drafted by Mr. Hilsman, Assistant Secretary of State; W. Averell Harriman, Under Secretary of State for Political Affairs; Michael V. Forrestal, White House specialist on Vietnam and Southeast Asia, and Mr. Ball. The prime movers were said to be Mr. Hilsman and Mr. Harriman.

The necessary top-level approval of the cablegram was complicated by the fact that President Kennedy was in Hyannisport, Mass., for the weekend, Secretary of State Dean Rusk was in New York and Secretary of Defense Robert S. McNamara and John A. McCone, Director of Central Intelligence, were on vacation.

REVISIONS ON THE TELEPHONE

According to the Hilsman account, both the President and Mr. Rusk were furnished early drafts of the cable and, through several telephone conversations, participated in revising the message before it was sent. Roswell L. Gilpatric, Acting Secretary of Defense, approved it for the civilian side of the Pentagon. Gen. Maxwell D. Taylor, Chairman of the Joint Chiefs of Staff, was given a belated check by telephone while out to dinner and, upon being told the President had approved the message, accepted on behalf of the military.

The Pentagon study reports that on Monday, when all the principal officers of government returned to Washington, several, especially General Taylor, had second thoughts. But by then it was too late.

In Saigon, the State Department's message had set a new chain of events in motion. The cablegram arrived in Saigon at midday Sunday, Aug. 25, and according to the Pentagon account, Ambassador Lodge immediately summoned General Harkins and John H. Richardson, the C.I.A. station chief. After their strategy session, Mr. Lodge urgently cabled the State Department, proposing a change in tactics:

"Believe that chances of Diem's meeting our demands are virtually nil. At same time, by making them we give Nhu chance to forestall or block action by military. Risk, we believe, is not worth taking, with Nhu in control combat forces Saigon.

"Therefore, propose we go straight to generals with our demands, without informing Diem. Would tell them we prepared have Diem without Nhus but it is in effect up to them whether we keep him. Would insist generals take steps to release Buddhist leaders and carry out June 16 agreement. Request immediate modification instructions." [See text, Lodge reply to Washington, Aug.

The Ambassador said that General Harkins concurred, and a separate report from Mr. Richardson to C.I.A. headquarters fully endorsed Mr. Lodge's approach.

The immediate reply, obtained by The New York Times though not cited in the Pentagon narrative, was from Mr. Hilsman and Mr. Ball: "Agree to modification proposed."

It is not known whether this was cleared with President Kennedy and other senior officials, but under normal bureaucratic practice Mr. Hilsman would have initiated it.

KEEPING AWAY FROM THE GENERALS

When that cable reached Saigon, the Pentagon account reports, Mr. Lodge called another strategy session Monday morning. His inner circle decided that the "American official hand should not show," meaning that General Harkins would not talk to the generals. The contact men would be Colonel Conein, an old acquaintance of several of the generals, and another C.I.A. officer; the second agent's contacts petered out eventually.

The C.I.A. men were not only to tell the generals the gist of Washington's Aug. 24 message but also, as Mr. Richardson advised headquarters on Aug. 26, to convey the following message: "We cannot be of any help during initial action of assuming power of the state. Entirely their own action, win or lose. Don't expect to be bailed out." The plotters, moreover, were to be informed that the United States "hoped bloodshed can be avoided or reduced to absolute minimum." [See text, C.I.A. aide's cable.]

In Washington on that same Monday, President Kennedy, informed of the misgivings of General Taylor and others, called together the National Security Council.

The Pentagon study, with very limtied direct access to written records of Council meetings and none for these crucial days, accepts the Hilsman book's recollection that the principal doubters were Secretary McNamara, Mr. McCone and General Taylor, opposed by the senior State Department officials.

The Council met again on Tuesday. The Hilsman book reports that at that session Mr. Nolting, the former Ambassador, was doubtful that President Diem could be separated from his brother, as the Pentagon leaders proposed, but he also spoke with prophetic doubt about the capacity of the generals to lead the country.

The upshot, the Pentagon study continues, was that Saigon was asked on Aug. 27 to give more delails about the plot and to assess the effect of delaying the coup.

This opened the breach between Ambassador Lodge and General Harkins, in turn worsening the rift in Washington.

LEADER OF PLOT IDENTIFIED

The documentary record indicates that Washington's message reached Saigon after the two C.I.A. agents had made separate contacts with two additional members of the army cabal to convey the American position. Significantly, they learned that the plot leader was Lieut. Gen. Duong Van Minh, military adviser to the Presidency, a good combat commander and the general with the strongest following among the officer corps.

His supporters included not only Generals Don and Kim but also Maj. Gen. Tran Thien Khiem, executive officer of the Joint General Staff; Maj. Gen. Nguyen Khanh, commander of the II Corps region stretching northward from Saigon, and Col. Nguyen Van Thieu, commander of the Fifth Division just north of the capital. But Saigon itself and the Mekong Delta to the south were in the hands of supporters of President Diem.

From this balance of forces, the Pentagon study recounts, Ambassador Lodge sized up the coup's prospects favorably, arguing that "chances of success would be diminished by delay."

General Harkins sent a separate message that he saw no clear-cut advantage for the coup plotters and no reason for "crash approval" of the plot. He doubted that the coup would be launched until the United States gave the word. His cablegram pledged full support to the Ambassador in carrying out the earlier instructions but, the analyst notes, it cryptically implied that his earlier concurrence had "been volunteered," evidently meaning that Mr. Lodge had overstated his views. But the incident is left unexplained.

A third message from Mr. Richardson, the C.I.A. chief, backed Ambassador Lodge. "Situation here has reached point of no return," he told the agency's headquarters. "Saigon is armed camp. Current indications are the Ngo family have dug in for last ditch battle. There may be widespread fighting in Saigon and serious loss of life." [See text, C.I.A. station chief's cable, Aug. 28.]

But Mr. Richardson warned that even if the Ngo brothers prevailed, "They and Vietnam will stagger on to final defeat at the hands of their own people and the VC."

Meanwhile, the Vietnamese generals, accustomed over the years to being warned by Americans not to engage in conspiracies against their own government, were having their own worries about the Americans.

CLEAR SIGN OF SUPPORT SOUGHT

On Aug. 29, the Pentagon study says, General Minh himself met Colonel Conein and asked for clear evidence that the United States would not betray the conspiracy to Mr. Nhu. As a clear sign of American support, he asked that Washington suspend economic aid to the Diem regime.

A second general made another check with the result that, according to the Pentagon study, the Ambassador authorized the C.I.A. to "assist in tactical planning" of the coup d'état. A subsequent C.I.A. message on Oct. 5, discloses that in August the American agents provided the coup organizers with sensitive information including a detailed plan and an armaments inventory for Camp Longthanh, a secret installation of the loyalist Special Forces commanded by Col. Le Quang Tung.

The Americans in Saigon were well ahead of the policy makers in Washington. The top-level debate there, the Pentagon study relates, had become so heated and testy that President Kennedy personally cabled Ambassador Lodge and General Harkins asking each man again for his "independent judgment."

The Ambassador's reply to the President was an ardent case for the coup:

"We are launched on a course from which there is no respectable turning back: the overthrow of the Diem Government. There is no turning back in part because U.S. prestige is already publicly committed to this end in large measure and will become more so as facts leak out. In a more fundamental sense, there is no turning back because there is no possibility, in my view, that the war can be won under a Diem administration. . . ." [See text, Lodge cable to Rusk, Aug. 29.]

Rejecting the idea of seeing President Diem, Mr. Lodge suggested instead that General Harkins be authorized personally to repeat earlier C.I.A. messages to the generals to ease their doubts. If that proved inadequate, the Ambassador wanted to suspend American aid as General Minh had requested.

HARKINS STUCK TO HIS GUNS

The study recounts that General Harkins, for his part, stuck to his position that there was still time, without endangering the plotters, for a final approach to President Diem with an ultimatum to drop Mr. Nhu.

With tension high in both Saigon and Washington, the National Security Council held a climactic meeting on Aug. 29. A State Department message to Saigon that night indicated that President Kennedy leaned more on Ambassador Lodge's advice than on General Harkins'. [See text, Rusk cable to Lodge.]

The N.S.C., the cablegram said, had "reaffirmed basic course" and, specifically authorized General Harkins to repeat earlier C.I.A. messages to the plotters. It told him to stress American support for the move "to eliminate the Nhus from the government" but it did not mention President Diem one way or the other.

Nonetheless, it reflected the prevailing acceptance of Ambassador Lodge's view that there was no turning back. "The U.S.G. will support a coup which has good chance of succeeding but plans no direct involvement of U.S. armed forces," it said. "Harkins should state that he is prepared to establish liaison with the coup planners and to review their plans, but will not engage directly in joint coup planning."

Moreover, the message authorized Mr. Lodge "to announce suspension of aid" to the Diem regime whenever and however he chose. But with an eye to the Administration's public image, it cautioned him to "manage" such an announcement so as to "minimize appearance of collusion" with the generals.

The State Department cablegram explained that the question of a "last approach" to President Diem—advocated by General Harkins—"remains undecided." Secretary Rusk, possibly reflecting some personal doubts, raised this issue in a separate message to Mr. Lodge. But the Ambassador rejected the idea out of hand.

At this point Mr. Kennedy sent his totally private message to Ambassador Lodge. The President said he had given his "full support" to the earlier message and promised that Washington would do everything possible "to help you conclude this operation successfully."

WAY KEPT OPEN FOR A REVERSAL

He asked the Ambassador to provide him with a running assessment of the coup's prospects right up to the "go signal" to permit him to "reverse previous instructions," if necessary.

The Ambassador's brief reply, on Aug. 30, acknowledged the President's right to change directions but warned him that, since "the operation" had to be Vietnamese-run, the American President might not be able to control it.

As matters turned out, Washington's agonizing had been to no avail. For, according to the study, General Harkins's first direct contact with the conspirators brought news that General Minh had called off the coup for the time being, fearing a bloody standoff in Saigon.

According to the Pentagon account, General Harkins was also told that Mr. Richardson's careful cultivation of Mr. Nhu had aroused suspicions among the generals that the C.I.A. chief might be undercutting them and that the President's brother was on the C.I.A. payroll. Later this would become an important issue and would lead to Mr. Richardson's replacement.

But on Aug. 31, Ambassador Lodge reported to Washington the collapse of the conspiracy and the end of the coup phase. He told Secretary Rusk—who had worried in a cable only the day before about the lack of "bone and muscle" among the conspirators—that there was "neither the will nor the organization among the generals to accomplish anything."

Mr. Lodge also reported hearing that Mr. Nhu was secretly dealing with Hanoi and the Vietcong through the French and Polish ambassadors, both of whose governments favored a neutralist solution between North and South Vietnam.

Washington was in a quandry. It had finally taken the risk of seeking an alternative to the Diem regime only to see the attempt dissolve. As the Pentagon narrative says: "The U.S. found itself at the end of August, 1963, without a policy and with most of its bridges burned."

The members of the National Security Council—minus the President—held a "where do we go from here?" meeting on Aug. 31. That session was revealing, the author comments, because of the "rambling inability to focus on the problem"—the sense of an administration adrift.

The most controversial position was advanced by Paul M. Kattenburg, a 39-year-old diplomat who headed the Vietnam Interdepartmental Working Group. He proposed disengagement—thereby, according to the Pentagon version, becoming the first official on record in a high-level Vietnam policy meeting to pursue to its logical conclusion the analysis that the war effort was irretrievable, either with or without President Diem.

Until he spoke, the trend of the discussion seemed to favor reluctantly sliding back toward some workable relationship with the Diem regime since there seemed no alternative. Secretary Rusk commented that it was "unrealistic" to insist that Mr. Nhu "must go" and Secretary McNamara pushed for reopening high-level contact with the Presidential Palace. [See text, memo on Washington meeting, Aug. 31.]

RUSK'S TWO-POINT POLICY

In rebuttal, Assistant Secretary of State Hilsman reminded the group of the crippling malaise within the Vietnamese Government and the impact on the American image and policy elsewhere if Washington acquiesced "to a strong Nhu-dominated government."

According to the minutes of the meeting, Mr. Kattenburg pushed this argument a step further by asserting that if the United States tried to "live with" the Diem regime, it would be "thrown out of the country in six months." In the next six months to a year, he argued the war effort would go steadily downhill to the point where the Vietnamese people "will gradually go to the other side and we will be obliged to leave."

His analysis was immediately dismissed by Vice President Johnson, Secretary Rusk and Secretary McNamara. Mr. Rusk was reported in the minutes as insisting that American policy be based on two points—"that we will not pull out of Vietnam until the war is won, and that we will not run a coup." Mr. McNamara endorsed this view.

Vice President Johnson said he agreed completely, reportedly declaring that "we should stop playing cops and robbers and get back to talking straight to the [Saigon Government] . . . and once again go about winning the war."

It was more easily said than done. As the Pentagon study recounts, the Kennedy Administration passed through the next five weeks without any real policy but with three general notions in mind: first, the compulsion to send special missions to reassess the situation in Vietnam; second, the attempt to coerce the Diem regime into moderation through economic and propaganda pressures; and third, Ambassador Lodge's efforts to persuade to the Nhus to leave the country while giving the cold shoulder to President Diem.

President Kennedy, in a television interview Sept. 2, applied his personal pressure on the Diem regime for the first time. The South Vietnamese Government, he said, would have

to "take steps to bring back popular support" after the Buddhist repressions, otherwise the war could not be won. Success was possible, he said "with changes in policy and perhaps with personnel." But he did not specify whom he meant.

At another inconclusive National Security Council meeting four days later, Attorney General Robert F. Kennedy returned to the question of disengagement. The Pentagon account reports him as reasoning that if the war was unwinnable by any foreseeable South Vietnamese regime, it was time to get out of Vietnam. But, if the Diem regime was the obstacle, he contended, then Ambassador Lodge should be given the power to bring about the necessary changes.

But the Administration's immediate response to its dilemma was—at Secretary McNamara's suggestion—to send a fact-finding mission to Vietnam for a fresh look: Maj. Gen. Victor H. Krulak, the Pentagon's top-ranking expert in counterguerrilla warfare, and Joseph A. Mendenhall, the former political counsellor in the Saigon Embassy.

WAS IT THE SAME COUNTRY?

The two men came back after an exhausting four-day tour with such diametrically opposed assessments that President Kennedy was moved to ask, "You two did visit the same country, didn't you?"

Dissatisfied, President Kennedy dispatched Secretary McNamara and General Taylor on a new fact-finding mission on Sept. 23. They met with President Diem on Sept. 29 and although Mr. McNamara had the authority to press the South Vietnamese ruler to remove his brother from power, he did not raise the issue. No explanation is given for this significant omission.

The Pentagon analyst comments that the report of their mission, submitted on Oct. 2, tried to bridge the Lodge-Harkins gap, and in the process reflected for the first time serious doubts in Mr. McNamara's mind.

The military assessment—which the Secretary of Defense radically revised in retrospect after the successful Nov. 1 coup—was generally optimistic. It reported "great progress" in the last year with no ill effects on the conduct of the war from the prolonged political crisis, and asserted that the "bulk" of American troops could be withdrawn by the end of 1965. The two men proposed and—with the President's approval—announced that 1,000 Americans would be pulled out by the end of 1963. [See text, McNamara-Taylor report, Oct. 2.]

Their political analysis found discontent with the Diem-Nhu regime a "seething problem" that could boil over at any time. Unaware of the revived plotting, they discounted prospects for an early coup on grounds that the generals appeared to have "little stomach" for it and proposed that in the meantime, "we should work with the Diem regime but not support it." The study notes that they recommended a series of economic pressures, including an aid cutoff, without indicating whether they remembered that this was the "go" signal that the generals had previously requested.

The Kennedy Administration was already engaged in a presure campaign that, whatever its intent, was bound to encourage the army generals to try again, as the narrative notes.

AT THE LEAST, A VACATION

The President's televised remark on the need for possible changes in personnel was the first shot. Next, on Sept. 14, Washington informed the embassy that it was deferring decisions on an $18.5-million program to finance commercial imports to South Vietnam. Three days later the White House instructed Ambassador Lodge to make new efforts to achieve a "visible reduction" in the influence of the Nhus—preferably by arranging their departure from Vietnam "at least for an extended vacation." [See text, White House cable to Lodge, Sept. 17.]

It gave him broad authority to use aid as leverage in this venture, "bearing in mind that it is not our current policy to cut off aid entirely." In particular, it was suggested, Mr. Lodge might want to limit or reroute aid now going "to or through Nhu" or his collaborators. It also urged him—without ordering him—to resume contact with President Diem. But Mr. Lodge demurred.

Washington's high-level messages to the Ambassador throughout the fall of 1963 are notable for the unusual deference they show him. President Kennedy himself proceeded with delicacy on those rare occasions when he overruled the Ambassador. Once, in a personal cablegram to Mr. Lodge in mid-September, he commented that, as the son of a former Ambassador, "I am well trained in the importance of protecting the effectiveness of the man-on-the-spot." The record shows that the President understood, too, how firm and explicit he had to be to overrule the Ambassador—and, significantly, he did not do so in the final days before the coup.

HIGHLIGHTS OF THE PERIOD

The Kennedy Administration's "complicity" in the 1963 overthrow of President Ngo Dinh Diem is documented in the Pentagon study, which says that this episode "inadvertently deepened" United States involvement in the Vietnam conflict.

Here, in chronological order, are highlights of this period:

MAY–JUNE 1963

Buddhist protests against Diem Government flare into violence after Government troops attack demonstrators in Hue. Crisis worsens as confrontations become focus for widespread political disaffection with Diem's regime and Ngo Dinh Nhu, his brother.

AUGUST 1963

Saigon regime, violating pledge to U.S. that it will seek to conciliate Buddhists, stages midnight raids on Buddhist pagodas. Many arrests and beatings.

First request for U.S. support of coup plot made to C.I.A. agent.

George W. Ball, Acting Secretary of State, tells Henry Cabot Lodge, new U.S. Ambassador, that Diem must "remove" Nhus or "we can no longer support Diem." Says "appropriate military commanders" can be pledged "direct support in any interim period of breakdown central government mechanism." Authorizes Ambassador to threaten aid cutoff unless jailed Buddhists are released.

Lodge replies chances of "Diem's meeting our demands are virtually nil." Says "by making them, we give Nhu chance to forestall" coup. Suggests "we go straight to generals with our demands."

C.I.A. agents make contact with two plotters.

Col. Lucien Conein, a top C.I.A. agent, meets with Lieut. Gen. Duong Van Minh, plot leader. Minh asks U.S. to suspend economic aid to Diem regime as signal of support. It is indicated that C.I.A. gave plotters sensitive information about loyalist forces.

Lodge, replying to query from President Kennedy, says "U.S. prestige" is publicly committed; "there is no turning back. . . ."

National Security Council meeting "reaffirmed basic course." U.S. "will support a coup which has a good chance of succeeding." Gen. Paul D. Harkins, U.S. military commander, Saigon, told to state "he is prepared to establish liaison" with plotters. Lodge authorized to "announce suspension of aid" at will.

Private Kennedy message to Lodge pledges "everything possible to help you conclude this operation successfully," but asks continuing reports to allow possible "reverse" signal. Says "we must go to win, but it will be better to change our minds than fail."

Ambassador reports breakdown in conspiracy.

National Security Council meets. Paul M. Kattenburg, head of Vietnam Interdepartmental Working Group, urges U.S. disengagement. Secretary of State Dean Rusk says U.S. will not pull out "until the war is won," and "will not run a coup."

OCTOBER 1963

Robert S. McNamara, Secretary of Defense, and Gen. Maxwell D. Taylor, Chairman of Joint Chiefs, propose after Diem meeting that U.S. "work with the Diem regime but not support it." Urge economic pressure.

Conein, and other C.I.A. agents renew contact with Minh and other plotters. Lodge urges assurances U.S. will not "thwart" coup.

President accepts McNamara-Taylor proposals, series of economic cut-offs. Study says this "leaves ambiguous" question whether aid suspension is meant as "green light for coup."

Aid cut-offs start.

White House messages to Ambassador stress "surveillance and readiness," not "active promotion" of coup. Study says they stress desire for "plausibility of denial" of U.S. involvement.

Coup canceled. Leader cites Harkins's attitude as reason. Harkins denies "trying to thwart" coup but "would not discuss coups that were not my business."

Doubts about coup revived in Washington, study says. White House wants "option of judging and warning on any plan with poor prospects of success."

Lodge opposes any move to "pour cold water" on plot.

Lodge and Diem have "fruitless, frustrating" meeting. Ambassador says Diem "gave me a blank look and changed the subject" when asked for "some one thing" to "favorably impress" U.S. opinion.

White House tells Lodge to "discourage" plot if quick success is unlikely. Lodge replies U.S. is unable to "delay or discourage a coup."

NOVEMBER 1963

Coup proceeds on schedule. Diem, on telephone with Lodge, asks "attitude of the U.S." Lodge replies he is not "well enough informed" to say, tells him: "If I can do anything for your personal safety, please call me."

Pentagon study says Diem finally accepts Generals' offer of safe-conduct out of country; he and brother are shot to death by armored units.

DEATH KNELL FOR DIEM

In October, the tempo of events quickened. In Saigon on Oct. 2, the analyst writes, Colonel Conein "accidentally" ran into General Don, who proposed a date that evening in Nhatrang. That night, the C.I.A. man learned that the conspiracy was on the tracks again and that General Minh, its leader, wanted to discuss the details. Ambassador Lodge approved the meeting.

Oct. 5 was a fateful day both in Saigon and in Washington. For the first time in weeks, another Buddhist monk burned himself to death in the central marketplace in Saigon. Mr. Richardson, the C.I.A. chief whose links to Mr. Nhu had aroused suspicions among the Army generals, left South Vietnam after what are described as behind-the-scenes efforts by Ambassador Lodge to have him transferred. And President Kennedy took far-reaching decisions to apply major economic sanctions against the Diem regime.

At 8:30 A.M. that same day Colonel Conein went to General Minh's headquarters for a 70-minute meeting. According to the C.I.A. account of the meeting, the two men talked in French. The South Vietnamese general, nicknamed Big Minh by his colleagues because of his burly build, disclaimed any personal political ambition.

But he said that the army commanders felt the war would be lost unless the government was changed soon and that he "must know" the American Government's position on a change of regime "within the very near future." The general said he did not expect "any specific American support" for the coup d'état but did need assurances that the Americans would not block it. He did not press for an on-the-spot commitment, but asked for another date with Colonel Conein.

LODGE SUGGESTS CAUTION

General Minh outlined several possible tactics. The two main ones called for retaining President Diem but assassinating his two powerful and feared brothers Mr. Nhu and Ngo Dinh Can, the regime's proconsul in Central Vietnam; or, a head-on military battle for control of Saigon and the government against roughly 5,500 loyalist troops in the capital.

Because of the abortive plot in August, Ambassador Lodge reacted varily. In a special message to Secretary Rusk, he commented that neither he nor General Harkins had "great faith in Big Minh." [See text, further Lodge comments to Rusk, Oct. 5.] Nonetheless, he recommended giving the generals assurance that the United States would not "thwart" their coup, that it would review their plans—"other than assassination plans"—and that it would continue aid to any future government that gave promise of gaining popular support and winning the war. He said General Harkins concurred in these recommendations.

In Washington, too, events were gaining momentum. On Oct. 2, President Kennedy had received the recommendations of the McNamara-Taylor mission (drafted before the new Saigon contracts) urging tight new pressures on the regime in the hopes of gaining some reforms and simultaneously advocating covert contacts with "possible alternative leadership" without actively promoting a coup.

The President accepted all the report's proposals. According to the Pentagon account, he specifically authorized suspension of economic subsidies for South Vietnam's commercial imports, a freeze on loans to enable Saigon to build a waterworks and an electric-power plant for the capital region, and, significantly, a cut-off of financial support for the Vietnamese Special Forces—controlled by Mr. Nhu—unless they were put under the Joint General Staff, headed by the plotting generals.

There were to be no public announcements, and the various steps were to be unrolled consecutively at Mr. Lodge's discretion. But in a city as keyed-up and alert to every nuance in American policy as Saigon, the Pentagon study notes, these steps were bound to be read in many quarters as the death knell for the Diem regime. Only a month before, he recalls, the cut-offs had been discussed—and approved—as a signal of American support to the generals, if necessary.

The analyst comments that the documentary record in early October "leaves ambiguous" whether the White House intended the air suspensions to be a "green light" for the coup. But he says that they were interpreted that way by the generals. The Diem regime reacted furiously. Its press outlets publicized the freeze on import subsidies on Oct. 7 and accused Washington of sabotaging the war effort.

"SURVEILLANCE AND READINESS"

In a White House message—sent on Oct. 5 through C.I.A. channels for tight security within the American Government—Washington gave Ambassador Lodge careful coaching. It instructed him that "no initiative should now be taken to give any active covert encouragement to a coup." But he was to organize an "urgent covert effort . . . to identify and build up contacts with possible alternative leadership as and when it appears." [See text, Kennedy position.]

The Washington message emphasized that the objective should be "surveillance and readiness" rather than "active promotion of a coup." It told Mr. Lodge that "you alone" should manage the operation, through the C.I.A., chief in Saigon.

These instructions were transmitted before Washington had received the report of the Minh-Conein contact, the Pentagon study observes. For, on the very next day, with time to digest that report, Washington took a considerably more flexible approach.

The C.I.A. relayed new White House instructions on Oct. 6. In a passage that Ambassador Lodge interpreted as signaling a desire for a change of regime—though General Harkins later disputed him vigorously on this point—Washington said that while it did not wish to "stimulate" a coup, it also did not "to leave the impression that the U.S. would thwart a change of government." Nor would it withhold aid from a new regime. [See text, Washington cable to Lodge.]

In view of General Minh's modest request for American acquiescence, the generals could interpret this as a go-ahead.

The Oct. 6 message also ordered the C.I.A. man to obtain "detailed information" to help Washington assess the plot's chances. Yet it cautioned against "being drawn into reviewing or advising on operational plans or other actions" that might eventually "tend to identify U.S. too closely" with a coup. In the language of the Oct. 5 cable, Washington wanted to preserve "plausibility of denial."

The new American position was conveyed to General Minh by his C.I.A. contact about Oct. 10.

On Oct. 18, with the cut-off of commerical import subsidies already causing financial scares in Saigon, the Pentagon study reports that General Harkins informed President Diem that American funds were being cut off from the Special Forces. The narrative notes that by then, the coup plans were well advanced and the American move against what amounted to a Presidential Palace guard was an obvious spur to the conspirators.

TEMPO OF ATTACKS WAS RISING

By mid-October the Administration was hearing very disturbing intelligence estimates on the war. On Oct. 19 the C.I.A. reported that the tempo of Vietcong attacks was rising, Government troops "missing in action" were increasing and other military indicators were "turning sour," as the Pentagon account puts it. In a controversial report on Oct. 22, the State Department's Bureau of Intelligence and Research contested the military optimism of recent months. It concluded that there had been "an unfavorable shift in the military balance" since July and that the Government would have been in trouble even without the Buddhist crisis.

Against this background, the conspiracy in Saigon hit a snag.

The narrative recounts that General Don, in a state of agitation, told Colonel Conein on Oct. 23 that the coup had been scheduled for Oct. 26—and then called off because General Harkins had discouraged it on Oct. 22. General Don's account was that General Harkins complained to him that a Vietnamese colonel had discussed the coup plans with an American officer, asking for support—all without sanction from the senior generals.

General Harkins, he said, had insisted that American officers should not be approached about a coup because it distracted them from the war. He implied that General Harkins might have leaked word of the plot to the palace. He demanded reassurance of American support—and got it from Colonel Conein.

The Pentagon study quotes a message from Ambassador Lodge on Oct. 23 saying that he had talked with General Harkins who said he had misunderstood Washington's policy guidance. The Ambassador quoted the general as saying he hoped he had not upset the delicate arrangements and would tell General Don that his previous remarks did not reflect American policy. That very night, the Pentagon version says, General Harkins saw General Don to retract his earlier statements.

On Oct. 24, however, in a message to General Taylor, the Chairman of the Joint Chiefs, General Harkins disputed Mr. Lodge's version of the events. He denied having violated Washington's policy guidance, saying he had merely rebuffed General Don's suggestion that they meet again to discuss coup plans.

"I told Don that I would not discuss coups that were not my business though I had heard rumors of many," General Harkins told Washington. Insisting that he was "not trying to thwart a change in government," he did, however, voice the prophetic fear that if the Diem regime was toppled, its fall might touch off factional warfare within the army that would eventually "interfere with the war effort."

"AVOID ANY INVOLVEMENT"

General Taylor's immediate reply was: "View here is that your actions in disengaging from the coup discussions were correct and that you should continue to avoid any involvement." This evidently reflected Washington's earlier instructions that Mr. Lodge alone should manage the coup contacts through the C.I.A.

The incident once again opened the breach between the Ambassador and the general. It underscored not only their differences in views but also, the Pentagon analyst says, their total lack of coordination.

Moreover, it deepened the Vietnamese generals' suspicion of General Harkins, whom they had always mistrusted because of his closeness to President Diem. Not only did they subsequently refuse to talk to him about the coup out of fear of leaks to the palace, the account says, but they consistently refused to show any Americans their detailed plans despite repeated promises to do so—a point that bedeviled Washington.

Nonetheless, Colonel Conein's reassurances had sufficiently emboldened them that, according to a C.I.A. information report, they passed the word to Ambassador Lodge on Oct. 24 that the coup would occur before Nov. 2. President Diem also chose Oct. 24 finally to break the ice with Mr. Lodge by inviting him to spend Sunday, Oct. 27, with him at the presidential villa in the mountain resort of Dalat.

But in Washington General Harkin's reports had revived doubts about the coup, and it was now Mr. Lodge's turn to be on the defensive.

The Pentagon study recounts that Mr. McCone, the C.I.A. director, and McGeorge Bundy, the President's special assistant for national security, sent out cablegrams expressing worry that General Don might be a double-agent from the Diem-Nhu regime trying to entrap the United States. Mr. Bundy also suggested replacing Colonel Conein as the C.I.A. contact man.

EFFORT TO COUNTER WORRIES

On Oct. 25 Ambassador Lodge tried to put Washington's mind at ease. In a message to Mr. Bundy, he discounted the likelihood that General Don was engaged in a "provocation" and stoutly defended Colonel Conein.

The Ambassador also argued against any temptation to "pour cold water" on the plot. While he acknowledged that struggles among successors of the Diem regime could damage the war effort, he contended that it was "at least an even bet that the next government would not bungle and stumble as much as the present one has." [See text, Lodge message to Bundy, Oct. 25.]

The White House reply, on Oct. 25, endorsed his view that the United States

48-059 O - 72 - pt. 18 - 67

"should not be in position of thwarting coup" but urged him to give the White House "the option of judging and warning on any plan with poor prospects of success." [See text, Bundy's reply on coup hazards.]

It indicated that President Kennedy's main worries, as in August, were failure and the appearance of complicity. "We are particularly concerned," the White House cablegram said, "about hazard that an unsuccessful coup, however carefully we avoid direct engagement, will be laid at our door by public opinion almost everywhere."

What neither the Ambassador nor the White House knew, the Pentagon narrative notes, was that the coup plotters were even then manipulating the balance of military forces around Saigon in their favor, double-dealing with Mr. Nhu and outwitting him.

The pivotal figure was Maj. Gen. Ton That Dinh, the military governor of Saigon and commander of the III Corps—all the regular army troops in the capital region. The Pentagon account describes how General Don played upon General Dinh's vanity to maneuver him into a clash with Mr. Nhu, thereby enlisting his cooperation for the coup plot.

A TRAP FOR THE OTHER GENERALS

Through another channel, however, Mr. Nhu learned of the conspiracy and, confronting General Dinh with that news, told him to help lay a trap for the other generals. This maneuver called for starting a false coup to lure the anti-Diemists into the open and then using General Dinh's forces to crush the real plot.

The young general informed the other conspirators of Mr. Nhu's counterplot. To be on the safe side, in case he was really loyal to Mr. Nhu, they recruited troop commanders under him.

In Saigon, the atmosphere had become one of impending violence. So intense was the maneuvering, according to the Pentagon study, that it was "virtually impossible to keep track of all the plots against the regime." The United States Embassy in one cable to Washington identified 10 dissident groups in addition to the generals' plot.

Nonetheless President Diem, at his Oct. 27 meeting with Mr. Lodge, seemed unprepared to yield an inch—a "fruitless, frustrating" exchange, according to the Pentagon version.

Paraphrasing the Ambassador's report, the study recounts that President Diem inquired about the suspension of American aid and in reply Mr. Lodge asked about the release of hundreds of arrested Buddhists and student demonstrators, and about reopening schools shut by the regime in fear of further turbulence. President Diem, the analyst says, "offered excuses and complaints."

Finally, Ambassador Lodge said: "Mr. President, every single specific suggestion which I have made, you have rejected. Isn't there some one thing you may think of that is within your capabilities to do and that would favorably impress U.S. opinion?"

The Ambassador reported that President Diem "gave me a blank look and changed the subject."

At Saigon airport the next morning, as President Diem and Mr. Lodge were about to go to a ceremony dedicating a Vietnamese power plant, General Don daringly took the Ambassador aside.

The Pentagon account says General Don "asked [Mr. Lodge] if Conein was authorized to speak for him."

"Lodge assured Don that he was," the account continues. "Don said that the coup must be thoroughly Vietnamese and that the U.S. must not interfere." Lodge agreed, adding that the U.S. wanted no satellites but would not thwart a coup. When Lodge asked about the timing of the coup, Don replied the generals were not yet ready.

Later that day, General Don met with Colonel Conein and urged that Mr. Lodge make no change in his previously announced plans to leave on a trip to Washington on Oct. 31 for fear that postponement might tip off the Presidential Palace. General Don also disclosed that General Dinh, the III Corps commander, had been neutralized, shifting the military balance in the coup's favor.

By Oct. 29, the analyst comments, Ambassador Lodge clearly felt that the United States was "committed" to the coup and that it was too late for second thoughts, and he communicated those views forcefully to Washington.

After reporting the support of prominent leaders, including Vice President Nguyen Ngoc Tho, for the coup, the Ambassador said he felt an attempt was "imminent."

"Whether this coup fails or succeeds," Mr. Lodge said, "the U.S.G. must be prepared to accept the fact that we will be blamed, however unjustifiably; and finally that no positive action by the U.S.G. can prevent a coup attempt—short of informing Diem and Nhu with all the opprobrium that such an action would entail."

With the first Vietnamese troop movements preparatory to the coup already under way, the Pentagon gave orders to have a naval task force stand off the Vietnamese coast "if events required," as the account puts it. When Mr. Lodge was informed of this, he urged discretion lest the Diem regime be alerted.

Events now had an ineluctable momentum. But, in Washington, the study reports, Secretary McNamara and the Joint Chiefs of Staff were vacillating over the continuing differences between Ambassador Lodge and General Harkins.

KEEPING HARKINS INFORMED

They put their anxieties before a National Security Council meeting on Oct. 29, and the White House then instructed Ambassador Lodge to show General Harkins, who had been away in Bangkok briefly, the relevant messages to be sure that he would be fully aware of the coup arrangements. If Mr. Lodge was to go through with his trip home as scheduled, Washington felt that General Harkins—rather than the Ambassador's deputy, as would have been customary—should be in charge of the American mission.

Belatedly apprised of the continuing Don-Conein contacts and the Ambassador's latest recommendations to Washington, General Harkins sent off three angry cables to General Taylor on Oct. 30.

He was "irate," the analyst remarks, not only at having been excluded by Mr. Lodge from information about the coup but also at reading the Ambassador's gloomy assessments of how the war was going, which diametrically opposed his own views. He protested to Washington that the Ambassador was keeping him in the dark.

More important, he declared, in a message cited by the study, there was a "basic" difference between them in interpreting Washington's instructions.

Since receiving the Oct. 5 guidance from the White House, General Harkins said, he had been operating in the belief that the basic American policy line was that "no initiative" should be taken to encourage a coup. But he said Mr. Lodge took the position that the Oct. 6 message—"not to thwart" a coup—modified the policy line and indicated that "a change of government is desired and . . . the only way to bring about such a change is by a coup."

Moreover, General Harkins sought to undermine confidence in the conspiracy by accusing General Don of lying or serving as a double agent. Overlooking his own earlier refusal to talk about the coup, General Harkins told Washington:

"What he [Don] told me is diametrically opposed to what he told Colonel Conein. He told Conein the coup would be before Nov. 2. He told me he was not planning a coup when I sat with Don and Big Minh for two hours during the parade last Saturday. No one mentioned coups." [See text, Harkins message to Taylor, Oct. 30.]

PROLONGED FIGHTING WAS FEARED

The Harkins messages shook Washington's confidence severely and the White House conveyed its anxieties to Ambassador Lodge on Oct. 30. It reckoned the military balance of forces as "approximately equal," raising the danger of prolonged fighting or even defeat. If the coup group could not show prospects for quick success, the White House said, "we should discourage them from proceeding since a miscalculation could result in jeopardizing the U.S. position in Southeast Asia." [See text, Bundy cable to Lodge.]

Contrary to Mr. Lodge's position, the White House also felt that a word from the Americans could delay the coup but it refrained from ordering him to halt the conspiracy.

That same night, the documentary record discloses, Mr. Lodge replied, suggesting an even deeper involvement. In answer to Washington's worries, he held to the view that the Americans did not "have the power to delay or discourage a coup." [See text, Lodge response to Bundy, Oct. 30.]

At this late hour, he urged that the United States keep "hands off," not only because he believed "Vietnam's best generals are involved" but also because he shared their expectation that some wavering units would join the coup.

"If we were convinced that the coup was going to fail, we would, of course, do everything we could to stop it," he pledged. But that was not his expectation.

Mr. Lodge dismissed the suggestion of opening up a second channel to the generals. Instead, he suggested that the cabal might need "funds at the last moment with which to buy off potential opposition. To the extent that these funds can be passed discreetly, I believe we should furnish them."

The Ambassador took a considerably less apocalyptic view of failure than did Washington. "We will have to pick up the pieces as best we can at that time," he said. "We have a commitment to the generals from the August episode to attempt to help in the evacuation of their dependents. We should try to live up to this if conditions will permit."

He predicted that once the coup was under way, the Diem regime "will request me or General Harkins to use our influence to call it off." His response, he said, would be that "our influence could not be superior to [President Diem's] and if he is unable to call it off, we would certainly be unable to do so."

In the event of a deadlock or some negotiations that required the "removal of key personalities," he suggested Saipan as a good destination because "the absence of press, communications, etc., would allow us some leeway to make further decision as to their ultimate disposition."

And he said that if asked to provide political asylum for senior officials, presumaby meaning not only President Diem but such opponents as Vice President Tho, "We would probably have to grant it."

In addition, the Ambassador responded to General Harkins's attacks on his operating methods by objecting vigorously to the Administration's plans to put the general in charge of the American mission if the Ambassador left Saigon. He though it wrong, he said, to put a military man in control during such a politically charged time.

"AN OLD FRIEND OF MINE"

"This is said impersonally," the Ambassador commented, "since General Harkins is a splendid general and an old friend of mine to whom I would gladly entrust anything I have."

His message ended by saying: "General Harkins has read this and does not concur."

The final White House message to Ambassador Lodge, which went out later that night,

was stern in tone and refused to accept his contention that the United States was powerless to stop a coup without betraying it to the Diem regime.

"If you should conclude that there is not clearly a high prospect of success," the White House told Mr. Lodge, "you should communicate this doubt to generals in a way calculated to persuade them to desist at least until chances are better." [See text, further Bundy instructions, Oct. 30.]

But once again Washington left the matter in Mr. Lodge's hands by allowing him to make the final judgment on the prospects for the coup's success. It asserted, moreover, that once a coup was under way, "it is in the interest of the U.S. Government that it should succeed."

The message also set out guidelines for the American mission in the event of a coup—to reject appeals for direct intervention from either side; if necessary, to be ready to play some intermediary role but to maintain strict neutrality without the appearance of pressure on either side; and if the coup failed, to "afford asylum . . . to those to whom there is any expressed or implied obligation" with the hope that they would use other countries' embassies as well.

The White House urged the Ambassador not to feel committed to this scheduled visit home on Oct. 31. But it insisted that if he left and the coup did occur, General Harkins would be put in charge. Mr. Lodge, of course, was forced to cancel his trip to Washington, and the coup was launched on Nov. 1.

A CALL FROM ADMIRAL FELT

That morning the Ambassador called on President Diem with Adm. Harry D. Felt, commander in chief of American forces in the Pacific. At noon, Admiral Felt went to the airport, unaware that the military forces were already gathering for the final assault on the Diem regime.

The coup unrolled like clockwork. At 1:30 P.M., coup forces seized the police headquarters, radio stations, the airport and other installations and began their attacks on the Presidential Palace and the Special Forces barracks.

When loyal officers altered Mr. Nhu to the first crucial moves, he thought it all part of his devious counterplot with General Dinh and he told the loyal commanders not to intervene. But later, when the attack on the palace began, he tried to call General Dinh to order the counterattack only to be told that the general was unavailable.

Within three hours all resistance had been crushed except at the Presidential Palace, and the generals broadcast demands for the Ngo brothers to resign. President Diem replied by asking them to come to the palace for consultations—a tactic used in 1960 to delay the coup long enough for loyal troops to reach the city. But the generals refused.

Not long afterward, President Diem telephoned Ambassador Lodge to ask where the United States stood. Their conversation was recorded by the Embassy:

DIEM: Some units have made a rebellion, and I want to know what is the attitude of the U.S.

LODGE: I do not feel well enough informed to be able to tell you. I have heard the shooting, but am not acquainted with all the facts. Also it is 4:30 A.M. in Washington and the U.S. Government cannot possibly have a view.

DIEM: But you have must have general ideas. After all, I am a chief of state. I have tried to do my duty. I want to do now what duty and good sense require. I believe in duty above all.

LODGE. You have certainly done your duty. As I told you only this morning, I admire your courage and your great contributions to your country. No one can take away from you the credit for all you have done. Now I am worried about your physical safety. I have a report that those in charge of the current activity offer you and your brother safe conduct out of the country if you resign. Have you heard this?

DIEM. No. [And then, after a pause] You have my telephone number.

LODGE. Yes. If I can do anything for your physical safety, please call me.

DIEM. I am trying to re-establish order.

BY SECRET TUNNEL TO SAFETY

While fighting continued at the palace, President Diem and his brother escaped through a secret tunnel and hid in Cholon, the Chinese section of the capital. Shortly after dawn, the last palace stronghold surrendered.

Throughout the night, the Pentagon study recounts, President Diem kept contact by phone with the generals who, urging him to surrender, offered a guarantee of safe conduct to the airport to permit him to leave South Vietnam. At 6:20 a.m. the President finally agreed, but did not tell General Minh his whereabouts.

According to the account, the Ngo brothers were tracked down by some armored units commanded by a long-time enemy of the President, and, after their capture, they were shot to death inside an armored car carrying them to the Joint General Staff headquarters.

Washington delayed immediate recognition of the new regime because, the study says, Secretary Rusk felt that a delay would reduce the appearance of American complicity in the coup and would make the generals look less like American stooges. Mr. Rusk also discouraged any large delegations of generals from calling on Ambassador Lodge as if they were "reporting in."

The Kennedy Administration is described as shocked and dismayed by the murders of the two leaders but says it had been "reluctant to intervene on behalf of Diem and Nhu for fear of appearing to offer support to them or reneging on our pledges of noninterference to the generals."

The Americans had also reportedly counted on the coup committee's offer of safe conduct to the Ngo brothers which, until the very last moment—when the armored units were just about to seize them—President Diem had repeatedly rejected.

LEADING FIGURES AT TIME OF COUP

HENRY CABOT LODGE

Ambassador to South Vietnam, 1963–64 and 1965–67 . . . now, since June, 1970, President Nixon's special envoy to the Vatican . . . born July 5, 1902, Nahant, Mass. . . . graduated from Harvard, 1924 . . . worked for The Boston Transcript and The New York Herald Tribune . . . two terms in Massachusetts Legislature, 1933–36 . . . defeated James M. Curley for Senate seat, 1936 . . . took leave of absence to serve in Army during World War II . . . won re-election, then resigned from Senate to return to Army duty . . . won Bronze Star, Croix de Guerre, others . . . elected to Senate again, 1946 . . . influential in persuading Eisenhower to seek Presidency and served as his campaign manager . . . lost Senate seat, 1952, to John F. Kennedy . . . appointed U.S. representative at the U.N., 1953 . . . G.O.P. vice-presidential candidate, 1960 . . . U.S. Ambassador, Saigon, August, 1963-July 1964; August, 1965–67 . . . chief U.S. negotiator, Paris peace talks, 1969 . . . Ambassador at Large, 1967–68 . . . Ambassador to Germany, 1968–69 . . . chief U.S. negotiator, Paris peace talks, January-December, 1969.

NGO DINH DIEM

Premier, South Vietnam, 1954–55; President, 1955–63, until death during overthrow Nov. 1, 1963. Born Quangbinh, near Hue, Jan. 3, 1901 . . . graduated from School of Administration, Hue . . . entered civil service . . . rose to district administrator . . . Minister of Interior in Cabinet of Emperor Bao Dai, 1933 . . . resigned on learning Government was controlled by French . . . declared subversive by French in 1942, he fled to Saigon, 1944 . . . refused Japanese offer to head puppet government, March 1945 . . . refused offer to work with Hanoi regime, 1945 . . . began seeking some autonomy for Vietnam . . . fled country, 1950 . . . during exile, 1951–52, lived at Maryknoll Seminary, Lakewood, N.J., 1951–52 . . . returned Saigon as Premier in Bao Dai Government, 1954 . . . elected President in referendum making Vietnam a republic, 1955 . . . won second five-year term 1961 . . . survived several coup attempts . . . shot to death after accepting safe-conduct offer.

PAUL DONAL HARKINS

United States commander, Vietnam, 1962–64; now adviser to American Security Council, private "research" group, Boston. Born Boston, May 15, 1904 . . . graduated U.S. Military Academy, 1929 . . . deputy chief of staff, Western Task Force, North African invasion, 1942 . . . deputy chief of staff, Third Army then 15th Army . . . a protégé of Gen. George S. Patton Jr. . . . commandant of cadets, West Point, 1948–51 . . . chief of staff, Eighth Army, Korea, 1951–53 . . . commander, 45th and 24th Infantry Divisions, Korea, December, 1953–54 . . . Pentagon service, 1954–57 . . . deputy commander, chief of staff U.S. Army Forces, Pacific, 1960–62 . . . first commander, Military Assistance Command, Saigon, 1962–64 . . . consistently optimistic in his assessment of war . . . strong supporter of Ngo Dinh Diem . . . has said "biggest" U.S. mistake in Vietnam "was when we stopped backing Diem" . . . during his tenure, had sharp differences with Ambassador Henry Cabot Lodge . . . retired 1964 . . . moved to Dallas, 1965.

NGO DINH NHU

Headed secret apparatus of Ngo Dinh Diem Government, 1954–63 until his death during overthrow of Diem, his brother, on Nov. 1. Born about 1911 near Hue into distinguished Roman Catholic family . . . one of five brothers in Ngo family . . . was chief archivist, Indochina library, early forties . . . married, 1943 . . . separated from family during war . . . he and wife organized support for return from exile of Ngo Dinh Diem . . . Nhu ran a newspaper, developed philosophy of "personalism"—blend of religions and autocracy—that was said to be pervasive influence on Diem's rule . . . when Diem assumed power, Nhu became known as an "Oriental Richelieu" . . . controlled secret police . . . he and wife were said to be strong anti-Buddhist influence on Diem . . . Mr. Nhu was quiet, persuasive . . . Nhus prime target for discontent that led to overthrow of Diem regime . . . Mr. Nhu shot to death with brother as they were leaving the country under safe-conduct.

NEW OMENS OF PERIL

In what the analyst calls the first flush of self-satisfaction, Ambassador Lodge cabled Washington on Nov. 4 predicting that the change of regime would shorten the war against the Vietcong because of the improved morale in the South Vietnamese Army.

But the Pentagon study recounts a number of immediate and disturbing omens. Vietcong activity jumped dramatically immediately after the coup. The fall of the Diem regime, as Mr. Lodge reported, also exposed the inflated South Vietnamese reports of success for the strategic-hamlet program.

Equally significant, when Mr. Lodge first met General Minh, the new chief of state, he reported to Washington that the general seemed "tired and somewhat frazzled" though "obviously a good, well-intentioned man."

"Will he be strong enough to get on top of things?" Mr. Lodge wondered.

It was a prophetic comment, for within three months one of the coup group, Maj.

Gen. Nguyen Khanh, seized power for himself, starting a round of intramural power struggles that plagued Washington for the next two years drawing it ever deeper into the Vietnam war in an effort to prop up successive South Vietnamese regimes.

Just before President Kennedy's assassination, his top aides held a Vietnam strategy conference at Honolulu. Within four days of that meeting, President Johnson issued a new Vietnam policy paper to demonstrate that there would be no break from the Kennedy policies.

Particularly in the sphere of covert operations against North Vietnam, which became a prelude to the Tonkin Gulf clashes in 1964, the Pentagon narrative describes a smooth transition in the decision-making process. The Honolulu conference, set up under President Kennedy, ordered planning for a stepped-up program of what the account calls "nonattributable hit-and-run" raids against North Vietnam. In his first Vietnam policy document, on Nov. 26, President Johnson gave his personal sanction to the planning for these operations.

In confident language, President Johnson set an objective in South Vietnam that was to stand unchallenged within the Administration for three and a half years: to assist "the people and Government of that country to win their contest against the externally directed and supported Communist conspiracy." He reaffirmed the goal of concluding the war by the end of 1965. [See text, National Security Action Memorandum 273, Nov. 26.]

But a harbinger of events was a report to President Johnson from Secretary McNamara—"laden with gloom" as the analyst puts it—a month later.

After a trip to Vietnam, the Secretary of Defense reported on Dec. 21, 1963, that the new regime was "indecisive and drifting."

"Vietcong progress," Mr. McNamara said, in a major shift of his own thinking, "has been great during the period since the coup, with my best guess being that the situation has in fact been deteriorating in the countryside since July to a far greater extent than we realize because of our undue dependence on distorted Vietnamese reporting."

In conclusion, he felt compelled to say: "The situation is very disturbing. Current trends, unless reversed in the next two–three months, would lead to a neutralization at best and more likely to a Communist-controlled state."

His assessment laid the groundwork for decisions in early 1964 to step up the covert war against North Vietnam, and increase American aid to the South.

[From the New York Times, July 2, 1971]

KEY TEXTS FROM PENTAGON'S VIETNAM STUDY

(NOTE.—Following are texts of key documents accompanying the Pentagon's study of the Vietnam war, covering the period late 1965 to the summer of 1966. Except where excerpting is specified, the documents are printed verbatim, with only unmistakable typographical errors corrected.)

STATE DEPARTMENT MEMORANDUM IN NOVEMBER ON BOMBING PAUSE

Excerpts from memorandum, "Courses of Action in Vietnam," from the State Department, Nov. 9, 1965, as provided in the body of the Pentagon study. According to the study, the memorandum was speaking for Secretary of State Dean Rusk, and "a penciled note by [Assistant Secretary of Defense John T.] McNaughton indicates that Ambassador U. Alexis Johnson was the author."

The purpose of—and Secretary McNamara's arguments for—such a pause are four:

(a) It would offer Hanoi and the Viet Cong a chance to move toward a solution if they should be so inclined, removing the psychological barrier of continued bombing and permitting the Soviets and others to bring moderating arguments to bear;

(b) It would demonstrate to domestic and international critics that we had indeed made every effort for a peaceful settlement before proceeding to intensified actions, notably the latter stages of the extrapolated Rolling Thunder program;

(c) It would probably tend to reduce the dangers of escalation after we had resumed the bombing, at least insofar as the Soviets were concerned;

(d) It would set the stage for another pause, perhaps in late 1966, which might produce a settlement.

Against these propositions, there are the following considerations arguing against a pause:

(a) In the absence of any indication from Hanoi as to what reciprocal action it might take, we could well find ourselves in the position of having played this very important card without receiving anything substantial in return. There are no indications that Hanoi is yet in a mood to agree to a settlement acceptable to us. The chance is, therefore, very slight that a pause at this time could lead to an acceptable settlement.

(b) A unilateral pause at this time would offer an excellent opportunity for Hanoi to interpose obstacles to our resumption of bombing and to demoralize South Vietnam by indefinitely dangling before us (and the world) the prospect of negotiations with no intent of reaching an acceptable settlement. It might also tempt the Soviet Union to make threats that would render very difficult a decision to resume bombing.

(c) In Saigon, obtaining South Vietnamese acquiescence to a pause would be difficult. It could adversely affect the Government's solidity. Any major falling out between the Government and the United States or any overturn in the Government's political structure could set us back very severly (sic).

(d) An additional factor is that undertaking the second course of action following a pause [i.e., "extrapolation" of ROLLING THUNDER] would give this course a much more dramatic character, both internationally and domestically, and would, in particular, present the Soviets with those difficult choices that we have heretofore been successful in avoiding.

On balance, the arguments against the pause are convicing to the Secretary of State, who recommends that it not be undertaken at the present time. The Secretary of State believes that a pause should be undertaken only when and if the chances were significantly greater than they now appear that Hanoi would respond by reciprocal actions leading in the direction of a peaceful settlement. He further believes that, from the standpoint of international and domestic opinion, a pause might become an overriding requirement only if we were about to reach the advanced stages of an extrapolated Rolling Thunder program involving extensive air operations in the Hanoi/Haiphong area. Since the Secretary of State believes that such advanced stages are not in themselves desirable until the tide in the South is more favorable, he does not feel that, even accepting the point of view of the Secretary of Defense, there is now any international requirement to consider a "Pause." * * *

NOTES ON MCNAMARA MEMORANDUM FOR JOHNSON AFTER VIETNAM VISIT

Excerpts from notes accompanying the Pentagon study, from a memorandum for President Lyndon B. Johnson from Secretary McNamara, Nov. 30, 1965.

The Ky "government of generals" is surviving, but not acquiring wide support or generating actions; pacification is thoroughly stalled, with no guarantee that security anywhere is permanent and no indications that able and willing leadership will emerge in the absence of that permanent security. (Prime Minister Ky estimates that his government controls only 25% of the population today and reports that his pacification chief hopes to increase that to 50% two years from now).

The dramatic recent changes in the situation are on the military side. They are the increased infiltration from the North and the increased willingness of the Communist forces to stand and fight, even in large-scale engagements. The Ia Drang River Campaign of early November is an example. The Communists appear to have decided to increase their forces in SVN both by heavy recruitment in the South (especially in the Delta) and by infiltration of regular NVN forces from the North. . . . The enemy can be expected to enlarge his present strength of 110 battalion equivalents to more than 150 battalion equivalents by the end of calendar 1966, when hopefully his losses can be made to equal his input.

As for the Communist ability to supply this force, it is estimated that, even taking account of interdiction of routes by air and sea, more than 200 tons of supplies a day can be infiltrated—more than enough, allowing for the extent to which the enemy lives off the land, to support the likely PAVN/VC force at the likely level of operations.

To meet this possible—and in my view likely—Communist buildup, the presently contemplated Phase I forces will not be enough (approx. 220,000 Americans, almost all in place by end of 1965). Bearing in mind the nature of the war, the expected weighted combat force ratio of less than 2-to-1 will not be good enough. Nor will the originally contemplated Phase II addition of 28 more US battalions (112,000 men) be enough; the combat force ratio, even with 32 new SVNse battalions, would still be little better than 2-to-1 at the end of 1966. The initiative which we have held since August would pass to the enemy; we would fall far short of what we expected to achieve in terms of population control and disruption of enemy bases and lines of communications. Indeed, it is estimated that with the contemplated Phase II addition of 28 US battalions, we would be able only to hold our present geographical positions.

3. We have but two options, it seems to me. One is to go now for a compromise solution (something substantially less than the "favorable out once" I described in my memo of Nov. 3) and hold further deployments to a minimum. The other is to stick with our stated objectives and with the war, and provide what it takes in men and materiel. If it is decided not to move now toward a compromise, I recommend that the US both send a substantial number of additional troops and very gradually intensify the bombing of NVN. Amb. Lodge, Wheeler, Sharp and Westmoreland concur in this prolonged course of action, although Wheeler and Sharp would intensify the bombing of the North more quickly.

Recommend up to 74 battalions by end-66: total to approx 400,000 by end-66. And it should be understood that further deployments (perhaps exceeding 200,000) may be needed in 1967. Bombing of NVN. . . . over a period of the next six months we gradually enlarge the target system in the northeast (Hanoi-Haiphong) quadrant until, at the end of the period, it includes "controlled" reconnaissance of lines of comm. throughout the area, bombing of petroleum storage facilities and power plants, and mining of the harbors. (Left unstruck would be population targets, industrial plants, locks and dams).

4. Pause in bombing NVN. It is my belief that there should be a three- or four-week pause in the program of bombing the North before we either greatly increase our troop deployments to VN or intensify our strikes

against the North. (My recommendation for a "pause" is not concurred in by Lodge, Wheeler or Sharp.) The reasons for this belief are, first, that we must lay a foundation in the minds of the American public and in world opinion for such an enlarged phase of the war and second, we should give NVN a face-saving chance to stop the aggression. I am not seriously concerned about the risk of alienating the SVNese, misleading Hanoi, or being "trapped" in a pause; if we take reasonable precautions, we can avoid these pitfalls. I am seriously concerned about embarking on a markedly higher level of war in VN without having tried, through a pause, to end the war or at least having made it clear to our people that we did our best to end it.

5. Evaluation. We should be aware that deployments of the kind I have recommended will not guarantee success. US killed-in-action can be expected to reach 1000 a month, and the odds are even that we will be faced in early 1967 with a "no-decision" at an even higher level. My over-all evaluation, nevertheless, is that the best chance of achieving our stated objectives lies in a pause followed, if it fails, by the deployments mentioned above.

NOTES FROM MCNAMARA MEMO ON COURSE OF WAR IN 1966

Excerpts from notes accompanying the Pentagon study, from a memorandum for President Johnson from Secretary McNamara, "Military and Political Actions Recommended for South Vietnam," Dec. 7, 1965, and notes on a revision of the memo, Jan. 24, 1966.

We believe that, whether or not major new diplomatic initiatives are made, the US must send a substantial number of additional forces to VN if we are to avoid being defeated there. (30 Nov program; concurred in by JCS)

IV. Prognosis assuming the recommended deployments

Deployments of the kind we have recommended will not guarantee success. Our intelligence estimate is that the present Communist policy is to continue to prosecute the war vigorously in the South. They continue to believe that the war will be a long one, that time is their ally, and that their own staying power is superior to ours. They recognize that the US reinforcements of 1965 signify a determination to avoid defeat, and that more US troops can be expected. Even though the Communists will continue to suffer heavily from GVN and US ground and air action, we expect them, upon learning of any US intentions to augment its forces, to boost their own commitment and to test US capabilities and will to persevere at higher level of conflict and casualties (US KIA with the recommended deployments can be expected to reach 1000 a month).

If the US were willing to commit enough forces—perhaps 600,000 men or more—we could ultimately prevent the DRV/VC from sustaining the conflict at a significant level. When this point was reached, however, the question of Chinese intervention would become critical. (*We are generally agreed that the Chinese Communists will intervene with combat forces to prevent destruction of the Communist regime in the DRV. It is less clear whether they would intervene to prevent a DRV/VC defeat in the South.) The intelligence estimate is that the chances are a little better than even that, at this stage, Hanoi and Peiping would choose to reduce the effort in the South and try to salvage their resources for another day; but there is an almost equal chance that they would enlarge the war and bring in large numbers of Chinese forces (they have made certain preparations which could point in this direction).

It follows, therefore, that the odds are about even that, even with the recommended deployments, we will be faced in early 1967 with a military standoff at a much higher level, with pacification still stalled, and with any prospect of military success marred by the chances of an active Chinese intervention.

(memo of 24 jan 66: JCS believe that "the evaluation set forth in Par. 7 is on the pessimistic side in view of the constant and heavy military pressure which our forces in SEA will be capable of employing. While admittedly the following factors are to a degree imponderables, they believe that greater weight should be given to the following:

a. The cumulative effect of our air campaign against the DRV on morale and DRV capabilities to provide and move men and materiel from the DRV to SVN.

b. The effects of constant attack and harassment on the ground and from the air upon the growth of VC forces and on the morale and combat effectiveness of VC/PAVN forces.

c. The effect of destruction of VC base areas on the capabilities of VC/PAVN forces to sustain combat operations over an extended period of time.

d. The constancy of will of the Hanoi leaders to continue a struggle which they realize they cannot win in the face of progressively greater destruction of their country.

MCNAUGHTON MEMO FOR MCNAMARA ON ANTI-INFILTRATION BARRIER PLAN

Excerpts from a memorandum to Secretary of Defense McNamara, "A Barrier Strategy," as provided in the body of the Pentagon study. Accordingly to the narrative, the memorandum is unsigned but is by Assistant Secretary of Defense McNaughton, in whose handwriting the copy is marked "1/30/66" and "copy given to RSM 3/22/66." The study further says that the document is based on a draft memo of Jan. 3, 1966, "A Barrier Strategy," by Prof. Roger D. Fisher of Harvard Law School.

B. PRESENT MILITARY SITUATION IN NORTH VIETNAM

1. Physical consequences of bombing:

a. The DRV has suffered some physical hardship and pain, raising the cost to it of supporting the VC.

b. Best intelligence judgment is that:

(1) Bombing may or may not—by destruction or delay—have resulted in net reduction in the flow of men or supplies to the forces in the South;

(2) Bombing has failed to reduce the limit on the capacity of the DRV to aid the VC to a point below VC needs;

(3) Future bombing of North Vietnam cannot be expected physically to limit the military support given the VC by the DRV to a point below VC needs.

2. Influence consequences of bombing:

a. There is no evidence that bombings have made it more likely the DRV will decide to back out of the war.

b. Nor is there evidence that bombings have resulted in an increased DRV resolve to continue the war to an eventual victory. [Fisher's draft had read "There is some evidence that bombings. . . ."]

C. FUTURE OF A BOMBING STRATEGY

Although bombings of North Vietnam improve GVN morale and provide a counter in eventual negotiations (should they take place) there is no evidence that they meaningfully reduce either the capacity or the will for the DRV to support the VC. The DRV knows that we cannot force them to stop by bombing and that we cannot, without an unacceptable risk of a major war with China or Russia or both, force them to stop by conquering them or "blotting them out." Knowing that if they are not influenced we cannot stop them, the DRV will remain difficult to influence. With continuing DRV support, victory in the South may remain forever beyond our reach.

Having made the case against the bombing, the memo then spelled out the case for an anti-infiltration barrier:

II. Substance of the barrier proposal

A. That the US and GVN adopt the concept of physically cutting off DRV support to the VC by an on-the-ground barrier across the Ho Chi Minh Trail in the general vicinity of the 17th Parallel and Route 9. To the extent necessary the barrier would run from the sea across Vietnam and Laos to the Mekong, a straightline distance of about 160 miles.

B. That in Laos an "interdiction and verification zone," perhaps 10 miles wide, be established and legitimated by such measures as leasing, international approval compensation, etc.

C. That a major military and engineering effort be directed toward constructing a physical barrier of minefields, barbed wire, walls, ditches and military strong points flanked by a defoliated strip on each side.

D. That such bombing in Laos and North Vietnam as takes place be narrowly identified with interdiction and with the construction of the barrier by

1. Being within the 10-mile-wide interdiction zone in Laos, or

2. Being in support of the construction of the barrier, or

3. Being interdiction bombing pending the completion of the barrier.

E. That, of course, intensive interdiction continues at sea and from Cambodia.

(It might be stated that all bombings of North Vietnam will stop as soon as there is no infiltration and no opposition to the construction of the verification barrier.)

FURTHER MCNAUGHTON MEMORANDUM ON FACTORS IN BOMBING DECISION

Excerpts from memorandum by Assistant Secretary of Defense McNaughton, "Some Paragraphs on Vietnam," third draft, Jan. 19, 1966, as provided in the body of the Pentagon study. Paragraphs in italics are the analysts' paraphrase or explanation.

McNaughton prepared a second memorandum complementing and partially modifying the one on bombing. It concerned the context for the decision. Opening with a paragraph which warned, "We . . . have in Vietnam the ingredients of an enormous miscalculation," it sketched the dark outlines of the Vietnamese scene:

The ARVN is tired, passive and accommodation-prone . . . The PAVN/VC are effectively matching our deployments . . . The bombing of the North . . . may or may not be able effectively to interdict infiltration (partly because the PAVN/VC can simply refuse to do battle if supplies are short). . . . Pacification is stalled despite efforts and hopes. The GVN political infrastructure is moribund and weaker than the VC infrastructure among most of the rural population . . . South Vietnam is near the edge of serious inflation and economic chaos.

The situation might alter for the better, McNaughton conceded. "Attrition—save Chinese intervention—may push the DRV 'against the stops' by the end of 1966." Recent RAND motivation and morale studies showed VC spirit flagging and their grip on the peasantry growing looser. "The Ky government is coming along, not delivering its promised 'revolution' but making progress slowly and gaining experience and stature each week." Though McNaughton termed it "doubtful that a meaningful ceiling can be put on the infiltration," he said "there is no doubt that the cost of infiltration can . . . be made very high and that the flow of supplies can be reduced substantially below what it would otherwise be." Possibly bombing, combined with other pressures, could bring the DRV to consider terms after "a period of months, not of days or even weeks."

The central point of McNaughton's memorandum, following from its opening warning, was that the United States, too, should consider coming to terms. He wrote:

C. The present U.S. objective in Vietnam

is to avoid humiliation. The reasons why we *went into* Vietnam to the present depth are varied; but they are now largely academic. Why we have *not withdrawn* from Vietnam is, by all odds, *one* reason: (1) to preserve our reputation as a guarantor, and thus to preserve our effectiveness in the rest of the world. We have not hung on (2) to save a friend, or (3) to deny the Communists the added acres and heads (because the dominoes don't fall for that reason in this case), or even (4) to prove that "wars of national liberation" won't work (except as our reputation is involved). At each decision point we have gambled; at each point, to avoid the damage to our effectiveness of defaulting on our commitment, we have upped the ante. We have not defaulted, and the ante (and commitment) is now very high. It is important that we behave so as to protect our reputation. At the same time, since it is our *reputation* that is at stake, it is important that we not construe our obligation to be more than do the countries whose opinions of us *are* our reputation.

D. We are in an escalating military stalemate. There is an honest difference of judgment as to the success of the present military efforts in the South. There is no question that the US deployments thwarted the VC hope to achieve a quick victory in 1965. But there is a serious question whether we are now defeating the VC/PAVN main forces and whether planned US deployments will more than hold our position in the country. Population and area control has not changed significantly in the past year; and the best judgment is that, even with the Phase IIA deployments, we will probably be faced in early 1967 with a continued stalemate at a higher level of forces and casualties.

2. US Commitment to SVN. Some will say that we have defaulted if we end up, at any point in the relevant future, with anything less than a Western-oriented, non-Communist, independent government, exercising effective sovereignty over all of South Vietnam. This is not so. As stated above, the US end is solely to preserve our reputation as a guarantor. It follows that the "softest" credible formulation of the US commitment is the following:

a. DRV does not take over South Vietnam by force. This does not *necessarily* rule out:

b. A coalition government including Communists.

c. A free decision by the South to succumb to the VC or to the North.

d. A neutral (or even anti-US) government in SVN.

e. A live-and-let-live "reversion to 1959." Furthermore, we must recognize that even if we fail to in achieving this "soft" formulation, we could over time come out with minimum damage:

f. If the reason was GVN gross wrongheadedness or apathy.

g. If victorious North Vietnam "went Titoist."

h. If the Communist take-over was fuzzy and very slow.

Current decisions, McNaughton argued, should reflect awareness that the U.S. commitment could be fulfilled with something considerably short of victory. "It takes time to make hard decisions," *he wrote, "It took us almost a year to make the decision to bomb North Vietnam; it took us weeks to decide on a pause; it could take us months (and could involve lopping some white as well as brown head) to get us in position to go for a compromise. We should not expect the enemy's molasses to pour any faster than ours. And we should 'tip the pitchers' now if we want them to 'pour' a year from now."*

But the strategy following from the analysis more or less corresponded over the short term to that recommended by the Saigon mission and the military commands: More effort for pacification, more push behind the Ky government, more battalions for MACV, and intensive interdiction bombing roughly as proposed by CINCPAC. The one change introduced in this memorandum, prepared only one day after the other, concerned North Vietnamese ports. Now McNaughton advised that the ports not be closed.

The argument which coupled McNaughton's political analysis with his strategic recommendations appeared at the end of the second memorandum:

The dilemma. We are in a dilemma. It is that the situation may be "polar." That is, it may be that while going for victory we have the strength for compromise, but if we go for compromise we have the strength only for defeat—this because a revealed lowering of sights from victory to compromise (a) will unhinge the GVN and (b) will give the DRV the "smell of blood." The situation therefore requires a thoroughly loyal and disciplined US team in Washington and Saigon and great care in what is said and done. It also requires a willingness to escalate the war if the enemy miscalculates, misinterpreting our willingness to compromise as implying we are on the run. The risk is that it may be that the "coin must come up heads or tails, not on edge."

JOHNSON'S REMARKS TO OFFICIALS OF UNITED STATES AND SAIGON AT HONOLULU

Excerpts from remarks by President Johnson to senior United States and South Vietnamese after the issuance of a joint communiqué at their Honolulu conference, Feb. 9, 1966, as provided in the body of the Pentagon study. The paragraph in italics is the study's explanation.

(The Vietnamese then thanked the Americans for the conference, and in turn some of the senior members of the American delegation—in order, Admiral Sharp, Leonard Marks, General Wheeler, Ambassador Lodge, Ambassador Harriman—made brief statements about the meaning of the conference. The President then made his final statement:

Preserve this communiqué, because it is one we don't want to forget. It will be a kind of bible that we are going to follow. When we come back here 90 days from now, or six months from now, we are going to start out and make reference to the announcements that the President, the Chief of State and the Prime Minister made in paragraph 1, and what the leaders and advisors reviewed in paragraph 2. . . . You men who are responsible for these departments, you ministers, and the staffs associated with them in both governments, bear in mind we are going to give you an examination and the finals will be on just what you have done.

In paragraph 5; how have you built democracy in the rural areas? How much of it have you built, when and where? Give us dates, times, numbers.

In paragraph 2; larger outputs, more efficient production to improve credit, handicraft, light industry, rural electrification—are these just phrases, high-sounding words, or have you coonskins on the wall. . . .

Next is health and education, Mr. Gardner. We don't want to talk about it; we want to do something about it. "The President pledges he will dispatch teams of experts." Well, we better do something besides dispatching. They should get out there. We are going to train health personnel. How many? You don't want to be like the fellow who was playing poker and when he made a big bet they called him and said "what have you got?" He said "aces" and they asked "how many" and he said "one aces". . . .

Next is refugees. That is just as hot as a pistol in my country. You don't want me to raise a white flag and surrender so we have to do something about that. . . .

Growing military effectiveness: we have not gone in because we don't want to overshadow this meeting here with bombs, with mortars, with hand grenades, with "Masher" movements. I don't know who names your operations, but "Masher." I get kind of mashed myself. But we haven't gone into the details of growing military effectiveness for two or three reasons. One, we want to be able honestly and truthfully to say that this has not been a military build-up conference of the world here in Honolulu. We have been talking about building a society following the outlines of the Prime Minister's speech yesterday.

Second, this is not the place, with 100 people sitting around, to build a military effectiveness.

Third, I want to put it off as long as I can, having to make these crucial decisions. I enjoy this agony. . . . I don't want to come out of this meeting that we have come up here and added on X divisions and Y battalions or Z regiments or D dollars, because one good story about how many billions are going to be spent can bring us more inflation that we are talking about in Vietnam. We want to work those out in the quietness of the Cabinet Room after you have made your recommendations, General Wheeler, Admiral Sharp, when you come to us. . . .

MEMORANDUM ON PENTAGON MEETING FOLLOWING UP HONOLULU SESSION

Excerpts from memorandum by Richard C. Steadman, special assistant to Secretary of Defense McNamara, Feb. 9, 1966, summarizing a Pentagon meeting after the Honolulu talks. According to Mr. Steadman the participants included the Secretary, his deputies, the secretaries of each of the armed services and other Defense Department officials.

3. Southeast Asia Program Office. It is essential that the Department of Defense has at all times a readily available and centralized bank of information with respect to the Southeast Asia buildup. To this end, Dr. Enthoven is to establish a Southeast Asia Program Office which is to be able to furnish Mr. McNamara and Mr. Vance all information that may be required with respect to Southeast Asia. Among other things, this unit is to be able to provide immediate information on what overseas units are being depleted in order to accommodate Southeast Asia needs. If there is any drawdown anywhere, Mr. McNarama wants to know it promptly. We must know the full price of what we are doing and propose to do.

Mr. McNamara suggested that each Service Secretary establish a similar Southeast Asia Program Unit to bring together and keep current data relating to that Service involving Southeast Asia, and that the Joint Staff might establish a similar set-up.

Mr. McNamara said that it was mandatory that the situation be brought under better control. For example, the Southeast Asia construction program was $1.2-billion in the FY 66 Supplement; yesterday at Honolulu the figure of $2.5-billion was raised. Yet there is only the vaguest information as to how these funds will be spent, where, on what, and by whom. This is part of the bigger problem that there is no proper system for the allocation of available resources in Vietnam. McGeorge Bundy is to help organize the country team to deal with this problem, including reconciling military and non-military demands.

4. Manpower Controls, Mr. McNamara designated Mr. Morris as the person to be responsible for the various manpower requirements. He is either to insure that the requirements are met or to let Mr. McNamara know if they are not being met. Mr. McNamara wants a written statement whenever we have been unable to do something that General Westmoreland says he needs for full combat effectiveness. (In this regard, General Westmoreland recognizes that it is not possible to have 100 percent combat effectiveness for all the 102 battalions. For example, there are not sufficient helicopter companies. Roughly, he estimates he will get 96 battalion combat effectiveness out of the 102 battalions.)

At this point there was a brief discussion

concerning the use of U.S. troops for pacification purposes. Mr. Nitze indicated that in his view the Marines were doing this to some degree. The point was disputed. At any rate, Mr. McNamara said that the 102 combat battalions contemplated under Case 1 were not to be used for pacification but only for defense of base areas and offensive operations. Mr. McNamara outlined briefly the South Vietnamese Government's plan for pacification. It will affect some 235,000 people in the whole country. The major allocation of resources and personnel will be to four very limited areas, one of which is near Danang. There will also be a general program extending throughout the country involving some 900 hamlets.

5. Call-up of Reserves. Mr. McNamara said that it was important that everyone understand why a Reserve call-up is receiving such careful study. There are at least two important considerations. First, the problem is a very complicated one and we do not yet have all the facts. Mr. Morris and others will amass the necessary data as soon as possible. Second, the political aspects of a Reserve call-up are extremely delicate. There are several strong bodies of opinion at work in the country. Look, for example, at the Fulbright Committee hearings. One school of thought, which underlies the Gavin thesis, is that this country is over-extended economically and that we cannot afford to do what we are doing. Another school of thought feels that we plain should not be there at all, whether or not we can afford it. A third school of thought is that although we are rightly there, the war is being mismanaged so that we are heading straight toward war with China. Furthermore, there is no question but that the economy of this country is beginning to run near or at its capacity with the resulting probability of a shortage of certain skills and materials. If this continues we may be facing wage and price controls, excess profits taxes, etc., all of which will add fuel to the fire of those who say, we cannot afford this. With all these conflicting pressures it is a very difficult and delicate task for the Administration to mobilize and maintain the required support in this country to carry on the war properly. The point of all this is to emphasize that a call-up of the Reserves presents extremely serious problems in many areas and a decision cannot be made today.

General Johnson said he wished to add three additional considerations. First, a Reserve call-up might be an important factor in the reading of the North Vietnamese and the Chinese with respect to our determination to see this war through. Second Reserve call-ups are traditionally a unifying factor. Third, as a larger problem, a hard, long-term look should be taken at the degree to which we as a government are becoming committed to a containment policy along all the enormous southern border of China. Mr. McNamara said he would ask for a JCS study of this last point and discussed it briefly.

During the course of the meeting, General Johnson also pointed out that with respect to overseas deployment, the Army is already shortchanging certain overseas areas so as to increase the training cadres in CONUS. He pointed out that because of the effect on the strategic reserve of deployments already made, the quality of new units will be lower than at present. He raised certain additional points affecting the Army, Mr. McNamara, Mr. Vance, Mr. Resor and General Johnson will discuss these problems further. . . .

Rostow's Memo on Bombing of Hanoi's Petroleum Facilities

Excerpt from memorandum from Walt W. Rostow, Presidential assistant for national security, to Secretary of State Rusk and Secretary of Defense McNamara, May 6, 1966, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

Rostow developed his argument for striking the petroleum reserves on the basis of U.S. experience in the World War II attacks on German oil supplies and storage facilities. His reasoning was as follows:

From the moment that serious and systematic oil attacks started, front line single engine fighter strength and tank mobility were affected. The reason was this: It proved much more difficult, in the face of general oil shortage, to allocate from less important to more important uses than the simple arithmetic of the problem would suggest. Oil moves in various logistical channels from central sources. When the central sources began to dry up, the effects proved fairly prompt and widespread. What look like reserves statistically are rather inflexible commitments to logistical pipelines.

The same results might be expected from heavy and sustained attacks on the North Vietnamese oil reserves,

With an understanding that simple analogies are dangerous, I nevertheless feel it is quite possible the military effects of a systematic and sustained bombing of POL in North Vietnam may be more prompt and direct than conventional intelligence analysis would suggest.

I would underline, however, the adjectives "systematic and sustained." If we take this step we must cut clean through the POL system—and hold the cut—if we are looking for decisive results. . . .

Joint Chiefs' Order to Begin Bombing of Hanoi's Oil Facilities

Joint Chiefs of Staff's cablegram to Adm. U.S. Grant Sharp, commander in chief of Pacific forces, June 22, 1966, as provided in the body of the Pentagon study.

Strikes to commence with initial attacks against Haiphong and Hanoi POL on same day if operationally feasible. Make maximum effort to attain operational surprise. Do not conduct initiating attacks under marginal weather conditions but reschedule when weather assures success. Follow-on attacks authorized as operational and weather factors dictate.

At Haiphong, avoid damage to merchant shipping. No attacks authorized on craft unless US aircraft are first fired on and then only if clearly North Vietnamese. Piers servicing target will not be attacked if tanker is berthed off end of pier.

Decision made after SecDef and CJCS were assured every feasible step would be taken to minimize civilian casualties would be small [sic]. If you do not believe you can accomplish objective while destroying targets and protecting crews, do not initiate program. Take the following measures: maximum use of most experienced ROLLING THUNDER personnel, detailed briefing of pilots stressing need to avoid civilians, execute only when weather permits visual identification of targets and improved strike accuracy, select best axis of attack to avoid populated areas, maximum use of ECM to hamper SAM and AAA fire control, in order to limit pilot distraction and improve accuracy, maximum use of weapons of high precision delivery consistent with mission objectives, and limit SAM and AAA suppression to sites located outside populated areas.

Take special precautions to insure security. If weather or operational considerations delay initiation of strikes, do not initiate on Sunday, 26 June.

August McNamara Memo to Chiefs Challenging Troop Request

Memorandum, "CINCPAC CY 1966 Adjusted Requirements & CY 1967" from Secretary McNamara to the Joint Chiefs of Staff, Aug. 5, 1966, as provided in the body of the Pentagon study.

As you know, it is our policy to provide the troops, weapons, and supplies requested by General Westmoreland at the times he desires them, to the greatest possible degree. The latest revised CINCPAC requirements, submitted on 18 June 1966, subject as above, are to be accorded the same consideration: valid requirements for SVN and related tactical air forces in Thailand will be deployed on a schedule as close as possible to CINCPAC/COMUSMACV's requests.

Nevertheless, I desire and expect a detailed, line-by-line analysis of these requirements to determine that each is truly essential to the carrying out of our war plan. We must send to Vietnam what is needed, but only what is needed. Excessive deployments weaken our ability to win by undermining the economic structure of the RVN and by raising doubts concerning the soundness of our planning.

In the course of your review of the validity of the requirements, I would like you to consider the attached Deployment Issue Papers which were prepared by my staff. While there may be sound reasons for deploying the units questioned, the issues raised in these papers merit your detailed attention and specific reply. They probably do not cover all questionable units, particularly for proposed deployments for the PACOM area outside of SVN. I expect that you will want to query CINCPAC about these and other units for which you desire clarification.

I appreciate the time required to verify the requirements and determine our capability to meet them, but decisions must be made on a timely basis if units are to be readied and equipment and supplies procured. Therefore I would appreciate having your recommended deployment plan, including your comments on each of the Deployment Issue Papers, no later than 15 September 1965.

Cable From Westmoreland in August On Manpower Needs

Excerpts from cablegram from General Westmoreland to Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, and Adm. U. S. Grant Sharp, commander in chief of Pacific forces, Aug. 10, 1966, as provided in the body of the Pentagon study.

These and other facts support earlier predictions and suggest that the enemy intends to continue a protracted war of attrition. We must not underestimate the enemy nor his determination.

The war can continue to escalate. Infiltration of enemy troops and supplies from NCN can increase and there is no assurance that this will not occur.

If, contrary to current indication, Hanoi decides not to escalate further, some modification of the forces which I have requested probably could be made. Under such circumstances, I conceive of a carefully balanced force that is designed to fight an extended war of attrition and sustainable without national mobilization.

I recognize the possibility that the enemy may not continue to follow the pattern of infiltration as projected. Accordingly, my staff is currently conducting a number of studies with the objective of placing this command and the RVN in a posture that will permit us to retain the initiative regardless of the course the enemy chooses to pursue. These include:

A. A study which considers possible courses of action by the enemy on our force posture and counteractions to maintain our superiority.

B. An analysis of our requirements to determine a balanced US force that can be employed and sustained fully and effectively in combat on an indefinite basis without national mobilization.

C. A study to determine the evolutionary steps to be taken in designing an ultimate GVN security structure.

D. A study to determine the optimum RVNAF force structure which can be attained and supported in consideration of recent experience and our estimate of the manpower pool.

REF B [The CINCPAC submission] establishes and justifies minimal force require-

ments, emphasizing the requirement for a well balanced, sustainable force in SVN for an indefinite period. Consequently, at this point in time I cannot justify a reduction in requirements submitted.

VIETNAM BOMBING EVALUATION BY INSTITUTE FOR DEFENSE ANALYSES

Excerpts from report by Institute for Defense Analyses, "The Effects of U.S. Bombing on North Vietnam's Ability to Support Military Operations in South Vietnam: Retrospect and Prospect," Aug. 29, 1966, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

1. As of July 1966 the U.S. bombing of North Vietnam (NVN) had had no measurable direct effect on Hanoi's ability to mount and support military operations in the South at the current level.

Although the political constraints seem clearly to have reduced the effectiveness of the bombing program, its limited effect on Hanoi's ability to provide such support can not be explained solely on that basis. The counter-measures introduced by Hanoi effectively reduced the impact of U.S. bombing. More fundamentally, however, North Vietnam has basically a subsistence agricultural economy that presents a difficult and unrewarding target system for air attack.

The economy supports operations in the South mainly by functioning as a logistic funnel and by providing a source of manpower. The industrial sector produces little of military value. Most of the essential military supplies that the VC/NVN forces in the South require from external sources are provided by the USSR and Communist China. Furthermore, the volume of such supplies is so low that only a small fraction of the capacity of North Vietnam's rather flexible transportation network is required to maintain the flow. The economy's relatively underemployed labor force also appears to provide an ample manpower reserve for internal military and economic needs including repair and reconstruction and for continued support of military operations in the South.

2. Since the initiation of the ROLLING THUNDER program the damage to facilities and equipment in North Vietnam has been more than offset by the increased flow of military and economic aid, largely from the USSR and Communist China.

The measurable costs of the damage sustained by North Vietnam are estimated by intelligence analysts to have reached approximately $86 million by 15 July 1966. In 1965 alone, the value of the military and economic aid that Hanoi received from the USSR and Communist China is estimated to have been on the order of $250–400 million, of which about $100–150 million was economic, and they have continued to provide aid, evidently at an increasing rate, during the current year. Most of it has been from the USSR, which had virtually cut off aid during the 1962–64 period. There can be little doubt, therefore, that Hanoi's Communist backers have assumed the economic costs to a degree that has significantly cushioned the impact of U.S. bombing.

3. The aspects of the basic situation that have enabled Hanoi to continue its support of military operations in the South and to neutralize the impact of U.S. bombing by passing the economic costs to other Communist countries are not likely to be altered by reducing the present geographic constraints, mining Haiphong and the principal harbors in North Vietnam, increasing the number of armed reconnaissance sorties and otherwise expanding the U.S. air offensive along the lines now contemplated in military recommendations and planning studies.

An expansion of the bombing program along such lines would make it more difficult and costly for Hanoi to move essential military supplies through North Vietnam to the VC/NVN forces in the South. The low volume of supplies required, the demonstrated effectiveness of the countermeasures already undertaken by Hanoi, the alternative options that the NVN transportation network provides and the level of aid the USSR and China seem prepared to provide, however, make it quite unlikely that Hanoi's capability to function as a logistic funnel would be seriously impaired. Our past experience also indicates that an intensified air campaign in NVN probably would not prevent Hanoi from infiltrating men into the South at the present or a higher rate if it chooses. Furthermore, there would appear to be no basis for assuming that the damage that could be inflicted by an intensified air offensive would impose such demands on the North Vietnamese labor force that Hanoi would be unable to continue and expand its recruitment and training of military forces for the insurgency in the South.

4. While conceptually it is reasonable to assume that some limit may be imposed on the scale of military activity that Hanoi can maintain in the South by continuing the ROLLING THUNDER program at the present, or some higher level of effort, there appears to be no basis for defining that limit in concrete terms or, for concluding that the present scale of VC/NVN activities in the field have approached that limit.

The available evidence clearly indicates that Hanoi has been infiltrating military forces and supplies into South Vietnam at an accelerated rate during the current year. Intelligence estimates have concluded that North Vietnam is capable of substantially increasing its support.

5. The indirect effects of the bombing on the will of the North Vietnamese to continue fighting and on their leaders' appraisal of the prospective gains and costs of maintaining the present policy have not shown themselves in any tangible way. Furthermore, we have not discovered any basis for concluding that the indirect punitive effects of bombing will prove decisive in these respects.

It may be argued on a speculative basis that continued or increased bombing must eventually affect Hanoi's will to continue, particularly as a component of the total U.S. military pressures being exerted throughout Southeast Asia. However, it is not a conclusion that necessarily follows from the available evidence; given the character of North Vietnam's economy and society, the present and prospective low levels of casualties and the amount of aid available to Hanoi. It would appear to be equally logical to assume that the major influences on Hanoi's will to continue are most likely to be the course of the war in the South and the degree to which the USSR and China support the policy of continuing the war and that the punitive impact of U.S. bombing may have but a marginal effect in the broader context.

In the body of the report these summary formulations were elaborated in more detail. For instance, in assessing the military and economic effect of the bombing on North Vietnam's capacity to sustain the war, the report stated:

The economic and military damage sustained by Hanoi in the first year of the bombing was moderate and the cost could be (and was) passed along to Moscow and Peiping.

The major effect of the attack on North Vietnam was to force Hanoi to cope with disruption to normal activity, particularly in transportation and distribution. The bombing hurt most in its disruption of the roads and rail nets and in the very considerable repair effort which became necessary. The regime, however, was singularly successful in overcoming the effects of the U.S. interdiction effort.

Much of the damage was to installations that the North Vietnamese did not need to sustain the military effort. The regime made no attempt to restore storage facilities and little to repair damage to power stations, evidently because of the existence of adequate excess capacity and because the facilities were not of vital importance. For somewhat similar reasons, it made no major effort to restore military facilities, but merely abandoned barracks, and dispersed materiel usually stored in depots.

The major essential restoration consisted of measures to keep traffic moving, to keep the railroad yards operating, to maintain communications, and to replace transport equipment and equipment for radar and SAM sites.

A little further on the report examined the political effects of the bombing on Hanoi's will to continue the war, the morale of the population, and the support of its allies.

The bombing through 1965 apparently had not had a major effect in shaping Hanoi's decision on whether or not to continue the war in Vietnam. The regime probably continued to base such decisions mainly on the course of the fighting in the South and appeared willing to suffer even stepped-up bombing so long as prospects of winning the South appeared to be reasonably good.

Evidence regarding the effect of the bombing on the morale of the North Vietnamese people suggests that the results were mixed. The bombing clearly strengthened popular support of the regime by engendering patriotic and nationalistic enthusiasm to resist the attacks. On the other hand, those more directly involved in the bombing underwent personal hardships and anxieties caused by the raids. Because the air strikes were directed away from urban areas, morale was probably damaged less by the direct bombing than by its indirect effects, such as evacuation of the urban population and the splitting of families.

Hanoi's political relations with its allies were in some respects strengthened by the bombing. The attacks had the effect of encouraging greater material and political support from the Soviet Union than might otherwise have been the case. While the Soviet aid complicated Hanoi's relationship with Peking, it reduced North Vietnam's dependence on China and thereby gave Hanoi more room for maneuver on its own behalf.

This report's concluding chapter was entitled "Observations" and contained some of the most lucid and penetrating analysis of air war produced to that date, or this! It began by reviewing the original objectives the bombing was initiated to achieve:

Reducing the ability of North Vietnam to support the Communist insurgencies in South Vietnam and Laos, and . . . increasing progressively the pressure on NVN to the point where the regime would decide that it was too costly to continue directing and supporting the insurgency in the South.

After rehearsing the now familiar military failure of the bombing to halt the infiltration, the report crisply and succinctly outlined the bombing's failure to achieve the critical second objective—the psychological one:

Initial plans and assessments for the ROLLING THUNDER program clearly tended to overestimate the persuasive and disruptive effects of the U.S. air strikes and, correspondingly, to underestimate the tenacity and recuperative capabilities of the North Vietnamese. This tendency, in turn appears to reflect a general failure to appreciate the fact, well-documented in the historical, and social scientific literature, that a direct, frontal attack on a society tends to strengthen the social fabric of the nation, to increase popular support of the existing government, to improve the determination of both the leadership and the populace to fight back, to induce a variety of protective measures that reduce the society's vulnerability to future attack, and to develop an increased capacity for quick repair and restoration of essential functions. The great variety of physical and social counter-measures that North Vietnam has taken in response to the bombing is now well documented in current intelligence reports, but the potential effectiveness of these

counter-measures was not stressed in the early planning or intelligence studies.

Perhaps the most trenchant analysis of all, however, was reserved for last as the report attacked the fundamental weakness of the air war strategy—our inability to relate operations to objectives:

In general, current official thought about U.S. objectives in bombing NVN implicitly assumes two sets of causal relationships:

1. That by increasing the damage and destruction of resources in NVN, the U.S. is exerting pressure to cause the DRV to stop their support of the military operations in SVN and Laos; and

2. That the combined effect of the total military effort against NVN—including the U.S. air strikes in NVN and Laos, and the land, sea, and air operations in SVN—will ultimately cause the DRV to perceive that its probable losses accruing from the war have become greater than its possible gains and, on the basis of this net evaluation, the regime will stop its support of the war in the South.

These two sets of interrelationships are assumed in military planning, but it is not clear that they are systematically addressed in current intelligence estimates and assessments. Instead, the tendency is to encapsulate the bombing of NVN as one set of operations and the war in the South as another set of operations, and to evaluate each separately; and to tabulate and describe data on the physical, economic, and military effects of the bombing, but not to address specifically the relationship between such effects and the data relating to the ability and will of the DRV to continue its support of the war in the South.

The fragmented nature of current analyses and the lack of adequate methodology for assessing the net effects of a given set of military operations leaves a major gap between the quantifiable data on bomb damage effects, on the one hand, and policy judgments about the feasibility of achieving a given set of objectives, on the other. Bridging this gap still requires the exercise of broad political-military judgments that cannot be supported or rejected on the basis of systematic intelligence indicators. It must be concluded, therefore, that there is currently no adequate basis for predicting the levels of U.S. military effort that would be required to achieve the stated objectives—indeed, there is no firm basis for determining if there is *any* feasible level of effort that would achieve these objectives.

The critical impact of this study on the Secretary's thinking is revealed by the fact that many of its conclusions and much of its analysis would find its way into McNamara's October trip report to the President.

Having submitted a stinging condemnation of the bombing, the Study Group was under some obligation to offer constructive alternatives and this they did, seizing, not surprisingly, on the very idea McNamara had suggested—the anti-infiltration barrier. The product of their summer's work was a reasonably detailed proposal for a multi-system barrier across the DMZ and the Laotian panhandle that would make extensive use of recently innovated mines and sensors. The central portion of their recommendation follows:

The barrier would have two somewhat different parts, one designed against foot traffic and one against vehicles. The preferred location for the anti-foot-traffic barrier is in the region along the southern edge of the DMZ to the Laotian border and then north of Tchepone to the vicinity of Muong Sen, extending about 100 by 20 kilometers. This area is virtually unpopulated, and the terrain is quite rugged, containing mostly V-shaped valleys in which the opportunity for alternate trails appears lower than it is elsewhere in the system. The location of choice for the anti-vehicle part of the system is the area, about 100 by 40 kilometers, now covered by Operation Cricket. In this area the road network tends to be more constricted than elsewhere, and there appears to be a smaller area available for new roads. An alternative location for the anti-personnel system is north of the DMZ to the Laotian border and then north along the crest of the mountains dividing Laos from North Vietnam. It is less desirable economically and militarily because of its greater length, greater distance from U.S. bases, and greater proximity to potential North Vietnamese counter-efforts.

The air-supported barrier would, if necessary, be supplemented by a manned "fence" connecting the eastern end of the barrier to the sea.

The construction of the air-supported barrier could be initiated using currently available or nearly available components, with some necessary modifications, and could perhaps be installed by a year or so from go-ahead. However, we anticipate that the North Vietnamese would learn to cope with a barrier built this way after some period of time which we cannot estimate, but which we fear may be short. Weapons and sensors which can make a much more effective barrier, only some of which are now under development, are not likely to be available in less than 18 months to 2 years. Even these, it must be expected, will eventually be overcome by the North Vietnamese, so that further improvements in weaponry will be necessary. Thus we envisage a dynamic "battle of the barrier," in which the barrier is repeatedly improved and strengthened by the introduction of new components, and which will hopefully permit us to keep the North Vietnamese off balance by continually posing new problems for them. . . .

The anti-troop infiltration system (which would also function against supply porters) would operate as follows. There would be a constantly renewed mine field of non-sterilizing Gravel (and possibly button bomblets), distributed in patterns covering interconnected valleys and slopes (suitable for alternate trails) over the entire barrier region. The actual miner area would encompass the equivalent of a strip about 100 by 5 kilometers. There would also be a pattern of acoustic detectors to listen for mine explosions indicating an attempted penetration. The mine field is intended to deny opening of alternate routes for troop infiltrators and should be emplaced first. On the trails and bivouacs currently used, from which mines may—we tentatively assume—be cleared without great difficult, a more dense pattern of sensors would be designed to locate groups of infiltrators. Air strikes using Gravel and SADEYES would then be called against these targets. The sensor patterns would be monitored 24 hours a day by patrol aircraft. The struck areas would be reseeded with new mines.

The anti-vehicle system would consist of acoustic detectors distributed every mile or so along all truckable roads in the interdicted area, monitored 24 hours a day by patrol aircraft, with vectored strike aircraft using SADEYE to respond to signals that trucks or truck convoys are moving. The patrol aircraft would distribute self-sterilizing Gravel over parts of the road net at dusk. The self-sterilizing feature is needed so that road-watching and mine-planting teams could be used in this area. Photo-reconnaissance aircraft would cover the entire area each few days to look for the development of new truckable roads, to see if the transport of supplies is being switched to porters, and to identify any other change in the infiltration system. It may also be desirable to use ground teams to plant larger anti-truck mines along the roads, as an interim measure pending the development of effective air-dropped anti-vehicle mines.

The cost of such a system (both parts) has been estimated to be about $800 million per year, of which by far the major fraction is spent for Gravel and SADEYES. The key requirements would be (all numbers are approximate because of assumptions which had to be made regarding degradation of system components in field use, and regarding the magnitude of infiltration): 20 million Gravel mines per month; possible 25 million button bomblets per month . . .

Apart from the tactical countermeasures against the barrier itself, one has to consider strategic alternatives available to the North Vietnamese in case the barrier is successful. Among these are: a move into the Mekong Plain; infiltration from the sea either directly to SVN or through Cambodia; and movement down the Mekong from Thakhek (held by the Pathet Lao-North Vietnamese) into Cambodia.

Finally, it will be difficult for us to find out how effective the barrier is in the absence of clearly visible North Vietnamese responses, such as end runs through the Mekong plain. Because of supplies already stored in the pipeline, and because of the general shakiness of our quantitative estimates of either supply or troop infiltration, it is likely to be some time before the effect of even a wholly successful barrier becomes noticeable. A greatly stepped-up intelligence effort is called for, including continued road-watch activity in the areas of the motorcade roads, and patrol and reconnaissance activity south of the anti-personnel barrier.

PENTAGON PAPERS: VIETNAM STUDY LINKS 1965–66 GI BUILD-UP TO FAULTY PLANNING

(By Fox Butterfield)

The Pentagon's secret study of the Vietnam war indicates that the rapid expansion of American forces in 1965 and 1966 occurred because "no one really foresaw what the troop needs in Vietnam would be" and because the ability of the enemy forces "to build up their effort was consistently underrated."

"It would seem," the study asserts, that the American planners would have been "very sensitive to rates of infiltration and recruitment by the [Vietcong and North Vietnamese Army]; but very little analysis was, in fact, given to the implications of the capabilities of the VC/N.V.A. in this regard."

As a result of the unanticipated enemy build-up, the Pentagon study discloses, Gen. William C. Westmoreland's troop requests jumped from a total of 175,000 men in June, 1965, to 275,000 that July, to 443,000 in December and then to 542,000 the following June. Neither the requests of the American commander in Vietnam nor President Lyndon B. Johnson's rapid approval of all but the last of them was made public.

At the same time, the study says, the Johnson Administration's continual expansion of the air war during 1965 and 1966 was based on a "colossal misjudgment" about the bombing's effect on Hanoi's will and capabilities.

In particular, the study discloses that the Administration's decision in 1966 to bomb North Vietnam's oil-storage facilities was made despite repeated warnings from the Central Intelligence Agency that such action would not "cripple Communist military operations." Instead, the study says, Washington apparently accepted the military's estimate that the bombing would "bring the enemy to the conference table or cause the insurgency to wither from lack of support." But the flow of men and supplies to the South continued "undiminished."

The Pentagon study of this period of escalation in the air and on the ground also makes these disclosures:

American military commanders were confident of victory. General Westmoreland, for example, told Washington in July, 1965, that by using his search-and-destroy strategy he could defeat the enemy "by the end of 1967."

And the same month, the Joint Chiefs of Staff assured Secretary of Defense Robert S. McNamara that "there is no reason we cannot win if such is our will."

High-level civilian authorities, including Secretary McNamara, began to have serious doubts about the effectiveness of both the air and ground war as early as the fall of 1965, but they continued to recommend escalation as the only acceptable policy, despite their doubts.

A secret Defense Department seminar of 47 scientists—"the cream of the scholarly community in technical fields"—concluded in the summer of 1966 that the bombing of North Vietnam had had "no measurable effect" on Hanoi. The scientists recommended building an electronic barrier between North and South Vietnam as an alternative to the bombing. [See text, bombing evaluation, Aug. 29, 1966, Page 10.]

The Pentagon account of this period of the war—from July, 1965, to the fall of 1966—forms another section in the series presented by The New York Times.

The study, ordered by Secretary McNamara in 1967 and prepared by a team of 30 to 40 officials and analysts to determine how the United States became involved in the war in Indochina, consists of 3,000 pages of analysis and 4,000 pages of supporting documents.

Previous articles in The Times's presentation of the Pentagon study have recounted President Kennedy's deepening of the American involvement in Vietnam and President Johnson's decisions, through July, 1965, to commit the United States to an air and ground war in Vietnam.

Open-Ended Strategy

When President Johnson decided in July, 1965, to accept General Westmoreland's request for 44 combat battalions and to endorse his search-and-destroy strategy, he "left the U.S. commitment to Vietnam open-ended," the study declares.

"Force levels for the search-and-destroy strategy had no empirical limits," it adds. "The amount of force required to defeat the enemy depended entirely on his response to the build-up and his willingness to continue the fight."

"The basic idea" underlying the search-and-destroy strategy, the study says, "was the desire to take the war to the enemy, denying him freedom of movement anywhere in the country . . . and deal him the heaviest possible blows." This concept replaced the static-defense and enclave strategies, which called for fewer American troops, and which had been tried briefly in the spring of 1965.

General Westmoreland intended his original allotment of 44 battalions to be only a stopgap measure, the account says. They would be used to blunt the enemy offensive that threatened to overwhelm the fragile Saigon Government, but more men would quickly be needed if the allies were to win.

To find out how much "additional force was required to seize the initiative from the enemy and to commence the win phase of the strategy," Secretary McNamara flew to Saigon on July 16, 1965, for a four-day visit. While he was there he received a cablegram notifying him that President Johnson had approved General Westmoreland's request for 44 battalions and the use of his search-and-destroy strategy.

According to the study, General Westmoreland then reported that he needed 24 additional American battalions, or 100,000 men, for the "win phase," which would begin in 1966.

Three-Phase Build-Up

He also outlined, as quoted in the study, his over-all strategy, based on a three-phase build-up:

"Phase I—The commitment of U.S./F.W.M.A. [United States/Free World Military Assistance] forces necessary to halt the losing trend by the end of 1965.

"Phase II—The resumption of the offensive by U.S./F.W.M.A. forces during the first half of 1966 in high-priority areas necessary to destroy enemy forces, and reinstitution of rural-construction activities."

"Phase III—If the enemy persisted, a period of a year to a year and a half following Phase II would be required for the defeat and destruction of the remaining enemy forces and base areas.

"Withdrawal of U.S./F.W.M.A. forces would commence following Phase III as the GVN [Government of Vietnam] became able to establish and maintain internal order and to defend its borders."

According to the Pentagon study, General Westmoreland's plan shows that "with enough force to seize the initiative from the VC sometime in 1966, General Westmoreland expected to take the offensive and, with appropriate additional reinforcements, to have defeated the enemy by the end of 1967."

A Request for Wheeler

Secretary McNamara was seriously concerned, the Pentagon account says, about whether the United States could "win" in Vietnam. He was worried lest the United States "become involved more deeply in a war which could not be brought to a satisfactory conclusion."

Thus while he was preparing for his July 16 trip to Saigon, the Secretary asked Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, for an assessment of "the assurance the U.S. can have of winning in South Vietnam if we do everything we can."

General Wheeler's answer, prepared by a study group of officers and civilians in the Defense Department, was: "Within the bounds of reasonable assumptions—there appears to be no reason we cannot win if such is our will—and if that will is manifested in strategy and tactical operations."

According to a memorandum to the study group from Assistant Secretary of Defense John T. McNaughton, on the working definition of "win," it "means that we succeed in demonstrating to the VC that they cannot win."

This definition, the Pentagon analyst writes, "indicates the assumption upon which the conduct of the war was to rest—that the VC could be convinced in some meaningful sense that they were not going to win and that they would then rationally choose less violent methods of seeking their goals."

Approved by M'Namara

Secretary McNamara got this assurance, the study goes on, and, armed with it, he recommended on his return from Saigon on July 20 that President Johnson meet General Westmoreland's request for 100,000 additional troops.

"The over-all evaluation," Secretary McNamara wrote the President, "is that the course of action recommended in this memorandum stands a good chance of achieving an acceptable outcome within a reasonable time in Vietnam."

"U.S. and South Vietnamese casualties will increase, just how much cannot be predicted with confidence," the Secretary added, "but the U.S. killed-in-action might be in the vicinity of 500 a month by the end of the year. . . . United States public opinion will support the course of action because it is a sensible and courageous military-political program designed and likely to bring about a success in Vietnam."

The Pentagon account declares: "Never again while he was Secretary of Defense would McNamara make so optimistic a statement about Vietnam—except in public."

Phase I Near Its Goal

By November, 1965, the situation in South Vietnam had undergone important changes, the study says.

The Phase I deployment of American troops, which was now nearing its 175,000-man goal, had apparently stopped deterioration in the military situation.

But at the same time, the narrative relates, the enemy had unexpectedly built up strength much faster than the American command had foreseen.

Where there were estimated to be 48,550 Communist combat troops in South Vietnam in July, 1965, American intelligence officials believed by that November that there were 63,550. And the number of North Vietnamese regiments had increased during these months from one to eight, according to the intelligence officials.

"The implications of the build-up were made abundantly clear by the bloody fighting in the Iadrang Valley in mid-November," the study says. In this first big battle of the Vietnam war, units of the United States First Cavalry Division fought numerically superior North Vietnamese forces for several weeks in the western part of the Central Highlands, along the Cambodian border. More than 1,200 of the enemy were reportedly killed in the fighting, which also left more than 200 Americans dead.

The Pentagon study says that the carefully calculated American strategy, with its plans for the number of American troops required to win, "did not take escalatory reactions into account."

While the study does not deal with this subject at length, the public record shows that the Johnson Administration had repeatedly said during early 1965 that North Vietnam was infiltrating large quantities of men and supplies into the South.

In February, for example, the State Department published a white paper entitled "Aggression From the North," asserting that North Vietnam was responsible for the war in South Vietnam and that Hanoi had infiltrated more than 37,000 men.

"Progressively More Flagrant"

The public record also shows that Secretary McNamara devoted a major part of a televised news conference on April 26, 1965, to a charge that North Vietnamese had stepped up their infiltration. "The intensification of infiltration," Mr. McNamara said, "has grown progressively more flagrant and more unconstrained."

Despite these frequent public statements about the build-up, in November, the Pentagon account says, General Westmoreland suddenly found it necessary to request a vast increase in troops for the Phase II part of his plan. The general said he would need 154,000 more men.

As the general explained his needs to Adm. U.S. Grant Sharp, commander of American forces in the Pacific, who was his immediate superior:

"The VC/PAVN build-up rate is predicated to be double that of U.S. Phase II forces. Whereas we will add an average of 7 maneuver battalions per quarter the enemy will add 15. This development has already reduced the November battalion-equivalent ratio from an anticipated 3.2 to 1, to 2.8 to 1, and it will be further reduced to 2.5 to 1 by the end of the year."

In response to General Westmoreland's request for 154,000 men, Secretary McNamara detoured on his way from a Paris meeting of the North Atlantic Treaty Organization and flew to Saigon.

No Guarantee of Success

On his return to Washington on Nov. 30, Secretary McNamara wrote a memorandum to President Johnson in which he began to reveal doubts about the ground war. While recommending that the United States send a total of nearly 400,000 men to Vietnam by the end of 1966, the next year, he warned:

"We should be aware that deployments of the kind I have recommended will not guarantee success. U.S. killed-in-action can be expected to reach 1,000 a month, and the odds are even that we will be faced in early 1967 with a 'no decision' at an even higher

level. My over-all evaluation, nevertheless, is that the best chance of achieving our stated objectives lies in . . . the deployments mentioned above." [See text, notes on McNamara memo, Nov. 30, 1965.]

While Secretary McNamara and President Johnson were considering troop increases up to nearly 400,000 men—the number of Americans in South Vietnam was then 184,000—news accounts were speculating that the troop ceiling might go as high as 200,000. This was the figure used, for example, in The New York Times's dispatch on Mr. McNamara's visit to Saigon on Nov. 28.

The Pentagon study does not say what decision President Johnson reached on Mr. McNamara's Nov. 30 recommendation. But the analyst does say that on Dec. 13, in another memorandum, Mr. McNamara outlined for the President an approved troop deployment of 367,000 men for 1966 and 395,000 men for June 1967.

Then on Dec. 16, the study reveals, Secretary McNamara received another request from General Westmoreland, raising to 443,000 men the total he needed by the end of 1966. And on Jan. 28 the Secretary received a new request, this time increasing the total to 459,000 men.

Neither General Westmoreland's requests nor President Johnson's approvals were made public. At a news conference on Feb. 26, 1966, the President said, "We do not have on my desk at the moment any unfilled requests from General Westmoreland." There were 235,000 American soldiers in South Vietnam at the time.

The Pentagon narrative suggests two possible interpretations for the rapid ballooning of the number of troops required:

"It can be hypothesized, that from the outset of the American build-up, some military men felt that winning a meaningful victory in Vietnam would require something on the order of one million men.

"Knowing that this would be unacceptable politically, it may have seemed a better bargaining strategy to ask for increased deployments incrementally.

"An alternative explanation is that no one really foresaw what the troop needs in Vietnam would be and that the ability of the D.R.V./VC to build up their effort was consistently underrated.

"This explanation seems, with some exceptions, to be reasonable. The documents from the period around July 1965 seem to indicate that [General Westmoreland] had not given much though to what he was going to do in the year or years after 1965."

Citing a document of General Westmoreland's Military Assistance Command in Vietnam, the study goes on: "The words of the MACV history of 1965 indicate something of this. 'The President's July 28 announcement that the U.S. would commit additional massive military forces in SVN necessitated an overall plan clarifying the missions and deployment of the various components. [The general's] concept of operations was prepared to fulfill this need.' "

"If this is a true reflection of what happened," the analyst says, "it would indicate the MACV's plan of what to do was derived from what would be available rather than the requirement for manpower being derived from any clearly thought out military plan."

Bombing and a Pause

In April, 1965, when President Johnson secretly changed the mission of the Marines at Danang from defense to offense and thus committed the United States to the ground war in Vietnam, the sustained bombing of North Vietnam was relegated to a secondary role, the Pentagon study declares. Discussing this bombing campaign, known as Operation Rolling Thunder, the study adds:

"Earlier expectations that bombing would constitute the primary means for the U.S. to turn the tide of the war had been overtaken by the President's decision to send in substantial U.S. ground forces. With this decision the main hope had shifted from inflicting pain in the North to proving, in the South, that NVN could not win a military victory there. Rolling Thunder was counted as useful and necessary, but in the prevailing view it was a supplement and not a substitute for efforts within SVN."

By the summer of 1965, Operation Rolling Thunder's scope and pattern of operation had also been determined, the narrative relates.

To emphasize American power, it goes on, the bombing of the North would proceed "in a slow, steady, deliberate manner, beginning with a few infiltration-associated targets in southern NVN and gradually moving northward with progressively more severe attacks on a wider variety of targets."

Because Operation Rolling Thunder was considered "comparatively risky and politically sensitive," all bombing strikes were carefully selected in Washington. Targets were chosen in weekly packages, the study says, and each target package "had to pass through a chain of approvals which included senior levels of O.S.D. [Office of the Secretary of Defense], the Department of State and the White House."

Attacks were also permitted against certain broad categories of targets, such as vehicles, locomotives and barges, which were defined in Washington. In this type of attack, known as armed reconnaissance, the final selection of a specific target was left to the pilot.

The number of sorties—individual flights by individual planes—was gradually increased, the account relates, from 900 a week during July to 1,500 a week in December, 1965. By the end of the year 55,000 sorties had been flown, nearly three-fourths of them on armed reconnaissance.

While the list of targets was also lengthened, Secretary McNamara continued to keep the Hanoi-Haiphong area and the Chinese border area off limits through the end of 1965.

The study reports that the original purpose of Rolling Thunder, "to break the will of North Vietnam," was changed during the summer of 1965 to cutting the flow of men and supplies from the North to the South.

This change in the Government's internal rationale, the analyst writes, brought it in line with the publicly expressed rationale, which had always been an infiltration cutoff.

The rationale was changed, the study declares, because it was recognized that "as a venture in strategic persuasion the bombing had not worked."

In fact, intelligence estimates commissioned by Secretary McNamara showed that by the end of 1965 the bombing had had little effect on North Vietnam.

Strains Show in Industry

In November, 1965, the Defense Intelligence Agency told Mr. McNamara that while the "cumulative strains" resulting from the bombing had "reduced industrial performance" in North Vietnam, "the primarily rural nature of the area permits continued functioning of the subsistence economy."

And, the agency's estimate continued, "The air strikes do not appear to have altered Hanoi's determination to continue supporting the war in South Vietnam."

In the analyst's view, "The idea that destroying, or threatening to destroy, North Vietnam's industry would pressure Hanoi into calling it quits, seems, in retrospect, a colossal misjudgment." The analyst continues:

"NVN was an extremely poor target for air attack. The theory of either strategic or interdiction bombing assumed highly developed industrial nations producing large quantities of military goods to sustain mass armies engaged in intensive warfare. NVN, as U.S. intelligence agencies knew, was an agricultural country with a rudimentary transportation system and little industry of any kind.

"What intelligence agencies liked to call the 'modern industrial sector' of the economy was tiny even by Asian standards, producing only about 12 percent of the G.N.P. of $1.6-billion in 1965. There were only a handful of 'major industrial facilities.' When NVN was first targeted, the J.C.S. found only eight industrial installations worth listing.

"NVN's limited industry made little contribution to its military capabilities," the account continues. "The great bulk of its military equipment, and all of the heavier and more sophisticated items, had to be imported. This was no particular problem, since both the U.S.S.R. and China were apparently more than glad to help.

"The NVN transportation system was austere and superficially looked very vulnerable to air attack, but it was inherently flexible and its capacity greatly exceeded the demands placed upon it.

"Supporting the war in the south was hardly a great strain on NVN's economy. The NVA/VC forces there did not constitute a large army. They did not fight as conventional division or field armies, with tanks and airplanes and field artillery; they did not need to be supplied by huge convoys of trucks, trains or ships. They fought and moved on foot, supplying themselves locally, in the main, and simply avoiding combat when supplies were low."

An important element in Secretary McNamara's program of pressure against North Vietnam, the study says, was a pause in the bombing. On July 20, 1965, Mr. McNamara wrote in a memorandum to the President:

"After the 44 U.S.-third-country battalions have been deployed and after some strong action has been taken in the program of bombing in the North, we could, as part of a diplomatic initiative, consider introducing a 6–8 week pause in the program of bombing the North."

He apparently felt, the Pentagon study says, that the previous pause—May 8 to May 13, 1965—had been too short and too hastily arranged to be effective. Hanoi was simply not given enough time to reply during the May pause, the study says. It also relates that President Johnson had viewed the pause "as a means of clearing the way for an increase in the tempo of the air war in the absence of a satisfactory response from Hanoi."

The Secretary of Defense repeated his proposal for a bombing pause several times during the fall of 1965, the account goes on. As he and Assistant Secretary of Defense McNaughton envisioned it, the pause would be used as a kind of "ratchet"—which the analyst likens to "the device which raises the net in a tennis court, backing off tension between each phase of increasing it."

All the high officials who debated the pause in bombing assumed that it would be temporary, the study declares. "Throughout this discussion it was taken for granted that bombing would be resumed."

Too Stringent for Hanoi

The officials, known in government circles as the "Vietnam principals," believed the bombing would be resumed, the narrative adds, because they knew that the conditions they had set for a permanent halt were tougher than Hanoi could accept.

In a confidential memorandum on Dec. 3, apparently intended only for Mr. McNamara, Assistant Secretary McNaughton outlined the conditions the United States should insist upon for a permanent halt:

"A. The D.R.V. stops infiltration and direction of the war.

"B. The D.R.V. moves convincingly toward withdrawal of infiltrators.

"C. The VC stops attack, terror and sabotage.

"D. The VC stop significant interference with the GVN's exercise of governmental functions over substantially all of South Vietnam."

After noting these conditions, Mr. McNaughton wrote that they amounted to "capitulation by a Communist force that is far from beaten."

The Joint Chiefs as well as Secretary of State Dean Rusk opposed any halt in bombing, the study says, because they were concerned that a pause would ease the pressure on Hanoi. [See text, State Department memo, Nov. 9, 1965.]

They also feared that Hanoi might offer an opening of negotiations in exchange for a halt in bombing, without making any of the substantive concessions that Washington wanted, the study adds.

The available materials do not reveal the President's response to these arguments," the narrative relates, "but it is clear from the continuing flow of papers that he delayed positively committing himself either for or against a pause until very shortly before the actual pause began."

The pause was to last 37 days, from Dec. 24, 1965, to Jan. 31, 1966.

Doubts Start to Emerge

The ineffectiveness of Rolling Thunder and General Westmoreland's mounting demand for troops soon began to create doubts among the "Vietnam principals," the Pentagon study says. During the pause in the bombing, both Mr. McNaughton and Secretary McNamara wrote lengthy memorandums outlining the change in their feelings.

In a paper titled "Some Observations About Bombing North Vietnam," dated Jan. 18, 1966 and quoted in the narrative, Mr. McNaughton asked: "Can the program be expected to reduce (not just increase the cost of) D.R.V. aid to the South and hopefully put a ceiling on it?"

His own answer was no. "The program so far has not successfully interdicted infiltration of men and material into South Vietnam," he wrote. "Despite our armed reconnaissance efforts and strikes of railroads, roads, bridges, storage centers, training bases and other key links in their lines of communications, it is estimated that they are capable of generating in the North and infiltrating to the South 4,500 men a month and between 50 and 300 tons a day depending on the season."

This, he noted, was enough to support a major effort against the United States.

M'Naughton Expands Draft

The next day Mr. McNaughton prepared another memorandum, expanding on his first draft, in which he warned: "We have in Vietnam the ingredients of an enormous miscalculation." [See text, McNaughton memo, Jan. 19, 1966.]

"The ARVN is tired, passive and accommodation-prone, . . ." he wrote. "The PAVN/VC are effectively matching our deployments . . . The bombing of the North may or may not be able effectively to interdict infiltration . . . Pacification is stalled . . . the GVN political infrastructure is moribund and weaker than the VC infrastructure . . . South Vietnam is near the edge of serious inflation and economic chaos.

"We are in an escalating military stalemate."

"The present U.S. objective in Vietnam is to avoid humiliation," he wrote. "At each decision point we have gambled; at each point, to avoid the damage to our effectiveness of defaulting on our commitment, we have upped the ante. We have not defaulted, and the ante (and commitment) is now very high." The words in parentheses were in the memorandum.

Mr. McNaughton suggested that Washington ought to consider settling for something short of a military victory.

"Some will say that we have defaulted if we end up . . . . with anything less than a Western-oriented, non-Communist, independent government, exercising effective sovereignty over all of South Vietnam," he wrote. "This is not so. As stated above, the U.S. end is solely to preserve our reputation as a guarantor."

Some Acceptable Outcomes

He then outlined some outcomes that he felt the United States should be able to accept:

"Coalition government including Communists.

"A free decision by the South to succumb to the VC or to the North.

"A neutral (or even anti-U.S.) government in SVN.

"A live-and let-live 'reversion to 1959.' "

This presumably referred to the situation of low-level guerrilla warfare that prevailed in 1959, before either North Vietnam or the United States had committed major forces to the conflict.

Despite the pessimism of his analysis, the study adds, Mr. McNaughton went on to recommend "more effort for pacification, more push behind the Ky government, more battalions . . . and intensive interdiction bombing."

On Jan. 24, Secretary McNamara wrote a revised version of his Nov. 30, 1965, memorandum to President Johnson that, the study says, echoed much of his Assistant Secretary's pessimism.

While Mr. McNamara, too, recommended increasing the bombing strikes against North Vietnam, he could say only that "the increased program probably will not put a tight ceiling on the enemy's activities in South Vietnam."

"They Continue to Believe . . ."

And though he recommended raising the number of United States troops in Vietnam to more than 400,000 by the end of 1966, he told the President:

"Deployments of the kind we have recommended will not guarantee success. Our intelligence estimate is that the present Communist policy is to continue to prosecute the war vigorously in the South. They continue to believe that the war will be a long one, that time is their ally and that their own staying power is superior to ours.

"It follows, therefore, that the odds are about even that, even with the recommended deployments, we will be faced in early 1967 with a military standoff at a much higher level, with pacification still stalled, and with any prospect of military success marred by the chances of an active Chinese intervention and with the requirement for the deployment of still more U.S. forces."

The doubts among officials of the Johnson Administration grew further with a political crisis in the cities of Hue and Danang during the spring of 1966, the narrative relates, and at the White House a major debate was conducted on America's goals in Southeast Asia.

The South Vietnamese political crisis was touched off March 12, 1966, when Air Vice Marshal Nguyen Cao Ky, who was Premier, removed the powerful and semiautonomous commander of the I Corps, Gen. Nguyen Chanh Thi. Buddhist monks and students quickly joined demonstrations supporting General Thi and attacking the Ky regime.

Fears of Neutralist Rule

The demonstrations stirred fears in Washington that Marshal Ky might be overthrown and replaced by a neutralist Buddhist government, the study recalls, and hurried meetings were called at the White House.

At the first of these meetings, on April 9, the study says, four policy papers were debated: George Carver, a senior C.I.A. analyst on Vietnam, argued for what was referred to as Option A—continuing as is; Leonard Unger, Deputy Assistant Secretary of State and head of the Interdepartmental Vietnam coordinating committee, presented Option B—continuing but pressing for a compromise settlement; Assistant Secretary of Defense McNaughton argued Option B–P—continuing but with a pessimistic outlook; and George W. Ball, the Under Secretary of State, took Option C—disengagement.

Mr. Ball asserted, as he had the previous June in a memorandum for the President, that "We should concentrate our attention on cutting our losses." The United States, he said, should "halt the deployment of additional forces, reduce the level of air attacks on the North, and maintain ground activity at the minimum level required to prevent the substantial improvement of the Vietcong position."

"Let us face the fact that there are no really attractive options open to us," Secretary Ball concluded in his policy paper, as quoted in the Pentagon study.

Other papers, including one by Walt W. Rostow, who had just replaced McGeorge Bundy as Presidential adviser on national security, were prepared and debated on April 12, 14 and 16.

A Hint in His Notes

A hint of Mr. McNaughton's state of mind during this period, the Pentagon study says, can be gathered from notes he had taken of a conversation with an official just back from Saigon. Mr. McNaughton's notes read:

"Place (VN) in unholy mess.

"We control next to no territory.

"Fears economic collapse.

"Militarily will be same place year from now.

"Pacification won't get off ground for a year."

At the April 16 meeting, William P. Bundy, Assistant Secretary of State for Far Eastern Affairs, presented a draft entitled "Basic Choices in Vietnam." He apparently favored the option of continuing along present lines, the narrative recounts, but he also said:

"As we look a year or two ahead, with a military program that would require major further budget costs—with all their implications for taxes and domestic programs—and with steady or probably rising casualties, the war could well become an albatross around the Administration's neck at least equal to what Korea was for President Truman in 1952."

What new decisions these meetings produced is not clear from the record, the Pentagon study says. The meetings ended around April 20 with a lull in the South Vietnamese political crisis.

The Fuel-Depot Issue

During the spring of 1966, the Pentagon study says, the question of bombing North Vietnam's oil-storage tanks became a "major policy dispute."

"Before the question was settled," the account goes on, "it had assumed the proportions of a strategic issue, fraught with military danger and political risk, requiring thorough examination and careful analysis."

The Joint Chiefs of Staff had advocated bombing North Vietnam's oil tanks as early as the fall of 1965, the narrative says, adding:

"The Joint Chiefs of Staff pressed throughout the autumn and winter of 1965–66 for permission to expand the bombing virtually into a program of strategic bombing aimed at all industrial and economic resources as well as at all interdiction targets."

"The Chiefs did so, it may be added, despite the steady stream of memoranda from the intelligence community consistently expressing skepticism that bombing of any conceivable sort (that is, any except bombing aimed primarily at the destruction of North Vietnam's population) could either persaude Hanoi to negotiate a settlement on U.S./GVN terms or effectively limit Hanoi's ability to infiltrate men and supplies into the South."

In a memorandum to Secretary McNamara on Nov. 10, 1965, the Chiefs asserted that the

only reason the bombing campaign had not worked thus far was because of the "self-imposed restraints."

"We shall continue to achieve only limited success in air operation in D.R.V./Laos if required to operate within the constraints presently imposed," the Joint Chiefs said. "The establishment and observance of de facto sanctuaries within the D.R.V., coupled with a denial of operations against the most important military and war supporting targets, precludes attainment of the objectives of the campaign."

The Joint Chiefs added: "Now required is an immediate and sharply accelerated program which will leave no doubt that the U.S. intends to win and achieve a level of destruction which they will not be able to overcome."

In a separate memorandum the same day, the Joint Chiefs said that an attack on North Vietnam's P.O.L.—petroleum, oil and lubricants, in military terminology—"would be more damaging to the D.R.V. capability to move war-supporting resources within country and along the infiltration routes to SVN than an attack against any other single target system."

"The flow of supplies would be greatly impeded," the Joint Chiefs said. And they contended that "recuperability of the D.R.V. P.O.L. system from the effects of an attack is very poor."

ARRIVAL AT HAIPHONG

"It is not surprising that the J.C.S. singled out the P.O.L. target system for special attention," the Pentagon analyst says. "NVN had no oil fields or refineries, and had to import all of its petroleum products, in refined form. . . . Nearly all of it came from the Black Sea area of the U.S.S.R. and arrived by sea at Haiphong, the only port capable of conveniently receiving and handling bulk P.O.L. brought in by large tankers. From large tank farms at Haiphong with a capacity of about one-fourth of the annual imports, the P.O.L. was transported by road, rail and water to other large storage sites at Hanoi and elsewhere in the country. Ninety-seven per cent of the N.V.N. P.O.L. storage capacity was concentrated in 13 sites, 4 of which had already been hit. They were, of course, highly vulnerable to air attack."

In support of the Joint Chiefs' view, Adm. U.S. Grant Sharp, the commander of American forces in the Pacific, in a cablegram to the Joint Chiefs in January, 1966, made the evaluation that bombing North Vietnam's oil would "bring the enemy to the conference table or cause the insurgency to wither from lack of support." Admiral Sharp also wanted to close North Vietnam's ports, presumably by aerial mining.

But from the outset of the debate over bombing North Vietnam's oil tanks, the study discloses, the intelligence community had been skeptical that such bombing would have much effect on Hanoi.

Replying to a query from Secretary McNamara on what the effect of oil-tank bombing would be, the Central Intelligence Agency said in November, 1965: "It is unlikely that this loss would cripple the Communist military operations in the South, though it would certainly embarrass them."

"We do not believe," the agency's evaluation added, "that the attacks in themselves would lead to a major change of policy on the Communist side, either toward negotiations or toward enlarging the war."

OUTLINE OF ENEMY POLICY

"Present Communist policy it to continue to prosecute the war vigorously in the south," another agency estimate, on Dec. 3, 1965, said. It added:

"The Communists recognize that the U.S. reinforcements of 1965 signify a determination to avoid defeat. They expect more U.S. troops and probably anticipate that targets in the Hanoi-Haiphong area will come under air attack. Nevertheless, they remain unwilling to damp down the conflict or move toward negotiation. They expect a long war, but they continue to believe that time is their ally and that their own staying power is superior."

If the United States bombed all major targets in North Vietnam, Secretary McNamara asked, how would Hanoi react? The C.I.A. replied: "The D.R.V. would not decide to quit; PAVN infiltration southward would continue."

In March, 1966, after months of hesitation, Mr. McNamara accepted the Joint Chiefs' requests and recommended bombing North Vietnam's oil, the study relates. But President Johnson did not immediately go along with the Secretary's recommendation.

SEVERAL REASONS TO HESITATE

There were several reasons for the President's hesitation, the account goes on.

The continuing chaotic political situation in South Vietnam, with rumors of a change in government, made any further escalation seem unwise for the moment. There was also a widespread campaign by several world leaders during the spring to get Washington and Hanoi to the negotiating table. President Kwame Nkrumah of Ghana and Prime Minister Harold Wilson of Britain separately traveled to Moscow to try to start negotiations.

President Charles de Gaulle of France was in touch with President Ho Chi Minh in Hanoi, and Secretary General Thant of the United Nations appealed to both sides to come to the Security Council. President Johnson could not afford to escalate the war during these peace efforts, the Pentagon record says.

An important influence on President Johnson's thinking, the account goes on, was a memorandum he received from Mr. Rostow on May 6. Mr. Rostow, who as a major with the Office of Strategic Services during World War II had helped plan the bombing of Germany, recalled in his memorandum the damage done to that country's war effort through the bombing of oil-storage facilities. He then asserted:

"With an understanding that simple analogies are dangerous, I nevertheless feel it is quite possible the military effects of systematic and sustained bombing of P.O.L. in North Vietnam may be more prompt and direct than conventional intelligence analysis would suggest."

NOT EVEN SHARP WAS TOLD

It was late in May when President Johnson decided to order the oil bombing, the narrative says, and he apparently set June 10 as the target day. But his decision "was very closely held," the analyst writes, and not even Admiral Sharp or General Westmoreland was told.

The Central Intelligence Agency, in a last-minute evaluation ordered by the "Vietnam principals," reiterated its skepticism about the effects of oil-tank bombing.

"It is estimated," the agency's report said, "that the infiltration of men and supplies into SVN can be sustained."

The sequence of events was interrupted on June 7, the study relates, when Washington learned that a Canadian diplomat, Chester A. Ronning, was on his way to Hanoi to test North Vietnam's attitude toward negotiations, a mission for which he had received State Department approval.

Secretary Rusk, who was traveling in Europe, cabled President Johnson to urge that the oil strikes be postponed until it could be learned what Mr. Ronning had found out.

"I am deeply disturbed," Mr. Rusk said in his cablegram, "by general international revulsion, and perhaps a great deal at home if it becomes known that we took an action which sabotaged the Ronning mission to which we had given our agreement. I recognize the agony of this problem for all concerned."

NO OPENING OR FLEXIBILITY

President Johnson, responding to Mr. Rusk's request, suspended the oil raids, the study discloses. When Mr. Ronning returned, Assistant Secretary Bundy flew to meet him in Ottawa, but quickly reported that the Canadian had found no opening or flexibility in the North Vietnamese position.

While Mr. Ronning was in Hanoi, Secretary McNamara had informed Admiral Sharp by cablegram of the high level consideration of oil attacks and told him:

"Final decision for or against will be influenced by extent they can be carried out without significant civilian casualties. What preliminary steps to minimize would you recommend and if taken what number of casualties do you believe would result?"

Admiral Sharp "replied eagerly," the study declares, with a list of precautions: The strikes would be carried out only under favorable weather conditions, with experienced pilots fully briefed, and with especially selected weapons. He predicted that civilian casualties could be held "under 50."

With Mr. Ronning's return and Admiral Sharp's assurances, the stage was set for the oil-tank strikes.

On June 22, Washington gave the execution message [see text, Joint Chief's order] authorizing strikes on the oil targets in the Hanoi-Haiphong area. The Pentagon analyst terms the execution message " a remarkable document, attesting in detail to the political sensitivity of the strikes." The message said:

"Strikes to commence with initial attacks against Haiphong and Hanoi P.O.L. on same day if operationally feasible . . . At Haiphong avoid damage to merchant shipping. No attacks authorized on craft unless U.S. aircraft are first fired on and then only if clearly North Vietnamese.

"Decision made after SecDef and C.J.C.S. [Chairman, Joint Chiefs of Staff] were assured every feasible step would be taken to minimize civilian casualties. . . . Take the following measures: maximum use of most experienced Rolling Thunder personnel, detailed briefing of pilots stressing need to avoid civilians, execute only when weather permits visual identification of targets and improved strike accuracy, select best axis of attack to avoid populated areas, maximum use of ECM [electronic countermeasures] to hamper SAM [surface-to-air missiles] and AAA [anticraft artillery] fire control, in order to limit pilot distraction and improve accuracy, maximum use of weapons of high precision delivery consistent with mission objective and limit SAM and AAA suppression [bombing] to sites located outside populated areas.

THE "NEVER ON SUNDAY" ORDER

"Take special precautions to insure security. If weather or operational considerations delay initiation of strikes, do not initiate on Sunday, 26 June."

It is not clear, the Pentagon account says, why what it calls the "never on Sunday" order was issued.

Because of bad weather, it was June 29 before the oil strikes were finally begun, reportedly with great success. The Haiphong dock facility appeared about 80 per cent destroyed, the study says, and the Hanoi "tank farm" was apparently knocked out. Only one United States aircraft was lost to ground fire.

A report from the Seventh Air Force in Saigon called the operation "the most significant, the most important strike of the war."

"Official Washington reacted with mild jubilation to the reported success of the P.O.L. strikes and took satisfaction in the relatively mild reaction of the international community to the escalation," the Pentagon analyst recounts. "Secretary McNamara described the execution of the raids as a 'superb professional job,' and sent a message of per-

sonal congratulations to the field commanders involved in the planning and execution of the attacks."

In early July, Mr. McNamara informed Admiral Sharp in a cablegram that the President wished the first priority in the air war to be given to the "strangulation" of North Vietnam's fuel system. And he ordered Admiral Sharp to develop a comprehensive plan to accomplish this.

Throughout the summer of 1966, Operation Rolling Thunder was concentrated on destroying oil-storage sites, the narrative relates. By the end of July, the Defense Intelligence Agency reported to Secretary McNamara that 70 per cent of North Vietnam's original storage capacity had been destroyed.

But "what became clearer and clearer as the summer wore on," the account discloses, "was that while we had destroyed a major portion of North Vietnam's storage capacity, she retained enough dispersed capacity, supplemented by continuing imports (increasingly in easily disperable drums, not bulk) to meet her ongoing requirements."

In August, the study says, with the —— storage sites already destroyed and the small, dispersed sites hard to find and bomb, "it was simply impractical and infeasible to attempt any further destruction of North Vietnam's P.O.L. storage capacity."

And, it adds, the flow of men and supplies from North Vietnam to the Vietcong continued "undiminished."

DIFFICULTIES OVERESTIMATED

"It was clear," the study says, "that the P.O.L. strikes had been a failure. . . . There was no evidence that NVN had at any time been pinched for P.O.L. . . . The difficulties of switching to a much less vulnerable but perfectly workable storage and distribution system, not an unbearable strain when the volume to be handled was not really very great, had been overestimated. Typically, also, N.V.N.'s adaptability and resourcefulness had been greatly underestimated."

"McNamara, for his part, made no effort to conceal his dissatisfaction and disappointment at the failure of the P.O.L. strikes," the study continues. "He pointed out to the Air Force and the Navy the glaring discrepancy between the optimistic estimates of results their pre-strike P.O.L. studies had postulated and the actual failure of the raids to significantly decrease infiltration."

"The Secretary was already in the process of rethinking the role of the entire air campaign in the U.S. effort," the Pentagon study says. "He was painfully aware of its inability to pinch off the infiltration to the South and had seen no evidence of its ability to break Hanoi's will, demoralize its population or bring it to the negotiation table."

"The attack on North Vietnam's P.O.L. system," the study goes on, "was the last major escalation of the air war recommended by Secretary McNamara."

HIGHLIGHTS OF THE PERIOD

The United States military effort in Vietnam, according to the Pentagon study, continued to intensify—both on the ground and in the air—throughout 1965 and well into 1966, despite continuing evidence that this escalation was bringing "an acceptable outcome" no closer to realization.

Here, in chronological order, are highlights of this period:

JULY, 1965

John T. McNaughton, Assistant Secretary of Defense, defines "win" for U.S. as "demonstrating to the VC that they cannot win."

Secretary of Defense Robert S. McNamara, assured by special study group headed by Gen. Earle G. Wheeler, Chairman of Joint Chiefs, that "there appears to be no reason we cannot win if such is our will," approves request by Gen. William Westmoreland, U.S. military commander in Vietnam, for 100,000 more U.S. troops.

Mr. McNamara, in memo to President, says he thinks General Westmoreland's three-phase strategy plan "stands a good chance" of success, notes casualties will increase, suggests U.S. "killed-in-action might be in the vicinity of 500 a month by the end of the year. . . ."

Pentagon study notes U.S. strategy "did not take escalatory reactions into account."

NOVEMBER, 1965

General Westmoreland asks for 154,000 more men; this would bring total U.S. troops in Vietnam to 375,000, study says. General explains to Adm. U.S. Grant Sharp, U.S. commander in the Pacific, that Vietcong-North Vietnamese rate of troop build-up is expected to be "double that of U.S."

Mr. McNamara, in memo to President, recommends U.S. supply total of nearly 400,000 men by end of 1966, adds that this "will not guarantee success."

DECEMBER, 1965

General Westmoreland asks for total of 443,000 troops by end of 1966. Air war continues at rate of 1,500 sorties weekly.

JANUARY, 1966

General increases request to 459,000 men.

McNamara memorandum concedes that air war "has not successfully interdicted infiltration." Second memo warns, "We are in an escalating military stalemate." Includes coalition, neutralist "or even anti-U.S." Government as among outcomes U.S. should be able to accept. Still urges more troops, bombing.

MARCH, 1966

Secretary McNamara, after months of pressure from Joint Chiefs, recommends U.S. bomb petroleum, oil and lubricant supplies in North Vietnam. Admiral Sharp had predicted this would "bring the enemy to the conference table or cause the insurgency to wither."

APRIL, 1966

White House policy meetings to consider Vietnam options. George W. Ball, Under Secretary of State, urges "cutting our losses," concedes "no really, attractive options open to us."

MAY, 1966

President decides to order P.O.L. air strikes. C.I.A. estimates this will not halt "infiltration of men and supplies."

JUNE, 1966

Oil strikes begin, hitting Haiphong, Hanoi storage sites.

JULY, 1966

By month's end, Defense Intelligence Agency estimates 70 per cent North Vietnam's original storage capacity destroyed.

AUGUST, 1966

Major storage sites destroyed; study calls flow of men and material to South "undiminished," notes North Vietnam's "adaptability and resourcefulness" in switching to small, dispersed sites, almost impossible to bomb.

Joint Chiefs pass on new Westmoreland ground-troop request to Mr. McNamara: 542,588 total for 1967.

SEPTEMBER, 1966

Report to Secretary McNamara from study group says Operation Rolling Thunder "had no measurable direct effect" on Hanoi's capability in South Vietnam; concludes that "there is no firm basis for determining if there is any feasible level of effort that would achieve" U.S. air-war objectives.

Study group recommends building electronic barrier across Vietnamese demilitarized zone.

MORE TROOP REQUESTS

Another important factor in Secretary McNamara's "disenchantment" during the summer of 1966, the Pentagon account declares, was General Westmoreland's continual requests for more troops.

In June Mr. McNamara approved a new deployment schedule specifically designed to meet General Westmoreland's requests. The new schedule, labeled Program 3, called for putting 391,000 American soldiers—79 battalions—into South Vietnam by the end of 1966 and 431,000 by June, 1967.

Because articles had begun to appear in the press that the Joint Chiefs were dissatisfied with the pace of the buildup in ground forces, the study relates, President Johnson and Mr. McNamara resorted to a bureaucratic "ploy" to insure that their new schedule met the Joint Chiefs' requests.

On June 28 the President wrote a formal directive to the Secretary of Defense:

"As you know, we have been moving our men to Vietnam on a schedule determined by General Westmoreland's requirements.

"As I have stated orally several times this year, I should like this schedule to be accelerated as much as possible so that General Westmoreland can feel assured that he has all the men he needs as soon as possible.

"Would you meet with the Joint Chiefs and give me at your earliest convenience an indication of what acceleration is possible for the balance of this year."

Secretary McNamara then passed this directive to the Joint Chiefs, who replied in a memorandum on July 7 that the new schedule did meet General Westmoreland's requirements. In turn, Mr. McNamara replied formally to the President that he was "happy to report" that the new deployments were satisfactory.

Thus, the study says, the President and Mr. McNamara gained a record that could be easily pulled out to show any critic that in fact they were meeting the military's requests.

But while President Johnson and Secretary McNamara were approving this schedule, General Westmoreland had already initiated a new request—for 111,588 men—which was passed through channels to the Joint Chiefs on June 18. The figure General Westmoreland said he would now need for 1967 was 542,588 troops.

On Aug. 5 the Joint Chiefs passed the new request to Secretary McNamara, expressing their view that the proposed increases were important and necessary.

Mr. McNamara replied the same day:

"As you know, it is our policy to provide the troops, weapons and supplies requested by General Westmoreland at the times he desires them, to the greatest possible degree.

"Nevertheless I desire and expect a detailed line-by-line analysis of these requirements to determine that each is truly essential to the carrying out of our war plan. We must send to Vietnam what is needed, but only what is needed." [See text, McNamara memo, Aug. 5, 1966.]

When the Joint Chiefs completed their detailed study of the new requests in the fall, the study relates, Mr. McNamara was no longer ready to approve troop increases automatically. And in October, for the first time, he would turn General Westmoreland down.

The major reason General Westmoreland gave for needing more troops, the account discloses, is that during the summer of 1966 North Vietnamese infiltration again appeared to be increasing.

Throughout the summer and early fall, the narrative says, General Westmoreland sent a steady stream of cables to Admiral Sharp and General Wheeler warning about the enemy build-up. [See text, Westmoreland cable, Aug. 10, 1966.]

A SECRET SEMINAR

During the summer of 1966, while Secretary McNamara was pondering the failure of the oil-storage strikes and considering General Westmoreland's latest troop request, a secret seminar of leading scientists under Government sponsorship was studying the

over-all results of Operation Rolling Thunder.

Their conclusions, the historian relates, would have a "dramatic impact" on Mr. McNamara and further contribute to his disenchantment. [See text, bombing evaluation, Aug. 29, 1966.]

The idea for a summer seminar of scientists and academic specialists to study technical aspects of the war had been suggested in March by Dr. George B. Kistiakowsky and Dr. Carl Kaysen of Harvard and Dr. Jerome B. Wiesner and Dr. Jerrold R. Zacharias of the Massachusetts Institute of Technology.

Dr. Kistiakowsky had been special assistant for science and technology under President Dwight D. Eisenhower and Dr. Wiesner had held that post under President Kennedy. Dr. Kaysen had been a Kennedy aide for national security.

Secretary McNamara liked the idea, the study says, and sent Dr. Zacharias a letter on April 16 formally requesting that he had the others arrange the summer study on "technical possibilities in relation to our military operations in Vietnam."

The Secretary specifically instructed Mr. McNaughton, who was to oversee the project, that the scientists should look into the feasibility of "a fence across the infiltration trails, warning systems, reconnaissance (especially night) methods, night vision devices, defoliation techniques and area-denial weapons."

SOME SCIENTIFIC ADVICE

The idea of constructing an anti-infiltration barrier across the demilitarized zone had first been suggested by Prof. Roger Fisher of the Harvard Law School in a memorandum to Mr. McNaughton in January, 1966, the narrative says.

The scientists—47 men representing "the cream of the scholarly community in technical fields," the narrative says—met in Wellesley, Mass., during June, July and August under the auspices of the Jason Division of the Institute for Defense Analyses.

The Jason Division named for the leader of the Argonauts in Greek mythology, was used to conduct "ad hoc high-level studies using primarily non-I.D.A. scholars," the Pentagon study says. The scientists were given briefings by high officials from the Pentagon, the Central Intelligence Agency, the State Department and the White House, the study recounts, and they were provided with secret materials.

Their conclusions and recommendations, which were given to the Secretary of Defense at the beginning of September, had "a powerful and perhaps decisive influence in McNamara's mind," the Pentagon record says.

These were the recommendations, it goes on, of "a group of America's most distinguished scientists, men who had helped the Government produce many of its most advanced technical weapons systems since the end of the Second World War, men who were not identified with the vocal academic criticism of the Administration's Vietnam policy."

Their report evaluating the results of the Rolling Thunder campaign began:

"As of July, 1966, the U.S. bombing of North Vietnam had had no measurable direct effect on Hanoi's ability to mount and support military operations in the South at the current level."

They then pointed out the reasons that they felt North Vietnam could not be hurt by bombing: It was primarily a subsistence agricultural country with little industry and a primitive but flexible transport system, and most of its weapons and supplies came from abroad.

These factors, the scientists said, made it "quite unlikely" that an expanded bombing campaign would "prevent Hanoi from infiltrating men into the South at the present or a higher rate."

In conclusion, the Pentagon study says, the scientists addressed the assumption behind the bombing program—that damage inflicted on a country reduces its will to continue fighting. The scientists criticized this assumption, the study says, by denying that it is possible to measure the relationship.

"It must be concluded," the scientists said, "that there is currently no adequate basis for predicting the levels of U.S. military effort that would be required to achieve the stated objectives—indeed, there is no firm basis for determining if there is any feasible level of effort that would achieve these objectives."

ALTERNATIVE TO BOMBING

As an alternative to bombing North Vietnam, the 47 scientists suggested that an elaborate electronic barrier, using recently developed devices, be built across the demilitarized zone.

The barrier would consist of two parts, the Pentagon report discloses: an anti-troop system made up of small mines (called gravel mines) to damage the enemy's feet and legs, and an anti-vehicle system composed of acoustic sensors that would direct aircraft to the target.

Most of the mines and sensors would be dropped by planes, but the system would have to be checked by ground troops.

The whole system would cost about $800-million a year, the scientists estimated, and would take a year to build.

Secretary McNamara "was apparently strongly and favorably impressed" by the scientists' ideas, the Pentagon study relates, and he immediately ordered Lieut. Gen. Alfred D. Starbird, an Army engineering expert, to begin research on the barrier.

On Oct. 10, 1966, the study reports, Secretary McNamara set out for Saigon to assess General Westmoreland's latest troop request. He had ordered General Starbird to precede him there to begin an investigation of conditions for the barrier.

Characterizing Mr. McNamara's attitudes toward the war, the Pentagon analyst says that the Secretary had gone from "hesitancy" in the winter of 1965 to "perplexity" in the spring of 1966 to "disenchantment" the following fall.

When he returned from his October trip to Saigon, the study relates, he would detail his feelings in two long memorandums to President Johnson and for the first time would recommend against filling a troop request from General Westmoreland.

LEADING U.S. MILITARY PLANNERS

WILLIAM CHILDS WESTMORELAND

U.S. military commander, Vietnam, 1964–68; since then, Army Chief of Staff. Born Spartanburg County, S.C., March 26, 1914 . . . studied at The Citadel, South Carolina military college . . . graduated from U.S. Military Academy, 1936 . . . Harvard University Advanced Management Program, 1954 . . . first combat experience leading artillery battalion, Casablanca landing, 1942 . . . saw action in Tunisia and Sicily . . . landed on Utah Beach, Normandy, D-Day, with Ninth Infantry Division . . . commander, Sixth Infantry Regiment, Germany, 1945 . . . chief of staff, 82d Airborne Division, 1947–50 . . . instructor, Command and General Staff College and Army War College, 1950–52 . . . commanded 187th Airborne combat team, South Korea . . . 1956, promoted to major general, youngest in the Army . . . commander, 101st Airborne Division, 1958–60 . . . superintendent, U.S. Military Academy, 1960–63 . . . once said:

"Command is getting people to go the way you want them to go—enthusiastically" . . . succeeded Gen. Paul D. Harkins as head of U.S. Military Assistance Command, Vietnam, June 20, 1964 . . . replaced on July 2, 1968, by Gen. Creighton W. Abrams Jr. . . . considered a consistent optimist about progress in Vietnam . . . occasionally rumored under consideration as political candidate . . . a former Eagle Scout, enthusiastic about Boy Scouts, a member-at-large of group's national council . . . decorations include Distinguished Service Medal, Bronze Star, Thailand's Most Exalted Order of the White Elephant, Vietnam's Chuong My medal . . . starts day at Pentagon at 8 A.M. precisely.

ULYSSES S. GRANT SHARP, JR.

Commander in chief, Pacific forces 1964–68; since 1968, business consultant. Born Fort Benton, Mont., April 2, 1906 . . . graduating from United States Naval Academy, 1927 . . . destroyer commander, Casablanca landings and Pacific, World War II . . . fleet planning officer for Inchon invasion, Korean war . . . promoted to admiral, 1963 . . . succeeded Adm. Harry D. Felt as commander in chief, all U.S. forces, Pacific, 1964 . . . urged U.S. to "increase our pressures" on North Vietnam, 1967 . . . said bombing limitation "would just prolong the war," 1968 . . . retired July, 1968 . . . succeeded by Adm. John S. McCain . . . awarded two Silver Stars, two Bronze Stars among others . . . a Rotarian, eager golfer . . . lives in San Diego.

EARLE GILMORE WHEELER

Chairman of Joint Chiefs of Staff, 1964–70; since 1970, retired to his West Virginia farm. Born Jan. 13, 1908, Washington . . . graduated U.S. Military Academy, 1932 . . . joined National Guard at new division in U.S. . . . director, joint staff, 1960–62 . . . assigned to brief John Kennedy weekly on military candidate during 1960 Presidential campaign . . . Protégé of Maxwell D. Taylor, whom he succeeded as Chairman of J.C.S., 1964 . . . sole service chief to support McNamara endorsement of test-ban treaty, 1963 . . . on Vietnam war, once told interviewer "If we just keep up the pressure those little guys will crack" . . . held top post longer than anyone else, under two Presidents, three Defense Secretaries . . . retired with disability because of heart ailment . . . now living on 180-acre farm, Martinsburg, W. Va.

KEY TEXTS FROM PENTAGON'S VIETNAM STUDY

Following are texts of key documents accompanying the Pentagon's study of the Vietnam war, covering the period late in 1966 to mid-1967, in which Secretary of Defense Robert S. McNamara began to express disillusionment with the effectiveness of the war effort. Except where excerpting is specified, the documents are printed verbatim, with only unmistakable typographical errors corrected.

MCNAMARA MEMO OF OCT. 14, 1966, OPPOSING INCREASE IN WAR EFFORT

Draft memorandum for President Lyndon B. Johnson, "Actions Recommended for Vietnam," from Secretary of Defense Robert S. McNamara, Oct. 14, 1966.

1. Evaluation of the situation. In the report of my last trip to Vietnam almost a year ago, I stated that the odds were about even that, even with the then-recommended deployments, we would be faced in early 1967 with a military stand-off at a much higher level of conflict and with "pacification" still stalled. I am a little less pessimistic now in one respect. We have done somewhat better militarily than I anticipated. We have by and large blunted the communist military initiative—any military victory in South Vietnam the Viet Cong may have had in mind 18 months ago has been thwarted by our emergency deployments and actions. And our program of bombing the North has exacted a price.

My concern continues, however, in other respects. This is because I see no reasonable way to bring the war to an end soon. Enemy morale has not broken—he apparently has adjusted to our stopping his drive for military victory and has adopted a strategy of

keeping us busy and waiting us out (a strategy of attriting our national will). He knows that we have not been, and he believes we probably will not be, able to translate our military successes into the "end products"—broken enemy morale and political achievements by the GVN.

The one thing demonstrably going for us in Vietnam over the past year has been the large number of enemy killed-in-action resulting from the big military operations. Allowing for possible exaggeration in reports, the enemy must be taking losses—deaths in and after battle—at the rate of more than 60,000 a year. The infiltration routes would seem to be one-way trails to death for the North Vietnamese. Yet there is no sign of an impending break in enemy morale and it appears that he can more than replace his losses by infiltration from North Vietnam and recruitment in South Vietnam.

Pacification is a bad disappointment. We have good grounds to be pleased by the recent elections, by Ky's 16 months in power, and by the faint signs of development of national political institutions and of a legitimate civil government. But none of this has translated itself into political achievements at Province level or below. Pacification has if anything gone backward. As compared with two, or four, years ago, enemy full-time regional forces and part-time guerrilla forces are larger; attacks, terrorism and sabotage have increased in scope and intensity; more railroads are closed and highways cut; the rice crop expected to come to market is smaller; we control little, if any, more of the population; the VC political infrastructure thrives in most of the country, continuing to give the enemy his enormous intelligence advantage; full security exists nowhere (now even behind the U.S. Marines' lines and in Saigon); in the countryside, the enemy almost completely controls the night.

Nor has the ROLLING THUNDER program of bombing the North either significantly affected infiltration or cracked the morale of Hanoi. There is agreement in the intelligence community on these facts (see the attached Appendix).

In essence, we find ourselves—from the point of view of the important war (for the complicity of the people)—no better, and if anything worse off. This important war must be fought and won by the Vietnamese themselves. We have known this from the beginning. But the discouraging truth is that, as was the case in 1961 and 1963 and 1965, we have not found the formula, the catalyst, for training and inspiring them into effective action.

2. Recommended actions. In such an unpromising state of affairs, what should we do? We must continue to press the enemy militarily; we must make demonstrable progress in pacification; at the same time, we must add a new ingredient forced on us by the facts. Specifically, we must improve our position by getting ourselves into a military posture that we credibly would maintain indefinitely—a posture that makes trying to "wait us out" less attractive. I recommend a five-pronged course of action to achieve those ends.

a. Stabilize US force-levels in Vietnam. It is my judgment that, barring a dramatic change in the war, we should limit the increase in US forces in SVN in 1967 to 70,000 men and we should level off at the total of 470,000 which such an increase would provide.[1] It is my view that this is enough to punish the enemy at the large-unit operations level and to keep the enemy's main forces from interrupting pacification. I believe also that even many more than 470,000 would not kill the enemy off in such numbers as to break their morale so long as they think they can wait us out. It is possible that such a 40 percent increase over our present level of 325,000 will break the enemy's morale in the short term; but if it does not, we must, I believe, be prepared for and have underway a long-term program premised on more than breaking the morale of main force units. A stabilized US force level would be part of such a long-term program. It would put us in a position where negotiations would be more likely to be productive, but if they were not we could pursue the all-important pacification task with proper attention and resources and without the spectre of apparently endless escalation of US deployments.

b. Install a barrier. A portion of the 470,000 troops—perhaps 10,000 to 20,000—should be devoted to the construction and maintenance of an infiltration barrier. Such a barrier would lie near the 17th parallel—would run from the sea, across the neck of South Vietnam (choking off the new infiltration routes through the DMZ) and across the trails in Laos. This interdiction system (at an approximate cost of $1 billion) would comprise to the east a ground barrier of fences, wire, sensors, artillery, aircraft and mobile troops; and to the west—mainly in Laos—an interdiction zone covered by air-laid mines and bombing attacks pin-pointed by air-laid acoustic sensors.

The barrier may not be fully effective at first, but I believe that it can be effective in time and that even the threat of its becoming effective can substantially change to our advantage the character of the war. It would hinder enemy efforts, would permit more efficient use of the limited number of friendly troops, and would be persuasive evidence both that our sole aim is to protect the South from the North and that we intend to see the job through.

c. Stabilize the ROLLING THUNDER program against the North. Attack sorties in North Vietnam have risen from about 4,000 per month at the end of last year to 6,000 per month in the first quarter of this year and 12,000 per month at present. Most of our 50 percent increase of deployed attack-capable aircraft has been absorbed in the attacks on North Vietnam. In North Vietnam, almost 84,000 attack sorties have been flown (about 25 percent against fixed targets), 45 percent during the past seven months.

Despite these efforts, it now appears that the North Vietnamese-Laotian road network will remain adequate to meet the requirements of the Communist forces in South Vietnam—this is so even if its capacity could be reduced by one-third and if combat activities were to be doubled. North Vietnam's serious need for trucks, spare parts and petroleum probably can, despite air attacks, be met by imports. The petroleum requirement for trucks involved in the infiltration movement, for example, has not been enough to present significant supply problems, and the effects of the attacks on the petroleum distribution system, while they have not yet been fully assessed, are not expected to cripple the flow of essential supplies. Furthermore, it is clear that, to bomb the North sufficiently to make a radical impact upon Hanoi's political, economic and social structure, would require an effort which we could make but which would not be stomached either by our own people or by world opinion; and it would involve a serious risk of drawing us into open war with China.

The North Vietnamese are paying a price. They have been forced to assign some 300,000 personnel to the lines of communication in order to maintain the critical flow of personnel and material to the South. Now that the lines of communication have been manned, however, it is doubtful that either a large increase or decrease in our interdiction sorties would substantially change the cost to the enemy of maintaining the roads, railroads, and waterways or affect whether they are operational. It follows that the marginal sorties—probably the marginal 1,000 or even 5,000 sorties—per month against the lines of communication no longer have a significant impact on the war. (See the attached excerpts from intelligence estimates.)

When this marginal inutility of added sorties against North Vietnam and Laos is compared with the crew and aircraft losses implicit in the activity (four men and aircraft and $20 million per 1,000 sorties), I recommend, as a minimum, against increasing the level of bombing of North Vietnam and against increasing the intensity of operations by changing the areas or kinds of targets struck.

Under these conditions, the bombing program would continue the pressure and would remain available as a bargaining counter to get talks started (or to trade off in talks). But, as in the case of a stabilized level of US ground forces, the stabilization of ROLLING THUNDER would remove the prospect of ever escalating bombing as a factor complicating our political posture and distracting from the main job of pacification in South Vietnam.

At the proper time, as discussed on pages 6–7 below, I believe we should consider terminating bombing in all of North Vietnam, or at least in the Northeast zones, for an indefinite period in connection with covert moves toward peace.

d. Pursue a vigorous pacification program. As mentioned above, the pacification (Revolutionary Development) program has been and is thoroughly stalled. The large-unit operations war, which we know best how to fight and where we have had our successes, is largely irrelevant to pacification as long as we do not lose it. By and large, the people in rural areas believe that the GVN when it comes will not stay but that the VC will; that cooperations with the GVN will be punished by the VC; that the GVN is really indifferent to the people's welfare; that the low-level GVN are tools of the local rich; and that the GVN is ridden with corruption.

Success in pacification depends on the interrelated functions of providing physical security, destroying the VC apparatus, motivating the people to cooperate and establishing responsive local government. An obviously necessary but not sufficient requirement for success of the Revolutionary Development cadre and police is vigorously conducted and adequately prolonged clearing operations by military troops, who will "stay" in the area, who behave themselves decently and who show some respect for the people.

This elemental requirement of pacification has been missing.

In almost no contested area designated for pacification in recent years have ARVN forces actually "cleared and stayed" to a point where cadre teams, if available, could have stayed overnight in hamlets and survived, let alone accomplish their mission. VC units of company and even battalion size remain in operation, and they are more than large enough to overrun anything the local security forces can put up.

Now that the threat of a Communist main-force military victory has been thwarted by our emergency efforts, we must allocate far more attention and a portion of the regular military forces (at least half of the ARVN and perhaps a portion of the US forces) to the task of providing an active and permanent security screen behind which the Revolutionary Development teams and police can operate and behind which the political struggle with the VC infrastructure can take place.

The US cannot do this pacification security job for the Vietnamese. All we can do is "Massage the heart." For one reason, it is known that we do not intend to stay; if our efforts worked at all, it would merely postpone the eventual confrontation of the VC and GVN infrastructures. The GVN must do the job; and I am convinced that drastic reform is needed if the GVN is going to be able to do it.

Footnotes at end of article.

The first essential reform is in the attitude of GVN officials. They are generally apathetic, and there is corruption high and low. Often appointments, promotions, and draft deferments must be bought; and kickbacks on salaries are common. Cadre at the bottom can be no better than the system above them.

The second needed reform is in the attitude and conduct of the ARVN. The image of the government cannot improve unless and until the ARVN improves markedly. They do not understand the importance (or respectability) of pacification nor the importance to pacification of proper, disciplined conduct. Promotions, assignments and awards are often not made on merit, but rather on the basis of having a diploma, friends or relatives, or because of bribery. The ARVN is weak in dedication, direction and discipline.

Not enough ARVN are devoted to area and population security, and when the ARVN does attempt to support pacification, their actions do not last long enough; their tactics are bad despite US prodding (no aggressive small-unit saturation patrolling, hamlet searches, quick-reaction contact, or offensive night ambushes); they do not make good use of intelligence; and their leadership and discipline are bad.

Furthermore, it is my conviction that a part of the problem undoubtedly lies in bad management on the American as well as the GVN side. Here split responsibility—or "no responsibility"—has resulted in too little hard pressure on the GVN to do its job and no really solid or realistic planning with respect to the whole effort. We must deal with this management problem now and deal with it effectively.

One solution would be to consolidate all US activities which are primarily part of the civilian pacification program and all persons engaged in such activities, providing a clear assignment of responsibility and a unified command under a civilian relieved of all other duties.[2] Under this approach, there would be a carefully delineated division of responsibility between the civilian-in-charge and an element of COMUSMACV under a senior officer, who would give the subject of planning for and providing hamlet security the highest priority in attention and resources. Success will depend on the men selected for the jobs on both sides (they must be among the highest rank and most competent administrators in the US Government), on complete cooperation among the US elements, and on the extent to which the South Vietnamese can be shocked out of their present pattern of behavior. The first work of this reorganized US pacification organization should be to produce within 60 days a realistic and detailed plan for the coming year.

From the political and public-relations viewpoint, this solution is preferable—if it works. But we cannot tolerate continued failure. If it fails after a fair trial, the only alternative in my view is to place the entire pacification program—civilian and military—under General Westmoreland. This alternative would result in the establishment of a Deputy COMUSMACV for Pacification who would be in command of all pacification staffs in Saigon and of all pacification staffs and activities in the field, one person in each corp, province and district would be responsible for the US effort.

(It should be noted that progress in pacification, more than anything else, will persuade the enemy to negotiate or withdraw.)

c. Press for negotiations. I am not optimistic that Hanoi or the VC will respond to peace overtures now (explaining my recommendations above that we get into a level-off posture for the long pull). The ends sought by the two sides appear to be irreconcilable and the relative power balance is not in their view unfavorable to them. But three things can be done, I believe, to increaes the prospects:

(1) Take steps to increase the credibility of our peace gestures in the minds of the enemy. There is considerable evidence both in private statements by the Communists and in the reports of competent Western officials who have talked with them that charges of US bad faith are not solely propagandistic, but reflect deeply held beliefs. Analyses of Communists' statements and actions indicate that they firmly believe that American leadership really does not want the fighting to stop, and, that we are intent on winning a military victory in Vietnam and on maintaining our presence there through a puppet regime supported by US military bases.

As a way of projective US bona fides, I believe that we should consider two possibilities with respect to our bombing program against the North, to be undertaken, if at all, at a time very carefully selected with a view to maximizing the chances of influencing the enemy and world opinion and to minimizing the chances that failure would strengthen the hand of the "hawks" at home: First, without fanfare, conditions, or avowal, wehther the stand-down was permanent or temporary, stop bombing all of North Vietnam. It is generally thought that Hanoi will not agree to negotiations until they can claim that the bombing has stopped unconditionally. We should see what develops, retaining freedom to resume the bombing if nothing useful was forthcoming.

Alternatively, we could shift the weight-of-effort away from "Zones 6A and 6B"—zones including Hanoi and Haiphong and areas north of those two cities to the Chinese border. This alternative has some attraction in that it provides the North Vietnamese a "face saver" if only problems of "face" are holding up Hanoi peace gestures; it would narrow the bombing down directly to the objectionable infiltration (supporting the logic of a stop-infiltration/full-pause deal); and it would reduce the international heat on the US. Here, too, bombing of the Northeast could be resumed at any time, or "spot" attacks could be made there from time to time to keep North Veitnam off balance and to require her to pay almost the full cost by maintaining her repair crews in place. The sorties diverted from Zones 6A and 6B could be concentrated on infiltration routes in Zones 1 and 2 (the southern end of North Vietnam, including the Mu Gia Pass), in Laos and in South Vietnam. * * *[3]

To the same end of improving our credibility, we should seek ways—through words and deeds—to make believable our intention to withdraw our forces once the North Vietnamese aggression against the South stops. In particular, we should avoid any implication that we will stay in South Vietnam with bases or to guarantee any particular outcome to a solely South Vietnamese struggle.

(2) Try to split the VC off from Hanoi. The intelligence estimate is that evidence is overwhelming that the North Vietnamese dominate and control the National Front and the Viet Cong. Nevertheless, I think we should continue and enlarge efforts to contact the VC/NLF and to probe ways to split members or sections off the VC/NLF organization.

(3) Press contacts with North Vietnam, the Soviet Union and other parties who might contribute toward a settlement.

(4) Develop a realistic plan providing a role for the VC in negotiations, post-war life, and government of the nation. An amnesty offer and proposals for national reconciliation would be steps in the right direction and should be parts of the plan. It is important that this plan be one which will appear reasonable, if not at first to Hanoi and the VC, at least to world opinion.

3. The prognosis. The prognosis is bad that the war can be brought to a satisfactory conclusion within the next two years. The large-unit operations probably will not do it; negotiations probably will not do it. *While we should continue to pursue both of these routes in trying for a solution in the short run, we should recognize that success from them is a mere possibility, not a probability.*

The solution lies in girding, openly, for a longer war and in taking actions immediately which will in 12 to 18 months give clear evidence that the continuing costs and risks to the American people are acceptably limited, that the formula for success has been found, and that the end of the war is merely a matter of time. All of my recommendations will contribute to this strategy, but the one most difficult to implement is perhaps the most important one—enlivening the pacification program. The odds are less than even for this task, if only because we have failed consistently since 1961 to make a dent in the problem. But, because the 1967 trend of pacification will, I believe, be the main talisman of ultimate US success or failure in Vietnam, extraordinary imagination and effort should go into changing the stripes of that problem.

President Thieu and Prime Minister Ky are thinking along similar lines. They told me that they do not expect the Enemy to negotiate or to modify his program in less than two years. Rather, they expect that enemy to continue to expand and to increase his activity. They expressed agreement with us that the key to success is pacification and that so far pacification has failed. They agree that we need clarification of GVN and US roles and that the bulk of the ARVN should be shifted to pacification. Ky will, between January and July 1967, shift all ARVN infantry divisions to that role. And he is giving Thang, a good Revolutionary Development director, added powers. Thieu and Ky see this as part of a two-year (1967–68) schedule, in which offensive operations against enemy main force units are continued, carried on primarily by the US and other Free-World forces. At the end of the two-year period, they believe the enemy may be willing to negotiate or to retreat from his current course of action.

Note: Neither the Secretary of State nor the JCS have yet had an opportunity to express their views on this report. Mr. Katzenbach and I have discussed many of its main conclusions and recommendations—in general, but not in all particulars, it expresses his views as well as my own.

FOOTNOTES

[1] Admiral Sharp has recommended a 12/31/67 strength of 570,000. However, I believe both he and General Westmoreland recognize that the danger of inflation will probably force an end 1967 deployment limit of about 470,000.

[2] If this task is assigned to Ambassador Porter, another individual must be sent immediately to Saigon to serve as Ambassador Lodge's deputy.

[3] * * * Any limitation on the bombing of North Vietnam will cause serious psychological problems among the men who are risking their lives to help achieve our political objectives; among their commanders up to and including the JCS; and among those of our people who cannot understand why we should withhold punishment from the enemy. General Westmoreland, as do the JCS, strongly believes in the military value of the bombing program. Further, Westmoreland reports that the morale of his Air Force personnel may already be showing signs of erosion—an erosion resulting from current operational restrictions.

APPENDIX

Extracts from CIA/DIA Report "An Appraisal of the Bombing of North Vietnam through 12 September 1966."

1. There is no evidence yet of any shortage of POL in North Vietnam and stocks on hand, with recent imports, have been adequate to sustain necessary operations.

2. Air strikes against all modes of transportation in North Vietnam and during the

past month, but there is no evidence of serious transport problems in the movement of supplies to or within North Vietnam.

3. There is no evidence yet that the air strikes have significantly weakened popular morale.

4. Air strikes continue to depress economic growth and have been responsible for the abandonment of some plans for economic development, but essential economic activities continue.

Extracts from a March 16, 1966 CIA Report "An Analysis of the ROLLING THUNDER Air Offensive against North Vietnam."

1. Although the movement of men and supplies in North Vietnam has been hampered and made somewhat more costly (by our bombing), the Communists have been able to increase the flow of supplies and manpower to South Vietnam.

2. Hanoi's determination (despite our bombing) to continue its policy of supporting the insurgency in the South appears as firm as ever.

3. Air attacks almost certainly cannot bring about a meaningful reduction in the current level at which essential supplies and men flow into South Vietnam.

Bomb Damage Assessment in the North by the Institute for Defense Analyses' "Summer Study Group"

What surprised us (in our assessment of the effect of bombing North Vietnam) was the extent of agreement among various intelligence agencies on the effects of past operations and probable effects of continued and expanded Rolling Thunder. The conclusions of our group, to which we all subscribe, are therefore merely sharpened conclusions of numerous Intelligence summaries. They are that Rolling Thunder does not limit the present logistic flow into SVN because NVN is neither the source of supplies nor the choke-point on the supply routes from China and USSR. Although an expansion of Rolling Thunder by closing Haiphong harbor, eliminating electric power plants and totally destroying railroads, will at least indirectly impose further privations on the populace of NVN and make the logistic support of VC costlier to maintain, such expansion will not really change the basic asesssment. This follows because NVN has demonstrated excellent ability to improvise transportation, and because the primitive nature of their economy is such that Rolling Thunder can affect directly only a small fraction of the population. There is very little hope that the Ho Chi Minh Government will lose control of population because of Rolling Thunder. The lessons of the Korean War are very relevant in these respects. Moreover, foreign economic aid to NVN is large compared to the damage we inflict, and growing. Probably the government of NVN has assurances that the USSR and/or China will assist the rebuilding of its economy after the war, and hence its concern about the damage being inflicted may be moderated by long-range favorable expectations.

Specifically:

1. As of July 1966 the U.S. bombing of North Vietnam had had no measurable direct effect on Hanoi's ability to mount and support military operations in the South at the current level.

2. Since the initiation of the Rolling Thunder program the damage to facilities and equipment in North Vietnam has been more than offset by the increased flow of military and economic aid, largely from the USSR and Communist China.

3. The aspects of the basic situation that have enabled Hanoi to continue its support of military operations in the South and to neutralize the impact of U.S. bombing by passing the economic costs to other Communist countries are not likely to be altered by reducing the present geographic constraints, mining Haiphong and the principal harbors in North Vietnam, increasing the number of armed reconnaissance sorties and otherwise expanding the US air offensive along the lines now contemplated in military recommendations and planning studies.

4. While conceptually it is reasonable to assume that some limit may be imposed on the scale of military activity that Hanoi can maintain in the South by continuing the Rolling Thunder program at the present, or some higher level of effort, there appears to be no basis for defining that limit in concrete terms, or for concluding that the present scale of VC/NVN activities in the field have approached that limit.

5. The indirect effects of the bombing on the will of the North Vietnamese to continue fighting and on their leaders' appraisal of the prospective gains and costs of maintaining the present policy have not shown themselves in any tangible way. Furthermore, we have not discovered any basis for concluding that the indirect punitive effects of bombing will prove decisive in these respects.

JOINT CHIEFS' MEMO DISPUTING MCNAMARA VIEW ON BOMBING

Excerpts from Joint Chiefs of Staff memorandum, signed by Gen. Earle G. Wheeler, Chairman, to Secretary of Defense McNamara, Oct. 14, 1966, as provided in the body of the Pentagon study.

The Joint Chiefs of Staff do not concur in your recommendation that there should be no increase in level of bombing effort and no modification in areas and targets subject to air attack. They believe our air campaign against NVN to be an integral and indispensable part of over all war effort. To be effective, the air campaign should be conducted with only those minimum constraints necessary to avoid indiscriminate killing of population. . . .

The Joint Chiefs of Staff do not concur with your proposal that, as a carrot to induce negotiations, we should suspend or reduce our bombing campaign against NVN. Our experiences with pauses in bombing and resumption have not been happy ones. Additionally, the Joint Chiefs of Staff believe that the likelihood of the war being settled by negotiation is small, and that, far from inducing negotiations, another bombing pause will be regarded by North Vietnamese leaders, and our Allies, as renewed evidence of lack of US determination to press the war to a successful conclusion. The bombing campaign is one of the two trump cards in the hands of the President (the other being the presence of US troops in SVN). It should not be given up without an end to the NVN aggression in SVN. . . .

The Joint Chiefs of Staff believe that the war has reached a stage at which decisions taken over the next sixty days can determine the outcome of the war and, consequently, can affect the overall security interests of the United States for years to come. Therefore, they wish to provide to you and to the President their unequivocal views on two salient aspects of the war situation: the search for peace and military pressures on NVN.

A. The frequent, broadly-based public offers made by the President to settle the war by peaceful means on a generous basis, which would take from NVN nothing it now has, have been admirable. Certainly, no one—American or foreigner—except those who are determined not to be convinced, can doubt the sincerity, the generosity, the altruism of US actions and objectives. In the opinion of the Joint Chiefs of Staff the time has come when further overt actions and offers on our part are not only nonproductive, they are counter-productive. A logical case can be made that the American people, our Allies, and our enemies alike are increasingly uncertain as to our resolution to pursue the war to a successful conclusion. The Joint Chiefs of Staff advocate the following:

(1) A statement by the President during the Manila Conference of his unswerving determination to carry on the war until NVN aggression against SVN shall cease;

(2) Continued covert exploration of all avenues leading to a peaceful settlement of the war; and

(3) Continued alertness to detect and react appropriately to withdrawal of North Vietnamese troops from SVN and cessation of support to the VC.

B. In JCSM-955-64, dated 14 November 1964, and in JCSM-962-64, dated 23 November 1964, the Joint Chiefs of Staff provided their views as to the military pressures which should be brought to bear on NVN. In summary, they recommended a "sharp knock" on NVN military assets and war-supporting facilities rather than the campaign of slowly increasing pressure which was adopted. Whatever the political merits of the latter course, we deprived ourselves of the military effects of early weight of effort and shock, and gave to the enemy time to adjust to our slow quantitative and qualitative increase of pressure. This is not to say that it is now too late to derive military benefits from more effective and extensive use of our air and naval superiority. The Joint Chiefs of Staff recommend:

(1) Approval of their Rolling Thunder 52 program, which is a step toward meeting the requirement for inproved target systems. This program would decrease the Hanoi and Haiphong sanctuary areas, authorize attacks against the steel plant, the Hanoi rail yards, the thermal power plants, selected areas within Haiphong port and other ports, selected locks and dams controlling water LOC's SAM support facilities within the residual Hanoi and Haiphong sanctuaries, and POL at Haiphong, Ha Gia (Phuc Yen) and Can Thon (Kep).

(2) Use of naval surface forces to interdict North Vietnamese coastal waterborne traffic and appropriate land LOCs and to attack other coastal military targets such as radar and AAA sites.

. . . The Joint Chiefs of Staff request that their views as set forth above be provided to the President.

MCNAMARA DRAFT MEMORANDUM FOR JOHNSON IN NOVEMBER 1966

Excerpts from draft memorandum for President Johnson from Secretary McNamara, dated Nov. 17, 1966, and headed "Recommended FY67 Southeast Asia Supplemental Appropriation," as provided in the body of the Pentagon study.

A substantial air interdiction campaign is clearly necessary and worthwhile. In addition to putting a ceiling on the size of the force that can be supported, it yields three significant military effects. First, it effectively harasses and delays truck movements down through the southern panhandles of NVN and Laos, though it has no effect on troops infiltrating on foot over trails that are virtually invisible from the air. Our experience shows that daytime armed reconnaissance above some minimum sortie rate makes it prohibitively expenses to the enemy to attempt daylight movement of vehicles, and so forces him to night movement. Second, destruction of bridges and cratering of roads forces the enemy to deploy repair crews, equipment, and porters to repair or bypass the damage. Third, attacks on vehicles, parks, and rest camps destroy some vehicles with their cargoes and inflict casualties. Moreover, our bombing campaign may produce a beneficial effect on U.S. and SVN morale by making NVA pay a price for its enemy [sic]. But at the scale we are now operating, I believe our bombing is yielding very small marginal returns, not worth the cost in pilot lives and aircraft.

The first effect, that of forcing the enemy into a system of night movement, occurs at a lower frequency of armed reconnaissance sorties than the level of the past several months. The enemy was already moving at night in 1965, before the sorties rate had reached half the current level; further sorties have no further effect on the enemy's overall operating system. The second effect, that of forcing the enemy to deploy repair crews, equipment, and porters, is also largely brought about by a comparatively low interdiction effort. Our interdiction campaign in 1965 and early this year forced NVN to assign roughly 300,000 additional personnel to LOCs; there is no indication that recent sortie increases have caused further increases in the number of these personnel. Once the enemy system can repair road cuts and damaged bridges in a few hours, as it has demonstrated it can, additional sorties may work this system harder but are unlikely to cause a significant increase in its costs. Only the third effect, the destruction of vehicles and their cargoes, continues to increase in about the same proportion as the number of armed reconnaissance sorties, but without noticeable impact on VC/NCA operations. The overall capability of the NVN transport system to move supplies within NVN apparently improved in September in spite of 12,200 attack sorties.

In a summary paragraph, the draft memo made the entire case against the bombings:

The increased damage to targets is not producing noticeable results. No serious shortage of POL in North Vietnam is evident, and stocks on hand, with recent imports, have been adequate to sustain necessary operations. No serious transport problem in the movement of supplies to or within North Vietnam is evident; most transportation routes appear to be open, and there has recently been a major logistical build-up in the area of the DMZ. The raids have disrupted the civil populace and caused isolated food shortages, but have not significantly weakened popular morale. Air strikes continue to depress economic growth and have been responsible for abandonment of some plans for economic development, but essential economic activities continue. The increasing amounts of physical damage sustained by North Vietnamese are in large measure compensated by aid received from other Communist countries. Thus, in spite of an interdiction campaign costing at least $250 million per month at current levels, no significant impact on the war in South Vietnam is evident. The monetary value of damage to NVN since the start of bombing in February 1965 is estimated at about $140 million through October 10, 1966.

KOMER REPORT TO JOHNSON AFTER FEBRUARY TRIP TO VIETNAM

Excerpts from memorandum to President Johnson from Robert W. Komer his special assistant, Feb. 28, 1967, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

After almost a year full-time in Vietnam, and six trips there, I felt able to learn a good deal more from my 11 days in-country, 13–23 February. I return more optimistic than ever before. The cumulative change since my first visit last April is dramatic, if not yet visibly demonstrable in all respects. Indeed, I'll reaffirm even more vigorously my prognosis of last November which would be achieved in 1967 on almost every front in Vietnam.

He firmly believed that in time we would just overwhelm the VC in SVN:

Wastefully, expensively, but nonetheless indisputably, we are winning the war in the South. Few of our programs—civil or military—are very efficient, but we are grinding the enemy down by sheer weight and mass. And the cumulative impact of all we have set in motion is beginning to tell. Pacification still lags the most, yet even it is moving forward.

Finally, and contrary to all military reports, he saw some let-up in the pressures for additional resources:

Indeed my broad feeling, with due allowance for over-simplification, is that our side now has in presently programmed levels all the men, money and other resources needed to achieve success. . . .

WESTMORELAND'S MARCH 18 MEMO ON INCREASE IN FORCES

Excerpts from cablegram from Gen. William C. Westmoreland, commander of United States forces in Vietnam, to Pacific command, March 18, 1967, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

On 18 March, General Westmoreland submitted his analysis of current MACV force requirements projected through FY 68. This request was to furnish the base line for all further force deployment calculations during the Program 5 period. In preface to his specific request, COMUSMACV reviewed his earlier CY 67 requirement which asked for 124 maneuver battalions with their necessary combat and combat service support, a total strength of 555,741. This figure was the maximum figure requested during the Program 4 deliberations. The approved Program 4 package included only 470,336 and was considerably below the MACV request, a fact which led to the series of reclamas described in Section II. Westmoreland related that MACVCINCPAC had not strongly objected earlier to the 470,000 man ceiling because of adverse piaster impact and the realities of service capabilities, but, subsequent reassessment of the situation had indicated clearly to him that the Program 4 force, although enabling U.S. force to gain the initiative did not "permit sustained operations of the scope and intensity required to avoid an unreasonably protracted war."

As the cable continued, the American commander in Vietnam briefly restated his earlier assessment of enemy trends: That the enemy had increased his force structure appreciably and was now confronting Free World Military Forces with large bodies of troops in and above the DMZ, in the Laotian and Cambodian sanctuaries and certain areas within SVN. In light of this new appraisal, he had established an early requirement for an additional 2⅓ divisions which he proposed be accommodated by restructuring the original 555,741-man force package proposed during Program 4. This force was required "as soon as possible but not later than 1 July 1968." Part of the reasoning was that this in effect constituted no more than a 6-month "extension" of the CY 67 program and as such would permit shifting force programming from a Calendar Year to a Fiscal Year basis, a shift long needed in COMUSMACV's estimation to make force programming for Vietnam compatible with other programs and to provide essential lead time in the procurement of hardware. Westmoreland then looked further ahead, noting:

. . . It is entirely possible that additional forces, over and above the immediate requirement for 2⅓ Divisions, will materialize. Present planning, which will undergo continued refinement, suggests an additional 2⅓ division equivalents whose availability is seen as extending beyond FY 68.

Then as if to take the edge off his request, COMUSMACV turned attention to two programs which were becoming increasingly attractive to American decision-makers. These were development of an improved RVNAF and an increase in the other Free World Military Forces committed to the war in Vietnam. He commented that despite the force ceiling on RVNAF currently in effect some selective increase in Vietnamese capabilities was required, such as creation of a suitable base for establishing a constabulary, an organization vital to the success of the Revolutionary Development program. Westm reland stated that it was the position of his headquarters that provision for any and all Free World Military Forces was welcomed as "additive reinforcements," but they would be treated as additions only, thereby having no effect upon U.S. force computations.

The concept of operations under which the new forces he requested were to be employed varied little in its essential aspects from that outlined in MACV's February "Assessment of the Military Situation and Concept of Operations," which had reached Washington but a week earlier. However, the new cable integrated the new forces as part of the MACV operational forces. Westmoreland reviewed the period just past then turned to the future:

. . . our operations were primarily holding actions characterized by border surveillance, reconnaissance to locate enemy forces, and spoiling attacks to disrupt the enemy offensive. As a result of our buildup and successes, we were able to plan and initiate a general offensive. We now have gained the tactical initiative, and are conducting continuous small and occasional large-scale offensive operations to decimate the enemy forces; to destroy enemy base areas and disrupt his infrastructure; to interdict his land and water LOC's and to convince him, through the vigor of our offensive and accompanying psychological operations, that he faces inevitable defeat.

Military success alone will not achieve the US objectives in Vietnam. Political, economic and psychological victory is equally important, and support of Revolutionary Development program is mandatory. The basic precept for the role of the military in support of Revolutionary Development is to provide a secure environment for the population so that the civil aspects of RD can progress.

He then detailed corps by corps the two troop request requirements labeling them the "optimum force" [4⅔ Divs] and the "minimum essential force" [2⅓ Divs]:

B. FORCE REQUIREMENTS FY 68

(1) The MACV objectives for 1967 were based on the assumption that the CY 67 force requirements would be approved and provided expeditiously within the capabilities of the services. However, with the implementation of Program Four, it was recognized that our accomplishments might fall short of our objectives. With the additional forces cited above, we would have had the capability to extend offensive operations into an exploitation phase designed to take advantage of our successes.

(2) With requisite forces, we shall be able to complete more quickly the destruction or neutralization of the enemy main forces and bases and, by continued presence, deny to him those areas in RVN long considered safe havens. As the enemy main forces are destroyed or broken up, increasingly greater efforts can be devoted to rooting out and destroying the VC guerrilla and communist infrastructure. Moreover, increased assistance can be provided the RVNAF in support of its effort to provide the required level of security for the expanding areas undergoing Revolutionary Develoı ment.

(3) Optimum Force. The optimum force required implement the concept of operations and to exploit success is considered 4⅔ divisions or the equivalent; 10 tactical fighter squadrons with one additional base; and the full mobile riverine force. The order of magnitude estimate is 201,250 spaces in addition to the 1967 ceiling of 470,366 for a total of 671,616.

(A) In I Corps, the situation is the most critical with respect to existing and potential force ratios. As a minimum, a division plus a regiment is required for Quang Tri Province as a containment force. The

latter has been justified previously in another plan. Employment of this force in the containment role would release the units now engaged there for expansion of the Da Nang, Hue-Phu Bai and Chu Lai TAOR's as well as increase security and control along the corps northern coastal areas. One of the most critical areas in RVN today is Quang Ngai Province even if a major operation were conducted in this area during 1967, the relief would be no more than temporary. A force is needed in the province to maintain continuous pressure on the enemy to eliminate his forces and numerous base areas, and to remove his control over the large population and food reserves. The sustained employment of a division of 10 battalions is mandatory in Quang Ngai Province if desired results are to be realized. Employment of this force would provide security for the vital coastal areas, facilitate opening and securing Route 1 and the railroad and, perhaps equally important, relieve pressure on northern Binh Dinh Province.

(b) In II Corps, the task is two fold: destroy the enemy main and guerrilla forces in the coastal areas; and contain the infiltration of NVA forces from Cambodia and Laos. Continual expansion both north and south of the present capital coastal TAOR's opening and securing Route 1 and the railroad, securing Route 20 from Dalat south to the III Corps boundary, destruction of enemy forces in Pleuku and Kontum Provinces, and containment of enemy forces in the Cambodian and Laotian sanctuaries are all tasks to be accomplished given the large area in II Corps and the continuous enemy threat, an optimum force augmentation of four separate brigades is required to execute effectively an exploitation of our successes. An infantry brigade is needed in northern Binh Dinh Province to expand security along the coastal area and to facilitate operations in Quang Ngai Province to the north. A mechanized brigade in the western highlands will assist in offensive and containment operations in the Pleiku-Kontum area. An infantry brigade in the region of Nam Me Thout is needed to conduct operations against enemy forces and bases there and to add security to this portion of II Corps now manned with limited ARVN forces, and finally, a mechanized brigade is needed in Binh Thuan Province to neutralize the enemy forces and bases in the southern coastal area, and to open and secure highway 1 and the national railroad to the III Corps boundary.

(c) In III Corps, operations to destroy VC/NVA forces and bases in the northwestern and central parts of the corps area and to intensify the campaign against the enemy's infrastructure are being conducted. These operations are to be completed by intensive efforts to open and secure the principal land and water LOC's throughout the Corps Zone. However, deployment of the U.S. 9th Division to IV Corps will create a gap in the forces available in III Corps to operate against seen significant base areas in Phuoc Tuy, Bin Tuy, and Long Lhanh Provinces. These areas constitute the home base of the still formidable 5th VC Division. This unit must be destroyed, its bases neutralized and Route 1 and the national railroad opened and secured. Other critical locales that will require considerable effort are War Zone D and Phuoc Long area in which the VC 7th Division is believed to be located. With the forces operating currently in III Corps, substantial progress can be made, but to exploit effectively our successes an addition of one division, preferably air mobile is required. By basing this division in Bien Hoa province just north of the RSSZ, it would be in position to conduct operations against the 5th Division, and War Zone D, as well as to reinforce the U.S. 9th Division in Delta operations as required.

(d) In IV Corps, with deployment of the US 9th Div to the Corps area and with increasing success of ARVN operations there, the situation will be greatly improved. Primary emphasis will be given to destroying VC main and guerrilla units and their bases, to intensifying operations to extend GVN control, to stopping the flow of food stuffs and materials to the enemy through Cambodia, and to assisting in the flow of goods to GVN outlets in Saigon. In addition emphasis will be accorded the opening and securing of principal water and land LOC's which are the key to all operations in the Delta. It is noteworthy on this score, that effectiveness of forces available is hampered severely by an inadequate mobile riverine force. In IV Corps, the essential requirement is to flesh out the mobile riverine force with three APB's (Barracks Ships) one ARL (repair ship), and two RAS (river assault squadrons).

(4) The Minimum Essential Force necessary to exploit success of the current offensive and to retain effective control of expanding areas being cleaned of enemy influence is 2⅓ divisions with a total of 21 maneuver battalions. One division, with nine infantry battalions—each with 4 rifle companies—and an ACR of three squadrons are required. The other division of nine maneuver battalions, each battalion organized with four rifle companies is required in Quang Ngai Province. Four tactical fighter squadrons, each generating 113 sorties per month per identified maneuver battalion, are required. Two squadrons will be stationed at Phu Cat and two at Tuy Hoa. One C–130 or equivalent type squadron can provide adequate airlift and is justified on the basis of current planning factors: This SQD would be based at Cam Ranh Bay. A minimum essential logistic base can be provided by selective augmentation of NSA Danang, and by provision for lift capability equivalent to eight LST's in addition to two LST's identified previously for the containment force in Quang Tri Province. Two nondivisional Army combat engineer battalions and four Army construction battalions will be required to support divisional engineering effort to augment two navy construction battalions that previously have been identified with the containment force in Quang Tri Province.

(b) Effectiveness of the US 9th Division's operations in IV Corps will be degraded unacceptably without adequate mobility on the waterways. For this reason, addition of two river assault squadrons with their associated support is deemed essential. The Mekong Delta Mobile Riverine Force originally was tailored and justified as a four RAS level. This requirement still is valid. The primary media of transport in the Delta are air and water. Air mobility is recognized as critical to success of operations in the area, but the size of offensive operations that can be mounted is limited by the inherent physical limitations of airborne vehicles. Accordingly, any sizeable offensive operation such as those visualized for the US 9th Division must utilize the 300km of waterways in the Delta to exploit tactical mobility. Maintenance of LOC's and population control in the areas secured by the division's operations, along with extension of the interdiction effort, necessitates expansion of the game warden operation. Fifty PBR's can provide this capability based on experience factors accrued thus far . . . .

March 28 Westmoreland Cable to Joint Chiefs on Troop Needs

Excerpts from cablegram from General Westmoreland to the Joint Chiefs of Staff, "MACV FY–68 Force Requirements," March 28, 1967, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

On 26 March COMUSMACV submitted to the CINCPAC Requirements Task Group a detailed troop listing for the 2⅓ division "minimum essential force." Other than providing a detailed list of TO&E's and unit small strengths, the document provides little of interest. It did stipulate that the northern portion of the minimum essential force would be directed toward an expanded infiltration interdiction mission and that the southern portion of the force would pursue "presently prescribed operations."

In a follow-up message to the Task Requirements Group on the 28th of March COMUSMACV again commented on the restrictive aspects of Program 4. This in turn was picked up and amplified by CINCPAC in a message to the JCS on the same day. CINCPAC pointed out that as of 9 March 1967 Program 4 was 38,241 spaces short of full implementation and that this figure included spaces for five battalions or their equivalents which could not be considered for trade-off purposes. All of these spaces, especially the battalion equivalents, were significant elements when considered within the perspective of MACV's operational requirements and could not be deleted without seriously impairing MACV capability to achieve its objectives. In light of this shortfall in Program 4 CINCPAC requested that the JCS reconsider its earlier proposal that a 4th rifle company be added to all U.S. Army infantry battalions in Vietnam. The logic behind such a raise in program ceiling which would increase materially the combat power and effectiveness of the infantry without increasing unit overhead was irrefutable in CINCPAC's eyes. CINCPAC proposed that the addition of the rifle companies, a total of 8,821 men, be added to the Program 4 ceiling for a total of 479,231 of all services. The space requirements for the 2⅓ division minimum essential force reflected in the COMUSMACV request would then be added on to the adjusted Program 4 total of 479,000. However, in the event that any or all of the spaces reflected in that 479,000 were not approved or that the package itself would be reduced, the Pacific Commander predicted grave curtailment in MACV operations and a danger that the operational objectives set for the force requirements initially would not be achieved.

By 28 March the JCS through the CINPAC group had the detailed justification and planning calculations for the COMUSMACV 67 force requirements in hand. MACV had added little that was new in the way of strategic concept other than to reaffirm their intention to concentrate on certain priority areas in each corps tactical zone. Priority areas themselves were selected because they seemed best suited to achieve destruction or neutralization of enemy main forces and bases—persistently prime MACV goals. Despite this strong declaration of intent MACV hedged by noting that "the enemy will be struck wherever he presents a lucrative target." Forces would also be maintained by MACV outside the priority areas to contain the enemy in his out of country sanctuaries. In this connection, the planners anticipated that there would be large scale offensive operations continuously conducted during FY 68 to detect and destroy infiltration or invasion forces in the DMZ-Highland Border regions.

If the forces outlined under the optimum force request were granted priority was to be accorded to the expansion of secure areas. The RVNAF would be given the primary responsibility of providing military support of Revolutionary Development activities and Revolutionary Development operations would be intensified throughout the country as the pacified areas were expanded, MACV explained that such increased demands on the RVNAF would establish a concomitant demand for additional U.S. force resources to fill the operational void resulting from the intensified Revolutionary Development ori-

entation of the RVNAF. The long message also broke out the minimum essential and optimum package forces by service and by total troops as shown in the table below.

	Strength (2½ div min essential force)	Strength (2½ div addition for optimum force package)	Strength (total optimum force)
Army	69,359	[1] 100,527	169,886
Navy	5,739	8,023	13,762
Air Force	5,368	9,891	15,259
Marines	110	0	110
Total	80,576	118,441	119,017

[1] Includes 5,547 spaces required to incorporate MACV Study recommendations.

The total optimum force and strength was 678,248 arrived at by adding the approved Program 4 strength of 470,000 to the earlier MACV reclama of 8,821 (see page 68 this section) and the "optimum force" additive of 199,017. The justification for additional forces broken out by corps tactical zones were essentially the same as those presented in the original MACV request on 18 March. However, the later document prepared at PACOM Hqs on the 28th reflected the increased concern with the enemy threat developing in the I Corps tactical zone. Concerning this threat, COMUSMACV wrote:

. . . In I Corps tactical zone, the bulk of the population and the food producing regions are within 15 miles of the coast. In the northern part of the zone, multiple NVA Divisions possess the capability to move south of the DMZ. Additionally, there is constant enemy activity in much of the coastal area. The topography of I Corps lends itself to the establishment and maintenance of enemy base areas in the remote, sparsely populated regions. The enemy has operated for years virtually unmolested throughout most of Quang Ngai Province because friendly forces could not be diverted from other important tasks.

There are several important tasks which must be performed in I Corps. Security of bases and key population centers must be maintained. The area under GVN control must be extended by expanding existing TAOR's, and by opening and securing major LOC's, particularly Route 1. The enemy must be contained in his sanctuaries, and denied use of infiltration and invasion routes. Enemy main forces and bases must be sought out and destroyed. Surveillance and reconnaissance in force throughout the CTZ must complement the tasks discussed above.

The deployment of a division and an armored cavalry regiment to Quang Tri Province, south of the DMZ, would make it possible for Marine Corps units now conducting containment operations to secure and expand tactical areas of responsibility (TAOR's).

The RVNAF and US/FWMAF will intensify operations against organized enemy forces and base areas in and near the populated and food producing areas of the coastal plains thus denying them access to population and food sources.

Clearing and securing operations will be pursued to facilitate the expansion of the secured areas, the ultimate goal being to connect the Hue-Phu Bai, Danang, and Chu Lai TAOR's. The following major LOC's will be opened and secured: Route 9, from Route 1 to Thon San Lam; and Route 1 and the railroad throughout the entire length of I CTZ, including the spur to the An Hoa industrial complex.

One of the most critical areas in the RVN today is Quang Ngai Province. A division is required there to maintain continuous pressure on the enemy, to eliminate his forces and numerous base areas, and to remove his control over large population and food resources.

Sustained employment of a division in Quang Ngai would obviate the necessity to use other forces to meet a critical requirement. The division would provide security for the coastal area, facilitate opening and securing Route 1 and the railroad, and relieve some of the pressure on northern Binh Dinh Province. Of particular significance is the support which would be provided to the RVNAF in securing the important Mo Duc Area with its dense population and three annual rice crops. Additionally, deployment of the division as discussed above would allow III MAF to expand its clearing and securing operations into the heavily populated Tam Ky area north of the Chu Lai TAOR. Long term security must be provided for both of these areas so that Revolutionary Development can progress.

Failure to provide two and one-third divisions for I CTZ would result in the diversion of existing forces from other tasks to deny and defeat infiltration or invasion. Security in support of Revolutionary Development could not be increased to the desired degree in the coastal area, the major LOC's could not be opened throughout the CTZ, and the enemy would be able to continue operating virtually unmolested throughout the key Quang Ngai Province.

It is emphasized that the relationship of the two and one-third division force requirement for I Corps to that of Practice Nine is coincidental. This force is the minimum essential required to support operations planned for FY 68 without reference to Practice Nine.

The next most dangerous situation appeared to be that in II Corps, a diverse geographical area which included major population centers along the coastal plains as well as sizeable population centers and military bases on the western plateau such as Binh Dinh, Anke, Kontum, and Pleiku. Here the enemy, orienting himself on the population, presented a different problem which, in the words of General Westmoreland, required "a high degree of mobility and flexibility in U.S./FWMAF/RVNAF." As he analyzed the corps tactical situation, Westmoreland reemphasized what he had already said about containing the large enemy military forces at the boundaries of the sanctuaries:

Enemy forces in the Pleiku and Kontum areas must be destroyed, and infiltration from Cambodia and Laos must be contained. Forces in-country will continue to make progress in areas of current deployment. Those programmed for deployment will augment this effort. However, there are gaps, as discussed below, that must be filled before success can be exploited and minimum essential security can be provided within the II Corps area.

Large enemy forces remaining in heavily populated Binh Dinh Province must be destroyed. Security must be established and maintained in the northern portion of the province, particularly along the coastal area, so that Revolutionary Development can progress. These security forces also will facilitate the conduct of operations in Quang Ngai Province.

Inadequacy of forces in the border areas is a significant weakness in II Corps. Reinforcement of units in the western highlands is needed to assist in the conduct of offensive and containment operations. With the large enemy forces located in border sanctuaries, II Corps is faced constantly with the possible requirement to divert critical resources from priority tasks to counter large scale intrusion.

The most pressing military objective in III Corps area was to expand security radically from the Saigon-Cholon area. MACV planned to accomplish this primarily by standard clearing and security operations featuring an intensified campaign conducted to root out the VC infrastructure. In conjunction with this, continuous pressure presumably in the form of search and destroy operations would be applied to the enemy. In War Zones C and D, the Iron Triangle and the base area clusters in the Phuoc Long area. Denial of these areas to the enemy would provide a protective shield behind which the Revolutionary Development programs could operate. However, deployment of the U.S. 9th Division to the 4th Corps area would create a gap in the forces available in III Corps and seriously degrade the capability to provide this shield. The possible repositioning of the assets existing within III corps to either I CTZ in the north or the 9th Division relocation just to the south just mentioned could also seriously limit the offensive capabilities in the northern and central portion of III Corps. Accordingly, COMUSMACV expressed an urgent requirement for an additional division for III Corps. This unit would be positioned just north of the Rung Sat operation zone and would assist in maintaining the protective shield around Saigon-Cholon. Revolutionary Development operations would then be able to proceed unhindered and operations against the VC 5th Division could be reinforced if required.

Throughout the force requirement justifications, one is immediately struck by the implicit ordering of the priorities for assignment of forces and missions. It is quite clear that the "minimum essential force" which COMUSMACV requested was intended to be employed against VC/NVA main force units in a containment role in the border areas and a destruction-disruption mode in I CTZ as well as the base areas within the country itself. Those forces over and above the "minimum essential," so labelled the "optimum force," were those intended to take up the slack in the RD "shield" role. MACV, probably rightly, calculated that not even minimal gains such as were forthcoming in the under-manned RD program would be possible unless the VC/NVA main force operations could be stymied and kept from directly assaulting the "shields."

JOINT CHIEF'S APRIL 20 REPORT TO MCNAMARA ON TROOP NEEDS

Excerpts from Joint Chiefs of Staff Memorandum 218-67 to Secretary of Defense McNamara, April 20, 1967, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

On 20 April, the JCS, in JCSM-218-67, formally reported to the Secretary of Defense that MACV required additional forces to achieve the objectives they considered the U.S. was pursuing in Vietnam. The JCS announcement came as little surprise to the Secretary of Defense since as early as 23 March we had seen the original message in which COMUSMACV had outlined the minimum essential and optimum force requirements.

JCSM 218-67 reaffirmed the basic objectives and strategic concepts contained in JCSM 702-66 dated 4 November 1966. Briefly, these entailed a national objective of attaining a stable and independent non-communist government in South Vietnam and a four-fold military contribution toward achieving the objectives of:

(a) Making it as difficult and costly as possible for the NVA to continue effective support of the VC and to cause North Vietnam to cease direction of the VC insurgency.

(b) To defeat the VC/NVA and force the withdrawal of NVA forces.

(c) Extend government dominion, direction and control.

(d) To deter Chinese Communists from direct intervention in SEA.

The JCS listed three general areas of military effort that they felt should be pursued in the war:

(1) Operations against the Viet Cong/North Vietnamese Army (VC/NVA) forces in

SVN while concurrently assisting the South Vietnamese Government in their nation-building efforts.

(2) Operations to obstruct and reduce the flow of men and materials from North Vietnam (NV) to SVN.

(3) Operations to obstruct and reduce imports of war-sustaining materials into NVN.

They continued by assessing the achievements of the U.S. and allies in these three areas:

In the first area, the United States and its allies have achieved considerable success in operations against VC/NVA forces. However, sufficient friendly forces have not been made available to bring that degree of pressure to bear on the enemy throughout SVN which would be beyond his ability to accommodate and which would provide the secure environment essential to sustained progress in Revolutionary Development. The current reinforcement of I CTZ by diversion of forces from II to III CTZs reduces the existing pressure in those areas and inevitably will cause a loss of momentum that must be restored at the earliest practicable date.

In the second area, US efforts have achieved appreciable success. Greater success could be realized if an expanded system of targets were made available.

In the third area, relatively little effort has been permitted. This failure to obstruct and reduce imports of war-sustaining materials into NVN has affected unfavorably the desired degree of success of operations in the other areas.

The Joint Chiefs strongly recommended not only the approval of additional forces to provide an increased level of effort in SVN but that action be taken to reduce and obstruct the enemy capability to import the material support required to sustain the war effort. They argued that the cumulative effect of all these operations, in South Vietnam, in North Vietnam and against the enemy's strategic lines of communication would hasten the successful conclusion of the war and would most likely reduce the overall ultimate force requirements. Their rationale for the 1968 forces was summarized as follows:

The FY 1968 force for SVN is primarily needed to offset the enemy's increased posture in the vicinity of the DMZ and to improve the environment for Revolutionary Development in I and IV CTZs. To achieve the secure environment for lasting progress in SVN, additional military forces must be provided in order to (1) destroy the enemy main force, (2) locate and destroy district and provincial guerrilla forces, and (3) provide security for the population. The increased effort required to offset VC/NVA main forces' pressure is diminishing the military capability to provide a secure environment to villages and hamlets. Diversion of forces from within SVN and the employment of elements of CINCPAC's reserve are temporary measures at the expense of high-priority programs in other parts of SVN. Thus, if sufficient units are to be available to provide both direct and indirect support to Revolutionary Development throughout SVN, added forces must be deployed.

The three-TFS force for Thailand and the additional Navy forces in the South China Sea and the Gulf of Tonkin are required to bring increased pressures to bear on NVN.

McGeorge Bundy's Memorandum to Johnson in May on Bombing

Excerpts from memorandum for President Johnson from McGeorge Bundy, headed "Memorandum on Vietnam Policy," as provided in the body of the Pentagon study. According to the study, the document bore no date but a copy was marked in pencil "rec'd 5–4–69 12n." Paragraphs in italics are the study's paraphase or explanation.

Since the Communist turndown of our latest offers in February, there has been an intensification of bombing in the North, and press reports suggest that there will be further pressure for more attacks on targets heretofore immune. There is also obvious pressure from the military for further reinforcements in the South, although General Westmoreland has been a model of discipline in his public pronouncements. One may guess, therefore, that the President will soon be confronted with requests for 100,000–200,000 more troops and for authority to close the harbor in Haiphong. Such recommendations are inevitable, in the framework of strictly military analysis. It is the thesis of this paper that in the main they should be rejected, and that as a matter of high national policy there should be a publicly stated ceiling to the level of American participation in Vietnam, as long as there is no further marked escalation on the enemy side.

There are two major reasons for this recommendation: the situation in Vietnam and the situation in the United States. As to Vietnam, it seems very doubtful that further intensifications of bombing in the North or major increases in U.S. troops in the South are really a good way of bringing the war to a satisfactory conclusion. As to the United States, it seems clear that uncertainty about the future size of the war is now having destructive effects on the national will.

Unlike the vocal critics of the Administration, Mac Bundy was not opposed to the bombing per se, merely to any further extension of it since he felt such action would be counter-productive. Because his views carry such weight, his arguments against extending the bombing are reproduced below in full:

On the ineffectiveness of the bombing as a means to end the war, I think the evidence is plain—though I would defer to expert estimators. Ho Chi Minh and his colleagues simply are not going to change their policy on the basis of losses from the air in North Vietnam. No intelligence estimate that I have seen in the last two years has ever claimed that the bombing would have this effect. The President never claimed that it would. The notion that this was its purpose has been limited to one school of thought and has never been the official Government position, whatever critics may assert.

I am very far indeed from suggesting that it would make sense now to stop the bombing of the North altogether. The argument for that course seems to me wholly unpersuasive at the present. To stop the bombing today would be to give the Communists something for nothing, and in a very short time all the doves in this country and around the world would be asking for some further unilateral concessions. (Doves and hawks are alike in their insatiable appetites; we can't really keep the hawks happy by small increases in effort—they come right back for more.)

The real justification for the bombing, from the start, has been double—its value for Southern morale at a moment of great danger, and its relation to Northern infiltration. The first reason has disappeared but the second remains entirely legitimate. Tactical bombing of communications and of troop concentrations—and of airfields as necessary—seems to me sensible and practical. It is strategic bombing that seems both unproductive and unwise. It is true, of course, that all careful bombing does some damage to the enemy. But the net effect of this damage upon the military capability of a primitive country is almost sure to be slight. (The lights have not stayed off in Haiphong, and even if they had, electric lights are in no sense essential to the Communist war effort.) And against this distinctly marginal impact we have to weigh the fact that strategic bombing does tend to divide the U.S., to distract us all from the real struggle in the South, and to accentuate the unease and distemper which surround the war in Vietnam, both at home and abroad. It is true that careful polls show majority support for the bombing, but I believe this support rests upon an erroneous belief in its effectiveness as a means to end the war. Moreover, I think those against extension of the bombing are more passionate on balance than those who favor it. Finally, there is certainly a point at which such bombing does increase the risk of conflict with China or the Soviet Union, and I am sure there is no majority for that. In particular, I think it clear that the case against going after Haiphong Harbor is so strong that a majority would back the Government in rejecting that course.

So I think that with careful explanation there would be more approval than disapproval of an announced policy restricting the bombing closely to activities that support the war in the South. General Westmoreland's speech to the Congress made this tie-in, but attacks on power plants really do not fit the picture very well. We are attacking them, I fear, mainly because we have "run out" of other targets. Is it a very good reason? Can anyone demonstrate that such targets have been rewarding? Remembering the claims made for attacks on [rest illegible].

In a similar fashion Bundy developed his arguments against a major increase in U.S. troop strength in the South and urged the President not to take any new initiatives for the present. But the appeal of Bundy's analysis for the President must surely have been its finale in which Bundy, acutely aware of the President's political sensitivities, cast his arguments in the context of the forthcoming 1968 Presidential elections. Here is how he presented the case:

There is one further argument against major escalation in 1967 and 1968 which is worth stating separately, because on the surface it seems cynically political. It is that Hanoi is going to do everything it possibly can to keep its position intact until after our 1968 elections. Given their history, they are bound to hold out for a possible U.S. shift in 1969—that's what they did against the French, and they got most of what they wanted when Mendes took power. Having held on so long this time, and having nothing much left to lose—compared to the chance of victory—they are bound to keep on fighting. Since only atomic bombs could really knock them out (an invasion of North Vietnam would not do it in two years, and is of course ruled out on other grounds), they have it in their power to "prove" that military escalation does not bring peace—at least over the next two years. They will surely do just that. However much they may be hurting, they are not going to do us any favors before November 1968. (And since this was drafted, they have been publicly advised by Walter Lippmann to wait for the Republicans—as if they needed the advice and as if it was his place to give it!)

It follows that escalation will not bring visible victory over Hanoi before the election. Therefore the election will have to be fought by the Administration on other grounds. I think those other grounds are clear and important, and that they will be obscured if our policy is thought to be one of increasing—and ineffective—military pressure.

If we assume that the war will still be going on in November 1968, and that Hanoi will not give us the pleasure of consenting to negotiations sometime before then what we must plan to offer as a defense of Administration policy is not victory over Hanoi, but growing success—and self reliance—in the South. This we can do, with luck, and on this side of the parallel, the Vietnamese authorities should be prepared to help us out (though of course the VC will do their damndest against us.) Large parts of Westy's

speech (if not quite all of it) were wholly consistent with this line of argument. . . .

If we can avoid escalation-that-does-not-seem-to-work, we can focus attention on the great and central achievement of these last two years: on the defeat we have prevented. The fact that South Vietnam has not been lost and is not going to be lost is a fact of truly massive importance in the history of Asia, the Pacific, and the U.S. An articulate minority of "Eastern intellectuals" (like Bill Fulbright) may not believe in what they call the domino theory, but most Americans (along with nearly all Asians) know better. Under this administration the United States has already saved the hope of freedom for hundreds of millions—in this sense, the largest part of the job is done. This critically important achievement is obscured by seeming to act as if we have to do much more lest we fail.

NOTES ON JOHNSON DISCUSSION WITH WHEELER AND WESTMORELAND

Excerpts from the Pentagon study describing a conversation on April 27, 1967, between President Johnson and Generals Wheeler and Westmoreland. The narrative says the conversation was reported in notes by John T. McNaughton, Assistant Secretary of Defense for International Security Affairs. Italicized emphasis and words in parentheses are those of the Pentagon study.

Westmoreland was quoted as saying that without the 2⅓ additional divisions which he had requested "we will not be in danger of being defeated but it will be nip and tuck to oppose the reinforcements the enemy is capable of providing. In the final analysis we are fighting a war of attrition in Southeast Asia."

Westmoreland predicted that the next step if we were to pursue our present strategy to fruition would probably be the second addition of 2⅓ divisions or approximately another 100,000 men. Throughout the conversations he repeated his assessment that the war would not be lost but that progress would certainly be slowed down. To him this was "not an encouraging outlook but a realistic one." When asked about the influence of increased infiltration upon his operations the general replied that as he saw it "this war is action and counteraction. Anytime we take an action we expect a reaction." The President replied: "When we add divisions can't the enemy add divisions? If so, where does it all end?" Westmoreland answered: "The VC and DRV strength in SVN now totals 285,000 men. It appears that last month we reached the crossover point *in areas excluding the two northern provinces.*" (Emphasis added.) "Attritions will be greater than additions to the force. . . . The enemy has 8 divisions in South Vietnam. He has the capability of deploying 12 divisions although he would have difficulty supporting all of these. He would be hard pressed to support more than 12 divisions. If we add 2½ divisions, it is likely the enemy will react by adding troops." The President then asked "At what point does the enemy ask for volunteers?" Westmoreland's only reply was, "That is a good question."

COMUSMACV briefly analyzed the strategy under the present program of 470,000 men for the President. He explained his concept of a "meatgrinder" where we would kill large numbers of the enemy but in the end do little better than hold our own, with the shortage of troops still restricting MACV to a fire brigade technique—chasing after enemy main force units when and where it could find them. He then predicted that "unless the will of the enemy is broken or unless there was an unraveling of the VC infrastructure the war could go on for 5 years. If our forces were increased that period could be reduced although not necessarily in proportion to increases in strength, since factors other than increase in strength had to be considered. For instance, a non-professional force, such as that which would result from fulfilling the requirement for 100,000 additional men by calling reserves, would cause some degradation of normal leadership and effectiveness. Westmoreland concluded by estimating that with a *force level of 565,000 men, the war could well go on for three years. With a second increment of 2⅓ divisions leading to a total of 665,000 men, it could go on for two years.*

General Wheeler . . . listed three matters . . . which were bothering the JCS. These were:

(a) DRV troop activity in Cambodia. US troops may be forced to move against these units in Cambodia.

(b) DRV troop activity in Laos. US troops may be forced to move against these units.

(c) Possible invasion of North Vietnam. We may wish to take offensive action against the DRV with ground troops.

The bombing which had always attracted considerable JCS attention was in Wheeler's estimation about to reach the point of target saturation—when all worthwhile fixed targets except the ports had been struck. Once this saturation level was reached the decisionmakers would be impelled to address the requirement to deny to the North Vietnamese use of the ports. He summarized the JCS position saying that the JCS firmly believed that the President must review the contingencies which they faced, the troops required to meet them and additional punitive action against DRV. Westmoreland parenthetically added that he was "frankly dismayed at even the thought of stopping the bombing program." . . .

The President closed the meeting by asking: "What if we do not add the 2⅓ divisions?" General Wheeler replied first, observing that the momentum would die; in some areas the enemy would recapture the initiative, an important but hardly disastrous development, meaning that we wouldn't lose the war but it would be a longer one. He added that:

"Of the 2⅓ divisions, I would add one division on the DMZ to relieve the Marines to work with ARVN on pacification; and I would put one division east of Saigon to relieve the 9th Division to deploy to the Delta to increase the effectiveness of the three good ARVN divisions now there; the brigade I would send to Quang Ngai to make there the progress in the next year that we have made in Binh Dinh in the past year."

The President reacted by saying:

"We should make certain we are getting value received from the South Vietnamese troops. Check the discharges to determine whether he could make use of them by forming additional units, by mating them with US troops, as is done in Korea, or in other ways."

There is no record of General Westmoreland's reply, if any . . .

MAY 4 MEMO ON FORCE LEVELS BY SYSTEMS-ANALYSIS CHIEF

Memorandum for Secretary McNamara, "Force Levels and Enemy Attrition," from Alain C. Enthoven, Assistant Secretary of Defense for Systems Analysis, May 4, 1967, as provided in the body of the Pentagon study.

Although MACV has admitted to you that the VC/NVA forces can refuse to fight when they want to, this fact has played no role in MACV's analysis of strategy and force requirements. (For example, in his October 1956 briefing, General DePuy said, "The more often we succeed at (search and destroy operation) the less often will the VC stand and fight.") Because enemy attrition plays such a central role in MACV's thinking, and because the enemy's degree of control over the pace of the action determines how well he can control his attrition, we have taken a hard look at the facts on the enemy's tactical initiative. From reliable, detailed accounts of 56 platoon-sized and larger firefights in 1966 we have classified these fights according to how they developed. The first four categories in the table all represent cases in which the enemy willingly and knowingly stood and fought in a pitched battle; these categories include 47 (84%) of the 56 battles. The first three categories, enemy ambushes and assaults on our forces, have 66% of the cases; these three plus category 4a, comprising the cases where the enemy has the advantage of surprise, have 78% of the cases.

The results are independently confirmed from two sources. First, the ARCOV study, which analyzed a different set of battles in late 1965 and early 1966, found that 46% of the fights begin as enemy ambushes and that the enemy starts the fight in 88% of the cases; moreover, it found that 63% of the infantry targets encountered were personnel in trenches or bunkers. Second, we have analyzed the After-Action Reports submitted to MACV by the line commanders in the field; although generally vague and incomplete in their descriptions of what happened, they broadly confirm the drift of the above numbers.

These results imply that the size of the force we deploy has little effect on the rate of attrition of enemy forces. This conclusion should scarcely surprise you in view of the trend of enemy losses in 1966 and in view of the obvious sensitivity of month-to-month enemy losses to his known strategic initiatives. What is surprising to me is that MACV has ignored this type of information in discussing force levels. I recommend that you inject this factor into the discussion.

ROSTOW MEMORANDUM OF MAY 6 ON THE BOMBING PROGRAM

Excerpts from a memorandum by Walt W. Rostow, Presidential assistant for national security, to Secretary of State Dean Rusk, Deputy Secretary of Defense Cyrus Vance, Under Secretary of State Nicholas deB. Katzenbach, Assistant Secretary of Defense John T. McNaughton, Assistant Secretary of State William P. Bundy and Richard Helms, Director of Central Intelligence, dated May 6, 1967, and headed "U.S. Strategy in Vietnam," as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

Rostow's paper began by reviewing what the U.S. was attempting to do in the war: frustrate a Communist takeover "by defeating their main force units; attacking the guerrilla infrastructure; and building a South Vietnamese governmental and security structure. . . ." The purpose of the air war in the North was defined as "To hasten the decision in Hanoi to abandon the aggression . . .," for which we specifically sought:

(i) to limit and harass infiltration; and

(ii) to impose on the North sufficient military and civil cost to make them decide to get out of the war earlier rather than later.

Sensitive to the criticisms of the bombing, Rostow tried to dispose of certain of their arguments:

We have never held the view that bombing could stop infiltration. We have never held the view that bombing of the Hanoi-Haiphong area alone would lead them to abandon the effort in the South. We have never held the view that bombing Hanoi-Haiphong would directly cut back infiltration. We have held the view that the degree of military and civilian cost felt in the North and the diversion of resources to deal with our bombing could contribute marginally—and perhaps significantly—to the timing of a decision to end the war. But it was no substitute for making progress in the South.

Rostow argued that while there were policy decisions to be made about the war in the South, particularly with respect to new force levels, there existed no real disagreement with the Administration as to our general

strategy on the ground. Where contention did exist was in the matter of the air war. Here there were three broad strategies that could be pursued. Rostow offered a lengthy analysis of the three options . . .

A. CLOSING THE TOP OF THE FUNNEL

Under this strategy we would mine the major harbors and, perhaps, bomb port facilities and even consider blockade. In addition, we would attack systematically the rail lines between Hanoi and mainland China. At the moment the total import capacity into North Viet Nam is about 17,200 tons per day. Even with expanded import requirement due to the food shortage, imports are, in fact, coming in at about 5700 tons per day. It is possible with a concerted and determined effort that we could cut back import capacity somewhat below the level of requirements; but this is not sure. On the other hand, it would require a difficult and sustained effort by North Viet Nam and its allies to prevent a reduction in total imports below requirements if we did all these things.

The costs would be these:

—The Soviet Union would have to permit a radical increase in Hanoi's dependence upon Communist China, or introduce minesweepers, etc., to keep its supplies coming into Hanoi by sea;

—The Chinese Communists would probably introduce many more engineering and anti-aircraft forces along the roads and rail lines between Hanoi and China in order to keep the supplies moving;

—To maintain its prestige, in case it could not or would not open up Hanoi-Haiphong in the face of mines, the Soviet Union might contemplate creating a Berlin crisis. With respect to a Berlin crisis, they would have to weigh the possible split between the U.S. and its Western European allies under this pressure against damage to the atmosphere of detente in Europe which is working in favor of the French Communist Party and providing the Soviet Union with generally enlarged influence in Western Europe.

I myself do not believe that the Soviet Union would go to war with us over Viet Nam unless we sought to occupy North Viet Nam; and, even then, a military response from Moscow would not be certain.

With respect to Communist China, it always has the option of invading Laos and Thailand; but this would not be a rational response to naval and air operations designed to strangle Hanoi. A war throughout Southeast Asia would not help Hanoi; although I do believe Communist China would fight us if we invaded the northern part of North Viet Nam.

One can always take the view that, given the turmoil inside Communist China, an irrational act by Peiping is possible. And such irrationality cannot be ruled out.

I conclude that if we try to close the top of the funnel, tension between ourselves and the Soviet Union and Communist China would increase; if we were very determined, we could impose additional burdens on Hanoi and its allies; we might cut capacity below requirements; and the outcome is less likely to be a general war than more likely.

B. ATTACKING WHAT IS INSIDE THE FUNNEL

This is what we have been doing in the Hanoi-Haiphong area for some weeks. I do not agree with the view that the attacks on Hanoi-Haiphong have no bearing on the war in the South. They divert massive amounts of resources, energies, and attention to keeping the civil and military establishment going. They impose general economic, political, and psychological difficulties on the North which have been complicated this year by a bad harvest and food shortages. I do not believe that they "harden the will of the North." In my judgment, up to this point, our bombing of the North has been a painful additional cost they have thus far been willing to bear to pursue their efforts in the South.

On the other hand:

—There is no direct, immediate connection between bombing the Hanoi-Haiphong area and the battle in the South;

—If we complete the attack on electric power by taking out the Hanoi station—which constitutes about 80% of the electric power supply of the country now opening—we will have hit most of the targets whose destruction imposes serious military-civil costs on the North.

—With respect to risk, it is unclear whether Soviet warnings about our bombing Hanoi-Haiphong represent decisions already taken or decisions which might be taken if we persist in banging away in that area.

It is my judgment that the Soviet reaction will continue to be addressed to the problem imposed on Hanoi by us; that is, they might introduce Soviet pilots as they did in the Korean War; they might bring ground-to-ground missiles into North Viet Nam with the object of attacking our vessels at sea and our airfields in the Danang area.

I do not believe that the continuation of attacks at about the level we have been conducting them in the Hanoi-Haiphong area will lead to pressure on Berlin or a general war with the Soviet Union. In fact, carefully read, what the Soviets have been trying to signal is: Keep away from our ships; we may counter-escalate to some degree; but we do not want a nuclear confrontation over Viet Nam.

C. CONCENTRATION IN ROUTE PACKAGES 1 AND 2

The advantage of concentrating virtually all our attacks in this area are three:

We would cut our loss rate in pilots and planes;

We would somewhat improve our harassment of infiltration of South Viet Nam;

We would diminish the risks of counter-escalatory action by the Soviet Union and Communist China, as compared with courses A and B.

He rejected course A as incurring too many risks with too little return . . . Here is how he formulated his conclusions:

With respect to Course B I believe we have achieved greater results in increasing the pressure on Hanoi and raising the cost of their continuing to conduct the aggression in the South than some of my most respected colleagues would agree. I do not believe we should lightly abandon what we have accomplished; and specifically, I believe we should mount the most economical and careful attack on the Hanoi power station our air tacticians can devise. Moreover, I believe we should keep open the option of coming back to the Hanoi-Haiphong area, depending upon what we learn of their repair operations; and what Moscow's and Peiping's reactions are; especially when we understand better what effects we have and have not achieved thus far.

I believe the Soviet Union may well have taken certain counter-steps addressed to the more effective protection of the Hanoi-Haiphong area and may have decided—or could shortly decide—to introduce into North Viet Nam some surface-to-surface missiles.

With respect to option C, I believe we should, while keeping open the B option, concentrate our attacks to the maximum in Route Packages 1 and 2; and, in conducting Hanoi-Haiphong attacks, we should do so only when the targets make sense. I do not expect dramatic results from increasing the weight of attack in Route Packages 1 and 2; but I believe we are wasting a good many pilots in the Hanoi-Haiphong area without commensurate results. The major objectives of maintaining the B option can be achieved at lower cost.

SECRETARY MCNAMARA'S POSITION OF MAY 19 ON BOMBING AND TROOPS

Excerpts from draft memorandum for the President from the office of Secretary of Defense McNamara dated May 19, 1967, and headed "Future Actions in Vietnam." Text, provided in the body of the Pentagon study, is labeled "first rough draft—data and estimates have not been checked." Paragraphs in italics are the study's paraphrase or explanation.

By the 19th of May the opinions of McNamara and his key aides with respect to the bombing and Westy's troop requests had crystalized sufficiently that another Draft Presidential Memorandum was written. It was entitled, "Future Actions in Vietnam," and was a comprehensive treatment of all aspects of the war—military, political, and diplomatic. It opened with an appraisal of the situation covering both North and South Vietnam, the U.S. domestic scene and international opinion. The estimate of the situation in North Vietnam hewed very close to the opinions of the intelligence community already referred to. Here is how the analysis proceeded:

C. NORTH VIETNAM

Hanoi's attitude towards negotiations has never been soft nor open-minded. Any concession on their part would involve an enormous loss of face. Whether or not the Polish and Burchett-Kosygin initiatives had much substance to them, it is clear that Hanoi's attitude currently is hard and rigid. They seem uninterested in a political settlement and determined to match US military expansion of the conflict. This change probably reflects these factors: (1) increased assurances of help form the Soviets received during Pham Van Dong's April trip to Moscow; (2) arrangements providing for the unhindered passage of materiel from the Soviet Union through China; and (3) a decision to wait for the results of the US elections in 1968. Hanoi appears to have concluded that she cannot secure her objectives at the conference table and has reaffirmed her strategy of seeking to erode our ability to remain in the South. The Hanoi leadership has apparently decided that it has no choice but to submit to the increased bombing. There continues to be no sign that the bombing has reduced Hanoi's will to resist or her ability to ship the necessary supplies South. Hanoi shows no signs of ending the large war and advising the VC to melt into the jungles. The North Vietnamese believe they are right; they consider the Ky regime to be puppets; they believe the world is with them and that the American public will not have staying power against them. Thus, although they may have factions in the regime favoring different approaches, they believe that, in the long run, they are stronger than we are for the purpose. They probably do not want to make significant concessions, and could not do so without serious loss of face.

When added to the continuing difficulties in bringing the war in the South under control, the unchecked erosion of U.S. public support for the war, and the smoldering international disquiet about the need and purpose of such U.S. intervention, it is not hard to understand the DPM's statement that, "This memorandum is written at a time when there appears to be no attractive course of action." Nevertheless, 'alternatives' was precisely what the DPM had been written to suggest. There were introduced with a recapitulation of where we stood militarily and what the Chiefs were recommending. With respect to the war in the North, the DPM states:

Against North Vietnam, an expansion of the bombing program (ROLLING THUNDER 56) was approved mid-April. Before it was approved, General Wheeler said, "The bombing campaign is reaching the point where we will have struck all worthwhile fixed targets except the ports. At this time we will have to address the requirement to deny the DRV the use of the ports." With its approval, excluding the port areas, no major military targets remain to be struck in the North. All that remains are minor targets, restrikes of certain major targets, and armed reconnaissance of the lines of communication

(LOCs)—and, under new principles, mining the harbors, bombing dikes and locks, and invading North Vietnam with land armies. These new military moves against North Vietnam, together with land movements into Laos and Cambodia, are now under consideration by the Joint Chiefs of Staff.

The broad alternatives courses of action it considered were two:

Course A. Grant the request and intensify military actions outside the South—especially against the North. Add a minimum of 200,000 men—100,000 (2⅓ divisions plus 5 tactical air squadrons) would be deployed in FY 1968, another 100,000 (2⅓ divisions and 8 tactical air squadrons) in FY 1969, and possibly more later to fulfill the JCS ultimate requirement for Vietnam and associated world-wide contingencies. Accompanying these force increases (as spelled out below) would be greatly intensified military actions outside South Vietnam—including in Laos and Cambodia but especially against the North.

Course B. Limit force increases to no more than 30,000; avoid extending the ground conflict beyond the borders of South Vietnam; and concentrate the bombing on the infiltration routes south of 20°. Unless the military situation worsens dramatically, add no more than 9 battalions of the approved program of 87 battalions. This course would result in a level of no more than 500,000 men (instead of the currently planned 470,000) on December 31, 1968. (See Attachment IV for details). A part of this course would be a termination of bombing in the Red River basin unless military necessity required it, and a concentration of all sorties in North Vietnam on the infiltration routes in the neck of North Vietnam, between 17° and 20°.

. . . *This was the way the DPM developed the analysis of the war segment of course of action A:*

BOMBING PURPOSES AND PAYOFFS

Our bombing of North Vietnam was designed to serve three purposes:

(1) To retaliate and to lift the morals [*sic*] of the people in the South who were being attacked by agents of the North.

(2) To add to the pressure on Hanoi to end the war.

(3) To reduce the flow and/or to increase the cost of infiltrating men and material from North to South.

We cannot ignore that a limitation on bombing will cause serious psychological problems among the men, officers and commanders, who will not be able to understand why we should withhold punishment from the enemy. General Westmoreland said that he is "frankly dismayed at even the thought of stopping the bombing program." But this reason for attacking North Vietnam must be scrutinized carefully. We should not bomb for punitive reasons if it serves no other purposes—especially if analysis shows that the actions may be counterproductive. It costs American lives; it creates a backfire of revulsion and opposition by killing civilians; it creates serious risks; it may harden the enemy.

With respect to added pressure on the North, it is becoming apparent that Hanoi may already have "written off" all assets and lives that might be destroyed by U.S. military actions short of occupation of annihilation [sic]. They can and will hold out at least so long as a prospect of winning the "war of attrition" in the South exists. And our best judgment is that a Hanoi prerequisite to negotiations is signficant retrenchment (if not complete stoppage of U.S. military actions against them—at the least, a cessation of bombing. In this connection, Consul-General Rice (Hong Kong 7581, 5/1/67) said that, in his opinion, we cannot by bombing reach the critical level of pain in North Vietnam and that, "below that level, pain only increases the will to fight." Sir Robert Thompson said to Mr. Vance on April 28 that our bombing, particularly in the Red River Delta, "is unifying North Vietnam."

With respect to interdiction of men and materiel, it now appears that no combination of actions against the North short of destruction of the regime or occupation of North Vietnamese territory will physically reduce the flow of men and materiel below the relatively small amount needed by enemy forces to continue the war in the South. Our effort can and does have severe disruptive effects, which Hanoi can and does plan on and prestock against. Our efforts physically to cut the flow meaningfully by actions in North Vietnam therefore largely fail and, in failing, transmute attempted interdiction into pain, or pressure on the North (the factor discussed in the paragraph next above.) The lowest "ceiling" on infiltration can probably be achieved by concentration on the North Vietnamese "funnel" south of 20° and on the Trail in Laos.

But what if the above analyses are wrong? Why not escalate the bombing and mine the harbors (and perhaps occupy southern North Vietnam)—on the gamble that it would constrict the flow, meaningfully limiting enemy action in the South, and that it would bend Hanoi? The answer is that the costs and risks of the actions must be considered.

The primary costs of course are US lives: The air campaign against heavily defended areas costs us one pilot in every 40 sorties. In addition, an important but hard-to-measure cost is domestic and world opinion: There may be a limit beyond which many Americans and much of the world will not permit the United States to go. The picture of the world's greatest superpower killing or seriously injuring 1,000 non-combatants a week, while trying to pound a tiny backward nation into submission on an issue whose merits are hotly disputed, is not a pretty one. It could conceivably produce a costly distortion in the American national consciousness and in the world image of the United States—especially if the damage to North Vietnam is complete enough to be "successful."

The most important risk, however, is the likely Soviet, Chinese and North Vietnamese reaction to intensified US air attacks, harbormining, and ground actions against North Vietnam.

LIKELY COMMUNIST REACTIONS

At the present time, no actions—except air strikes and artillery fire necessary to quiet hostile batteries across the border—are allowed against *Cambodian* territory. In Laos, we average 5,000 attack sorties a month against the infiltration routes and base areas, we fire artillery from South Vietnam against targets in Laos, and we will be providing 3-man leadership for each of 20 12-man US-Vietnamese Special Forces teams that operate to a depth of 20 kilometers into Laos. Against North Vietnam, we average 8,000 or more attack sorties a month against all worthwhile fixed and LOC targets; we use artillery against ground targets across the DMZ; we fire from naval vessels at targets ashore and afloat up to 19°; and we mine their inland waterways, estuaries . . . up to 20°.

Intensified air attacks against the same types of targets, we would anticipate, would lead to no great change in the policies and reactions of the Communist powers beyond the furnishing of some new equipment and manpower. China, for example, has not reacted to our striking MIG fields in North Vietnam, and we do not expect them to, although there are some signs of greater Chinese participation in North Vietnamese air defense.

Mining the harbors would be much more serious. It would place Moscow in a particularly galling dilemma as to how to preserve the Soviet position and prestige in such a disadvantageous place. The Soviets might, but probably would not, force a confrontation in Southeast Asia—where even with minesweepers they would be at as great a military disadvantage as we were when they blocked the corridor to Berlin in 1961, but where their vital interest, unlike ours in Berlin (and in Cuba), is not so clearly at stake. Moscow in this case should be expected to send volunteers, including pilots, to North Vietnam; to provide some new and better weapons and equipment; to consider some action in Korea, Turkey, Iran, the Middle East or, most likely, Berlin, where the Soviets can control the degree of crisis better; and to show across-the-board hostility toward the US (interrupting any on-going conversations on ABMs, non-proliferation, etc.). China could be expected to seize upon the harbor-mining as the opportunity to reduce Soviet political influence in Hanoi and to discredit the USSR if the Soviets took no military action to open the ports. Peking might read the harbor-mining as indicating that the US was going to apply military pressure until North Vietnam capitulated, and that this meant an eventual invasion. If so, China might decide to intervene in the war with combat troops and air power, to which we would eventually have to respond by bombing Chinese airfields and perhaps other targets as well. Hanoi would tighten belts, refuse to talk, and persevere—as it could without too much difficulty. North Vietnam would of course be fully dependent for supplies on China's will, and Soviet influence in Hanoi would therefore be reduced. (Ambassador Sullivan feels very strongly that it would be a serious mistake, by our actions against the port, to tip Hanoi away from Moscow and toward Peking.)

To U.S. ground actions in North Vietnam, we would expect China to respond by entering the war with both ground and air forces. The Soviet Union could be expected in these circumstances to take all actions listed above under the lesser provocations and to generate a serious confrontation with the United States at one or more places of her own choosing.

The arguments against Course A were summed up in a final paragraph:

Those are the likely costs and risks of COURSE A. They are, we believe, both unacceptable and unnecessary. Ground action in North Vietnam, because of its escalatory potential, is clearly unwise despite the open invitation and temptation posed by enemy troops operating freely back and forth across the DMZ. Yet we believe that, short of threatening and perhaps toppling the Hanoi regime itself, pressure against the North will, if anything, harden Hanoi's unwillingness to talk and her settlement terms if she does. China, we believe, will oppose settlement throughout. We believe that there is a chance that the Soviets, at the brink, will exert efforts to bring about peace; but we believe also that intensified bombing and harbor-mining, even if coupled with political pressure from Moscow, will neither bring Hanoi to negotiate nor affect North Vietnam's terms.

With Court A rejected, the DPM turned to consideration of the levelling-off proposals of Course B. The analysis of the de-escalated bombing program of this option proceeded in this manner:

The bombing program that would be a part of this strategy is, basically, a program of concentration of effort on the infiltration routes near the south of North Vietnam. The major infiltration-related targets in the Red River basin having been destroyed, such interdiction is now best served by concentration of all effort in the southern neck of North Vietnam. All of the sorties would be flown in the area between 17° and 20°. This shift, despite possible increases in anti-aircraft capability in the area, should reduce the pilot and aircraft loss rates by more than 50 percent. The shift will, if anything, be of positive military value to General Westmore-

land while taking some steam out of the popular effort in the North.

The above shift of bombing strategy, now that almost all major targets have been struck in the Red River basin, can to military advantage be made at any time. It should not be done for the sole purpose of getting Hanoi to negotiate, although that might be a bonus effect. To maximize the chances of getting that bonus effect, the optimum scenario would probably be (1) to inform the Soviets quietly that within a few days the shift would take place, stating no time limits but making no promises to return to the Red River basin to attack targets which later acquire military importance (any deal with Hanoi likely to be midwifed by Moscow); (2) to make the shift as predicted, without fanfare; and (3) to explain publicly, when the shift had become obvious, that the northern targets had been destroyed, that that had been militarily important, and that there would be no need to return to the northern areas unless military necessity dictated it. The shift should not be huckstered. Moscow would almost certainly pass its information on to Hanoi, and might urge Hanoi to seize the opportunity to de-escalate the war by talks or otherwise. Hanoi, not having been asked a question by us and having no ultimatum-like time limit, would be in a better posture to answer favorably than has been the case in the past. The military side of the shift is sound, however, whether or not the diplomatic spill-over is successful.

In a section dealing with diplomatic and political considerations, the DPM outlined the political view of the significance of the struggle as seen by the US and by Hanoi. It then developed a conception of larger US interests in Asia around the necessity of containing China. This larger interest required settling the Vietnam war into perspective as only one of three fronts that required U.S. attention (the other two being Japan-Korea and India-Pakistan). In the overall view, the DPM argued, longrun trends in Asia appeared favorable to our interests:

The fact is that the trends in Asia today are running mostly for, not against, our interests (witness Indonesia and the Chinese confusion); there is no reason to be pessimistic about our ability over the next decade or two to fashion alliances and combinations (involving especially Japan and India) sufficient to keep China from encroaching too far. To the extent that our original intervention and our existing actions in Vietnam were motivated by the perceived need to draw the line against Chinese expansionism in Asia, our objective has already been attained, and COURSE B will suffice to consolidate it!

With this perspective in mind the DPM went on to reconsider and restate U.S. objectives in the Vietnam contest under the heading "Commitment and Hopes Distinguished".

The time has come for us to eliminate the ambiguities from our minimum objectives—our commitments—in Vietnam. Specifically, two principles must be articulated, and policies and actions brought in line with them: (1) Our commitment is only to see that the people of South Vietnam are permitted to determine their own future. (2) This commitment ceases if the country ceases to help itself.

It follows that no matter how much we might *hope* for some things, our *commitment is not:*

to expel from South Vietnam regroupees, who are South Vietnamese (though we do not like them),

to ensure that a particular person or group remains in power, nor that the power runs to every corner of the land (though we prefer certain types and we hope their writ will run throughout South Vietnam).

to guarantee that the self-chosen government is non-Communist (though we believe and strongly hope it will be), and

to insist that the independent South Vietnam remain separate from North Vietnam (though in the short-run, we would prefer it that way).

(Nor do we have an obligation to pour in effort out of proportion to the effort contributed by the people of South Vietnam or in the face of coups, corruption, apathy or other indications of Saigon failure to cooperate effectively with us.)

We are committed to stopping or offsetting the effect of North Vietnam's application of force in the South, which denies the people of the South the ability to determine their own future. Even here, however, the line is hard to draw. Propaganda and political advice by Hanoi (or by Washington) is presumably not barred; nor is economic aid or economic advisors. Less clear is the rule to apply to military advisors and war materiel supplied to the contesting factions.

The importance of nailing down and understanding the implications of our limited objectives cannot be over-emphasized. It relates intimately to strategy against the North, to troop requirements and missions in the South, to handling of the Saigon government, to settlement terms, and to US domestic and international opinion as to the justification and the success of our efforts on behalf of Vietnam.

This articulation of American purposes and commitments in Vietnam pointedly rejected the high blown formulations of U.S. objectives in NSAM 88 ["an independent non-communist South Vietnam," "defeat the Viet Cong," etc.], and came forcefully to grips with the old dilemma of the U.S. involvement dating from the Kennedy era: only limited means to achieve excessive ends. Indeed, in the following section of specific recommendations, the DPM urged the President to, "issue a NSAM nailing down US policy as described herein." The emphasis in this scaled down set of goals, clearly reflecting the frustrations of failure, was South Vietnamese self-determination. The DPM even went so far as to suggest that, "the South will be in position, albeit imperfect, to start the business of producing a full-spectrum government in South Vietnam." What this amounted to was a recommendation that we accept a compromise outcome. Let there be no mistake these were radical positions for a senior U.S. policy official within the Johnson Administration to take. They would bring the bitter condemnation of the Chiefs and were scarcely designed to flatter the President on the success of his efforts to date. That they represented a more realistic mating of U.S. strategic objectives and capabilities is another matter.

The scenario for the unfolding of the recommendations in the DPM went like this:

(4) June: Concentrate the bombing of North Vietnam on physical interdiction of men and materiel. This would mean terminating, except where the interdiction objective clearly dictates otherwise, all bombing north of 20° and improving interdiction as much as possible in the infiltration "funnel" south of 20° by concentration of sorties and by an all-out effort to improve detection devices, denial weapons, and interdiction tactics.

(5) July: Avoid the explosive Congressional debate and US Reserve call-up implicit in the Westmoreland troop request. Decide that, unless the military situation worsens dramatically, US deployments will be limited to Program 4-plus (which according to General Westmoreland, will not put us in danger of being defeated, but will mean slow progress in the South). Associated with this decision are decisions not to use large numbers of US troops in the Delta and not to use large numbers of them in grassroots pacification work.

(6) September: Move the newly elected Saigon government well beyond its National Reconciliation program to seek a political settlement with the non-Communist members of the NLF—to explore a cease-fire and to reach an accommodation with the non-Communist South Vietnamese who are under the VC banner; to accept them as members of an opposition political party, and, if necessary, to accept their individual participation in the national government—in sum, a settlement to transform the members of the VC from military opponents to political opponents.

(7) October: Explain the situation to the Canadians, Indians, British, UN and others, as well as nations now contributing forces, requesting them to contribute border forces to help make the inside-South Vietnam accommodation possible, and—consistent with our desire neither to occupy nor to have bases in Vietnam—offering to remove later an equivalent number of U.S. forces. (This initiative is worth taking despite its slim chance of success.)

Having made the case for de-escalation and compromise, the DPM ended on a note of candor with a clear statement of its disadvantages and problems:

The difficulties with this approach are neither few nor small: There will be those who disagree with the circumscription of the US commitment (indeed, at one time or another, one US voice or another has told the Vietnamese, third countries, the US Congress, and the public of "goals" or "objectives" that go beyond the above bare-bones statement of our "commitment"); some will insist that pressure, enough pressure, on the North can pay off or that we will have yielded a blue chip without exacting a price in exchange for our concentrating on interdiction; many will argue that denial of the larger number of troops will prolong the war, risk losing it and increase the casualties of the Americans who are there; some will insist that this course reveals weakness to which Moscow will react with relief, contempt and reduced willingness to help, and to which Hanoi will react by increased demands and truculence; others will point to the difficulty of carrying the Koreans, Filipinos, Australians and New Zealanders with us; and there will be those who point out the possibility that the changed US tone may cause a "rush for the exits" in Thailand, in Laos and especially inside South Vietnam, perhaps threatening cohesion of the government, morale of the army, and loss of support among the people. Not least will be the alleged impact on the reputation of the United States and of its President. Nevertheless, the difficulties of this strategy are fewer and smaller than the difficulties of any other approach.

William Bundy's May 30 Memo on Reasons for U.S. Involvement

Excerpts from memorandum from Assistant Secretary of State Bundy, circulated at State and Defense Departments, May 30, 1967, as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

William Bundy at State drafted comments on the DPM on May 30 and circulated them at State and Defense. In his rambling and sometimes contradictory memo, Bundy dealt mainly with the nature and scope of the U.S. commitment—as expressed in the DPM and as he saw it. He avoided any detailed analysis of the two military options and focused his attention on the strategic reasons for American involvement; the objectives we were after; and the terms under which we could consider closing down the operation. His memo began with his contention that:

The gut point can almost be summed up in a pair of sentences. If we can get a reasonably solid GVN political structure and GVN performance at all levels, favorable trends could become really marked over the next 18 months, the war will be won for practical purposes at some point, and the resulting peace will be secured. On the other hand, if we do

not get these results from the GVN and the South Vietnamese people, no amount of US effort will achieve our basic objective in South Viet-Nam—a return to the essential provisions of the Geneva Accords of 1954 and a reasonably stable peace for many years based on these Accords.

It is the view of the central importance of the South that dominates the remainder of Bundy's memo. But his own thinking was far from clear about how the U.S. should react to a South Vietnamese failure for at the end of it he wrote:

None of the above decides one other question clearly implicit in the DOD draft. What happens if "the country ceases to help itself." If this happens in the lateral sense, if South Viet-Nam performs so badly that it simply is not going to be able to govern itself or to resist the slightest internal pressure, then we would agree that we can do nothing to prevent this. But the real underlying question is to what extent we tolerate imperfection, even gross imperfection, by the South Vietnamese while they are still under the present grinding pressure from Hanoi and the NLF.

This is a tough question. What do we do if there is a military coup this summer and the elections are aborted? There would then be tremendous pressure at home and in Europe to the effect that this negated what we were fighting for, and that we should pull out.

But against such pressure we must reckon that the stakes in Asia will remain. After all, the military rule, even in peacetime, in Thailand, Indonesia, and Burma. Are we to walk away from the South Vietnamese, at least as a matter of principle, simply because they failed in what was always conceded to be a courageous end extremely difficult effort to become a true democracy during a guerrilla war?

Bundy took pointed issue with DPM's reformulation of U.S. objectives. Starting with the DPM's discussion of U.S. larger interests in Asia, Bundy argued that:

In Asian eyes, the struggle is a test case, and indeed much more black-and-white than even we ourselves see it. The Asian view bears little resemblance to the breast-beating in Europe or at home. Asians would quite literally be appalled—and this includes India—if we were to pull out from Viet-Nam or if we were to settle for an illusory peace that produced Hanoi control over all Viet-Nam in short order.

In short, our effort in Viet-Nam in the past two years has not only prevented the catastrophe that would otherwise have unfolded but has laid a foundation for a progress that now appears truly possible and of the greatest historical significance.

Having disposed of what he saw as a misinterpretation of Asian sentiment and U.S. interests there, Bundy now turned to the DPM's attempt to minimize the U.S. commitment in Vietnam. He opposed the DPM language because in his view it dealt too heavily with our military commitment to get NVA off the South Vietnamese back, and not enough with the equally important commitment, to assure that "the political board in South Vietnam is not tilted to the advantage of the NLF." Bundy's conception of the U.S. commitment was twofold:

—To prevent any imposed political role for the NLF in South Vietnamese political life, and specifically the coalition demanded by point 3 of Hanoi's Four Points, or indeed any NLF part in government or political life that is not safe and acceptable voluntarily to the South Vietnamese Government and people.

—To insist in our negotiating position that "regroupees," that is, people originally native to South Viet-Nam who went North in 1954 and returned from 1959 onward, should be expelled as a matter of principle in the settlement. Alternatively, such people could remain in South Viet-Nam if, but only if, the South Vietnamese Government itself was prepared to receive them back under a reconciliation concept, which would provide in essence that they must be prepared to accept peaceful political activity under the Constitution (as the reconciliation appeal now does). This latter appears to be the position of the South Vietnamese Government, which—as Tran Van Do has just stated in Geneva—argues that those sympathetic to the Northern system of government should go North, while those prepared to accept the Southern system of government may stay in the South. Legally, the first alternative is sound in that Southerners who went North in 1954 became for all legal and practical purposes Northern citizens and demonstrated their allegiance. But if the South Vietnamese prefer the second alternative, it is in fact exactly comparable to the regroupment provisions of the 1954 Accords, and can legally be sustained. But in either case the point is that the South Vietnamese are not obliged to accept as citizens people whose total pattern of conduct shows that they would seek to overthrow the structure of government by force and violence.

The remainder of Bundy's comments were addressed to importance of this last point. The U.S. could not consider withdrawing its forces until not only the North Vietnamese troops but also the regroupees had returned to the North. Nowhere in his comments does he specifically touch on the merits of the two military options, but his arguments all seem to support the tougher of the two choices (his earlier support of restricting the bombing thus seems paradoxical). He was, it is clear, less concerned with immediate specific decisions on a military phase of the war than with the long term consequences of this major readjustment of American sights in Southeast Asia.

HIGHLIGHTS OF THE PERIOD

OCTOBER, 1966

McNamara, returning from South Vietnam, tells President in memorandum that "pacification has if anything gone backward" and air war has not "either significantly affected infiltration or cracked the morale of Hanoi." Recommends limit or increase in forces, and consideration of halt in bombing, or shifting targets from Hanoi-Haiphong to infiltration routes, to "increase the credibility of our peace gestures."

Joint Chiefs, also in memorandum to President, oppose any cutback in bombing; propose "sharp knock," including strikes at locks, dams and rail yards.

NOVEMBER, 1966

McNamara gives Joint Chiefs new troop authorization: 469,000 by end of June, 1968, below military requests. Study comments that from now on "the judgment of the military . . . would be subject to question."

McNamara tells President there is "no evidence" that addition of more troops "would substantially change the situation," and that bombing "is yielding very small marginal returns" with "no significant impact" on war in the South.

JANUARY, 1967

Central Intelligence Agency study estimates 1965–1966 air-war casualties in North Vietnam to be 36,000—"about 80 per cent civilians"—making civilian-casualty total about 29,000.

FEBRUARY, 1967

President approves "spring air offensive" including attacks on power plants, mining of rivers, relaxation of restrictions on air raids near Hanoi and Haiphong.

MARCH, 1967

General Westmoreland asks 200,000 more troops, for a total U.S. force of 671,616.

APRIL, 1967

Joint Chiefs transmit Westmoreland troop request, call for mobilization of reserves, propose "an extension of the war" into Laos and Cambodia and possibly North Vietnam.

President asks Westmoreland if enemy cannot increase troop strength and adds: "If so, where does it all end?"

MAY, 1967

Assistant Secretary of State William Bundy opposes ground operations against North Vietnam as likely to provoke China; also warns—as does C.I.A.—of possible Soviet reaction to mining Haiphong.

Walt W. Rostow, in memo to President, urges cutback in bombing.

McNamara-McNaughton memo to President recommends cutback to 20th Parallel, troop increase of only 30,000 and what study calls basically "a recommendation that we accept a compromise outcome" and "scaled-down goals."

Joint Chiefs, in four memorandums within three days, renew proposals for troop increases, air attacks and possibly "limited ground action in North Vietnam." They say McNamara's "drastic changes" in policy "would undermine" U.S. presence.

JUNE, 1967

McNamara and Westmoreland agree on compromise troop increase of 55,000; approved by President.

JULY, 1967

President approves new bombing targets within previously restricted areas around Haiphong and Hanoi.

AUGUST, 1967

President authorizes 16 more targets "and expansion of armed reconnaissance"; new targets include rail line in formerly proscribed China buffer zone only eight miles from border.

PENTAGON PAPERS: MCNAMARA, IN '66, URGED BOMBING CUTBACK AND SOFTER PEACE TERMS

(By Hedrick Smith)

Robert S. McNamara, while Secretary of Defense, sought to persuade President Lyndon B. Johnson in October, 1966, to cut back the bombing of North Vietnam to seek a political settlement of the war—17 months before Mr. Johnson made that move on March 31, 1968.

Mr. McNamara's effort is disclosed by the Pentagon's secret study of the war. It also says that in May, 1967, the Secretary went a step further and advocated that the Johnson Administration stop trying to guarantee a non-Communist Vietnam and be willing to accept a coalition government in Saigon that included elements of the Vietcong.

What the study terms his "radical" proposal for scaling down American objectives in the war called for Saigon to negotiate with elements of the guerrilla movement not only for a political compromise but also for a cease-fire.

While Mr. McNamara's disillusionment with the war has been reported previously, the depth of his dissent from established policy is fully documented for the first time in the Pentagon study, which he commissioned on June 17, 1967.

The study details how this turnabout by Mr. McNamara—originally a leading advocate of the bombing policy and, in 1965, a confident believer that American intervention would bring the Vietcong insurgency under control—opened a deep policy rift in the Johnson Administration.

The study does not specifically say, however, that his break with established policy led President Johnson to nominate him on Nov. 28, 1967, as president of the World Bank and to replace him as Secretary of Defense.

But Mr. McNamara has previously revealed that in both May and August of 1967 the possibility of his departure from the Administration came up in talks with President Johnson, and the Pentagon study depicts both periods as critical points in the internal

maneuvering on military strategy. In May Mr. McNamara was pressing his proposals to scale down the war, and in August President Johnson decided to expand the air war against the Secretary's advice.

The account of Mr. McNamara's dissent and the Administration's division on Vietnam policy forms another section of the presentation of the Pentagon papers by The New York Times.

The papers, prepared by 30 to 40 officials and analysts in 1967–68 as a study of nearly three decades of United States involvement in Indochina, consist of 3,000 pages of analysis and 4,000 pages of supporting documents, totaling some 2.5 million words.

Thus far The Times's presentation has covered the growth, under the Kennedy and Johnson Administrations, of the American combat role on the ground and in the air through the fall of 1966.

The account of the Johnson Administration from late 1966 onward is that of a government wrestling with itself as the views of some senior policymakers changed under the pressures of protracted war.

Three identifiable camps are described: the McNamara group—the "disillusioned doves," as the analysts put it—trying to set limits on the war and then reduce it; the military faction, let by the Joint Chiefs of Staff and Gen. William C. Westmoreland, the commander in Vietnam, pressing for wider war; and President Johnson, as well as senior civilian officials at the White House and State Department, taking a middle position.

At each stage, the primary issues of debate were much the same: the size of American troop commitments; the effectiveness of the bombing of North Vietnam, which began on a sustained basis in March 1965, and the proposed expansion of the air war and of the ground war in the South.

Beginning in late 1966, the study relates, President Johnson was being urged by the military leaders to step up the air war sharply and to consider allied invasions of Laos, Cambodia and even North Vietnam. Repeatedly the President was pressed to mobilize reserves to provide the manpower for a larger war.

The military leaders reacted to Secretary McNamara's proposals for a reduction of the air war with what the study calls "the stiffest kind of condemnation" and they "bombarded" him with rebuttals.

According to the study, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, warned on May 24, 1967, that halting the bombing north of the 20th Parallel would be "an aerial Dienbienphu"—a reference to the disastrous French military defeat in May 1954, just before the negotiations that ended the French Indochina war.

The Joint Chiefs, the study relates, saw an "alarming pattern" in Mr. McNamara's overall strategy—one, they declared, that would undermine the entire American war effort.

"THE TIME HAS COME"

Their most vehement criticism was directed against the Secretary's memorandum to President Johnson on May 19, 1967. That paper gave a discouraging picture of the military situation and a pessimistic view of the American public's impatience with the war, and said:

"The time has come for us to eliminate the ambiguities from our minimum objectives— our commitments—in Vietnam. Specifically, two principles must be articulated, and policies and actions brought in line with them: (1) Our commitment is only to see that the people of South Vietnam are permitted to determine their own future. (2) This commitment ceases if the country ceases to help itself.

"It follows that no matter how much we might *hope* for some things, our *commitment* is *not:*

". . . To ensure that a particular person or group remains in power, nor that the power runs to every corner of the land (though we prefer certain types and we hope their writ will run throughout South Vietnam),

"To guarantee that the self-chosen government is non-Communist (though we believe and strongly hope it will be), and

"To insist that the independent South Vietnam remain separate from North Vietnam (though in the short-run, we would prefer it that way)." The material in italics and in parentheses is in the McNamara memorandum.

Specifically, the Secretary urged that in September, 1967, after the South Vietnamese presidential elections, the United States "move" the Saigon Government "to seek a political settlement with the non-Communist members of the NLF [National Liberation Front, or Vietcong]—to explore a ceasefire and to reach an accommodation with the non-Communist South Vietnamese who are under the VC Banner; to accept them as members of an opposition political party, and if necessary, to accept their individual participation in the national government—in sum, a settlement to transform the members of the VC from military opponents to political opponents."

Mr. McNamara acknowledged that one obvious drawback would be "the alleged impact on the reputation of the United States and of its President," but argued that "the difficulties of this strategy are fewer and smaller than the difficulties of any other approach."

President Johnson, the study recounts, preferred the middle ground of piece-meal escalation—what the study calls "the slow squeeze"—to either the "sharp knock" advocated by the Joint Chiefs of Staff or the shift toward political and military accommodation favored by Mr. McNamara.

It is "not surprising," the Pentagon analysts remark, that the President did not adopt the McNamara approach in view of his need to keep "the military 'on board' in any new direction for the U.S. effort in Southeast Asia." This is evidently an allusion to reports at the time that some high-ranking officers were in the mood to threaten resignation if the McNamara policy was adopted.

Satisfying neither extreme, President Johnson "was in the uncomfortable position of being able to please neither his hawkish nor his dovish critics with his carefully modulated middle course," the study asserts.

During the prolonged internal debate, the Pentagon account discloses, such issues as stalemate in the ground war and civilian casualties of the air war were of much more concern to some policy makers than the Administration publicly acknowledged.

Press dispatches from Hanoi in late 1966 stimulated what the analysts call an "explosive debate" in public about civilian casualties. Privately, the analysts add, the Central Intelligence Agency produced a summary of the bombing in 1965 and 1966 that estimated that there had been nearly 29,000 civilian casualties in North Vietnam—a figure far higher than Hanoi itself had ever used. The study implies that the term "casualties" covered both dead and wounded.

The Pentagon study also discloses that early in 1967 the growing stalemate on the ground became a concern of high civilian officials—even, at times, of President Johnson himself.

On April 27, the study notes, the President met with General Westmoreland and General Wheeler, who urged him to grant General Westmoreland's request for 200,000 more troops—a request the two officers repeated nearly a year later—but Mr. Johnson was wary.

Their discussion was recorded in notes, found in Pentagon files and quoted in the study. [See text, April 27, 1967, Page 11.]

"When we add divisions, can't the enemy add divisions?" the President asked. "If so, where does it all end?"

When General Westmoreland conceded that the enemy was likely to match American reinforcements, President Johnson turned to the worry that Hanoi might ask Communist China for help.

"At what point," he asked, "does the enemy ask for volunteers?"

The only recorded reply from General Westmoreland was, "That is a good question."

The real ceiling on the American commitment, the analysts suggest several times, was imposed primarily by President Johnson's refusal to be pushed by the military leaders into asking Congress to mobilize reserve forces—both former servicemen on inactive status and organized units of these servicemen.

Mobilization, the analysts assert, became the "political sound barrier" that President Johnson would not break.

A PESSIMISTIC REPORT

For Mr. McNamara and his influential aide John T. McNaughton, Assistant Secretary of Defense for International Security Affairs, the first frontal challenge to the basic trend of policy came in October, 1966, and grew out of doubts that had been mounting for nearly a year.

As early as November, 1965—eight months after the American decision to intervene with ground forces—the Secretary of Defense warned President Johnson that the major new reinforcements he was approving could "not guarantee success." And in January, 1936, Mr. McNaughton, the third-ranking official in the Pentagon, voiced fear that the United States had become caught in "an escalating military stalemate."

In mid-October, Secretary McNamara returned disturbed from a trip to South Vietnam. He had been the intended target of a Vietcong assassination squad that was discovered only a few hours before his arrival in Saigon—a point to which he seemed to allude in his report to the President. "Full security exists nowhere," he said, "not even behind the U.S. Marines' lines and in Saigon [and] in the countryside, the enemy almost completely controls the night." [See text, McNamara memo, Oct. 14, 1966.]

The Pentagon study notes that in this Oct. 14 memorandum, Mr. McNamara for the first time recommended cutting back sharply on military requests for reinforcements.

In September, 1966, Adm. U. S. Grant Sharp, commander in chief of forces in the Pacific, had pressed on behalf of General Westmoreland for an increase in the projected strength of American forces in South Vietnam from 445,000 to 570,000 by the end of 1967. Actual strength was 325,000 men, and still rising.

On Oct. 7, the Joint Chiefs of Staff urged what the Pentagon study calls "full-blown" mobilization of 688,500 Army, Navy, Air Force and Marine reservists to help provide more troops for Vietnam and also to build up the armed forces around the world.

In his Oct. 14 memorandum, Mr. McNamara told President Johnson that he was "a little less pessimistic" than he had been a year earlier because the allied military campaign had "blunted the Communist military initiative" and prevented a total collapse in Saigon. But he went on to say that this had not produced results in what he called "the 'end products'—broken enemy morale and political achievements" by the South Vietnamese Government.

Discussing Saigon's struggle to win the people's allegiance, Mr. McNamara showed none of the confidence of high American officials in the early sixties that the mere introduction of Americans would revitalize the South Vietnamese civilian and military leadership.

"The discouraging truth," he said, "is that, as was the case in 1961 and 1963 and 1965, we have not found the formula, the catalyst, for training and inspiring them into effective action."

THE "MEATGRINDER" STRATEGY

Summing up the crucial drive to extend Government control in the countryside, he said:

"Pacification has if anything gone backward. As compared with two, or four, years ago, enemy full-time regional forces and part-time guerrilla forces are larger; attacks, terrorism and sabotage have increased in scope and intensity; more railroads are closed and highways cut; the rice crop expected to come to market is smaller; we control little, if any, more of the population. . . . In essence, we find ourselves . . . no better, and if anything worse off."

"Nor," he said, turning to the air war, "has the Rolling Thunder program of bombing the North either significantly affected infiltration or cracked the morale of Hanoi."

The essence of Mr. McNamara's recommendations was that the United States should be "girding, openly, for a longer war" rather than pursuing what the Pentagon study terms General Westmoreland's "meatgrinder" strategy of trying to kill enemy troops more rapidly than they could be replaced either by new recruits or by infiltration from North Vietnam.

In his memorandum, the Secretary put forward his program:

"Limit the increase in U.S. forces" in 1967 to a total of 470,000 men—25,000 more than planned, and 100,000 fewer than requested by the military.

"Install a barrier" to infiltration just south of the demilitarized zone astride the two Vietnams' border and jutting across the Ho Chi Minh Trail complex of enemy supply lines in the mountainous panhandle of Laos. The electronic barrier would cost roughly $1-billion.

"Stabilize the Rolling Thunder program against the North" at the current monthly level of 12,000 sorties—individual flights by planes—because "to bomb the North sufficiently to make a radical impact upon Hanoi's political, economic and social structure, would require an effort which we could make but which would not be stomached either by our own people or by world opinion; and it would involve a serious risk of drawing us into open war with China."

"Pursue a vigorous pacification program" that would require "drastic reform" in the approach of South Vietnamese civilian, police and military officials to insure that they "will 'stay' in the [contested] area, . . . behave themselves decently and . . . show some respect for the people."

"Take steps to increase the credibility of our peace gestures in the minds of the enemy" through both political and military moves.

TWO MILITARY CHOICES

Among these moves, he proposed that "we should consider" a decision to "stop bombing all of North Vietnam" or, alternatively, to "shift the weight-of-effort away from 'Zones 6A and 6B'—zones including Hanoi and Haiphong and areas north of those two cities to the Chinese border" and concentrate the air war instead "on the infiltration routes in Zones 1 and 2 (the southern end of North Vietnam, including the Mugia Pass), in Laos and in South Vietnam." The parenthetical material is Mr. McNamara's.

Politically, he suggested consideration of efforts to "try to split the VC off from Hanoi" and to "develop a realistic plan providing a role for the VC in negotiations, postwar life and government of the nation."

JOINT CHIEFS DEMUR

The public position of the Johnson Administration opposed negotiating with the Vietcong or recognizing them. A proposal for political compromise from Senator Robert F. Kennedy on Feb. 19, 1966—that the Vietcong should be admitted "to a share of power and responsibility" in Saigon—had been quickly denounced by Vice President Hubert H. Humphrey. That, Mr. Humphrey said, would be like putting "a fox in a chicken coop; soon there wouldn't be any chickens left."

Mr. McNamara was skeptical that any approach would work rapidly. "The prognosis is bad that the war can be brought to a satisfactory conclusion within the next two years," he told President Johnson in his memorandum. "The large-unit operations probably will not do it; negotiations probably will not do it."

There are no indications that other agencies of government were called upon to comment formally, although the McNamara report did receive general endorsement from Under Secretary of State Nicholas deB. Katzenbach, who had gone with the Secretary of Defense to Saigon. A note at the end of Mr. McNamara's paper stated: "Mr. Katzenbach and I have discussed many of its main conclusions and recommendations—in general, but not in particulars, it expresses his views as well as my own."

The reaction of the Joint Chiefs of Staff to Mr. McNamara's proposals of Oct. 14, the Pentagon study reports, was "predictably rapid—and violent." Obviously forewarned, the Joint Chiefs had their own memorandum ready on the same day for Mr. McNamara and the President. [See text, Joint Chiefs' memo, Oct. 14, 1966.]

Their paper, quoted at length in the Pentagon study, agreed that a long war was likely but took issue with Mr. McNamara's guarded assessment of the military situation, which, in their eyes, had "improved substantially over the past year." They were especially concerned that the McNamara paper did not take into account what they called the "adverse impact over time of continued bloody defeats on the morale of VC/N.V.A. [Vietcong/North Vietnamese Army] forces and the determination of their political and military leaders."

The Joint Chiefs objected to Mr. McNamara's suggestion of a halt or a cutback in bombing to stimulate negotiations. The bombing, they argued, was a "trump card" that should not be surrendered without an equivalent return, such as "an end to the NVN aggression in SVN." Rather than cutting back or leveling off, they advocated a "sharp knock" against North Vietnamese military assets and war-supporting facilities.

Whatever the "political merits" of slowly increasing the pressure, they said:

"We deprived ourselves of the military effects of early weight of effort and shock, and gave to the enemy time to adjust to our slow quantitative and qualitative increase of pressure. This is not to say that it is now too late to derive military benefits from more effective and extensive use of our air and naval superiority."

TARGETS ARE SPECIFIED

What the Joint Chiefs recommended in their Oct. 14 memorandum—and what they largely succeeded in getting President Johnson to approve, though only step by step—was a bombing program that would have these effects:

"Decrease the Hanoi and Haiphong sanctuary areas, authorize attacks against the steel plant [at Thainguyen] the Hanoi rail yards, the thermal power plants, selected areas within Haiphong port and other ports, selected locks and dams controlling water LOCs [lines of communications—canals and rivers] SAM [surface-to-air missile] support facilities within residual Hanoi and Haiphong sanctuaries, and P.O.L. [petroleum-oil-lubricants storage] at Haiphong, Hagia (Phucyen) and Canthon (Kep)."

The Joint Chiefs commented that Mr. McNamara's proposal for total American troop strength of 470,000 men was "substantially less" than the earlier recommendations of General Westmoreland and Admiral Sharp. On Nov. 4, the study recounts, they recommended a build-up to 493,969 men by the end of 1967 and eventually to 555,741. They also discussed their preferred strategy, which involved the lifting of political restraints:

"The concept describes preparation for operations that have not as yet been authorized, such as mining ports, naval quarantine, spoiling attacks and raids against the enemy in Cambodia and Laos, and certain special operations."

But at a conference of the allied powers in Manila on Oct. 23 to 25 came an indication that General Westmoreland had sensed that, as the Pentagon study puts it, "McNamara and Johnson were not politically and militarily enchanted with a costly major force increase at that time, nor with cross-border and air operations which ran grave political risks."

The general's talks with President Johnson on these issues "remain a mystery," the Pentagon study says. But twice the general sought out Assistant Secretary McNaughton, who reported to Mr. McNamara on Oct. 26 that General Westmoreland had trimmed his requests to 480,000 men by the end of 1967 and 500,000 by the end of 1968.

According to Mr. McNaughton's report, cited in the study, General Westmoreland said that those forces would be enough "even if infiltration went on at a high level" but that he wanted a contingency force of roughly two divisions on reserve in the Pacific. This could range between 50,000 and 75,000 men.

The time for decision came virtually on the eve of the Nov. 8 Congressional election. Although the war was not a central issue in most districts, the Pentagon account says, President Johnson had obtained at the Manila meeting a statement on ultimate allied withdrawal that would favorably impress American voters.

The final Manila communique, issued on Oct. 25, pledged that allied forces would be withdrawn from Vietnam "not later than six months after" the other side "withdraws its forces to the North, and ceases infiltration, and as the level of violence thus subsides."

According to Mr. McNaughton's notes, "the President was determined to get the language in, including the reference to 'six months' (opposed by State, supported by me)."

NO SIGN OF DISCOURAGEMENT

Three days before the election, Secretary McNamara said at a news conference at Johnson City, Tex., that the American troop commitment to South Vietnam would grow in 1967 at a rate "substantially less" than the 200,000 men added in 1968.

The Pentagon study says that the troop decision had been made in a meeting with the President that morning after weeks of detailed studies and arguments but Mr. McNamara would give no figure to reporters. When they questioned him, he replied: "I couldn't give you an estimate. We don't have detailed plans."

Nor did the Secretary give any indication of the discouragement with the war that had characterized his confidential report to the President on Oct. 14. Instead, he dwelt upon allied success in preventing the Communist takeover that had been expected a year before. Whereas in private Mr. McNamara had talked about the build-up of enemy forces and the American inability to energize the Saigon Government, in public he cited prisoner interrogations that suggested that enemy morale was sagging.

The troop build-up decision was formally communicated to the Joint Chiefs on Nov. 11. Mr. McNamara told them, the Pentagon study recounts, that the new goal would be

469,000 men in the field by June 30, 1968—not only fewer men than General Westmoreland's revised figures at Manila but an even slower build-up than Mr. McNamara himself had foreseen in mid-October.

The Pentagon study asserts that the significance of the 1966 troop debate was that for the first time the President essentially said "no" to General Westmoreland. Moreover, Secretary McNamara, in his October memorandum, had generated alternative strategies to those put forward by the military commander. "From this time on," the Pentagon study comments, "the judgment of the military as to how the war should be fought and what was needed would be subject to question."

On Nov. 17, Mr. McNamara went a step further and challenged General Westmoreland's strategy of attrition. In a paper to the President, Mr. McNamara reported Pentagon calculations that previous American reinforcements had not brought sharp enough increases in enemy casualties to justify further heavy reinforcements. [See test, McNamara draft memo, Nov. 17, 1966.]

Pentagon efficiency specialists showed, Mr. McNamara said, that from 1965 to 1966 "enemy losses increased by 115 per week during a period in which friendly strength increased by 166,000, an increase of about 70 losses per 100,000 of friendly strength. . . . We have no evidence that more troops than the 470,000 I am recommending would substantially change the situation."

ACTUAL LOSSES QUESTIONED

"Moreover," he went on, "It is possible that our attrition estimates substantially overstate actual VC/NVA losses. For example, the VC/NVA apparently lose only about one-sixth as many weapons as people, suggesting the possibility that many of the killed are unarmed porters or bystanders."

He made a similar report on the air war. "At the scale we are now operating, I believe our bombing is yielding very small marginal returns, not worth the cost in pilot lives and aircraft," Mr. McNamara said. "In spite of an interdiction campaign costing at least $250-million per month at current levels, no significant impact on the war in South Vietnam is evident."

But President Johnson did not accept Mr. McNamara's earlier suggestions for a cutback in the bombing. The study reveals that the Secretary's pessimism about the war was not shared by such White House officials as Walt W. Rostow and Robert W. Komer, both special assistants to the President.

The one change in the air war that the President approved, the study shows, was an increase in B-52 sorties from 60 to 800 monthly, effective in February, 1967, as urged by Admiral Sharp and the Joint Chiefs of Staff.

By the turn of the year, the air war had become the main point of controversy. Public dissent over the bombing was rising. Dispatches from Hanoi by Harrison E. Salisbury, assistant managing editor of The New York Times, generated an "explosive debate about the bombing," the Pentagon study adds.

"His dispatches carried added sting," the study explains, because he was in North Vietnam as the bombing moved in close to Hanoi. On Dec. 25, 1966, Mr. Salisbury reported from Namdinh that the air campaign had killed 89 persons and wounded 405 others. Press reports from Washington quoted officials as expressing irritation and contending that Mr. Salisbury was exaggerating the damage to civilian areas.

But soon, the Government's own intelligence specialists were privately estimating that civilian casualties in North Vietnam were far more numerous than indicated in the dispatches of Mr. Salisbury or of William C. Baggs, editor of The Miami News, who went later to Hanoi.

In January, 1967, the Pentagon account discloses, the Central Intelligence Agency produced a study estimating that military and civilian casualties of the air war in North Vietnam had risen from 13,000 in 1965 to 23,000 or 24,000 in 1966—"about 80 per cent civilians." In all, that meant nearly 29,000 civilian casualties in an air war that was to expand in the next 15 months.

The study reports that the total number of individual flights against North Vietnam in Operation Rolling Thunder rose from 55,000 in 1965 to 148,000 in 1966, total bomb tonnage rose from 33,000 to 128,000, the number of aircraft lost rose from 171 to 318, and direct operational costs rose from $460-million to $1.2-billion. But, paraphrasing the C.I.A. analysis, the Pentagon study comments that the bombing in 1966 "accomplished little more than in 1965."

According to the account, the major result of the raids close to Hanoi on Dec. 2, 4, 13 and 14—all inside a previously established 30-mile sanctuary around the capital—"was to undercut what appeared to be a peace feeler from Hanoi."

EFFORT TO ARRANGE TALKS

The Pentagon version of this diplomatic maneuver, code-named Marigold by the State Department, is reportedly included in the diplomatic section of the study, the one part not obtained by The New York Times. The authors of other sections relied on press accounts and on the book "The Secret Search for Peace" by David Kraslow and Stuart H. Loory of The Los Angeles Times.

The study recounts that the Polish member of the International Control Commission for Vietnam tried to arrange for talks between American and North Vietnamese representatives in early December, 1966, in Warsaw.

"When the attacks were launched inadvertently against Hanoi in December," the Pentagon study comments, "the attempt to start talks ran into difficulty. A belated attempt to mollify North Vietnam's bruised ego failed and formal talks did not materialize." This is an allusion to President Johnson's decision to restore part of the bomb-free sanctuary around Hanoi. The analyst does not explain why he considered the raids inadvertent.

Recapitulating the public furor over the bombing, the study comments that 1966 "drew to a close on a sour note for the President."

"He had just two months before resisted pressure from the military for a major escalation of the war in the North and adopted the restrained approach of the Secretary of Defense," the study continues, "only to have a few inadvertent raids within the Hanoi periphery mushroom into a significant loss of world opinion support."

PRESSURE FOR WIDER WAR

As 1967 began, the study asserts, the stage was set for "a running battle" inside the Johnson Administration "between the advocates of a greatly expanded air campaign against North Vietnam, one that might genuinely be called 'strategic,' and the disillusioned doves who urged relaxation, if not complete suspension, of the bombing in the interests of greater effectiveness and the possibilities for peace."

"The 'hawks,' of course, were primarily the military," the study continues, "but in wartime their power and influence with an incumbent administration is disproportionate. McNamara, supported quantitatively by John McNaughton . . . led the attempt to de-escalate the bombing. Treading the uncertain middle ground at different times in the debate were William P. Bundy [Assistant Secretary of State for Far Eastern Affairs], Air Force Secretary Harold Brown and, most importantly, the President himself. Buffeted from right to left, he determinedly tried to pursue the temperate course, escalating gradually in the late spring but leveling off again in the summer."

With the exception of a diplomatic interlude during the holiday truce at Tet, the Lunar New Year celebration in early February, the pressures for widening the war were unrelenting, according to the Pentagon account.

Mr. Rostow, the President's special assistant for national security, said in a memorandum on Dec. 12, for example, that he found the allied military position "greatly improved" in 1966 and pictured a dominant—even potentially victorious—position by the end of 1967.

In Congress, the study also notes, the military receive support from Senator John C. Stennis, chairman of the influential Senate Preparedness Subcommittee. On Jan. 18, the Mississippi Democrat declared that General Westmoreland's troop requests should be met, "even if it should require mobilization or partial mobilization."

HE PRESSES WASHINGTON FOR SPEED

In Saigon, General Westmoreland was pressing Washington to speed the troop shipments already promised. In support of his requests, the study notes, General Westmoreland described the growth of enemy forces as of Jan. 2:

". . . 9 division headquarters, 34 regimental headquarters, 152 combat battalions, 34 combat support battalions, 196 separate companies, and 70 separate platoons totaling some 128,600, plus at least 112,800 militia and at least 39,175 political cadre . . . (a) strength increase of some 42,000 during 1966 despite known losses."

For the allies, he explained, this posed the danger that in any of the three military regions north of Saigon, "the enemy can attack at any time selected targets . . . in up to division strength" of roughly 10,000 men.

Diplomatic activity reached a peak during Tet, Feb. 8 to 12, as the United States halted the bombing. In London, Prime Minister Harold Wilson, acting on President Johnson's behalf, met with the Soviet Premier, Aleksei N. Kosygin, in an effort to get the bombing stopped permanently and peace talks started.

Then, on Feb. 13, after a pause of nearly six days, the bombing of North Vietnam was resumed. Mr. Johnson said he had based his decision on what he termed the unparalleled magnitude of the North Vietnamese supply effort.

Excerpts from Mr. Wilson's memoirs, "The Labor Government, 1964–70: A Personal Record," published two months ago in The Sunday Times of London and Life magazine, blamed President Johnson for the collapse of the talks, charging that at the last moment he had changed his terms for a bombing halt by demanding a cessation of enemy infiltration as a precondition.

By Mr. Wilson's account, this was a "total reversal" of the offer Washington first authorized him to pass through Mr. Kosygin to Hanoi: a secret agreement under which the bombing would be stopped first, infiltration second and the American troop build-up third.

The sections of the Pentagon study available to The New York Times provide no insight into why Mr. Johnson's position changed suddenly.

The study makes it clear, however, that the collapse of the diplomatic efforts was a turning point, for shortly afterward President Johnson began approving additional targets in North Vietnam for attack.

A FOUR-PHASE OFFENSIVE

"The President perceived the [air] strikes as necessary in the psychological test of wills between the two sides to punish the North," the study adds, "in spite of the near consensus opinion of his [civilian] advisers that no level of damage or destruction that we were willing to inflict was likely to destroy Hanoi's determination to continue to struggle."

President Johnson approved what the Pentagon account calls the "spring air offensive" in the following phases:

On Feb. 22, for attacks on five urban thermal power plants, excluding those in Hanoi and Haiphong, and on the Thainguyen steel plant; for mining of rivers and estuaries and conducting naval barrages against the coastline up to the 20th Parallel.

On March 22, the two Haiphong thermal power plants.

On April 8, by relaxing the previous restrictions on raids around Hanoi and Haiphong, for raids against Kep airfield, the power transformer near the center of the city; for attacks on petroleum storage facilities, an ammunition dump and cement plant in Haiphong.

On May 2, for a raid on the thermal power plant a mile north of the center of Hanoi.

By early May these raids, the Pentagon study relates, had become a focus of controversy among Presidential advisers. General Wheeler sent the President a memorandum on May 5, justifying the raids on such targets as power plants with this assertion:

"The objective of our attacks on the thermal electric power system in North Vietnam was not . . . to turn the lights off in major population centers, but . . . to deprive the enemy of a basic power source needed to operate certain war-supporting facilities and industries."

In rebuttal to this was the position of McGeorge Bundy. As President Johnson's assistant for national security until he left the government on Feb. 28, 1966, Mr. Bundy had been one of the foremost original advocates of the air war against North Vietnam. But in a personal letter to President Johnson, evidently received by the White House on May 4, Mr. Bundy termed the "strategic bombing" of North Vietnam "both unproductive and unwise," especially the raids on power plants. [See text, McGeorge Bundy's memo to Johnson.]

"The lights have not stayed off in Haiphong," he said, "and even if they had, electric lights are in no sense essential to the Communist war effort."

Mr. Bundy emphasized that he was "very far indeed from suggesting that it would make sense now to stop the bombing of the North altogether" because that would be "to give the Communists something for nothing." But as for the power plants, he commented: "We are attacking them, I fear, mainly because we have 'run out' of other targets. Is it a very good reason?"

THE 200,000 REQUEST

The main catalyst for the sharp debate in the Johnson Administration in the spring of 1967, however, was not the air war but General Westmoreland's request for 200,000 more troops.

According to the Pentagon account, General Westmoreland first notified the Joint Chiefs of Staff on March 18 of his additional troop needs and then, at their suggestion, submitted a more detailed request on March 26. He spoke with concern about the large enemy build-ups in sanctuaries in Laos, Cambodia and parts of South Vietnam as well as about the threat posed by large North Vietnamese forces just north of the DMZ.

"The minimum essential force" needed to contain the enemy threat and maintain the "tactical initiative," as he put it in his March 18 message, was two and one-third divisions—with support troops, 100,000 men, the study says—"as soon as possible but not later than 1 July 1968." For an "optimum force," he said he needed four and two-thirds divisions in all—201,250 more troops, including support forces—to boost the ultimate strength of American forces in Vietnam to 671,616 men. [See text, Westmoreland memo, March 18, 1967.]

The reinforcements, General Westmoreland asserted, would enable him to destroy or neutralize enemy main forces "more quickly" and deny the enemy long established "safe havens" in South Vietnam.

In some regions, however, his picture sounded less hopeful. In the northernmost portion of South Vietnam, and in the Central Highlands along the Laotian border, he wanted more troops largely "to contain the infiltration" of North Vietnamese forces from Cambodia, Laos and North Vietnam.

One point that quickly aroused controversy in Washington, the Pentagon study notes, was General Westmoreland's argument that the American build-up would "obviate the requirement for a major expansion" of South Vietnamese forces. This, the authors report, "prompted many who disagreed with the basic increases to ask why the U.S. should meet such expanded troop requirements when the Government of South Vietnam would neither mobilize its manpower nor effectively employ it according to U.S. wishes."

The Joint Chiefs transmitted General Westmoreland's main troop requests to Secretary McNamara on April 20 with their endorsement. "Once again," the Pentagon analyst notes, the Joint Chiefs "confronted the Johnson Administration with a difficult decision on whether to escalate or level off the U.S. effort."

NEW COMMITMENT SOUGHT

"What they proposed," the study says, paraphrasing their April 29 memorandum to Secretary McNamara, "was the mobilization of the reserves, a major new troop commitment in the South, an extension of the war into the VC/NVA sanctuaries (Laos, Cambodia and possibly North Vietnam), the mining of North Vietnamese ports and a solid commitment in manpower and resources to a military victory. The recommendation not unsurprisingly touched off a searching reappraisal of the course of U.S. strategy in the war."

The Joint Chiefs spoke for mobilization despite President Johnson's previous opposition to such a move.

Without a reserve call-up, the Joint Chiefs told Mr. McNamara, the Army could provide only one and one-third of the four and two-thirds divisions that General Westmoreland wanted by July, 1968, and a second division could probably not be provided until late in 1969. "A reserve call-up and collateral actions," they asserted, "would enable the services to provide the major combat forces required."

General Westmoreland and General Wheeler put the military case before President Johnson on April 27 when, according to the Pentagon account, ostensibly to deliver a speech, General Westmoreland returned to the United States.

According to unsigned "Notes on Discussions With the President," which the writers of the Pentagon study found in the files of Assistant Secretary of Defense McNaughton and attributed to him, General Westmoreland told President Johnson that if he did not get the first 100,000 men, "it will be nip and tuck to oppose the reinforcements the enemy is capable of providing," though he acknowledged this would not risk defeat. The second 100,000 troops, he said, were needed to push the allied strategy to success. [See text, notes on Johnson discussion, April 27, 1967.]

"WHERE DOES IT ALL END?"

That was the point at which President Johnson, worried about enemy infiltration, asked, "When we add divisions, can't the enemy add divisions? If so, where does it all end?"

General Westmoreland replied that the Vietcong and North Vietnamese now had 285,000 troops, or roughly eight divisions, in South Vietnam and had "the capability of deploying 12 divisions. . . . If we add 2½ divisions, it is likely the enemy will react by adding troops."

Later, according to the notes, the general warned of prolonged fighting. He predicted that "unless the will of the enemy is broken or unless there was an unraveling of the VC infrastructure the war could go on for five years." Reinforcements would shorten the time—"with a force level of 565,000, the war could well go on for three years," General Westmoreland said. "With a second increment of 2⅓ divisions leading to a total of 665,000 men, it could go on for two years."

General Wheeler, presumably citing other reasons for a reserve call-up, voiced his concern that the United States might face military threats elsewhere—in South Korea or in the form of Soviet pressure on Berlin.

In Indochina, he went on, the Joint Chiefs of Staff were deeply concerned about the North Vietnamese build-up in Cambodia and Laos and felt that American troops "may be forced to move against these units." Beyond that, he was quoted as putting forward the idea of possible invasion of North Vietnam: "We may wish to take offensive action against the D.R.V. with ground troops."

Picking up that theme, General Westmoreland told the President that he had an operational plan that "envisioned an elite South Vietnamese division conducting ground operations in Laos against D.R.V. bases and routes under cover of U.S. artillery and air support." In time, he foresaw "the eventual development of Laos as a major battlefield," as the analysts put it.

According to the Pentagon account, General Westmoreland also told President Johnson "that he possessed contingency plans to move into Cambodia in the Chu Pong area, again using South Vietnamese forces but this time accompanied by U.S. advisers."

Turning to the air war, General Wheeler argued that it was time to consider action "to deny the North Vietnamese use of the ports" because otherwise the American air strategy was "about to reach the point of target saturation—when all worthwhile fixed targets except the ports had been struck."

The Pentagon study says that President Johnson concluded this discussion by asking: "What if we do not add the 2⅓ divisions?" General Wheeler was quoted as a replying that the allied military momentum would die and in some areas the enemy would recapture the initiative, meaning a longer war but not that the allies would lose. General Westmoreland's reply, if any, was not recorded.

The President then reportedly urged his commanders to "make certain we are getting value received from the South Vietnamese troops."

KATZENBACH LISTS OPTIONS

The cleavage between the military and civilian views in the Johnson Administration emerged at once.

On April 24 Under Secretary of State Katzenbach, acting in Secretary Rusk's absence, ordered an interagency review of two major options that in effect set out the two opposing views:

Course A—providing General Westmoreland with 200,000 more troops and, as the analysts put it, "possible . . . intensification of military actions outside South Vietnam including invasion of North Vietnam, Laos and Cambodia."

Course B—confining troop increases, in Mr. Katzenbach's words, to "those that could be generated without calling up the reserves." Coupled with this, the various agencies should consider "a cessation . . . of bombing North Vietnamese areas north of 20 degrees (or, if it looked sufficiently important to maximize an attractive settlement opportunity, cessation of bombing in all of North Vietnam.)"

The resistance of high civilian officials to the military proposals was virtually unanimous, according to the Pentagon study, though the position of Secretary of State Dean Rusk is not described. The three most sensitive issues were the reserve call-up, attacks on the port of Haiphong, and allied

ground offensives into Laos, Cambodia or North Vietnam.

At the State Department, Assistant Secretary Bundy, in a memorandum on May 1 to Under Secretary Katzenbach, came out "totally against" ground operations against North Vietnam, asserting that the odds were 75 to 25 that it would provoke Chinese Communist intervention. He was also "strongly opposed" to sending a South Vietnamese division into Laos.

Except for allowing attacks on the Hanoi power station, Mr. Bundy was against further expansion of the air war, especially the mining of Haiphong so long as the Soviet Union refrained from sending combat weapons through the port. Both Mr. Bundy and the C.I.A., in a special intelligence estimate in early May, warned of the dangers of Soviet counteraction if the port was attacked, according to the Pentagon account.

The mobilization required to provide large troop reinforcements for the ground war, Mr. Bundy contended, would entail "a truly major debate in Congress." With signs of rising domestic dissent over the war, he advised that "we should not get into such a debate this summer."

The Assistant Secretary felt the "real key factors" were the political development in the South leading up to presidential elections in September. The internal political turmoil in Communist China, he suggested, was an important and potentially helpful factor because of the worry it caused in Hanoi.

In the Pentagon, resistance to the Westmoreland-Wheeler strategy came from another angle. The systems-analysis section, headed by Assistant Secretary of Defense Alain C. Enthoven, produced a series of papers late in April and early in May arguing that, contrary to General Westmoreland's expectations, American troop increases did not produce correspondingly sharp increases in enemy losses.

"On the most optimistic basis, 200,000 more Americans would raise [the enemy's] weekly losses to about 3,700 or about 400 a week more than they could stand," Dr. Enthoven told Secretary McNamara in a memorandum on May 4. "In theory we'd then wipe them out in 10 years." [See text, memo on force levels.]

A major effort to oppose the military strategy and to limit the air war was building in Secretary McNamara's office. The moving force, the Pentagon study shows, was Assistant Secretary McNaughton, who eventually wrote key portions of Mr. McNamara's controversial May 19 memorandum.

Roughly two years before, Mr. McNaughton had been an advocate of the "progressive squeeze" on Hanoi through air power. But by October, 1966, he was so doubtful of its effectiveness that he helped Secretary McNamara draft the first suggestion for a cutback in the air war and for political compromise.

Now, in May, 1967 the Pentagon account relates, both he and the Secretary of Defense were preparing for a more vigorous argument. First, on May 5, Mr. McNaughton sent Mr. McNamara a paper intended for inclusion in a memorandum from the Secretary to President Johnson, known as a Draft Presidential Memorandum—D.P.M.—because it not only stated the Secretary's views but also was intended to become a policy document for the President's signature.

The core of Mr. McNaughton's paper was a recommendation that "all of the sorties allocated to the Rolling Thunder program be concentrated on the lines of communications—the 'funnel' through which men and supplies to the South must flow—between 17–20 degrees, reserving the option and intention to strike (in the 20–23 degree area) as necessary to keep the enemy's investment in defense and in repair crews high throughout the country."

The proposed cutback of the air war, he said, was to reduce American pilot and aircraft losses over heavily defended Hanoi and Haiphong and not primarily to get North Vietnam to negotiate. No favorable response should be expected, Mr. McNaughton said, but "to optimize the chances" for such a response he proposed this scenario:

"To inform the Soviets quietly (on May 15) that within a few (5) days the policy would be implemented, stating no time limits and making no promise not to return to the Red River Basin to attack targets . . . and then to make an unhuckstered shift as predicted on May 20."

WHAT TO TELL THE PUBLIC

Without what he called "an ultimatum-like time limit," Mr. McNaughton suggested that North Vietnam "might be in a better posture to react favorably than has been the case in the past." The American public should be told, he said, that the bombing was being concentrated on the southern infiltration routes to "increase the efficiency of our interdiction effort" and because "major northern military targets have been destroyed."

According to the Pentagon account, the McNaughton paper, combined with other Defense Department proposals on the ground war, was read by Secretary McNamara at a White House meeting on May 8, although it is not clear whether Mr. McNamara also signed it and sent it to President Johnson.

Its significance, the Pentagon study reveals, is that for the first time a specific recommendation was put before President Johnson urging a cutback on the bombing to the 20th Parallel. That went a step further than the McNamara memorandum of Oct. 14, 1966 which urged the President "to consider" narrowing the bombing campaign as a possible step toward negotiations.

Several other papers went before President Johnson on May 8, according to the Pentagon account. They included one, recommending a bombing cutback, by Mr. Rostow, described in the study as a "strong bombing advocate" long in favor of attacks on the "North Vietnamese industrial target system."

Mr. Rostow's memorandum, quoted at length in the Pentagon study, rejected proposals for mining North Vietnamese harbors and bombing port facilities lest these steps lead to a "radical increase in Hanoi's dependence on Communist China" and increase United States tensions with the Soviet Union and China. [See text, Rostow memo, May 6, 1967.]

He was considerably more positive than Mr. McNaughton on the results of the strategic bombing campaign, but urged that the bombing be concentrated on the supply routes in southern North Vietnam supplemented by "the most economical and careful attack on the Hanoi power station" and by "keeping open the . . . option" of bombing the Hanoi-Haiphong area in the future.

A more equivocal position, the Pentagon study discloses, was taken by Assistant Secretary of State Bundy. His paper, completed on May 8, favored tactics that would "concentrate heavily on the supply routes" but would also "include a significant number of restrikes" north of the 20th Parallel. Without restrikes, he argued, "it would almost certainly be asked why we had ever hit the targets in the first place." Moreover, it would keep Hanoi and Moscow "at least a little bit on edge."

But he was opposed to hitting such new and "sensitive targets" as the Hanoi power station, the Red River bridge at Hanoi and Phucyen airfield, 13 miles outside the city.

The Pentagon study comments that "this significant convergence of opinion on bombing strategy in the next phase among key Presidential advisers could not have gone unnoticed in the May 8 meeting." The account notes that a new effort began after the session to combine the various views in one paper largely drafted by Mr. McNaughton for Secretary McNamara and finally submitted to the President on May 19.

Even before the White House meeting, Mr. McNaughton was uneasy about the over-all Pentagon position, especially the willingness to provide General Westmoreland with considerable reinforcements. The Pentagon study does not say who drafted the portions of the May 5 memorandum on the ground war or precisely what was proposed, although it reports that Secretary McNamara had been told that 66,000 more soldiers could be provided without calling up the reserves. Later the figure rose to 84,000.

M'NAMARA SAW "FATAL FLAW"

In a note to Secretary McNamara on May 6, Mr. McNaughton indicated that the May 5 memorandum proposed giving General Westmoreland 80,000 more men. Excerpts from that note vividly portray Mr. McNaughton's unhappiness about this course of action:

"I am afraid there is a fatal flaw in the strategy in the [May 5] draft. It is that the strategy falls into the trap that has ensnared us for the past three years. It actually *gives* the troops while only *praying* for their proper use and for constructive diplomatic action." (The emphasis was Mr. McNaughton's.)

"Limiting the present decision to an 80,000 add-on," he continued, "does the very important business of postponing the issue of a reserve call-up (and all of its horrible baggage), but postpone is all that it does—probably to a worse time, 1968. Providing the 80,000 troops is tantamount to acceding to the whole Westmoreland-Sharp request. This being the case, they will 'accept' the 80,000. But six months from now, in will come messages like the '470,000–570,000' messages, saying that the requirement remains at 201,000 (or more). Since no pressure will have been put on anyone, the military war will have gone on as before and no diplomatic progress will have been made.

"It follows that the 'philosophy' of the war should be fought out now so everyone will not be proceeding on their own major premises and getting us in deeper and deeper; at the very least, the President should give General Westmoreland his limit (as President Truman did to General MacArthur). That is, if General Westmoreland is to get 550,000 men, he should be told, 'That will be all, and we mean it.'" (The parentheses were Mr. McNaughton's.)

The note to Secretary McNamara, the study reveals, expressed uneasiness about the breadth and intensity of public unrest and dissatisfaction with the war. As a man whose 18-year-old son was about to enter college, the study notes, Mr. McNaughton was especially sensitive to the unpopularity of the war among the young.

"A feeling is widely and strongly held that 'the Establishment' is out of its mind," he wrote. "The feeling is that we are trying to impose some U.S. image on distant peoples we cannot understand (any more than we can the younger generation here at home), and that we are carrying the thing to absurd lengths.

"Related to this feeling is the increased polarization that is taking place in the United States with seeds of the worst split in our people in more than a century. . . ."

A major assault on Administration policy drew near. In early May, the Pentagon study recounts, there were three C.I.A., intelligence papers "to reinforce the views" of civilian opponents of the bombing.

One report concluded that 27 months of American bombing "have had remarkably little effect on Hanoi's over-all strategy in prosecuting the war, on its confident view of long-term Communist prospects, and on its political tactics regarding negotiations." A second, issued on May 12, characterized the mood in North Vietnam after prolonged bombing as one of "resolute stoicism with

a considerable reservoir of endurance still untapped."

The third said that as of April, the American air campaign had "significantly eroded the capacities of North Vietnam's industrial and military bases. These losses, however, have not meaningfully degraded North Vietnam's material ability to continue the war in South Vietnam."

NEW TREND OF POLICY

The climax for what the study calls the "disillusioned doves" came in Secretary McNamara's May 19 memorandum to President Johnson, which marshaled the arguments against the strategy of widening the war and sharpened the case for curtailing the air war.

What gave the May 19 "draft Presidential memorandum" a new and radical thrust, the analysts observe, were its political recommendations, reflecting Mr. McNaughton's earlier point about the need to argue out "the philosophy of the war."

The May 19 paper not only recommended a cutback of the bombing to the 20th Parallel and only 30,000 more troops for General Westmoreland, but also advocated a considerably more limited over-all American objective in Vietnam that, in the words of the Pentagon study, "amounted to . . . a recommendation that we accept a compromise outcome." [See text, McNamara position.]

As Mr. McNamara and Mr. McNaughton put it in the memorandum. "Our commitment is only to see that the people of South Vietnam are permitted to determine their own future. . . . This commitment ceases if the country ceases to help itself."

However much the United States might "strongly hope" for non-Communist government that would remain separate from North Vietnam, they said, "our commitment is not" to guarantee and insist on those conditions.

"Nor do we have an obligation to pour in effort out of proportion to the effort contributed by the people of South Vietnam or in the face of coups, corruption, apathy or other indications of Saigon's failure to cooperate satisfactorily with us," the writers declared.

The United States was committed, they went on, "to stopping or offsetting the effect of North Vietnam's application of force in the South, which denies the people of the South the ability to determine their own future."

The Pentagon study underscores the significance of Mr. McNamara's break with policy. The paper, it says, "pointedly rejected the high blown formulations of U.S. objectives in NSAM 288 ('an independent non-Communist South Vietnam,' 'defeat the Vietcong,' etc.), and came forcefully to grips with the old dilemma of the U.S. involvement dating from the Kennedy era; only limited means to achieve excessive ends."

The reference was to National Security Action Memorandum 288, issued on March 17, 1964, which had since provided the basic doctrine for Johnson Administration policy.

The emphasis in the "scaled-down" set of "goals" put forward by the McNamara-McNaughton memorandum, the analysts observe, was on South Vietnamese self-determination, which envisioned an eventual "full-spectrum government."

At several points the Pentagon study emphasizes the sharp departure that this represented from established policy. "Let there be no mistake," the study comments, "these were radical positions for a senior U.S. policy official within the Johnson Administration to take. They would bring the bitter condemnation of the [Joint] Chiefs and were scarcely designed to flatter the President on the success of his efforts to date."

In addition to advancing its own views, the McNamara-McNaughton paper developed the counterarguments against the military option of large reinforcements and a wider war, enmphasizing the increasing popular discontent with the war among the American public.

The memorandum acknowledged that a cutback on the bombing "will cause psychological problems" for allied officers and troops "who will not be able to understand why we should withhold punishment from the enemy."

However, the paper added: "We should not bomb for punitive reasons if it serves no other purpose. . . . It costs American lives; it creates a backfire of revulsion and opposition by killing civilians; it creates serious risks; it may harden the enemy."

Moreover, it expressed moral qualms about the reaction of world and domestic opinion to the kind of expanded air campaign advocated by senior military commanders. "The picture of the world's greatest superpower killing or seriously injuring 1,000 noncombatants a week, while trying to pound a tiny backward nation into submission on an issue whose merits are hotly disputed is not a pretty one," Secretary McNamara told President Johnson. "It could conceivably produce a costly distortion in the American national consciousness and in the world image of the United States—especially if the damage to North Vietnam is complete enough to be 'successful.' "

The paper also pointed out that the bombing in the Hanoi and Haiphong regions took an extremely high toll in American pilots' lives. On May 5, Mr. McNaughton commented that the loss rate over Hanoi-Haiphong was six times as great as over the rest of North Vietnam. Now, on May 19, the McNamara-McNaughton paper noted that the campaign against these heavily defended areas lost "one pilot in every 40 sorties." It predicted that if the bombing was held below the 20th Parallel, these losses woud be cut "by more than 50 percent."

Their arguments against granting General Westmoreland the scale of reinforcements that he had requested were centered on what the Pentagon analysts refer to as the growing fear that such forces would engender "irresistible pressures" for carrying the battle beyond the borders of South Vietnam.

The mobilization of reserves to provide the necessary manpower, according to the McNamara-McNaughton paper, would almost certainly stimulate a "bitter Congressional debate."

"Cries would go up—much louder than they have already—to 'take the wraps off the men in the field,' " their memorandum asserted. It foresaw pressures not only for ground operations against Laos, Cambodia and North Vietnam, but also, at some point, for proposals to use tactical nuclear arms and bacteriological and chemical weapons if the Chinese entered the war "or if U.S. losses were running high."

DILEMMA FOR PRESIDENT

Secretary McNamara showed his paper to President Johnson on May 19, the day it was completed, the study says. Although the analyst provides no documentary record of Mr. Johnson's reaction, he comments that it was "not surprising" that the President "did not promptly endorse the McNamara recommendations as he had on occasions in the past."

"This time," the study continues, "he faced a situation where the Chiefs were in ardent opposition to anything other than a significant escalation of the war with a call-up of reserves. This put them in direct opposition to McNamara and his aides and created a genuine policy dilemma for the President."

In any event, the study says, Secretary McNamara quickly got the message intended by the President's inaction. On May 20, Mr. McNamara—"perhaps reflecting a cool Presidential reaction"—ordered a new study of bombing alternatives.

The Joint Chiefs of Staff needed no spur. Within four days, they had submitted three memorandums, renewing earlier recommendations for more than 200,000 new troops and for air attacks to "shoulder out" foreign shipping from Haiphong and to mine the harbors and approaches, as well as raids on eight major airfields and on roads and railways leading to China. "It may ultimately become necessary," they said, to send American troops into Cambodia and Laos and take "limited ground action in North Vietnam."

Their sharpest rebuttal to Mr. McNamara, however, came on May 31 in a paper contending that the "drastic changes" in American policy advocated by the Secretary "would undermine and no longer provide a complete rationale for our presence in South Vietnam or much of our efforts over the past two years."

Moreover, the parts of this paper quoted in the Pentagon narrative asserted that the McNamara-McNaughton memorandum "fails to appreciate the full implications for the free world of failure" in Vietnam.

On the issue of public support for the war, the Joint Chiefs said they were "unable to find due cause for the degree of pessimism expressed" in the McNamara paper. They asserted their belief "that the American people, when well informed about the issues at stake, expect their Government to uphold its commitments."

Addressing the specific proposal for a bombing cutback, the Joint Chiefs were doubtful that such a step would induce Hanoi to move toward negotiations. They contended it would "most likely have the opposite effect" and "only result in the strengthening of the enemy's resolve to continue the war."

In conclusion, the military leaders urged that the McNamara proposals "not be forwarded to the President" because they represented such a divergence from past policy that they were not worthy of consideration. The Chiefs were unaware that Mr. Johnson had seen the paper 12 days before.

In other agencies, the Pentagon study relates, official viewpoints fell between the two extremes and the debate floundered toward a compromise on the issues of tactics, rather than aims.

Under Secretary of State Katzenbach, for example, proposed on June 8, according to the study, that the United States add 30,000 ground troops "in small increments over the next 18 months" and "concentrate bombing on lines of communication throughout" North Vietnam but shifting away from strategic targets around Hanoi and Haiphong. The American political objectives, he said, should be to leave behind a stable democratic government in Saigon by persuading Hanoi to end the war and by neutralizing the Vietcong threat internally.

In the Pentagon, Mr. McNaughton found mixed views on the air war and summarized them for Mr. McNamara in another memorandum on June 12. The findings, cited in the study, were that Cyrus R. Vance, Deputy Secretary of Defense; Paul H. Nitze, Secretary of the Navy; and Mr. McNaughton favored the cutback in bombing; the Joint Chiefs renewed their case for escalation; and Secretary Brown of the Air Force recommended adding a few targets.

The Pentagon study says it is unclear whether this paper was formally presented to President Johnson who, in any case, was preoccupied in June, 1967, with the six-day Arab-Israeli war and with preparations for his meeting with Premier Kosygin at Glassboro, N.J.

Secretary McNamara's primary attention remained on the unresolved troop issue. According to the Pentagon account, he went to Saigon from July 7 to July 12 under President Johnson's instructions "to review the matter

48-059 O - 72 - pt. 18 - 69

with General Westmoreland and reach an agreement on a figure well below the 200,000 [Westmoreland] had requested in March."

On Mr. McNamara's final evening in Saigon, the Pentagon account says, the two men agreed on a 55,000-man increase, to a total of 525,000 troops. President Johnson approved the compromise, far closer to Mr. McNamara's position than General Westmoreland's, and announced it in a tax message on Aug. 4.

But in a series of decisions on the air war during July and August, the President adopted a course that differed markedly from the strategy of deescalation that Secretary McNamara had urged on him.

His first decision, in mid-July, added only a few fixed targets, but in the next two months he approved all but about a dozen of the 57 targets the Chiefs of Staff wanted. On July 20, the Pentagon study reports, he added 16 targets, including a previously forbidden airfield, a rail yard, two bridges and 12 barracks and supply areas, all within the restricted circles around Hanoi and Haiphong.

The day before the authorization of Rolling Thunder 57—each number signaling an extension of the air war—Secretary McNamara lost perhaps his closest adviser and stanchest ally. On July 19, Mr. McNaughton and his wife, Sarah, and their 11-year-old son Theodore were killed in a plane collision over North Carolina.

HARD-LINE SENATORS ACT

By late July the study continues, the frustrations of the military commanders over the restraints imposed upon them had prompted the Senate Preparedness Subcommittee to schedule hearings on the conduct of the air war. Although conducted in secret, the hearings gave the public its first real knowledge of the policy division between Secretary McNamara and the Joint Chiefs over bombing.

"The subcommittee unquestionably set out to defeat Mr. McNamara," the analyst comments. "Its members, Senators Stennis, Symington, Jackson, Cannon, Byrd, Smith, Thurmond and Miller, were known for their hard line views and military sympathies. . . . They viewed the restraints on bombing as irrational, the shackling of a major instrument which could help win victory."

Such powerful Congressional backing for the air war, the study observes, "must have forced a recalculation on the President."

The study finds it "surely no coincidence" that on Aug. 9, the day the Stennis hearings opened, President Johnson authorized "an additional 16 fixed targets and an expansion of armed reconnaissance."

"Significantly," the study continues, "six of the targets were within the sacred 10-mile Hanoi inner circle. . . . Nine targets were located in the northeast rail line in the China buffer zone [formerly a proscribed zone], the closest one eight miles from the border. . . . The tenth was a naval base, also within the China buffer zone."

The raids began promptly, the study recounts, and more targets were approved shortly afterward. The prohibited zone around Hanoi was restored from Aug. 24 to Sept. 4 to permit a follow-up to what the study calls "a particularly delicate set of contacts with North Vietnam." The military sections of the Pentagon study give no details, but published reports have identified this as a secret effort to test Hanoi on what became known later as the San Antonio formula.

It was made public by President Johnson in a speech on Sept. 29 at San Antonio, Tex., when he offered to halt the bombing provided that action would lead to prompt and productive negotiations, on the assumption that the North Vietnamese would "not take advantage" of the halt militarily. Hanoi rejected these terms as imposing conditions on a halt in bombing.

For months the secret diplomatic probing went on fruitlessly while the air war widened slowly—although still short of the desires of the Joint Chiefs. Not until March, 1968—a few days after Secretary McNamara had left the Government—did his proposal for a reduction of the bombing to the 20th Parallel re-emerge and open the way toward negotiations in Paris in May.

THE SERIES SO FAR

Events before Tonkin incidents: Study says United States-run covert war against North Vietnam preceded Tonkin Gulf clashes by months.

Planning the bombing: After Tonkin clashes, and before Presidential election of 1964, Johnson Administration planners secretly reached "general consensus" favoring air war against North, study reports. Sustained bombing began in March, 1965.

The ground war begins: Johnson Administration decided to commit U.S. to ground war after month of bombing failed to crush Hanoi. The President ordered his decision kept secret.

Kennedy years: Kennedy Administration's approval of covert warfare against North Vietnam in 1961 and "complicity" in ouster of President Diem deepened American involvement in Vietnam.

1965–66 troop build-up: Study ascribes escalation of ground war to failure to plan for response of North Vietnamese and Vietcong. Air war was widened despite intelligence warnings that Hanoi's will could not be broken by raids.

PENTAGON PAPERS: AFTER TET, STUDY REPORTS, JOINT CHIEFS SOUGHT VIRTUAL MOBILIZATION

(By E. W. Kenworthy)

Amid the shock and turmoil of the Tet offensive in February, 1968, the Pentagon study of the Vietnam war discloses, the Joint Chiefs of Staff and Gen. William C. Westmoreland sought to force President Lyndon B. Johnson a long way toward national mobilization in an effort to win victory in Vietnam.

But, the study shows, this pressure by the Joint Chiefs and the commanding general in the field set off a last, bitter policy debate in the Administration that culminated in the opposite of the military's desires.

For the first time, the study explains, President Johnson squarely faced the prospect that he had sought adamantly to avoid during three years of steadily widening war: "a full-scale call-up of reserves" and "putting the country economically on a semiwar footing." And, the Pentagon study goes on, Mr. Johnson confronted this prospect "at a time of great domestic dissent, dissatisfaction and disillusionment about both the purposes and the conduct of the war."

Finally the President relieved General Westmoreland of his command in late February, and on March 31, 1968, exactly two months after the opening blows of the Vietcong and North Vietnamese offensive at Tet, Mr. Johnson announced his decision to limit the American operation in Vietnam. He cut back the bombing of North Vietnam to the 20th Parallel and sent to South Vietnam a token troop increase: one-tenth of the 206,000 men his generals had requested to achieve "victory."

Having announced these steps as a hopeful prelude to a negotiated settlement of the war, the President, citing a wish to ease the "partisan division" racking the country, said he would not seek re-election.

This period of the turnaround in policy as a result of the Tet offensive forms another phase of the Pentagon study and of its presentation by The New York Times. Previous articles have covered the growth of the American air and ground combat roles under the Kennedy and Johnson Administrations through late 1967, when high civilian officials began to press for reduced bombing.

The Pentagon study, prepared by 30 to 40 officials and analysts at the Defense Department in 1967–68, was ordered by Secretary of Defense Robert S. McNamara to explore the history of United States involvement in Indochina. The final report consisted of 3,000 pages of analysis and 4,000 pages of supporting documents—a total of 2.5 million words.

The enemy offensive during Tet, the Lunar New Year, began on Jan. 31 with an attack on the United States Embassy in Saigon; for a day enemy guerrillas held the embassy compound. The attacks spread rapidly to almost all the cities and major towns of South Vietnam. Hue, the ancient capital of central Vietnam, was captured and not retaken until Feb. 24 in the last days of the offensive.

On Feb. 2, three days after the initial assault, President Johnson summoned White House reporters to the Cabinet Room. The enemy attack, he said, had been "anticipated, prepared for and met." Militarily, the enemy had suffered "a complete failure." As for a "psychological victory," the enemy's second objective, the President said that "when the American people know the facts," they would see that here, too, the enemy had failed.

In reply to questions, the President said that General Westmoreland had been given "every single thing" he "believed that he needed at this time," and that therefore no change was contemplated in the planned level of 525,000 American soldiers nor was there likely to be "any change of great consequence" in strategy.

The Pentagon study, however, says that the offensive took the White House and the Joint Chiefs "by surprise, and its strength, length and intensity prolonged this shock."

For the President, the study makes plain, the shock and disappointment were particularly severe, because throughout much of 1967 he had discounted "negative analyses" of United States strategy by the Central Intelligence Agency and the Pentagon offices of International Security Affairs and Systems Analysis. Instead, the study says, Mr. Johnson had seized upon the "optimistic reports" from General Westmoreland to counteract what many Pentagon civilians sensed was a growing public disillusionment with the war.

As an example of an unheeded warning, the Pentagon analyst cites at length a bombing study by the Government-subsidized Institute for Defense Analyses that was submitted to Secretary McNamara in mid-December, 1967. In this study—on which Mr. McNamara was to draw heavily in his farewell statement on defense posture to the Senate Armed Services Committee on Feb. 1—the institute said that the bombing of North Vietnam had had "no measurable effect on Hanoi's ability to mount and support military operations in the South" and had "not discernibly weakened" Hanoi's will to support the insurgency.

As an example of the reports that the President did heed, the analyst cites the year-end assessment of General Westmoreland, which was delivered on Jan. 27, four days before the Tet offensive. The general said:

"Interdiction of the enemy's logistics train in Laos and NVN [North Vietnam] by our indispensable air efforts has imposed significant difficulties on him. In many areas the enemy has been driven away from the population centers; in others he has been compelled to disperse and evade contact, thus nullifying much of his potential. The year ended with the enemy increasingly resorting to desperation tactics in attempting to achieve military/psychological victory; and he has experienced only failure in these attempts."

KEY TEXTS FROM PENTAGON'S VIETNAM STUDY

Following are texts of key documents accompanying the Pentagon's study of the Vietnam war, covering the period in early 1968 surrounding the Vietcong's Tet offensive. Except where excerpting is specified, the documents are printed verbatim, with only unmistakable typographical errors corrected.

ADMIRAL SHARP'S PROGRESS REPORT ON WAR AT END OF 1967

Excerpts from cablegram from Adm. U.S. Grant Sharp, commander in chief of Pacific forces, to the Joint Chiefs of Staff, dated Jan. 1, 1968, and headed "Year-End Wrap-Up Cable," as provided in the body of the Pentagon study. Paragraphs in italics are the study's paraphrase or explanation.

Admiral Sharp outlined three objectives which the air campaign was seeking to achieve: disruption of the flow of external assistance into North Vietnam, curtailment of the flow of supplies from North Vietnam into Laos and South Vietnam, and destruction "in depth" of North Vietnamese resources that contributed to the support of the war. Acknowledging that the flow of fraternal communist aid into the North had grown every year of the war, CINCPAC noted the stepped up effort in 1967 to neutralize this assistance by logistically isolating its primary port of entry—Haiphong. The net results, he felt, had been encouraging:

The overall effect of our effort to reduce external assistance has resulted not only in destruction and damage to the transportation systems and goods being transported thereon but has created additional management, distribution and manpower problems. In addition, the attacks have created a bottleneck at Haiphong where inability effectively to move goods inland from the port has resulted in congestion on the docks and a slowdown in offloading ships as they arrive. By October, road and rail interdictions had reduced the transportation clearance capacity at Haiphong to about 2700 short tons per day. An average of 4400 short tons per day had arrived in Haiphong during the year.

The assault against the continuing traffic of men and material through North Vietnam toward Laos and South Vietnam, however, had produced only marginal results. Success here was measured in the totals of destroyed transport, not the constriction of the flow of personnel and goods.

Although men and material needed for the level of combat now prevailing in South Vietnam continue to flow despite our attacks on LOCs, we have made it very costly to the enemy in terms of material, manpower, management, and distribution. From 1 January through 15 December 1967, 122,960 attack sorties were flown in Rolling Thunder route packages I through V and in Laos, SEA DRAGON offensive operations involved 1,384 ship-days on station and contributed materially in reducing enemy seaborne infiltration in southern NVN and in the vicinity of the DMZ. Attacks against the NVN transport system during the past 12 months resulted in destruction of carriers, cargo carried, and personnel casualties. Air attacks throughout North Vietnam and Laos destroyed or damaged 5,261 motor vehicles, 2,475 railroad rolling stock, and 11,425 watercraft from 1 January through 20 December 1967. SEA DRAGON accounted for another 1,473 WBLC destroyed or damaged from 1 January–30 November. There were destroyed rail-lines, bridges, ferries, railroad yards and shops, storage areas, and truck parks. Some 3,685 land targets were struck by SEA DRAGON forces, including the destruction or damage of 303 coastal defense and radar sites. Through external assistance, the enemy has been able to replace or rehabilitate many of the items damaged or destroyed, and transport inventories are roughly at the same level they were at the beginning of the year. Nevertheless, construction problems have caused interruptions in the flow of men and supplies, caused a great loss of work-hours, and restricted movement particularly during daylight hours.

The admission that transport inventories were the same at year's end as when it began must have been a painful one indeed for CINCPAC in view of the enormous cost of the air campaign against the transport system in money, aircraft, and lives. As a consolation for this signal failure, CINCPAC pointed to the extensive diversion of civilian manpower to war related activities as a result of the bombing.

A primary effect of our efforts to impede movement of the enemy has been to force Hanoi to engage from 500,000 to 600,000 civilians in full-time and part-time war-related activities, in particular for air defense and repair of the LOCs. This diversion of manpower from other pursuits, particularly from the agricultural sector, has caused a drawdown on manpower. The estimated lower food production yields, coupled with an increase in food imports in 1967 (some six times that of 1966), indicate that agriculture is having great difficulty in adjusting to this changed composition of the work force. The cost and difficulties of the war to Hanoi have sharply increased, and only through the willingness of other communist countries to provide maximum replacement of goods and material has NVN managed to sustain its war effort.

To these manpower diversions CINCPAC added the cost to North Vietnam in 1967 of the destruction of vital resources—the third of his air war objectives:

C. Destroying vital resources:

Air attacks were authorized and executed by target systems for the first time in 1967, although the attacks were limited to specific targets within each system. A total of 9,740 sorties was flown against targets on the Rolling Thunder target list from 1 January-15 December 1967. The campaign against the power system resulted in reduction of power generating capability to approximately 15 percent of original capacity. Successful strikes against the Thau Nguyen iron and steel plant and the Haiphong cement plant resulted in practically total destruction of these two installations. NVN adjustments to these losses have had to be made by relying on additional imports from China, the USSR or the Eastern European countries. The requirement for additional imports reduces available shipping space for war supporting supplies and adds to the congestion at the ports. Interruptions in raw material supplies and the requirement to turn to less efficient means of power and distribution has degraded overall production.

Economic losses to North Vietnam amounted to more than $130 million dollars in 1967, representing over one-half of the total economic losses since the war began.

WHEELER'S 1968 REPORT TO JOHNSON AFTER THE TET OFFENSIVE

Excerpts from memorandum from Gen. Earle G. Wheeler to President Johnson, dated Feb. 27, 1968, and headed "Report of Chairman, J.C.S., on Situation in Vietnam and MACV Force Requirements."

1. The Chairman, JCS and party visited SVN on 23, 24 and 25 February. This report summarizes the impressions and facts developed through conversations and briefings at MACV and with senior commanders throughout the country.

2. Summary

The current situation in Vietnam is still developing and fraught with opportunities as well as dangers.

There is no question in the mind of MACV that the enemy went all out for a general offensive and general uprising and apparently believed that he would succeed in bringing the war to an early successful conclusion.

The enemy failed to achieve his initial objective but is continuing his effort. Although many of his units were badly hurt, the judgment is that he has the will and the capability to continue.

Enemy losses have been heavy; he has failed to achieve his prime objectives of mass uprisings and capture of a large number of the capital cities and towns. Morale in enemy units which were badly mauled or where the men were oversold the idea of a decisive victory at TET probably has suffered severely. However, with replacements, his indoctrination system would seem capable of maintaining morale at a generally adequate level. His determination appears to be unshaken.

The enemy is operating with relative freedom in the countryside, probably recruiting heavily and no doubt infiltrating NVA units and personnel. His recovery is likely to be rapid; his supplies are adequate; and he is trying to maintain the momentum of his winter-spring offensive.

The structure of the GVN held up but its effectiveness has suffered.

The RVNAF held up against the initial assault with gratifying, and in a way, surprising strength and fortitude. However, RVNAF is now in a defensive posture around towns and cities and there is concern about how well they will bear up under sustained pressure.

The initial attack nearly succeeded in a dozen places, and defeat in those places was only averted by the timely reaction of US forces. In short, it was a very near thing.

There is no doubt that the RD Program has suffered a severe set back.

RVNAF was not badly hurt physically—they should recover strength and equipment rather quickly (equipment in 2–3 months—strength in 3–6 months). Their problems are more psychological than physical.

US forces have lost none of their pre-TET capability.

MACV has three principal problems. First, logistic support north of Danang is marginal owing to weather, enemy interdiction and harassment and the massive deployment of US forces into the DMZ/Hue area. Opening Route 1 will alleviate this problem but takes a substantial troop commitment. Second, the defensive posture of ARVN is permitting the VC to make rapid inroads in the formerly pacified countryside. ARVN, in its own words, is in a dilemma as it cannot afford another enemy thrust into the cities and towns and yet if it remains in a defensive posture against this contingency, the countryside goes by default. MACV is forced to devote much of its troop strength to this problem. Third MACV has been forced to deploy 50% of all US maneuver battalions into I Corps, to meet the threat there, while stripping the rest of the country of adequate reserves. If the enemy synchronizes an attack against Khe Sanh/Hue-Quang Tri with an offensive in the Highlands and around Saigon while keeping the pressure on throughout the remainder of the country, MACV will be hard pressed to meet adequately all threats. Under these circumstances, we must be prepared to accept some reverses.

—For these reasons, General Westmoreland has asked for a 3 division-15 tactical fighter squadron force. This force would provide him with a theater reserve and an offensive capability which he does not now have.

3. The situation as it stands today:

a. Enemy capabilities.

(1) The enemy has been hurt badly in the populated lowlands, is practically intact elsewhere. He committed over 67,000 combat maneuver forces plus perhaps 25% or 17,000 more impressed men and boys, for a total of about 84,000. He lost 40,000 killed, at least 3,000 captured, and perhaps 5,000 disabled or died of wounds. He had peaked his force total to about 240,000 just before TET, by hard recruiting, infiltration, civilian impress-

ment, and drawdowns on service and guerrilla personnel. So he has lost about one fifth of his total strength. About two-thirds of his trained, organized unit strength can continue offensive action. He is probably infiltrating and recruiting heavily in the countryside while allied forces are securing the urban area. (Discussions of strengths and recruiting are in paragraphs 1, 2 and 3 of Enclosure (1)). The enemy has adequate munitions, stockpiled in country and available through the DMZ, Laos, and Cambodia, to support major attacks and countrywide pressure; food procurement may be a problem. (Discussion is in paragraph 6 Enclosure (1)). Besides strength losses, the enemy now has morale and training problems which currently limit combat effectiveness of VC guerrilla, main and local forces. (Discussions of forces are in paragraphs 2, 5, Enclosure (1)).

(a) I Corps Tactical Zone: Strong enemy forces in the northern two provinces threaten Quanq Tri and Hue cities, and US positions at the DMZ. Two NVA divisions threaten Khe Sanh. Eight enemy battalion equivalents are in the Danang-Hoi An area. Enemy losses in I CTZ have been heavy, with about 13,000 killed; some NVA as well as VC units have been hurt badly. However, NVA replacements in the DMZ area can offset these losses fairly quickly. The enemy has an increased artillery capability at the DMZ, plus some tanks and possibly even a limited air threat in I CTZ.

(b) II Corps Tactical Zone: The 1st NVA Division went virtually unscathed during TET offensive, and represents a strong threat in the western highlands. Seven combat battalion equivalents threaten Dak To. Elsewhere in the highlands, NVA units have been hurt and VC units chopped up badly. On the coast, the 3rd NVA Division had already taken heavy losses just prior to the offensive. The 5th NVA Division, also located on the coast, is not in good shape. Local force strength in about 13,000 killed; some NVA as well coastal II CTZ had dwindled long before the offensive. The enemy's strength in II CTZ is in the highlands where enemy troops are fresh and supply lines short.

(c) III CTZ: Most of the enemy's units were used in the TET effort, and suffered substantial losses. Probably the only major unit to escape heavy losses was the 7th NVA Division. However, present dispositions give the enemy the continuing capability of attacking in the Saigon area with 10 to 11 combat effective battalion equivalents. His increased movement southward of supporting arms and infiltration of supplies has further developed his capacity for attacks by fire.

(d) IV Corps Tactical Zone: All enemy forces were committed in IV Corps, but losses per total strength were the lightest in the country. The enemy continues to be capable of investing or attacking cities throughout the area.

(2) New weapons or tactics:

We may see heavier rockets and tube artillery, additional armor, and the use of aircraft, particularly in the I CTZ. The only new tactic in view is infiltration and investment of cities to create chaos, to demoralize the people, to discredit the government, and to tie allied forces to urban security.

b. RVNAF Capabilities:

(1) Current Status of RVNAF:

(a) Strength

As of 31 dec RVNAF strength was 643,116 (Regular Forces—342,951; RF—151,376; and PF–148,789)

Date	Auth.	PFD	Percent of strength
Dec. 31	112,435	96,667	86.0
Feb. 10	112,435	77,000	68.5
Feb. 15	112,435	83,935	74.7

. . . (d) The redeployment of forces has caused major relocations of support forces, logistical activities and supplies.

(e) The short range solutions to the four major areas listed above were: (a) Emergency replacement of major equipment items and ammunition from the CONUS and (b) day-to-day emergency actions and relocation of resources within the theater. In summary, the logistics system in Vietnam has provided adequate support throughout the TET offensive.

(1) Psychological—the people in South Vietnam were handed a psychological blow, particularly in the urban areas where the feeling of security had been strong. There is a fear of further attacks.

(2) The structure of the Government was not shattered and continues to function but at greatly reduced effectiveness.

(3) In many places, the RD program has been set back badly. In other places the program was untouched in the initial stage of the offensive. MACV reports that of the 555 RD cadre groups, 278 remain in hamlets, 245 are in district and province towns on security duty, while 32 are unaccounted for. It is not clear as to when, or even whether, it will be possible to return to the RD program in its earlier form. As long as the VC prowl the countryside it will be impossible, in many places, even to tell exactly what has happened to the program.

(4) Refugees—An additional 470,000 refugees were generated during the offensive. A breakdown of refugees is at Enclosure (7). The problem of caring for refugees is part of the larger problem of reconstruction in the cities and towns. It is anticipated that the care and reestablishment of the 250,000 persons or 50,000 family units who have lost their homes will require from GVN sources the expenditure of 500 million piasters for their temporary care and resettlement plus an estimated 30,000 metric tons of rice. From US sources, there is a requirement to supply aluminum and cement for 40,000 refugee families being reestablished under the Ministry of Social Welfare and Refugee self-help program. Additionally, the GVN/Public Works City Rebuilding Plan will require the provision of 400,000 double sheets of aluminum, plus 20,000 tons [words illegible].

4. What Does the Future Hold

a. Probable enemy strategy. (Reference paragraph 7b, Enclosure (1)). We see the enemy pursuing a reinforced offensive to enlarge his control throughout the country and keep pressures on the government and allies. We expect him to maintain strong threats in the DMZ area, at Khe Sanh, in the highlands, and at Saigon, and to attack in force when conditions seem favorable. He is likely to try to gain control of the country's northern provinces. He will continue efforts to encircle cities and province capitals to isolate and disrupt normal activities, and infiltrate them to create chaos. He will seek maximum attrition of RVNAF elements. Against US forces, he will emphasize attacks by fire on airfields and installations, using assaults and ambushes selectively. His central objective continues to be the destruction of the Government of SVN and its armed forces. As a minimum he hopes to seize sufficient territory and gain control of enough people to support establishment of the groups and committees he proposes for participation in an NLF dominated government.

b. MACV Strategy:

(1) MACV believes that the central thrust of our strategy now must be to defeat the enemy offensive and that if this is done well, the situation overall will be greatly improved over the pre-TET condition.

(2) MACV accepts the fact that its first priority must be the security of Government of Vietnam in Saigon and provincial capitals. MACV describes its objectives as:

First, to counter the enemy offensive and to destroy or eject the NVA invasion force in the north.

Second, to restore security in the cities and towns.

Third, to restore security in the heavily populated areas of the countryside.

Fourth, to regain the initiative through offensive operations.

c. Tasks:

(1) Security of Cities and Government. MACV recognizes that U.S. forces will be required to reinforce and support RVNAF in the security of cities, towns and government structure. At this time, 10 U.S. battalions are operating in the environs of Saigon. It is clear that this task will absorb a substantial portion of U.S. forces.

(2) Security in the Countryside. To a large extent the VC now control the countryside. Most of the 54 battalions formerly providing security for pacification are now defending district or province towns. MACV estimates that U.S. forces will be required in a number of places to assist and encourage the Vietnamese Army to leave the cities and towns and reenter the country. This is especially true in the Delta.

(3) Defense of the borders, the DMZ and northern provinces. MACV considers that it must meet the enemy threat in I Corps Tactical Zone and has already deployed there slightly over 50% of all U.S. maneuver battalions. U.S. forces have been thinned out in the highlands, notwithstanding an expected enemy offensive in the early future.

(4) Offensive Operations. Coupling the increased requirement for the defense of the cities and subsequent reentry into the rural areas, and the heavy requirement for defense of the I Corps Zone, MACV does not have adequate forces at this time to resume the offensive in the remainder of the country, nor does it have adequate reserves against the contingency of simultaneous large-scale enemy offensive action throughout the country.

5. Force Requirements

A. Forces currently assigned to MACV, plus the residual Program Five forces yet to be delivered, are inadequate in numbers to carry out the strategy and to accomplish the tasks described above in the proper priority. To contend with, and defeat, the new enemy threat, MACV has stated requirements for forces over the 525,000 ceiling imposed by Program Five. The add-on requested totals 206,756 spaces for a new proposed ceiling of 731,756, with all forces being deployed into country by the end of CY 68. Principal forces included in the add-on are three division equivalents, 15 tactical fighter squadrons and augmentation for current Navy programs. MACV desires that these additional forces be delivered in three packages as follows:

(1) Immediate Increment, Priority One: To be deployed by 1 May 68. Major elements include one brigade of the 5th Mechanized Division with a mix of one infantry, one armored and one mechanized battalion; the Fifth Marine Division (less RLT–26); one armored cavalry regiment; eight tactical fighter squadrons; and a groupment of Navy units to augment ongoing programs.

(2) Immediate Increment, Priority Two: To be deployed as soon as possible but prior to 1 Sep 68. Major elements include the remainder of the 5th Mechanized Division, and four tactical fighter squadrons. It is desirable that the ROK Light Division be deployed within this time frame.

(3) Follow-on Increment: To be deployed by the end of CY 68. Major elements include one infantry division, three tactical fighter squadrons, and units to further augment Navy Programs.

b. Enclosure (9) treats MACV's force requirements for CY 68 to include troop lists, and service strengths for each of the three

packages which comprise the total MACV request.

c. Those aspects of MACV's CY 68 force requirements recommendations meriting particular consideration are:

(1) Civilianization. Approximately 150,000 Vietnamese and troop contributing nations' civilians are currently employed by MACV components. Program Five contains provisions to replace 12,545 military spaces by civilians during CY 68. MACV is experiencing difficulties with the civilian program because of curfew impositions, disrupted transportation, fear, movement of military units which include civilians, strikes, and prospective mobilization [rest illegible].

TERMS IN TEXTS

ARVN—Army of Republic of (South) Vietnam.
CINCPAC—Commander in Chief, Pacific.
COMUS—U.S. commander.
C.T.Z.—Corps tactical zone.
C.Y.—Calendar year.
DMZ—Demilitarized zone.
GVN—Government of (South) Vietnam.
I.S.A.—International Security Agency.
L.O.C.—Lines of communication.
MACV—Military Assistance Command, Vietnam.
NLF—National Liberation Front.
N.V.A.—North Vietnamese Army.
NVN—North Vietnam.
PF—Popular Forces.
R.D.—Rural development.
RF—Regional Forces.
RLT—Regimental landing team.
R.O.K.—Republic of (South) Korea.
RVNAF—Republic of (South) Vietnam Armed Forces.
SEA—Southeast Asia.
SVN—South Vietnam.

ORIENTATION MEMO FOR CLIFFORD TELLING HOW TARGETS ARE CHOSEN

Excerpts from memorandum from Assistant Secretary of Defense Paul C. Warnke to Clark M. Clifford, newly appointed Secretary of Defense, March 5, 1968, as provided in the body of the Pentagon study.

Twice a month the Joint Staff has been revising the Rolling Thunder Target List for the bombing of North Vietnam. The revisions are forwarded to my office and reconciled with the prior list. This reconciliation summary is then forwarded to your office. . . .

Every Tuesday and Friday the Joint Staff has been sending me a current list of the authorized targets on the target list which have not been struck or restruck since returning to a recommended status. After our review, this list also is sent to your office. . . .

In the normal course of events, new recommendations by the Chairman of the Joint Chiefs of Staff for targets lying within the 10 and 4 mile prohibited circles around Hanoi and Haiphong, respectively, or in the Chinese Buffer Zone have been submitted both to the Secretary of Defense's office and to my office in ISA. ISA would then ensure that the State Department had sufficient information to make its recommendation on the new proposal. ISA also submitted its evaluation of the proposal to your office. On occasions the Chairman would hand-carry the new bombing proposals directly to the Secretary of Defense for his approval. Under those circumstances, the Secretary, if he were not thoroughly familiar with the substance of the proposal, would call ISA for an evaluation. State Department and White House approval also were required before the Chairman's office could authorize the new strikes.

CABLE TO ENVOYS IN ASIA ON DAY OF JOHNSON'S DE-ESCALATION SPEECH

Excerpts from cablegram from State Department to United States Ambassadors in Australia, New Zealand, Thailand, Laos, the Philippines and South Korea, March 31, 1968, as provided in the body of the Pentagon study. The message announced provisions of the major speech President Lyndon B. Johnson was to make hours later. Paragraph in italics is the study's paraphrase or explanation.

a. Major stress on importance of GVN and ARVN increased effectiveness with our equipment and other support as first priority in our own actions.

b. 13,500 support forces to be called up at once in order to round out the 10,500 combat units sent in February.

c. Replenishment of strategic reserve by calling up 48,500 additional reserves, stating that these would be designed to strategic reserve.

d. Related tax increases and budget cuts already largely needed for non-Vietnam reasons.

3. In addition, after similar consultation and concurrence, President proposes to announce that bombing will be restricted to targets most directly engaged in the battlefield area and that this meant that there would be no bombing north of the 20th parallel. Announcement would leave open how Hanoi might respond, and would be open-ended as to time. However, it would indicate that Hanoi's response could be helpful in determining whether we were justified in assumption that Hanoi would not take advantage if we stopped bombing altogether. Thus, it would to this extent foreshadow possibility of full bombing stoppage at a later point.

This cable offered the Ambassadors some additional rationale for this new policy for their discretionary use in conversations with their respective heads of government. This rationale represents the only available statement by the Administration of some of its underlying reasons and purposes for and expectations from this policy decision.

a. You should call attention to force increases that would be announced at the same time and would make clear our continued resolve. Also our top priority to re-equipping ARVN forces.

b. You should make clear that Hanoi is most likely to denounce the project and thus free our hand after a short period. Nonetheless, we might wish to continue the limitation even after a formal denunciation, in order to reinforce its sincerity and put the monkey firmly on Hanoi's back for whatever follows. Of course, any major military change could compel full-scale resumption at any time.

c. With or without denunciation, Hanoi might well feel limited in conducting any major offensive at least in the northern areas. If they did so, this could ease the pressure where it is most potentially serious. If they did not, then this would give us a clear field for whatever actions were then required.

d. In view of weather limitations, bombing north of the 20th parallel will in any event be limited at least for the next four weeks or so—which we tentatively envisage as a maximum testing period in any event. Hence, we are not giving up anything really serious in this time frame. Moreover, air power now used north of the 20th can probably be used in Laos (where no policy change planned) and in SVN.

e. Insofar as our announcement foreshadows any possibility of a complete bombing stoppage, in the event Hanoi really exercises reciprocal restraints, we regard this as unlikely. But in any case, the period of demonstrated restraint would probably have to continue for a period of several weeks, and we would have time to appraise the situation and to consult carefully with them before we undertook any such action.

THE SERIES SO FAR

Events before Tonkin incidents: Study says American-run covert war against North Vietnam preceded Tonkin Gulf clashes by months.

Planning the bombing: After Tonkin clashes, and before Presidential election of 1964, Johnson Administration planners reached "general consensus" favoring air war against North. Sustained bombing began in March, 1965.

Ground war begins: U.S. decided on offensive ground role after month of bombing failed to impede enemy. President Johnson ordered decision kept secret.

Kennedy years: Kennedy Administration's approval of covert warfare against North Vietnam in 1961 and "complicity" in ouster of President Diem deepened American involvement in Vietnam.

1965–66 troop build-up: Study links force expansion with U.S. planners' failure to anticipate enemy build-up. Air war was widened despite intelligence warnings that Hanoi's will could not be broken by raids.

Disillusion in 1966–67: Defense Secretary McNamara urged bombing cutback in October, 1966, and favored accepting Saigon coalition in May, 1967, becoming leader of "disillusioned doves" who tried to reverse U.S. course.

NEW TROOP NEEDS

A far different assessment came on Feb. 12, with the Tet offensive at its height. General Westmoreland reported then to the Joint Chiefs and Secretary McNamara that, as of Feb. 11, the enemy had attacked "34 provincial towns, 64 district towns and all of the autonomous cities." This, the general said, the enemy had been able to do while committing "only 20 to 35 per cent of his North Vietnamese forces . . . employed as gap fillers where VC [Vietcong] strength was apparently not adequate to carry out his initial thrust on the cities and towns."

The first formal reaction of the Joint Chiefs to the offensive came on Feb. 3 when they asked Mr. McNamara to reduce the radius of the zone in which bombing was prohibited in Hanoi and in the port of Haiphong. In Hanoi, they sought to cut the radius from 10 nautical miles from the city's center to 3, and in Haiphong from 4 nautical miles to 1.5, thus enlarging the outer "restricted" zones in which bombing of selected targets was permitted upon Presidential approval. The Joint Chiefs also asked that blanket authority be given to air commanders to bomb in these outer zones.

The Joint Chiefs said in their memorandum that this extension was necessary to reduce "the enemy capability for waging war in the South"—a reason that the Pentagon analyst dismisses as "a nonsequitur," in view of "the evident ineffectiveness of the bombing in preventing the offensive."

Paul C. Warnke, who had succeeded the late John T. McNaughton as assistant Secretary of Defense for International Security Affairs, opposed the request on the ground that enlargement of the zones would allow strikes on "only a couple of fixed targets not previously authorized." The President did not approve the request.

In any event, the Pentagon analyst notes, the primary focus of Washington's reaction to the Tet offensive was inevitably centered on General Westmoreland's possible troop requirements. At this point, however, the Pentagon study does not take account of several messages between Gen. Earle G. Wheeler, Chairman of the Joint Chiefs, and General Westmoreland. These messages, which have been quoted verbatim by Marvin Kalb and Elie Abel in their 1971 book "Roots of Involvement," throw considerable light on what was to become a matter of contention: whether the President and General Wheeler pressed General Westmoreland to ask for more troops or whether, as Mr. Johnson was to insist, the President merely asked for General Westmoreland's "recommendations."

FOUR DAYS AFTER ATTACK

In the first of these cablegrams, on Feb. 3, four days after the offensive began, General Wheeler said: "The President asks me if there is any reinforcement or help that we can give you."

General Westmoreland had not replied by Feb. 8, and General Wheeler, according to the book, sent a second cablegram then that did not mention the President: "Query: Do you need reinforcement? Our capabilities are limited. We can provide 82d Airborne Division and about one-half a Marine Corps division, both loaded with Vietnam veterans. However, if you consider reinforcements imperative, you should not be bound by earlier agreements. United States Government is not prepared to accept defeat in Vietnam. In summary, if you need more troops, ask for them."

"Earlier agreements" referred to the authorized level of 525,000 troops in 1968, of whom about 500,000 had reached South Vietnam.

That same day General Westmoreland replied, requesting the proffered units and asking, according to the Kalb-Abel book, that the President authorize an amphibious assault by the marines into North Vietnam as a diversionary move. The next day, Feb. 9, he followed up with this message:

"Needless to say, I would welcome reinforcements at any time they can be made available. A. To put me in a stronger position to contain the enemy's major campaign in the DMZ-Quangtri-Thuathien area and to go on the offensive as soon as his attack is spent. B. To permit me to carry out my campaign plans despite enemy's reinforcements from North Vietnam, which have influenced my deployment plans. C. To offset the weakened [South] Vietnamese forces resulting from casualties and Tet desertions. Realistically, we must assume that it will take them at least six weeks to regain the military posture of several weeks ago. . . . D. To take advantage of the enemy's weakened posture by taking the offensive against him."

General Wheeler responded: ". . . It occurs to me that the deployment of the 82d Airborne Division and marine elements might be desirable earlier than April to assist in defense and pursuit operations. . . . Please understand that I am not trying to sell you on the deployment of additional forces which in any event I cannot guarantee. . . . However, my sensing is that the critical phase of the war is upon us, and I do not believe that you should refrain from asking for what you believe is required under the circumstances."

At this point the Pentagon study turns to the issue of troop levels. On Feb. 9, it says, Mr. McNamara asked the Joint Chiefs to furnish plans for General Westmoreland's emergency reinforcement. The study says that on Feb. 12, after extensive communication with General Westmoreland, the Joint Chiefs submitted to the Secretary three plans, all of which they said would leave the strategic reserve in the United States so thin as to seriously compromise the nation's worldwide commitments.

SEEK TO FORCE THE PRESIDENT

Therefore, the Joint Chiefs recommended in their memorandum that "a decision to deploy reinforcements to Vietnam be deferred at this time," but that preparatory "measures be taken now" for possible later deployment of the 82d Airborne Division and two-thirds of a Marine division-air wing team.

The Pentagon study says: "The tactic the Chiefs were using was clear: by refusing to scrape the bottom of the barrel any further for Vietnam, they hoped to force the President to 'bite the bullet' on the call-up of the reserves—a step they had long thought essential, and that they were determined would not now be avoided."

Despite the Joint Chiefs' recommendation against deployments without calling up the reserves, the next day, Feb. 13, Secretary McNamara approved immediate emergency deployment of 10,500 men—a brigade of the 82d Airborne and a Marine regimental landing team—above the 525,000 ceiling.

The Joint Chiefs reacted immediately by sending the Secretary a memorandum recommending a call-up of reserves to replace and sustain the new deployment—32,000 Army reservists, 12,000 marines and 2,300 Navy men, a total of 46,300 former servicemen.

Mr. McNamara's action and the Joint Chiefs' response were only a foretaste of the struggle to come as a result of the Tet offensive, the Pentagon study says, since General Westmoreland was preparing to raise his sights with the full support of the Joint Chiefs.

A FAREWELL TO THE 82d

On Feb. 14, President Johnson went to Fort Bragg, N.C., to say good-by to the brigade of the 82d Airborne going to South Vietnam. The Pentagon narrative recalls the scene:

"The experience proved for him to be one of the most profoundly moving and troubling of the entire Vietnam war. The men, many of whom had only recently returned from Vietnam, were grim. They were not young men going off to adventure but seasoned veterans returning to an ugly conflict from which they knew some would not return. The film clips of the President shaking hands with the solemn but determined paratroopers on the ramps of their aircraft revealed a deeply troubled leader. He was confronting the men he was asking to make the sacrifice and they displayed no enthusiasm. It may well be that the dramatic decisions of the succeeding month and a half that reversed the direction of American policy in the war had their genesis in those troubled handshakes."

A FORK IN THE ROAD

In late February, the President sent General Wheeler to Saigon to consult with General Westmoreland on precisely how many more men he wanted. General Wheeler returned on Feb. 28 and immediately delivered a written report to the President. The report began by saying that General Westmoreland had frustrated the enemy's objective of provoking a general uprising. But it went on to say that the offensive had been "a very near thing" for the allies and then ranged in bleak fashion over the situation in Vietnam:

Despite 40,000 killed, at least 3,000 captured and perhaps 5,000 disabled or dead of wounds, the North Vietnamese and the Vietcong now had the initiative. They were "operating with relative freedom in the countryside" and had driven the Saigon Government forces back into a "defensive posture around towns and cities." The pacification program "in many places . . . has been set back badly." To hold the northernmost provinces, General Westmoreland had been forced to send half of his American maneuver battalions there, "stripping the rest of the country of adequate reserves" and robbing himself of "an offensive capability." [See text, Wheeler's report, Page 15.]

"Under these circumstances," General Wheeler warned, "we must be prepared to accept some reverses."

However, once the enemy offensive is decisively defeated, General Wheeler said, "the situation over all will be greatly improved over the pre-Tet condition." But to accomplish this and to "regain the initiative through offensive operations," General Westmoreland would require more men.

The 500,000 soldiers then in South Vietnam and the 25,000 others who had been approved for eventual deployment under the ceiling established in the summer of 1967 were now "inadequate in numbers," General Wheeler said.

A NEW PROPOSED CEILING

"To contend with, and defeat the new enemy threat," he continued, General Westmoreland "has stated requirements for forces over the 525,000 ceiling. . . . The add-on requested totals 206,756 spaces for a new proposed ceiling of 731,756." All of the additional 206,756 soldiers were to be in the war zone by the end of 1968. General Westmoreland wanted roughly half of them, the study notes, as early as May 1.

"Principal forces included in the add-on are three division equivalents, 15 tactical fighter squadrons and augmentation for current Navy programs," General Wheeler explained.

To provide this many troops by the end of the year, the President would have had to call up from civilian life 280,000 military reservists to replenish the strategic reserve in the United States and to sustain the units newly sent to Vietnam.

"A fork in the road had been reached," the Pentagon study comments. "Now the alternatives stood out in stark reality. To accept and meet General Wheeler's request for troops would mean a total U.S. military commitment to SVN [South Vietnam]—an Americanization of the war, a call-up of reserve forces, vastly increased expenditures. To deny the request for troops, or to attempt to again cut it to a size which could be sustained by the thinly stretched active forces, would just as surely signify that an upper limit to the U.S. military commitment in SVN had been reached."

The issue was immediately joined at the highest level of the Pentagon.

Clark M. Clifford, an old friend and adviser of President Johnson and an unwavering supporter of his Vietnam policy, had been designated to succeed Mr. McNamara as Secretary of Defense. He was not to be sworn in until March 1, but had begun to work at his job many days earlier. On Feb. 28, when the Wheeler-Westmoreland report was delivered, the President asked Mr. Clifford to gather a senior group of advisers for a complete review of United States policy in Vietnam.

The next day, Mr. Clifford convened what came to be known as the Clifford Group. The principals were Mr. McNamara; Gen. Maxwell D. Taylor, President Johnson's personal military adviser, as he had been President Kennedy's; Paul H. Nitze, Deputy Secretary of Defense; Henry H. Fowler, Secretary of the Treasury; Nicholas deB. Katzenbach, Under Secretary of State; Walt W. Rostow, the President's adviser on national security; Richard Helms, Director of Central Intelligence; William P. Bundy, Assistant Secretary of State for Far Eastern Affairs; Mr. Warnke, the head of the Pentagon's politico-military policy office, International Security Affairs, and Philip C. Habib, Mr. Bundy's deputy.

At the first meeting of the group, the Pentagon study says, Mr. Clifford said that the real problem was "not whether we should send 200,000 additional troops to Vietnam," but whether if "we follow the present course in SVN, could it ever prove successful even if vastly more than 200,000 troops were sent?"

Mr. Clifford stipulated that the various papers he assigned on United States strategy should consider four options, ranging from granting General Westmoreland's full request to sending him no additional troops.

"The work [of drafting papers] became so intensive," the study states, "that it was carried out in teams within . . . International Security Affairs."

The dominant voice in the consideration of alternatives was the civilian heirarchy in the Pentagon. And the most influential force there, according to the study, was Mr. Warnke, whose young civilian assistants, including Morton H. Halpern and Richard C. Steadman, had become disenchanted with Vietnam policy since 1967 and were now

among the leading dissenters in the Administration. The position of the dissenters was strengthened by intelligence estimates from the C.I.A., which submitted papers to the working group.

The most important of these, submitted on March 1, suggested strongly that the most likely prospect for the future—under any course of proposed action—was more stalemate. These, as quoted in the Pentagon study, were the answers it gave to questions by Mr. Clifford:

Q. What is the likely course of events in South Vietnam over the next 10 months, assuming no change in U.S. policy or force levels?

A. . . . It is manifestly impossible for the Communists to drive U.S. forces out of the country. It is equally out of the question for U.S./GVN forces to clear South Vietnam of Communist forces.

Q. What is the likely N.V.A./VC [North Vietnamese Army/Vietcong] strategy over the next 10 months if U.S. forces are increased by 50,000, by 100,000 or by 200,000?

A. We would expect the Communists to continue the war. They still have resources available in North Vietnam and within South Vietnam to increase their troop strength. . . . Over a 10-month period the Communists would probably be able to introduce sufficient new units into the South to offset the U.S. maneuver battalion increments of the various force levels given above.

Q. What is the Communist attitude toward negotiations: in particular how would Hanoi deal with an unconditional cessation of U.S. bombing of NVN and what would be its terms for a settlement?

A. The Communists probably still expect the war to end eventually in some form of negotiations . . . they are not likely to give any serious considerations to negotiations until this campaign has progressed far enough for its results to be fairly clear.

POSSIBILITY OF NEGOTIATING

If the United States ceased the bombing of North Vietnam in the near future, the C.I.A. believed, Hanoi would probably respond to an offer to negotiate, although the intelligence agency warned that the North Vietnamese would not modify their terms for a final settlement or stop fighting in the South.

"In any talks, Communist terms would involve the establishment of a new 'coalition' government," the C.I.A. said, "which would in fact, if not in appearance, be under the domination of the Communists. Secondly, they would insist on a guaranteed withdrawal of U.S. forces within some precisely defined period. . . ."

General Taylor wrote a long memorandum that went not only to the Clifford Group but also directly to the White House. The general was opposed to any basic change in policy.

"We should consider changing the objective which we have been pursuing consistently since 1954 only for the most cogent reasons," he wrote. "There is clearly nothing to recommend trying to do more than we are now doing at such great cost. To undertake to do less is to accept needlessly a serious defeat for which we would pay dearly in terms of our worldwide position of leadership, of the political stability of Southeast Asia and of the credibility of our pledges to friends and allies."

General Taylor recommended against any initiative for negotiations that might involve a halt in bombing. To this end he proposed the withdrawal of the so-called San Antonio formula, enunciated by President Johnson the previous September, under which the United States would stop the bombing of North Vietnam if Hanoi promised "prompt and productive" talks and agreed to "not take advantage" of a bombing cessation in a military way. The general argued against "any thought of reducing the bombing."

Although he did not advocate any specific reinforcements for General Westmoreland, General Taylor recommended a build-up of the strategic reserve in the United States thereby aligning himself with the Joint Chiefs.

The Pentagon's Office of Systems Analysis, headed by Dr. Alain C. Enthoven, said in a paper that "the offensive appears to have killed the [pacification] program once and for all." In another paper, Assistant Secretary of Defense Enthoven painted what the study calls "a bleak picture of American failure in Vietnam."

"While we have raised the price to NVN of aggression and support of the VC," the paper said, "it shows no lack of capability or will to match each new U.S. escalation. Our strategy of 'attrition' has not worked. Adding 206,000 more U.S. men to a force of 525,000, gaining only 27 additional maneuver battalions and 270 tactical fighters at an added cost to the U.S. of $10-billion per year raises the question of who is making it costly for whom. . . .

"We know that despite a massive influx of 500,000 U.S. troops, 1.2 million tons of bombs a year, 400,000 attack sorties per year, 200,000 enemy K.I.A. [killed in action] in three years, 20,000 U.S. K.I.A., etc., our control of the countryside and the defense of the urban areas is now essentially at pre-August 1965 levels. We have achieved stalemate at a high commitment. A new strategy must be sought.

The paper concluded that a shift to a military strategy of having the United States forces protect population centers in South Vietnam, rather than ranging the countryside on search-and-destroy operations, would, if unchallenged by the enemy, stabilize American casualty rates.

HIGHLIGHTS OF THE PERIOD

JANUARY–FEBRUARY, 1968

Enemy, on Tet holiday Jan. 31, strikes at U.S. Embassy, attacks scores of important towns and all major cities. Joint Chiefs urge bombing closer to centers of Hanoi and Haiphong; President Johnson refuses. Chiefs' Chairman, Wheeler, asks Westmoreland to specify troop needs. Westmoreland, advised repeatedly that a division and a half is available, requests force that size.

Chiefs—trying to force Johnson into mobilization, study says—insist reserve call-up must precede any deployment; but McNamara approves 10,500-man Vietnam deployment without call-up.

Late February, Wheeler visits Saigon, finds enemy holds initiative, says Westmoreland needs 206,756 more men.

Clifford, now Secretary-designate, convenes high-level working group for full policy review. Initial draft policy memorandum finds Saigon forces ineffective, enemy likely to match any escalation; urges static "population-security" strategy "to buy time" for Vietnamese to take over their defense; opposes extension of bombing as "unproductive or worse."

MARCH, 1968

C.I.A. study, bolstering advocates of de-escalation among working group, finds working group, finds enemy can withstand war of attrition regardless of U.S. troop increases in next 10 months.

Clifford working group debates drafters' memorandum; develops consensus against completely abandoning initiative. Intense battle ranges between military and advocates of de-escalation. Wheeler argues for extension of bombing; Assistant Defense Secretary Warnke argues against.

Revised draft, by Warnke and Assistant Secretary Goulding, goes to White House; asks 22,000 more men for Vietnam; favors deferring decision on further deployments; asks reserve call-up; no new peace initiatives; states that planners are unable to reach consensus on wider bombing.

Westmoreland welcomes the 22,000 but reasserts 206,756 request.

On March 5, Clifford asks Wheeler opinion on Rusk draft favoring halt in bombing of most of North Vietnam; study "infers" Clifford favors plan; Air Force Secretary Brown presses for bombing step-up, offers three optional plans for it.

On March 10, Westmoreland's "206,000" request becomes public in The New York Times, sets off brisk debate.

Senator Eugene J. McCarthy, peace candidate, edges out President Johnson in New Hampshire Democratic primary.

On March 13, President decides on 30,000-man Vietnam increase, with reserve call-up of 98.451.

Robert F. Kennedy joins Presidential contest.

On March 22, Westmoreland is called home to the Army Chief of Staff—a signal, study says—that President would rule out major escalation. Abrams, later named successor, secretly visits White House.

"Wise Men"—council of present and former high officials—meet March 25–26 at President's request and advise de-escalation.

March 31: "I shall not seek, and I will not accept, the nomination of my party." President cuts bombing back to 20th Parallel and, almost unnoticed, cuts 30,000-man force increase to 13,500.

APRIL, 1968

On April 3, North Vietnam agrees to talks.

THE BATTLE AT HOME

By the end of the first meeting, on Feb. 29, the Clifford Group had produced an initial draft memorandum for the President. It began with a pessimistic appraisal, expressing doubt that the South Vietnamese Army "as currently led, motivated and influenced at the top," would buckle down to the job of pacifying the countryside, or that the Saigon Government "will rise to the challenge" and "move toward a government of national union."

"Even with the 200,000 additional troops" requested by General Westmoreland, the draft memorandum said, "we will not be in a position to drive the enemy from SVN or to destroy his forces," since Hanoi had always been able to maintain from its reserve a ratio of one combat battalion to 1.5 American combat battalions. A North Vietnamese combat battalion has some 300 men and an American combat battalion has about 700 men.

If further escalation occurred, the draft went on, "it will be difficult to convince critics that we are not simply destroying South Vietnam in order to 'save' it and that we genuinely want peace talks." It added: "This growing disaffection accompanied, as it certainly will be, by increased defiance of the draft and growing unrest in the cities because of the belief that we are neglecting domestic problems, runs great risks of provoking a domestic crisis of unprecedented proportions."

The memorandum concluded that the United States presence in South Vietnam should be used "to buy the time" during which the South Vietnamese Army and Government "can develop effective capability." Therefore, the Clifford Group said, General Westmoreland should be told that his mission was to provide security to populated areas—along what the memorandum called the demographic frontier." He should also be told that he was not to wage a war of attrition against enemy forces or seek to drive them out of the country.

This initial draft was discussed with military leaders in Mr. Clifford's office on March 1. The meeting started an intense battle that went on for the next three weeks, the study says.

WHEELER WAS "APPALLED"

"General Wheeler . . . was appalled at the apparent repudiations of American military

policy in South Vietnam contained in the I.S.A. draft memorandum," the analyst writies. "He detected two 'fatal' flaws in the population-security strategy" similar to the flaws found by the military in the defensive "enclave strategy" that some had advocated in 1966.

The flaws, the Pentagon account says, were that "the proposed strategy would mean increased fighting in or close to the population centers and, hence, would result in increased civilian casualties," and that "by adopting a posture of static defense, we would allow the enemy an increased capability of massing near population centers, especially north of Saigon."

As a formal meeting on March 3, Mr. Warnke read the initial draft of the memorandum to the entire Clifford Group. "The ensuing discussion," the study says, "apparently produced a consensus that abandoning the initiative completely as the draft memo seemed to imply could leave allied forces and the South Vietnamese cities themselves more, not less, vulnerable."

There was also a sharp division on the bombing of North Vietnam. The initial draft recommended no bombing above present levels, and opposed proposals by the military to bomb closer to the centers of Hanoi and Haiphong as "likely to be unproductive or worse."

At the March 3 meeting, General Wheeler advocated an extension of the bombing again, rather than a cutback, while Mr. Warnke fought against expansion of the air war, the study asserts.

Finally, Mr. Warnke and Phil G. Goulding, Assistant Secretary of Defense for Public Affairs, were directed to write a new draft that would deal only with the troop issue, recommending a modest increase, and would call for "a study" of new strategic guidance for General Westmoreland, advise against a new initiative on negotiations and acknowledge the split on the air war.

The new paper, a draft Presidential memorandum intended for Mr. Johnson's approval as doctrine, was completed the next day, March 4, "Gone was any discussion of grand strategy," the study says. As it finally went to the White House, the memorandum made these recommendations:

Deployment of 22,000 more troops, of whom 60 percent would be combat soldiers.

Reservation of a decision to deploy the remaining 185,000 men requested by General Westmoreland, contingent upon a week-by-week examination of the situation.

Approval of a reserve call-up of approximately 262,000 men, increased draft calls and extension of terms of service.

No new peace initiative.

A general decision on bombing policy, which the Clifford Group had not been able to reach. "Here," the memorandum said, "your advisers are divided: a. General Wheeler and others would advocate a substantial extension of targets and authority in and near Hanoi and Haiphong, mining of Haiphong, and naval gunfire up to a Chinese buffer zone; b. Others would advocate a seasonal step-up through the spring, but without these added elements."

DIVIDED ON WAYS TO ESCALATE

The analyst notes that both sides of the bombing argument in the memorandum were "devoted to various kinds of escalation."

"The proposal that was eventually to be adopted [by the President at the end of March], namely cutting back the bombing to the panhandle only, was not even mentioned, nor does it appear in any of the other drafts or papers related to the Clifford Group's work," the study notes. The Chairman of the Joint Chiefs and Secretary Clifford, the account emphasizes, "differed only on the extent to which the bombing campaign against North Vietnam should be intensified."

The study speculates at this point on why a cutback in bombing to the 20th Parallel was not mentioned in any of these documents.

The omission may be "misleading," the narrative says, since the cutback "apparently was one of the principal ideas being discussed and considered in the forums at various levels."

"It is hard to second-guess the motivation of a Secretary of Defense," the study continues, "but, since it is widely believed that Clifford personally, advocated this idea to the President, he may well have decided that . . . to have raised the idea of constricting the bombing below the 19th or 20th Parallel in the memo to the President would have generalized the knowledge of such a suggestion and invited its sharp, full and formal criticism by the J.C.S. and other opponents of a bombing halt. Whatever Clifford's reasons, the memo did not contain the proposal that was to be the main focus of the continuing debates in March and would eventually be endorsed by the President."

"Faced with a fork in the road of our Vietnam policy," the study concludes, "the working group failed to seize the opportunity to change directions. Indeed, they seemed to recommend that we continue rather haltingly down the same road, meanwhile consulting the map more frequently and in greater detail to insure that we were still on the right road."

The President asked that the memorandum be sent to General Westmoreland for his views, since the recommendations, as the analyst says, "were a long way down the road in meeting [his] request."

In his reply on March 8 the general welcomed the additional 22,000 men proposed as a first increment, but told Mr. Johnson in a cablegram that he stuck by his request for the full 206,756-man reinforcement by the end of 1968.

MOUNTING PRESSURE

The documentary record for the final rounds of the internal policy debate now "becomes sparse," the Pentagon study remarks, because the discussion was "carried forward on a personal basis by the officials involved, primarily, the Secretary of Defense and the Secretary of State."

"The decision, however," the account goes on, "had been placed squarely on the shoulders of the President. . . . The memorandum had recommended 'a little bit more of the same' to stabilize the military situation, plus a level of mobilization in order to be prepared to meet any further deterioration in the ground situation. . . .

"But many political events in the first few weeks of March, 1968, gave strong indications that the country was becoming increasingly divided over and disenchanted with the current Vietnam strategy, and would no longer settle for 'more of the same.'"

The internal maneuvering revolved around the cutback in the bombing, first proposed, without result, by Secretary McNamara in October, 1966.

"The first appearance of the idea in the documents in March," the study says, came in a circuitous and seemingly casual way from Secretary of State Dean Rusk, who, as far as the record shows, had given no support to a cutback in bombing when it was proposed in 1967.

But now in a note to General Wheeler on March 5, Secretary Clifford wrote that he was "transmitting for the latter's exclusive 'information' a proposed 'statement' drafted by Secretary Rusk," the study says.

"The statement, which was given only the status of a 'suggestion' and therefore needed to be closely held," the study continues, "announced the suspension of the bombing of North Vietnam except 'in the area associated with the battle zone.' It was presumably intended for Presidential delivery.

"Attached to the draft statement, which shows Rusk himself as the draftee, was a list of explanatory reasons and conditions for its adoption. Rusk noted that bad weather in northern North Vietnam in the next few months would severely hamper operations around Hanoi and Haiphong in any event and the proposal did not, therefore, constitute a serious degradation of our military position. It was to be understood that in the event of any major enemy initiative in the South, either against Khesanh or the cities, the bombing would be resumed.

"Further, Rusk did not want a major diplomatic effort mounted to start peace talks. He preferred to let the action speak for itself and await Hanoi's reaction.

"Finally, he noted that the area still open to bombing would include everything up to and including Vinh (just below 19 degrees) and there would be no limitations on attacks in that zone."

Mr. Rusk was thus suggesting the 19th Parallel as the cutoff point for bombing. Both the 19th and the 20th Parallels had figured in the discussions in 1967.

CLIFFORD'S APPROVAL "INFERRED"

"Clifford's views of the proposal and its explanation do not appear in his note," the study remarks. "It can be inferred, however, that he endorsed the idea. In any case, by the middle of March the question of a partial bombing halt became the dominant air-war alternative under consideration in meetings at State and Defense. It is possible that the President had already indicated to Clifford and Rusk enough approval of the idea to have focused the further deliberative efforts of his key advisers on it."

Aware that a Presidential decision was in the making, the advocates of all-out bombing pressed their views. On March 4, Dr. Harold Brown, the Secretary of the Air Force, sent to Deputy Secretary of Defense Nitze a memorandum setting forth three options for a step-up. The first was intensification of the bombing of "remaining important targets" in North Vietnam, and "neutralization of the port of Haiphong by bombing and mining." The second was intensification of air raids in the "adjoining panhandle areas" of Laos and North Vietnam. The third involved increased air attacks in the South as a substitute for additional ground forces.

Dr. Brown made plain his preference for the first option, which he said would "permit bombing of military targets without the present scrupulous concern for collateral civilian damage and casualties." His objective was "to erode the will of the population by exposing a wider area of NVN to casualties and destruction."

In evaluating the effect of such a campaign, however, Dr. Brown "was forced to admit," the study says, that it would not "be likely to reduce NVN capability in SVN substantially below the 1967 level," and that North Vietnam would probably "be willing to undergo these hardships."

The study comments that Dr. Brown's proposals, while indicating military thinking, "were never considered as major proposals within the inner circle of Presidential advisers."

KATZENBACH OPPOSED

Among other major advisers, the analyst reports, Under Secretary of State Katzenbach opposed a partial suspension of the bombing "because he felt that a bombing halt was a trump card that could be only used once and should not be wasted when the prospects for a positive North Vietnamese response on negotiations seemed so poor. He reportedly hoped to convince the President to call a complete halt to the air war later in the spring when prospects for peace looked better and when the threat to [the Marine outpost at] Khesanh had been eliminated."

Mr. Rostow, the analyst continues, "apparently resisted all suggestions for a restriction of the bombing, preferring to keep the

pressure on the North Vietnamese for a response to the San Antonio formula."

Public pressure now began to mount on the President as speculation grew that he was considering further escalation in Vietnam.

On March 7, Senate debate on civil rights was interrupted as several prominent Senators demanded that Congress be consulted before any decision was made on troop increases.

On March 10, The New York Times published the first report, from Washington, about General Westmoreland's request for 206,000 troops. "The President was reportedly furious at this leak," the Pentagon study says. The publication of the troop-request figure provided a "focus" for political debate and intensified the "sense of [public] dissatisfaction," the study adds.

The next day, Secretary Rusk appeared before the Senate Foreign Relations Committee, ostensibly to testify on foreign aid. But the televised hearings turned into a two-day grilling of the Secretary on Vietnam policy. He confirmed that an "A to Z" policy review was being held, but refused to discuss possible troop increases. He said it would "not be right for me to speculate about numbers of possibilities while the President is consulting his advisers."

Not long after the conclusion of the second day's hearings, the returns from the Democratic primary in New Hampshire began coming in. Senator Eugene J. McCarthy of Minnesota—the Pentagon historian terms him an "upstart challenger" for the Presidency—who had campaigned against President Johnson's war policy and demanded a halt to the bombing, was only narrowly beaten by Mr. Johnson. In fact, when the write-in vote was finally tabulated, Mr. McCarthy had a slight plurality over the President.

In one of the study's few discussions of domestic politics, the analyst declares: "It was clear that Lyndon Johnson, the master politician, had been successfully challenged, not by an attractive and appealing vote-getter, but by a candidate who had been able to mobilize and focus all the discontent and disillusionment about the war."

At a White House meeting on March 13, the President decided that, in addition to the 10,500-man emergency reinforcement already made, 30,000 more soldiers should be deployed to South Vietnam, an increase over the 22,000 men recommended by the Clifford Group. There would be two reserve call-ups to meet and sustain these deployments, one in March and one in May. The first would support the 30,000 deployment; the second would reconstitute the strategic reserve at seven active Army divisions.

Secretary of the Army Stanley R. Resor demurred, arguing that no reserve call-up had been provided to sustain the 10,500 deployed by Secretary McNamara in February. He urged that 13,500 more be called up for this purpose. This plan was approved by the President.

The troop deployment plan agreed upon brought the new ceiling to 579,000 men. To meet these requirements and fill out the strategic reserve, there would be a total reserve call-up of 98,451 men.

But in the fast-moving pace of the internal struggle over Vietnam policy, even this plan would soon be abandoned. "The President was troubled," the study declares. "In public he continued to indicate firmness and resoluteness, but press leaks and continued public criticism continued to compound his problem."

On March 16, Senator Robert F. Kennedy announced that he would seek the Democratic nomination for the Presidency.

On March 17, The New York Times, in a dispatch from Washington that the Pentagon study terms "again amazingly accurate," reported that the President would approve sending 35,000 to 50,000 more men to South Vietnam during the next six months.

The next day, in the House of Representatives, 139 members—98 Republicans and 41 Democrats—sponsored a resolution calling for an immediate Congressional review of policy in Southeast Asia.

INDICATIONS OF REASSESSMENT

That same day, in a speech at the convention of the National Farmers Union in Minneapolis, President Johnson said that Hanoi was seeking to "win something in Washington that they can't win in Hue, in the I Corps or in Khe-sanh." He pledged not to "tuck our tail and violate our commitments."

"Those of you who think that you can save lives by moving the battlefield in from the mountains to the cities where the people live have another think coming," he said.

Despite this exposion against his critics, there were indications—some public, some known only to insiders—that the President was weighing what the critics had been saying and was also pondering the mood of the country.

On March 20, for example, he had a meeting—now a matter of public record but not dealt with in the Pentagon study—with Arthur J. Goldberg in the White House. Only five days earlier, Mr. Goldberg, the United States representative at the United Nations, had sent a memorandum to Mr. Johnson recommending a halt in the bombing. It had infuriated the President. The next day, at a meeting with his advisers, Mr. Johnson was quoted by the press as having said: "Let's get one thing clear. I'm telling you now I am not going to stop the bombing. Now is there anybody here who doesn't understand that?"

But now he asked Mr. Goldberg to go through his arguments once more, and when Mr. Goldberg had finished, the President asked him to join a meeting on March 25 of his Senior Informal Advisory Group—familiarly known in Washington as the Wise Men.

Then suddenly, on March 22, the President recalled General Westmoreland and announced that he would become Chief of Staff of the Army. The transfer of General Westmoreland, the Pentagon analyst says, was a signal that the President had decided against any major escalation of the ground war.

On March 25, Gen. Creighton W. Abrams, General Westmoreland's deputy, flew to Washington unannounced. The next day he and the President were closeted, and—the Pentagon study speculates—"Mr. Johnson probably informed him of his intentions, both with respect to force augmentations and the bombing restraint, and his intention to designate Abrams" as General Westmoreland's successor.

THE "WISE MEN" ASSEMBLE

Precisely when the President decided to reduce the bombing, the Pentagon study does not say. But it inclines to the view that, if he was still wavering at this time, the decisive advice was given by the Wise Men, who assembled in Washington on March 25 and 26.

The members of the Senior Informal Advisory Group had served in high Government posts or had been Presidential advisers during the last 20 years. They gathered at the State Department on March 25, six days before the President was due to address the nation on television.

Those present were Dean Acheson, Secretary of State under President Harry S. Truman; George W. Ball, Under Secretary of State in the Kennedy and Johnson Administrations, now in private business; General of the Army Omar N. Bradley, World War II commander and later Chairman of the Joint Chiefs; McGeorge Bundy, special assistant for national security under Presidents Kennedy and Johnson, now president of the Ford Foundation; Arthur H. Dean, lawyer and negotiator of the armistice in Korea, and Douglas Dillon, banker, Under Secretary of State under President Eisenhower and Secretary of the Treasury under Presidents Kennedy and Johnson.

Also present were Associate Justice Abe Fortas of the Supreme Court; Mr. Goldberg; Henry Cabot Lodge, twice Ambassador to South Vietnam and former representative at the United Nations; John J. McCloy, High Commissioner in West Germany under President Truman; Robert D. Murphy, a top-ranking career diplomat, now in private business; General Taylor; Gen. Matthew B. Ridgway, retired commander in the Korean war, and Cyrus R. Vance, former Deputy Secretary of Defense and trouble shooter for President Johnson.

With the exception of Mr. Ball and Mr. Goldberg, all had been accounted hawks. Only the previous fall, with Mr. Clifford then a participant, they had approved the President's escalation of the air war.

JOHNSON "DEEPLY SHAKEN"

The Pentagon study does not give a version of the discussions over the two days, but simply reprints verbatim the first public account of the meetings, by Stuart H. Loory of The Los Angeles Times, published late in May, which the study says "has been generally considered to be a reliable account."

That dispatch told how the turnabout on the war by most of the Wise Men left the President "deeply shaken."

Nor does the Pentagon account relate the story—now well known—of how the drafts of the President's March 31 speech, at the hands of Harry C. McPherson, who had become a doubter of war policy, grew progressively less hawkish almost up to the hour when Mr. Johnson spoke on television.

What is new in the Pentagon account is a cablegram from the State Department that was sent the night before the speech to the United States Ambassadors in Australia, New Zealand, Thailand, Laos, the Philippines and South Korea. It instructed them to inform the heads of governments in those countries that the President's speech would include announcement of a bombing cutback.

The cablegram also instructed the ambassadors to "make clear that Hanoi is most likely to denounce the project and thus free our hand after a short period." [See text, cable to envoys.]

The analyst comments that it is "significant" that the cablegram reflected Secretary Rusk's draft statement on March 5.

EVIDENCE OF THE SHIFT

"It is important to note that the Administration did not expect the bombing restraint to produce a positive Hanoi reply," the study comments. "The fact that the President was willing to go beyond the San Antonio formula and curtail the air raids at a time when few responsible advisers were suggesting that such action would produce peace talks is strong evidence of the major shift in thinking that took place in Washington about the war and the bombing after Tet, 1968."

In his speech, the President did not specifically set the bombing limit at the 20th Parallel. This had been altered in a final draft. Instead, he said:

"Tonight I have ordered our aircraft and our naval vessels to make no attacks on North Vietnam, except in the area north of the demilitarized zone where the continuing enemy build-up directly threatens allied forward positions and where the movements of their troops and supplies are clearly related to that threat.

"The area in which we are stopping our attacks includes almost 90 per cent of North Vietnam's population, and most of its territory. Thus there will be no attacks around the principal populated areas, or in the food-producing areas of North Vietnam."

In the excitement over the bombing restrictions and his astonishing epilogue—"I

shall not seek, and I will not accept the nomination of my party"—little attention was paid to his announcement of a token troop increase: 13,500 support troops for the 10,500 February emergency contingent. Only those privy to the internal debate would realize that the President had reversed his decision of two weeks earlier to send 30,000 more men.

"None of the some 200,000 troops requested by General Westmoreland on 27 February were to be deployed," the Pentagon study says, underscoring the turn that policy had taken.

Contrary to the expectations of the policy makers, Hanoi responded positively to the offer of negotiations. On April 3, President Johnson announced that North Vietnam had declared readiness for its representatives to meet with those of the United States.

THE ANALYST'S EPILOGUE

In an epilogue to the narrative of the events of February and March, the study sums up the lesson of the Tet offensive, which, the analyst believes, imposed itself finally upon President Johnson and led him to accept the view of those civilian advisers and the intelligence community that he had so long resisted in his search for "victory." The analyst writes:

"In March of 1968, the choice had become clear cut. The price for military victory had increased vastly, and there was no assurance that it would not grow again in the future. There were also strong indications that large and growing elements of the American public had begun to believe the cost had already reached unacceptable levels and would strongly protest a large increase in that cost.

"The political reality which faced President Johnson was that 'more of the same' in South Vietnam, with an increased commitment of American lives and money and its consequent impact on the country, accompanied by no guarantee of military victory in the near future, had become unacceptable to these elements of the American public. The optimistic military reports of progress in the war no longer rang true after the shock of the Tet offensive.

"Thus, the President's decision to seek a new strategy and a new road to peace was based upon two major considerations:

"(1) The conviction of his principal civilian advisers, particularly Secretary of Defense Clifford, that the troops requested by General Westmoreland would not make a military victory any more likely; and

"(2) A deeply felt conviction of the need to restore unity to the American nation."

[From the New York Times, July 5, 1971]

PENTAGON PAPERS: EISENHOWER DECISIONS UNDERCUT THE GENEVA ACCORDS, STUDY SAYS

(By Fox Butterfield)

The secret Pentagon study of the Vietnam war discloses that a few days after the Geneva accords of 1954, the Eisenhower Administration's National Security Council decided that the accords were a "disaster" and the President approved actions to prevent further Communist expansion in Vietnam.

These White House decisions, the Pentagon account concludes, meant that the United States had "a direct role in the ultimate breakdown of the Geneva settlement."

The judgment contradicts the repeated assertion of several American administrations that North Vietnam alone was to blame for the undermining of the Geneva accords.

According to the Pentagon writer, the National Security Council, at a meeting on Aug. 8, 1954, just after the Geneva conference, ordered an urgent program of economic and military aid—substituting American advisers for French advisers—to the new South Vietnamese Government of Ngo Dinh Diem.

The objectives set by the Council were "to maintain a friendly non-Communist South Vietnam" and "to prevent a Communist victory through all-Vietnam elections."

Under the Geneva settlement, Vietnam was to be temporarily divided into two zones pending reunification through elections scheduled for 1956. The introduction of foreign troops or bases and the use of Vietnamese territory for military purposes were forbidden. The United States, which did not join with the nations that endorsed the accords, issued a declaration taking note of the provisions and promising not to disturb them.

But a lengthy report, accompanying the Pentagon study, describes in detail how the Eisenhower Administration sent a team of agents to carry out clandestine warfare against North Vietnam from the minute the Geneva conference closed.

The team, headed by the legendary intelligence operative Col. Edward G. Lansdale, gave a graphic account of the actions it took just before evacuating Hanoi in October 1954. [See text, Lansdale team's report, Page 11.]

The report says the team "spent the last days of Hanoi in contaminating the oil supply of the bus company for a gradual wreckage of engines in the buses, in taking actions for delayed sabotage of the railroad (which required teamwork with a C.I.A. special technical team in Japan who performed their part brilliantly), and in writing detailed notes of potential targets for future para-military operations."

"U.S. adherence to the Geneva agreement," the authors of the report said, "prevented [the American team] from carrying out the active sabotage it desired to do against the power plant, water facilities, harbor and bridge.

"The team had a bad moment when contaminating the oil. They had to work quickly at night, in an enclosed storage room. Fumes from the contaminant came close to knocking them out. Dizzy and weak-kneed, they masked their faces with handkerchiefs and completed the job."

The report is attributed to a hastily assembled group identified as the Saigon Military Mission. Its authors do not explain why they believed sabotage of buses and the railroad was allowed under the Geneva accords if sabotage of the power plant and harbor was forbidden.

The Pentagon study, which was commissioned by Secretary of Defense Robert S. McNamara to determine how the United States became involved in the Vietnam war, devotes nine lengthy sections to the nineteen-forties and fifties.

At key points during these years, the Pentagon study says, the Truman and Eisenhower Administrations made far-reaching decisions on Vietnam policy that the public knew little about or misunderstood. And by the time John F. Kennedy became President in 1961, the writers recount, the American Government already felt itself heavily committed to the defense of South Vietnam.

One of the earliest disclosures in the account is that in late 1945 and early 1946, Ho Chi Minh wrote at least eight letters to President Truman and the State Department requesting American help in winning Vietnam's independence from France. [See text, report of Ho's appeals, Feb. 2, 1946 Page 9.]

NO RECORD OF AN ANSWER

The analyst says he could find no record that the United States ever answered Ho Chi Minh's letters. Nor has Washington ever revealed that it received the letters.

A key point came in the winter of 1949–50 when the United States made what the account describes as a watershed decision affecting American policy in Vietnam for the next two decades: After the fall of mainland China to the Chinese Communists, the Truman Administration moved to support Emperor Boa Dai and provide military aid to the French against the Communist-led Vietminh.

This decision, which was made amid growing concern in the United States over the expansion of Communism in Eastern Europe and Asia, reversed Washington's long-standing reluctance to become involved with French colonialism in Indochina.

With this action, the account says, "the course of U.S. policy was set to block further Communist expansion in Asia." And "the United States thereafter was directly involved in the developing tragedy in Vietnam."

Another key point came in the spring of 1954, the writer discloses, when the Eisenhower Administration twice strongly hinted to France that it was willing to intervene with American military forces to prevent French defeat in Indochina.

While some information has been made public about these proposals, the Pentagon study says that the public has not understood how seriously the Eisenhower Administration debated intervention.

MOVE FOR A RESOLUTION

It adds that during the second episode, which occurred in May and June, 1954, while the Geneva conference was in session, President Dwight D. Eisenhower had aides draft a resolution requesting Congressional authority to commit American troops in Indochina.

The National Security Council was so opposed to France's negotiating an end to the war, the analyst relates, that "the President was urged to inform Paris that French acquiescence in a Communist take-over of Indochina would bear on its status as one of the Big Three" and that "U.S. aid to France would automatically cease."

Then in August, 1954, came the decision that the Pentagon account says determined United States policy toward Vietnam for the rest of the decade: The National Security Council launched its program of economic and military aid to Mr. Diem, then Premier and later President, though its action was not made public for months. [See text, report by special committee, April 5, 1954.]

The Pentagon account discloses that most of these major decisions from 1950 on were made against the advice of the American intelligence community.

Intelligence analysts in the Central Intelligence Agency, the State Department and sometimes the Pentagon repeatedly warned that the French, Emperor Bao Dai and Premier Diem were weak and unpopular and that the Communists were strong.

In early August, 1954, for example, just before the National Security Council decided to commit the United States to propping up Premier Diem, a national intelligence estimate warned:

"Although it is possible that the French and Vietnamese, even with firm support from the U.S. and other powers, may be able to establish a strong regime in South Vietnam, we believe that the chances for this development are poor and moreover, that the situation is more likely to continue to deteriorate progressively over the next year."

"Given the generally bleak appraisals of Diem's prospects, they who made U.S. policy could only have done so by assuming a significant measure of risk," the study says of the Eisenhower commitments.

The Pentagon study does not deal at length with a major question: Why did the policymakers go ahead despite the intelligence estimates prepared by their most senior intelligence officials?

The most important reason advanced by the Pentagon study is that after the fall of China to the Communists in 1949 and the hardening of American anti-Communist attitudes, "Indochina's importance to U.S. security interests in the Far East was taken for granted."

The basic rationale for American involve-

ment—what later came to be called the domino theory—was first clearly enunciated by the National Security Council in February, 1950, when it decided to extend military aid to the French in Indochina.

"INDOCHINA IS A KEY AREA"

"It is important to U.S. security interests," the Council said, "that all practicable measures be taken to prevent further Communist expansion in Southeast Asia. Indochina is a key area and is under immediate threat."

"The neighboring countries of Thailand and Burma could be expected to fall under Communist domination if Indochina is controlled by a Communist government. The balance of Southeast Asia would then be in grave hazard."

Subsequent Council decision papers throughout the nineteen-fifties repeated this formulation with ever-increasing sweep.

A Council paper approved by President Eisenhower in January, 1954, predicted that the "loss of any single country" in Southeast Asia would ultimately lead to the loss of all Southeast Asia, then India and Japan, and finally "endanger the stability and security of Europe."

"The domino theory and the assumptions behind it were never questioned," the Pentagon account says of the Eisenhower years. The result was that the Government's internal debate usually centered more on matters of military feasibility than on questions of basic national interests.

U.S. POLICY IN "DISARRAY"

The Pentagon study, which begins its account of American involvement in Vietnam with World War II, says that American policy from 1940 to 1950 has been a subject of "significant misunderstanding."

American policy toward Vietnam during these years, the study says, was "less purposeful" than most people have assumed, and more characterized by "ambivalence and indecision."

President Franklin D. Roosevelt, the writer relates, never made up his mind whether to support the French desire to reclaim their Indochina colonies from the Japanese at the end of the war.

And at his death, American policy toward Indochina was in "disarray," the writer says.

He recounts that at first the Truman Administration had no clear-cut reaction to the conflict that broke out in 1945 and 1946 between the French and the Vietminh and eventually led to full-scale war. American policy, he adds, remained "ambivalent."

In a cablegram still kept secret in State Department files, Secretary of State George C. Marshall described the Government's quandary to the embassy in Paris:

"We have fully recognized France's sovereign position and we do not wish to have it appear that we are in any way endeavoring undermine that position.

"At same time we cannot shut our eyes to fact there are two sides this problem and that our reports indicate both a lack of French understanding other side and continued existence dangerously outmoded colonial outlook and method in areas.

DUAL REJECTION OF PLANS

"On other hand we do not lose sight fact that Ho Chi Minh has direct Communist connections and it should be obvious that we are not interested in seeing colonial empire administrations supplanted by philosophy and political organization directed from and controlled by Kremlin.

"Frankly we have no solution of problem to suggest."

On this reasoning, the Truman Government refused French requests for American planes and ships to transport French troops to Indochina and similarly turned down appeals for American arms to help fight the Vietminh.

But the Truman Administration also rebuffed the appeals from Ho Chi Minh. In August and September, 1945, the account relates, while his forces were in control of Hanoi, he sent a request to President Truman through the Office of Strategic Services, precursor of the C.I.A., asking that Vietnam be accorded "the same status as the Philippines" for a period of tutelage pending independence.

From October, 1945, until the following February, the account continues, Ho Chi Minh wrote at least eight letters to President Truman or to the Secretary of State, formally appealing for United States and United Nations intervention against French colonialism.

There is no record, the analyst says, that any of the appeals were answered.

"Nonintervention by the United States on behalf of the Vietnamese was tantamount to acceptance of the French," the Pentagon account declares.

In 1948 and 1949, as concern about the Soviet Union's expansion in Eastern Europe grew in the United States, Washington became increasingly anxious about Ho Chi Minh's Communist affiliations. Nevertheless, the account discloses, a survey by the State Department's Office of Intelligence and Research in the fall of 1948 concluded that it could not find any hard evidence that Ho Chi Minh actually took his orders from Moscow.

"AN ANOMALY SO FAR"

"If there is a Moscow-directed conspiracy in Southeast Asia, Indochina is an anomaly so far," the study reported in its evaluation section.

With its growing concern about Communism, Washington began to press Paris harder to give more independence to the Indochina states. The American Government thus hoped to encourage Vietnamese popular support for Bao Dai as a non-Communist alternative to Ho Chi Minh and his Vietminh.

Yet, the narrative relates, even when in March, 1949, France did agree with Emperor Bao Dai to grant Vietnam independence within the French Union, the Truman Administration continued to withhold its backing, fearful that Bao Dai was still weak and tainted with French colonialism.

In a cablegram to the Paris embassy, the State Department outlined its concern:

"We cannot at this time irretrievably commit the U.S. to support of a native government which by failing to develop appeal among Vietnamese might become virtually a puppet government separated from the people and existing only by the presence of French military forces."

But when Mao Tse-tung's armies drove Generalissimo Chiang Kai-shek out of China in late 1949, Washington's ambivalence ended dramatically.

On Dec. 30 President Truman approved a key National Security Council study on Asia, designated N.S.C. 48/2. With it, the Pentagon study says, "The course of U.S. policy was set to block further Communist expansion in Asia."

VARIED FORMS OF ASSISTANCE

"The United States on its own initiative," the document declared, should now scrutinize closely the development of threats from Communist aggression, direct or indirect, and be prepared to help within our means to meet such threats by providing political, economic and military assistance and advice where clearly needed to supplement the resistance of other governments in and out of the area which are more directly concerned."

The Council document concluded that "particular attention should be given to the problem of French Indochina."

The basic policy decisions having been made, the Pentagon account relates developments followed swiftly.

When Peking and Moscow recognized Ho Chi Minh's Democratic Republic of Vietnam in January, 1950, Washington followed by recognizing Bao Dai that Feb. 7.

Nine days later, the French requested military aid for the war in Indochina. Secretary of State Dean Acheson, in recommending a favorable reply, wrote in a memorandum to President Truman:

"The choice confronting the U.S. is to support the legal governments in Indochina or to face the extension of Communism over the remainder of the continental area of Southeast Asia and possibly westward."

On May 8, Washington announced that it would provide economic and military aid to the French in Indochina, beginning with a grant of $10-million.

The first step had been taken. "The U.S. thereafter was directly involved in the developing tragedy in Vietnam," the account says.

Ultimately, the American military aid program reached $1.1-billion in 1954, paying for 78 per cent of the French war burden.

BRINK OF INTERVENTION

In the spring of 1954, as the French military position in Indochina deteriorated rapidly and the date for the Geneva conference approached, the Eisenhower Administration twice hinted to France that it was ready to intervene with American forces.

The Pentagon study contends that while some information about these two episodes has become public, the American people have never been told how seriously the Eisenhower inner circle debated intervening.

"The record shows plainly," the analyst says, "that the U.S. did seriously consider intervention and advocated it to the U. K. and other allies."

The first of these episodes, during March and April before the fall of the French fortress at Dienbienphu, was disclosed not long afterward by American journalists. But the story of the second, in May and early June while the Geneva conference was in session, has never been fully revealed. Mr. Eisenhower himself, in his 1963 book "Mandate for Change," mentioned the second debate over intervention but gave only a sketchy account and did not report asking Secretary of State John Foster Dulles to draft a Congressional resolution.

The Eisenhower Administration felt intervention might be necessary, the study says, because without American help the French were likely to negotiate a "sellout" at Geneva to escape an unpopular war.

THE LOSS "WOULD BE CRITICAL"

As early as August, 1953, the National Security Council decided that American policy should be that "under present conditions any negotiated settlement would mean the eventual loss to Communism not only of Indochina but of the whole of Southeast Asia. The loss of Indochina would be critical to the security of the U.S."

The Eisenhower Administration stated its opposition to a negotiated settlement most fully in an N.S.C. paper, "United States Position on Indochina to be Taken at Geneva," late in April in the week the conference opened.

It was at this point, according to the study, that the Council urged President Eisenhower "to inform Paris that French acquiescence in a Communist take-over of Indochina would bear on its status as one of the Big Three" and that "U.S. aid to France would automatically cease."

In addition, the Council's policy paper said that the United States should consider continuing the war itself, with the Indochina states, if France negotiated an unsatisfactory settlement. America's goal should be nothing short of a "military victory," the Council said.

THE PRESIDENT DECIDES

The Government's internal record shows, the study says, that while Secretary Dulles

and Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, pushed hard for intervention, other service chiefs, particularly Gen. Matthew B. Ridgway of the Army, were more cautious. They remembered the bitter and protracted experience in Korea and were not eager to repeat it.

President Eisenhower finally reached a decision against intervention on April 4 after a meeting of Mr. Dulles and Admiral Radford with Congressional leaders the previous day showed that the Congress would not support American action without allied help.

As journalists write, at the time, the President felt he must have Congressional approval before he committed American troops, and the Congressional leaders insisted on allied participation, especially by Britain.

At the very time the President was reaching this conclusion, Ambassador Douglas Dillon in Paris was cabling that the French had requested the "immediate armed intervention of U.S. carrier aircraft at Dienbienphu." [See text, Dillon cable, April 5, 1954.]

Mr. Dillon noted that the French had been prompted to make the request because they had been told by Admiral Radford that "he would do his best to obtain such help from the U.S. Government."

Moreover, the President's decision of April 4, contrary to what was written at the time, was only tentative. The debate on intervention was still very much alive, the Pentagon account says.

In fact, the following day, April 5, the National Security Council, in an action paper, concluded:

"On balance, it appears that the U.S. should now reach a decision whether or not to intervene with combat forces if that is necessary to save Indochina from Communist control, and tentatively the form and conditions of any such intervention."

On May 7, with the news that Dienbienphu had just fallen and with the delegates already in Geneva, President Eisenhower met with Mr. Dulles in the White House to gain consider intervention.

"UNITED STATES WILL GO TO CONGRESS"

According to a memorandum by Robert Cutler, the President's executive assistant, they discussed how "the U.S. should (as a last act to save Indochina) propose to France" that if certain conditions were met "the U.S. will go to Congress for authority to intervene with combat forces." The words in parentheses appeared in the memorandum. [See text, memo of talk, April 7, 1954.]

Mr. Cutler noted that he explained to the President that some members of the Council's Planning Board "felt that it had never been made clear to the French that the United States was willing to ask for Congressional authority" if the preconditions were met.

Mr. Dulles said he would mention the subject to the French Amabassador, Henry Bonnet, that afternoon, "perhaps making a more broad hint than heretofore."

The preconditions included a call for the French to grant "genuine freedom" to the Indochina states—Laos, Cambodia and Vietnam.

They also stipulated that American advisers in Vietnam should "take major responsibility for training indigenous forces" and "share responsibility for military planning." American officers in Vietnam had long chafed under the limits on the role the French allowed them, the study says.

Participation by the British, who had shown themselves extremely reluctant to get involved, was no longer cited as a condition.

The French picked up Mr. Dulles's hint, and on May 10 Premier Joseph Laniel told Ambassador Dillon that France needed American intervention to save Indochina. That evening the President again met with Mr. Dulles, along with Admiral Radford and Secretary of Defense Charles E. Wilson, to discuss the French appeal.

INSTRUCTIONS FOR DULLES

During the meeting President Eisenhower directed Secretary Dulles to prepare a resolution that he could take before a joint meeting of Congress, requesting authority to commit American troops in Indochina.

From a document included in the Pentagon chronicle—the partial text of a legal commentary by a Pentagon official on the draft Congressional resolution—it is clear that such a Congressional resolution was prepared and circulated in the State Department, the Justice Department and the Defense Department.

Although some historians have speculated that Vice President Richard M. Nixon strongly advocated American intervention in Indochina during these debates, the Pentagon study does not describe his views. Moreover, the account does not mention Mr. Nixon as a participant in any of the critical meetings at which intervention was discussed by the President, Secretary Dulles or Admiral Radford.

Both the State Department and the Defense Department then undertook what the account describes as "contingency planning" for possible intervention—the State Department drawing up a hypothetical timetable of diplomatic moves and the Defense Department preparing a memorandum on the U.S. forces that would be required.

The Joint Chiefs of Staff, in a memorandum to Secretary of Defense Wilson on May 20, recommended that the United States limit its involvement to "air and naval support directed from outside Indochina."

"From the point of view of the United States," the Joint Chiefs said, "Indochina is devoid of decisive military objectives and the allocation of more than token U.S. armed forces to that area would be a serious diversion of limited U.S. capabilities."

In the debates over intervention, the study says, advocates of American action advanced several novel ideas. Admiral Radford proposed to the French, for example, that the United States help create an "International Volunteer Air Corps" for Indochina. The French in April had suggested an American air strike with the planes painted with French markings. And late in May the French suggested that the President might be able to get around Congress if he sent just a division of marines—some 15,000 men.

But all the arguments in favor of intervention came to naught. The French Cabinet felt that the war-weary National Assembly would balk at any further military action.

And the military situation in the Red River Delta near Hanoi deteriorated so badly in late May and early June that Washington felt intervention would now be useless. On June 15 Secretary Dulles informed Ambassador Bonnet that the time for intervention had run out.

THE SERIES SO FAR

Events before Tonkin incidents: Study says American-run covert war against North Vietnam preceded Tonkin Gulf clashes by months.

Planning the bombing: After Tonkin clashes, and before 1964 Presidential election, Johnson Administration planners reached "general consensus" favoring air war against North. Sustained bombing began in March, 1965.

Ground war begins: U.S. decided on offensive ground role after month of bombing failed to impede enemy. President Johnson ordered decision kept secret.

Kennedy years: Kennedy Administration's approval of covert warfare against North Vietnam in 1961 and "complicity" in ouster of President Diem deepened American involvement in Vietnam.

1965–66 troop build-up: Study links force expansion with U.S. planners' failure to anticipate enemy build-up. Air war was widened despite intelligence warnings that Hanoi's will could not be broken by raids.

Disillusion in 1966–67: Defense Secretary McNamara urged bombing cutback in October, 1966, and favored accepting Saigon coalition in May, 1967, becoming leader of "disillusioned doves" who tried to reverse U.S. course.

Turnabout, 1968: Amid shock of enemy's Tet offensive—with military privately reporting sweeping damage—generals tried to force President Johnson into major mobilization and drive for victory. Resulting policy clash brought on U.S. decision to de-escalate.

HIGHLIGHTS OF THE PERIOD

South Vietnam, the secret Pentagon account contends, is essentially the creation of the United States, and the formative years were those of the Truman and—in particular—the Eisenhower Administrations.

Here, in chronological order, are key events—actions, decisions, policy formulations—of this period.

1945–46

Ho Chi Minh writes series of appeals for U.S. support to President Truman, Secretary of State; no indication, account says, of any reply.

1950

U.S. recognizes Bao Dai regime, not Ho; French ask military aid; Secretary of State Dean Acheson says alternative is "extension of Communism" throughout Southeast Asia "and possibly westward." Aid decision, account says, meant U.S. was "thereafter" directly involved "in the developing tragedy in Vietnam."

1954

National Security Council urges President Eisenhower to warn that "French acquiescence" in negotiated settlement would end U.S. aid to France. Suggests U.S. might continue war to "military victory."

French ask U.S. air strike with disguised planes. President's nonintervention decision still tentative. Secretary of State John Foster Dulles says he will give "broad hint" to French that U.S. intervention is possible with preconditions. Eisenhower orders draft Congressional resolution Defense Department prepares memo on required U.S. forces.

Joint Chiefs of Staff memo says Indochina is "devoid of decisive military objectives."

June—Col. Edward G. Lansdale of C.I.A. arrives Saigon to head team of agents for "paramilitary operations" and "political-psychological warfare" against North.

August—National intelligence estimate terms chances for strong regime in South poor. National Security Council finds Geneva accords "disaster" completing "major forward stride of Communism," study says. Joint Chiefs' memo says "strong, stable civil government" is "absolutely essential" basis for U.S. military-training aid. But Mr. Dulles feels military-training program is "one of the most efficient means" of stabilizing regime. With President's approval of Council recommendations for direct economic, military aid to South Vietnam, "American policy toward post-Geneva Vietnam was drawn," account says.

October—Lansdale team in "delayed sabotage" of Hanoi railroad; contaminates oil supply for city's buses for "gradual wreckage" of motors, distributes fake Vietminh leaflets; recruits, trains, equips two teams Vietnamese agents.

December—Gen. J. Lawton Collins, U.S. special representative, urges removal and replacement of Ngo Dinh Diem as leader or "re-evaluation of our plans" for area aid. Mr. Dulles replies he has "no other choice but to continue our aid to Vietnam and support of Diem."

1955

April—Mr. Dulles, after meeting with General Collins, cables embassy in Saigon to seek Diem alternative.

May—Mr. Diem, with Lansdale aid, quashes sect uprising, Saigon. Mr. Dulles cancels cable. National Security Council draft state-

ment—its "main features" conveyed to Mr. Diem—suggests he insist on free elections by secret ballot with strict supervision. Communists in Germany had rejected those conditions; "hopefully the Vietminh would follow suit," account says.

December—Mr. Dulles, in cable to embassy, says U.S. should not act "to speed up present process of decay of Geneva accords" but not make "slightest effort to infuse life into them."

1956

U.S. sends 350 additional military men to Saigon; account says this example of the U.S. ignoring" Geneva accords.

1960

National intelligence estimate predicts dissatisfaction and discontent with the Government will probably continue to rise" and these "adverse trends," unchecked, "will almost certainly in time cause the collapse of Diem's regime."

THE GENEVA "DISASTER"

When the Geneva agreements were concluded on July 21, 1954, the account says, "except for the United States, the major powers were satisfied with their handiwork."

France, Britain, the Soviet Union, Communist China and to some extent North Vietnam believed that they had ended the war and had transferred the conflict to the political realm.

And, the study says, most of the governments involved "anticipated that France would remain in Vietnam." They expected that Paris would retain a major influence over the Diem regime, train Premier Diem's army and insure that the 1956 elections specified by the Geneva accords were carried out.

But the Eisenhower Administration took a different view, the Pentagon account relates.

In meetings Aug. 8 and 12, the National Security Council concluded that the Geneva settlement was a "disaster" that "completed a major forward stride of Communism which may lead to the loss of Southeast Asia."

The Council's thinking appeared consistent with its decision in April before the conference began, that the United States would not associate itself with an unsatisfactory settlement. Secretary Dulles had announced this publicly on several occasions, and in the end the United States had only taken note of the agreements.

THE VOICES OF DISSENT

But before the Council reached a final decision in August on exactly what programs to initiate in Indochina, several dissenting voices rose inside the Government.

The national intelligence estimate of Aug. 3 warned that even with American support it was unlikely that the French or Vietnamese would be able to establish a strong government. And the National Intelligence Board predicted that the situation would probably continue to deteriorate.

The Joint Chiefs of Staff had also objected to proposals that the United States train and equip the South Vietnamese Army.

In a memorandum to the Secretary of Defense on Aug. 4, the Joint Chiefs listed their preconditions for U.S. military aid to the Diem regime:

"It is absolutely essential that there be a reasonably strong, stable civil government in control. It is hopeless to expect a U.S. military training mission to achieve success unless the nation concerned is able effectively to perform those governmental functions essential to the successful raising and maintenance of armed forces."

The Joint Chiefs also called for the complete "withdrawal of French forces, French officials and French advisers from Indochina in order to provide motivation and a sound basis for the establishment of national armed forces."

Finally the Joint Chiefs expressed concern about the limits placed on American forces in Vietnam by the Geneva accords—they were restricted to 342 men, the number of American military personnel present in Vietnam when the armistice was signed.

Despite these arguments, the study says, Secretary of State Dulles felt that the need to stop Communism in Vietnam made action imperative.

DULLES' VIEWS PERSUASIVE

In a letter to Secretary of Defense Wilson, he said that while the Diem regime "is far from strong or stable" a military training program would be "one of the most efficient means of enabling the Vietnamese Government to become strong."

In the end, the study recounts, Secretary Dulles' views were persuasive.

On Aug. 20 the President approved a National Security Council paper titled "Review of U.S. Policy in the Far East." It outlined a threefold program:

Militarily, the United States would "work with France only so far as necessary to build up indigenous forces able to provide internal security.

Economically, the United States would begin giving aid directly to the Vietnamese, not as before through the French. The French were to be dissociated from the levers of command."

Politically, the United States would work with Premier Diem, but would encourage him to broaden his Government and establish more democratic institutions.

With these decisions, the account says "American policy toward post-Geneva Vietnam was drawn." The commitment for the United States to assume the burden of defending South Vietnam had been made.

"The available record does not indicate any rebuttal" to the warnings of the National Intelligence Board or the Joint Chiefs of Staff, the account reports. "What it does indicate is that the U.S. decided to gamble with very limited resources because the potential gains seemed well worth a limited risk."

A TEAM ALREADY SENT

Although this major decision for direct American involvement in Vietnam was made in August, the Pentagon account shows that the Eisenhower Administration had already sent a team of Americans to begin secret operations against the Vietminh in June, while the Geneva conference was still in session.

The team was headed by Colonel Lansdale, the C.I.A. agent who had established a reputation as America's leading expert in counterguerrilla warfare in the Philippines, where he had helped President Ramon Magsaysay suppress the Communist-led Hukbalahap insurgents.

So extensive were his subsequent exploits in Vietnam in the nineteen-fifties that Colonel Lansdale was widely known as the model for the leading characters in two novels of Asian intrigue—"The Quiet American," by Graham Greene, and "The Ugly American," by William J. Lederer and Eugene Burdick.

A carefully detailed 21,000-word report by members of Colonel Lansdale's team, the Saigon Military Mission, is appended to the Pentagon chronicle.

According to that report in the form of a diary from June, 1954, to August, 1955, the team was originally instructed "to undertake paramilitary operations against the enemy and to wage political-psychological warfare."

"Later," it adds, "after Geneva, the mission was modified to prepare the means for undertaking paramilitary operations in Communist areas rather than to wage unconventional warfare."

One of Colonel Lansdale's first worries was to get his team members into Vietnam before the Aug. 11 deadline set by the Geneva agreements for a freeze on the number of foreign military personnel. As the deadline approached, the report says, it appeared that the Saigon Military Mission "might have only two members present unless action was taken."

It adds that Lieut. Gen. John W. O'Daniel, chief of the United States Military Assistance Advisory Group, "agreed to the addition of 10 S.M.M. members under MAAG cover, plus any others in the Defense pipeline who arrived before the deadline. A call for help went out. Ten officers in Korea, Japan and Okinawa were selected and rushed to Vietnam."

While it says that the team members were given cover by being listed as members of MAAG, the report also points out that they communicated with Washington through the C.I.A. station in Saigon.

A MEMBER OF THE C.I.A.

Colonel Lansdale himself is identified as a member of the C.I.A. in a memorandum on the actions of the President's Special Committee on Indochina, written Jan. 30, 1954, by Maj. Gen. Charles H. Bonesteel 3d. [See text, Eisenhower committee's memo.]

The memorandum, which is appended to the Pentagon study, lists Colonel Lansdale as one of the C.I.A. representatives present at the meeting. Allen W. Dulles, Director of Central Intelligence, also attended the meeting.

In the fall of 1954, after all the members had arrived in Vietnam, the report says, the team's activities increased.

Under Colonel Lansdale, " a small English-language class [was] conducted for mistresses of important personages at their request."

This class provided valuable contacts for Colonel Lansdale, enabling him to get to know such people as the "favorite mistress" of the army Chief of Staff, Gen. Nguyen Van Hinh, the report recounts.

When the Oct. 9 deadline for the French evacuation of Hanoi approached, the team sought to sabotage some of Hanoi's key facilities.

"It was learned that the largest printing establishment in the north intended to remain in Hanoi and do business with the Vietminh," the report relates. "An attempt was made by S.M.M. to destroy the modern presses, but Vietminh security agents already had moved into the plant and frustrated the attempt."

It was the mission's team in Hanoi that spent several nights pouring contaminant in the engines of the Hanoi bus company so the buses would gradually be wrecked after the Vietminh took over the city.

At the same time, the mission's team carried out what the report calls "black psywar strikes"—that is, psychological warfare with materials falsely attributed to the other side. The team printed what appeared to be "leaflets signed by the Vietminh instructing Tonkinese on how to behave for the Vietminh takeover of the Hanoi region in early October, including items about property, money reform and a three-day holiday of workers upon take-over." The attempt to scare the people worked.

"The day following the distribution of these leaflets," the report adds, "refugee registration [of those wishing to flee North Vietnam] tripled. Two days later Vietminh currency was worth half the value prior to the leaflets.

"The Vietminh took to the radio to denounce the leaflets; the leaflets were so authentic in appearance that even most of the rank-and-file Vietminh were sure that the radio denunciations were a French trick."

SOME HELP FROM THE STARS

In the South, the team hired Vietnamese astrologers—in whose art many Asians place great trust—to compile almanacs bearing dire

predictions for the Vietminh and good omens for the new Government of Premier Diem.

To carry out clandestine operations in North Vietnam after the team evacuated Hanoi, the report adds, Maj. Lucien Conein, an officer of S.M.M., recruited a group of Vietnamese agents under the code name of Binh.

"The group was to be trained and supported by the U.S. as patriotic Vietnamese," the report says, "to come eventually under Government control when the Government was ready for such activities. Thirteen Binhs were quietly exfiltrated through the port of Haiphong . . . and taken on the first stage of the journey to their training area by a U.S. Navy ship."

Until Haiphong was finally evacuated in May, 1955, Civil Air Transport, the Taiwan-based airline run by Gen. Claire Chennault, smuggled arms for the Binh team from Saigon to Haiphong.

In exchange, the report says, the Lansdale Mission got C.A.T. the lucrative contract for flying the thousands of refugees out of North Vietnam.

As the report describes the team's actions, "Haiphong was reminiscent of our own pioneer days as it was swamped with people whom it couldn't shelter. Living space and food were at a premium, nervous tension grew. It was a wild time for our northern team."

Another team of 21 agents, code-named the Hao group, were recruited in Saigon smuggled out on a U.S. Navy ship while disguised as coolies, and taken to a "secret site" for training, the report goes on.

Arms for the Haos were smuggled into Saigon by the United States Air Force, the report says, adding that S.M.M. brought in eight and a half tons of equipment. This included 14 radios, 300 carbines, 50 pistols, 300 pounds of explosives and 100,000 rounds of ammunition.

HANDCUFFED TO A LEPER

The Lansdale team's report does not tell what kinds of intelligence or sabotage activities the Binh and Hao groups carried out in North Vietnam. But it does recount that one Binh agent was mistakenly picked up by Premier Diem's troops on his return to South Vietnam.

"He was interrogated by being handcuffed to a leper, both beaten with the same stick to draw blood, told he would now have leprosy, and both locked up in a tiny cell together," it says, "S.M.M. was able to have him released."

For fiscal year 1955, the report shows, expenses for the Saigon Military Mission ran to $228,000. This did not include salary for the American officers or costs of weapons drawn from American stocks.

The largest item, $123,980, was listed as payment for operations, including pay and expenses for agents, safehouses and transportation.

LANSDALE IN THE BREACH

While Colonel Lansdale's team carried out its covert operations, the major policy decisions made by the National Security Council in August, 1954, were being put into practice.

In December, Gen. J. Lawton Collins, who had been chosen by President Eisenhower as his personal representative to Vietnam, signed an agreement with the French providing for the United States to take over all military training duties from them.

The agreement was put into effect in February, 1955, the account says, and the French, under American pressure, began their unexpected withdrawal from South Vietnam.

Despite the decision in August, 1954, to back Premier Diem, there was still widespread uneasiness in the American Government over his lack of support and the fragile political situation in Saigon, the Pentagon account goes on.

General Collins, who had been given the rank of Ambassador, felt that Premier Diem was unequal to the task and urged that he be removed.

If the United States was unwilling to replace Mr. Diem, General Collins wrote to Washington in December, 1954, then "I recommend re-evaluation of our plans for assisting Southeast Asia." This is the "least desirable but in all honesty and in view of what I have observed here to date this may be the only sound solution," he said.

Still Secretary Dulles remained convinced, as he cabled in reply to General Collins's message, that "we have no other choice but continue our aid to Vietnam and support of Diem." And he told Assistant Secretary of State Walter Robertson several days later that the United States must "take the plunge" with Mr. Diem, the narrative adds.

In the spring of 1955 the crisis in Saigon worsened. The Hoa Hao and Cao Dai armed sects formed a united front with the Binh Xuyen, a group of gangsters who controlled Saigon's police against Premier Diem, and sporadic fighting broke out in the city. The French told Washington they thought premier Diem was "hopeless" and "mad."

General Collins, now adamant that Mr. Diem must go, flew back to Washington in late April to press his case personally with the Secretary of State.

On April 27, after a meeting with General Collins, Secretary Dulles reluctantly agreed to the replacing of Premier Diem. He cabled the embassy in Saigon to find an alternative.

But Colonel Lansdale was working hard to support his friend Mr. Diem. In October the colonel had foiled a coup against Mr. Diem by Gen. Nguyen Van Hinh, the army Chief of Staff, by inviting General Hinh's two key aides to visit the Philippines for a tour of secret projects.

The authors of the Lansdale group's report do not specifically state that the team's instructions included supporting Mr. Diem against internal non-Communist opposition. But it is apparent from Colonel Lansdale's actions that he considered this an important part of his mission.

RELIABLE BODYGUARDS FOR DIEM

During the fall of 1954 Colonel Lansdale helped Mr. Diem recruit, pay and train reliable bodyguards. He had been shocked to discover when he visited Mr. Diem at the palace during a coup attempt that the official bodyguards had all deserted. "Not a guard was left on the grounds," the report says. "President Diem was alone upstairs, calmly getting his work done."

With permission from the embassy, the Saigon Military Mission then began secretly paying funds to a Cao Dai leader, Gen. Trinh Minh The, who offered his services to Premier Diem.

Colonel Lansdale also brought from the Philippines President Magsaysay's senior military aide and three assistants to train a battalion of Vietnamese palace guards.

When the sect crisis broke out in the spring of 1955, Colonel Lansdale visited Mr. Diem nearly every day, the S.M.M. report says. "At President Diem's request, we had been seeing him almost nightly as tensions increased, our sessions with him lasting for hours at a time."

During the sect armies' uprising, the Saigon Military Mission helped Premier Diem plan measures against the Binh Xuyen, and Colonel Lansdale repeatedly pressed the embassy to support the Premier.

With the acting C.I.A. station chief, Colonel Lansdale formed a team to help take action against the Binh Xuyen. The S.M.M. report, recounts that "all measures possible under the narrow limits permitted by U.S. policy were taken."

"NUMBER OF SUCCESSFUL ACTIONS"

Uncharacteristically, the report adds, "These will not be described here, but there were a number of successful actions."

On what proved to be the crucial day, April 28, the Pentagon study reports, Premier Diem summoned Colonel Lansdale to the palace and outlined his troubles. He had just "received word from his embassy in Washington that the U.S. appeared to be about to stop supporting him."

This was probably a reference to Secretary Dulles's decision of the previous day.

Premier Diem also reported that Binh Xuyen units had begun firing on his troops.

Colonel Lansdale sought to reassure him. "We told him that it looked as though Vietnam still needed a leader," the report says, "that Diem was still President, that the U.S. was still supporting him."

That afternoon Premier Diem ordered a counterattack against the Binh Xuyen, and within nine hours achieved victory.

"Washington responded with alacrity to Diem's success, superficial through it was," the narrative says. Saigon was told to forget Secretary Dulles's order to drop Diem. The embassy then burned the April 27 message.

Thereafter Mr. Diem had full American backing, the study reports, and moved with more confidence. The next October he organized a referendum to choose between himself and Bao Dai.

After winning what the Pentagon narrative describes as a "too resounding" 98.2 per cent of the vote, Premier Diem proclaimed himself President.

ELECTIONS BALKED

In July 1955, under the provisions of the Geneva agreements, the two zones of Vietnam were to begin consultations on the elections scheduled for the next year.

But Premier Diem refused to talk with the Communists. And in July 1956, he refused to hold elections for reunification. He asserted that the South Vietnamese Government had not signed the Geneva accords and therefore was not bound by them.

American scholars and government officials have long argued over whether the United States was responsible for Mr. Diem's refusal to hold the elections and therefore, in a sense, whether Americans had a role in turning the Communists from politics back to warfare.

CONNIVANCE BY U.S. DENIED

The Pentagon study contends that the "United States did not—as it is often alleged—connive with Diem to ignore the elections. U.S. State Department records indicate that Diem's refusal to be bound by the Geneva accords and his opposition to pre-election consultations were at his own initiative."

But the Pentagon account also cites State Department cables and National Security Council memorandums indicating that the Eisenhower Administration wished to postpone the elections as long as possible and communicated its feelings to Mr. Diem.

As early as July 7, 1954, during the Geneva conference, Secretary Dulles suggested that the United States ought to seek to delay the elections and to require guarantees that the Communists could be expected to reject.

In a secret cablegram to Under Secretary of State Walter Bedell Smith, who filled in for him after he withdrew from the Geneva conference, Secretary Dulles wrote:

"Since undoubtedly true that elections might eventually mean unification Vietnam under Ho Chi Minh, this makes it all more important they should be only held as long after cease-fire agreement as possible and in conditions free from intimidation to give democratic elements best chance."

Following similar reasoning the National Security Council in May, 1955, shortly before consultations on the elections were supposed to begin, produced a draft statement, "U.S. Policy on All-Vietnam Elections."

According to the Pentagon study, it "held that to give no impression of blocking elections while avoiding the possibility of losing

them, Diem should insist on free elections by secret ballot with strict supervision. Communists in Korea and Germany had rejected these conditions; hopefully the Vietminh would follow suit."

But on June 9, the account says, the Council "decided to shelve the draft statement. Its main features had already been conveyed to Diem."

Secretary Dulles's ambivalent attitude toward the Geneva accords is also reflected in a cablegram he sent to the United States Embassy in Saigon on Dec. 11, 1955, outlining Washington's position toward the International Control Commission.

NEITHER HELP NOR HINDRANCE

"While we should certainly take no positive step to speed up present process of decay of Geneva accords," it said, "neither should we make the slightest effort to infuse life into them."

In May, 1956, in what the Pentagon account says is an "example of the U.S. ignoring" the Geneva accords, 350 additional military men were sent to Saigon under the pretext of helping the Vietnamese recover and redistribute equipment abandoned by the French.

This was "a thinly veiled device to increase the number of Americans in Vietnam," the Pentagon account says.

These men, who were officially designated the Temporary Equipment Recovery Mission or TERM, stayed on as a permanent part of the Military Assistance Advisory Group, the narrative says, to help in intelligence and administrative work.

Washington dispatched the TERM group, the Pentagon study discloses, "when it was learned informally that the Indian Government would instruct its representative on the I.C.C. to interpose no objection."

The I.C.C. is composed of representatives from Poland, India and Canada, with the Indian usually considered the neutral representative.

After the crisis with the sects in the spring of 1955 and the uneventful passing of the date for elections in 1956, American officials were hopeful that President Diem had succeeded.

"It seemed for a while that the gamble against long odds had succeeded," the Pentagon account says. "The Vietminh were quiescent; the Republic of Vietnam armed forces were markedly better armed and trained than they were when the U.S. effort began; and President Diem showed a remarkable ability to put down factions threatening the GVN (Government of Vietnam) and to maintain himself in office."

The American aid effort, the study reports, was focused almost entirely on security. Eight out of every 10 dollars went to security, and much of what was intended for agriculture, education, or transportation actually went to security-directed programs.

For example, the account says, a 20-mile stretch of highway, built between Saigon and Bienhoa at the insistence of the MAAG commander, Gen. Samuel T. Williams, received more aid money than all the funds provided for labor, community development, social welfare, health and education from 1954 to 1961.

But despite American hopes and the aid effort, the insurgency in the countryside began to pick up again in 1957 and particularly in 1959. The number of terrorist murders and kidnappings of local officials rose dramatically, and enemy units began to attack in ever-increasing size.

As the insurgency grew, the small American intelligence network "correctly and consistently estimated" the nature of the opposition to President Diem and his own weaknesses, the Pentagon study says. The American intelligence estimates "were remarkably sound," it adds.

A special national intelligence estimate in August, 1960, for example, said that:

"In the absence of more effective Government measures to protect the peasants and to win their positive cooperation, the prospect is for expansion of the areas of Vietcong control in the countryside, particularly in the southwestern provinces.

"Dissatisfaction and discontent with the Government will probably continue to rise.

"These adverse trends are not irreversible, but if they remain unchecked, they will almost certainly in time cause the collapse of Diem's regime."

However, the study relates, "the national intelligence estimates re Diem do not appear to have restrained the N.S.C. in its major reviews of U.S. policy" toward Vietnam.

The basic Eisenhower Administration policy papers on Southeast Asia in 1956, 1958 and 1960 repeated American objectives in "virtually identical" language, the Pentagon account reports.

AMONG THE GOALS OF POLICY

According to the 1956 paper by the National Security Council, these were among the goals of American policy toward Vietnam:

"Assist Free Vietnam to develop a strong, stable and constitutional government to enable Free Vietnam to assert an increasingly attractive contrast to conditions in the present Communists zone."

"Work toward the weakening of the Communists in North and South Vietnam in order to bring about the eventual peaceful reunification of a free and independent Vietnam under anti-Communist leadership."

"Support the position of the Government of Free Vietnam that all-Vietnam elections may take place only after it is satisfied that genuinely free elections can be held throughout both zones of Vietnam."

During the late nineteen-fifties, the study relates, United States officials in Saigon were also optimistic in their public comments about the situation, despite the pessimistic secret reports they forwarded to Washington.

"While classified policy paper thus dealt with risks," the account says, "public statements of U.S. officials did not refer to the jeopardy. To the contrary, the picture presented the public and Congress by Ambassador Durbrow, General Williams and other Administration spokesmen was of continuing progress, virtually miraculous improvement, year in and year out."

Ambassador Elbridge Durbrow and General Williams for example, told the Senate Foreign Relations Committee in the summer of 1959 that Vietnam's internal security was "in no serious danger" and that South Vietnam was in a better position than ever before to cope with an invasion from the North.

A PROGRESS REPORT

The next spring General Williams wrote to Senator Mike Mansfield that President Diem was doing so well that the United States could begin a "phased withdrawal" of American advisers in 1961.

That was the situation that confronted President Kennedy when he took office early in 1961.

"The U.S. had gradually developed a special commitment in South Vietnam," writes the Pentagon analyst charged with explaining the problems facing President Kennedy. "It was certainly not absolutely binding—but the commitment was there . . ."

"Without U.S. support," the analyst says, "Diem almost certainly could not have consolidated his hold on the South during 1955 and 1956.

"Without the threat of U.S. intervention, South Vietnam could not have refused to even discuss the elections called for in 1956 under the Geneva settlement without being immediately overrun by the Vietminh armies.

"Without U.S. aid in the years following, the Diem regime certainly, and an independent South Vietnam almost as certainly, could not have survived . . ."

In brief, the analyst concludes, "South Vietnam was essentially the creation of the United States."

TEXTS OF "FINAL DECLARATION" AT GENEVA CONFERENCE AND U.S. STATEMENT RENOUNCING USE OF FORCE

Following are the texts of the "final declaration" endorsed orally by France, the Vietminh, Britain, China, the Soviet Union, Laos and Cambodia at the end of the Geneva conference in July, 1954, and of the statement of United States policy delivered at the concluding session by Under Secretary of State Walter Bedell Smith. The "final declaration," along with the armistice agreement signed by France and the Vietminh, constitutes the Geneva accords on Vietnam.

THE "FINAL DECLARATION"

Final declaration, dated the 21st July, 1954, of the Geneva Conference on the problem of restoring peace in Indo-China, in which the representatives of Cambodia, the Democratic Republic of Viet-Nam, France, Laos, the People's Republic of China, the State of Viet-Nam, the Union of Soviet Socialist Republics, the United Kingdom, and the United States of America took part.

1. The Conference takes note of the agreements ending hostilities in Cambodia, Laos and Viet-Nam and organizing international control and the supervision of the execution of the provisions of these agreements.

2. The Conference expresses satisfaction at the ending of hostilities in Cambodia, Laos and Viet-Nam; the Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreements on the cessation of hostilities will permit Cambodia, Laos, and Viet-Nam henceforth to play their part, in full independence and sovereignty, in the peaceful community of nations.

3. The Conference takes note of the declarations made by the Governments of Cambodia and of Laos of their intention to adopt measures permitting all citizens to take their place in the national community, in particular by participating in the next general elections, which, in conformity with the constitution of each of these countries, shall take place in the course of the year 1955, by secret ballot and in conditions of respect for fundamental freedoms.

4. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam prohibiting the introduction into Viet-Nam of foreign troops and military personnel as well as of all kinds of arms and munitions. The Conference also takes note of the declarations made by the Governments of Cambodia and Laos of their resolution not to request foreign aid, whether in war material, in personnel or in instructors except for the purpose of the effective defense of their territory and, in the case of Laos, to the extent defined by the agreements on the cessation of hostilities in Laos.

5. The Conference takes note of the clauses in the agreement on the cessation of hostilities in Viet-Nam to the effect that no military base under the control of a foreign State may be established in the regrouping zones of the two parties, the latter having the obligation to see that the zones allotted to them shall not constitute part of any military alliance and shall not be utilized for the resumption of hostilities or in the service of an aggressive policy. The Conference also takes note of the declarations of the Governments of Cambodia and Laos to the effect that they will not join in any agreement with other States if this agreement includes the obligation to participate in a military alliance not in conformity with the principles of the Charter of the United Nations or, in the case of Laos, with the principles of the agreement on the cessation of hostilities in Laos or, so long as their security is not threatened, the obligation not to establish

bases on Cambodia or Laotian territory for the military forces of foreign powers.

6. The Conference recognizes that the essential purpose of the agreement relating to Viet-Nam is to settle military questions with a view to ending hostilities and that the military demarcation line is provisional and should not in any way be interpreted as constituting a political or territorial boundary. The Conference expresses its conviction that the execution of the provisions set out in the present declaration and in the agreement on the cessation of hostilities creates the necessary basis for the achievement in the near future of a political settlement in Viet-Nam.

7. The Conference declares that, so far as Viet-Nam is concerned, the settlement of political problems, effected on the basis of respect for the principles of independence, unity and territorial integrity, shall permit the Viet-Namese people to enjoy the fundamental freedoms, guaranteed by democratic institutions established as a result of free general elections by secret ballot. In order to ensure that sufficient progress in the restoration of peace has been made, and that all the necessary conditions obtain for free expression of the national will, general elections shall be held in July 1956, under the supervision of an international commission composed of representatives of the Member States of the International Supervisory Commission, referred to in the agreement on the cessation of hostilities. Consultations will be held on this subject between the competent representative authorities of the two zones from 20 July 1955 onwards.

8. The provisions of the agreements on the cessation of hostilities intended to ensure the protection of individuals and of property must be most strictly applied and must, in particular, allow everyone in Viet-Nam to decide freely in which zone he wishes to live.

9. The competent representative authorities of the Northern and Southern zones of Viet-Nam, as well as the authorities of Laos and Cambodia, must not permit any individual or collective reprisals against persons who have collaborated in any way with one of the parties during the war, or against members of such persons' families.

10. The Conference takes note of the declaration of the Government of the French Republic to the effect that it is ready to withdraw its troops from the territory of Cambodia, Laos, and Viet-Nam, at the request of the Governments concerned and within periods which shall be fixed by agreement between the parties except in the cases where, by agreement between the two parties, a certain number of French troops shall remain at specified points and for a specified time.

11. The Conference takes note of the declaration of the French Government to the effect that for the settlement of all the problems connected with the reestablishment and consolidation of peace in Cambodia, Laos and Viet-Nam, the French Government will proceed from the principle and sovereignty, unity, and territorial integrity of Cambodia, Laos and Viet-Nam.

12. In their relations with Cambodia, Laos, and Viet-Nam, each member of the Geneva Conference undertakes to respect the sovereignty, the independence, the unity and the territorial integrity of the above-mentioned states, and to refrain from any interference in their internal affairs.

13. The members of the Conference agree to consult one another on any question which may be referred to them by the International Supervisory Commission, in order to study such measures as may prove necessary to ensure that the agreements on the cessation of hostilities in Cambodia, Laos and Viet-Nam are respected.

THE AMERICAN STATEMENT

As I stated on July 18, my Government is not prepared to join in a declaration by the Conference such as is submitted. However, the United States makes this unilateral declaration of its position in these matters:

"The Government of the United States being resolved to devote its efforts to the strengthening of peace in accordance with the principles and purposes of the United Nations takes note of the agreements concluded at Geneva on July 20 and 21, 1954 between (a) The Franco-Laotian Command and the Command of the Peoples Army of Viet-Nam; (b) the Royal Khmer Army Command and the Command of the Peoples Army of Viet-Nam; (c) Franco-Vietnamese Command and the Command of the Peoples Army of Viet-Nam and of paragraphs 1 to 12 inclusive of the declaration presented to the Geneva Conference on July 21, 1954 declares with regard to the aforesaid agreements and paragraphs that (i) it will refrain from the threat or the use of force to disturb them in accordance with Article 2 (4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force; and (ii) it would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security.

"In connection with the statement in the declaration concerning free elections in Viet-Nam my Government wishes to make clear its position which it has expressed in a declaration made in Washington on June 29, 1954, as follows:

" 'In the case of nations now divided against their will, we shall continue to seek to achieve unity through free elections supervised by the United Nations to insure that they are conducted fairly.'

"With respect to the statement made by the representative of the State of Viet-Nam, the United States reiterates its traditional position that peoples are entitled to determine their own future and that it will not join in an arrangement which would hinder this. Nothing in its declaration just made is intended to or does indicate any departure from this traditional position.

"We share the hope that the agreements will permit Cambodia, Laos and Viet-Nam to play their part, in full independence and sovereignty, in the peaceful community of nations, and will enable the peoples of that area to determine their own future."

KEY TEXTS FROM PENTAGON'S VIETNAM STUDY

(Following are the texts by key documents accompanying the Pentagon's study of the Vietnam war, covering events in the Truman and Eisenhower Administrations. Except where excerpting is specified, the documents appear verbatim, with only unmistakeable typographical errors corrected.)

REPORT OF HO'S APPEALS TO U.S. IN 1946 TO SUPPORT INDEPENDENCE

Cablegram from an American diplomat in Hanoi, identified as Landon, to State Department, Feb. 27, 1946, as provided in the body of the Pentagon study.

Ho Chi Minh handed me 2 letters addressed to President of USA, China, Russia, and Britain identical copies of which were stated to have been forwarded to other governments named. In 2 letters to Ho Chi Minh request USA as one of United Nations to support idea of Annamese independence according to Philippines example, to examine the case of the Annamese, and to take steps necessary to maintenance of world peace which is being endangered by French efforts to reconquer Indochina. He asserts that Annamese will fight until United Nations interfered in support of Annamese independence. The petition addressed to major United Nations contains:

A. Review of French relations with Japanese where French Indochina allegedly aided Japs:

B. Statement of establishment on 2 September 1945 of PENW Democratic Republic of Viet Minh:

C. Summary of French conquest of Cochin China began 23 Sept. 1945 and still incomplete:

D. Outline of accomplishments of Annamese Government in Tonkin including popular elections, abolition of undesirable taxes, expansion of education and resumption as far as possible of normal economic activities:

E. Request to 4 powers: (1) to intervene and stop the war in Indochina in order to mediate fair settlement and (2) to bring the Indochina issue before the United Nations organization. The petition ends with the statement that Annamese ask for full independence in fact and that in interim while awaiting UNO decision the Annamese will continue to fight the reestablishment of French imperialism. Letters and petition will be transmitted to Department soonest.

KEY TEXTS: DULLES WAS AT CENTER OF U.S. POLICY ON THE INDOCHINA CONFLICT IN 1954

1952 POLICY STATEMENT BY U.S. ON GOALS IN SOUTHEAST ASIA

(Statement of Policy by the National Security Council, early 1952, on "United States Objectives and Courses of Action With Respect to Southeast Asia." According to a footnote, the document defined Southeast Asia as "the area embracing Burma, Thailand, Indochina, Malaya and Indonesia.")

OBJECTIVE

1. To prevent the countries of Southeast Asia from passing into the communist orbit, and to assist them to develop will and ability to resist communism from within and without and to contribute to the strengthening of the free world.

GENERAL CONSIDERATIONS

2. Communist domination, by whatever means, of all Southeast Asia would seriously endanger in the short term, and critically endanger in the longer term, United States security interests.

a. The loss of any of the countries of Southeast Asia to communist aggression would have critical psychological, political and economic consequences, in the absence of effective and timely counteraction, the loss of any single country would probably lead to relatively swift submission to or an alignment with communism by the remaining countries of this group. Furthermore, an alignment with communism of the rest of Southeast Asia and India, and in the longer term, of the Middle East (with the probable exceptions of at least Pakistan and Turkey) would in all probability progressively follow: Such widespread alignment would endanger the stability and security of Europe.

b. Communist control of all of Southeast Asia would render the U.S. position in the Pacific offshore island chain precarious and would seriously jeopardize fundamental U.S. security interests in the Far East.

c. Southeast Asia, especially Malaya and Indonesia, is the principal world source of natural rubber and tin, and a producer of petroleum and other strategically important commodities. The rice exports of Burma and Thailand are critically important to Malaya, Ceylon and Hong Kong and are of considerable significance to Japan and India, all important areas of free Asia.

d. The loss of Southeast Asia, especially of Malaya and Indonesia, could result in such economic and political pressures in Japan as to make it extremely difficult to prevent Japan's eventual accommodation to communism.

3. It is therefore imperative that an overt attack on Southeast Asia by the Chinese Communists be vigorously opposed. In order to pursue the military courses of action envisaged in this paper to a favorable conclusion within a reasonable period, it will be

necessary to divert military strength from other areas thus reducing our military capability in those areas, with the recognized increased risks involved therein, or to increase our military forces in being, or both.

4. The danger of an overt military attack against Southeast Asia is inherent in the existence of a hostile and aggressive communist China, but such an attack is less probable than continued communist efforts to achieve domination through subversion. The primary threat to Southeast Asia accordingly arises from the possibility that the situation in Indochina may deteriorate as a result of the weakening of the resolve of, or as a result of the inability of the governments of France and of the Associated States to continue to oppose the Viet Minh rebellion, the military strength of which is being steadily increased by virtue of aid furnished by the Chinese Communist regime and its allies.

5. The successful defense of Tonkin is critical to the retention in non-Communist hands of mainland Southeast Asia. However, should Burma come under communist domination, a communist military advance through Thailand might make Indochina, including Tonkin, militarily indefensible. The execution of the following U.S. courses of action with respect to individual countries of the area may vary depending upon the route of communist advance into Southeast Asia.

6. Actions designed to achieve our objectives in Southeast Asia require sensitive selection and application, on the one hand to assure the optimum efficiency through coordination of measures for the general area, and on the other, to accommodate to the greatest practicable extent to the individual sensibilities of the several governments, social classes and minorities of the area.

COURSES OF ACTION

SOUTHEAST ASIA

7. With respect to Southeast Asia, the United States should:

a. Strengthen propaganda and cultural activities, as appropriate in relation to the area to foster increased alignment of the people with the free world.

b. Continue, as appropriate, programs of economic and technical assistance designed to strengthen the indigenous non-communist governments of the area.

c. Encourage the countries of Southeast Asia to restore and expand their commerce with each other and with the rest of the free world, and stimulate the flow of the raw material resources of the area to the free world.

d. Seek agreement with other nations, including at least France, the UK, Australia and New Zealand, for a joint warning to Communist China regarding the grave consequences of Chinese aggression against Southeast Asia, the issuance of such a warning to be contingent upon the prior agreement of France and the UK to participate in the courses of action set forth in paragraphs 10c, 12, 14f (1) and (2) and 15c (1) and (2), and such others as are determined as a result of prior trilateral consultation, in the event such a warning is ignored.

e. Seek UK and French agreement in principle that a naval blockade of Communist China should be included in the minimum courses of action set forth in paragraph 10c below.

f. Continue to encourage and support closer cooperation among the countries of Southeast Asia, and between those countries and the United States, Great Britain, France, the Philippines, Australia, New Zealand, South Asia and Japan.

g. Strengthen, as appropriate, covert operations designed to assist in the achievement of U.S. objectives in Southeast Asia.

h. Continue activities and operations designed to encourage the overseas Chinese communities in Southeast Asia to organize and activate anti-communist groups and activities within their own communities to resist the effects of parallel pro-communist groups and activities and, generally, to increase their orientation toward the free world.

i. Take measures to promote the coordinated defense of the area, and encourage and support the spirit of resistance among the peoples of Southeast Asia to Chinese Communist aggression and to the encroachments of local communists.

j. Make clear to the American people the importance of Southeast Asia to the security of the United States so that they may be prepared for any of the courses of action proposed herein.

INDOCHINA

8. With respect to Indochina the United States should:

a. Continue to promote International support for the three Associated States.

b. Continue to assure the French that the U.S. regards the French effort in Indochina as one of great strategic importance in the general international interest rather than in the purely French interest, and as essential to the security of the free world, not only in the Far East but in the Middle East and Europe as well.

c. Continue to assure the French that we are cognizant of the sacrifices entailed for France in carrying out her effort in Indochina and that, without overlooking the principle that France has the primary responsibility in Indochina, we will recommend to the Congress appropriate military, economic and financial aid to France and the Associated States.

d. Continue to cultivate friendly and increasingly cooperative relations with the Governments of France and the Associated States at all levels with a view to maintaining and, if possible, increasing the degree of influence the U.S. can bring to bear on the policies and actions of the French and Indochinese authorities to the end of directing the course of events toward the objectives we seek. Our influence with the French and Associated States should be designed to further those constructive political, economic and social measures which will tend to increase the stability of the Associated States and thus make it possible for the French to reduce the degree of their participation in the military, economic and political affairs of the Associated States.

e. Specifically we should use our influence with France and the Associated States to promote positive political, military, economic and social policies, among which the following are considered essential elements:

(1) Continued recognition and carrying out by France of its primary responsibility for the defense of Indochina.

(2) Further steps by France and the Associated States toward the evolutionary development of the Associated States.

(3) Such reorganization of French administration and representation in Indochina as will be conducive to an increased feeling of responsibility on the part of the Associated States.

(4) Intensive efforts to develop the armies of the Associated States, including independent logistical and administrative services.

(5) The development of more effective and stable Governments in the Associated States.

(6) Land reform, agrarian and industrial credit, sound rice marketing systems, labor development, foreign trade and capital formation.

(7) An aggressive military, political, and psychological program to defeat or seriously reduce the Viet Minh forces.

(8) US-French cooperation in publicizing progressive developments in the foregoing policies in Indochina.

9. In the absence of large scale Chinese Communist intervention in Indochina, the United States should:

a. Provide increased aid on a high priority basis for the French Union forces without relieving French authorities of their basic military responsibility for the defense of the Associated States in order to:

(1) Assist in developing indigenous armed forces which will eventually be capable of maintaining internal security without assistance from French units.

(2) Assist the French Union forces to maintain progress in the restoration of internal security against the Viet Minh.

(3) Assist the forces of France and the Associated States to defend Indochina against Chinese Communist aggression.

b. In view of the immediate urgency of the situation, involving possible large-scale Chinese Communist intervention, and in order that the United States may be prepared to take whatever action may be appropriate in such circumstances, make the plans necessary to carry out the courses of action indicated in paragraph 10 below.

c. In the event that information and circumstances point to the conclusion that France is no longer prepared to carry the burden in Indochina, or if France presses for an increased sharing of the responsibility for Indochina, whether in the UN or directly with the U.S. Government, oppose a French withdrawal and consult with the French and British concerning further measures to be taken to safeguard the area from communist domination.

10. In the event that it is determined, in consultation with France, that Chinese Communist forces (including volunteers) have overtly intervened in the conflict in Indochina, or are covertly participating to such an extent as to jeopardize retention of the Tonkin Delta area by French Union forces, the United States should take the following measures to assist these forces in preventing the loss of Indochina, to repel the aggression and to restore peace and security in Indochina:

a. Support a request by France or the Associated States for immediate action by the United Nations which would include a UN resolution declaring that Communist China has committed an aggression, recommending that member states take whatever action may be necessary, without geographic limitation, to assist France and the Associated States in meeting the aggression.

b. Whether or not U.N. action is immediately forthcoming, seek the maximum possible international support for, and participation in, the minimum courses of military action agreed upon by the parties to the joint warning. These minimum courses of action are set forth in subparagraph c immediately below.

c. Carry out the following minimum courses of military action, either under the auspices of the UN or in conjunction with France and the United Kingdom and any other friendly governments:

(1) A resolute defense of Indochina itself to which the United States would provide such air and naval assistance as might be practicable.

(2) Interdiction of Chinese Communist communication lines including those in China.

(3) The United States would expect to provide the major forces for task (2) above; but would expect the UK and France to provide at least token forces therefor and to render such other assistance as is normal between allies, and France to carry the burden of providing, in conjunction with the Associated States, the ground forces for the defense of Indochina.

11. In addition to the courses of action set forth in paragraph 10 above, the United States should take the following military actions as appropriate to the situation:

a. If agreement is reached pursuant to

48-059 O - 72 - pt. 18 - 70

paragraph 7–2, establishment in conjunction with the UK and France of a naval blockade of Communist China.

b. Intensification of covert operations to aid anti-communist guerrilla forces operating against Communist China and to interfere with and disrupt Chinese Communist lines of communication and military supply areas.

c. Utilization, as desirable and feasible, of anti-communist Chinese forces, including Chinese Nationalist forces in military operations in Southeast Asia, Korea, or China proper.

d. Assistance to the British to cover an evacuation from Hong Kong, if required.

e. Evacuation of French Union civil and military personnel from the Tonkin delta, if required.

12. If, subsequent to aggression against Indochina and execution of the minimum necessary courses of action listed in paragraph 10-c above, the United States determines jointly with the UK and France that expanded military action against Communist China is rendered necessary by the situation, the United States should take air and naval action in conjunction with at least France and the U.K. against all suitable military targets in China, avoiding insofar as practicable those targets in areas near the boundaries of the USSR in order not to increase the risk of direct Soviet involvement.

13. In the event the concurrence of the United Kingdom and France to expanded military action against Communist China is not obtained, the United States should consider taking unilateral action.

EISENHOWER COMMITTEE'S MEMO ON FRENCH REQUESTS FOR AID

(Excerpts from memorandum for the record, Jan. 30, 1954, by Brig. Gen. Charles H. Bonesteel 3d on meeting of President's Special Committee on Indochina)

1. The Special Committee met in Mr. Kyes' office at 3:30 p.m. 29 January 1954. . . .

3. Admiral Radford said he had been in touch with General Ely, French Chief of Staff, through General Valluy. Ten B-26 aircraft are on the way to Indochina this week. These would contribute to filling the French request for aircraft to bring two B-26 squadrons up to a strength of 25 operational aircraft each. However, an additional 12 are needed to fill the full requirement because a total of 22 are needed (12 to fill the annual attrition plus 10 to fill the additional French request). There was some discussion on the seeming differences in requests reaching Washington via Paris and those coming through the MAAG. Subsequently in the meeting it was agreed that the French should be informed that the U.S. would act only on requests which had been approved by General O'Daniel after General O'Daniel was set up in Indochina.

4. Admiral Radford indicated that to fill the entire requirement for 22 B-26's on an urgent basis would mean taking some of them from U.S. operational squadrons in the Far East, but this could be done. The aircraft would not all have "zero" maintenance time on them.

5. As to the additional French request for 25 B-26's to equip a third squadron, it was decided that final decision to furnish them should await the return of General O'Daniel. However, the Air Force has been alerted that they may have to be furnished on short notice.

6. As to the provisions of a small "dirigible," it was decided to inform the French that this could not be furnished.

7. Regarding the French request for 400 mechanics trained in maintenance of B-26 and C-47 aircraft, there was considerable discussion. Admiral Radford said he had informed General Ely, through General Valluy, that the U.S. does not believe the French have exhausted all efforts to get French civilian maintenance crews. He suggested the French try to find them through "Air France." Mr. Kyes mentioned the possibility of obtaining French personnel from their eight aircraft factories or from the big Chateauroux maintenance base where the U.S. employed French mechanics. General Smith inquired about the possibility of lowering French NATO commitments to enable transfer of French military mechanics. Admiral Radford said General Valluy had informed him the French Staff have carefully considered the idea but the French Air Force does not have enough military mechanics trained in B-26 or C-47 maintenance to fill the requirement. Therefore, there would be such a delay while their military mechanics were being trained on these aircraft that the urgent requirement could not be met. He had also said that the employment of French civilian mechanics presented a difficult problem in security clearance.

8. General Smith recommended that the U.S. send 200 U.S. Air Force mechanics to MAAG, Indochina, and tell the French to provide the rest. Admiral Radford said this could be done and that the Air Force is, somewhat reluctantly, making plans to this end. He had let the French know that if American mechanics were sent they must be used only on air bases which were entirely secure from capture. General Smith wondered, in light of additional French requests, if the Committee should not consider sending the full 400 mechanics.

9. Mr. Kyes questioned if sending 200 military mechanics would not so commit the U.S. to support the French that we must be prepared eventually for complete intervention, including use of U.S. combat forces. General Smith said he did not think this would result—we were sending maintenance forces not ground forces. He felt, however, that the importance of winning in Indochina was so great that if worst came to the worst he personally would favor intervention with U.S. air and naval forces—not ground forces. Admiral Radford agreed. Mr. Kyes felt this consideration was so important that it should be put to the highest level. The President himself should decide. General Smith agreed. Mr. Allen Dulles wondered if our preoccupation with helping to win the battle at Dien Bien Phu was so great that we were not going to bargain with the French as we supplied their most urgent needs. Mr. Kyes said this was an aspect of the question he was resisting, Admiral Radford read from a cable just received from General O'Daniel, which indicated General Navarre had been most cordial to General O'Daniel at their their meeting and had indicated he was pleased with the concept of U.S. liaison officers being assigned to his general headquarters and to the training command. General Navarre and General O'Daniel agreed to try to work out a maximum of collaboration at the military level.

10. Later in the meeting, Mr. Allen Dulles raised the question as to sending the CAP pilots the French had once requested. It was agreed that the French apparently wanted them now, that they should be sent, and CIA should arrange for the necessary negotiations with the French in Indochina to take care of it.

11. Mr. Kyes said that if we meet the French urgent demands they should be tied to two things: first, the achievement of maximum collaboration with the French in training and strategy, and secondly, the strengthening of General O'Daniel's hand in every way possible. General Smith agreed and felt we should reinforce General O'Daniel's position not only with the French in Indochina but also at the highest level in Paris. . . .

12. Summary of Action Agreed Regarding Urgent French Requests

It was agreed:

a. To provide 200 uniformed U.S. Air Force mechanics who would be assigned as an augmentation to MAAG, Indochina, these mechanics to be provided only on the understanding that they would be used at bases where they would be secure from capture and would not be exposed to combat.

c. To send the CAP pilots, with CIA arranging necessary negotiations.

d. Not to provide a "dirigible."

e. To await General O'Daniel's return to Washington before making a decision on the other French requests. Efforts should continue to get the French to contribute a maximum number of mechanics.

It was further agreed that General Smith would clear these recommended actions with the President.

13. The next item discussed was the status of General O'Daniel. Mr. Kyes said General Trapnell, the present Chief of MAAG, is being replaced at the normal expiration of his tour. General Dabney had been chosen to replace General Trapnell and is about to leave for Indochina. Admiral Radford pointed out that General O'Daniel could be made Chief of MAAG without any further clearance with the French Government. General Smith said this would be all right but should not preclude further action to increase the position of General O'Daniel. General Erskine pointed out that the MAAG in Indochina is not a "military mission" but only an administrative group concerned with the provision of MDAP equipment. He thought the MAAG status should be raised to that of a mission which could help in training. It was agreed that General O'Daniel should probably be first assigned as Chief of MAAG and that, for this reason, General Dabney's departure for Indochina should be temporarily held up. General Dabney should, however, go to Indochina to assist General O'Daniel by heading up the present MAAG functions. Admiral Davis was requested to assure that General Dabney did not depart until further instructions were given.

20. Mr. Allen Dulles inquired if an unconventional warfare officer, specifically Colonel Lansdale could not be added to the group of five liaison officers to which General Navarre had agreed. Admiral Radford thought this might be done and at any rate Colonel Lansdale could immediately be attached to the MAAG, but he wondered if it would not be best for Colonel Lansdale to await General O'Daniel's return before going to Indochina. In this way, Colonel Lansdale could help the working group in its revision of General Erskine's paper. This was agreeable to Mr. Allen Dulles.

21. Present at the meeting were:

Department of Defense—Mr. Kyes, Admiral Radford, Admiral Davis, General Erskine, Mr. Godel, B/G Bonesteel, Colonel Alden.

Department of State—General Smith, Mr. Robertson.

CIA—Mr. Allen Dulles, General Cabell, Mr. Aurell, Colonel Lansdale.

1954 REPORT BY SPECIAL COMMITTEE ON THE THREAT OF COMMUNISM

Excerpts from Part II of the Special Committee's Report on Southeast Asia, April 5, 1954. Part I was not made available with it.

IV. CONCLUSIONS

A. The Special Committee considers that these factors reinforce the necessity of assuring that Indo-China remain in the non-Communist bloc, and believes that defeat of the Viet Minh in Indo-China is essential if the spread of Communist influence in Southeast Asia is to be halted.

B. Regardless of the outcome of military operations in Indo-China and without compromising in any way the overwhelming strategic importance of the Associated States to the Western position in the area, the U.S. should take all affirmative and practical steps, with or without its European allies, to

provide tangible evidence of Western strength and determination to defeat Communism; to demonstrate that ultimate victory will be won by the free world; and to secure the affirmative association of Southeast Asian states with these purposes.

C. That for these purposes the Western position in Indo-China must be maintained and improved by a military victory.

D. That without compromise to C, above, the U.S. should in all prudence reinforce the remainder of Southeast Asia, including the land areas of Malaya, Burma, Thailand, Indonesia and the Philippines.

RECOMMENDED COURSES OF ACTION*

A. The Special Committee wishes to reaffirm the following recommendations which are made in NCS 5405, the Special Committee Report concerning military operations in Indo-China, and the position paper of the Special Committee, concurred in by the Department of Defense, concerning U.S. courses of action and policies with respect to the Geneva Conference:

(1) It be U.S. policy to accept nothing short of a military victory in Indo-China.

(2) It be the U.S. position to obtain French support of this position; and that failing this, the U.S. actively oppose any negotiated settlement in Indo-China at Geneva.

(3) It be the U.S. position in event of failure of (2) above to initiate immediate steps with the governments of the Associated States aimed toward the continuation of the war in Indo-China, to include active U.S. participation and without French support should that be necessary.

(4) Regardless of whether or not the U.S. is successful in obtaining French support for the active U.S. participation called for in (3) above, every effort should be made to undertake this active participation in concert with other interested nations.

B. The Special Committee also considers that all possible political and economic pressure on France must be exerted as the obvious initial course of action to reinforce the French will to continue operatings [sic] in Indo-China. The Special Committee recognizes that this course of action will jeopardize the existing French Cabinet, may be unpopular among the French public, and may be considered as endangering present U.S. policy with respect to EDC. The Committee nevertheless considers that the free world strategic position, not only in Southeast Asia but in Europe and the Middle East as well, is such as to require the most extraordinary efforts to prevent Communist domination of Southeast Asia. The Committee considers that firm and resolute action now in this regard may well be the key to a solution of the entire problem posed by France in the free world community of nations.

C. In order to make the maximum contribution to the free world strength in Southeast Asia, and regardless of the outcome of military operations currently in progress in Indo-China, the U.S. should, in all prudence, take the following courses of action in addition to those set forth in NSC 5405 and in Part I of the Special Committee Report:

POLITICAL AND MILITARY:

(1) Ensure that there be initiated no cease-fire in Indo-China prior to victory whether that be by successful military action or clear concession of defeat by the Communists.

ACTION: STATE, CIA

(2) Extraordinary and unilateral, as well as multi-national, efforts should be undertaken to give vitality in Southeast Asia to the concept that Communist imperialism is a transcending threat to each of the Southeast Asian states. These efforts should be so undertaken as to appear through local initiative rather than as a result of U.S. or UK, or French instigation.

ACTION: USIA, STATE, CIA

(3) It should be U.S. policy to develop within the UN Charter a Far Eastern regional arrangement subscribed and underwritten by the major European powers with interests in the Pacific.

a. Full accomplishment of such an arrangement can only be developed in the long term and should therefore be preceded by the development, through indigenous sources, or regional economic and cultural agreements between the several Southeast Asian countries and later with Japan. Such agreements might take a form similar to that of OEEC in Europe.

ACTION: STATE, CIA, FOA

b. Upon the basis of such agreements, the U.S. should actively but unobtrusively seek their expansion into mutual defense agreements and should for this purpose be prepared to underwrite such agreements with military and economic aid and should [rest unavailable].

D. The courses of action outlined above are considered as mandatory regardless of the outcome of military operations in Indo-China.

(1) If Indo-China is held they are needed to build up strength and resistance to Communism in the entire area.

(2) If Indo-China is lost they are essential as partial steps:

a. To delay as long as possible the extension of Communist domination throughout the Far East, or

b. In conjunction with offensive operations to retake Indo-China from the Communists.

(3) Should Indo-China be lost it is clear to the Special Committee that the involvement of U.S. resources either in an attempt to stop the further spread of Communism in the Far East, (which is bound, except in terms of the most extensive military and political effort, to be futile) or to initiate offensive operations to retake and reorient Indo-China (which would involve a major military campaign), will greatly exceed those needed to hold Indo-China before it falls.

(4) Furthermore, either of these undertakings (in the light of the major setback to U.S. national policy involved in the loss of Indo-China) would entail as an urgent prerequisite the restoration of Asian morale and confidence in U.S. policy which will have reached an unprecedentedly low level in the area.

(5) Each of these courses of action would involve greater risk of war with Communist China, and possibly the Soviet Union, than timely preventive action taken under more favorable circumstances before Indo-China is lost.

*The Department of State representative recommends the deletion of paragraphs A and B hereunder as being redundant and included in other documents.

DILLON CABLE TO DULLES ON APPEAL FOR AIR SUPPORT AT DIENBIENPHU

Cablegram from Douglas Dillon, United States Ambassador to France, to Secretary of State John Foster Dulles on April 5, 1954.

URGENT. I was called at 11 o'clock Sunday night and asked to come immediately to Matignon where a restricted Cabinet meeting was in progress. On arrival Bidault received me in Laniel's office and was joined in a few minutes by Laniel. They said that immediate armed intervention of US carrier aircraft at Dien Bien Phu is now necessary to save the situation.

Navarre reports situation there now in state of precarious equilibrium and that both sides are doing best to reinforce—Viet Minh are bringing up last available reinforcements which will way outnumber any reinforcing French can do by parachute drops. Renewal of assault by reinforced Viet Minh probable by middle or end of week. Without help by then fate of Dien Bien Phu will probably be sealed.

Ely brought back report from Washington that Radford gave him his personal (repeat personal) assurance that if situation at Dien Bien Phu required US naval air support he would do his best to obtain such help from US Government. Because of this information from Radford as reported by Ely, French Government now asking for US carrier aircraft support at Dien Bien Phu. Navarre feels that a relatively minor US effort could turn the tide but naturally hopes for as much help as possible. French report Chinese intervention in Indochina already fully established as follows:

First. Fourteen technical advisors at Giap headquarters plus numerous others at division level. All under command of Chinese Communist General Ly Chen-hou who is stationed at Giap headquarters.

Second. Special telephone lines installed maintained and operated by Chinese personnel.

Third. Forty 37 mm. anti-aircraft guns radar-controlled at Dien Bien Phu. These guns operated by Chinese and evidently are from Korea. These AA guns are now shooting through clouds to bring down French aircraft.

Fourth. One thousand supply trucks of which 500 have arrived since 1 March, all driven by Chinese army personnel.

Fifth. Substantial material help in guns, shells, etc., as is well known.

Bidault said that French Chief of Air Staff wished US be informed that US air intervention at Dien Bien Phu could lead to Chinese Communist air attack on delta airfields. Nevertheless, government was making request for aid.

Bidault closed by saying that for good or evil the fate of Southeast Asia now rested on Dien Bien Phu. He said that Geneva would be won or lost depending on outcome at Dien Bien Phu. This was reason for French request for this very serious action on our part.

He then emphasized necessity for speed in view of renewed attack which is expected before end of week. He thanked US for prompt action on airlift for French paratroops. He then said that he had received Dulles' proposal for Southeast Asian coalition, and that he would answer as soon as possible later in week as restricted Cabinet session not competent to make this decision.

New Subject. I passed on Norstad's concern that news of airlift (DEPTEL 3470, April 3) might leak as planes assembled. Pleven was called into room. He expressed extreme concern as any leak would lead to earlier Viet Minh attack. He said at all costs operation must be camouflaged as training exercise until troops have arrived. He is preparing them as rapidly as possible and they will be ready to leave in a week. Bidault and Laniel pressed him to hurry up departure date of troops and he said he would do his utmost.

DULLES CABLE BARRING INTERVENTION

Cablegram from Secretary Dulles to Ambassador Dillon in Paris, April 5, 1954.

As I personally explained to Ely in presence of Radford, it is not (rpt not) possible for US to commit belligerent acts in Indochina without full political understanding with France and other countries. In addition, Congressional action would be required. After conference at highest level, I must confirm this position. US is doing everything possible as indicated by 5175 to prepare public, Congressional and Constitutional basis for united action in Indochina. However, such action is impossible except on coalition basis with active British Commonwealth participation. Meanwhile US prepared, as has been demonstrated, to do everything short of belligerency.

FYI US cannot and will not be put in position of alone salvaging British Commonwealth interests in Malaya, Australia and

New Zealand. This matter now under discussion with UK at highest level.

DILLION REPLY ON FRENCH REACTION

Cablegram from Ambassador Dillon to Secretary Dulles, April 5, 1954.

I delivered message DEPTEL 3482 to Bidault Monday evening. He asked me to tell Secretary that he personally could well understand position US Government and would pass on your answer to Laniel.

He asked me to say once more that unfortunately the time for formulating coalitions has passed as the fate of Indochina will be decided in the next ten days at Dien-Bien-Phu. As I left he said that even though French must fight alone they would continue fighting and he prayed God they would be successful.

MEMO OF EISENHOWER-DULLES TALK ON THE FRENCH CEASE-FIRE PLAN

Memorandum by Robert Cutler, special assistant to President Dwight D. Eisenhower, May 7, 1954.

At a meeting in the President's office this morning with Dulles, three topics were discussed.

1. Whether the President should approve paragraph 1b of the tentative Record of Action of the 5/6/54 NSC meeting, which covers the proposed answer to the Eden proposal. The Secretary of State thought the text was correct. Wilson and Radford preferred the draft message to Smith for Eden prepared yesterday by MacArthur and Captain Anderson, and cleared by the JCS, which included in the Five Power Staff Agency Thailand and the Philippines. Radford thinks that the Agency (which has hitherto been not disclosed in SEA) has really completed its military planning; that if it is enlarged by top level personnel, its actions will be necessarily open to the world; that therefore some Southeast Asian countries should be included in it, and he fears Eden's proposal as an intended delaying action.

The President approved the text of paragraph 1b but suggested that Smith's reply to Eden's proposal should make clear the following:

1. Five Power Staff Agency, alone or with other nations, is not to the United States a satisfactory substitute for a broad political coalition which will include the Southeast Asian countries which are to be defended.

2. Five Power Staff Agency examination is acceptable to see how these nations can give military aid to the Southeast Asian countries in the cooperative defense effort.

3. The United States will not agree to a "white man's party" to determine the problems of the Southeast Asian nations.

I was instructed to advise Wilson and Radford of the above, and have done so.

2. The President went over the draft of the speech which Dulles is going to make tonight, making quite a few suggestions and changes in the text. He thought additionally the speech should include some easy to understand slogans, such as "The US will never start a war," "The US will not go to war without Congressional authority," "The US, as always, is trying to organize cooperative efforts to sustain the peace."

3. With reference to the cease-fire proposal transmitted by Bidault to the French cabinet, I read the following, as views principally of military members of the Planning Board, expressed in their yesterday afternoon meeting:

1. US should not support the Bidault proposal.

2. Reasons for this position:

a. The mere proposal of the cease-fire at the Geneva Conference would destroy the will to fight of French forces and make fencesitters jump to Vietminh side.

b. The Communists woud evade covertly cease-fire controls.

3. The US should (as a last act to save IndoChina) propose to France that if the following 5 conditions are met, the US will go to Congress for authority to intervene with combat forces:

a. grant of genuine freedom for Associated States

b. US take major responsibility for training indigenous forces

c. US share responsibility for military planning

d. French forces to stay in the fight and no requirement of replacement of US forces

(e. Action under UN auspices?)

This offer to be made known simultaneously to the other members of the proposed regional grouping (UK, Australia, NZ, Thailand, Associated States, Philippines) in order to enlist their participation.

I then summarized possible objections to making the above proposal to the French:

a. No French Government is now competent to act in a lasting way.

b. There is no indication France wants to "internationalize" the conflict.

c. The US proposal would be made without the prior assurance of a regional grouping of SEA states, a precondition of Congress; although this point might be added as another condition to the proposal.

d. US would be "bailing out colonial France" in the eyes of the world.

e. US cannot undertake alone to save every situation of trouble.

I concluded that some PB members felt that it had never been made clear to the French that the US was willing to ask for Congressional authority, if certain fundamental preconditions were met; that these matters had only been hinted at, and that the record of history should be clear as to the US position. Dulles was interested to know the President's views, because he is talking with Ambassador Bonnet this afternoon. He indicated that he would mention these matters to Bonnet, perhaps making a more broad hint than heretofore. He would not circulate any formal paper to Bonnet, or to anyone else.

The President referred to the proposition advanced by Governor Stassen at the April 29 Council Meeting as not having been thoroughly thought out. He said that he had been trying to get France to "internationalize" matters for a long time, and they are not willing to do so. If it were thought advisable at this time to point out to the French the essential preconditions to the US asking for Congressional authority to intervene, then it should also be made clear to the French as an additional precondition that the US would never intervene alone, that there must be an invitation by the indigenous people, and that there must be some kind of regional and collective action.

I understand that Dulles will decide the extent to which he cares to follow this line with Ambassador Bonnet. This discussion may afford Dulles guidance in replying to Smith's request about a US alternative to support the Bidault proposal, but there really was no decision as to the US attitude toward the cease-fire proposal itself.

EISENHOWER'S INSTRUCTIONS TO U.S. ENVOY AT GENEVA TALKS

Cablegram from Secretary of State Dulles to Under Secretary Walter Bedell Smith, May 12, 1954.

The following basic instructions, which have been approved by the President, and which are in confirmation of those already given you orally, will guide you, as head of the United States Delegation, in your participation in the Indochina phase of the Geneva Conference.

1. The presence of a United States representative during the discussion at the Geneva Conference of "the problem of restoring peace in Indochina" rests on the Berlin Agreement of February 18, 1954. Under that agreement the US, UK, France, and USSR agreed that the four of them plus other interested states should be invited to a conference at Geneva on April 26 "for the purpose of reaching a peaceful settlement of the Korean question" and agreed further, that "the problem of restoring peace in Indochina" would also be discussed at Geneva by the four powers represented at Berlin, and Communist China and other interested states.

2. You will not deal with the delegates of the Chinese Communist regime or any other regime not now diplomatically recognized by the United States, on any terms which imply political recognition or which concede to that regime any status other than that of a regime with which it is necessary to deal on a de facto basis in order to end aggression or the threat of aggression, and to obtain peace.

3. The position of the United States in the Indochina phase of the Geneva Conference is that of an interested nation which, however, is neither a beligerent nor a principal in the negotiation.

4. The United States is participating in the Indochina phase of the Conference in order thereby to assist in arriving at decisions which will help the nations of that area peacefully to enjoy territorial integrity and political independence under stable and free governments with the opportunity to expand their economies, to realize their legitimate national aspirations, and to develop security through individual and collective defense against aggression, from within or without. This implies that these people should not be amalgamated into the Communist bloc of imperialistic dictatorship.

5. The United States is not prepared to give its express or implied approval to any cease-fire, armistice or other settlement which would have the effect of subverting the existing lawful governments of the three aforementioned states or of permanently impairing their territorial integrity or of placing in jeopardy the forces of the French Union in Indochina, or which otherwise contravened the principles stated in (4) above.

6. You should, insofar as is compatible with these instructions, cooperate with the Delegation of France and with the Delegations of other friendly participants in this phase of the Conference.

7. If in your judgment continued participation in the Indochina phase of the Conference appears likely to involve the United States in a result inconsistent with its policy, as stated above, you should immediately so inform your Government, recommending either withdrawal or the limitation of the US role to that of an observer. If the situation develops such that, in your opinion, either of such actions is essential under the circumstances and time is lacking for consultation with Washington, you may act in your discretion.

8. You are authorized to inform other delegations at Geneva of these instructions.

1954 STUDY BY THE JOINT CHIEFS ON POSSIBLE U.S. INTERVENTION

Excerpts from memorandum from Admiral Arthur W. Radford, Chairman of the Joint Chiefs of Staff, to Secretary of Defense Charles E. Wilson, May 26, 1954, on "Studies With Respect to Possible U.S. Action Regarding Indochina." The italicized emphasis appears in the original document.

1. Reference is made to the memorandum by the Acting Secretary of Defense, dated 18 May 1954, subject as above wherein the Joint Chiefs of Staff were requested to prepare certain studies, and agreed outline answers to certain questions relating thereto, for discussion with the Acting Secretary of Defense on or before 24 May, and for subsequent submission to the National Security Council (NSC).

2 a. The Studies requested by the Acting Secretary of Defense were developed within

the parameters prescribed in the memorandum by the Executive Secretary, NSC, dated 18 May 1954, subject as above. This memorandum is interpreted as assuming no concurrent involvement in Korea. This assumption may be quite unrealistic and lead to mal-employment of available forces. The Joint Chiefs of Staff desire to point out their belief that, from the point of view of the United States, with reference to the Far East as a whole, *Indochina is devoid of decisive military objectives and the allocation of more than token* U.S. armed forces *in Indochina would be a serious diversion of* limited U.S. capabilities. The principal sources of Viet Minh military supply lie outside Indochina. The destruction or neutralization of these sources in China proper would materially reduce the French military problems in Indochina.

b. In connection with the above, it may be readily anticipated that, upon Chinese Communist intervention in Indochina, the French would promptly request the immediate deployment of U.S. ground and air forces, additional naval forces, and a considerable increase in MDAF armament and equipment. The Joint Chiefs of Staff have stated their belief that committing to the Indochina conflict naval forces in excess of a Fast Carrier Task Force and supporting forces as necessary in accordance with the developments in the situation, of basing substantial air forces in Indochina, will involve maldeployment of forces and reduce readiness to meet probable Chinese Communist reaction elsewhere in the Far East. Simultaneously, it is necessary to keep in mind the considerable Allied military potential available in the Korea-Japan-Okinawa area.

c. In light of the above, it is clear that the denial of these forces to Indochina could result in a schism between the United States and France unless they were employed elsewhere. However, it should be noted that the Joint Chiefs of Staff have plans, both approved and under consideration, which provide for the employment of these forces in combat operations outside Indochina. Nevertheless, it is desired to repeat that this particular report is responsive to the question of U.S. intervention in Indochina only.

ASSUMING THE CHINESE COMMUNISTS INTERVENE

3. Strategic Concept and Plan of Operation

Seek to create conditions through the destruction of effective Communist forces and their means for support in the Indochina action and by reducing Chinese Communist capability for further aggression, under which Associated States forces could assume responsibility for the defense of Indochina. In the light of this concept the major courses of action would be as follows:

a. Employing atomic weapons, whenever advantageous, as well as other weapons, *conduct offensive air* operations against *selected military targets in Indochina and against those military targets in China, Hainan,* and other Communist-held offshore islands which are being used by the Communists in *direct support of their operations,* or which threaten the security of U.S. and allied forces in the area.

b. Simultaneously, French Union Forces, augmented by U.S. naval, and air forces, would exploit by coordinated ground, naval, and air action such successes as may be gained as a result of the aforementioned air operations in order to destroy enemy forces in Indochina.

c. Conduct coordinated ground, naval, and air action to destroy enemy forces in Indochina.

d. In the light of circumstances prevailing at the time, and subject to an evaluation of the results of operations conducted under subparagraphs *a* and *b* above, be prepared to take further action against Communist China to reduce its war-making capability, such as:

(1) Destruction of additional selected military targets. In connection with these additional targets, such action requires an enlarged but highly selective atomic offensive in addition to attacks employing other weapons systems.

(2) Blockade of the China coast. This might be instituted progressively from the outset.

(3) Seizure or neutralization of Hainan Island.

(4) Operations against the Chinese mainland by Chinese Nationalist forces. . . .

ASSUMING CHINESE COMMUNISTS DO NOT INTERVENE

9. Strategic Concept and Plan of Action.

Seek to create conditions by destroying effective Communist forces in Indochina, under which the Associated States Forces could assume responsibility for the defense of Indochina. In the light of this concept, the major courses of action which would be undertaken are as follows:

a. *Conduct air operations* in support of allied forces in *Indochina.* The employment of atomic weapons is contemplated in the event that such course appears militarily advantageous.

b. Simultaneously, French Union Forces augmented by such armed forces of the Philippines and Thailand as may be committed would, in coordination with U.S. naval and Air Force forces, conduct coordinated ground, naval and air action to destroy enemy forces in Indochina. . . .

CABLE BY DULLES ON NEGOTIATIONS AT GENEVA ON VIETNAM ELECTIONS

Cablegram by Secretary Dulles to United States Embassy in Paris with copies to the United States Embassies in London and Saigon and to United States Consul General in Geneva for Under Secretary Bedell Smith, July 7, 1954.

We see no real conflict between paragraphs 4 and 5 US-UK terms. We realize of course that even agreement which appears to meet all seven points cannot constitute guarantee that Indochina will not one day pass into Communist hands. Seven points are intended provide best chance that this shall not happen. This will require observance of criteria not merely in the letter but in the spirit. Thus since undoubtedly true that elections might eventually mean unification Vietnam under Ho Chi Minh this makes it all more important they should be only held as long after ceasefire agreement as possible and in conditions free from intimidation to give democratic elements best chance. We believe important that no date should be set now and especially that no conditions should be accepted by French which would have direct or indirect effect of preventing effective international supervision of agreement ensuring political as well as military guarantees. Also note paragraph 3 of President and Prime Minister joint declaration of June 29 regarding QTE unity through free elections supervised by the UN UNQTE.

Our interpretation of willingness QTE respect UNQTE agreement which might be reached is that we would not (repeat not) oppose a settlement which conformed to seven points contained Deptel 4853. It does not (repeat not) of course mean we would guarantee such settlement or that we would necessarily support it publicly. We consider QTE respect UNQTE as strong a word as we can possibly employ in the circumstances to indicate our position with respect to such arrangements as French may evolve along lines points contained DEPTEL 4853. QTE respect UNQTE would also mean that we would not seek directly or indirectly to upset settlement by force.

You may convey substance above to French.

CHINESE COMMUNISTS' POSITION ON A NEUTRALIZED INDOCHINA

Cablegram from Under Secretary of State Bedell Smith at Geneva to Secretary Dulles, July 18, 1954.

Following despatch given us in advance by Topping of Associated Press apparently represents official Chinese Communist position and was given Topping in order that we would become aware of it. It begins:

QUOTE

The Communist bloc has demanded that the Unied States guarantee the partisan peace plan for Indochina and join in an agreement to neutralize the whole country a responsible Chinese Communist informant said today.

The informant, who reflects the views of Red China Premier Chou En-lai, said the Communists are hopeful of a ceasefire agreement by next Tuesday's deadline if the Western powers agree to 'bar all foreign military bases from Indochina and keep the three member states out of any military bloc.'

The informant said the Communists are pressing for the stamp of American approval on the armistice agreement—already okayed in principle by Britain and France—which would divide Vietnam between Communist leader Ho Chi Minh's Viet Minh and Bao Dai's pro-Western regime.

'We believe that the US as a member of the conference should and is obligated to subscribe to and guarantee any settlement. Morally, there is no reason for the US to avoid this obligation.'

But the informant did not (repeat not) rule out the chance of an Indochina ceasefire even if the US refuses to okay the armistice agreement.

The Eisenhower administration has told France and Britain that they can go ahead with their plan for an Indochina settlement based on partition of Vietnam. But Washington has made it clear that it is not (repeat not) ready to associate itself formally with the plan which would sanction putting millions of Vietnamese under Red rule.

The Communist informant said the 'crucial issue' now in the Geneva peace negotiations revolves around whether the Western powers will agree effectively to neutralize Indochina.

'Refusal to join in such a guarantee,' the informant said, 'could seriously deter a final settlement. On other important points in the negotiations we are in agreement or close to it. We are hopeful and we believe that there is time to reach a settlement by July 20.'

French Premier Pierre Mendes-France has promised to resign with his Cabinet if he fails to end the bloody eight-year-old war by next Tuesday. Fall of the French Government probably would doom the Geneva negotiations. The informant declared that American efforts to organize a Southeast Asia Treaty organization (SEATO) is a 'threat to any possible Indochina agreement.'

'Success or failure of the Geneva Conference may depend on the attitude of the American delegation in this regard,' he added.

END QUOTE

The above seems to me extremely significant, particularly in view of the fact that in my discussion with Eden last night he expressed pessimism, which he said was now shared for the first time by Krishna Menon. Latter had begun to feel, as I do, that Molotov wishes to force Mendes-France's resignation. Eden remarked that Molotov had now become the most difficult and intransigent member of Communist delegation. You will note obvious intention to place on shoulders of US responsibility for failure of Geneva Conference and fall of French Government if this occurs.

Molotov is insisting on a meeting this afternoon which French and British are trying to make highly restricted as they are apprehensive of what may occur. If such a

meeting is held and if demands are made for US association in any agreement, I will simply say that in the event a reasonable settlement is arrived at which US could "respect", US will probably issue a unilateral statement of its own position. If question of participation Laos, Cambodia and Vietnam in security pact is raised, I will reply that this depends on outcome of conference.

Eden has already told Molotov that security pact is inevitable, that he himself favored it some time ago and that he would not (repeat not) withdraw from that position, but he made the mistake of saying that no consideration had been given to inclusion of Laos and Cambodia.

This final gambit is going to be extremely difficult to play and I do not (repeat not) now see the moves clearly. However, my opinion as expressed to you before leaving, i.e., that Molotov will gain more by bringing down Mendes Government than by a settlement, has grown stronger.

DETAILS ON CHINESE INFORMANT

Cablegram from Under Secretary Bedell Smith at Geneva to Secretary Dulles, July 19, 1954.

Topping has supplied in confidence following background information concerning his story on views of Chinese Communist delegation.

He stated his informant was Huang Hua, whom he has known for many years. Interview was at Huang's initiative, was called on short notice, and was conducted in extremely serious manner without propaganda harangues.

Topping said he had reported Huang's statement fully in his story but had obtained number of "visual impressions" during interview. When Huang spoke of possibility American bases in Indochina or anti-Communist pact in Southeast Asia, he became very agitated, his hands shook, and his usually excellent English broke down, forcing him to work through interpreter. Huang also spoke seriously and with apparent sincerity concerning his belief that I have returned to Geneva to prevent settlement. Topping believes Chinese Communists convinced Americans made deal with French during Paris talks on basis of which Mendes-France has raised price of settlement.

EXCERPTS FROM LANSDALE TEAM'S REPORT ON COVERT VIETNAM MISSION IN 1954 AND 1955

Following are excerpts from the report of the Saigon Military Mission, an American team headed by Edward G. Lansdale, covering its activities in the 1954–55 period. The report accompanies the Pentagon's study of the Vietnam war, which cites it without identifying the author or date. The excerpts appear vebatim, with only unmistakable typographical errors corrected.

I. FOREWORD

. . . This is the condensed account of one year in the operations of a "cold war" combat team, written by the team itself in the field, little by little in moments taken as the members could. The team is known as the Saigon Military Mission. The field is Vietnam. There are other teams in the field, American, French, British, Chinese, Vietnamese, Vietminh, and others. Each has its own story to tell. This is ours.

The Saigon Military Mission entered Vietnam on 1 June 1954 when its Chief arrived. However, this is the story of a team, and it wasn't until August 1954 that sufficient members arrived to constitute a team. So, this is mainly an account of the team's first year, from August 1954 to August 1955.

It was often a frustrating and perplexing year, up close. The Geneva Agreements signed on 21 July 1954 imposed restrictive rules upon all official Americans, including the Saigon Military Mission. An active and intelligent enemy made full use of legal rights to screen his activities in establishing his stay-behind organizations south of the 17th Parallel and in obtaining quick security north of that Parallel. The nation's economy and communications system were crippled by eight years of open war. The government, including its Army and other security forces, was in a painful transition from colonial to self rule, making it a year of hot-tempered incidents. Internal problems arose quickly to points where armed conflict was sought as the only solution. The enemy was frequently forgotten in the heavy atmosphere of suspicion, hatred, and jealousy.

The Saigon Military Mission received some blows from allies and the enemy in this atmosphere, as we worked to help stabilize the government and to beat the Geneva timetable of Communist takeover in the north. However, we did beat the time-table. The government did become stabilized. The Free Vietnamese are now becoming unified and learning how to cope with the Communist enemy. We are thankful that we had a chance to help in this work in a critical area of the world, to be positive and constructive in a year of doubt.

II. MISSION

The Saigon Military Mission (SMM) was born in a Washington policy meeting early in 1954, when Dien Bien Phu was still holding out against the encircling Vietminh. The SMM was to enter into Vietnam quietly and assist the Vietnamese, rather than the French, in unconventional warfare. The French were to be kept as friendly allies in the process, as far as possible.

The broad mission for the team was to undertake paramilitary operations against the enemy and to wage political-psychological warfare. Later, after Geneva, the mission was modified to prepare the means for undertaking paramilitary operations in Communist areas rather than to wage unconventional warfare. . .

III. HIGHLIGHTS OF THE YEAR

a. Early days

The Saigon Military Mission (SMM) started on 1 June 1954, when its Chief, Colonel Edward G. Lansdale, USAF, arrived in Saigon with a small box of files and clothes and a borrowed typewriter, courtesy of an SA–16 flight set up for him by the 13th Air Force at Clark AFB. Lt-General John O'Daniel and Embassy Charge Rob McClintock had arranged for his appointment as Assistant Air Attache, since it was improper for U.S. officers at MAAG at that time to have advisory conferences with Vietnamese officers. Ambassador Heath had concurred already. There was no desk space for an office, no vehicle, no safe for files. He roomed with General O'Daniel, later moved to a small house rented by MAAG. Secret communications with Washington were provided through the Saigon station of CIA.

There was deepening gloom in Vietnam. Dien Bien Phu had fallen. The French were capitulating to the Vietminh at Geneva. The first night in Saigon, Vietminh saboteurs blew up large ammunition dumps at the airport, rocking Saigon throughout the night. General O'Daniel and Charge McClintock agreed that it was time to start taking positive action. O'Daniel paved the way for a quick first-hand survey of the situation throughout the country. McClintock paved the way for contacts with Vietnamese political leaders. Our Chief's reputation from the Philippines had preceded him. Hundreds of Vietnamese acquaintanceships were made quickly.

Working in close cooperation with George Hellyer, USIS Chief, a new psychological warfare campaign was devised for the Vietnamese Army and for the government in Hanoi. Shortly after, a refresher course in combat psywar was constructed and Vietnamese Army personnel were rushed through it. A similar course was initiated for the Ministry of Information. Rumor campaigns were added to the tactics and tried out in Hanoi. It was almost too late.

The first rumor campaign was to be a carefully planted story of a Chinese Communist regiment in Tonkin taking reprisals against a Vietminh village whose girls the Chinese had raped, recalling Chinese Nationalist troop behavior in 1945 and confirming Vietnamese fears of Chinese occupation under Vietminh rule; the story was to be planted by soldiers of the Vietnamese Armed Psywar Company in Hanoi dressed in civilian clothes. The troops received their instructions silently, dressed in civilian clothes, went on the mission, and failed to return. They had deserted to the Vietminh. Weeks later, Tonkinese told an excited story of the misbehavior of the Chinese Divisions in Vietminh territory. Investigated, it turned out to be the old rumor campaign, with Vietnamese embellishments.

There was political chaos. Prince Buu Loc no longer headed the government. Government ministries all but closed. The more volatile leaders of political groups were proposing a revolution, which included armed attacks on the French. Col. Jean Carbonel of the French Army proposed establishing a regime with Vietnamese (Nungs and others) known to him close to the Chinese border and asked for our backing. Our reply was that this was a policy decision to be made between the FEC top command and U.S. authorities.

Oscar Arellano, Junior Chamber International vice-president for Southeast Asia, stopped by for a visit with our Chief; an idea in this visit later grew into "Operation Brotherhood."

On 1 July, Major Lucien Conein arrived, as the second member of the team. He is a paramilitary specialist, well-known to the French for his help with French-operated maquis in Tonkin against the Japanese in 1945, the one American guerrilla fighter who had not been a member of the Patti Mission. He was assigned to MAAG for cover purposes. Arranged by Lt-Col William Rosson, a meeting was held with Col Carbonel, Col Nguyen Van Vy, and the two SMM officers; Vy had seen his first combat in 1945 under Conein. Carbonel proposed establishing a maquis, to be kept as a secret between the four officers. SMM refused, learned later that Carbonel had kept the FEC Deuxieme Bureau informed. Shortly afterwards, at a Defense conference with General O'Daniel, our Chief had a chance to suggest Vy for a command in the North, making him a general. Secretary of State for Defense Le Ngoc Chan did so, Vy was grateful and remained so.

Ngo Dinh Diem arrived on 7 July, and within hours was in despair as the French forces withdrew from the Catholic provinces of Phat Diem and Nam Dinh in Tonkin. Catholic militia streamed north to Hanoi and Haiphong, their hearts filled with anger at French abandonment. The two SMM officers stopped a planned grenade attack by militia girls against French troops guarding a warehouse; the girls stated they had not eaten for three days; arrangements were made for Chinese merchants in Haiphong to feed them. Other militia attacks were stopped, including one against a withdrawing French artillery unit; the militia wanted the guns to stand and fight the Vietminh. The Tonkinese had hopes of American friendship and listened to the advice given them. Governor [name illegible] died, reportedly by poison. Tonkin's government changed as despair grew. On 21 July, the Geneva Agreement was signed. Tonkin was given to the Communists. Anti-Communists turned to SMM for help in establishing a resistance movement and several tentative initial arrangements were made.

Diem himself had reached a nadir of frustration, as his country disintegrated after

the conference of foreigners. With the approval of Ambassador Heath and General O'Daniel, our Chief drew up a plan of overall governmental action and presented it to Diem, with Hellyer as interpreter. It called for fast constructive action and dynamic leadership. Although the plan was not adopted, it laid the foundation for a friendship which has lasted.

Oscar Arellano visited Saigon again. Major Charles T. R. Bohanan, a former team-mate in Philippine days, was in town. At an SMM conference with these two, "Operation Brotherhood" was born: volunteer medical teams of Free Asians to aid the Free Vietnamese who have few doctors of their own. Washington responded warmly to the idea. President Diem was visited; he issued an appeal to the Free World for help. The Junior Chamber International adopted the idea. SMM would monitor the operation quietly in the background.

President Diem had organized a Committee of Cabinet Ministers to handle the problem of refugees from the Communist North. The Committee system was a failure. No real plans had been made by the French or the Americans. After conferences with USOM (FOA) officials and with General O'Daniel, our Chief suggested to Ambassador Heath that he call a U.S. meeting to plan a single Vietnamese agency, under a Commissioner of Refugees to be appointed by President Diem, to run the Vietnamese refugee program and to provide a channel through which help could be given by the U.S., France, and other free nations. The meeting was called and the plan adopted, with MAAG under General O'Daniel in the coordinating role. Diem adopted the plan. The French pitched in enthusiastically to help. CAT asked SMM for help in obtaining a French contract for the refugee airlift, and got it. In return, CAT provided SMM with the means for secret air travel between the North and Saigon. . . .

b. August 1954

An agreement had been reached that the personnel ceiling of U.S. military personnel with MAAG would be frozen at the number present in Vietnam on the date of the ceasefire, under the terms of the Geneva Agreement. In South Vietnam this deadline was to be 11 August. It meant that SMM might have only two members present, unless action were taken. General O'Daniel agreed to the addition of ten SMM men under MAAG cover, plus any others in the Defense pipeline who arrived before the deadline. A call for help went out. Ten officers in Korea, Japan, and Okinawa were selected and were rushed to Vietnam.

SMM had one small MAAG house. Negotiations were started for other housing, but the new members of the team arrived before housing was ready and were crammed three and four to a hotel room for the first days. Meetings were held to assess the new members' abilities. None had had political-psychological warfare experience. Most were experienced in paramilitary and clandestine intelligence operations. Plans were made quickly, for time was running out in the north; already the Vietminh had started taking over secret control of Hanoi and other areas of Tonkin still held by French forces.

Major Conein was given responsibility for developing a paramilitary organization in the north, to be in position when the Vietminh took over. . . . [His] . . . team was moved north immediately as part of the MAAG staff working on the refugee problem. The team had headquarters in Hanoi, with a branch in Haiphong. Among cover duties, this team supervised the refugee flow for the Hanoi airlift organized by the French. One day, as a CAT C–46 finished loading, they saw a small child standing on the ground below the loading door. They shouted for the pilot to wait, picked the child up and shoved him into the aircraft, which then promptly taxied out for its takeoff in the constant air shuttle. A Vietnamese man and woman ran up to the team, asking what they had done with their small boy, whom they'd brought out to say goodbye to relatives. The chagrined team explained, finally talked the parents into going south to Free Vietnam, put them in the next aircraft to catch up with their son in Saigon. . . .

A second paramilitary team was formed to explore possibilities of organizing resistance against the Vietminh from bases in the south. This team consisted of Army Lt-Col Raymond Wittmayer, Army Major Fred Allen, and Army Lt Edward Williams. The latter was our only experienced counter-espionage officer and undertook double duties, including working with revolutionary political groups. Major Allen eventually was able to mount a Vietnamese paramilitary effort in Tonkin from the south, barely beating the Vietminh shutdown in Haiphong as his teams went in, trained and equipped for their assigned missions.

Navy Lt Edward Bain and Marine Captain Richard Smith were assigned as the support group for SMM. Actually, support for an effort such as SMM is a major operation in itself, running the gamut from the usual administrative and personnel functions to the intricate business of clandestine air, maritime, and land supply of paramilitary materiel. In effect, they became our official smugglers as well as paymasters, housing officers, transportation officers, warehousemen, file clerks, and mess officers. The work load was such that other team members frequently pitched in and helped.

c. September 1954

Highly-placed officials from Washington visited Saigon and, in private conversations, indicated that current estimates led to the conclusion that Vietnam probably would have to be written off as a loss. We admitted that prospects were gloomy, but were positive that there was still a fighting chance.

On 8 September, SMM officers visited Secretary of State for Defense Chan and walked into a tense situation in his office. Chan had just arrested Lt-Col Lan (G-6 of the Vietnamese Army) and Capt Giai (G-5 of the Army). Armed guards filled the room. We were told what had happened and assured that everything was all right by all three principals. Later, we discovered that Chan was alone and that the guards were Lt-Col Lan's commandos. Lan was charged with political terrorism (by his "action" squads) and Giai with anti-Diem propaganda (using G-5 leaflet, rumor, and broadcast facilities).

The arrest of Lan and Giai, who simply refused to consider themselves arrested, and of Lt Minh, officer in charge of the Army radio station which was guarded by Army troops, brought into the open a plot by the Army Chief of Staff, General Hinh, to overthrow the government. Hinh had hinted at such a plot to his American friends, using a silver cigarette box given him by Egypt's Naguib to carry the hint. SMM became thoroughly involved in the tense controversy which followed, due to our Chief's closeness to both President Diem and General Hinh. He had met the latter in the Philippines in 1952, was a friend of both Hinh's wife and favorite mistress. (The mistress was a pupil in a small English class conducted for mistresses of important personages, at their request. . . .)

While various U.S. officials including General O'Daniel and Foreign Service Officer Frank [name illegible] participated in U.S. attempts to heal the split between the President and his Army, Ambassador Heath asked us to make a major effort to end the controversy. This effort strained relations with Diem and never was successful, but did dampen Army enthusiasm for the plot. At one moment, when there was likelihood of an attack by armored vehicles on the Presidential Palace, SMM told Hinh bluntly that U.S. support most probably would stop in such an event. At the same time a group from the Presidential Guards asked for tactical advice on how to stop armored vehicles with the only weapons available to the Guards: carbines, rifles, and hand grenades. The advice, on tank traps and destruction with improvised weapons, must have sounded grim. The following morning, when the attack was to take place, we visited the Palace; not a guard was left on the grounds; President Diem was alone upstairs, calmly getting his work done.

As a result of the Hinh trouble, Diem started looking around for troops upon whom he could count. Some Tonkinese militia, refugees from the north, were assembled in Saigon close to the Palace. But they were insufficient for what he needed. Diem made an agreement with General Trinh Minh The, leader of some 3,000 Cao Dai dissidents in the vicinity of Tayninh, to give General The some needed financial support; The was to give armed support to the government if necessary and to provide a safe haven for the government if it had to flee. The's guerrillas, known as the Lien Minh, were strongly nationalist and were still fighting the Vietminh and the French. At Ambassador Heath's request, the U.S. secretly furnished Diem with funds for The, through the SMM. Shortly afterwards, an invitation came from The to visit him. Ambassador Heath approved the visit. . . .

The northern SMM team under Conein had organized a paramilitary group (which we will disguise by the Vietnamese name of Binh) through the Northern Dai Viets, a political party with loyalties to Bao Dai. The group was to be trained and supported by the U.S. as patriotic Vietnamese, to come eventually under government control when the government was ready for such activities. Thirteen Binhs were quietly exfiltrated through the port of Haiphong, under the direction of Lt Andrews, and taken on the first stage of the journey to their training area by a U.S. Navy ship. This was the first of a series of helpful actions by Task Force 98, commanded by Admiral Sabin.

Another paramilitary group for Tonkin operations was being developed in Saigon through General Nguyen Van Vy. In September this group started shaping up fast, and the project was given to Major Allen. (We will give this group the Vietnamese name of Hao). . . .

Towards the end of the month, it was learned that the largest printing establishment in the north intended to remain in Hanoi and do business with the Vietminh. An attempt was made by SMM to destroy the modern presses, but Vietminh security agents already had moved into the plant and frustrated the attempt. This operation was under a Vietnamese patriot whom we shall call Trieu; his case officer was Capt Arundel. Earlier in the month they had engineered a black psywar strike in Hanoi: leaflets signed by the Vietminh instructing Tonkinese on how to behave for the Vietminh takeover of the Hanoi region in early October, including items about property, money reform, and a three-day holiday of workers upon takeover. The day following the distribution of these leaflets, refugee registration tripled. Two days later Vietminh currency was worth half the value prior to the leaflets. The Vietminh took to the radio to denounce the leaflets; the leaflets were so authentic in appearance that even most of the rank and file Vietminh were sure that the radio denunciations were a French trick.

The Hanoi psywar strike had other consequences. Binh had enlisted a high police official of Hanoi as part of his team, to effect the release from jail of any team members if arrested. The official at the last moment

decided to assist in the leaflet distribution personally. Police officers spotted him, chased his vehicle through the empty Hanoi streets of early morning, finally opened fire on him and caught him. He was the only member of the group caught. He was held in prison as a Vietminh agent.

d. October 1954

Hanoi was evacuated on 9 October. The northern SMM team left with the last French troops, disturbed by what they had seen of the grim efficiency of the Vietminh in their takeover, the contrast between the silent march of the victorious Vietminh troops in their tennis shoes and the clanking armor of the well-equipped French whose Western tactics and equipment had failed against the Communist military-political-economic campaign.

The northern team had spent the last days of Hanoi in contaminating the oil supply of the bus company for a gradual wreckage of engines in the buses, in taking the first actions for delayed sabotage of the railroad (which required teamwork with a CIA special technical team in Japan who performed their part brilliantly), and in writing detailed notes of potential targets for future paramilitary operations (U.S. adherence to the Geneva Agreement prevented SMM from carrying out the active sabotage it desired to do against the power plant, water facilities, harbor, and bridge). The team had a bad moment when contaminating the oil. They had to work quickly at night, in an enclosed storage room. Fumes from the contaminant came close to knocking them out. Dizzy and weak-kneed, they masked their faces with handkerchiefs and completed the job.

Meanwhile, Polish and Russian ships had arrived in the south to transport southern Vietminh to Tonkin under the Geneva Agreement. This offered the opportunity for another black psywar strike. A leaflet was developed by Binh with the help of Capt. Arundel, attributed to the Vietminh Resistance Committee. Among other items, it reassured the Vietminh they would be kept safe below decks from imperialist air and submarine attacks, and requested that warm clothing be brought; the warm clothing item would be coupled with a verbal rumor campaign that Vietminh were being sent into China as railroad laborers.

SMM had been busily developing G-5 of the Vietnamese Army for such psywar efforts. Under Arundel's direction, the First Armed Propaganda Company printed the leaflets and distributed them, by soldiers in civilian clothes who penetrated into southern Vietminh zones on foot. (Distribution in Camau was made while columnist Joseph Alsop was on his visit there which led to his sensational, gloomy articles later; our soldier "Vietminh" failed in an attempt to get the leaflet into Alsop's hands in Camau; Alsop was never told this story). Intelligence reports and other later reports revealed that village and delegation committees complained about "deportation" to the north, after distribution of the leaflet. . . .

Contention between Diem and Hinh had become murderous. . . . Finally, we learned that Hinh was close to action; he had selected 26 October as the morning for an attack on the Presidential Palace. Hinh was counting heavily on Lt-Col Lan's special forces and on Captain Giai who was running Hinh's secret headquarters at Hinh's home. We invited these two officers to visit the Philippines, on the pretext that we were making an official trip, could take them along and open the way for them to see some inner workings of the fight against Filipino Communists which they probably would never see otherwise. Hinh reluctantly turned down his own invitation; he had had a memorable time of it on his last visit to Manila in 1952. Lt-Col Lan was a French agent and the temptation to see behind-the-scenes was too much. He and Giai accompanied SMM officers on the MAAG C-47 which General O'Daniel instantly made available for the operation. 26 October was spent in the Philippines. The attack on the palace didn't come off.

e. November 1954

General Lawton Collins arrived as Ambassador on 8 November. . . .

Collins, in his first press conference, made it plain that the U.S. was supporting President Diem. The new Ambassador applied pressure on General Hinh and on 29 November Hinh left for Paris. His other key conspirators followed.

Part of the SMM team became involved in staff work to back up the energetic campaign to save Vietnam which Collins pushed forward. Some SMM members were scattered around the Pacific, accompanying Vietnamese for secret training, obtaining and shipping supplies to be smuggled into North Vietnam and hidden there. In the Philippines, more support was being constructed to help SMM, in expediting the flow of supplies, and in creating Freedom Company, a non-profit Philippines corporation backed by President Magsaysay, which would supply Filipinos experienced in fighting the Communist Huks to help in Vietnam (or elsewhere). . . .

On 23 November, twenty-one selected Vietnamese agents and two cooks of our Hao paramilitary group were put aboard a navy ship in the Saigon River, in daylight. They appeared as coolies, joined the coolie and refugee throng moving on and off ship, and disappeared one by one. It was brilliantly planned and executed, agents being picked up from unobtrusive assembly points throughout the metropolis. Lt. Andrews made the plans and carried out the movement under the supervision of Major Allen. The ship took the Hao agents, in compartmented groups, to an overseas point, the first stage in a movement to a secret training area.

f. December 1954

. . . discussions between the U.S., Vietnamese and French had reached a point where it appeared that military training mission using U.S. officers was in the immediate offing. General O'Daniel had a U.S.-French planning group working on the problem, under Col. Rosson. One paper they were developing was a plan for pacification of Vietminh and dissident areas; this paper was passed to SMM for its assistance with the drafting. SMM wrote much of the paper, changing the concept from the old rigid police controls of all areas to some of our concepts of winning over the population and instituting a classification of areas by the amount of trouble in each, the amount of control required, and fixing responsibilities between civil and military authorities. With a few changes, this was issued by President Diem on 31 December as the National Security Action (Pacification) Directive. . . .

There was still much disquiet in Vietnam, particularly among anti-Communist political groups who were not included in the government. SMM officers were contacted by a number of such groups who felt that they "would have to commit suicide in 1956" (the 1956 plebiscite promised in the 1954 Geneva agreement), when the Vietminh would surely take over against so weak a government. One group of farmers and militia in the south was talked out of migrating to Madagascar by SMM and staying on their farms. A number of these groups asked SMM for help in training personnel for eventual guerrilla warfare if the Vietminh won. Persons such as the then Minister of Defense and Trinh Minh The were among those loyal to the government who also requested such help. It was decided that a more basic guerrilla training program might be undertaken for such groups than was available at the secret training site to which we had sent the Binh and Hao groups. Plans were made with Major Bohanan and Mr. John C. Wachtel in the Philippines for a solution of this problem; the United States backed the development, through them, of a small Freedom Company training camp in a hidden valley on the Clark AFB reservation.

Till and Peg Durdin of the N.Y. Times, Hank Lieberman of the N.Y. Times, Homer Bigart of the N.Y. Herald-Tribune, John Mecklin of Life-Time, and John Roderick of Associated Press, have been warm friends of SMM and worked hard to penetrate the fabric of French propaganda and give the U.S. an objective account of events in Vietnam. The group met with us at times to analyze objectives and motives of propaganda known to them, meeting at their own request as U.S. citizens. These mature and responsible news correspondents performed a valuable service for their country. . . .

g. January 1955

The Vietminh long ago had adopted the Chinese Communist thought that the people are the water and the army is the fish. Vietminh relations with the mass of the population during the fighting had been exemplary, with a few exceptions; in contrast, the Vietnamese National Army had been like too many Asia armies, adept at cowing a population into feeding them, providing them with girls. SMM had been working on this problem from the beginning. Since the National Army was the only unit of government with a strong organization throughout the country and with good communications, it was the key to stabilizing the situation quickly on a nation-wide basis. If Army and people could be brought together into a team, the first strong weapon against Communism could be forged.

The Vietminh were aware of this. We later learned that months before the signing of the Geneva Agreement they had been planning for action in the post-Geneva period; the National Army was to be the primary target for subversion efforts, it was given top priority by the Central Committee for operations against its enemy, and about 100 superior cadres were retrained for the operations and placed in the [words illegible] organization for the work, which commenced even before the agreement was signed. We didn't know it at the time, but this was SMM's major opponent, in a secret struggle for the National Army. . . .

General O'Daniel was anticipating the culmination of long negotiations to permit U.S. training of the Vietnamese Armed Forces, against some resistance on the part of French groups. In January, negotiations were proceeding so well that General O'Daniel informally organized a combined U.S.-French training mission which eventually became known as the Training Relations & Instruction Mission (TRIM) under his command, but under the overall command of the top French commander, General Paul Ely.

The French had asked for top command or half the divisions in the TRIM staff. Their first priority was for command of the division supervising National Security Action by the Vietnamese, which could be developed into a continuation of strong French control of key elements of both Army and population. In conferences with Ambassador Collins and General O'Daniel, it was decided to transfer Colonel Lansdale from the Ambassador's staff to TRIM, to head the National Security division. Colonel Lansdale requested authority to coordinate all U.S. civil and military efforts in this National Security work. On 11 January, Ambassador Collins announced the change to the country team, and gave him authority to coordinate this work among all U.S. agencies in Vietnam. . . .

President Diem had continued requesting SMM help with the guard battalion for the Presidential Palace. We made arrangements with President Magsaysay in the Philippines

and borrowed his senior aide and military advisor, Col. Napoleon Valeriano, who had a fine combat record against the Communist Huks and also had reorganized the Presidenial Guard Bat talion for Magsaysay. Valeriano, with three junior officers, arrived in January and went to work on Diem's guard battalion. Later, selected Vietnamese officers were trained with the Presidential Guards in Manila. An efficient unit gradually emerged. Diem was warmly grateful for this help by Filipinos who also continuously taught our concept of loyalty and freedom.

The patriot we've named Trieu Dinh had been working on an almanac for popular sale, particularly in the northern cities and towns we could still reach. Noted Vietnamese astrologers were hired to write predictions about coming disasters to certain Vietminh leaders and undertakings, and to predict unity in the south. The work was carried out under the direction of Lt. Phillips, based on our concept of the use of astrology for psywar in Southeast Asia. Copies of the almanac were shipped by air to Haiphong and then smuggled into Vietminh territory.

Dinh also had produced a Thomas Paine type series of essays on Vietnamese patriotism against the Communist Vietminh, under the guidance of Capt. Arundel. These essays were circulated among influential groups in Vietnam, earned front-page editorials in the leading daily newspaper in Saigon. Circulation increased with the publication of these essays. The publisher is known to SMM as The Dragon Lady and is a fine Vietnamese girl who has been the mistress of an anti-American French civilian. Despite anti-American remarks by her boy friend, we had helped her keep her paper from being closed by the government . . . and she found it profitable to heed our advice on the editorial content of her paper.

Arms and equipment for the Binh paramilitary team were being cached in the north in areas still free from the Vietminh. Personnel movements were covered by the flow of refugees. Haiphong was reminiscent of our own pioneer days as it was swamped with people whom it couldn't shelter. Living space and food were at a premium, nervous tension grew. It was a wild time for our northern team.

First supplies for the Hao paramilitary group started to arrive in Saigon. These shipments and the earlier ones for the Binh group were part of an efficient and effective air smuggling effort by the 581st [word illegible] Wing, U.S. Air Force, to support SMM, with help by CIA and Air Force personnel in both Okinawa and the Philippines. SMM officers frequently did coolie labor in manhandling tons of cargo, at times working throughout the night. . . . All . . . officers pitched in to help, as part of our "blood sweat and tears". . . .

By 31 January, all operational equipment of the Binh paramilitary group had been trans-shipped to Haiphong from Saigon, mostly with the help of CAT, and the northern SMM team had it cached in operational sites. Security measures were tightened at the Haiphong airport and plans for bringing in the Hao equipment were changed from the air route to sea. Task Force 98, now 98.7 under command of Captain Frank, again was asked to give a helping hand and did so. . . .

. . . . Major Conlin had briefed the members of the Binh paramilitary team and started them infiltrating into the north as individuals. The infiltration was carried out in careful stages over a 30 day period, a successful operation. The Binhs became normal citizens, carrying out every day civil pursuits, on the surface.

We had smuggled into Vietnam about eight and a half tons of supplies for the Hao paramilitary group. They included fourteen agent radios, 300 carbines, 90,000 rounds of carbine ammunition, 50 pistols, 10,000 rounds of pistol ammunition, and 300 pounds of explosives. Two and a half tons were delivered to the Hao agents in Tonkin, while the remainder was cached along the Red River by SMM, with the help of the Navy. . . .

* * * * *

j. April 1955

. . . the Hao paramilitary team had finished its training at the secret training site and been flown by the Air Force to a holding site in the Philippines, where Major Allen and his officers briefed the paramilitary team. In mid-April, they were taken by the Navy to Haiphong, where they were gradually slipped ashore. Meanwhile, arms and other equipment including explosives were being flown into Saigon via our smuggling route, being readied for shipment north by the Navy task force handling refugees. The White team office gradually became an imposing munitions depot. Nightly shootings and bombings in restless Saigon caused us to give them dispersed storage behind thick walls as far as this one big house would permit. SMM personnel guarded the house night and day, for it also contained our major files other than the working file at our Command Post. All files were fixed for instant destruction, automatic weapons and hand grenades distributed to all personnel. It was a strange scene for new personnel just arriving. . . .

Haiphong was taken over by the Vietminh on 16 May. Our Binh and northern Hao teams were in place, completely equipped. It had taken a tremendous amount of hard work to beat the Geneva deadline, to locate, select, exfiltrate, train, infiltrate, equip the men of these two teams and have them in place, ready for actions required against the enemy. It would be a hard task to do openly, but this had to be kept secret from the Vietminh, the International Commission with its suspicious French and Poles and Indians, and even friendly Vietnamese. Movements of personnel and supplies had had to be over thousands of miles. . . .

VIETNAM PAPERS: DOUBT CAST ON VIEW THAT THE NORTH IMPOSED WAR ON THE SOUTH

Under the heading "Origins of the Insurgency in South Vietnam," the Pentagon's study analyzes the Vietcong movement and its role in the development of the war. The following article, by Fox, Butterfield, describes the analysts' findings.

The secret Pentagon study of the Vietnam war says the United States Government's official view that the war was imposed on South Vietnam by aggression from Hanoi is "not wholly compelling."

Successive administrations in Washington, from President John F. Kennedy to President Richard M. Nixon, have used this interpretation of the origins of the war to justify American intervention in Vietnam. But American intelligence estimates during the nineteen-fifties show, the Pentagon account says, that the war began largely as a rebellion in the South against the increasingly oppressive and corrupt regime of Ngo Dinh Diem.

"Most of those who took up arms were South Vietnamese and the causes for which they fought were by no means contrived in North Vietnam," the Pentagon account says of the years from 1956 to 1959, when the insurgency began.

But the study also disputes many critics of American policy in Vietnam who have contended that North Vietnam became involved in the South only after 1965 in response to large-scale American intervention.

"It is equally clear that North Vietnamese Communists operated some form of subordinate apparatus in the South in the years 1954–1960," the Pentagon study says.

And in 1959, the account continues, Hanoi made a clear decision to assert its control over the growing insurgency and to increase its infiltration of trained cadres from the North. Thereafter, the study says, "Hanoi's involvement in the developing strife became evident."

"AUTHORITARIAN, INFLEXIBLE, REMOTE"

Developments related to the origins of the war that are disclosed by the Pentagon history include the following:

American officials in Saigon, including those in the embassy, the Central Intelligence Agency and the military command were fully aware of President Diem's shortcomings. They regularly reported to Washington that he was "authoritarian, inflexible and remote," that he entrusted power only to his own family and that he had alienated all elements of the population by his oppressive policies.

From 1954 to 1958 North Vietnam concentrated on its internal development, apparently hoping to achieve reunification either through the elections provided for in the Geneva settlement or through the natural collapse of the weak Diem regime. The Communists left behind a skeletal apparatus in the South when they regrounded to North Vietnam in 1954 after the war with the French ended, but the cadre members were ordered to engage only in "political struggle."

In the years before 1959 the Diem regime was nearly successful in wiping out the agents, who felt constrained by their orders not to fight back. Their fear and anger at being caught in this predicament, however, apparently led them to begin the insurgency against Mr. Diem, despite their orders, sometime during 1956–57.

North Vietnam's leaders formally decided in May, 1959, at the 15th meeting of the Lao Dong (Communist) party's Central Committee, to take control of the growing insurgency. Captured Vietcong personnel and documents report that as a result of the decision the Ho Chi Minh Trail of supply lines was prepared, southern cadre members who had been taken North were infiltrated back to the South and the tempo of the war suddenly speeded up.

The Pentagon account says that both American intelligence and Vietcong prisoners attributed the Vietcong's rapid success after 1959 to the Diem regime's mistakes.

In a report prepared by the Rand Corporation of Santa Monica, Calif., on the interrogation of 23 Vietcong cadre members, one southern member said of the Communists' success:

"The explanation is not that the cadre were exceptionally gifted but the people they talked to were ready for rebellion. The people were like a mound of straw, ready to be ignited.

"If at that time the Government in the South had been a good one, if it had not been dictatorial, then launching the movement would have been difficult."

ENCOURAGEMENT OF HANOI IS SEEN

A United States intelligence estimate of August, 1960, on the rapidly deteriorating situation in South Vietnam concluded:

"The indications of increasing dissatisfaction with the Diem government have probably encouraged the Hanoi regime to take stronger action at this time."

To emphasize how the Diem regime's oppressive and corrupt policies helped prepare the way for the insurgency in South Vietnam, the Pentagon study devotes a lengthy section to Mr. Diem's rule—as Premier from 1954 until late 1955 and then as President until he was overthrown in 1963.

When Mr. Diem took office in 1954, the account notes, it seemed for a while that he "did accomplish miracles," as his supporters contended.

To the surprise of most observers, he put down the Binh Xuyen gangster sect in Saigon and the Cao Dai and the Hoa Hao, armed sects in the countryside. He created a stable government and a loyal army where

there had been only chaos. And he won diplomatic recognition for South Vietnam from many countries.

But from the beginning, the account says, President Diem's personality and political concepts tended to decrease his Government's effectiveness.

The product of a family that was both zealously Roman Catholic and a member of the traditional Mandarin ruling class, Mr. Diem was authoritarian, moralistic, inflexible, bureaucratic and suspicious. His mentality is described in the account as like that of a "Spanish Inquisitor."

His political machine was a "rigidly organized, overcentralized family oligarchy." He trusted only his family members, particularly his brother Ngo Dinh Nhu, who had organized the semi-secret Can Lao party.

CHOSE TO RULE "WITH FIRM HAND"

An American intelligence estimate of May, 1959, described the situation as follows:

"President Diem continues to be the undisputed ruler of South Vietnam; all important and many minor decisions are referred to him.

"Although he professes to believe in representative government and democracy, Diem is convinced that the Vietnamese are not ready for such a political system and that he must rule with a firm hand, at least so long as national security is threatened.

"He also believes that the country cannot afford a political opposition which could obstruct or dilute the Government's efforts to establish a strong rule. He remains a somewhat austere and remote figure to most Vietnamese and has not generated widespread popular enthusiasm.

"Diem's regime reflects his ideas. A facade of representative government is maintained, but the Government is in fact essentially authoritarian.

"The legislative powers of the National Assembly are strictly circumscribed; the judiciary is undeveloped and subordinate to the executive; and the members of the executive branch are little more than the personal agents of Diem.

"No organized opposition, loyal or otherwise, is tolerated, and critics of the regime are often repressed."

To make matters worse, according to the account, Mr. Diem's programs designed to increase security in the countryside were carried out so badly that they "drove a wedge not between the insurgents and the farmers, but between the farmers and the Government, and eventuated in less rather than more security."

The Civic Action program, designed to help the Government in Saigon establish communication with the peasants, went astray when President Diem used northern refugees and Catholics almost exclusively to go into the villages. To the peasants these Civic Action team members were outsiders.

The Diem land-reform program, instead of redistributing land to the poor, ended up taking back what the peasants had been given by the Vietminh and returning it to the landlords. In 1960, 75 per cent of the land was still owned by 15 per cent of the people.

Mr. Diem abolished the traditional elected village councils out of fear that Communists might gain power in them. Then he replaced these popular bodies with appointed outsiders, northern refugees and Catholics loyal to him.

In the so-called anti-Communist denunciation campaign, which was begun in the summer of 1955, from 50,000 to 100,000 people were put in detention camps. But, the account says, many of the detainees were not Communists at all.

President Diem also ordered a number of population-relocation programs to increase security, but these too backfired, it says.

Montagnard tribesmen who were forced to leave their traditional homelands in the Central Highlands for more settled and secure areas made easy recruits for the Vietcong, the chronicle relates, and peasants who were forced to move out of their ancestral villages and build new ones in the so-called agroville program resented the Saigon Government.

Despite "Diem's preccupation with security," the account says, "he poorly provided for police and intelligence in the countryside"; the Self-Defense Corps and Civil Guard—both militia groups—were "poorly trained and equipped, miserably led."

"Their brutality, petty thievery and disorderliness induced innumerable villagers to join in open revolt against Diem," the account continues.

By curbing freedom of speech and jailing dissidents, the history says, Mr. Diem alienated the intellectuals; by promoting officers on the basis of loyalty to his family rather than on the basis of ability, he alienated large segments of the armed forces.

Looking at the Diem Government's growing problems in January, 1960, the United States Embassy concluded in a "Special Report on the Internal Security Situation in Vietnam":

"The situation may be summed up in the fact that the Government has tended to treat the population with suspicion or to coerce it and has been rewarded with an attitude of apathy and resentment.

"The basic factor which has been lacking is a feeling of rapport between the Government and the population. The people have not identified themselves with the Government."

The report pointed to this "growth of apathy and considerable dissatisfaction among the rural populace" as a major cause of the insurgency.

POLITICAL STRUGGLE

The Pentagon study divides the development of the insurgency in South Vietnam into roughly three periods:

From 1954 to 1956 the country enjoyed relative quiet as Communist cadres left behind in the South devoted themselves to "political struggle." From 1956 to 1958, after President Diem's rejection of the scheduled elections, dissident cadres in the South began the insurgency. With Hanoi's decision to take over the insurgency in 1959, the third period, that of full-scale war, began.

When Ho Chi Minh established his capital in Hanoi after the Geneva conference in 1954, American intelligence reported that North Vietnam's new leaders could be expected to concentrate on building their war-ravaged and primitive economy.

According to the American information, the Communists had taken with them 90,000 armed men from the South, leaving 5,000 to 10,000 armed men behind as a "skeletal apparatus."

From captured documents, American intelligence officials believed that the "stay-behind cadres" had the main task of preparing for the elections scheduled for 1956 to reunify the country. The cadre members were ordered to carry out only "political struggle," which meant largely propaganda activity and infiltration of the Saigon Government.

ELECTION VICTORY WAS EXPECTED

A document captured early in 1955 from a Communist field organizer and sent to Washington by the Central Intelligence Agency warned that "it is not the time to meet the enemy." The Communists apparently believed, the study says, that they would get control of the country either through the elections or by the collapse of the Diem regime through its own weakness.

In 1966 the confidential Rand Corporation study of captured southern cadre members who originally went to the North in 1954 showed that most of them had expected that the Communists would win in the 1956 elections.

"Our political officer explained that we were granted Vietnam north of the 17th Parallel now, but in 1956 there would be a general election and we would regain the South and be reunited with our families," one captive reported.

"I was a political officer," another explained. "I went to the North just like all the other combatants in my unit. I believed, at the time, that regroupment was only temporary, because from the study sessions on the Geneva agreement we drew the conclusion that we could return to the South after the general election."

While there were some incidents of murder or kidnapping in the southern countryside from 1954 to 1956, they were not directly attributable to the Communist "stay-behinds," the account says.

A United States intelligence estimate of July, 1956, noted:

"During the past year the Communists in South Vietnam have remained generally quiescent. They have passed by a number of opportunities to embarrass the Diem regime.

"Although some cadres and supplies are being infiltrated across the 17th parallel, the D.R.V. [Democratic Republic of North Vietnam] probably has not sent any large-scale reinforcement or supply to the South."

WELL-INFORMED ON ATTITUDES

The American intelligence network in South Vietnam, though limited in size, was well informed of the Communists' attitudes and actions during this period, the study explains. An intelligence estimate in May, 1957, noted:

"Because the countrywide elections envisaged by the Geneva agreements have not been held and because military action has been prevented, the D.R.V. has been frustrated in its hopes of gaining control of SVN. This has caused some discontent among cadres evacuated from the South in the expectation that they would soon return."

Intelligence gathered from Communist agents and documents captured in the nineteen-sixties, when the American intelligence network had expanded, filled out this picture of frustration and disillusionment among the cadre members.

A captured Communist who had been in charge of propaganda in Saigon testified: "The period from the armistice of 1954 until 1958 was the darkest time for the Vietcong in South Vietnam. The political agitation policy proposed by the Communist party could not be carried out due to the arrest of a number of party members."

Another cadre member reported: "The cadres who had remained behind in the South had almost all been arrested. Only one or two cadres were left in every three to five villages."

"EFFICIENTLY DESTROYED OUR PARTY"

A document that appears to be a party history, captured in 1966 by the United States First Infantry Division during a sweep through the area called the Iron Triangle near Saigon, described the cadres' predicament. Noting that the Diem Government's harsh security policies had "truly and efficiently destroyed our party," the document referring to the scheduled date for the elections said:

"Particularly after 20 July 1956, the key cadres and party members in South Vietnam asked questions which demanded answers:

"Can we still continue the struggle to demand the implementation of the Geneva agreement given the existing regime in South Vietnam? If not, what must be done? A mood of skepticism and nonconfidence in the orientation of the struggle began to seep into the party apparatus and among some of the masses."

For some cadres, the document said the an-

swer was "armed struggle" despite their orders. It continued:

"The situation truly ripened for an armed movement against the enemy. But the leadership of the Nam Bo Regional Committee [then the Vietcong's headquarters for the southern part of South Vietnam] at that time still hesitated for many reasons, but the principal reason was the fear of violating the party line.

"The majority of party members and cadres felt that it was necessary to immediately launch an armed struggle in order to preserve the movement and protect the forces. In several areas the party members on their own initiative had organized armed struggle against the enemy."

According to the Pentagon account, the result of the cadres' decision to begin armed struggle was soon apparent in Saigon.

American intelligence officers in Saigon estimated that 30 armed terrorist incidents were initiated in the last quarter of 1957, with at least 75 local officials assassinated or kidnapped. On Oct. 22, 13 Americans were wounded in three bombings in Saigon.

But, the account says, "there is only sparse evidence that North Vietnam was directing, or was capable of directing, that violence."

During this period, from 1956 to 1958, the party leaders in Hanoi were engaged in "a serious reconsideration" of their policy, the account says.

Sometime early in 1957 Le Duan, a southerner who had led the fight in the South during the French Indochina war, returned to Hanoi from a two-year stay in the South, carrying news that the struggle there was going badly. According to American intelligence reports, he told the Politburo that it was wasting time with its orders for "political struggle." He was said to have urged military pressure.

MOST POWERFUL MAN IN HANOI

Mr. Duan, the study notes, was named a member of the Politburo later that same year, and in September, 1960, he became the First Secretary of the party.

The futility of their policy must have been brought home to the leaders in Hanoi according to the study, when on Jan. 24, 1957, the Soviet Union proposed the admission of both North and South Vietnam to the United Nations.

But until 1958 North Vietnam was still primarily concerned with its internal development, the account says, especially during 1956, when there was a peasant revolt against the Communists' harsh land-reform program.

In December, 1958, or January, 1959, the study continues, "Hanoi apparently decided that the time had come to intensify its efforts."

American intelligence quickly picked up clues about this decision.

The C.I.A. came into possession of a directive from Hanoi to its headquarters for the Central Highlands during December, 1958, stating that the Lao Dong party's Central Committee had decided to "open a new stage of the struggle."

And in January, 1959, the C.I.A. received a copy of an order directing the establishment of two guerrilla operations bases, one in Tayninh Province near the Cambodian border and another in the western Central Highlands.

The C.I.A. also learned at this time that Mr. Duan was making a secret visit to the South.

The decision that had been made privately by the Politburo was formally ratified by the Central Committee at its 15th meeting in May, 1959. All available evidence suggests that this was "the point of departure for D.R.V. intervention," the narrative says.

Scholars and journalists who have studied the origins of the insurgency, but who have not had access to American intelligence reports, have not attached such significance to that 15th session.

The United States Embassy in Saigon, reporting to Washington on the Central Committee decision, noted that a resolution had been passed saying that the struggle for reunification would have to be carried out by "all appropriate measures other than peaceful," the embassy reported.

The document captured by the First Infantry Division recalled the 1959 decision:

"After the resolution of the 15th plenum of the Central Committee was issued, all of South Vietnam possessed a clear and correct strategic policy and orientation.

"The directive of the Politburo in May, 1959, stated that the time had come to push the armed struggle. Thanks to this we closely followed the actual situation in order to formulate a program, and in October, 1959, the armed struggle was launched."

SPECIAL TRAINING FOR TRIBESMEN

A rapid build-up of Hanoi's potential for infiltration followed the party's decision to take a more active role in the insurgency, the analyst says.

Infiltration from North Vietnam had actually begun as early as 1955, United States intelligence reports show, but only in 1959 did the C.I.A. pick up evidence of large-scale infiltration.

To operate the infiltration trails, a group of Montagnard tribesmen from Quangtri and Thuathien Provinces were given special training in North Vietnam in 1958 and 1959.

Early in 1959 also, the C.I.A. reported, Hanoi formed "special border crossing teams" composed of southerners who went to the North in 1954. Their mission was to carry food, drugs and other supplies down the trail network.

And in April, 1959, the C.I.A. learned, the 559th Transportation Group was established directly under the party's Central Committee as a headquarters in charge of infiltration.

Large training centers for infiltrators were reportedly established early in 1960 at Xuanmai and Sontay, near Hanoi. During 1959 and 1960, United States intelligence officials estimated, 26 groups of infiltrators, totaling 4,500 people, made the trip south.

From later interrogation of captured infiltrators, United States intelligence officers learned that until 1964 almost all the infiltrators were native southerners who went to the North in 1954.

A Rand Corporation study of 71 of the infiltrators showed that two out of three were members of the Lao Dong party; that they had all undergone extensive periods of training in North Vietnam before being sent south; and that most of them were officers, senior noncommissioned officers or party cadre members.

BIG RISE IN ASSASSINATIONS NOTED

Hanoi's decision to switch from "political struggle" to "armed struggle" was rapidly reflected in a rise in terrorist attacks in South Vietnam during the second half of 1959, the Pentagon study says.

The United States Embassy, in a Special Report on the Internal Security Situation in Vietnam in January, 1960, noted that while there were 193 assassinations in all of 1958, there were 119 assassinations in the last four months of 1959 alone.

Even more alarming, the embassy said, were Vietcong attacks for the first time on large South Vietnamese Army units. A Vietcong ambush of two companies of Saigon's 23d Division on Sept. 26, 1959, with the killing of 12 Government soldiers and the loss of most of their weapons, brought home "the full impact of the seriousness of the present situation."

The stepped-up insurgency led to the first American deaths of the war in South Vietnam. On July 8, 1959, a terrorist bomb inside the Bienhoa base compound killed two United States servicemen.

In its January, 1960, report on the deteriorating situation, the embassy also passed on to Washington two comments made by the North Vietnamese Premier, Pham Van Dong, which it considered significant:

First: " 'You must remember we will be in Saigon tomorrow, we will be in Saigon tomorrow.' These words were spoken by Premier Pham Van Dong in a conversation with French Consul Georges-Picot on Sept. 12, 1959."

And second: "In November, Pham Van Dong twice told Canadian Commissioner Erichsen-Brown that 'We will drive the Americans into the sea.' " The Canadian, a representative on the Internationl Control Commission, was stationed in Hanoi.

The National Liberation Front for South Vietnam was officially founded on Dec. 20, 1960, the study relates, and within a year its membership had quadrupled to 300,000. By then the insurgency had taken root.

LEADERS OF THE INSURGENCY

LE DUAN

Vietcong organizer, nineteen-fifties; Secretary, Lao Dong (Communist) party Central Committee for the Southern Region 1956; Secretary General Lao Dong party, 1959; since 1960, First Secretary of party . . . born in peasant family Quangtri province in central Vietnam, 1908 . . . worked as secretary with railways, Hanoi . . . given 20-year prison term for subversive activities, 1930 . . . released 1936, resumed political work for Indochinese Communist Party . . . given 10-year sentence, 1940 . . . released on Vietminh take-over 1945 . . . led guerrillas against French in South starting 1946 . . . commissioner at Vietminh's military headquarters in South, 1952 . . . rose in party, named First Secretary, September, 1960 . . . led Hanoi delegation to 1967 50th-anniversary celebrations in Moscow . . . since Ho Chi Minh's death, has emerged as "first among equals" in collective leadership . . . has sponsored popular economic reforms . . . advocates "protracted war" strategy . . . said to be self-effacing, pragmatic . . .

PHAM VAN DONG

Led Vietminh delegation to Geneva, 1954; in North Vietnam hierarchy thereafter and Premier since 1955 . . . born Quangngai, coastal region in South, 1906 . . . entered University of Hanoi, 1925 . . . led student strike, fled to China . . . joined Vietnamese political emigres, including Ho Chi Minh, in Canton . . . sent back to Vietnam by Ho Chi Minh on secret mission . . . arrested, imprisoned on island of Poulo Condore, 1929–36 . . . worked to establish Communist movement in North and South . . . fled to south China, 1939 . . . with Ho Chi Minh and Vo Nguyen Giap, founded Vietminh, 1941; finance minister, 1945, in first Ho Chi Minh government . . . named chief negotiator with French at Fontainebleau, 1946 . . . premier, 1949 . . . guerrilla commander in Quangngai, 1951 . . . chief Geneva negotiator, 1954 . . . regarded as "the best nephew" of "Uncle" Ho Chi Minh called "my other self" by Ho . . . formulator of North Vietnam's "four points" for peace . . . sophisticated, articulate, a skilled diplomat.

OTHER EVENTS OF THE PERIOD

April 12, 1945—Roosevelt dies.

May 8, 1945—War in Europe ends.

Aug. 6, 1945—Atom bomb dropped on Hiroshima.

Aug. 14, 1945—Japan surrenders.

Jan. 10, 1946—First U.N. General Assembly opens.

Nov. 2, 1948—Truman elected.

Dec. 7, 1949—Communists complete take-over of China.

June 25, 1950—North Korean troops invade South Korea.

Nov. 1, 1952—First U.S. hydrogen bomb explosion.

Nov. 4, 1952—Eisenhower elected.

March 5, 1953—Stalin dies.

July 27, 1953—Korean war armistice.

Aug. 12, 1953—Soviet Union explodes first H-bomb.
Sept. 8, 1954—SEATO Pact signed.
July 18–23, 1955—Summit meeting, Geneva.
Oct. 23, 1956—Hungarian uprising begins.
Oct. 29, 1956—Suez invasion.
Nov. 6, 1956—Eisenhower re-elected.
Oct. 4, 1957—Soviet Union launches Sputnik I.
July 15, 1958—U.S. Marines in Lebanon.
Jan. 1, 1959—Castro takes power in Cuba.
Sept. 15–27 1959—Khrushchev visits U.S.
Nov. 8, 1960—Kennedy elected.

[From the New York Times, July 6, 1971]

THE LESSONS OF VIETNAM: PENTAGON'S STUDY UNIQUELY PORTRAYS THE "GREEK TRAGEDY" OF THE U.S. ROLE

(By Max Frankel)

WASHINGTON, July 5.—The Pentagon papers on how the United States went to war in Indochina probably mark the end of an era in American foreign policy—a quarter of a century of virtually unchallenged Presidential management and manipulation of the instruments of war and the diplomacy bearing on war. Yet the papers cannot be more than the beginning of reflection on that era and its climax, the nation's painful, disillusioning and still unresolved involvement in Vietnam.

Massive but incomplete, comprehensive but by no means exhaustive, remarkably honest but undoubtedly warped by perspective and experience, the papers are unlike any others ever composed in the midst of war and published within 3 to 10 years of the secret deliberations and calculations they describe.

They form a unique collection and they have been summarized under unique circumstances in nine installments in The New York Times—over the unique legal challenge of the United States Government. The very novelty of the papers and the contest over their publication have tended to divert attention from the essential tale they bear. There has already been dispute not only about what they mean but also about what they say.

From the perspective of 1971, they could be read as an anatomy of failure: the misapplication of earlier day's theories and techniques for containing Communism and the misfire of the political wisdom of that day that the United States would pay any price and bear any burden to prevent the loss of one more acre of ground to Communists anywhere.

Yet, paradoxically, the Pentagon papers tell the story of the successful application of those theories and they demonstrate the great and still-surviving force of those political convictions and fears.

But they could also be read as a chronicle of success: the tenacious collaboration of four—and now perhaps five—administrations of both major parties in the preservation of a commitment to an ally, the demonstration of American fidelity to an enterprise once begun and the denial of victory to Communist adversaries.

Yet the Pentagon papers show that despite the sacrifice of life, treasure and serenity to the Vietnam war, the predominant American objective was not victory over the enemy but merely the avoidance of defeat and humiliation.

HOW DID THE AGONY BEGIN?

In sum, the papers and the discussion now swirling about them command at least a preliminary appraisal—of what they are and what they are not, of what they reveal and what they neglect. Who really deceived whom? And how did all this agony really arise?

Essentially the Pentagon papers are raw material for history—an insiders' study of the decision-making processes of four administrations that struggled with Vietnam from 1945 to 1968. The papers embody 3,000 pages of often overlapping analyses and 4,000 pages of supporting documents. They were commissioned by Secretary of Defense Robert S. McNamara, in a period of frustration with a war that critics sardonically gave his name to. But they were written and compiled by 36 analysts, civilian and military, most of them still anonymous, and they were finally printed and bound into fewer than 20 sets in the early months of the Nixon Administration, which paid them no heed until they began to appear in The Times.

The study drew primarily upon Pentagon files that are still sealed and upon some of the most important Presidential orders and diplomatic materials of the time under review. The analysts did not have access to the most private White House documents bearing on the moods and motives of the Presidents. And in the form obtained by The Times, the study also lacked several of the 47 volumes, among them four devoted to the diplomacy that surrounded the war.

MANY DRAFT PROPOSALS

But the Pentagon papers also offer more than the most polished of histories. They present not only the directives, conclusions and decisions of government in an era of prolonged crisis, but also many of the loose memorandums, speculations, draft proposals and contingency plans composed by influential individuals and groups inside that government.

Whatever is missing, for lack of access or perception, is more than recompensed by the sheer sweep and drama of this contemporaneous record.

Unlike diary, which can never escape the moment, and unlike history, which must distill at a remote future, the Pentagon study was able to re-enact a fateful progression of attitudes an decisions while simultaneously viewing them from a perspective greater than that of any of the participants.

So whatever its shortcomings, the study will stand as a vast trove of insights, hindsights and revelations about the plans and conceptions of small groups of men as they guided the nation into a distant but grievous venture, about how they talked and wrote to each other, to friend and foe, in public and in private. And the study is bound to stand as a new model for governmental analysis, raising questions normally reserved for literature: how powerful and sophisticated men take on commitments while they think themselves free, how they reach decisions while they see the mirage of choice, how they entrap themselves while they labor to induce or coerce others to do their will.

As the coordinator of the Pentagon study, Leslie H. Gelb, recently said of this story, "It was and is a Greek tragedy."

NO VILLAINS OR HEROES

As written at the Pentagon and as recounted by The Times, the study found no villains or heroes. It made no historical value judgments. It argued no brief.

The portraits of the principal actors—especially those such as Secretary of State Dean Rusk, who were wary of betraying their views in interagency meetings and memorandums—are far from complete or satisfying. The portraits of the Presidents, even if their own files had been available, would remain inadequate until they were set against the political and international imperatives felt at the White House at every stage.

In the absence of a comparable study of the objectives and tactics of the Vietnam adversaries—notably the Government of North Vietnam and the coalition of insurgents in South Vietnam—the Pentagon papers could not presume to judge the morality or even the wisdom of the policies they record and describe.

And although many of the authors appear to have become disillusioned doves about the war, their study could stand almost as well as a brief for frustrated hawks; its central conclusion, that the nation simply pursued excessive aims with insufficient means, leaves entirely unresolved the central question of whether it would have been better to do more or to seek less.

Of all the revelations in the Pentagon papers, the most important deal with the patterns of thought and action that recur at almost every stage of the American involvement in Indochina:

This was a war not only decreed but closely managed by the civilian leaders of the United States. The military chiefs were in fact reluctant at the start, unimpressed by the strategic significance of Vietnam and worried throughout that they would never be allowed to expand the size and scope of the war to the point where they could achieve a clear advantage over the enemy.

This was not a war into which the United States stumbled blindly, step by step, on the basis of wrong intelligence or military advice that just a few more soldiers or a few more air raids would turn the tide. The nation's intelligence analysts were usually quite clear in their warnings that contemplated escalations of force and objective would probably fail.

Yet military considerations took precedence over political considerations at almost every stage. Since none of the Americans managing the Vietnam problem were prepared to walk away from it, they were forced to tolerate the petty political maneuvering in Saigon and Saigon's political and economic policies, even when Washington recognized them as harmful. As a result, even the military chiefs, and notably General William C. Westmoreland, yielded to the temptation of seeking victory on the ground, although it was known that the enemy could always resupply just enough men to frustrate the American military machine.

The public claim that the United States was only assisting a beleaguered ally who really had to win his own battle was never more than a slogan. South Vietnam was essentially the creation of the United States. The American leaders, believing that they had to fight fire with fire to ward off a Communist success, hired agents, spies, generals and presidents where they could find them in Indochina. They thought and wrote of them in almost proprietary terms as instruments of American policy. Ineluctably, the fortunes of these distant, often petty men became in their minds indistinguishable from the fortunes of the United States.

The views of the world and the estimate of the Communist world that led the United States to take its stand in Indochina remained virtually static for the men who managed the Vietnam war. The "domino theory"—that all the other nations of Asia would topple if Indochina fell into Communist hands—moves robustly through the Pentagon papers, unshaken over two decades even by momentous events such as the split between the Soviet Union and Communist China Peking's preoccupation with its Cultural Revolution and the bloody destruction of the Communist challenge in Indonesia.

The American objective in Vietnam, although variously defined over the years, remained equally fixed. Disengagement, no matter how artfully it might have been arranged or managed, was never seriously considered so long as a separate, pro-American and non-Communist government was not safely installed in Saigon.

The American Presidents, caught between the fear of a major war involving the Soviet Union or China and the fear of defeat and humiliation at the hands of a small band of insurgents, were hesitant about every major increase in military force. But they were unrestrained in both their public and private rhetorical commitments to "pay the price,"

to "stay the course" and to "do whatever is necessary."

The American military and civilian bureaucracies, therefore, viewed themselves as being on a fixed course. They took seriously and for the most part literally the proclaimed doctrines of successive National Security Council papers that Indochina was vital to the security interests of the nation. They thus regarded themselves as obligated to concentrate always on the questions of *what* to do next, not *whether* they should be doing it.

But the principal findings of the Pentagon papers cannot be fully undertsood without some recollection of the traditions, the training and the attitudes of the men who led the United States in the generation following World War II.

As The Economist of London has observed, these men were reared in the habits of the internationalist Presidents, notably Woodrow Wilson and Franklin D. Roosevelt, who also felt duty-bound to lead the nation into war after vowing to avoid it. The British weekly goes so far as to suggest that secret maneuver and public deception may be the only way to take great democracies to war.

Moreover, as Senator Frank Church of Idaho, one of the early Congressional critics of the war in Vietnam, remarked in Washington the other day, Presidents Truman, Eisenhower, Kennedy and Johnson were all reared to the conviction that only Presidents and their experts can have the perspective and knowledge needed to define the national interest in a hostile world.

They lived with the memory of Congress destroying Wilson's League of Nations and hampering Roosevelt's quest for safety in alliances against Germany and Japan.

They lived with the memory of two costly world wars, both of which they judged avoidable if American power had been arrayed soon enough against distant aggression.

THE LESSON OF MUNICH

They lived with the nightmare that "appeasement" would only invite more aggression and lead directly to World War III, as the sacrifice of Czechoslovakia to Hitler at Munich led to World War II.

And they lived with the knowledge that another major war would be a nuclear war unless it were deterred with frequent demonstrations of American resolve and readiness to honor promises to friends and threats against adversaries.

These are the convictions that the men who made the Vietnam war carried into the post-world-war rivalry against the Soviet Union and against what they regarded for many years as a highly disciplined international Communist conspiracy, directed from Moscow and aimed at worldwide revolution and conquest.

After the "loss" of half of Europe to Communism, the American leaders set out to draw the line, wherever possible, to "contain" the Communists without major war.

They were imaginative and cold-blooded about the techniques they used in this effort. They broke the Berlin blockade without firing a shot. They poured $12-billion in economic aid into the revival of the economies of Western Europe. They led the United Nations into war in defense of South Korea. They sent military missions, military equipment, spies and agitators to all parts of the world. They sought to make and to destroy governments. They tried to "build" nations where none had existed before.

But they paid a profound psychological price. Their summons to sacrifice at home gave the contest an uncontrollable ideological fervor. The "loss" of China to Communism in 1949 and the further frustration of war in Korea in 1950 inspired a long hunt at home for knaves and traitors, in the White House and below, from which American politics is only beginning to recover.

Politicians and the politicians who became Presidents goaded each other to the conclusion that they could not "lose" another inch of territory to Communism, anywhere. The Republicans took after Democrats by saying they had been weak or treacherous about China and had accepted less than total victory in Korea. The Democrats took after Republicans by saying they had lost Cuba and dissipated American prestige and missile strength.

As President Eisenhower reached the end of his Administration, his greatest fear was the "loss" of Laos. And as President Kennedy assumed office, the Government's greatest ambition was the "liberation" of Cuba. No matter how small the nations or how marginal their threat to the United States, their "loss" came to be seen as an intolerable humiliation of American purpose and a dangerous invitation to aggression elsewhere.

Thus whenever aid and intrigue had failed, the coldwar instinct was resort to overt force. And the failure of force in one place only magnified the temptation to use it elsewhere. The simultaneous fiasco at the Bay of Pigs in Cuba and dissolution of anti-Communist forces in Laos in 1961 was uppermost in the minds of the Kennedy men who then proceeded to raise the stakes in Vietnam.

As the Pentagon papers show, they were motivated by the desire to contain China and what they considered to be the Asian branch of "international Communism," to protect the "dominoes" of non-Communist Asia, to discredit the Communist theories of guerrilla war and "wars of national liberation" and to demonstrate to allies everywhere that the United States would honor its pledges and make good on its threats no matter how difficult the task or insignificant the terrain.

These objectives were widely supported in the United States throughout the nineteen-fifties and long into the nineteen-sixties. But the Presidents who progressively decided on an ultimate test in Vietnam never shared with the Congress and the public what is now seen to have been their private knowledge of the remoteness of success.

As the Pentagon papers show, every President from Truman to Johnson passed down the problem of Vietnam in worse shape than he had received it. The study gives special point to President Johnson's recently disclosed remark to his wife in the spring of 1965, at the very start of his massive commitment of troops:

"I can't get out. I can't finish it with what I have got. So what the hell can I do?"

What he and his predecessors did not do was to inform the country of the dilemma and invite it to help make the choice.

The Pentagon papers reveal that all the difficulties of defining the Indochina problem date from the very earliest American experiences there, under Presidents Truman and Eisenhower. They show that Gen. George C. Marshall, a Secretary of State for Mr. Truman, recognized the Vietnamese Communists to be also the leaders of a legitimate Vietnamese anticolonialism. He thus recognized their challenge as different from any other Communist bid for power, but the distinction was soon lost.

The papers show that even after President Eisenhower reluctantly let the French go down to defeat in Indochina, his Administration refused to accept the compromise settlement of Geneva in 1954. It set out to supplant the French and to carry on the struggle, with hastily organized acts of sabotage, terror and psychological warfare against the new Communist Government in North Vietnam and with programs of aid and military training to establish a rival anti-Communist nation of South Vietnam.

A COMPLICATING FACTOR

The stories now revealed make vastly more complicated the official American version of Vietnam history, in which the Hanoi Communists alone were charged with aggression and a ruthless refusal to leave "their neighbors" alone. Clearly, the American commitment to save at least half of Vietnam from Communism antedates the whole succession of Saigon governments to which it was nominally given.

Even in these early days of American involvement, the Governments of South Vietnam were perceived as mere instruments of larger American objectives. It was Gen. P. Lawton Collins, acting as President Eisenhower's personal representative in Indochina, who first proposed the ouster of Ngo Dinh Diem. The Vietnamese leader was saved at the time by agents of the Central Intelligence Agency, but several of those agents were still available to help arrange a coup against Mr. Diem eight years later.

Even in those early years, the Pentagon papers show, Washington's public optimism about the prospects for anti-Communists in Vietnam masked a private pessimism.

And even then the North Vietnamese Communists were being held responsible for the direction of the insurgency in the South, even though it was not for lack of trying that the Americans in the South failed to cause equal difficulty in the North.

In hindsight, with the benefit of the Pentagon papers, it is plain that the Kennedy years brought more, much more of the same.

The "domino theory" was now expanded to embrace concern about the fate of Indonesia, loosely regarded as also in Southeast Asia. The fiasco in Cuba and tension over Berlin made it seem even more imperative to take a stand somewhere, if only for demonstration purposes.

Despite the Eisenhower warnings, Laos was deemed to be a poor place to make a stand. So it was partitioned among three rival factions, with the North Vienamese gaining a convenient corridor for systematic infiltration into South Vietnam.

The deal had the effect of making the defense of South Vietnam vastly more difficult at the very moment when the American commitment to its defense was taking deeper root. The same paradoxical effect was achieved many times during the years of American involvement in Indochina.

The character of that involvement, it is now clear, also underwent a portentous though subtle change during the Kennedy years: American military and political activities came to be valued less for their intrinsic benefits than for the general encouragement they might give to the struggling South Vietnamese. They also came to be valued less for the damage they might inflict on the North Vietnamese than for the fear of still greater American involvement they were supposed to arouse.

Even though the Kennedy Administration knew the sad facts of instability, corruption and tyranny in South Vietnam, it consistently gave priority to military measures that would express its activism and bespeak its determination. Its vain but constant hope was that morale would improve in Saigon and that the threat of massive American intervention would somehow persuade Hanoi to relent.

COVERT OPERATIONS STARTED

So for practical as well as domestic political reasons, private realism yielded even further to public expressions of optimism and confidence. Three weeks after the Bay of Pigs in April, 1961, Mr. Kennedy felt it necessary to order the start of new covert operations against the territory of North Vietnam and Communist regions in Laos.

Later in 1961, he heard so much debate about the growing need for American ground troops in Vietnam that the decision to send several thousand military "advisers" seemed a relatively modest and cautious move.

But the pressure built for a more direct American management of the entire war, an impulse that found its ultimate expression in Washington's complicity in the overthrow of President Diem. Once again, more than

the President realized and perhaps more than he wanted, the obligation of the United States had been simultaneously deepened and made more difficult to redeem.

Along with the Kennedy term and the Kennedy men, President Johnson thus inherited a broad Kennedy commitment to South Vietnam. And twice in Mr. Johnson's first four months in office, Secretary McNamara returned from Saigon with the news that things were going from bad to miserable. Stable government now seemed impossible to achieve and the countryside was fast falling into Vietcong control.

Mr. McNamara and many other officials began to press for action, including new covert attacks against North Vietnam and at least urgent planning for open bombing and border patrols. They acknowledged privately that the real problems were in the South, but they could not yet conceive of any effective form of intervention.

So they built on the old formula of the Kennedy years—action for action's sake, not because it would achieve anything tangible but because it might help morale in Saigon and cause Hanoi to recognize that it could never "win" the war without confronting American power.

As the Pentagon papers show, these "scenarios" for threat and escalation were written in the glib, cold but confident spirit of efficiency experts—the same experts whose careful plotting of moves and countermoves against the Soviet Union in the 1962 Cuban missile crisis had so gloriously vindicated the new political science of gamesmanship and probability theory.

Assistant Secretary of Defense John T. McNaughton who eventually turned against the war with a pathetic confession of ignorance of the Vietnamse people, best typified this style of thought and planning at the upper levels of government.

In his memorandums, choices of more or less war were reduced to "options": "B—fast full squeeze. Present policies plus a systematic program of military pressures against the North . . .": "C—progressive squeeze-and-talk. Present policies plus an orchestration of communications with Hanoi and a crescendo of additional military moves . . ."

Countries and peoples became "audiences": "The relevant audience of U.S. actions are the Communists (who must feel strong pressures), the South Vietnamese (whose morale must be buoyed), our allies (who must trust us as 'underwriters'), and the U.S. public (which must support our risk-taking with U.S. lives and prestige). . . . Because of the lack of 'rebuttal time' before election to justify particular actions which may be distorted to the U.S. public, we must act with special care—signaling to the D.R.V. that initiatives are being taken, to the GVN that we are behaving energetically despite the restraints of our political season, and to the U.S. public that we are behaving with good purpose and restraint."

DEFINITION OF OBJECTIVES

Many of these memorandums were only "contingency plans" that contemplated what else the United States might do in one or another eventuality. But there was nothing contingent in their definition of American purposes and objectives, in their analyses—in the crucial years of 1964–65—of the rapidly deteriorating situation in South Vietnam and in their revelation of the state of mind of the dozen or so top officials whose persistent clamor for action could be delayed but never ultimately denied by a President who shared their purpose.

And there was nothing "contingent" about the direct orders of the National Security Council and the Presidential messages that have turned up with the Pentagon papers. The lines of reasoning and decision from the action papers to the contingency papers are direct and unmistakable.

The Pentagon papers and The Time's reports on them confirm the judgment of contempory observers that President Johnson was reluctant and hesitant to take the final decision at every fateful turn of his plunge into large-scale war.

Mr. Johnson and other officials were often evasive or coy with the press by creating the impression that plans for bombing were only "recommendations" without "decision" or that "requests" for more troops from the field were not "on my desk at this moment" because they lay formally elsewhere.

But these are not the most important deceptions revealed in the Pentagon papers.

There is, above all, much evidence that the four administrations that progressively deepened the American involvement in the war felt a private commitment to resist Communist advance, and then a private readiness to wage war against North Vietnam and finally a private sense of frustration with the entire effort much sooner and to a much greater extent than they ever acknowledged to the Congress and the nation.

There is evidence in the papers that the Congress was rushed into passing a resolution to sanction the use of force in Vietnam in 1964, ostensibly to justify retaliation for an "unprovoked" attack on American vessels, even though the Administration really intended to use the resolution as the equivalent of a declaration of war and withheld information that have shown the North Vietnamese to have had ample reason for "retaliating" against the United States.

There is evidence that all the elaborately staged offers of negotiation and compromise with the Communist adversary were privately acknowledged in the Administration as demands for his virtual "surrender."

And there is evidence, scattered over the years, that the oft-proclaimed goal of achieving "self-determination" for the South Vietnamese was in fact acceptable to the United States only as long as no South Vietnamese leader chose neutralism or any other form of nonalignment. As President Johnson put it in a cablegram to his ambassador in early 1964, "Your mission is precisely for the purpose of knocking down the idea of neutralization wherever it rears its ugly head."

The evidence for two very specific charges of deception that have been leveled against President Johnson since publication of the Pentagon papers is much less clear.

The Pentagon study itself did not make any charges, and neither did The Times in its reports on the findings of the study. But many readers concluded that Mr. Johnson had lied to the country in 1964, when he denounced his Republican opponent, Senator Barry Goldwater, for advocating full-scale air attacks against North Vietnam, and again in April, 1965, when he secretly authorized the use of American troops in an offensive combat role.

The Pentagon study describes a "general consensus" among the President's advisers, two months before the 1964 election, that air attacks against North Vietnam would probably have to be launched. It reports an expectation among them that these would begin early in the new year. As The Times report added, the papers also showed the President "moving and being moved toward war, but reluctant and hesitant to act until the end."

SEARCH THROUGH THE FILES

Mr. Johnson and those who defend his public statements at the time are undoubtedly right in their contention that the President made no formal decision to authorize more bombing until there were additional attacks on American bases in February, 1965.

But the President also knew that most of his major advisers regarded such a decision as "inevitable"—because they thought South Vietnam to be in danger of imminent collapse, because the forces to conduct more air attacks were in place, because the target lists had long ago been prepared and because even sustained bombing was destined to be merely a stopgap measure until more troops could be rushed to South Vietnam.

In a search through his own dispatches from Washington at the time, this reporter has come upon three interesting accounts that help to explain the confusion but tend to support the much more thoroughly researched judgment of the Pentagon papers.

On Oct. 9, 1964, The Times reported on a news conference question to Secretary Rusk about reports "here and in Saigon that the Administration was considering a 'major turn' in policy but deferring a decision until after Election Day, Nov. 3." Mr. Rusk refused to predict "future events" but said that domestic politics had no bearing on any such decisions.

On Feb. 13, 1965, after a new "retaliatory" raid on North Vietnam but before the start of sustained bombing, this reporter quoted two unidentified high officials as follows:

"There is no doubt that the President remains skeptical about a deeper involvement in Asia, but he is getting some very belligerent advice from very intimate quarters."

"History may determine that it was already too late, that the die is cast, but I am sure that the Government's strategy is not yet determined."

In other words, even high officials sensed that their President was still reserving final judgment and "decision," but they did not really know how much real choice remained.

AFTER THE DECISION

Even after the decision had been made, however, there was no simple way to get a straight answer from the Johnson Administration in those days, as is evident in the opening lines of a dispatch on March 2, 1965:

"The Administration described today's air strikes against North Vietnam as part of a 'continuing' effort to resist aggression and made no effort, as in the past, to relate them to particular provocation. . . . The White House said only that there had been no change in policy. The State Department said nothing. . . ."

Some officials at the time, and Mr. Johnson on at least one occasion since then, suggested that such coyness after decision had been deemed necessary to avoid provoking intervention in the war by Soviet or Chinese Communist forces. They never explained, however, why either nation would make such a grave decision on the basis of announcements in Washington rather than on the facts of the bombing, which were well known to them.

A far more plausible explanation, one that sounds strange in matters of such weight but rings true to those who could observe Lyndon Johnson closely and sympathetically in those days, has been offered by Stewart Alsop in Newsweek:

"President Johnson was trying to fool himself—and temporarily succeeding."

What really emerges from the Pentagon papers, Mr. Alsop wrote approvingly, "is a picture of a desperately troubled man resisting the awful pressures to plunge deeper into the Vietnam quagmire—resisting them as instinctively as an old horse resists being led to the knackers. The President bucks, whinnies and shies away, but always in the end the reins tighten—the pressures are too much for him."

As the Pentagon papers further show, Mr. Johnson was to make two or three other big decisions about troop commitments and carve them up into smaller, more digestible numbers, as if this could hide the magnitude of the American involvement. He knew that he was not winning the war and he knew that he was playing only for some unforeseeable stroke of good fortune, and it may be that his sense of statesmanship led him to conclude that the nation would be preserved longer if he minimized the task.

Whatever the motives, the methods for handling the awkwardness of Vietnam had

then become almost traditional. But it was Mr. Johnson's misfortune to be President, as Mr. Gelb, the coordinator of the study has written, when the "minimum necessary became the functional equivalent of gradual escalation" and the "minimal necessity became the maximum" that international and domestic constraints would allow.

The overriding evidence in the Pentagon papers, quite apart from the timing of decisions or the candor with which they were disclosed, is that the United States Government involved itself deeply and consciously in a war that its leaders felt they probably could not win but that they also felt they could not afford to lose.

Gradually, some of the leading advocates of the war lost their enthusiasm for it, but even in disillusionment, they felt a higher duty of loyalty to the President and his policy than to the public that had become deeply divided and tormented by the war.

As early as 1966, Mr. McNaughton perceived an "enormous miscalculation" and an "escalating military stalemate." By 1967, Mr. McNamara and probably others were recommending a reduction of objectives and perhaps a face-saving exit through the formation of a coalition government in Saigon.

But Mr. Johnson thought more unhappy Americans were hawks than doves and he was also forced, amid fears of noisy resignations, to negotiate with his military leaders, who were demanding more, rather than less, commitment.

DECISIVE SHOCK AT TET

Not until the shock of the enemy's Tet offensive in 1968, and the need to mobilize reserves if he was to meet the military's request for 206,000 additional men for the combat zone, did Mr. Johnson set a final limit on the American commitment, cut back the bombing of North Vietnam and announce his plan to retire without seeking a second term.

No one knows to this day whether by these moves the President intended to hurry out of the war in some face-saving manner or merely to buy still more time from the American voters for a final effort at vindication.

As the Pentagon papers disclose, his Administration did not expect much from the bombing limitation or the new offer to negotiate with Hanoi.

"We are not giving up anything really serious in this time frame" of four weeks, the State Department informed its embassies, noting that poor weather would have curtailed the raids for that period in any case. It said that some of the air power would be switched to targets in Laos and South Vietnam and that in any case Hanoi was expected to reject the bid for talks and this would "free our hand after a short period."

Hanoi accepted the bid for talks, but has offered very little so far that interest Washington. Neither on the way in nor on the way out, it is now clear, was the American hand in Vietnam ever "free."

[From The Washington Post, July 1, 1971]

U.S. SUPPORTED COUP AGAINST DIEM

(By Don Oberdorfer)

At 4:30 p.m. on November 1, 1963, a few hours before he was murdered, President Ngo Dinh Diem of South Vietnam telephoned U.S. Ambassador Henry Cabot Lodge to determine the attitude of the American government toward the coup in progress outside his palace window.

Lodge was noncommittal. He had heard the gunfire, he said, but he did not have all the facts. "Also it is 4:30 a.m. in Washington and the U.S. government cannot possibly have a view."

"But you must have some general ideas," protested Diem. "After all, I am a Chief of State. I have tried to do my duty. I am trying to do now what duty and good sense require. I believe in duty above all."

Lodge replied that Diem had certainly done his duty, and with courage, and no one could take away from him the credit for his contributions to his country. "Now I am worried about your physical safety," the Ambassador continued. Had Diem heard that he had been offered safe conduct out of the country if he resigned?

"No," answered the beleaguered but stubborn Vietnamese President.

"If I can do anything for your physical safety, please call me," Lodge said.

"I am trying to re-establish order," concluded Diem, in the last words he would say to an American. Before the evening was out, he and his brother Ngo Dinh Nhu had fled the Presidential Palace through a secret tunnel. The next afternoon they were captured by the insurgents in Cholon, the Chinese section of the city, and shot to death in an armored personnel carrier rumbling through the Saigon streets.

The refusal to intervene to save the tottering Diem was not a spur of the moment decision by Henry Cabot Lodge. According to a Pentagon study of United States involvement in the war, it was part of a thoroughly planned policy of the United States government, which had decided to back a coup if it appeared likely to succeed.

"Beginning in August of 1963 (two months before Diem's overthrow) we variously authorized, sanctioned and encouraged the coup efforts of the Vietnamese generals and offered full support for a successor government," the Pentagon report stated. "In October we cut off aid to Diem in a direct rebuff, giving a green light to the generals. We maintained clandestine contact with them throughout the planning and execution of the coup and sought to review their operational plans and proposed new govvernment," the report added.

This policy, which sanctioned Diem's overthrow but not his murder, was approved at the White House. Even the substance of Lodge's statements in the final conversation with Diem—quoted in the Pentagon study—followed the guidelines of a directive dispatched to Saigon in the last days of October by McGeorge Bundy, President John F. Kennedy's assistant for national security affairs.

In that 11th hour order, the White House directed that U.S. authorities in Vietnam should not directly intervene on either side in a coup against Diem. "But once a coup under responsible leadership has begun, and within these restrictions, it is in the interest of the U.S. Government that it should succeed," the directive said.

The decision to topple Ngo Dinh Diem was one of the most important turning points in the United States struggle in Indochina—as the Pentagon study puts it, "one of the times in the history of our Vietnam involvement when we were making fundamental choices."

The study says that the basic choices were these: (1) to continue to "plod along" with an increasingly unpopular Diem, (2) to encourage or tacitly support a military coup, taking the risk that the government might crumble or accommodate with the Viet Cong and (3) to grasp the opportunity of the political instability to disengage from South Vietnam.

According to the study, the first choice was rejected because of the belief that "we could not win" with Diem and his brother Nhu. The third course, withdrawal from Vietnam, was "never seriously considered" because of the assumption that an independent, non-Communist South Vietnam was "too important a strategic interest to abandon."

"The second course was chosen mainly for the reasons the first was rejected—Vietnam was thought too important; we wanted to win; and the rebellious generals seemed to offer that prospect," the Pentagon study said.

As a consequence of the choice that was made, the United States significantly deepened its commitment to South Vietnam. By deciding to bring Diem down, the U.S. assumed a great moral responsibility to his successors and the people of the country over whom they tried to rule. There is little indication in the Pentagon report—whose anonymous authors had access to many high level documents but not all such documents—that the American decision makers realized this fateful consequence of their action.

The heightened U.S. responsibility and involvement in Vietnam during the final days of the Kennedy Administration led to the commitment of American ground troops during the Presidency of Lyndon B. Johnson—but ironically, Johnson was among those within the government who raised his voice against the plan to bring down Diem.

According to the Pentagon history, the then-Vice President told a high level meeting at the State Department on August 31, 1963, that he had great reservations about a coup because he had never seen "a genuine alternative" to Diem. "From both a practical and political viewpoint it would be a disaster to pull out," Johnson was quoted as saying. Instead of a coup, the United States should go back to "talking straight" to Diem's government and "once again go about winning the war," he reportedly added.

The basic picture of the United States involvement in the coup against Diem was reported in the press at the time and additional details have trickled out in the seven years since. The Pentagon study, including a chronology of events and decisions and documentation of the many steps, provides many details previously unknown. And the study shows that the U.S. role was even more direct, more calculated and more extensive than was generally believed at the time.

Beginning late in August, 1963, more than two months before the overthrow of Diem, a Central Intelligence Agency official in Saigon was in direct contact with the plotters in the Vietnamese military command, and the same officer continued to function as a conduit between the United States and the coup backers until the end.

In the final hours a U.S. agent was invited to the headquarters of the Vietnamese Joint General Staff—control room for the coup—to maintain telephone contact between the insurgents and the U.S. Embassy while the battle raged outside the palace.

The most determined and energetic exponent of the coup against Diem in the high ranks of the American officialdom, the study indicates, was Ambassador Lodge. The morning before presenting his credentials to Diem the newly arrived U.S. ambassador met with other top officials of the Embassy to designate CIA contact men with the Saigon generals and agree on a message of encouragement to be passed to them.

Lodge was acting every step of the way in accordance with guidance from Washington according to the study. When Gen. Paul Harkins (the U.S. Commander in Vietnam) objected to the policy and when Washington wavered, Lodge argued it was too late to stop.

The ultimate prime cause of the coup, however, appears to have been the actions of the two men who suffered the most from it, Ngo Dinh Diem and Ngo Dinh Nhu. By violent action against the Buddhist opposition in South Vietnam including a double-cross of the U.S. Government after promises to patch up the quarrel, the Ngos brought on an impasse they could not win. They painted themselves and the American government into a corner.

The U.S. Government had a still-uncertain role in the original selection of Ngo Dinh Diem, a Vietnamese nationalist who had lived two years in U.S. Catholic seminaries, as the leader of South Vietnam after the

partition of the country in 1954. The departing French distrusted and derogated Diem—Prime Minister Edgar Faure told Secretary of State John Foster Dulles that Diem was "not only incapable but mad," according to a document in the Pentagon papers. But the U.S. considered Diem the best non-Communist leader available—and despite a growing number of quarrels and dissatisfactions, the U.S. managed to live with him until May of 1963.

His downfall began where his life began, in the beautiful and historic city of Hue. Where Jean Baptiste Ngo Dinh Diem (in English, Burning Jade) had been born in 1901, the third of six sons of Ngo Dinh Kha, Minister of Rites and Grand Chamberlain of the Vietnamese Emperor Thanh Thai. Though aristocratic mandarins, the Ngos were Catholic—and that was part of the trouble. After becoming President of South Vietnam, Diem built his political and personal base on Catholicism, which is very much a minority religion in predominately Buddhist Vietnam. The reaction from Buddhists was probably inevitable.

In the Spring of 1963, just after the flying of Papal flags in Hue in commemoration of the ordination of Diem's brother as Archbishop, the government decided to enforce a ban on the flying of religious colors. May 8 was Buddha's birthday, and a crowd gathered in protest to the ban on flying the Buddhist flag. On orders from a Catholic deputy province chief, troops fired into the crowd, killing nine persons and setting off mass demonstrations, hunger strikes and political activity among the Buddhists. Diem and his brother Nhu, his closest adviser, responded with tear gas, nightsticks and arrests.

On June 11, an elderly monk named Thich Quang Duc poured gasoline over his body in the middle of a Saigon street and set himself afire in protest to the government action.

Under heavy pressure from the United States, the Diem regime took steps to ease the crisis by negotiating with Buddhist leaders and issuing a joint communique on a common settlement.

President Kennedy was briefed on developments at the White House on July 4. According to the Pentagon papers, Assistant Secretary of State Roger Hilsman told the President that Diem might not live up to his agreement with the Buddhists. "Our estimate is that no matter what Diem did there will be coup attempts over the next four months. Whether or not any of these attempts be successful is impossible to say," Hilsman told Mr. Kennedy.

A Special National Intelligence Estimate from the CIA, issued a few days later, told a similar story. "If—as is likely—Diem fails to carry out truly and promptly the commitments he has made to the Buddhists, disorders will probably flare again and the chances of a coup or assassination attempts against him will become better than even." The CIA did not think the Communists in Vietnam would necessarily gain from the overthrow of Diem. "A non-Communist successor regime might be initially less effective against the Viet Cong, but, given continued support from the U.S., could provide reasonably effective leadership for the government and the war effort," the CIA estimate quoted in the Pentagon study said.

By August the situation in Vietnam was deteriorating and Diem—again, under U.S. pressure—made a public statement that his policy was conciliation. Then shortly after midnight on August 21, his brother, Ngo Dinh Nhu, staged a lightning assault on the Buddhists, invading pagodas throughout the country, arresting hundreds of monks and bringing the crisis to even bigger dimensions. The U.S. was not notified. In fact, according to the Pentagon study, Nhu had the telephone lines of the Embassy and senior U.S. officials cut when the raids began.

This defiance of U.S. wishes and repudiation of the earlier agreement—together with the public furor in Vietnam and in the United States—led to determination in many quarters that something drastic must be done.

On August 23, the Vietnamese generals put out cautious feelers to American officials in Saigon about the U.S. attitude toward a military coup.

In Washington, a fateful cable was drawn up by Hilsman and others. It was hastily cleared with the President, who was in Hyannisport, but because it was a weekend, several senior officials were unavailable to look at it.

According to the Pentagon papers, the cable to newly arrived Ambassador Lodge said that with the pagoda raids, Nhu had maneuvered himself into a commanding position in his brother's government. "The U.S. Government cannot tolerate situation in which power lies in Nhu's hands," Lodge was told. Diem should be given a chance to rid himself of his brother and his coterie. But "if in spite of all your efforts, Diem remains obdurate and refuses, then we must face the possibility that Diem himself cannot be preserved."

Lodge was told to inform key Vietnamese military leaders that the United States would find it impossible to support the South Vietnamese government militarily and economically unless Nhu is removed from the scene, with the "obvious implication" that Diem would have to go if he refused to dump his brother. "You may also tell appropriate military commanders we will give them direct support in any interim period of breakdown central government mechanism," the cable said.

Finally, the cable directed Lodge and the Embassy team to "urgently examine all possible alternative leadership and make detailed plans as to how we might bring about Diem's replacement if this should become necessary."

Lodge replied, the Penatgon study shows, that there was no point in taking such a demand to Diem since it was virtually certain he would refuse to dismiss his brother, and this might alert him to the possible coup. Instead Lodge proposed to go straight to the generals. It was then that the high U.S. Embassy officials in Saigon met to designate the contact men with the generals and prescribe the message to be passed along.

The key points of the Embassy message for the generals were: "We in agreement Nhus must go." and "Question of retaining Diem or not up to them (the Vietnamese military)." The generals also were to be told, "We cannot be of any help during initial action of assuming power of the state. Entirely their own action, win or lose. Don't expect to be bailed out."

The senior U.S. contact man met on August 27 with Gen. Tran Thien Khiem of the Joint General Staff, who informed him that the leader was General Duong Van Minh (known as "Big Minh" because he is unusually large for a Vietnamese.)

Back in Washington, misgivings had begun to develop. Several senior officials were in the capital having second thoughts, and General Paul Harkins cabled his reservations from Saigon. According to the Pentagon study, arguments broke out in the National Security Council about U.S. backing for a coup.

A few days later, a meeting with the President refined the policy. "The U.S. Government will support a coup which has a good chance of succeeding but plans no direct involvement of U.S. armed forces," the U.S. officials in Saigon were informed, according to the Pentagon papers. General Harkins was authorized to tell the Vietnamese generals that he was prepared to establish liaison with them, but not to engage in joint coup planning.

Secretary of State Rusk suggested Lodge make a final effort to persuade Diem to get rid of Nhu. Rusk was having second thoughts. At the August 31 meeting at the State Department—the session when Vice President Johnson raised his voice against a coup—Rusk is quoted in the study as having said that the far better course was not to run a coup. Secretary of Defense McNamara was quoted as agreeing with this view.

Additional meetings between the coup plotters and the U.S. contact men in Saigon were taking place, and the plotters were asking for assurances that their U.S. backing was solid. Lodge appealed to Washington for some such sign.

"We are launched on a course from which there is no respectable turning back: the overthrow of the Diem government," Lodge reported according to the Pentagon review. "There is no turning back in part because U.S. prestige is already publicly committed to this end in large measure and will become more so as facts leak out. In a more fundamental sense, there is no turning back because there is no possibility, in my view, that the war can be won under a Diem Administration."

On August 31, the plotters suddenly called everything off. They had failed to win the support of a key military commander in the Saigon region. And, the Pentagon study suggests, they were still unsure of the United States.

On September 2, they got public encouragement of a sort from a very high source—President Kennedy himself. Appearing in an interview by Walter Cronkite to launch the new 30-minute CBS Evening News, Mr. Kennedy condemned the repression against the Buddhist and raised doubt that the war could be won unless the Diem government could win back the popular support it had lost. Asked if this was possible, Kennedy replied that it could only be done "with changes in policy and perhaps with personnel." His meaning was clear in Saigon. Nhu must go.

In Washington, the U.S. government was reassessing its position. The National Security Council met September 6 to discuss the situation. According to an account by Roger Hilsman—first published in his 1967 book, "To Move A Nation" and quoted from the book in the Pentagon study—Attorney General Robert Kennedy asked whether a Communist take-over of Vietnam could be successfully resisted with "any government" in Saigon. Kennedy was quoted as saying, "If it could not, now is the time to get out of Vietnam entirely, rather than waiting." If a Communist take-over could be prevented, but not with a Diem-Nhu government as presently constituted, then Lodge should be given enough sanctions to bring about a change, the Attorney General reportedly added. The Pentagon historian added that Kennedy's statement did not generate a searching reappraisal of U.S. policy.

With no coup in prospect and, despite U.S. pressure, no sign of a peaceful change of policy or personnel, Mr. Kennedy decided on a major review of Vietnam. He dispatched Secretary of Defense McNamara and Gen. Maxwell Taylor, chairman of the Joint Chiefs of Staff, to Saigon for that purpose. After the review was completed in early October, Lodge was informed that "President today approved recommendation that no initiative should now be taken to give any active covert encouragement to a coup. There should, however, be urgent covert effort with closest security under broad guidance of Ambassador to identify and build contacts with possible leadership as when it appears." This activity was to be kept secret and fully deniable" and was not to be aimed at active promotion of a coup—but "only at surveillance and readiness," the Pentagon study reports.

Simultaneously, Gen. Minh initiated a

meeting with the U.S. contact man, which was held for one hour and 10 minutes in early October. Minh outlined the main participants in his plan, and said a coup was urgently needed to prevent loss of the war to the Viet Cong. But Minh said he must know the U.S. current stand.

Lodge recommended that Minh be told that the United States would not attempt to thwart his plans, and Washington agreed. "While we do not wish to stimulate coup, we also do not wish to leave impression that U.S. would thwart a change of government or deny economic and military assistance to a new regime if it appeared capable of increasing effectiveness of military effort, ensuring popular support to win war and improving working relations with U.S.," Lodge was told. The cable also expressed the need for more information on the generals' plot and the likely makeup of the new regime, the Pentagon papers show.

The message was passed along to the generals by the U.S. operative on October 10. Seven days later, there was another signal from the United States—suspension of U.S. aid for Nhu's Vietnamese special forces units that had been responsible for the pagoda raids. By now the planning for a coup was well advanced among the Saigon generals.

Suddenly the split in the U.S. Government ranks became dramatically apparent to the Saigon plotters. Gen. Harkins, who was cool to a coup throughout, was quoted as telling a high ranking Saigon officer that such a move should be discouraged. This directly contradicted what the plotters were hearing from the CIA contact man. The Saigon generals were highly upset.

Harkins told Lodge he had not meant to cause any problems, but had misunderstood the Washington guidance. But the more Harkins thought about the policy, the more he disliked it.

The plotters had told the U.S. contact that D-Day for the coup would come before November 2, and in late October there ensued a flurry of last-minute arguments by Harkins and Lodge.

Harkins made his case to his superiors in the Pentagon. The Pentagon study quotes this cable:

"I'm not opposed to a change in government, no indeeed, but I'm inclind to feel that at this time the change should be in methods of governing rather than a complete change of personnel . . . In my contacts here I have seen no one with the strength of character of Diem, at least in fighting Communists."

"I would suggest we not try to change horses too quickly," he added. ". . . rightly or wrongly, we have backed Diem for eight long, hard years. To me it seeems incongruous now to get him down, kick him around and get rid of him. The U.S. has been his mother superior and father confessor since he's been in office and he has leaned on us heavily."

Lodge made his case through the State Department. He pointed out that General Tran Van Don, the chief Vietnamese contact with the Americans, had made it clear that "this is a Vietnamese affair." Lodge could see no practical way to stop it—and even if there were, he would be opposed to it. If the U.S. should somehow thwart the coup, "it is our firm estimate that younger officers, small groups of military, would then engage in an abortive action creating chaos ideally suited to VC objectives," he is quoted in the study as saying.

"My general view is that the U.S. is trying to bring this medieval country into the 20th century and that we have made considerable progress in military and economic ways but to gain victory we must also bring them into the 20th century politically and that can only be done by either a thorough change in the behavior of the present government or another government." Lodge had no sign of any likely change in the government of Diem and Nhu.

The argument was ended by the cable to Lodge from McGeorge Bundy. "You should take action to persuade coup leaders to stop or delay any operation which, in your best judgment, does not clearly give high prospect of success." Lodge was told, the Pentagon study continues, to keep U.S. forces out of direct intervention. But once the coup was underway under responsible leadership, "it is in the interest of the U.S. Government that it should succeed."

At 10 a.m. on November 1, Lodge accompanied Adm. Harry Felt, who was visiting Saigon, on a courtesy call at the Presidential Palace. Diem's monologue to the two Americans was little different from what he had been saying all along, but at the end—in an unusual gesture—he called Lodge aside and said he was now ready to talk about what the United States would like him to do. In the words of the Pentagon study, this was "a tragically unwitting example of too little too late." The coup troops were at that moment secretly deploying in and around Saigon.

The leaders met at the Joint General Staff headquarters at noon. By 1:45 General Don called U.S. military headquarters to report the coup was underway. By 2 p.m. the Saigon radio station, police headquarters and other key installations were being seized and about 4 p.m. troops began attacking the Presidential Palace. At 4:30 the generals announced the revolution on Saigon radio and demanded the resignation of Diem and Nhu.

It was then that the telephone rang in Lodge's office and Diem was on the line for the last time. By 8 p.m. he had fled the palace. Around 7 a.m. the following day Diem and Nhu were captured and shot. The coup leaders said this was not part of the plan.

Arthur Schlesinger, Jr., then a member of the White House staff, saw President Kennedy shortly after he heard the news that Diem and Nhu were dead.

Schlesinger wrote later:

"He was somber and shaken. I had not seen him so depressed since the Bay of Pigs. No doubt he realized that Vietnam was his great failure in foreign policy, and that he had never really given it his full attention."

When Kennedy came into office, 2000 American troops were in Vietnam—but now there were 16,000 and indications that more would be needed. According to Schlesinger, the young President was haunted by "ifs"—if Vietnam had been handled as a political problem rather than a military problem, if he had listened to the right people, if he had sent Lodge to Saigon earlier—but now all that was past and Diem was dead.

Twenty days later, the American President was dead from an assassin's bullet. As one regime after another came to power and was toppled in Sagion, the Viet Cong grew ever stronger and the Saigon government weaker.

And in due course, President Kennedy's successor sent U.S. combat troops to save South Vietnam from a military collapse.

L. B. J. Saw de Gaulle as Viet Threat

(By Murray Marder)

The Kennedy and Johnson administrations in 1963 and 1964 feared that the United States might be forced out of Vietnam without "victory" by "pro-French" factions in Saigon seeking a "neutralist" peace, the Pentagon war study shows.

U.S. strategists had a double concern: that Vietnamese political opponents of American strategy to pursue the war more intensively might negotiate with North Vietnam behind the back of the United States; or that "pro-French" South Vietnamese generals would agree to a "neutralist" end of the war. The highest American officials equated that with a "Communist takeover."

In these critical years before the American role in the conflict had greatly escalated, the United States struggled far more to stay in the war than to get out of it, the secret documents reveal.

By 1964, what the Kennedy and Johnson administrations both labeled a global "test" against Communist expansion also became an unexpected test of another kind, inside the Western alliance. The Johnson administration looked upon French President Charles de Gaulle's attempts to reassert French influence in Indochina and all Asia—especially his call for the "neutralization" of South Vietnam—as the most pernicious portion of the Gaullist plan to break out of American "hegemony" and obtain a larger world role for France.

The American reaction was to dig in deeper in South Vietnam, to avoid at all cost what U.S. strategists perceived as a new double threat of American "humiliation."

Defense Secretary Robert S. McNamara, in a March 16, 1964 memorandum to President Johnson, summarized the U.S. position on negotiations "on the basis of 'neutralization' McNamara reported:

"While de Gaulle has not been clear on what he means by this—and is probably deliberately keeping it vague as he did in working toward an Algerian settlement—he clearly means not only a South Vietnam that would not be a Western base or part of an alliance structure (both of which we could accept) but also withdrawal of all external military assistance and specifically total U.S. withdrawal.

"To negotiate on this basis—indeed without specifically rejecting it—would simply mean a Communist takeover in South Vietnam.

"Only the U.S. presence after 1954 held the South together under far more favorable circumstances, and enabled Diem [President Ngo Dinh Diem] to refuse to go through with the 1954 provision calling for nationwide 'free' elections in 1956. Even talking about a U.S. withdrawal would undermind any chance of keeping a non-Communist government in South Vietnam, and the rug would probably be pulled before the negotiations had gone far."

McNamara listed next among the "alternatives" to existing U.S. policy in South Vietnam, which was failing to check the Communist advance, "direct military action against North Vietnam," and as other choices, lesser levels of expanded U.S. intervention in the war.

American policy-makers saw U.S. options for action narrowed to choices of greater involvement, or humiliating withdrawal. In later years, those who wrote the Pentagon assessment contended just the opposite in retrospect that the United States had missed one of its best opportunities to quit the war, when its prestige stake in it was relatively low.

The Kennedy Administration had crossed the first major threshold. Its complicity in the overthrow of President Diem on Nov. 1, 1963, shattered not only Diem and his crafty brother, Ngo Dinh Nhu, but also the entire mandarin-style political structure of South Vietnam.

The principal U.S. reason for encouraging the elimination of Diem and Nhu was the American conviction that the war could not be won by them. The United States also feared that Nhu would try to sell out the American interests.

Gen. Maxwell D. Taylor, chairman of the Joint Chiefs of staff, had reported to President Kennedy on Oct. 2, 1963, that one "disturbing feature of Nhu is his flirtation with the idea of negotiating with North Vietnam." A State Department message the same year said, "U.S. government cannot tolerate situation in which power lies in Nhu's hands."

U.S. alarm about the Diem regime's intentions had intensified since September 1963.

48-059 O - 72 - pt. 18 - 71

In that month, published reports disclosed that Diem had met secretly with a French diplomat assigned to Hanoi, after North Vietnamese President Ho Chi Minh publicly mentioned a possible "ceasefire" in the war, and President de Gaulle, in Paris, suddenly called for a removal of all "foreign influence" from "all of Vietnam." But the elimination of the Diem regime only intensified the pressures on the United States.

The United States believed that Diem would be followed by a leader whom the United States would find effective, popular, durable and wholly amenable to its own interests—interests which the secret documents state had grown larger than the fate of South Vietnam.

Diem's successor, Gen. Duong Van Minh—"Big Minh"—(now a leading potential opposition candidate in South Vietnam's October, 1971, presidential election) became a national hero for toppling Diem.

But Minh lasted only three months. He lost power in a bloodless coup led by Gen Nguyen Khanh on Jan. 30, 1964. Khanh's rationale was a paradoxical one for the United States: Khanh, an American-trained general, said he moved against Minh to forestall a plot by rival "pro-French" generals to seize power and negotiate for the "neutralization" of South Vietnam.

The explanatory cable sent to Washington by Ambassador Henry Cabot Lodge, who was actually skeptical about Khanh's story, nevertheless concentrated on what Lodge knew was a subject of great sensitivity for President Johnson, then grappling with the compound dilemmas of his first months in office: fear of a forced "neutralization" of South Vietnam.

Lodge also concluded in his report to the President that the hard reality was that Khanh was in control; that Minh was popular, but in the American judgment, indecisive, and that to achieve victory in the war "requires a tough and ruthless commander. Perhaps Khanh is it."

Khanh, however, also carried into power with him the consequences of the circumstances that he said put him into control: a "pro-American" general who preempted a "pro-French" faction to avoid a "neutralist" end of the war.

In South Vietnam's ensuing months and years of revolving power struggles, U.S. strategy, the Pentagon review shows became increasingly subject to mounting bargaining demands which Khanh based on the American interest in sustaining his "pro-American" position.

Most significantly, Khanh's demands subsequently included a campaign to extend the war to the bombing of North Vietnam. This coincided with similar demands from U.S. military chiefs.

For years, specialists on Vietnam have argued passionately about what opportunity there might have been to end the war in the 1963–64 period. Some of the developments are described in portions of the secret Pentagon war review that are still unavailable; other information is locked in White House and State Department files. But much of the story is already on the public record.

Before the murder of Diem and his brother, "Councillor" Nhu, the Nhus "leaked" their version of their own diplomatic intrigue. They did so in between the aborted August 1963 coup that failed to overthrow their regime and the Nov. 1, 1963, coup that did. The leaks were part of an unsuccessful attempt to forestall the second plot.

On Sept. 2, 1963, a Diem controlled newspaper, the Times of Vietnam, charged that U.S. Central Intelligence Agency agents had planned a coup d'etat for Aug. 28 to overthrow President Diem. The time pinpointed was remarkably accurate. On Aug. 23, according to the U.S. version, Vietnamese generals did guardedly sound out American officials about their atttiude toward a South Vietnamese coup. That coup plan was aborted on Aug. 31.

Before and during that period, there was an extraordinary amount of diplomatic maneuvering—much of it at cross-purposes—in many world capitals, to launch negotiations for ending the Vietnamese war. North Vietnam was on the verge of collapse; U.S. planners privately thought the same—unless a stronger, more popular, regime were to be installed in Saigon. In any negotiations then, the Communist side would have been bargaining from strength, and the Saigon government from weakness.

North Vietnamese President Ho Chi Minh gave an interview in early August to Australian Communist journalist Wilfred Burchett, a long-time friend. Ho reportedly said that "foreign intervention must cease," meaning American intervention, but a "cease-fire could presumably be arranged" by the adversaries. In that event, Ho indicated relations between North and South Vietnam could be placed on a new basis. This was a hint, not a precise proposal; but it was interconnected with other moves.

French President de Gaulle on Aug. 29, issued a deliberately ambiguous public statement about Vietnam. He recalled the history of what was, until 1954, French Indochina, and said that France now wished for "all of Vietnam" was that it would be left "to this people, and to it alone, to choose the means" of deciding its own destiny "in independence from foreign influence. . ." De Gaulle said France was "ready" to "organize a cordial cooperation with this country" (Vietnam).

The French Ambassador to Washington, Herve Alphand, after meeting the next day with Secretary of State Dean Rusk, said de Gaulle was advocating a long-range solution to reunify North and South Vietnam in "independence and neutrality" without any intention of slapping at the United States.

The French initiative ignited diplomatic follow-up moves in world capitals, and the United Nations, and aroused great interest among men who would not be labeled "early doves" in the U.S. Congress and elsewhere, especially Sen. Mike Mansfield (D-Mont.) and columnist Walter Lippmann. The documents show that their interest in de Gaulle's overture became a subject of special concern for President Johnson.

In Saigon in mid-September, Diem and his brother, struggling desperately to survive, tried to show they had spurned opportunities to negotiate behind the back of the United States—and had bargaining cards of their own. They spoke to columnist Joseph Alsop, who reported on Sept. 18 that "De Gaulle's statement was in fact the visible part of a most peculiar iceberg."

The Diem-Nhu story, which Alsop, a militant supporter of the war, described as "French intrigue . . . cleverly armed to defeat American policy" was that after Burchett's interview with Ho was published, the French Delegate-General in Hanoi, Jacques de Buzon, made a rare visit to Saigon.

De Buzon was accompanied by the French Ambassador to Saigon, Roger L'Alouette. The latter reportedly had hinted repeatedly to Nhu in earlier visits that the United States was planning to destroy him and Diem. The message from Ho that De Buzon brought from Hanoi, according to this account, was that Ho had "quite changed his mind" about "Diem the feudalist . . . the American puppet" and now spoke of "Diem the good Vietnamese . . . a patriot." (Other published accounts differ about who said what, but confirms the meetings.)

The Polish member of the International Control Commission for Vietnam, Mieczyslaw Manelli, next visited Nhu and reportedly told him that he carried a message from North Vietnamese Premier Pham Van Dong. Nhu claimed that this message was that the Premier "begged me to open negotiations on the basis of Ho Chi Minh's cease-fire proposal" and specified "many details," amounting to "almost an attractive offer." Nhu told Alsop that he replied to the Polish envoy that "I could not open negotiations behind the backs of the Americans, when you [the Americans] were aiding us so importantly. That was out of the question."

This sequence of public developments and reports helps to amplify many statements in official documents in the secret Pentagon study.

A lengthy report to President Kennedy dated Oct. 2, 1963, from Secretary McNamara and Gen. Taylor, after a survey trip to Vietnam, described Nhu as "the hatchet man." The report said Nhu's attempts at "building up with Madame Nhu of a wide personal apparatus have smacked more and more of the outright totalitarianism. A further disturbing feature of Nhu is his flirtation with the idea of negotiation with North Vietnam."

The McNamara-Taylor report said "discontent with the Diem/Nhu regime . . . has now become a seething problem." But it also assessed the "prospects of an early spontaneous replacement of the Diem regime" as "not high." The report suggested "an intensive clandestine effort" to make contacts "to continuously appraise coup prospects."

McNamara and Taylor forecast that "The prospects that a replacement regime would be an improvement appear to be about 50–50. Initially, only a strongly authoritarian regime would be able to pull the government together and maintain order . . . Such an authoritarian regime, perhaps after an initial period of euphoria at the departure of Diem/Nhu, would be apt to entail a resumption of the repression at least of Diem, the corruption of the Vietnamese Establishment before Diem, and an emphasis on conventional military rather than social, economic and political considerations, with at least an equivalent degree of xenophobic nationalism. . . ."

Ambassador Lodge, in an October, 1963, report to the President's national security adviser, McGeorge Bundy, was optimistic about the prospects after Diem's ouster: Lodge said, in part.

"We should not thwart a coup for two reasons. First, it seems at least an even bet that the next government would not bungle and stumble as much as the present one has. Secondly, it is extremely unwise in the long range for us to pour cold water on attempts at a coup . . . We should remember that this is the only way in which the people in Vietnam can possibly get a change of government."

When the anti-Diem coup which the United States favored, was followed by the next coup overthrowing "Big Minh," Lodge took it as phlegmatically as possible, the documents reveal.

The Pentagon study reports that the U.S. embassy's first hint of the Khanh coup that removed Minh came on Jan. 20, 1964, from Italian Ambassador D'Orlandi. His information, as the analyst's summary describes it, was that Generals Tran Van Don and Ton Thap Dinh were "potential leaders of a group that might accept a French neutralization formula, especially if the U.S. position on that issue were not clarified immediately." Lodge, a few days later, issued a public statement that the United States, "In solidarity with the government of the Republic of Vietnam, firmly rejects the spurious idea of 'neutralizing' South Vietnam since 'neutralization' would simply be another means of a Communist takeover."

On Jan. 27, 1964—five days after the U.S. Joint Chiefs of Staff described South Vietnam in a secret report as "pivotal . . . in our world-wide confrontation with the Communists"—France announced that it was extending diplomatic recognition to Communist China. China, to Kennedy-Johnson administration strategists was the arch-

enemy behind the entire Asian "test" of Communist expansion.

The Johnson administration was furious. De Gaulle, as American strategists saw the world, first smashed the U.S. "grand design" for the Western Alliance in Europe, and now was launching a similar challenge in the Pacific.

In Saigon, when Gen. Khanh personally discussed with Lodge his intended coup, two days in advance, "The striking thing," the analyst commented, "is that although Khanh evidently made his intentions clear, the Ambassador's first thought was to protest to de Gaulle rather than to warn" the Saigon government. Lodge, in the analyst's words, urged Washington to protest "to de Gaulle against French clandestine plotting to upset the GVN [South Vietnam] and set it thereby upon a neutralist course."

Other reports reaching the U.S. Embassy in Saigon, the Pentagon study said, were that the "pro-French, pro-neutralist" South Vietnamese generals who planned to depose Gen. Minh had "French authorization to spend up to 2 billion piastres to achieve a neutralization of South Vietnam."

Khanh reportedly informed Lodge that Minh "agreed" to "secure changes" in the Minh junta to save it from the threat. Instead, Khanh took control, leaving Minh temporarily as titular chief of state.

Lodge's explanation to President Johnson, briefly mentioned earlier illustrates how men on the spot often cushioned the blow of bad news for the White House. Lodge reported just after the Khanh coup:

"Gen. Khanh's coup was obviously extremely disconcerting at first blush. We felt we were beginning to make real progress here with the Minh government—in the conduct of the effort against the Vietcong; and in making Gen. Minh into a popular figure. To overthrow a government which was progressing fairly satisfactorily seemed like a violent and disorderly procedure.

"On second thought, however," said Lodge, Generals Tran Van Don and Le Van Kim, who were alleged by Khanh to be the ringleaders of the alleged pro-neutralist coup "had never foresworn the possibility of a neutralist solution at what might have seemed to them to be the proper time. They had clearly been working, and working effectively, to strengthen the effort against the Vietcong.

"But none of us had ever discussed what the next step would be after the Government of Vietnam had reached a position of strength. Perhaps they did favor the French neutrality solution at that time. We had all concentrated exclusively on winning . . . Finally, Ambassador D'Orlandi of Italy, who is one of the shrewdest men here, has thought since November that the Minh government was actively in support of Gen. de Gaulle's ideas and would turn overtly neutralist at the proper time . . .

"He (D'Orlandi) had said this to me several times and had made much of the fact that both Don and Kim were still French citizens had been aides to Marshall de Lattre when he was here, and had actively worked in the French Secret Service in the past. Therefore, opinion of the French intentions for neutralization coup might be correct . . .

"Finally, in this country it rarely occurs to anyone that an election is an efficient or appropriate way to get anything important accomplished. The traditional way of doing important things here is by well planned, well thought out use of force. What Gen. Khanh has done does not appear to have shocked the Vietnamese . . . However, numerous Vietnamese have expressed the opinion to members of my staff that it was a pity that Gen. Minh was removed because he is a 'good man.'

"The real question is, therefore: Is Khanh able? Will he really supply some drive in connection with the effort against the Vietcong? The evidence to date is that he is able, that he has a lot of drive, and that he is not tolerating any delay . . .

"If Khanh is able, his advent to power may give the country one-man command in place of a junta. This may be good. We have everything we need in Vietnam. The U.S. has provided military advice, training, equipment; economic and social help; and political advice. The Government of Vietnam has put a relatively large number of good men into important positions and has evolved civil and military procedures which appear to be workable. Therefore, our aide knows how to do it; we have the means with which to do it; we simply need to do it. This requires a tough and ruthless commander. Perhaps Khanh is it."

The Pentagon reviewer, however, was much blunter writing in retrospect, "We (the United States) recognized it was a severe blow to the stability of the government that we had believed was so necessary for South Vietnam, and we doubted the charges that Khanh used as a justification for his actions."

But President Johnson evidently had a different set of priorities; he apparently regarded "neutralization," of Vietnam, which he repeatedly defined as "a Communist takeover" as the greatest danger to his domestic and international objectives. He firmly instructed Lodge, in a cable in late March, 1964, published earlier, out of the Pentagon study, that "your mission is precisely for the purpose of knocking down the idea of neutralization wherever it rears its ugly head . . . I have made this point myself to Mansfield and Lippmann . . . You may want to convey our concern on this point to Gen. Khanh and get his idea on the best possible joint program to stop such talk in Saigon, in Washington, and in Paris."

But the entire situation in Vietnam had changed while the Kennedy-Johnson administrations were exchanging control of the White House. President Johnson was determined to show the world that the United States, while emotionally shaken by the young President's death, would redouble, if necessary, its pursuit of the world "tests" staked out in the Kennedy years. To maintain continuity, he retained all the same key advisers.

It was a month after President Kennedy's death, before some of those advisers began to glimpse the consequences of the destruction in November of a South Vietnamese political structure built by Diem with major U.S. support since 1954.

The sudden "gloomy picture" discovered by McNamara in his previously mentioned Dec. 21, 1963, report, warning that South Vietnam was about to collapse either into a "neutralist" or "Communist-controlled state" was only the first blow. U.S. officials learned in stages that during the Diem days they had been using overly optimistic and inaccurate basic information from South Vietnamese officials. After Diem, the information improved, only to reveal that South Vietnam was now crumbling more swiftly than ever under rival generals who lacked any political experience, good or bad.

But the United States was prepared to try to correct that deficiency.

McNamara reported on March 16, 1964, that the Khanh regime suffered from "uncertain viability," and "there is a constant threat of assassination or of another coup . . . Whether or not French nationals are actively encouraging such a coup, de Gaulle's position and the continuing pessimism and anti-Americanism, of the French community in South Vietnam provide constant fuel to neutralist sentiment."

"On the positive side," reported McNamara, "the Khanh government . . . is highly responsive to U.S. advice . . ." The United States, said McNamara, must "make it clear that we fully support the Khanh government . . ."

Khanh, however, as the general kept protesting to Lodge when the Ambassador urged political reforms to rally the nation to fight better, was a soldier, not a politician.

The U.S. Joint Chiefs of Staff already had put before McNamara on Feb. 18, 1964, a full scenario for remedial action to help win the war. It included, "induce . . . Gen. Kahn . . . to accept U.S advisers at all levels considered necessary"; "establish the GVN and Khanh's 'images,'" plus a range of limited escalatory military actions

But the Joint Chiefs, recalling their repeatedly sidetracked recommendations about how to fight the war, also said that new, limited military actions cannot "exercise a decisive effect on the campaign against the Vietcong." Among subjects now requiring study with "urgency," they told McNamara, was, first, "Intensified operations against North Vietnam to include air bombings of selected targets." U.S. military advisers in South Vietnam, and inevitably Khanh also, soon increased their demands for the same solution.

The paradox for the United States was that the weaker Khanh became in coordinating South Vietnamese political and military action to meet intensified Communist assaults, the stronger became his bargaining power to require the United States to meet his demands—or face the rejected alternatives: "neutralization," "outright Communist takeover," and most importantly, U.S. world "humiliation."

In the optimistic days of July, 1962, when the United States was inducing an often-recalcitrant Diem to accept a few thousand more American advisers, Washington simultaneously began to plan to reduce its forces in South Vietnam after they reached a projected peak of 12,000 men in 1964. The plan was to reduce this force to 1,500 men by 1968.

This became simply a bureaucratic exercise, the Pentagon review shows; the first withdrawal plan was abandoned in the black days of March, 1964 after "an ostensible cutback of 1,000 men . . . in December, 1963." That was simply a bookkeeping illusion; U.S. force levels then already were more than 4,000 over the planned peak of 12,000 men by 1968.

By March, 1964, President Johnson's strategy was becoming locked into no choice that he or his chief advisers regarded as bearble except escalation. The Pentagon reviewer commented from the retrospective vantage point of the 1967–68 war review: ". . . It was increasingly apparent that we were as committed to the struggle as our clients were—possibly even more committed."

[From the Washington Post, July 1, 1971]

VIET COMBAT ROLE URGED ON JFK IN 1962

(By Chalmers M. Roberts)

The year 1962 opened for President Kennedy with the grim word that he had not done enough to save South Vietnam.

According to documents from the Pentagon study available to The Washington Post, the chairman of the Joint Chiefs of Staff had prepared one of those Pentagon flip-chart talks for Mr. Kennedy. Although there is no direct evidence, it seems a reasonable assumption that the talk was delivered. In any case, it is likely that the dreary word reached the President.

Gen. Lyman L. Lemnitzer, then the JCS chairman, was prepared to discuss China's problems (things must be bad because wheat had been purchased from Canada and Australia), the setup of the 16,500-man Vietcong military establishment and the belief that North Vietnam then was running a training center near the city of Vinh "where pro-Vietcong South Vietnamese receive an 18-month military course interspersed with intensive Communist political indoctrination."

"Two 600-man battalions already have completed training," said Lemnitzer's "talking paper" for the Jan. 9 meeting with the President, "and another two battalions began training in May, 1961." Here were signs of danger.

Then Lemnitzer, if he followed the "talking paper" prepared for him, was to quote the President to himself:

"The President on 22 November 1961 authorized the Secretary of State to instruct the U.S. Ambassador to Vietnam to inform President Diem that the U.S. Government was prepared to join the GVN (Government of South Vietnam) in a sharply increased effort to avoid a further deterioration of the situation in SVN (South Vietnam)." Next were listed the military steps the President had approved less than two months earlier.

One chart showed "approved and funded construction projects" including improvements at airfields at Pleiku, Bienhoa and at Tansonnhut (Saigon). Here was the commitment thus far. But, the "talking paper" indicated, that was not enough.

Some of the projects listed, such as defoliation were characterized as having "all the earmarks of gimmicks that cannot and will not win the war in South Vietnam." The documents do not show that the President had yet committed himself to "win the war" but that was the clear premise. The "commitment of U.S. units" in support of President Ngo Dinh Diem's forces in one form or another "should make it obvious to the Vietnamese and the rest of the world that the United States is committed to preventing Communist domination of South Vietnam and Southeast Asia."

Yet "all of the recent actions we have taken may still not be sufficient to stiffen the will of the government and the people of SVN sufficiently to resist Communist pressure and win the war without the U.S. committing combat forces."

The documents available do not include any proposed moves Lemnitzer was to put to Mr. Kennedy. But a National Security Action Memorandum of Jan. 18, nine days later, shows that the President was focusing not on sending in combat forces but on counterinsurgency.

He ordered establishment of "a Special Group (Counter-Insurgency)" to "assure unity of effort and the use of all available resources with maximum effectiveness in preventing and resisting subversive insurgency and related forms of indirect aggression in friendly countries." The new group was to be headed by Gen. Maxwell Taylor. An annex to the memorandum listed the "critical areas" assigned to it as Laos, South Vietnam and Thailand.

The same day Gen. Lemnitzer sent a memorandum to Brig. Gen. Edward Lansdale, who had been dealing with insurgencies for years, stating that "now a strong case can be made for increased direct participation by US personnel in the planning and supervision of Vietnamese counterinsurgency operations. Inherent in such increased direct participation should be some assurance of US support for Diem personally."

Lemnitzer was responding to Lansdale's statement that Diem was worried about a coup against him and that this had made him reluctant to let his field commanders "implement the task force concept that was an important part of the over-all plan of operations against the Vietcong."

On Jan. 26, the State Department came up with some suggestions. Deputy Under Secretary U. Alexis Johnson suggested to Deputy Defense Secretary Roswell Gilpatric that if the Vietnamese armed forces were to be increased at the time "we would envisage strategic plans made in Saigon giving priority to areas to be cleared and held and setting forth general methods to be used. We believe these should be accomplished by numerous small tactical actions planned and executed by American and Vietnamese officers on the spot to meet the local situation at the moment."

Johnson wrote that State felt "our training program for ARVN (Army of the Republic of Vietnam) be based primarily on the concept that the Vietnamese army will start winning on the day when it has obtained the confidence of the Vietnamese peasants. As a specific example I suggest that we immediately seek Vietnamese implementation of a policy of promptly giving a small reward in rice, salt or money (commodities in which the Vietcong are in short supply) to every person who gives information to the army. Similarly, villages which show determination to resist the Vietcong should receive the promptest possible support."

The Joint Chiefs were concerned with the larger view. Defense Secretary Robert S. McNamara sent the President a memorandum that illuminated their frame of mind.

Entitled "The Strategic Importance of the Southeast Asia Mainland," the Jan. 13 paper was signed by Lemnitzer for all the chiefs. It began this way:

"1. The United States has clearly stated and demonstrated that one of its unalterable objectives is the prevention of South Vietnam falling to communist aggression and the subsequent loss of the remainder of the Southeast Asia mainland. The military objective, therefore, must be to take expeditiously all actions necessary to defeat communist aggression in South Vietnam. The immediate strategic importance of Southeast Asia lies in the political value that can accrue to the Free World through a successful stand in that area. Of equal importance is the psychological impact that a firm position by the United States will have on the countries of the world—both free and communists. On the negative side, a United States political and/or military withdrawal from the Southeast Asian area would have an adverse psychological impact of even greater proportion, and one from which recovery would be both difficult and costly.

"2. It must be recognized that the fall of South Vietnam to communist control would mean the eventual communist domination of all of the Southeast Asian mainland. There is little doubt that the next major target would be Thailand. Cadres are now being established in that country and 'land reform' or 'capitalist dictatorship' ploys may prove fertile exploitation fields for the communists. Thailand is bordered by a 'pink' Burma and a vacillating Cambodia, either of which will easily fall under communist pressure. Thailand would almost certainly then seek closer accommodation with the Sino-Soviet bloc. SEATO would probably cease to exist. The only determined opposition to a communist drive would then be Malaya and Singapore. While the people of Malaya have the will to fight and might have the backing of the United Kingdom, the country itself would be isolated and hard pressed. The communist element in Singapore is strong. Short of direct military intervention by the United States, it is questionable whether Malaya and Singapore could be prevented from eventually coming under communist domination or control."

"Eventualities" were foreseen, either "early" or "possible." In the former category it was said that neutral India would be outflanked." Visualized as possible eventualities were Indonesia under Soviet domination, a threat to Australia and New Zealand, Sino-Soviet "control of the eastern access to the Indian Ocean," and the prospect that the Philippines and Japan "could be pressured to assume at best a neutralist role, thus eliminating two of our major bases of defense in the Western Pacific." Even a possible Sino-Soviet bloc "move into and control" of Africa was listed in this description of "possible" falling dominoes.

What was taking place in Vietnam, thus, was seen by the top American military leaders as no less than part of "a planned phase in the communist timetable for world domination. Whereas, control of Cuba has opened for the Sino-Soviet Bloc more ready access to countries of South and Central America, control of Southeast Asia will open access to the remainder of Asia and to Africa and Australia."

The JCS plea was to get the President to force Diem to accept "advice, as well as assistance, in military, political and economic matters." Diem should be told that "there must be no further procrastination."

The JCS added:

"If, with Diem's full forces, the Vietcong is not brought under control, the Joint Chiefs of Staff see no alternative to the introduction of US military combat forces along with those of the free Asian nations that can be persuaded to participate."

Despite all the talk about conterinsurgency warfare the JCS had its own view of what could lie ahead. It listed the following first among the "salient factors" of "the greatest importance if the eventual introduction of US forces is required":

"a. Any war in the Southeast Asia mainland will be a peninsula and island-type of campaign—a mode of warfare in which all elements of the Armed Forces of the United States have gained a wealth of experience and in which we have excelled both in World War II and Korea."

The other two "salient factors" were:

"b. Study of the problem clearly indicates that the communists are limited in the forces they can sustain in war in that area because of natural logistic and transportation problems.

"c. Our present world military posture is such that we now have effective forces capable of implementing existing contingency plans for Southeast Asia without affecting to an unacceptable degree our capability to conduct planned operations in Europe relating to Berlin or otherwise."

After urging McNamara to consider again the JCS recommendation of May 10, 1961, nearly eight months earlier, "that a decision be made to deploy suitable US forces to South Vietnam" to provide "a visible deterrent" to Hanoi and Peking and for other purposes, the chiefs told their civilian boss in conclusion:

"We are of the opinion that failure to do so under such circumstances will merely extend the date when such action must be taken and will make our ultimate task proportionately more difficult."

In sending this JCS memorandum to the President, McNamara told Mr. Kennedy that "I am not prepared to endorse the views of the Chiefs until we have had more experience with our present programs in SVN."

Evidently the President still was thinking in terms of counterinsurgency, not combat troops. In mid-February he sent a National Security Action Memorandum (NASM) to the Agency for International Development on "support of local police forces for internal security and counterinsurgency purposes." It began:

"As you know, I desire the appropriate agencies of this Government to give the utmost attention and emphasis to programs designed to counter Communist indirect aggression, which I regard as a grave threat during the 1960s. I have already written the Secretary of Defense 'to move to a new level of increased activity across the board' in the counterinsurgency field."

Police assistance programs he went on, "may seem marginal", but "I regard them as justified . . ." AID was to give the police program "greater autonomy within AID, if this seems necessary in order to protect it from neglect."

In May came another Kennedy action in the same field. Another NSAM approved

training in counter-insurgency for higher-level officials at State, Defense, Justice, CIA, AID and USIA and also for "selected foreign nationals, both in the United States and in their own countries.

"The emphasis for the latter should be placed on those countries with an actual or potential counterinsurgency problem."

Eleven days later, there was a new alarm over a possible breakdown of the cease-fire in Laos. In another NSAM, Mr. Kennedy called for contingency planning on possible Thai, Vietnamese and American moves to hold the noncommunist parts of that country. But the crisis passed.

There were constant disputes within the administration over how counterinsurgency was faring. On June 18, 1962, Assistant Secretary of State for Intelligence Roger Hisman, who had strongly backed the program to the President, wrote a critique for W. Averell Harriman, then Assistant Secretary for the Far East.

Hilsman said that "we conclude" that "there is no evidence to support certain allegations of substantial deterioration in the political and military situations in Vietnam." In fact, "on the contrary, there is evidence of heartening progress in bolstering the fighting effectiveness of the military and security forces" though "there is still much to be done in strengthening the overall capacity of the Vietnamese Government to pursue its total counterinsurgency effort."

Hilsman wrote that "a judgment on ultimate success in the campaign against the Communist 'war of national liberation' in Vietnam is premature" but "we think that the chances are good, provided there is continuing progress by the Vietnamese Government along the lines of its present strategy."

In mid-1962, the President pressed his counterinsurgency concept, as is shown in two NSAM's that are available.

In mid-June, Mr. Kennedy approved a set-up for "country internal defense plans" a theme widely discussed in public about that time. Schemes for improving personnel, down to their housing and rewards were listed. One section of this NSAM had to do with "support of covert paramilitary operations." it said:

"More Special Forces personnel will be assigned to support CIA covert paramilitary operations where acute insurgency situations exist. The Department of Defense has taken steps to expedite these assignments. In addition the Department of Defense will increase its capability to fund, support, and conduct wholly or partly covert paramilitary operations under the criteria of NSAM 57 which distinguishes responsibilities of the Department of Defense and CIA:

"Where such an operation is to be wholly covert or disavowable, it may be assigned to CIA, provided that it is within the normal capabilities of the agency. Any large paramilitary operation wholly or partly covert which requires significant numbers of militarily trained personnel, amounts of military equipment which exceed normal CIA-controlled stocks and/or military experience of a kind and level peculiar to the Armed Services is properly the primary responsibility of the Department of Defense with the CIA in a supporting role."

NSAM 57 is not available except for the part quoted above. From other documents it appears that NSAM 57 was approved in early July, 1961, somewhat more than two months after the CIA had overextended itself in running the disastrous Bay of Pigs invasion of Cuba.

The June, 1962, NSAM went on to order a study on the feasibility of "increased use of third-country personnel in paramilitary operations" in Laos.

This appears to be the earliest-dated hard evidence of American use of third-country personnel in what came to be known much later as the "secret war in Laos." There is no indication as to whether they had first been sent there by the Kennedy administration or by its predecessor, which also faced the problem of Laos.

Another NSAM in August 1962, on "counterinsurgency doctrine," indicated that President Kennedy had then approved a document entitled "U.S. Overseas Internal Defense Policy." The document, the NSAM said, "sets forth a national counterinsurgency doctrine for the use of U.S. departments and agencies concerned with the internal defense of overseas areas threatened by subversive insurgency, and has directed its promulgation . . ."

Here, at last, was the final bureaucratic response by the United States to Nikita Khrushchev's call more than 19 months earlier for "wars of national liberation" around the globe.

A Dec. 3 memorandum by Hilsman for Secretary of State Dean Rusk said that President Diem in Saigon, other leading Vietnamese, and "many US officials in South Vietnam apparently feel that the tide is now turning in the struggle against Vietnamese Communist (Vietcong) insurgency and subversion. This degree of optimism is premature. At best, it appears that the rate of deterioration has decelerated . . ."

The Vietcong, wrote Hilsman, "is obviously prepared for a long struggle" and "elimination, even significant reduction, of the Communist insurgency will almost certainly require several years. In either case, a considerably greater effort by the GVN, as well as continuing US assistance, is crucial."

The available Pentagon documents are incomplete for the first half of 1963. In April of that year, a National Intelligence Estimate said that the government's top intelligence chiefs "believe that Communist progress has been blunted and that the situation is improving" but that "there are as yet no persuasive indications that the Communists have been grieviously hurt."

The estimate predicted more of the same Communist tactics. But it also said that "assuming no great increase in external support to the Vietcong, changes and improvements which have occurred during the past year now indicate that the Vietcong can be constrained militarily and that further progress can be made in expanding the area of government control and in creating greater security in the countryside."

Then came the "however."

"However, we do not believe that it is possible at this time to project the future course of the war with any confidence. Decisive campaigns have yet to be fought and no quick and easy end to the war is in sight. Despite South Vietnamese progress, the situation remains fragile."

By June, the troubles in Laos once again were intruding. A NSAM in late June, refered to a State Department memorandum not available. One sentence in the NSAM stated that the question be explored whether additional U.S. actions should be taken in Laos before any action be directed against North Vietnam." There is no explanation what action State had suggested or referred to.

If counterinsurgency seemed to be going better, the problem by mid-1963 had begun to focus on the political side. Reports of a possible anti-Diem coup were alarming. At a White House briefing for the President on July 4, Hilsman reported that Ambassador Frederick Nolting in Saigon "believes that the most likely result of a coup attempt that succeeded in killing Diem was civil war. Mr. Hilsman disagreed with this view slightly in that he thought civil war was not the most likely result that it was certainly a possible result." So read the Defense Department's "memorandum of conversation."

Most of the available documents for the rest of 1963, up to the coup that deposed Diem and the President's assassination, center on the political scene in South Vietnam. There are, however, a few broader glimpses.

These Kennedy words, for example, appear in a Sept. 21 memorandum from the President to McNamara on the reasons the secretary was being sent to Saigon:

"The program developed after General (Maxwell) Taylor's mission, (in the previous October) and carried forward under your close supervision has brought heartening results, at least until recently. The events in South Vietnam since May have now raised serious questions both about the present prospects for success against the Vietcong and still more about the future effectiveness of this effort unless there can be important political improvements in the country."

Vietnam now came to be an issue, as Washington saw it, of whether and, how to use the considerable American presence in men and material as a lever on Diem. It was not easy. As Ambassador Henry Cabot Lodge in Saigon put it to State in a late October cable: "Heartily agree that a miscalculation could jeopardize position in Southeast Asia. We also run tremendous risk by doing nothing." The "miscalculation" sentence had come from Presidential assistant McGeorge Bundy in a cable to Lodge earlier that day. Soon, very soon, the much-anticipated coup against Diem was to take place. And shortly afterward, the problem of Indochina would be one for the new President, Lyndon B. Johnson.

RELUCTANT MOVE BY J. F. K. SET VIET STAGE—1961 MEMO ENVISIONED MAXIMUM U.S. TROOP LEVEL OF 205,000

(By Chalmers M. Roberts)

On Nov. 11, 1961, President Kennedy was told that Defense Secretary Robert S. McNamara and the Joint Chiefs of Staff "assume" that if Hanoi and Peking overtly intervened in South Vietnam after the United States sent its first troops there that the maximum American force "required on the ground in Southeast Asia would not exceed six divisions, or about 205,000 men."

This assumption was contained in joint memorandum to the President by Secretary of State Dean Rusk and McNamara in preparation for a National Security Council session at which Mr. Kennedy, in essence, accepted the Rusk-McNamara recommendations for a fateful step into direct involvement in the war.

This is among the many new facts contained in the Pentagon documents made available to The Washington Post relating to the Kennedy era and the war.

In actual fact, there was barely disguised North Vietnamese intervention some three years later, but thus far there has been no Chinese intervention. The total American manpower sent to Vietnam reached a peak of more than a half million men before the beginning of the withdrawals by the Nixon Administration. The 205,000 estimate was but one of the many miscalculations of the war.

The available documents portray a President Kennedy reluctant, in 1961, to become fully committed to the war by sending in combat troops but being advised and pushed by top officials in his administration to commit the United States.

For example, the first of 10 recommendations, with many sub-recommendations in the Rusk-McNamara memorandum, was that "We now take the decision to commit ourselves to the objective of preventing the fall of South Vietnam to Communism and that, in doing so, we recognize that the introduction of United States and other SEATO [Southeast Asia Treaty Organization] forces may be necessary to achieve this objective."

When the President approved a National Security Action Memorandum (NSAM 111) on Nov. 22, however, that sweeping commitment language was omitted.

Nonetheless, the NSAM was headed "First

Phase of Vietnam Program" and it did contain presidential approval for sending to Vietnam helicopters, light aircraft and transport planes, manned by American personnel in uniform in a new "partnership" between the United States and the Government of South Vietnam then headed by President Ngo Dinh Diem.

The first helicopters and their crews arrived in Saigon on Dec. 11, 1961, aboard the U.S.S. Core, a former escort carrier. Four days later, Washington and Saigon made public an exchange of Kennedy-Diem letters announcing in general terms a stepped-up American aid program. These moves composed the most fateful step in 1961 regarding Vietnam.

When John F. Kennedy entered the White House on Jan. 20, 1961, the focus in Southeast Asia was on Laos. Three days earlier, one of the strongest advocates of American intervention, Brig. Gen. Edward Lansdale, had reported to the outgoing administration that "the U.S. should recognize that Vietnam is in a critical condition and should treat it as a combat area of the cold war . . ."

This theme, in one form or another, was to be pressed on the President from the day of his inaugural to the day of his assassination. The rhetoric of his Inaugural Address was that of the cold war period. His attitude toward the Vietnam problem, as is well known from what he said in public, was deeply affected by Soviet Premier Nikita Khrushchev's famous speech in January, prior to the Kennedy inauguration, commending "wars of national liberation" in a period when nuclear war was too dangerous to contemplate and when small conventional wars could lead to a world war.

This led the President to approve a number of covert operations both in Laos and in South and North Vietnam. It led him to build up the Special Forces. And it was a constant in much of the advice given him. For example, on Nov. 3, 1961, in the letter to the President transmitting a report on his mission to Vietnam, Gen. Maxwell Taylor wrote:

"It is my judgment and that of my colleagues that the United States must decide how it will cope with Khrushchev's 'wars of liberation' which are really para-wars of guerrilla aggression."

Added Taylor: "This is a new and dangerous Communist technique which bypasses our traditional political and military responses. While the final answer lies beyond the scope of this report, it is clear to me that the time may come in our relations to Southeast Asia when we must declare our intentions to attack the source of guerrilla aggression in North Vietnam and impose on the Hanoi government a price for participation in the current war which is commensurate with the damage being inflicted on its neighbors to the South."

But that time was not to come until the Johnson era, after Hanoi matched the American buildup on the ground. In the first Kennedy year, the problem appeared this way, as described in the Rusk-McNamara memorandum to President Kennedy under the heading of "The Problem of Saving South Vietnam":

"It seems, on the face of it, absurd to think that a nation of 20 million people can be subverted by 15–20 thousand active guerrillas if the government and the people of that country do not wish to be subverted. '

The American answer, tortuously arrived at in lengthy debate within the administration from January to November, 1961, was to pressure Diem to improve the caliber and effectiveness of his government as well as to introduce some American military personnel and equipment as an earnest of the United States commitment to defeat that particular "war of liberation," as Washington viewed it.

(There is no evidence, incidentally, in the documents available to The Washington Post to show that the debacle of the Bay of Pigs in April, 1961, affected President Kennedy's actions relating to Indochina one way or the other.)

For 1961 as a whole, it is evident that two missions to Saigon ordered by Mr. Kennedy were of great importance—those of Vice President Johnson and of Gen. Taylor. There were other activities here in Washington that also affected the outcome, of course. And there could be additional evidence in White House and State Department records, which are sparse in the Pentagon study.

Barely a week after taking office the Pentagon analyst noted, Mr. Kennedy approved a modest counter-insurgency program for South Vietnam drafted by the Eisenhower Administration. There followed alternate coaxing and pressuring of Diem for "reforms" to make such programs work.

On April 27, on the heels of the Bay of Pigs, a crisis in Laos reached its peak. The combination, the analyst suggested, led a task force headed by Deputy Defense Secretary Roswell L. Gilpatric to suggest American help to increase Diem's forces and what the analyst termed "a modest commitment of U.S. ground combat units in South Vietnam with the nominal mission of establishing two training centers." The President took no action on the latter, although he approved the aid to Diem's forces.

A State Department redraft of this report recommended stationing U.S. troops in Vietnam but not for combat against the Vietcong. It also raised the idea of a bilateral American-South Vietnamese defense treaty. But on May 5 Rusk declared that "we should not place combat forces in SVN at this time."

The Vice President's visit to Vietnam is first mentioned in the documents in a memorandum to Mr. Kennedy on April 12 from Walt W. Rostow, then a Kennedy White House aide, stating that "I believe we must turn to gearing up the whole Vietnam operation" and suggesting such a visit as one move.

Rostow also called for raising the ceiling on the number of men in the American MAAG (military assistance advisory group) in Vietnam, which he noted "involves some diplomacy." The MAAG mission then totaled 685 men and the plan was to raise it by 100. The hitch was that to do so publicly would "be the first formal breach of the Geneva Agreements" of 1954, as the analyst put it, which limited foreign military personnel in Indochina.

On April 29, the President approved the MAAG increase to enable it, among other things, to train an approved 20,000 increase in South Vietnamese troops.

On the same day, with the Laotian crisis at its peak, the Joint Chiefs of Staff ordered an alert. Its purpose, various memoirs indicate, was to serve as a threat to intervene in Laos if the Communist forces refused a cease-fire then being negotiated to precede a Geneva Conference on Laos.

The alert called on CINCPAC, the Pacific headquarters in Honolulu, to "prepare plans to move brigade size forces of approximately 5,000 each into Udorn [Thailand] or vicinity and into Tourane [the French name for Danang] or vicinity. Forces should include all arms and appropriate air elements. Plans should be based solely on US forces at this time." But CINCPAC also was told that "decision to make these deployments not firm" and that while a decision on Thailand was expected shortly, "decision regarding Vietnam will be even later due to consideration of Geneva Accords."

The decision did not come on May 1, the day the Joint Chiefs of Staff expected it. Instead there was talk of implementing a SEATO contingency plan "providing for military intervention in South Vietnam should this become necessary to prevent the loss of the country to Communism." This was the language of the Gilpatric task force report.

And on May 10 the Joint Chiefs, in a memorandum about "the present highly inflammable situation in South Vietnam," declared that: "Assuming that the political decision is to hold Southeast Asia outside the Communist sphere, the Joint Chiefs of Staff are of the opinion that U.S. forces should be deployed immediately to South Vietnam; such action should be taken primarily to prevent the Vietnamese from being subjected to the same situation as presently exists in Laos, which would then require deployment of U.S. forces into an already existing combat situation."

The Joint Chiefs suggested that Diem "be encouraged to ask" that the U.S. "fulfill its SEATO obligations in view of the new threat now posed by the Laotian situation, by the immediate deployment of appropriate U.S. forces to South Vietnam" and that "upon receipt of this request, suitable forces could be immediately deployed. . . ."

But at the NSC meeting on May 11 the President went no further, according to the memorandum of his national security adviser, McGeorge Bundy, than to direct a "full examination" by Defense "of the size and composition of forces which would be desirable in the case of a possible commitment of U.S. forces to Vietnam."

One other step was authorized. Ambassador Frederick Nolting in Saigon was "authorized to begin negotiations looking toward a new bilateral arrangement with Vietnam, but no firm commitment will be made to such an arrangement without further review by the President."

At this point, Vice President Johnson was on his May 9–15 visit to Southeast Asia.

The Johnson report to the President, much of it long ago published, declared that "we must decide whether to help these countries to the best of our ability or throw in the towel in the area and pull back our defenses to San Francisco and a ' Fortress America' concept." And a decision to help "must be made with the knowledge that at some points we may be faced with the further decision of whether we commit major United States forces to the area or cut our losses and withdraw should our other efforts fail . . . I recommend we proceed with a clear-cut and strong program of action."

But the Pentagon analyst noted that the record available to him "tells us almost nothing about the Vice President's visit to Saigon beyond what is described in the public memoirs. We know from Nolting's cables that Johnson brought up the possibility of U.S. troops in Vietnam and of a bilateral treaty after Diem (in an after-dinner conversation) began to talk about the problems that Communist gains in Laos would create for him. We know that Diem replied that he wanted U.S. combat troops only in the event of open invasion and that he also did not show interest in a treaty."

On June 9, Diem wrote the President that he needed "a considerable expansion" of the MAAG group "in the form of selected elements of the American armed forces to establish training centers for the Vietnamese Armed Forces" that also "would serve the dual purpose of providing an expression of the United States' determination to halt the tide of Communist aggression and of preparing our forces in the minimum of time."

But the available record shows no action by President Kennedy on this request. The Pentagon analyst noted that, despite all the internal administration discussion about sending combat troops, "no one at this time talked about using American units to directly fight the Vietcong."

Theodore Sorensen wrote in his book "Kennedy" that the President in May decided against sending combat units. There

is support for this in a hand-written Rostow note to McNamara of about June 5 saying:

"Bob:

"We must think of the kind of forces and missions for Thailand now, Vietnam later.

"We need a guerrilla deterrence operation in Thailand's northeast.

"We shall need forces to support a counter-guerrilla war in Vietnam:

"aircraft
"helicopters
"communications men
"special forces
"militia teachers
"etc.

"WWR"

A National Security Council meeting was called for on Oct. 11 and at least four papers were put before it. One was a Special National Intelligence Estimate (SNIE) based on an assumption that a 25,000-man SEATO force would be involved but noting that Britain and France would be likely to oppose any such move. The two nations were SEATO members, others being the United States, the Philippines and Thailand.

An estimate of Oct. 11 by the Joint Chiefs included this paragraph under the heading "Wider Military Implications" in a supplement to a paper on "Concept of Intervention in Vietnam":

"As the basic paper indicates, the likelihood of massive DRV [Democratic Republic of (North) Vietnam] and Chicom [Chinese Communist] intervention cannot be estimated with precision. The SNIE covers only the initial phase when action might be limited to 20–25,000 men. At later stages, when the JCS estimate that 40,000 US forces will be needed to clean up the Vietcong threat, the chances of such massive intervention might well become substantial, with the Soviets finding it a good opportunity to tie down major US forces in a long action, perhaps as part of a multi-prong action involving Berlin and such additional areas as Korea and Iran."

The JCS went on to speak of the "present estimates of about 40,000 US forces for the stated military objective in South Vietnam, plus 128,000 US forces for meeting North Vietnam and Chicom intervention. . ." It was only a month later that the 128,000 figure became 205,000.

Another memorandum of the moment was one to McNamara from William Bundy, then acting Assistant Secretary of Defense for Internal Security Affairs and later to be Assistant Secretary of State for Far East Affairs. Its value is its nonbureaucratic language. It said, in full:

"Even if the decision at tomorrow's meeting is only preliminary—to explore with Diem and the British, Australians, and New Zealanders would be my guess—it is clearly of the greatest possible importance.

"For what one man's feel is worth, mine—based on very close touch with Indochina in the 1954 war and civil war afterwards till Diem took hold—is that it is really now or never if we are to arrest the gains being made by the Vietcong. Walt Rostow made the point yesterday that the Vietcong are about ready to move, by every indication, from the small unit basis to a moderate battalion-size basis. Intelligence also suggests that they may try to set up a 'provisional government' like Xieng Khuang (though less legitimate appearing) in the very Kontum area into which the present initial plan would move SEATO forces. If the Vietcong movement 'blooms' in this way, it will almost certainly attract all the back-the-winner sentiment that understandably prevails in such cases and that beat the French early in 1954 and came within an ace of beating Diem in early 1955.

"An early and hard-hitting operation has a good chance (70% would be my guess) of arresting things and giving Diem a chance to do better and clean up. Even if we follow up hard, on the lines the JCS are working out after yesterday's meeting, however, the chances are not much better that we will in fact be able to clean up the situation. It all depends on Diem's effectiveness, which is very problematical. The 30% chance is that we would wind up like the French in 1954; white men can't win this kind of fight.

"On a 70–30 basis, I would myself favor going in. But if we let, say, a month go by before we move, the odds will slide (both short-term shock effect and long-term chance) down to 60–40, 50–50 and so on. Laos under a Souvanna Phouma deal is more likely than not to go sour, and will more and more make things difficult in South Vietnam, which again underscores the element of time."

A Gilpatric memorandum shows that President Kennedy at the NSC table authorized Defense to send a Jungle Jim squadron—an Air Force unit with 12 planes especially trained for counter-insurgency warfare—into Vietnam "to serve under the MAAG as a training mission and not for combat at the present time."

The President also approved sending Taylor and Rostow, Gen. Lansdale and others on what became known as the Taylor Mission to Saigon. It was to "look into the feasibility from both political and military standpoints" of, among other things, two forms of intervention: that based on the "Concept for Intervention in Vietnam" paper and "an alternative plan for stationing in Vietnam fewer U.S. combat forces than those called for" under the first plan. The latter would have "a more limited objective than dealing with the Vietcong; in other words, such a small force would probably go in at Tourane [Danang] and possibly another southern port principally for the purpose of establishing a U.S. 'presence' in Vietnam."

The President announced the Taylor Mission that afternoon at a press conference.

En route to Saigon, Taylor stopped at Honolulu to talk to Adm. Harry Felt at CINCPAC. After Taylor left, Felt cabled Washington a list of pros and cons on sending American forces, concluding that it "appears to me to add up in favor of our not introducing U.S. combat forces until we have exhausted other means of helping Diem."

Taylor arrived in Saigon on Oct. 18. Diem said he did not want American troops but wanted a treaty and various forms of support for his forces. Then nature intervened, in the form of what Saigon described to Washington as the worst flood in the Mekong Delta since 1937. Taylor proposed on the 24th "a flood relief task force, largely military in composition, to work with GVN [Government of Vietnam] over an extended period of rehabilitation of areas."

Taylor added in this report to Washington that "obviously, such a military force would also provide U.S. military presence in Vietnam and would constitute military reserve in case of heightened military crisis."

Taylor expanded on the Flood Force in an "eyes only" cable the same day to the President, Rusk, Deputy Under Secretary of State U. Alexis Johnson, McNamara and Gen. Lyman Lemnitzer, chairman of the JCS. He added that "the strength of the force I have in mind [is] on the order of 6–8,000 troops." And he said that "in addition to the logistical component, it will be necessary to include some combat troops for the protection of logistical operations and the defense of the area occupied by U.S. forces. Any troops coming to VN may expect to take casualties."

The telegram concluded: "Needless to say, this kind of task force will exercise little direct influence on the campaign against the V.C. It will, however, give a much needed shot in the arm to national morale, particularly if combined with other actions showing that a more effective working relationship in the common cause has been established between the GVN and the U.S."

Taylor stopped in the Philippines and sent another "eyes only" cable to the President which set the figure at not to exceed "about 8,000" men. Other key paragraphs said:

"This message is for the purpose of presenting my reasons for recommending the introduction of a U.S. military force into South Vietnam (SVN). I have reached the conclusion that this is an essential action if we are to reverse the present downward trend of events in spite of a full recognition of the following disadvantages:

"a. The strategic reserve of U.S. forces is presently so weak that we can ill afford any detachment of forces to a peripheral area of the Communist bloc where they will be pinned down for an uncertain duration.

"b. Although U.S. prestige is already engaged in SVN, it will become more so by the sending of troops.

"c. If the first contingent is not enough to accomplish the necessary results, it will be difficult to resist the pressure to reinforce. If the ultimate result sought is the closing of the frontiers and the clean-up of the insurgents within SVN, there is no limit to our possible commitment (unless we attack the source in Hanoi).

"d. The introduction of U.S. forces may increase tensions and risk escalation into a major war in Asia.

"On the other side of the argument, there can be no action so convincing of U.S. seriousness of purpose and hence so reassuring to the people and Government of SVN and to our other friends and allies in SEA [Southeast Asia] as the introduction of U.S. forces into SVN. The views of indigenous and U.S. officials consulted on our trip were unanimous on this point . . .

"The size of the U.S. force introduced need not be great to provide the military presence necessary to produce the desired effect on national morale in SVN and on international opinion. A bare token, however, will not suffice; it must have a significant value. The kinds of tasks which it might undertake which would have a significant value are suggested in . . ." an earlier cable which is not among the available documents.

On Nov. 3, the Taylor Mission report was wrapped up in a black, loose-leaf notebook containing a letter of transmittal to the President from the general. An unsigned summary statement put the case frankly:

"It is evident that morale in Vietnam will rapidly crumble—and in Southeast Asia only slightly less quickly—if the sequence of expectations set in motion by Vice President Johnson's visit and climaxed by General Taylor's mission are not soon followed by a hard U.S. commitment to the ground in Vietnam."

Further:

"The elements required for buying time and assuming the offensive in Vietnam are, in the view of this mission, the following:

"1. A quick U.S. response to the present crisis which would demonstrate by deeds—not merely words—the American commitment seriously to help save Vietnam rather than to disengage in the most convenient manner possible. To be persuasive this commitment must include the sending to Vietnam of some U.S. military forces.

"2. A shift in the American relation to the Vietnamese effort from advice to limited partnership. The present character and scale of the war in South Vietnam decree that only the Vietnamese can defeat the Vietcong; but at all levels Americans must, as friends and partners—not as arms-length advisers—show them how the job might be done—not to tell them or do it for them."

It was in Taylor's own letter of transmittal of the report to the President that he declared that the "United States must decide how it will cope with Khrushchev's 'wars of liberation' which are really para-wars of guerrilla aggression."

While the Taylor Mission was coming to a conclusion, Washington's eyes were far more

on Berlin than on Vietnam. President Kennedy had sent more troops to Europe and Soviet and American tanks had had a confrontation in Berlin.

From Japan Rusk cabled his feeling that it was "difficult to see how handful American troops can have decisive influence" in Vietnam. He called for a State Department review.

A Nov. 5 Special National Intelligence Estimate indicated there then was discussion of either (a) increasing MAAG strength "to provide US advisers down to battalion level" in the South Vietnamese forces (b) introduction of "a US force of about 8,000–10,000 troops, most engineers with some combat support" for flood relief or (c) "the introduction into the area of a US combat force of 25,000 to 40,000 to engage with South Vietnamese forces in ground, air, and naval operations against the Vietcong."

The Pentagon analyst noted that "the gist of the SNIE was that North Vietnamese would respond to an increased U.S. commitment with an offsetting increase in infiltrated support for the Vietcong . . . On the prospect for bombing the North, the SNIE implies that threats to bomb would not cause Hanoi to stop its support for the Vietcong, and that actual attacks on the North would bring a strong response from Moscow and Peiping, who would 'regard the defense of North Vietnam against such an attack as imperative.'"

On Nov. 8, McNamara told the President that he, Gilpatric and the Joint Chiefs supported the Taylor recommendations. He also said that "in view of the logistic difficulties faced by the other side, I believe we can assume that the maximum U.S. forces required on the ground in Southeast Asia will not exceed 6 divisions or about 205,000 men . . ." even if Hanoi and Peking were to "intervene overtly."

On Nov. 11 came the joint Rusk-McNamara memorandum referred to at the beginning of this account, "Modest size" deployments were recommended; "larger organized units" were discussed with considerable qualms. The Rusk-McNamara principle however, was that "we should be prepared to introduce United States combat forces if that should become necessary for success."

The President's true feelings were perhaps expressed better in remarks to historian Arthur Schlesinger Jr., then working in the White House, than in any of the documents available. He told Schlesinger early in November:

"They want a force of American troops. They say it's necessary in order to restore confidence and maintain morale. But it will be just like Berlin. The troops will march in; the bands will play; the crowds will cheer; and in four days everyone will have forgotten. Then we will be told we have to send in more troops. It's like taking a drink. The effect wears off, and you have to take another."

As for Diem, when he heard the decision from Ambassador Nolting to send in the additional men, even though it was less than he was expecting, the South Vietnamese leader remarked, cabled Nolting, that "Vietnam did not want to be a protectorate."

There was one notable dissenter, John Kenneth Galbraith, ambassador to India and close friend of the President, who had asked him to visit Saigon. Galbraith, as he has explained in his book, "Ambassador's Journal," wrote Mr. Kennedy that he found South Vietnam in November 1961, to be "a can of snakes." He cabled that "given even a moderately effective government and putting the relative military power into perspective, I can't help thinking the insurgency might very soon be settled."

He contended the "outside intervention" was exaggerated and declared that "Washington is currently having an intellectual orgasm on the unbeatability of guerrilla war." As for the argument that while Diem would not do what he should and there was no one in sight able to replace him, Galbraith had this comment:

"It is a cliche that there is no alternative to Diem's regime. This is politically naive. Where one man has dominated the scene for good or ill there never seems to be. No one considered Truman an alternative to Roosevelt. There is none for Nehru. There was none I imagine for Rhee. This is an optical illusion arising from the fact that the eye is fixed on the visible figures. It is a better rule that nothing succeeds like successors."

(Galbraith entered the picture once again in April, 1962 with a memorandum the President sent on to McNamara. The memo, already published in "Ambassador's Journal," said there was danger "we shall replace the French as the colonial force in the area and bleed as the French did."

(The Pentagon documents show that the chairman of the Joint Chiefs, Gen. Lemnitzer, sent a comment back to McNamara arguing that the President had approved certain steps, that they had not yet been under way long enough to "demonstrate their full effectiveness" and that "any reversal of U.S. policy could have disastrous effects." The Chiefs wanted present policy "pursued vigorously to a successful conclusion.")

The year 1961, the documents show, ended with a pair of other Washington decisions that further involved the United States in the war.

On Nov. 30 President Kennedy approved NSAM 115 that, as the analyst's chronology showed, meant U.S. "participation in a selective and carefully controlled joint program of defoliant operations" in South Vietnam "starting with the clearance of key routes and proceeding thereafter to food denial." None of the documents available to The Washington Post expand on this.

Finally, on Dec. 18, McNamara sent Rusk a memorandum confirming what apparently had been in the wind: that the senior American military commander in Vietnam would have the title of "Commander, U.S. Military Assistance Forces—Vietnam." He would have equal rank with the American ambassador and report through CINCPAC in Honolulu to the Joint Chiefs in Washington.

The United States, indeed, by now had moved from "advice to limited partnership," in Taylor's phrase. The scene thus was set for the subsequent Kennedy years of creeping involvement in Indochina.

Changing Viet Regimes Baffled United States

(By Don Oberdorfer)

The Pentagon study of the Vietnam war discloses details of severe United States difficulties with a succession of ruling regimes in Saigon from 1964 through 1967, while U.S. forces were growing from 15,000 advisers to nearly 500,000 troops.

The political weakness in Saigon was at the heart of the problem of the war, a fact formally acknowledged in a series of U.S. internal documents. Yet according to the Pentagon study the U.S. desire for an effective government in South Vietnam was frustrated time after time and American officials failed to find a remedy.

The United States, which bore a large share of the responsibility for the overthrow of President Ngo Dinh Diem, found itself nearly helpless to build up a stable successor to take his place. There were six major changes of government in 18 months, culminating in the mid-1965 coup by Gen. Nguyen Cao Ky and Nguyen Van Thieu. After that, it took a year and a major internal battle to bring a semblance of stability to Ky and Thieu.

The political difficulties in Vietnam were evident soon after Diem was overthrown on Nov. 1, 1963. The following month, Secretary of Defense Robert S. McNamara made an urgent two-day visit to Saigon and reported that the trend of events, if unchecked, would lead to neutralization or Communist control in South Vietnam. "The new government is the greatest source of concern. It is indecisive and drifting," he said.

McNamara urged the new U.S. President, Lyndon B. Johnson, to send a personal New Year's message to the new chief in Saigon, Gen. Duong Van (Big) Minh to stress "the necessity of strong central direction by the government and specifically by Minh himself."

The public part of Mr. Johnson's New Year message to Minh looked forward to the day when the Saigon regime could deal with the war alone and American military personnel—then 15,914—would be withdrawn. But a special annex of "confidential advice" gave a different picture.

"It is vitally important to act now to reverse the trend of the war as soon as possible," said the advice cabled to Saigon to be relayed to Minh. The Pentagon report quotes the message as also saying that the U.S. would be pleased to set up a "brain-trust" for Minh and that the general should be assured of complete U.S. support as *"THE* leader" of Vietnam. "We believe he can magnetically rally the Vietnamese people if he will really try to do so. He should be told leadership is an essential political ingredient of victory such as was the case with Magsaysay in the Philippines," said the message from Washington.

As often happened in the relations between the United States and the South Vietnamese leadership, things did not turn out as planned. On Jan. 28, U.S. officers in Vietnam heard rumbles of a coup against Minh, who had led the coup against Diem. This time the United States took a "hands-off" position and on Jan. 30, another general—Nguyen Khanh, son of Vietnamese barkeep—had taken over. Within a few weeks, Washington was ready with a set of proposals to help the new leader. Political blunders soon sapped his power and ultimately forced him into exile.

The difficulties, frustrations and disappointments of the United States government in dealing with a succession of post-Diem leaders in South Vietnam is discussed at length in the Pentagon study, which, as has been noted, relies heavily on Pentagon documents and is short on material from the White House and State Department. According to facts and documents cited in his report, American officials had grave difficulty finding out what was taking place among the Vietnamese in 1964–1967—and when they discovered what was going on, they often had trouble doing anything about it.

The Pentagon study states that—in contrast to the U.S. role in the overthrow of Diem—the United States was uninformed about four major coups or coup attempts between early 1964 and mid-1965, despite specific instructions to U.S. personnel in Saigon to report all coup rumors to the Ambassador immediately.

In the most potentially dangerous post-Diem crisis, the mid-1966 slowdown between the Saigon generals and militant Buddhists, the Pentagon report states that the United States had no advance knowledge that Gen. Ky would shatter a tentative agreement by using military force. "This may require rough talk but the U.S. cannot accept this insane bickering," a State Department cable to the U.S. Embassy in Saigon is quoted as saying. "The American people are fed up with the games they (the government and the Buddhists) are playing while Americans are being asked to sustain such major burdens," another cable is quoted as saying.

In the end, according to the Pentagon report the United States threatened military action to stop the squabbling and the State Department authorized the Embassy to

threaten total U.S. withdrawal from Vietnam if the internal conflict did not stop.

The Buddhist crisis appears to have been the highwater mark of U.S. assertiveness concerning the Vietnamese "ally" after the fall of Diem. The study details many other attempts to give instructions to the Vietnamese government—which sometimes rejected the plans, sometimes acquiesced in principle but did nothing in fact, and sometimes accepted U.S. programs along with the money to pay for them.

In the post-Diem period, according to documents in the Pentagon study, U.S. officials justified growing military intervention in North Vietnam and in South Vietnam as helping to "shore up" the succession of Saigon regimes. Proposals to reduce the bombing of North Vietnam or begin negotiations with the Communists ran into trouble on grounds that they would shatter the delicate status quo in Saigon, papers show.

Throughout the war, a dichotomy existed between those American officials who emphasized the fundamental requirement of political and pacification gains in South Vietnam and those who concentrated on breaking the will of the Communists by bombing and other military action in North Vietnam. The South Vietnamese leaders often seemed more interested in striking North than in winning the support of the people in the South.

In May, 1964, for example, Secretary of State Dean Rusk visited Saigon and attempted to convince Gen. Nguyen Khanh of the vital importance of national unity in Vietnam to sustain American public opinion behind President Johnson and induce other nations to "be in the foxholes with us" if military escalation should become necessary. According to the Pentagon history, Khanh replied that the Vietnamese people were tired of the long, dreary grind of pacification and declared "pretty flatly" that action outside South Vietnam was essential to victory.

Khanh pressed Rusk for an "immediate" decision to "clean out the Communists in Eastern Laos" and urged a strike in the North. Rusk mentioned the dangers of escalation, and said a major Chinese attack would involve the use of nuclear arms in response because the United States "would never again get involved in a land war in Asia limited to conventional forces.

Rusk added, according to the Pentagon study, that Chiang Kaishek, U Thant and other Asians were opposed to the use of nuclear weapons on racial grounds, since they had been and might be used against Asians but not Westerners. Khanh reportedly replied he "certainly had no quarrel with American use of nuclear arms . . . one must use the force on hand."

Khanh is said to have promised to keep his conversation with Rusk secret until the United States agreed on a course of action. But two months later he and Gen. Ky began publicly lobbying for cross-border opperations and bombing of North Vietnam. The "March North" campaign caused dismay in the U.S. government, which was concerned about the internal weakness of the Khanh regime and was not ready for open talk about the bombing of North Vietnam.

The first U.S. retaliatory raid on North Vietnam—on Aug. 5, 1964, in response to the Gulf of Tonkin incident—temporarily lifted the spirits of the Saigon generals and encouraged Khanh to impose censorship and other wartime measures in South Vietnam. From Saigon, however, U.S. Ambassador Maxwell Taylor reported that Khanh's government was "ineffective" and the people "confused and apathetic". He added, "We may face mounting pressure from the GVN [Government of (South) Vietnam] to win the war by direct attack on Hanoi which if resisted will cause local politicians to seriously consider negotiation or local soldiers to consider a military adventure without U.S. consent."

The "March North" campaign cropped up among the Saigon generals periodically throughout the 1964–7 period. In July 1965, according to the Pentagon history, Ambassador Taylor and Gen. William C. Westmoreland went to Vietnamese authorities after Gen. Nguyen Chanh Thi (commander in I Corps) was reported to be planning military operations in the Demilitarized Zone. About the same time Secretary of Defense McNamara recommended a U.S. veto on major Vietnamese government commanders and on their statements about going North. Thi "got back on his leash before it was too late," the Pentagon report said.

The United States did not begin operations in the DMZ until more than a year after the incident.

Throughout the post-Diem period, according to the Pentagon report, U.S. officials tried periodically to teach Vietnamese leaders the rudiments of American-style popular politics—with little success.

Ambassador Henry Cabot Lodge was quoted as reporting in January, 1964: "It is obvious that [the Vietnamese generals] are all we have got and that we must try as hard to make them into successful politicians as we are trying to make them into successful military men." Lodge is said to have tried to convince "Big Minh" to travel around the countryside to build a following and convince people that the government cares about them. A similar plan was proposed by Ambassador Taylor for Gen. Khanh late in 1964. Neither man showed much interest.

In March, 1966, the Pentagon study relates, Lodge had a lengthy discussion of political tactics with then-Premier Ky, whose political style is probably the most Western (and least Vietnamese) of the recent leaders of his land. Lodge suggested that after Ky had selected a group of men who would work on a new constitution, he should make "a very careful written and persuasive announcement which would be done on film for use on television and in the movie theatres."

The Vietnamese are great moviegoers, Lodge added in a dispatch to Washington. "I said that he (Ky) should not read it on film with his head bobbing up and down as he looked down at the text, but should have it put on cue cards alongside the camera and read it as he looks right into the lens."

There is no indication in the report whether or not this was done—but Lodge was optimistic that his political advice would contribute to "a budding sense of national interest."

For its part, Washington was forever full of ideas which it believed would contribute to the political stability of the regime and the prosecution of the war effort. One of the early attempts, which recurred throughout the following years, was Secretary McNamara's plan for "national mobilization" for South Vietnam, first discussed by him with Gen. Khanh in March, 1964.

As envisioned by McNamara, the program was to include a national service act in South Vietnam; an increase in the armed forces, paramilitary forces and police, and creation of an offensive guerrilla force to operate along the borders and in Vietcong-controlled areas. The Vietnamese are said to have raised the question of a pay raise for the militia and to have interpreted McNamara's approval to be an agreement to pay much of the cost.

Back in Washington, McNamara reported to President Johnson on March 16, 1964, that "the greatest weakness in the present situation is the uncertain viability of the Khanh government. Khanh himself is a very able man within his experience, but he does not yet have wide political appeal and his control of the army itself is uncertain . . . McNamara recommended that the plans he had discussed with Khanh should be announced and "described by some term such as "South Vietnam's Program for National Mobilization.' "

The following day, the White House announced that Khanh and his government are acting "vigorously and effectively" and have produced "a second central plan." The White House added that "General Khanh has informed us that he proposes in the near future to put into effect a National Mobilization Plan."

According to the Pentagon history, Khanh signed a mobilization decree in Saigon on April 4 to meet the expectations and aid promises from Washington—but he did not sign implementing decrees to put it into effect. In May, Khanh supposedly broadened the draft and established a new "Civil Defense Corps"—but these measures were not implemented either, the Pentagon history relates.

A high point of demands from Washington upon the Vietnamese came in April, 1965, when the United States was trying to shore up the fledgling government of Dr. Pham Huy Quat. A Pentagon working paper by Assistant Secretary of Defense John McNaughton had reported that "the situation in general is bad and deteriorating" and called for "great imaginative efforts on the civilian political as well as military side." In that pursuit, the United States was asking the two-month-old Quat government simultaneously to implement a 21-point military program, a 41-point nonmilitary program, a 16-point U.S. Information Agency program. Now the government was being handed a new 7-point plan including more U.S. troops.

"We are going to stall the machine of government if we do not declare a moratorium on new programs for at least six months," Ambassador Taylor protested to McGeorge Bundy, the White House national security chief.

"Mac, can't we be protected from our friends? I know that everyone wants to help but there's such a thing as killing with kindness," Taylor is quoted as saying.

The Quat government lasted two more months before being ousted by a junta of generals.

The new group was headed by Thieu and Ky, who had been among the military "Young Turks" given a blunt dressing-down by Taylor late the previous year after suddenly making dozens of political arrests, including those of some members of the High National Council, which was theoretically in power in the country. Taylor told the generals then that they were "up to our necks in politics" and added, "You people have broken a lot of dishes and now we have to see how we can straighten out this mess." He asked, "why don't you tell your friends before you act?"

When Thieu and Ky kicked out Quat and took over in June, 1965, the U.S. Embassy found out about the main decisions after they were already taken, the Pentagon history states. Taylor is said to have objected in vain to naming Ky as Prime Minister under the new ruling group.

After a decent interval of two months, Taylor was called home from Saigon and replaced by Lodge—who thus began serving his second term as U.S. Ambassador in Saigon.

The big test of the power of Thieu and Ky—and the crisis which nearly tore non-Communist South Vietnam apart—came in the spring of 1966, when the Saigon generals decided to get rid of Gen. Nguyen Chanh Thi, the popular commander in I Corps. With strong support from Thich Tri Quang, the militant Buddhist leader with headquarters in Hue, many of Thi's military units remained loyal to their old boss against the Saigon generals. Both regional and religious passions flared.

The State Department urged Lodge to seek a political solution rather than a military

solution. The Saigon generals eased the crisis by promising national elections for a Constituent Assembly in the fall but then—realizing the political power of the Buddhists among the people—the military began to hedge. New disorders broke out, and the Saigon generals sent their troops to crush the dissident military force and the Buddhists in Danang and Hue.

It was then that the State Department cabled Lodge: "This may require rough talk but U.S. cannot accept this insane bickering . . . do your best in next few hours. Intolerable that Ky should . . . move . . . against Danang without consultation with us. Urgent now to insist that fighting stop."

Gen. Lewis Walt, the U.S. Marine commander in Danang, heard of a possible Vietnamese air force attack on dissident troops in the area. Walt threatened to use U.S. jets to shoot down the government aircraft if they made such an attack—on grounds that U.S. advisers with the I Corps troops would be in jeopardy.

When a dissident leader threatened to attack government forces at Danang, the State Department directed that he be reminded that U.S. forces also in Danang would have to defend themselves. The Pentagon history states that "State also authorized the threat of total U.S withdrawal."

The Saigon troops won the showdown militarily and the Buddhists played into their hands by sacking the U.S. consulate in Hue and making bitter verbal attacks on U.S. policy. As the Buddhists suspected and the Pentagon history indicates. Lodge was personally on the side of the generals—but the State Department strongly urged a reconciliation of the opposing forces.

In the end, Gen. Thi went into exile, Thick Tri Quang went on a hunger strike, the Buddhists announced they would boycott the coming elections—and a serious chance for South Vietnam to broaden its political leadership and base of support was lost.

The bitterness engendered by the split in the nationalist ranks has never been entirely dissipated. After the Tet offensive of 1968, the Thieu regime tried briefly for national unity under a broad "front" of nationalists. Despite the prodding of United States officials, the effort failed.

Ellsberg Says He Supplied All Files

(By William Greider)

Cambridge, Mass., July 1.—Though reticent about how he did it, Daniel Ellsberg proudly acknowledged in public today that, with the help of some friends, he supplied all of the newspapers that received copies of classified Pentagon documents.

"The press and I, I guess at this point, share the responsibility for bringing this history, this news, to the American public," the 40-year-old MIT scholar told a press conference here. "I couldn't have done this by myself, obviously."

But Ellsberg, indicted by a federal grand jury for misuse of classified government documents, refused to discuss the specifics of how he obtained the 7,000-page Vietnam study or how he distributed portions of it. He would not answer specific questions linking him to The New York Times or any of the other individual newspapers which have printed stories about the documents.

"I'm not going to name any individuals," the former Pentagon planner said. "It is for The New York Times to decide how far they want to go in revealing its sources."

He said that, besides newspaper editors and reporters, he had assistance from others in distributing bundles of the secret documents to newspaper offices and in remaining "temporarily unavailable" until his surrender to authorities on Monday.

"It's implicit in what I've said that other individuals helped out," he said. So far only he has been charged.

Did he supply all of the newspapers? "To my knowledge, all of them," Ellsberg replied. "If somebody else was getting in the act, that's fine."

The former defense analyst, who helped write the now controversial study of the war's origins, explained why he called the press conference and why he would not name any others:

"I am painfully well aware that the action I took was a political act, a public act, hence the public had a right to know something of who I was and why I did it . . . I am not going to make the decisions for other individuals on what happens to their privacy."

Ellsberg denied that he chose antiwar newspapers in distributing the documents, but said: "I satisfied certain personal tastes. I wanted to give the information to the papers I thought had told me the truth in the past."

Ellsberg calmly answered questions for an hour in a crowded hall at the Commander Sheraton Hotel near Harvard Square while his wife Patricia and friends watched and occasionally applauded his performance. Right now, he emphasized, he would like the press and public to devote their attention to the Pentagon documents, not to his personal role.

"It's important for the public to read these documents, boring and often painful as they are," Ellsberg said, "for the time has come for the public to make up its own mind."

He said he was "obviously delighted" with Wednesday's 6-to-3 decision by the Supreme Court which makes disclosures possible by removing the restraints on further publication by The Times and The Washington Post. In particular, he responded with feeling to the court's minority view that the printing of the documents could endanger American lives in Vietnam or lengthen the war.

"The concealment of these papers for (as long as) 25 years has led to the death of 50,000 American men and several hundred thousand Vietnamese in recent years and more than a million Vietnamese over the last 20 years," Ellsberg retorted sharply. "The odds have been weighed in favor of secrecy. Judgments of the American people can now be made in light of these documents on where secrecy has led us over 25 years."

The MIT professor, who once served the government himself with top security clearance, dismissed the argument that the government's security system is threatened by his example.

"The Executive Branch has received splendid loyalty from its employees over the last 20 years as evidence by the surprises in these documents." Ellsberg contended. "The ability of this country to keep secrets has gotten too good for its own good. This ability of government employees has served their boss, but not the country."

Ellsberg first became familiar with the material when he was helping to compile it in 1968. Afterwards, he secretly provided much of it in 1969 to the Senate Foreign Relations Committee, which chose not to release it. His one regret now, he said, is that he didn't provide the documents to newspapers earlier."

"The moral choice that's involved in something like this—and I say moral choice, not to be dramatic, but because it is a hard choice—is one that each person who's had access to this material has faced . . . Should secrecy override the need and the right of the public to have this kind of information?" Ellsberg said. "I reached the point where I couldn't opt for secrecy."

The documents and the analysis which Ellsberg helped to write have been criticized in some quarters because they provide an incomplete or distorted picture of events. Ellsberg himself agreed that much more should be learned and he urged former officials from the Johnson administration who are making complaints to make public their own private files to supplement the public's understanding. One questioner asked him to respond to Walt W. Rostow's remark that any student of his would be flunked if he wrote such a distorted analysis.

"I'm not going to comment on individuals," Ellsberg replied "therefore, I'm not going to comment on whether a student of Dr. Rostow's could write a more comprehensive history. I do agree with him that it's an incomplete report. . . . It's a beginning of history and it's a beginning of honest history."

Among other things, Ellsberg believes that the 47-volume report shows arrogance on the part of government leaders in making decisions which affect American lives, but not revealing them candidly to the public.

The Nixon administration's actions of the past three weeks, he said, "are almost an acting-out dramatically of all the attitudes contained in these documents. Their actions say our history is for them to know. I'll tell you a secret—they don't know it. They haven't read it."

Ellsberg charged that government deception also characterized the Nixon policy on Indochina: "Officials of the Nixon administration are subject to the same traps of arrogance . . . . They're saying, 'We can do what the Democrats couldn't do,' just like the Democrats thought 'we can do what the French couldn't do.'"

The professor seemed undisturbed by the prospect of his own prosecution: "My jeopardy is small compared to the jeopardy that we asked three million men to take when we sent them to Vietnam."

Madame Nhu Is Quoted: JFK a "Hawk"

Milan, Italy, July 1.—The Italian weekly magazine L'Europeo published an interview with Mrs. Ngo Dinh Nhu today and quoted her as saying: "Kennedy and his 'hawks' wanted war when peace was at hand . . . wanted a massacre to save face."

She added in an interview with the magazine's Sandro Ottolenghi in an undisclosed location in Paris: "If the Americans had wanted peace instead of war, there would have been peace in Vietnam for eight years."

She affirmed reports in the Pentagon papers that President John F. Kennedy wanted her brother-in-law, President Ngo Dinh Diem, out of the way in September, 1963, because he feared Diem would sell out to the Communists.

L'Europeo quoted her as saying: "President Kennedy wanted the heads of my husband and his brother. I do not want to say now that Kennedy ordered them killed. But he did order gotten out of the way these two men who constituted, in his eyes, a bad example for the nations of Southeast Asia."

She contradicted the Pentagon papers' affirmation that South Vietnamese generals encouraged the fall of Diem.

"The generals dreamed of asking nothing; it was the American advisers who pressed, who took the initiative."

Mrs. Nhu also accused the U.S. Central Intelligence Agency of spending $24 million to "provoke" the self-immolations of Buddhists in Vietnam during the Diem regime.

[From the Washington Post, July 3, 1971]

Truman's First "Crucial" Step in Vietnam

(By Chalmers M. Roberts)

On May 1, 1950, President Truman approved the allocation of $10 million for the Defense Department to cover the early shipment of urgently needed military assistance items for the French in Indochina.

It was the first "crucial decision regarding U.S. military involvement in Indochina," according to the analysis of the Roosevelt-

Truman years in the Pentagon papers available to The Washington Post.

The facts of the Roosevelt-Truman years are generally well known and have been widely printed. But the Pentagon papers include documentation not before available disclosing the U.S. reaction to the dominant political fact of that day—the fall of mainland China to Mao Tse-tung's Communist Party.

National Security Council paper No. 64 of February, 1950, a couple of months after Mao's troops reached the Indochinese border, set the tone for what was to come.

NSC 64 concluded that "the Departments of State and Defense should prepare, as a matter of priority a program of all practicable measures designed to protect U.S. security interests in Indochina." The same day, the United States announced recognition of the Indochinese regime of Emperor Bao Dai—on Jan. 18 Peking had recognized Ho Chi Minh's regime in Hanoi and the Soviet Union had done the same on Jan. 30.

(A memorandum for President Truman dated Feb. 3, 1950, from Secretary of State Dean Acheson urged approval of the recognition of the three regimes, Bao Dai's in Vietnam, and those in Laos and Cambodia.

(Ho Chi Minh was described as one "who under various aliases, has been a Communist agent in various parts of the world since 1925 and was able to take over the anti-French nationalist movement in 1945." Recognition was urged to encourage "national aspirations under non-Communist leadership for peoples of colonial areas in Southeast Asia; the establishment of stable non-Communist governments in areas adjacent to Communist China; support to a friendly country which is also a signatory to the North Atlantic Treaty; and as a demonstration of displeasure with Communist tactics which are obviously aimed at eventual domination of Asia, working under the guise of indigenous nationalism.")

Just before NSC 64 was discussed at the White House, Dean Rusk, then Deputy Undersecretary of State, provided Maj. Gen. James H. Burns at the Pentagon a statement of his department's policy:

"The Department of State believes that within the limitations imposed by existing commitments and strategic priorites, the resources of the United States should be deployed to reserve Indochina and Southeast Asia from further Communist encroachment. The Department of State has accordingly already engaged all its political resources to the end that this object be secured. The Department is now engaged in the process of urgently examining what additional economic resources can effectively be engaged in the same operation.

"It is now, in the opinion of the Department, a matter of the greatest urgency that the Department of Defense assess the strategic aspects of the situation and consider, from the military point of view, how the United States can best contribute to the prevention of further Communist encroachment in that area."

NSC 64 found that "the presence of Chinese Communist troops along the border of Indochina makes it possible for arms, material and troops to move freely from Communist China to the northern Tonkin area now controlled by Ho Chi Minh. There is already evidence of movement of arms."

Underpinning such views was the belief that the Soviet Union was expanding its power both in Eastern Europe and in Asia. A 1949 NSC paper, for example, declared that "it is now clear that Southeast Asia is the target of a coordinated offensive directed by the Kremlin."

From this viewpoint, there are extrapolated what later became known as the domino theory. The NSC paper continued:

"In seeking to gain control of Southeast Asia, the Kremlin is motivated in part by a desire to acquire Southeast Asia's resources and communication lines, and to deny them to us. But the political gains which would accrue to the USSR from Communist capture of Southeast Asia are equally significant. The extension of Communist authority in China represents a grievous political defeat for us: if Southeast Asia also is swept by Communism we shall have suffered a major political rout the repercussions of which will be felt throughout the rest of the world, especially in the Middle East and in a then critically exposed Australia."

(NSC 64, as far as the "domino theory" was concerned, was expanded in June, 1952, in NSC 124/2 during the Korean War. A key paragraph said:

("The loss of any of the countries of Southeast Asia to Communist control as a consequence of overt or covert Chinese Communist aggression would have critical psychological, political and economic consequences. In the absence of effective and timely counteraction, the loss of any single country would probably lead to relatively swift submission to or an alignment with communism by the remaining countries of this group. Furthermore, an alignment with communism of the rest of Southeast Asia and India, and in the longer term, of the Middle East [with the probable exceptions of at least Pakistan and Turkey] would in all probability progressively follow. Such widespread alignment would endanger the stability and security of Europe.")

It followed logically, from such views, that after President Truman approved the first military assistance to the French in Indochina, his Secretary of State, Dean Acheson, in making this public, declared:

"The United States government, convinced that neither national independence nor democratic evolution exist in any area dominated by Soviet imperialism, considers the situation to be such as to warrant its according economic aid and military equipment to the Associated States of Indochina and to France in order to assist them in restoring stability and permitting these states to pursue their peaceful and democratic development."

The Associated States were the three that have come to be known as Vietnam, Laos and Cambodia. They were far from independent, despite a prophetic plea by Bao Dai, approved by Paris as the Vietnamese emperor in opposition to Ho. On Aug. 20, 1945, Bao Dai said in a message to Mr. Truman, France's Charles de Gaulle, Britain's King George VI and China's Chiang Kai-shek, that "the only way to safeguard French interests and the spiritual influence of France in Indochina is to recognize frankly the independence of Vietnam and to renounce all thoughts of reestablishing French sovereignty or administration under any form whatsoever."

But de Gaulle, then head of the French Provisional Government, felt otherwise. Mr. Truman was to help the French, although the United States constantly prodded Paris to move toward granting independence in the larger aim of halting what his Secretary of State called "Soviet imperialism."

In April, the Joint Chiefs of Staff, in recommendations to the Secretary of Defense, came up with a figure of $100 million for military aid for the next fiscal year, recommended that it be "carefully controlled" and that this would require "the representative of the Department of Defense on duty in the recipient country." What was needed, the JSC said, was "immediate establishment of a small United States military aid group in Indochina."

The JCS rationale was a statement that they "believe in the possibility of success of a prompt coordinated United States program of military, political and economic aid to Southeast Asia and feel that such a success might well lead to the gaining of the initiative in the struggle in the general area."

President Truman began with $10 million in help. An economic aid mission was agreed upon on May 24, although the military aid mission was held in abeyance. But this initial dip of the United States into involvement with Indochina was suddenly altered by another event, the North Korean attack on South Korea on June 27, 1950.

In telling the American public about that, Mr. Truman also said that he had "directed acceleration in the furnishing of military assistance to the forces of France and the Associated States in Indochina and the dispatch of a military mission to provide close working relations with those forces." It was then that the concept of a military assistance advisory group (MAAG) was approved but not announced.

The Korean War strained U.S. military resources. A Southeast Asia Aid Policy Committee draft of Oct. 11 of a "Proposed Statement of U.S. Policy on Indochina" declared that "regardless of current U.S. commitments for provision of certain military assistance to Indochina, the U.S. will not commit any of its armed forces to the defense of Indochina against overt, foreign aggression, under present circumstances."

NSC 64/1 at the end of 1950 stated that "the United States should take action, as a matter of urgency, by all means practicable short of the actual employment of United States military forces, to deny Indochina to Communism."

Further aid, however, was to be conditioned on French "assurances" of a "program providing for the eventual self-government of Indochina either within or outside of the French Union," the raising of "national armies" in Indochina and a pledge by France to "eliminate its policy of 'colonialism'" and to "provide proper tutelage to the Associated States." "Popular support of the government by the Indochinese people" was proclaimed to be "essential to a favorable settlement of the security problem of Indochina."

Military aid, despite the Korean War, rapidly increased and by the time of the Geneva Accords in July, 1954, the U.S. had delivered aid to Indiochina at an original cost of $2.6 billion, the Pentagon summary states. This was in addition to budgetary support to France that also ran into billions.

The Pentagon summary says there were "voices in the wilderness" and an unsigned, undated memorandum in the spring of 1954 raised these four questions:

"Just how important is Southeast Asia to the security interests of the U.S.? Is the analysis in NSC 5405 [which is unavailable] still valid? Is the area important enough to fight for?

"How important is Indochina in the defense of Southeast Asia? Is the 'domino theory' valid? Is Indochina important enough to fight for? If not, what are the strategic consequences of the loss of all or part of Indochina?

"If the U.S. intervenes in Indochina, can we count on the support of the natives? Can we fight as allies of the French and avoid the stigma of colonialism?

"Is there a strategic concept for the conduct of a war in Indochina which offers promise of early success . . .?"

President Eisenhower, in 1954, did not intervene although he was asked to by the French and urged to do so by many powerful figures in his administration. The available Pentagon papers shed no light that materially alters what is widely known of that period beyond that printed in the initial Washington Post article on the Pentagon papers.

While the Pentagon analysis confirms the crucial nature of the Truman administration's initial pre-Korean War involvement in Indochina, the American relationship predates that period. Some of the material now available sheds more light on the Franklin D. Roosevelt administration.

FDR's Jan. 24, 1944, view of the French in Indochina has been widely publicized: "France has milked it for 100 years. The people of Indochina are entitled to something better than that."

President Roosevelt favored a post-war trusteeship for the French colony, which had been under Japanese rule during World War II. But he was opposed by the British and after the Yalta Conference in 1945 the United States on April 3 formally confined trusteeships to "territories as might voluntarily be placed under trusteeship."

The effect of that was to leave it up to France. FDR died on April 12, and by June, the United States was assuring France that it had never questioned, "even by implication, French sovereignty over Indochina."

Nevertheless, the Truman administration, early on, took a jaundiced view of France's plans to recoup its lost colony. John Carter Vincent, then head of the Far Eastern Affairs at the State Department and later to become a victim of McCarthyism because of his alleged role in the "loss" of China, sent a memorandum, now disclosed in the Pentagon papers, to then Undersecretary of State Acheson on Dec. 23, 1946.

Vincent analyzed Indochina and concluded that "with inadequate forces, with public opinion sharply at odds, with a government rendered largely ineffective through internal division, the French have tried to accomplish in Indochina what a strong and united Britain has found it unwise to attempt in Burma. Given the present elements in the situation, guerilla warfare may continue indefinitely."

A subsequent series of cables in the Pentagon papers reflect the American efforts to nudge France toward more independence for Indochina. Still, as the American ambassador in Paris was instructed to tell French Premier Ramadier in February 1947, "we cannot shut our eyes to fact that there are two sides to this problem . . ."

One "side" was that "there is no escape from fact that trend of times is to effect that colonial empires in XIX Century sense are rapidly become thing of past." The other "side" was "we do not lose sight fact that Ho Chi Minh has direct Communist connections and it should be obvious that we are not interested in seeing colonial empire administrations supplanted by philosophy and political organizations eminating from and controlled by Kremlin . . ."

The conclusion was that "frankly we have no solution of problem to suggest."

Washington had trouble assessing Ho. He did not seem to fit the pattern of other post-war Communist leaders outside the Soviet Union. A July, 1948, State Department cable to the Ambassador in Peking said the department's information "indicates" Ho was a Communist. But it continued:

"Dept. has no evidence of direct link between Ho and Moscow but assumes it exists, nor is it able evaluate amount pressure or guidance Moscow exerting. We have impression Ho must be given or is retaining large degree latitude. Dept. considers that USSR accomplishing its immediate aims in Indochina by (a) pinning down large numbers of French troops, (b) causing steady drain upon French economy thereby tending retard recovery and dissipate ECA (Economic Cooperation Administration, the first Marshall Plan aid program) assistance to France, and (c) denying to world generally surpluses which Indochina normally has available thus perpetuating conditions of disorder and shortages which favorable to growth communism. Furthermore, Ho seems quite capable of retaining and even strengthening his grip on Indochina with no outside assistance other than continuing procession of French puppet govts."

In October 1948, a State Department intelligence paper said that "if there is a Moscow-directed conspiracy in Southeast Asia, Indochina is an anomaly so far."

But by then President Truman had proclaimed what came to be known as the Truman Doctrine. Czechoslovakia had gone Communist by coup and the Berlin blockade was in force. By the end of 1949, China was in Mao's hands and his troops were at the Indochinese border. In the American mind, Indochina had become a part of worldwide Communist action.

The Pentagon papers contain a lengthy analysis entitled: "Ho Chi Minh—Asian Tito?" In this examination of a popular thesis, it is noted that on at least eight occasions from October 1945 to February 1946 Ho sent communications either to the President or Secretary of State. There is no record of any replies. It is also a matter of record that in August and September 1945, Ho had proposed to American representatives of the Office of Strategic Services, the predecessor of the CIA, which had helped him against the Japanese, that Vietnam be accorded "the same status as the Philippines," then a U.S. possession with a pledge of freedom.

"Ho's last direct communication with the U.S. was in September, 1946," the unnamed Pentagon analyst wrote, "when he visited the U.S. Ambassador in Paris to ask vaguely for U.S. assistance in obtaining independence for Vietnam within the French Union."

But Ho's Communist background—he had been a founding member of the French Communist Party in 1920—as the Cold War was beginning was the determining factor. Ho negotiated a deal with France, but it ended in war. By May 1949, Secretary Acheson was admitting that as a "theoretical possibility" the establishment of a "national Communist state on pattern Yugoslavia" which had broken with Moscow the previous year "in any area beyond reach [of the] Soviet Army." But Acheson pointed out that "Question whether Ho as much nationalist as Commie is irrelevant. All Stalinists in colonial areas are nationalists. With achievement national aims (i.e., independence) their objective necessarily becomes subordination state to Commie purposes and ruthless extermination not only opposition groups but all elements suspected even slightest deviation . . ."

The Pentagon analyst wrote in part, in answering the question of whether Ho might have become an Asian Tito:

"In the last speculation, U.S. support for Ho Chi Minh would have involved perspicacity and risk. As clear as national or independent or neutral communism may seem today, it was a blurred vision in 1945–48. Even with the benefit of seeing Tito successfully assert his independence, it would have been hard for Washington to make the leap from there to an analogy in Asia. Resource to 'national communism' in Vietnam as an eventual bulwark against China, indeed, would have called for a perspicacity unique in U.S. history . . .

"Ho, in fact, always considered his leadership to extend to Indochina as a whole and his party was originally called the Indochinese Communist Party. Thailand, Malaya, Singapore and even Indonesia, could have been next. It could have been the 'domino theory' with Ho instead of Mao. This may seem implausible, but it is only slightly less of a bad dream that what has happened to Vietnam since. The path of prudence rather than the path of risk seemed the wiser choice."

[From the Washington Post, July 3, 1971]

GRIM ALTERNATIVES FOR LBJ

(By Murrey Marder)

President Johnson's advisers in 1964 contended that the United States could end up in a nuclear war if it failed to use its power in Vietnam, while others warned of triggering nuclear war if he did intervene massively.

The cataclysmic nature of the choices facing President Johnson, as some of his advisers posed them, never were so vividly discernible in public as they are revealed in the secret Pentagon study on the Vietnam war. The advice added up to a risk of nuclear apocalypse no matter which course he took.

Two of the most important planners at the sub-Cabinet level of the Johnson administration raised the stark risk of a slide into nuclear war if the President failed to prevent "the loss of South Vietnam" to the Communists. Their grim prediction appears in a November 1964 summation entitled "Courses of Action in Southeast Asia."

In examining the so-called "domino" theory that Communist control of South Vietnam would topple adjoining nations almost automatically, a theory that preoccupied the Eisenhower and Kennedy administrations, the concept "over-simplified." It projected less-automatic consequences of "a U.S. defeat" in South Vietnam—but carried them further, in a 31-page analysis that stated in its summary:

"There are enough 'ifs' in the above analysis so that it cannot be concluded that the loss of South Vietnam would soon have the totally crippling effect in Southeast Asia and Asia generally that the loss of Berlin would have in Europe; but it could be that bad, driving us to the progressive loss of other areas or to taking a stand at some point (so that) there would almost certainly be major conflict and perhaps war."

This document in the secret Defense Department review of the war bears an asterisk and a less-qualified footnote.

"The Joint Staff (of the Joint Chiefs of Staff) believes that early loss of Southeast Asia and the progressive unraveling of the wider defense structures would be almost inevitable results of the loss of South Vietnam in any circumstances," the footnote says.

There is no internal evidence in the Pentagon review that President Johnson ever saw this particular "draft" document. What the President received were the specific recommendations that emerged from such assessments, usually transmitted to him at the Cabinet level.

The projected risk of nuclear war through inaction came from two of the most important planners in the Johnson administration: Assistant Secretary of State William P. Bundy, and the late Assistant Secretary of Defense John J. McNaughton, Bundy, a former high-ranking official of the Central Intelligence Agency, was McNaughton's predecessor in the same Pentagon post, before Bundy shifted to State in March, 1964. At the time their names appear on this analysis Bundy was directing a National Security Council Working Group, preparing recommendations for President Johnson's critical decisions that thrust the United States deeper into the war.

It became publicly apparent, once a portion of the United States involvement in the war became known, that President Johnson was receiving diametrically opposite advice from advisers, in and out of the government. The President portrayed himself as caught between what was most imprecisely, but symbolically, illustrated by the terms "hawks" and "doves."

Mr. Johnson depicted himself as the critical balance between these opposing strategies, selecting from them a policy of "restraint" that steered a cautious national course through a minefield of nuclear risks. It was publicly reported during the Johnson war years that the strongest weight of advice inside the government was on the "hawk" side, therefore tilting the balance at its point of origin. But the "hawkish" lopsidedness of the internal mixture of advice presented to the Persident by his bureaucracy was by no means known to the public, the Pentagon documents show. Throughout 1963, 1964, 1965, 1966 and 1967, the advice

which President Johnson received was constantly weighted on investing more power, more forces, in the war, not less, nor even placing a ceiling on the imput.

These records themselves are very incomplete. Missing are most of the detailed White House records, many State Department diplomatic records, and most importantly, evidence of the President's own thoughts, conversations, motivations, political strategy, information or advice received from many persons in and out of government, in this country and abroad.

But even with these great qualifications, and even though limited to the information that passed through the Defense Department and thus into these secret records, the Pentagon study reveals to an unprecedented degree the processes of government.

The documentation of these processes indicates the immense internal pressures on the President to thread a path through what were perceived to be the ultimate risks of nuclear war—no matter what he decided.

One risk recorded was the possible massive intervention by Communist Chinese forces that might require the use of U.S. nuclear weapons. This potentiality was built into the Vietnam conflict in the opinion of some analysts, along with the publicity discussed danger that the war could spiral into U.S.-Soviet nuclear warfare.

Military establishments around the world especially inside the most powerful nations, try to prepare contingency plans for every conceivable "worst case" emergency that can arise.

Rarely, if ever, does the actual emergency neatly fit the precautionary plan. The United States, therefore, had contingency plans for possible massive Chinese intervention in Southeast Asia.

One analysis in the Pentagon study, with its date and identification marks removed from the version that reached The Washington Post, refers to such precautionary plans, although the actual top secret contingency plan is omitted. From internal indications in this analysis, it appears to have been written either during 1965 or between 1965 and 1968—but probably closer to the earlier date.

There is no indication who wrote or who received the document, or exactly what effect, if any, it had on U.S. planning.

This assessment is in accord, however, with other documents in the Pentagon survey which contains continuing, related appraisals of the risks of Chinese intervention in the Indochina war and possible U.S. countermoves, starting with the U.S. involvement.

What it shows is an analyst's evaluation of a hypothetical "Chicom Offensive in Southeast Asia" with combined Chinese and North Vietnamese forces.

The analysis estimated that "Chicom capabilities" could, among other possibilities, provide enough ground combat power to attack against indigenous forces in South Vietnam, Laos and Thailand with a combined Chinese-North Vietnamese force equivalent of more than 30 divisions plus artillery regiments and combat support and service support troops of five army headquarters.

During "the wet season" in Indochina, the analysis estimated that "the increased problems of movement through a difficult terrain and of maintaining logistic support could reduce effective combat forces up to 50 per cent."

In the air it was estimated that the hypothetical Chinese-North Vietnamese offensive could be supported by more than 500 jet fighters and jet light bombers with about half of them used for offense and half for defense purposes.

At sea it was estimated that China could attack U.S. and South Vietnamese naval forces in the Tonkin Gulf and South China Sea with more than 50 motor torpedo boats and motor gunboats. In addition, the estimate of Chinese capabilities said China could put submarines on station in the South China Sea area.

In the theoretical event of such an attack, the analysis said, the United States was prepared with contingency plans to resist major Communist "aggression" in Southeast Asia with projections for employing "either nonnuclear or nuclear options." The contingency projections, the analysis said, included the possibility that Strategic Air Command forces are to be utilized using nuclear and or non-nuclear weapons, as directed by the Joint Chiefs of Staff.

Additionally, and equally hypothetically, to counter such a Chinese assault, the analysis said, "as early as practicable, counteroffensive operations to regain friendly territory and to liberate North Vietnam will be initiated."

It must be emphasized that there is nothing in the Pentagon study to indicate in any way that this particular document was anything more than an exercise in an analyzing a conceivable challenge, which is the standard function of contingency planners.

But it illustrates graphically the considerations encompassed by military planning for the Indochina war. The possibility that the U.S. role in the conflict might spiral into nuclear war was no secret; opponents of American policy were charging precisely that The President of the United States were grappling with choices that obliged him to face each risk as a reality, not a mere hypothesis.

Although the example cited above referred only to a contingency plan, which the President may never have seen, he was simultaneously confronted by hard recommendations by his most senior advisers which did require calculations about such contingencies.

Two months after the assassination of President Kennedy, the Joint Chiefs of Staff, in a Jan. 22, 1964 recommendation to Defense Secretary Robert S. McNamara, said in part:

"The Joint Chiefs of Staff are convinced that, in keeping with the guidance in NSAM 273 (a National Security Action Memorandum of November 1963, President Johnson's first policy decision on the war, issued four days after President Kennedy's assassination), the United States must make plain to the enemy our determination to see the Vietnam campaign through to a favorable conclusion. To do this, we must prepare for whatever level of activity may be required and, being prepared, must then proceed to take actions as necessary to achieve our purposes surely and promptly . . ."

Gen. Maxwell D. Taylor, chairman of the Joint Chiefs, protested to McNamara in this memorandum that "we have obliged ourselves to labor under self-imposed restrictions with respect to impeding external aid to the Vietcong. These restrictions include keeping the war within the boundaries of South Vietnam, avoiding the direct use of U.S. combat forces, and limiting U.S. direction of the campaign to rendering advice to the government of Vietnam . . ."

"A reversal of attitude and the adoption of a more aggressive program," the Joint Chiefs continued, "would enhance greatly our ability to control the degree to which escalation will occur. It appears probable that the economic and agricultural disappointments suffered by Communist China, plus the current rift with the Soviets, could cause the Communists to think twice about undertaking a large-scale military adventure in Southeast Asia."

But no analyst could guarantee to President Johnson or any other occupant of the White House, precisely what China would or would not do at various levels of expanding warfare. The American presidents constantly faced such qualified projections as the following varying intelligence estimates, depending on the action ordered, as these multiple risks, all set out in one National Security Council working group study of November, 1964.

"Probable Communist reactions to U.S. Option C" (its first stage of initial "graduated" American escalation): "We consider it highly unlikely that these moves would cause Communist China to react in any extreme fashion at this juncture. . . . Also, we doubt that Hanoi would request Chinese ground troops at this juncture."

(Reactions) "To higher-scale U.S. Option C . . .:

"We cannot make a confident judgment of enemy reactions to these situations, although we incline to these views." (In response to "air strikes against selected targets" in North Vietnam, "aerial mining" of certain North Vietnamese ports, "and imposition of a naval quarantine blockade. . . ."

"Extreme Chinese reaction—such as introduction of large-scale ground force combat units into North Vietnam—would be possible at this juncture, though unlikely."

(Reactions) "To the Upper Categories of Option C . . .: (more intensified air strikes on North Vietnam and "amphibious or airborne operations to seize coastal lodgments" in North Vietnam).

"We believe that Communist China would be very reluctant to become directly involved in the fighting in Indochina lest this be taken by the U.S. as a cause for major retaliation against the Chinese mainland.

"Nevertheless, at this point Chinese Communist aircraft operating from Chinese bases would probably assist in defending North Vietnam against the U.S. attacks. We still believe that there would not be high risk of the introduction of large-scale Chinese ground combat units into Vietnam.

"Nevertheless, there is always a chance that Peiping might so intervene either for reasons that seem irrational to us or because it miscalculated the objectives of U.S. moves in the area. Communist China's capability for conducting a ground war in adjacent areas of Southeast Asia is formidable."

For the President, the choices, as they were put to him, were not made easy; they were variations of momentous risks.

[From the Washington Post, July 4, 1971]

WAR STUDY: AN INSIGHT INTO WHYS OF VIETNAM

(By Murrey Marder)

The Pentagon documents have enabled the public, for the first time, to peer into a vast, uncensored portion of past planning papers of chief strategists on one side of a large-scale conflict while the war continues.

There are two intertwined kinds of disclosures—incomplete and perhaps unbalanced because of that—without precedent: first, how a war is conducted, as seen through hundreds of official, secret papers from the files of four administrations; second, how the United States government functions on the inside in deciding on war or peace.

Traditionally, such critical details are exposed en masse only after passions subside and to a less-interested generation.

Immediate attention focuses on what these documents reveal about the still-fresh history of the war. The longer-range consequence of this unexpected look at "History of U.S. Decision-Making Process on Vietnam Policy," prepared in 1967–68, is more likely to be the insight it supplies about adequacies and inadequacies of the present process of government in a nuclear age—an insight that no country can afford to await for years.

The executive and legislative branches already are exploring, and colliding over, new policies, new balances, new procedures for the conduct of foreign policy, and the making of war, beyond Indochina.

When this mass of documents and analyses

first began to appear in the press on June 13 (soon interrupted by equally unprecedented court injunctions), some concluded that it contained nothing sensational, because the shooting war and the word war had been extensively reported. This is partially true. There is no major, breath-catching revelation that has not appeared in public earlier—in some form.

The form of the Pentagon documents provides the important difference. Information once reported and denied; or reported and left undenied; or reported and half-denied; or previously assumed, or only suggested, now takes on new life and new impact through new facts and new details buttressed by official records. The public generally knows what happened in the war; the new ingredients help to explain "why." The presidential decisions are here; still missing are many of the President's own reasons for making them. In President Johnson's case these are already on the printing presses, "declassified" by him, now awaiting publication.

These are some of the highlights of the war years as they are portrayed in the Pentagon review:

The American march into the war in Indochina was neither the result of carelessness nor of absentmindedness, but of purposefulness, the documents confirm.

It resulted from progressively expanding decisions of four administrations—Truman, Eisenhower, Kennedy, and Johnson—to draw a line against "Communist expansion" and to engage ultimately in "a test of will" to hold that line.

President Kennedy, in his last State of the Union address on January 14, 1963, said that the line was holding: the "spearpoint of aggression has been blunted in Vietnam."

The Pentagon study in many respects publicly breaks harder over the Kennedy administration than over any other administration for two reasons:

The Johnson administration already has been bludgeoned by the electorate over the war, in which it escalated the American involvement from about 6,000 men at the time of President Kennedy's assassination to more than a half million men at the end of 1968.

By contrast the Kennedy administration, partly because of the late President's great popularity, his shocking assassination, his testing in the world's first nuclear war challenge, and other reasons, largely has escaped public opprobrium for crossing a great threshold of complicity and involvement in the Vietnamese war.

The Kennedy administration crossed a major divide in the history of U.S. involvement in South Vietnam in May, 1961, when it began the buildup of U.S. military advisers in South Vietnam beyond the 685-man limit set in the 1954 Geneva conference. The justification cited that the Communist were violating their part of the accords. Use of U.S. Special Forces and a campaign of clandestine warfare began. On Nov. 1, 1963, three weeks before the late President's assassination, the United States went over the brink of complicity in the overthrow of the government of President Ngo Dinh Diem.

Diem's fall destroyed the South Vietnamese political structure. The Pentagon review states that the United States "variously authorized, sanctioned and encouraged the coup efforts of the Vietnamese generals and offered full support for a successor government."

After Diem's ouste, the United States became deeply enmeshed in efforts to replace him with what the review calls "a strong man" who could rally the nation to pursue the war.

In the Johnson administration, the test that the Kennedy administration doubly or triply nailed to the nation's mast was pursued in Vietnam by every means imaginable, except for the risk that no President in nearly three decades of U.S. involvement chose to take—a deliberate gamble on touching off World War III.

On Friday night, former Secretary of State Dean Rusk, who served through the Kennedy and Johnson Administration, admitted on television what no continuingly ardent supporter of the war at such a level ever acknowledged in public, Rusk said:

"I personally, I think, underestimated the persistence and the tenacity of the North Vietnamese . . . I thought when we had established a position in Vietnam which it could be clearly impossible to overrun (militarily), then they would pull back or negotiate . . ."

This is one of two main assessments that emerge from the Pentagon documentation: the bafflement of U.S. strategists over the inability of the world's most powerful nation to break the will of one of the world's weaker nations—North and South Vietnam combined are only slightly larger than the state of New Mexico.

The other main disclosure is the constantly shifting internal justification of U.S. aims and objectives in Vietnam, without serious concentration on Vietnam's real importance to U.S. policy.

Rusk has been quoted as saying privately when he was in office—from 1961 to 1968—and it was a favorite, recurring phrase: "When the United States applies pressure on something, anything, it gives."

However, in November, 1964, before there were large numbers of North Vietnamese combat units in the war, and before the Vietnamese Communists began receiving very extensive Soviet and Chinese war support, the "tenacity" of the Vietnamese Communists was puzzling U.S. war planners.

Maxwell D. Taylor, then ambassador to South Vietnam and former chief of the Joint Chiefs of Staff, on that date told senior specialists on Southeast Asia at a Washington meeting, the Pentagon documents disclose:

"The ability of the Vietcong continuously to rebuild their units and to make good their losses is one of the mysteries of this guerrilla war . . . we still find no plausible explanation of the continued strength of the Vietcong if our data on Vietcong losses are even approximately correct.

"Not only do the Vietcong units have the recuperative powers of the phoenix, but they have an amazing ability to maintain morale."

Defense Secretary Robert S. McNamara, who began in 1966 to despair of anyone's ability to quantify the factors required for success in the war as his methodically mathematical, systems-analysis experience required, is quoted in the Pentagon study as saying in a May, 1967, draft memorandum for President Johnson:

"With respect to added pressure on the North, it is becoming apparent that Hanoi may already have written off all assets and lives that might be destroyed by U.S. military actions short of occupation (or) annihilation. They can and will hold out at least so long as a prospect of winning the 'war of attrition' in the South exists. And our best judgment is that a Hanoi prerequisite to negotiations is significant retrenchment (if not complete stoppage) or U.S. military actions against them—at the least, a cessation of the bombing."

McNamara, in the memorandum, quoted the U.S. counsul general in Hong Kong as stating his opinion that "we cannot by bombing reach the critical level of pain in North Vietnam and that 'below that level, pain only increases the will to fight.'" McNamara also quoted Sir Robert Thompson, British expert on guerrilla warfare (and now a favorite expert for President Nixon) as saying that U.S. bombing at that time, "particularly in the Red River Delta (of North Vietnam), 'is unifying North Vietnam.'"

Through the years of American involvement in the Vietnamese war, the most persistent public justification has been to assure "self-determination" for the people of South Vietnam.

One of the most publicized disclosures to emerge from this Pentagon study has been an assessment of actual U.S. aims as a senior strategist apportioned them in March, 1965, rating "70 percent" of the American objective at that point to be: "To avoid a humiliating U.S. defeat (to our reputation as a guarantor)."

What is equally, or even more, revealing is the swiftly changing ratio of real U.S. aims listed by the same very influential planner, the late Assistant Secretary of Defense John T. McNaughton, in the relatively brief period between November, 1964 and March 1965.

This was an especially critical period for war planners: Communist forces were advancing, the Saigon government was tottering with coups and purges, and the United States was secretly planinng to escalate the war in stages against North Vietnam. It did so by launching reprisal strikes against the North on Feb. 8, 1965, and the sustained bombing campaign, "Rolling Thunder," on March 2. On March 8 the United States landed the first two battalions of U.S. Marines at Danang, South Vietnam, paving the way for the hundreds of thousands of troops to come later.

McNaughton's working papers show a mid-October, 1964, "first draft" of "Aims and Options in Southeast Asia."

McNaughton listed U.S. aims then as:

"(a) To help SVN (South Vietnam) and Laos to develop as independent countries.

"(b) To get DRV (North Vietnam) to leave its neighbors alone.

"(c) To protect U.S. power and prestige. . ."

By early November, 1964, McNaughton's second and third drafts of "U.S. Aims" in South Vietnam had undergone drastic revision:

"(a) To protect U.S. reputation as a counter-subversion guarantor.

"(b) To avoid domino effect especially in Southeast Asia.

"(c) To keep South Vietnamese territory from Red hands.

"(d) To emerge from crisis without unacceptable taint from methods."

McNaughton's next paragraph evidently explained the reason for his major reassignment of priorities:

"The situation in South Vietnam is deteriorating . . . It can be expected that, soon (6 months/ Two years/), (a) government officials at all levels will adjust their behavior to an eventual VC takeover, (b) defections of significant military forces will take place, (c) whole integrated regions of the country will be totally denied to the GVN (South Vietnamese government), (d) neutral and/or left-wing elements will enter the government, (e) a popular-front regime will emerge which will invite the U.S. out, and (f) fundamental concessions to the VC and accommodations to the DRV will put South Vietnam behind the Curtain."

On Dec. 14, 1946, the United States covertly launched jet air strikes against the so-called Ho Chi Minh infiltration network in the panhandle sector of Laos. Then came "Operation Flaming Dart," originally conceived as limited retaliation air strikes on the North, immediately after a Vietcong attack on a U.S. military advisers compound at Pleiku on Feb. 6, followed swiftly by President Johnson's decision to order sustained bombing of the North.

Even so, McNaughton wrote in a new draft of action plans for South Vietnam, in late March, 1965, "The situation is bad and deteriorating. The "VC have the initiative. . . . Can the situation inside SVN be bottomed out (a) without extreme measures against the DRV and/or (b) without deployment of large numbers of U.S. (and other) combat troops inside SVN? The an-

swer is perhaps, but probabable, he listed his bluntest proportionment of U.S. aims:

"70%—To avoid a humiliating defeat (to our reputation as a guarantor).

"20%—To keep SVN (and then adjacent) territory from Chinese hands.

"10%—To permit the people of SVN to enjoy a better, freer way of life.

"Also—To emerge from crisis without unacceptable taint from methods used.

"Not—To 'help a friend,' although it would be hard to stay in if asked out."

That same day, McNaughton, who was Secretary McNamara's closest and most trusted adviser and the clearest writer of non-bureaucratese at the sub-Cabinet level of the government, described the situation facing U.S. policy makers as "The 'trilemma.'"

He wrote that "U.S. policy appears to be drifting. This is because, while there is near-concensus that efforts inside SVN will probably fail to prevent collapse, all 3 of the possible remedial courses of action have been rejected for one reason or another: (a) will-breaking strikes on DRV; (b) large troop deployments; (c) exit by negotiations."

The man who has publicly stated that he is the original source of the "leak" of the secret Pentagon study, former Pentagon aide Daniel Ellsberg, now under federal indictment, stated as far back as September, 1970, at an American Political Science Association meeting that throughout the 1950–1970 period of U.S. involvement in Vietnam, "the public" was "lied to."

When the President "decides to go slow and small (November, 1961," said Ellsberg in a lengthy paper, "the fact that much more was considered and recommended, is suppressed (lest doubts be raised on the adequacy of the program).

"When he decides to go in big, the schedule and total commitment are concealed, with increments (actually programmed in advance) being announced as if based on a sequence of ad hoc decisions on 'small steps' (lest fears be roused on the costs of the program, and the ultimate risks and commitment)."

Former Secretary of State Rusk and former White House national security adviser Walt W. Rostow, whose names and actions are woven through the 47-volume Pentagon report have flatly denied there was any "deception."

"There is not a scrap of evidence that the President (Johnson) at any stage deceived the country," Rostow said on Thursday. Rusk, the next day, said, "I don't believe there was any deliberate attempt to deceive anybody during that period." Rusk said that President Johnson employed no duplicity during the 1964 election campaign, when his Republican opponent, Sen. Barry M. Goldwater, was portrayed by the Democrats as a "trigger-happy" danger who would risk nuclear war in Vietnam. The reason why President Johnson, in February, 1965, suddenly launched continuous air strikes against North Vietnam, Rusk said, was because the situation had changed drastically, when North Vietnam sent regular army units into the South.

That is not, however, the prime reason given for the President's decision to launch the bombing in the Pentagon review.

Instead, the study asserts, the United States in 1964 initially held out the prospect of bombing the North as an "inducement" to help inspire its South Vietnamese ally to fight better.

When Saigon's military leaders failed to "perform," the unidentified analysts state, Saigon's generals in effect left the United States with no alternative but to attack the North in order to prevent collapse of the war in the South. Major escalation of the U.S. share of the war began in early 1965, the report says, because, "Nothing else was in fact, working."

In April, 1964, the review states, when Gen. Nguyen Khanh, then leader of Saigon's military junta, pressed the issue of "going North," Rusk reportedly replied that "this was a big problem, that political preparations would be needed, and that while the U.S. was prepared to take any action necessary to win the war, it had to be very clear that such action was indeed necessary before the U.S. would embark on it."

The Johnson administration, according to the report backed up by official documentation, was simultaneously engaged in 1964 in holding off demands not only from the South Vietnamese military leaders but from the U.S. Joint Chiefs of Staff for more intense counter-action against North Vietnam. President Johnson was portrayed as the man in the middle, who finally bowed to both pressures and the worsening military situation in the war.

President Johnson was caught between warnings that he would risk nuclear war if he did act firmly, and if he did not. Some of his advisers were urging him to make moves which would "provoke" reactions from North Vietnam to justify escalating the U.S. side of the war; others were cautioning the opposite. But virtually no one at any level of significant influence during the years of major escalation was advocating "cutting the losses" and leaving, with the exception of Under Secretary of State George W. Ball. There is no indication in the Pentagon study that Ball's advice carried any real weight with the White House, much less the Joint Chiefs of Staff.

The United States was constantly "buying time," attempting sporadic bombing pauses, but according to this study, with little or no actual expectation that they would produce "breakthroughs to peace." Not until what the review calls "the trauma of Tet," the massive Communist offensive starting Jan. 31, 1968, showing the "signal failure" of bombing to halt the infiltration of men and supplies from the North, was a fundamental change forced in U.S. policy.

Newspaper readers already have been overwhelmed in the last three weeks with more accounts drawn from the Pentagon study than anyone but a specialist with extensive time can fully absorb. No summary can do more than briefily illustrate what is in a 47-volume compilation—and even this by no means even approaches a distillation of all the components of U.S. decision-making on the Vietnam war. Missing from this collection are scores of other major world developments that influenced the decision process, ranging from the collapse of the U.S. "grand design" for Europe and the Western Alliance to the six-day Arab-Israeli war of 1967 and President Johnson's Glassboro summit meeting with Soviet Premier Alexei N. Kosygin.

A few of the major highlights of U.S. policy on Vietnam alone, which the Pentagon report illuminates or reveals, in addition to other illustrations cited earlier, are:

TRUMAN ADMINISTRATION

February, 1950—National Security Council document No. 64 called for a priority "program of all practical measures designed to protect U.S. security interests in Indochina." This concept was expanded in June, 1952, during the Korean War, into a forerunner of the "domino theory." Another NSC paper stated that "the loss of any single country" in Southeast Asia to Communist control, without effective counter-action, "would probably lead to relatively swift submission to or an alignment with communism by the remaining countries of this group." The target of U.S. concern, Secretary of State Dean Acheson stated, was to check the spread of "Soviet imperialism."

A May 1, 1950, approval by President Truman of an initial $10 million in military aid to French forces in Indochina is described in the Pentagon study as the first "crucial decision regarding U.S. military involvement in Indochina."

EISENHOWER ADMINISTRATION

The United States attempted in vain to reduce the possibility that the 1954 Geneva conference ending the war in French Indochina would bring victory to Ho Chi Minh. Secretary of State John Foster Dulles cabled U.S. diplomats that it was "undoubtedly true that elections might eventually mean unification under Ho Chi Minh. . . . We believe important that no date should be set now . . ."

While these documents contain no explicit record of a post-Geneva American accord to prevent the all-Vietnam elections scheduled for 1956, which South Vietnam blocked, they contain a memorandum from Defense Secretary McNamara on March 16, 1964. It states, "Only the U.S. presence after 1954 held the South together under far more favorable circumstances and enabled [President] Diem to refuse to go through with the 1954 provisions calling for nationwide 'free' elections in 1956."

KENNEDY ADMINISTRATION

Although the Southeast Asia focus was on Laos when John F. Kennedy entered the White House on Jan. 20, 1961. Brig. Gen. Edward Lansdale told the outgoing Eisenhower administration three days earlier that "Vietnam is in a critical condition" and the United States "should treat it as a combat area of the cold war."

A joint memorandum from Secretary of State Rusk and Secretary of Defense McNamara informed Mr. Kennedy on Nov. 11, 1961, that McNamara and the Joint Chiefs of Staff estimated that if the United States sent troops to Vietnam and if North Vietnam and Communist China "overtly" intervened "the maximum" U.S. troops "required on the ground in Southeast Asia would not exceed six divisions, or about 205,000 men." On Nov. 22 President Kennedy approved National Security Action Memorandum 111, entitled "First Phase of Vietnam Program." Under it, President Kennedy expanded U.S. military aid and authorized covert operations in Laos and North and South Vietnam.

JOHNSON ADMINISTRATION

January, 1964—Joint Chiefs urge administration to "make ready" for "increasingly bolder actions" against North, including air strikes. Extensive covert operations against North Vietnam authorized in February, 1964. The following month, planning for air action against the North begins "on a contingency basis at the present." President Johnson informs Ambassador Henry Cabot Lodge in Saigon. By March, the Joint Chiefs of Staff have drawn up a list of 94 potential targets. At Honolulu in June, 1964, Lodge urges "selective bombing" of North to reinforce morale in South.

According to the Pentagon report, the South Vietnamese naval commando units which attacked two North Vietnamese-held islands in the Gulf of Tonkin, on July 30, 1964, were operating under the overall command of Gen. William C. Westmoreland, U.S. commander in Saigon. This incident preceded the disputed North Vietnamese PT-boat attacks on U.S. destroyers Aug. 2, which the United States insists was "unprovoked."

The subsequent U.S. reprisal air attacks on North Vietnam and immediate passage of the congressional Gulf of Tonkin resolution (which U.S. planners had drafted for possible use months earlier) set the foundation for escalation of the U.S. role in the war. The Johnson administration was publicly silent about any future plans to strike the North; but the Pentagon review states that a "general consensus" was evident at a White House meeting in September, 1964, on the necessity for launching air strikes against the North starting in early 1965. During the remainder of the 1964 election

campaign, the report shows, only relatively low-risk military operations were conducted by the United States.

The Pentagon war review extends its analysis and documentation only up to the March 31, 1968, partial halt in the bombing of North Vietnam ordered by President Johnson, coupled with his surprise announcement that he was taking himself out of the 1968 presidential election campaign. The partial bomb halt led to limited U.S.-North Vietnamese talks in Paris, and then a total bombing halt on Nov. 1, 1968. Three years of virtually sterile peace talks followed, until the sudden burst of new activity in Paris last week.

One of the very few people who has so far read, or even skimmed through the entire 47-volume Pentagon secret study, of which a few portions have yet to reach the press, is the man who supervised the review, Leslie H. Gelb. He wrote a preliminary, non-secret summation of what he learned from it (excerpted in The Washington Post on June 20), entitled: "Vietnam: The System Worked."

"U.S. involvement is not mainly or mostly a story of step by step, inadvertent descent into unforeseen quicksand . . ." Gelb wrote. "Those who led the United States into Vietnam did so with their eyes open, knowing why, and believing they had the will to succeed."

No President, he said, actually sought "a military victory in Vietnam," nor were they really "deluded by optmistic reports of progress;" their strategy was "to persevere in the hope that their will to continue . . . would cause the Communists to relent . . . Each President was essentially doing what he thought was minimally necessary to prevent a Communist victory during his tenure in office . . . Part of the tragedy of Vietnam was that the compromises our Presidents were prepared to offer could never lead to an end to the war." The vital failure, said Gelb, was that "no systematic or serious examination of Vietnam's importance to the United States was ever undertaken within the government."

[From the St. Louis Post-Dispatch, June 30, 1971]

PARTIAL TEXT OF WAR REPORT READ BY GRAVEL

WASHINGTON, June 30.—Following is an edited transcript of the Pentagon papers. Included are narratives of various stages of U.S. involvement in Vietnam beginning in the World War II era and continuing into the 1960s. The papers were obtained from Senator Mike Gravel (Dem.), Alaska. Gravel's staff deleted some words and phrases from the text before releasing it. The text is portions of a 4,000-page narrative contained in a 47-volume Pentagon study. The study was composed of the 4,000-page narrative and 3,000 pages of documents.

U.S. POLICY, 1945–1954—SUMMARY

Significant misunderstanding has developed concerning U.S. policy toward Indochina in the decade of World War II and its aftermath. A number of historians have held that anticolonialism governed U.S. policy and actions up until 1954, when containment of communism supervened . . . Other commentators, conversely—prominent among them, the historian of the Viet Minh—have described U.S. policy as consistently condoning and assisting the reimposition of French colonial power in Indochina, with a concommitant disregard for the nationalist aspirations of the Vietnamese.

Neither interpretation squares with the record; the United States was less concerned over Indochina, and less purposeful than either assumes.

Ambivalance characterized U.S. policy during World War II, and was the root of much subsequent misunderstanding. On the one hand, the U.S. repeatedly reassured the French that its colonial possession would be returned to it after the war.

On the other hand, the U.S. broadly committed itself in the Atlantic Charter to support national self-determination, and President (Franklin D.) Roosevelt personally and vehemently advocated independence for Indochina. FDR regarded Indochina as a flagrant example of onerous colonialism which should be turned over to a trusteeship rather than returned to France.

. . . Ultimately, U.S. policy was governed neither by the principles of the Atlantic Charter, nor by the President's anti-colonialism, but by the dictates of military strategy, and by British intransigence on the colonial issue . . .

Consistent with FDR's guidance, the U.S. did provide modest aid to French—and Viet Minh—resistance forces in Vietnam after March 1945, but refused to provide shipping to move free French troops there.

Pressed by both the British and the French for clarification of U.S. intentions regarding the political status of Indochina, FDR maintained that "It is a matter for postwar . . .

At each key decisional point at which the President could have influenced the course of events toward trusteeship—in relations with the U.K. (United Kingdom) in casting the United Nations charter, in instructions to Allied commanders—he declined to do so; hence, despite his lip service to trusteeship and anticolonialism, FDR in fact assigned to Indochina a status correlative to Burma, Malaya, Singapore and Indonesia; free territory to be reconquered and returned to its former owners.

Nonintervention by the U.S. on behalf of the Vietnamese was tantamount to acceptance of the French return . . .

The U.S. policy was to press France for progressive measures in Indochina, but to expect France to decide when its peoples would be ready for independence; "Such decisions would prelude the establishment of a trusteeship in Indochina except with the consent of the French government." These guidelines, established by June, 1945—before the end of the war—remained fundamental to U.S. policy.

With British co-operation, French military forces were re-established in South Vietnam in September 1945. The U.S. expressed dismay at the outbreak of guerrilla warfare which followed, and pointed out that while it had no intention of opposing the re-establishment of French control, "It is not the policy of this Government to assist the French to re-establish their control over Indochina by force, and the willingness of the U.S. to see French control re-established assumes that the French claim to have support of the population in Indochina is borne out by future events."

Through the fall and winter of 1945–46, the U.S. received a series of requests from Ho Chi Minh for intervention in Vietnam; these were, on the record, unanswered. However, the U.S. steadfastly refused to assist the French military effort, that is, forbidding American flag vessels to carry troops of war materiel to Vietnam.

On March 6, 1946, the French and Ho signed an accord in which Ho acceded to French re-entry into North Vietnam in return for recognition of DRV (Democratic Republic of Vietnam) as a "free state," part of the French union.

As of April 1946, Allied occupation of Indochina was officially terminated, and the U.S. acknowledged to France that all of Indochina had reverted to French control. Thereafter, the problems of U.S. policy toward Vietnam were dealt with in the context of the U.S. relationship with France.

In late 1946, the Franco-Viet Minh war began . . . The U.S. in its representations to France, deplored the prospect of protracted war, and urged meaningful concessions to Vietnamese nationalism.

However, the U.S., deterred by the history of Ho's Communist affiliation, always stopped short of endorsing Ho Chi Minh or the Viet Minh . . . At no point was the U.S. prepared to adopt an openly interventionist course . . .

The U.S. during these years 1946–1949 continued to regard the conflict as fundamentally a matter for French resolution . . . The U.S. was particularly apprehensive lest by intervening it strengthen the political position of French Communism.

The resultant U.S. policy has most often been termed "neutrality." It was, however, also consistent with the policy of deferring to French volition . . .

It was a policy characterized by the same indecision that had marked U.S. wartime policy. Moreover, at the time, Indochina appeared to many to be one region in the troubled post-war world in which the U.S. might enjoy the luxury of abstention . . .

The U.S. anxiously followed the vacillations of France's policy toward Emperor Bao Dai, exhorting the French to translate the successive "agreements" they contracted with him in an effective nationalist alternative to Ho Chi Minh and Viet Minh. Increasingly, the U.S. sensed that French unwillingness to concede political power to Vietnamese heightened the possibility of the Franco-Viet Minh conflict being transformed into a struggle with Soviet imperialism.

U.S. diplomats were instructed to "apply such persuasion and-or pressure as is best calculated to produce desired result of France's unequivocally and promptly approving the principle of Viet independence."

France was notified that the U.S. was willing to extend financial aid to a French puppet, "but could not give consideration of altering its present policy in this regard unless real progress is made in reaching non-Communist solution in Indochina based on co-operation of true nationalists of that country."

As of 1948, however, the U.S. remained uncertain that Ho and the Viet Minh were in league with the Kremlin. A state Department appraisal of Ho Chi Minh in July 1948, indicated that:

"1. Depts info indicates that Ho Chi Minh is Communist. His long and well-known record in Comintern (Communist International) during twenties and thirties, continuous support by French Communist newspaper Humanité since 1945, praise given him by Radio Moscow which for past six months has been devoting increasing attention to Indochina and that he has been called "leading Communist" by recent Russian publications as well as Daily Worker makes any other conclusion appear to be wishful thinking.

"2. Dept has no evidence of direct link between Ho and Moscow but assumes it exists, nor is it able evaluate amount pressure or guidance Moscow exerting.

"We have impression Ho must be given or is retaining large degree latitude. Dept. considers that USSR accomplishing its immediate aims in Indochina by A. pinning down large numbers, B. causing steady drain upon French economy thereby tending retard recovery and dissipate ECA Economic Cooperation Administration assistance to France, and C. denying to world generally surpluses which Indochina normally has available thus perpetuating conditions of disorder and sharing which are favorable to growth Communism.

"Furthermore, Ho seems quite capable of retaining and even strengthening his grip on Indochina with no outside assistance other than continuing procession of French puppet govts." . . .

The collapse of the Chinese Nationalist government in 1949 sharpened American apprehensions over Communist expansion in the Far East, and hastened U.S. measures to counter the threat posed by Mao's China . . .

The U.S. decided that the impetus for collective security in Asia should come from the Asians, but by late 1949, it also recognized that action was necessary in Indochina.

Thus, in the closing months of 1949, the course of U.S. policy was set to block further Communist expansion in Asia: by collective security if the Asians were forthcoming; by collaboration with major European allies and commonwealth nations, if possible, but bilaterally if necessary.

On that policy course lay the Korean War of 1951–1953, the forming of the Southeast Asia Treaty Organzation (SEATO) of 1954, and the progressively deepening U.S involvement in Vietnam.

January and February, 1951, were pivotal months. The French took the first concrete steps toward transferring public administration to Bao Dai's state of Vietnam, Ho Chi Minh denied the legitimacy of the latter, proclaiming the DRV as the "only legal government of the Vietnamese people," and was formally recognized by Peking and Moscow.

On 29 January 1951, the French National Assembly approved legislation granting autonomy to the state of Vietnam. On February 1, 1951, Secretary of State Dean Acheson made the following public statement:

"The recognition by the Kremlin of Ho Chi Minh's Communist movements in Indochina comes as a surprise. The Soviet acknowledgment of this movement should remove any illusions as to the 'nationalist' nature of Ho Chi Minh's aims and reveals Ho in his true colors as the mortal enemy of native independence in Indochina . . .

Formal French ratification of Vietnamese independence was announced on 2 Feb. 1951; on the same date, President Truman approved U.S. recognition for Bao Dai. French requests for aid in Indochina followed within a few weeks. On May 8, 1951, the Secretary of State announced that:

"The United States government convinced that neither national independence nor democratic evolution exist in any area dominated by Soviet imperialism, considers the situation to be such as to warrant its according economic aid and military equipment to the associated states of Indochina and to France in order to assist them in restoring stability and permitting these states to pursue their peaceful and democratic development."

The U.S. thereafter was deeply involved in the developing war . . .

UNITED STATES, FRANCE, AND VIETNAMESE NATIONALISM SUMMARY

It has been argued that even as the U.S. began supporting the French in Indochina, the U.S. missed opportunities to bring peace, stability and independence to Vietnam. The issues arise from the belief on the part of some critics that (A) the U.S. made no attempt to seek out and support a democratic-nationalist alternative in Vietnam; and (B) the U.S. commanded, but did not use, leverage to move the French toward granting genuine Vietnamese independence.

The record shows that through 1953, the French pursued a policy which was based on military victory and excluded meaningful negotiations with Ho Chi Minh.

The French did, however, recognize the requirement for an alternative focus for Vietnamese nationalist aspirations, and from 1947 forward, advanced the "Bao Dai" solution The record shows that the U.S. was hesitant through 1949 to endorse the "'Bao Dai solution" until Vietnam was in fact unified and granted autonomy and did consistently support the creation of a genuinely independent, non-Communist Vietnamese government to supplant French rule.

Nonetheless, the fall of China and the deteriorating French military position in Indochina caused both France and the U.S. to press the "Bao Dai solution."

In early 1951, after French ratification of the Elysee agreement granting "'Vietnam's independence," the U.S. recognized Bao Dai and initiated military and economic aid, even before transfer of governmental power actually occurred. Thereafter, the French yielded control only pro forma, while the Emperoro Bao Dai adopted a retiring, passive role, and turned his government over to discreditable politicians.

The Bao Dai regime was neither popular nor efficient, and its army, dependent on French leadership, was powerless. The impotence of the Bao Dai regime, the lack of any perceptible alternatives except for the Communists, the fact of continued French authority and control over the GVN (Government of Vietnam), the fact that the French alone seemed able to contain Communism in Indochina—all these constrained U.S. promptings for a democratic-nationalist government in Vietnam.

The U.S.-French ties in Europe (NATO, Marshall Plan, Mutual Defense Assistance Program) only marginally strengthened U.S. urgings that France make concessions to Vietnamese nationalism.

Any leverage from these sources was severely limited by the broader considerations of U.S. policy for the containment of Communism in Europe and Asia.

NATO and the Marshall Plan were of themselves judged to be essential to our European interests. To threaten France with economic and military sanctions in Europe in order to have it alter its policy in Indochina was, therefore, not plausible.

Similarly, to reduce the level of military assistance to the French effort in Indochina would have been counterproductive, since it would have led to a further deterioration in the French military position there.

In other words, there was a basic incompatibility in the two strands of U.S. policy (1) Washington wanted France to fight the anti-Communist war and win, preferably with U.S. guidance and advice; and (2) Washington expected the French, when battlefield victory was assured, to magnanimously withdraw from Indochina.

For France, which was probably fighting more a colonial than anti-Communist war, and which had to consider the effects of withdrawal on colonial holdings in Algeria, Tunisia and Morocco, magnanimous withdrawal was not too likely.

France, having no such policy incompatibilities, could and did pursue a consistent course with the stronger bargaining hand. Thus, the French were able to resist pressures from Washington and through the MAAG (Military Assistance Group) in Saigon to create a truly Vietnamese army, to grant the Vietnamese more local autonomy and to wage the war more effectively.

MAAG was relegated to a supply function and its occasional admonitions to the French were interpreted by them as interferences in their internal affairs.

Even though by 1954, the U.S. was financing 78 per cent of the costs of the war, the French retained full control of the dispensation of military assistance and of the intelligence and planning aspects of the military struggle.

The expectation of French victory over the Viet Minh encouraged the U.S. to "go along" with Paris until the conclusion of the war. Moreover, the U.S. was reluctant to antagonize the French because of the high priority given in Washington's planning to French participation in the European Defense Community. France, therefore, had considerable leverage and, unless the U.S. supported Paris on its own terms, the French could, and indeed, did, threaten not to join the EDC and to stop fighting in Indochina.

American thinking and policy-making was dominated by the tendency to view Communism in monolithic terms. The Viet Minh was, therefore, seen as part of the Southeast Asia manifestation of the world-wide Communist expansion movement.

French resistance to Ho Chi Minh, in turn, was thought to be a crucial link in the containment of Communism. This strategic perception of the Communist threat was supported by the espousal of the domino principle; the loss of a single nation in Southeast Asia to Communism would inexorably lead to the other nations of the area falling under Communist control.

The domino principle, which probably had its origin at the time of the nationalist withdrawal from mainland China, was at the root of U.S. policy.

Although elements of a domino-like theory could be found in NSC National Security Council papers before the state of the Korean war, the Chinese intervention in Korea was thought to be an ominous confirmation of its validity.

The possibility of a large-scale Chinese intervention in Indochina, similar to that in Korea, was feared, especially after the armistice in Korea.

The Eisenhower administration followed the basic policy of its predecessor, but also deepened the American commitment to containment in Asia.

Secretary of State. John Foster Dulles pursued a forthright, anti-Communist policy and made it clear that he would not permit the "loss" of Indochina, in the manner the Democrats had allegedly allowed the "loss" of China.

Dulles warned China not to intervene, and urged the French to drive toward a military victory. Dulles was opposed to a cease-fire and tried to dissuade the French from negotiations with the Viet Minh until they had markedly improved their bargaining position through action on the battlefied.

The NSC in early 1954 was persuaded that a non-Communist coalition regime would eventually turn the country over to the Viet Minh. In consequence of this more military policy, the U.S. government tended to focus on the military rather than the political aspects of the French-Viet Minh struggle.

AID FOR FRANCE IN INDOCHINA, 1950–1954 SUMMARY

The United States decision to provide military assistance to France and the associates states of Indochina was reached informally in February-March 1950, funded by the President on May 1, 1950, and was announced on May 8 of that year.

The decision was taken in spite of a sensing that France's political-military situation in Indochina was bad and was deteriorating. Moreover, predictions that U.S. aid would achieve a marked difference in the course of the Indochina war were heavily qualified.

The situation in which the decision was made was completely dominated by the takeover of and consolidation of power in China by the Communists . . . This period (1949) was the high watermark of U.S. fears of direct Chinese intervention in Indochina . . .

The rationale of the decision was provided by the U.S. view that the Soviet-controlled expansion of Communism both in Asia and in Europe, required, in the interests of U.S. nationals security, a counter in Indochina . . .

The decision to begin military assistance to France and the Associated States of Indochina was not made under the illusion of great expectations. In April 1950, the Joint Chiefs of staff would go no further than to say that prompt delivery of the aid would do no more than create the "possibility of success." . . .

Results of the decision were mixed. Although implementation of the decision was partially successful in that it enabled the French to continue the military campaign in Indochina to the time of the Geneva accords, military assistance was by and large a failure as an instrument of U.S. policy: The U.S. neither assured the French a military success, influenced the political situation to advantage, nor prevented the loss of North Vietnam to the Communists at Geneva. . . .

The decision to provide assistance to France and the Associated States (Indochinese) . . . was but one issue among hundreds preoccupying the United States Gov-

ernment in the time period under consideration—the fall of China and the Korean War—and it was probably not regarded by those who made policy as among their critical decisions.

There is no evidence of any high U.S. official arguing that any significant commitment threshold was being crossed.

There were, however, those who maintained that the important anti-colonial stand of the U.S. was being undermined. These voices (and they were basically from the public domain) were drowned out by those who advocated immediate security needs. . . .

Although the decision was not perceived as getting the U.S. more deeply "involved" in Indochina, it did mark a tangible first step in that direction.

THE U.S. AND FRANCE'S WITHDRAWAL FROM VIETNAM 1954–1956 SUMMARY

Vietnam was the crucible of contemporary France, military defeat by the Viet Minh—unprecedented victory of Asian over European—was but one political reagent; there was also intense frustration and disappointment among French of rightist-colonist convictions that sneaker-shod Asian peasants could undo a century of costly labor at France's "civilizing mission," and jeopardize the largest investment of French capital in the Far East. . . .

After the Geneva conference, all the governments involved in the accords, with one significant exception, anticipated that France would remain in Vietnam. The exception was the state of Vietnam, whose premier, Ngo Dinh Diem, was determined to uproot French influence as a concomitant to the establishment of a genuinely independent nationalist government.

The policy of the United States was initially directed toward a partnership with France, a joint sponsorship of Diem and the newly independent nation he headed.

Almost at once, however, U.S. policy began to respond to military urgency, and this in turn caused the U.S. to move beyond partnership to primacy. In September of 1954, SEATO was brought into being, its protection extended to Vietnam by a protocol to the Manila pact.

The U.S. resolved through SEATO to balk further expansion of Communist dominion, and looked to transforming Vietnam into a key redoubt in the line of containment. The U.S. was determined that Vietnam would become politically sound, economically self-sufficient, and militarily capable of providing for its own internal security coping with invasion from North Vietnam, and contributing to the deterrent strength of the SEATO coalition.

France, then beset with internal political divisions, and plagued with Algeria, evidenced doubt, indecision, and occasional reluctance in aiding Vietnam toward the foregoing objectives. The U.S. was not prepared to wait.

In late September 1954, the U.S. cut out the French as middle-men in all its assistance for Vietnam, and began to deal directly with Diem, his government, and his armed forces.

France did not readily accept this enlarged American role, nor was there complete agreement with the U.S. government that the United States should pursue a further shouldering aside of France. . .

Once again, military considerations emerged as paramount. The JCS (Joint Chief of Staff) were originally opposed to the United States assuming responsibility for training the army of Vietnam. They took the position, however, that if political considerations dictated such a U.S. involvement "The Joint Chiefs of staff would agree to the assignment of a training mission to MAAG Saigon, with safeguards against French interference with the U.S. training mission."

On Oct. 16, 1954, the Secretary of Defense, acting on behalf of the President, instructed the JCS to prepare a "long-range program for the organization and training of a minimum number of free Vietnam forces necessary for internal security."

The development of this plan and an appropriate working relationship with the French continued in 1955, and necessitated the dispatch to Vietnam of Gen. J. Lawton Collins, with ambassadorial status to obtain a tripartite agreement acceptable in Saigon, in Paris, and in Washington.

During November 1954, the JCS expressed serious reservations (about the success of such a) combined undertaking. Nevertheless the NSC considered the policy sound, and this judgment was confirmed from the field by Gen. Collins. . . .

Collins recommended that the United States continue military aid to France to "encourage the French to retain sufficient forces." In the meantime, events in Vietnam seemed to support those who, like the JCS, continued to entertain strong reservations about the future of Ngo Dinh Diem and his government.

Diem managed to survive attempted coups by Army leaders, and succeeded in maintaining an unhappy peace with the several armed factions of Cochinchina (Indochina). But his political future remained questionable at best. At the same time, the French mission in Hanoi pressed hard to preserve French economic and cultural prerogatives in North Vietnam, and certain French political leaders in Paris spoke grandiloquently of a cooperative modus vivendi with the DRV becoming a model for East-West relations—a disquieting message for the U.S. Secretary of State and those who shared his convictions within the Administration.

Finally, parallel to these developments, the Emperor Bao Dai, retaliating for Diem's vituperative political campaign against him, actively sought to supplant Diem.

All the foregoing tension resolved to two central issues between the United States and France. The first was the question of how and by who Vietnam's armed forces were to be trained. The second, and more far-reaching, was whether Ngo Dinh Diem was to remain at the head of Vietnam's government, or whether he was to be replaced by another nationalist leader more sympathetic to Bao Dai and France.

The first issue was resolved relatively quickly. Gen. Collins struck an agreement with Gen. Ely in Vietnam by which, despite serious misgivings in Paris, France agreed to turn over the training of the Vietnamese Army to the P.S. and to withdraw French cadres. On Feb. 12, 1955, the U.S. assumed responsibility for training Vietnamese forces, and the French disassociation began.

But the political controversy over Diem was less easily resolved. Diem exacerbated matters with increasingly vehement stricture against the French and Bao Dai. The United States on its part was insensitive to the impact with France of Diem's militant anti-Communism—frequently directed at the French left—and of the rancor aroused by U.S. statements portraying America as the only friend of Vietnamese nationalism. The U.S. did alert, however, to French statements that Diem was categorically incapable of unifying Vietnamese nationalists.

French advice to the U.S. that Diem should, therefore, be replaced was seconded by Ambassador Collins from Vietnam. Throughout the winter and spring, Secretary Dulles and the Department of State in general seemed disposed to consider favorably suggestions that an alternative leader for the Vietnamese be placed in power.

However, despite an ostensibly thorough search, no nationalist leader with qualities competitive with Diem's was identified . . .

The armed sects directly challenged Diem's authority, and he responded with force.

An uneasy truce ended the first clash in March, and amid the mounting tension in April, 1955, the U.S., France, and Bao Dai all sought actively to bring about a change in the GVN.

On 28 April, Diem, against U.S. advice, against French advice, and against the advice of his cabinet, moved again against the sects . . .

Diem's forces won an immediate military victory, and simultaneously Diem's brother, Nhu, headed a committee of nationalist figures who called for Bao Dai's removal and transfer of civil and military power to Diem.

Encouraged by Diem's success, the U.S. declared its unequivocal support for him as opposed to Bao Dai.

The U.S. choice presented acute difficulties for France.

The French government was convinced that Nhu's "revolutionary committee" was under Viet Minh influence, and was strongly resentful of a renewed GVN campaign against French presence.

In May 1955, France, the U.S. and Britain met in Paris to discuss European defense, but France promptly made Vietnam the principal agenda item.

France maintained that the U.S., in backing Diem, forced upon France the necessity for withdrawing altogether from Vietnam . . .

Secretary Dulles in reply indicated that the U.S. was aware of Diem's weakness, but stressed Diem's recent successes as indicating redeeming qualities. But, Dulles pointed out, "Vietnam is not worth a quarrel with France," and offered U.S. withdrawal in preference to Allied disunity . . .

The tripartite meeting ended on a note of harmony, but the undertones were distinct: The days of joint U.S.-French policy were over; thereafter, the U.S. would act independently of France in Vietnam.

Backed by the United States, Diem refused to open consultation with the North Vietnamese on general elections when the date for these fell due in July 1955. Pressing his military advantage against the sects, he moved to consolidate his position politically within South Vietnam. In October, he won a resounding victory in a popular referendum in which voters were given a choice between Diem and Bao Dai.

As Diem's political strength grew, his relations with Paris deteriorated. In December 1955, Diem suddenly terminated the existing economic and financial agreements with France and called on France to denounce the Geneva agreements and break relations with Hanoi.

Soon thereafter, he withdrew South Vietnamese representatives from the French Union Assembly . . .

On March 22, 1956, France agreed with Diem to withdraw the FEC altogether. On April 16, 1956, the French high command in Saigon was disestablished. On the due date for the general elections agreed to at Geneva, France possessed no military forces in Vietnam. And the date for the fulfillment of the political parts of the settlement, July 1956, coincided with the inception of the Suez crisis.

ORIGINS OF THE INSURGENCY IN SOUTH VIETNAM 1954–60—SUMMARY

In 1957 and 1958, a structured rebellion against the government of Ngo Dinh Diem began.

While the North Vietnamese played an ill-defined part, most of those who took up arms were South Vietnamese, and the causes for which they fought were by no means contrived in North Vietnam.

In 1959 and 1960, Hanoi's involvement in the developing strife became evident. Not until 1960, however, did the U.S. perceive that Diem was in serious danger of being overthrown and devise a counterinsurgency plan.

It can be established that there was endemic insurgency in South Vietnam throughout the period 1954–1960. It can also be established—but less surely—that the Diem re-

gime alienated itself from one after another of those elements within Vietnam which might have offered it political support, and was grievously at fault in its rural programs.

That these conditions engendered animosity toward the GVN seems almost certain, and they could have underwritten a major resistance movement even without North Vietnamese help.

It is equally clear that North Vietnamese Communists operated some form of subordinary apparatus in the South in the years 1954–1960. Nonetheless, the Viet Minh "stay-behinds" were not directed originally to structure an insurgency, and there is no coherent picture of the extent or effectiveness of Communist activities in the period 1956–1959.

From all indications, this was a period of reorganization and recruiting by the Communist party. No direct links have been established between Hanoi and perpetrators of rural violence.

Statements have been found in captured party histories that Communists plotted and controlled the entire insurgency, but these are difficult to take at face value. . . .

The judgment offered here is that . . . there was some form of DRV apparatus functioning in the South throughout the years, but it can only be inferred that this apparatus originated and controlled the insurgency which by 1959 posed a serious challenge to the Diem government.

Moreover, up until 1958, neither the DRV domestic situation nor its international support was conducive to foreign adventure by 1959, its prospects were bright in both respects, and it is possible to demonstrate its moving forcefully abroad thereafter.

Given the paucity of evidence now, well after the events, U.S. intelligence served policy makers of the day surprisingly well in warning of the developments described below.

FAILURE OF THE GENEVA SETTLEMENT

The Geneva Settlement of 1954 was inherently flawed as a durable peace for Indochina, since it depended upon France, and since both the U.S. and the Republic of South Vietnam excepted themselves.

The common ground from which the nations negotiated at the Geneva conference was a mutual desire to halt the hostilities between France and the Viet Minh, and to prevent any widening of the war. To achieve concord, they had to override objections of the Saigon government, countenance the disassociation of the U.S. from the settlement, and accept France as one executor. Even so, Geneva might have wrought an enduring peace for Vietnam if France had remained as a major power in Indochina, if Ngo Dinh Diem had co-operated with the terms of the settlement, if the U.S. had abstained from further influencing the outcome.

Not one of these conditions was likely, given France's travail in Algeria, Diem's implacable anti-Communism, and the U.S. determination to block further expansion of the DRV in Southeast Asia.

Therefore, the tragedy stated: partition of Vietnam, the sole negotiable basis found at Geneva for military disengagement, became the prime casus belli . . . Geneva traded on long-run risks to achieve short-run disengagement. France withdrew from Vietnam, leaving the accords in the hands of Saigon. Lasting peace came between France and the Viet Minh, but the deeper struggle for an independent, united Vietnam remained. . . .

The Southeast Asia policy of the U.S. in the aftermath of the Geneva conference was conservative, focused on organizing collective defense against further inroads of Communism, not on alter status quo.

Status quo was the two Vietnams set up at Geneva, facing each other across a demilitarized zone . . .

The Geneva powers were imprecise—probably deliberately indefinite—concerning who was to carry out the election provisions. France, which was charged with civil administration in the "regrouping zone" of South Vietnam, had granted the state of Vietnam its independence in June 1954, six weeks before the accords were drawn up. Throughout 1954 and the first half of 1955, France further divested itself of authority in South Vietnam; police, local government, and then the army of Vietnam were freed of French control, and turned over to the Saigon government. Concurrently, the U.S. began to channel aid directly to South Vietnam, rather than through France. The convolution of French policy then thrust upon the U.S. a choice between supporting Diem or the French presence in Indochina.

The U.S. opted for Diem. By the time the deadlines for election consultations fell due in July 1955, South Vietnam was sovereign de facto as well as de jure, waxing strong with U.S. aid and France was no longer in a position to exert strong influence on Diem's actions.

As early as January, 1955, President Diem was stating publicly that he was unlikely to proceed with the Geneva election. . .

The U.S. did not—as is often alleged—connive with Diem to ignore the elections.

U.S. State Department records indicate that Diem's refusal to be bound by the Geneva accords and his opposition to pre-election consultations with the DRV were at his own initiative. However, the U.S., which had expected elections to be held, and up until May 1955 had fully supported them, shifted its position, in the face of Diem's opposition, and because of the evidence then accumulated about the oppressive nature of the regime in North Vietnam.

"In essence," a State Department historical study found, "our position would be that the whole subject of consultations and elections in Vietnam should be left up to the Vietnamese themselves and not dictated by external arrangements which one of the parties never accepted and still rejects." . . .

Thus, backed by the U.S., Diem obdurately refused to open talks with the Hanoi government. He continued to maintain that the government of South Vietnam had not signed the Geneva agreements and thus was not bound by them. . .

In October 1955, Diem ran against Bao Dai in a referendum and won—by a dubiously overwhelming vote—but he plainly won nevertheless. It is almost certain that by 1956 the proportion that might have voted for Ho—in a free election against Diem—would have been much smaller than 8 per cent. Diem's success in the South had been far greater than anyone could have foreseen, while the North Vietnamese regime had been suffering from food scarcity and low public morale. The latter stemmed from inept imitation of Chinese Communism—including a harsh agrarian program that reportedly led to the killing of over 50,000 small-scale "landlords."

The North Vietnamese themselves furnished damning descriptions of conditions in the DRV in 1955 and 1956. . .

That circumstances in North Vietnam were serious . . . was proved by insurrection among Catholic peasants in November 1956 . . . but the uprisings, though then and since used to validate the U.S.-backed GVN stand, were not foreseen in 1955 or 1956, the basis for the policy of both nations in rejecting the Geneva elections was, rather, convictions that Hanoi would not permit "free general elections by secret ballot," and that the ICC International Control Commission would be impotent in supervising the elections in any case . . .

By early 1957, partitioned Vietnam was a generally accepted modus vivendi throughout the international community . . .

Thus, reunification through elections became as remote a prospect in Vietnam as in Korea or Germany . . .

But the partition was not, as the examples of Korea and Germany demonstrate, necessarily tantamount to renewed hostilities. The difference was that in Korea and Germany international forces guarded the boundaries.

In Vietnam, the withdrawal of the French Expeditionary Corps prior to the date set for elections in 1956 left South Vietnam defenseless except for such forces as it could train and equip with U.S. assistance. . . .

Pursuant to the "regroupment" provisions of the Geneva accords, some 19,000 troops of the French Expeditionary Corps, and 900,000 civilians moved from North Vietnam to South Vietnam; more than 10,000 Viet Minh soldiers and civilians moved from South to North.

Both nations thereby acquired minorities with vital interests in the outcome of the Geneva settlement. In both nations, the regroupees exerted an influence over subsequent events well out of proportion to their numbers. . . .

The southerners in the North, and their relatives in the South, formed with the remnants of the Viet Minh's covert network in South Vietnam, a means through which the DRV might "struggle" toward reunification regardless of Diem's obduracy or U.S. aid for South Vietnam.

These people kept open the DRV's option to launch aggression without transcending a "civil war" of southerners against southerners—no doubt an important consideration with the United States as a potential antagonist.

The evidence indicates that, at least through 1956, Hanoi did not expect to have to resort to force. Thereafter, the regroupees occupied increasing prominence in DRV plans.

For Diem's government, refugees from the North were important for three reasons; firstly, they provided the world the earliest convincing evidence of the undemocratic and oppressive nature of North Vietnam's regime.

Though no doubt many migrants fled North Vietnam for vague or spurious reasons, it was plain that Ho's Viet Minh were widely and genuinely feared, and many refugees took flight in understandable terror.

There were indications that the DRV forcefully obstructed the migration of other thousands who might also have left the North.

In 1955 and 1956, the refugees were the most convincing support for Diem's argument that free elections were impossible in the DRV.

Secondly, the refugees engaged the sympathies of the American people as few developments in Vietnam have before or since, and solidly underwrote the U.S. decision for unstinting support of Diem. . . .

Thirdly, the predominantly Catholic Tonkinese refugees provided Diem with a claque; a politically malleable, culturally distinct group, wholly distrustful of Ho Chi Minh and the DRV, dependent for subsistence on Diem's government, and attracted to Diem as a coreligionist. . . .

One heritage of Geneva is the present dominance of South Vietnam's government and army by northerners. The refugees catalyzed Diem's domestic political regidity, his high-handedness with the U.S., and his unyielding rejection of the DRV and Geneva accords.

The Geneva settlement was further penalized by the early failure of "the international supervisory commission." . . .

While a joint commission of French and Viet Minh military officers was set up to deal with the cease-fire and force regroupment, the International Commission for Supervision and Control (ICC), furnished by Poland, India, and Canada, was to oversee the accords in general.

Its inability to cope with violations of the

armistice in the handling of would-be migrants, vociferously proclaimed in both Saigon and Hanoi, impugned its competence to overwatch the general free elections, for which it was also to be responsible.

Equally serious for the settlement, the ICC was expected to control arms and guarantee against aggression.

As was the case of the regroupment provisions, these arrangements operated in practice to the detriment of the political solution embodied in the accords, for the ICC, the election guardian, was soon demonstrated to be important. . . .

Not until 1959 and 1961 did the ICC publish reports attempting to answer directly DRV charges that the U.S. and South Vietnam were flagrantly violating the arms control provisions of the Geneva accords.

Similarly, though in its tenth and eleventh interim reports 1960 and 1961 the ICC noted "the concern which the Republic of Vietnam has been expressing over the problem of subversion in South Vietnam." It did not mention that those expressions of concern had been continuous since 1954, or attempt to publish a factual study of that problem until June 1962.

In both cases, the ICC was overtaken by events; by late 1960, international tensions were beyond any ability of the ICC to provide reassurances, and the U.S. was faced with the decision whether to commit major resources to the conflict in South Vietnam.

The Geneva settlement thus failed to provide lasting peace because it was, as U.S. National Security Council papers of 1956 and 1958 partly termed it, "only a truce." It failed to settle the role of the U.S. or of the Saigon government, or, indeed, of France in Vietnam.

It failed because it created two antagonist Vietnamese nations. It failed because the Geneva powers were unwilling or unable to concert follow-up action in Vietnam to supervise effectively observance of the accords, or to dampen the mounting tension.

Mutual distrust led to incremental violations by both sides, but on balance, though neither the United States nor South Vietnam was fully cooperative, and though both acted as they felt necessary to protect their interests, both considered themselves constrained by the accords.

There is no evidence that either deliberately undertook to breach the peace. In contrast, the DRV proceeded to mobilize its total societal resources scarcely without pause from the day the peace was signed, as though to substantiate the declaration of its deputy premier Pham Van Dong, at the closing session of the Geneva Conference:

"We shall achieve unity. We shall achieve it just as we have won the war. No force in the world, internal or external, can make us deviate from our path . . ."

Diem's rejection of elections meant that reunification could be achieved in the foreseeable future only by resort to force. Diem's policy, and U.S. support of it, led inevitably to a test of strength with the DRV to determine whether the GVN's cohesiveness, with U.S. support, could offset North Vietnam's drive to satisfy its unrequited nationalism and expansionism . . .

By the time President Kennedy came to office in 1961, it was plain that support for the Saigon government among South Vietnam's peasants—9 percent of the population—was weak and waning. The manifesto of the National Liberation Front, published in December 1960, trumpeted the existence of a revolutionary organization that could channel popular discontent into a political program.

Increasingly Diem's government proved inept in dealing either through its public administration with the sources of popular discontent, or through its security apparatus with the Viet Cong. Diem's government and his party were by that time manifestly out of touch with the people and into the gap between the government and the populace the Viet Cong had successfully driven.

When and why this gap developed is crucial to an understanding of who the Viet Cong were, and to what extent they represented the South as opposed to North Vietnamese interests.

The U.S. Government, in its White Papers on Vietnam of 1961 and 1965 has blamed the insurgency on the aggression by Hanoi, holding that the Viet Cong were always tools of the DRV.

Critics of U.S. policy in Vietnam usually hold, to the contrary, that the war was started by South Vietnamese; their counterarguments rest on two propositions: (1) that the insurgency began as a rebellion against the oppressive and clumsy government of Ngo Dinh Diem, and (2) that only after it became clear that the U.S. would commit massive resources to succor Diem in his internal war, was the DRV impelled to unleash the South Vietnamese Viet Minh veterans evacuated to North Vietnam after Geneva. . .

Events in Vietnam in the years 1954 to 1960 were indeed murky. The Diem government controlled the press tightly, and discouraged realism in reports from its provincial bureaucracy. Even official U.S. estimates were handicapped by reliance upon GVN sources. . . .

But enough evidence has now accumulated to establish that peasant resentment against Diem was extensive and well founded. Moreover, it is clear that dislike of the Diem government was coupled with resentment toward American (among Vietnamese) peasants. . . . France was merely replaced by the U.S., and Bao Dai's mantle was transferred to Ngo Dinh Diem. . . .

In the eyes of many Vietnamese of no particular persuasion, the United States was reprehensible, as a modernizing force in a thoroughly traditional society, as the provider of arms and money for a detested government, and as an alien, disruptive influence upon hopes they held for the Geneva settlement.

As far as attitudes toward Diem were concerned, the prevalence of his picture throughout Vietnam virtually assured his being accepted as the sponsor of the frequently corrupt and cruel local officials of the GVN, and the perpetrator of unpopular GVN programs, especially the population relocation schemes, and the "Communist denunciation campaign." Altogether, Diem promised the farmers much, delivered little, and raised not only the expectations, but their fears.

It should be recognized, however, that whatever his people thought of him, Ngo Dinh Diem really did accomplish miracles, just as did his American boosters said he did.

He took power in 1954 amid political chaos, and within one month surmounted attempted coups d'etat from within his army and rebellions by disparate irregulars. He consolidated his regime while providing creditably for an influx of nearly one million destitute refugees from North Vietnam, and he did all of this despite active French opposition and vacillating American support.

Under his leadership South Vietnam became well established as a sovereign state . . .

Moreover, by mid-1955 Diem secured the strong backing of the U.S. He conducted a plebiscite in late 1955, in which an overwhelming vote was recorded for him in preference to Bao Dai. During 1956 he installed a government—representative in form, at least—drafted a new constitution, and extended GVN control to regions that had been under sect or Viet Minh rule for a decade and he pledged to initiate extensive reforms in land holding, public health, and education.

With American help he established a truly national, modern army, and formed rural security forces to police the country-side. In accomplishing all the foregoing, he confounded those Vietnamese or North and South, and those French, who had looked for his imminent down-fall.

While it is true that his reforms entailed oppressive measures—e.g., his "political re-education centers" were in fact little more than concentration camps for potential foes of the government—his regime compared favorably with other Asian governments of the same period in its respect to the person and property of citizens.

There is much that can be offered in mitigation of Diem's authoritarianism. He began as the most singularly disadvantaged head of state of his era.

His political legacy was endemic violence and virulent anticolonialism. He took office at a time when the government of Vietnam controlled only a few blocks of downtown Saigon. The rest of the capital was the feudal fief of the Binh Xuyen gangster fraternity.

Beyond the environs of Saigan, South Vietnam lay divided among the Viet Minh enclaves and the theocratic dominions of the Cao Dai and Hoa Hao sects.

All these powers would have opposed any Saigon government. . . . For Diem to have erected any central government in South Vietnam without reckoning resolutely with their several armed forces and clandestine organizations would have been impossible: They were the very stuff of South Vietnam's politics.

Diem's initial political tests reinforced his propensity to inflexibility. The lessons of his first 10 months of rule must have underscored to Diem the value of swift, tough action against dissent, and of demanding absolutely personal loyalty of top officials.

Also, by May 1955, Ngo Dinh Diem had demonstrated to his satisfaction that the U.S. was sufficiently committed to South Vietnam that he could afford on occasion to resist American pressure and even to ignore American advice. Diem knew, as surely as did the United States, that he himself represented the only alternative to a Communist South Vietnam.

Diem was handicapped in all his attempts to build a nation by his political concepts . . .

Despite extensive travel and education in the West, and despite his revolutionary mien, he remained what he had been raised: A mandarin of imperial Hue, steeped in filial piety, devoted to Vietnam's past, modern only to the extent of an intense, conservative Catholicism. The political apparatus he created to extend his power and implement his programs reflected his background, personality and experience; a rigidly organized, over-centralized familial oligarchy.

Though his brothers Ngu Dinh Nhu and Ngo Dinh Can, created extensive personal political organizations of considerable power—Nhu's semicovert Can Lao Party borrowed heavily from Communist doctrine and technique and though a third brother, Ngo Dinh Thue, was the ranking Catholic bishop, in no sense did they or Diem ever acquire a broad popular base for his government.

Diems' personality and his political methods practically assured that he would remain distant, virtually isolated from the peasantry. They also seem to have predetermined that Diems' political history over the long run would be a chronicle of disaffection; Diem alienated one after another of the key groups within South Vietnam's society until by late 1960 his regime rested on the narrow and disintegrating base of its own bureaucracy and the Northern refugees.

Such need not have been the case. At least through 1957, Diem and his government enjoyed marked success with fairly sophisticated pacification programs in the countryside. In fact, Diem at first was warmly welcomed in some former Viet Minh domains, and it is probable that a more sensitive and adroit leader could have captured and held a significant rural following.

Even the failure of the Geneva accords to eventuate in general elections in 1956 at first had little impact upon GVN pacification.

The strident declamations of the DRV notwithstanding, reunification of partitioned Vietnam was not at first a vital political issue for South Vietnam's peasants. . .

The initial GVN pasification effort combined promises of governmental level reforms with "civic action" in the hamlets and villages. The latter was carried out by "cadre" clad in black pajamas . . .

Unfortunately for Diem, his civic action teams had to be drawn from the Northern refugees, and encountered Co-Chinese-Tonkinese tensions.

Moreover, they became preoccupied with Diem's anti-Communist campaign to the detriment of their social service. By the end of 1956, the civic action component of the GVN pacification program had been cut back severely.

But the salesmen were less at fault than their product. Diem's reform package compared unfavorably even in theory with what the Viet Minh had done by way of rural reform.

Diem undertook to: (1) resettle refugees and other land destitute Vietnamese on uncultivated land beginning in 1955; (2) expropriate all rice land holdings over 147 acres and redistribute these to tenant farmers beginning in 1956, and (3) regulate landlord-tenant relations beginning in 1957 to fix rents within the range 15-to-25 percent of crop yield, and to guarantee tenant land tenure for 3-to-5 years.

Despite invidios comparison with Viet Minh rent-free land, had these programs been honestly and efficiently implemented, they might have satisfied the land-hunger of the peasants. But they suffered, as one American expert put it from "lack of serious, interested administrators and top side command."

Government officials, beginning with the minister for agararian reform, had divided loyalties, being themselves land holders. Moreover, the programs often operated to replace paternalistic landlords with competitive bidding, and thus increased, rather than decreased, tenant insecurity.

And even if all Diem's goals had been honestly fulfilled—which they were not—only 2 percent of the rice land would have passed from large to small farmers. As it turned out, only 1 percent of all tenant farmers benefited in any sense.

By 1959, the land reform program was virtually inoperative. As of 1960, 45 percent of the land remained concentrated in the hands of 2 per cent of landowners, and 15 per cent of the landlords owned 75 per cent of all the land.

Those relatively few farmers who did benefit from the program were more often than not Northerners, refugees, Catholics, or Annamese—so that land reform added to the GVN's aura of favoritism which deepened peasant alienation in Cochinchina.

Farmer-GVN tension was further aggravated by rumors of corruption, and the widespread allegation that the Diem family itself had become enriched through the manipulation of land transfers.

Diem's whole rural policy furnishes one example after another of political maladroitness. In June 1956, Diem abolished elections for village councils, apparently out of concern that large numbers of Viet Minh might win office.

By replacing the village notables with GVN appointed officials, Diem swept away the traditional administrative autonomy of the village officials, and took upon himself and his government the onus for whatever corruption and injustice subsequently developed at that level. Again, the GVN appointees to village office were outsiders—Northerners, Catholics, or other "dependable" persons—and their alien presence in the midst of the close-knit rural communities encouraged revival of the conspiratorial, underground politics to which the villages had become accustomed during the resistance against the French.

But the conspiracy was almost a natural defense after Diem launched his denunciation of Communists campaign, which included a scheme for classifying the populace into lettered political groups according to the connections with the Viet Minh.

This campaign, which featured public confessions reminiscent of the "People's Courts" of China and North Vietnam, invited neighbors to inform on each other, and raised further the premium on clandestine political activity.

In 1956, the GVN disclosed that some 15,000-20,000 Communists had been detained in its "political re-education centers." . . .

By GVN figures in 1960, nearly 50,000 had been detained. . . .

Between 1956 and 1960, the GVN claimed that over 100,000 former Communist cadres rallied to the GVN, and thousands of other Communist agents had surrendered or had been captured. The campaign also allegedly netted over 10,000 weapons and 3000 arms caches.

Whatever it contributed to GVN internal security, however, the Communist denunciation campaign thoroughly terrified the Vietnamese peasants, and detracted significantly from the regime's popularity.

Diem's nearly paranoid preoccupation with security influenced his population relocation schemes. Even the refugee relief programs had been executed with an eye to building a "living wall" between the lowland centers of population and the jungle and mountain redoubts of dissidents.

Between April 1957 and late 1961, the GVN reported that over 20,000 persons—refugees and landless families from coastal Annam—were resettled in 147 centers carved from 220,000 acres of wilderness.

These "strategic" settlements were expensive: although they affected only 2 per cent of South Vietnam's people, they absorbed 50 per cent of U.S. aid for agriculture.

They also precipitated unexpected political reactions from the Montagnard peoples of the Highlands.

. . . the GVN thus facilitated rather than hindered the subsequent subversion of the tribes by the Viet Cong. But of all Diem's relocation experiments, that which occasioned the most widespread and vehement anti-GVN sentiment was the "Agroville" program begun in mid-1959.

. . . The GVN announced its intent to build 80 "prosperity and density centers" along a "strategic route system."

By the end of 1963, each of these 80 Agrovilles was to hold some 40 families, and each would have a group of satellite Agrovilles of 120 families each. In theory, the Agroville master plan was attractive: There were provisions for community defense, schools dispensary, market center, public garden, and even electricity.

Despite these advantages, however, the whole program incurred the wrath of the peasants. They resented the Corvee labor the GVN resorted to for Agroville construction, and they abhorred abandoning their cherished ancestral homes, tombs, and develcped gardens and fields for a strange and desolate community.

Passive peasant resistance, and then insurgent attacks on the Agrovilles, caused abandonment of the program in early 1961 when it was less than 25 per cent complete.

Yet, for all Diem's preoccupation with rural security, he poorly provided for police and intelligence in the countryside . . . Security in the villages was relegated to the self-defense corps SDC and the civil guard (CG)—poorly trained and equipped, miserably led.

. . . Indeed, they proved to be an asset to insurgents in two ways; they served as a source of weapons; and their brutality, petty thievery, and disorderliness inducted innumerable villagers to join in open revolt against the GVN.

The army of Vietnam, after 1956, was withdrawn from the rural regions to undergo reorganization and modernization under its American advisors. Its interaction with the rural populace through 1959 was relatively slight.

. . . Nor was Ngo Dinh Diem successful in exercising effective leadership over the Vietnamese urban population or its intellectuals. Just as Diem and his brothers made the mistake of considering all former Viet Minh Communists, they erred in condemning all non-Diemist nationalists as tools of Bao Dai or the French. The Diem family acted to circumscribe all political activity and even criticism not sanctioned by the oligarchy.

In late 1957, newspapers critical of the regime began to be harassed, and in March 1958, after a caustic editorial, the GVN closed down the largest newspaper in Saigon.

Attempts to form opposition political parties for participation in the National Assembly met vague threats and bureaucratic impediments. In 1958, opposition politicians risked arrest for assaying to form parties unauthorized by Nhu or Can, and by 1959 all opposition political activity had come to a halt.

In the spring of 1960, however, a group of non-Communist nationalists leaders came together—with more courage than prudence—to issue the Caravelle Manifesto, a recital of grievances against the Diem regime.

Eleven of the 13 signers had been cabinet members under Diem or Bao Dai; four had been in other high government positions, and others represented religious groups.

Their manifesto lauded Diem for the progress that he had made in the aftermath of Geneva, but pointed out that his repressions in recent years had "provoked the discouragement and resentment of the people." . . . They went on to "beseech the government to urgently change its policies." While the Caravelle manifesto thoroughly frightened Diem, coming, as it did, three days after Syngman Rhee was overthrown in Korea, it prompted him only to further measures to quell the loyal opposition.

By the fall of 1960, the intellectual elite of South Vietnam was politically mute; labor unions were impotent; loyal opposition in the form of organized parties did not exist. In brief, Diem's policies virtually assured that political challenges to him would have to be extra-legal.

Ultimately, these emerged from the traditional sources of power in South Vietnam—the armed forces, the religious sects, and the armed peasantry.

Through 1960, the only serious threats to Diem from inside the GVN were attempted military coups . . .

In November, 1961, a serious coup attempt was supported by three elite paratroop battalions in Saigon, but otherwise failed to attract support. In the wake of the coup, mass arrests took place in which the Caravelle Group, among others, were jailed.

In February 1962, two Vietnamese Air Force planes bombed the presidential palace in an unsuccessful assassination attempt on Diem and Nhu. Again, there was little apparent willingness among military officers for concerted action against Diem . . .

From 1956 on, his police apparatus was under military officers, and year by year, more of the provencial governments were also placed under military men.

By 1958, about one-third of the province chiefs were military officers, by 1960, that fraction had increased to nearly two-thirds by 1962, seven-eights of all provinces were headed by soldiers.

Diem's vete noire was Communism and he appealed to threats from Communists to

justify his concentration on internal security.

In August 1956 GVN ordinance 47 defined being a Communist, or working for them, as a capital crime . . .

There is little doubt that Diem and his government applied the term Viet Cong somewhat loosely within South Vietnam to mean all persons or groups who resorted to clandestine political activity or armed opposition against his government. The GVN meant by the term North as well as South Vietnamese Communists, who they presumed acted in concert . . .

From studies of defectors, prisoners of war and captured documents, it is now possible to assess armed resistance against Diem much better than the facts available at the time permitted.

Three distinct periods are discernible. From 1954 through 1957, there was a substantial amount of random dissidence in the countryside, which Diem succeeded in quelling. . . .

Beginning in mid-1957 and intensifying through mid 1959, incidents of violence attributed to Viet Cong began to occur in the countryside. . . .

In early 1959, however, Diem perceived that he was under serious attack and reacted strongly. Population relocation was revived. The army of Vietnam was committed against the dissidents and the Communist denunciation campaign was reinvigorated.

By Autumn, 1959, however, the VC had units of battalion size to put against regular army formations. By 1960, VC would operate in sufficient strength to seize provincial capitals for periods ranging up to 24 hours, overrun ARVN posts, and cut off entire districts from communication with the GVN-controlled towns.

Diem's countermeasures increasingly met with peasant obstructionism and outright hostility. A U.S. Embassy estimate of the situation in January 1960 noted that:

"While the GVN has made an effort to meet the economic and social needs of the rural populations . . . these projects appear to have enjoyed only a measure of success in creating support for the government and, in fact, in many instances have resulted in resentment . . . The situation may be summed up in the fact that the government has tended to treat the population with suspicion or to coerce it and has been rewarded with an attitude of apathy or resentment."

In December 1960, the National Liberation Front of SVN-NLF was formally organized. From its inception it was designed to encompass all anti-GVN activists, including Communists . . .

The NLF placed heavy emphasis on the withdrawal of American advisors and influence, on land reform and liberalization of the GVN, on coalition government and the neutralization of Vietnam, but through 1963, the NLF soft-pedalled references to reunification of Vietnam.

The NLF leadership was a shadowy crew of relatively obscure South Vietnamese. Despite their apparent lack of experience and competence, however, the NLF rapidly took on organizational reality from its central committee, down through a web of subordinary and associated groups, to villages all over South Vietnam.

Within a few months of its founding, its membership doubled, doubled again by fall 1961, and then redoubled by early 1962.

At that time an estimated 300,000 were on its rolls . . .

The key operational components of the NFL were, however, the Liberation Army and the People's Revolutionary Party .

Although the PRP did not come into existence until 1962, it is evident that Communists played a paramount role in forming the NLF, and in its rapid initial growth. The official U.S. view has been that the PRP is merely the Southern arm of the DRV's Communist party, and a principal instrument through which Hanoi instigated and controlled the revolt against "My-Diem . . ."

But significant doubt remains. Viet Minh stay-behinds testified in 1955 and 1956 that their mission was political agitation for the holding of the general elections promised at Geneva. Captured documents and prisoner interrogations indicate that in 1957 and 1958, although there was some "wildcat" activity by local Communists, party effort appeared to be devoted to the careful construction of an underground apparatus which, though it used assassinations and kidnapping, circumspectly avoided military operations. All evidence points to fall of 1959 as the period in which the Viet Cong made their transition from a clandestine political movement to a more overt military operation.

HANOI AND THE INSURGENCY IN SOUTH VIETNAM

The primary question concerning Hanoi's role in the origins of the insurgency is not so much whether it played a role or not—the evidence of direct North Vietnamese participation in subversion against the government of South Vietnam is now extensive—but when Hanoi intervened in a systematic way. Most attacks on U.S. policy have been based on the proposition that the DRV move on the South came with manifest reluctance, and after massive U.S. intervention in 1961 . . .

Indeed, up until 1961, the Administration itself publicly held that Ngo Dinh Diem was firmly in control in South Vietnam and that the United States aid programs were succeeding in meeting such threat to GVN security as existed within South Vietnam and from the North.

Too, the vigorous publicizing of "wars of national liberation" by N. S. Khrushchev and the "discovery" of counterinsurgency by the Kennedy Administration in early 1961 tended to reinforce the over-all public impression that North Vietnam's aggression was news in that year.

Thereafter, Administration leaders, by their frequently identifying that Khrushchev declaration as a milestone in the development of Communist world strategy, lent credence to the supposition that the Soviet Union had approved aggression by its satellite in North Vietnam only in December 1960—the month the NLF was formed.

There is some sparse evidence that the DRV actually did begin moving in 1958 to set up a mechanism for supporting the insurgency in South Vietnam . . .

There is, however, other evidence that questioning among the DRV hierarchy concerning strategy and tactics for South Vietnam continued throughout 1958 and into 1959.

Captured reports from party headquarters in South Vietnam betrayed doubt and indecisions among party leaders there and reflected the absence of clear guidance from Hanoi . . . Moreover, in 1958, and in 1959, the DRV did concentrate much of its resources on agricultural and industrial improvement. Extensive loans were obtained from the Soviet Union and from the Chinese Peoples Republic and ambitious uplift programs were launched in both sectors.

It is possible, therefore, to accept the view that through 1958 the DRV still accorded priority to butter over guns, as part of its base development strategy. . . .

By 1959, it seems likely that the DRV had elected to pursue a "guns and butters" strategy and obtained requisite Soviet and Chinese aid. While pressing forward with its economic improvement programs—which were showing definite progress—the DRV prepared with word and deed for large-scale intervention in South Vietnam.

In May 1959, at the fifteenth plenum of the Central Committee of the Lao Dong party, a resolution was adopted identifying the United States as the main obstacle to the realization of the hopes of the Vietnamese people, and as an enemy of peace. The resolution of the fifteenth plenum called for a strong North Vietnam as a base for helping the South Vietnamese to overthrow Diem and eject the United States.

A Communist Party history captured in South Vietnam in 1966, and the testimony of high-ranking captives, indicate that South Vietnamese Communists still regard the resolution of the fifteenth plenum as the point of departure for DRV intervention.

Within a month of the fifteenth plenum, the DRV began to commit its armed forces in Laos, and steadily escalated its aid to the Pathet Lao. By the time the National Liberation Front issued its manifesto in December 1960, the conflict in Laos had matured to the point that Pathet Lao-NVA troops controlled most of NE Laos and the Laotian Panhandle, moreover, by that time, the Soviet Union had entered the fray, and was participating in airlift operations from North Vietnam direct to Pathet Lao-NVA units in Laos. Also, by the fall of 1959, the insurgency in South Vietnam took a definite upsurge. Viet Cong units for the first time offered a direct challenge to the Army of Vietnam. Large VC formations seized and held district and province capitals for short periods of time, and assassinations and kidnappings proliferated markedly. The preamble of the constitution of the DRV, promulgated on 1 January 1960 was distinctly bellicose, condemning the United States, and establishing the unification of Vietnam as a DRV national objective. During 1959 and 1960, the relatively undeveloped intelligence apparatus of the U.S. and the GVN confirmed that over 400 infiltrators were sent from North Vietnam southward—most of them military or political cadre, trained to raise and lead insurgent forces. . . .

The evidence supports the conclusion, therefore, that whether or not the rebellion against Diem in South Vietnam proceeded independently of, or even contrary to directions from Hanoi through 1968, Hanoi moved thereafter to capture the revolution. There is little doubt that Hanoi exerted some influence over certain insurgents in the South throughout the years following Geneva, and there is evidence which points to its preparing for active support of large-scale insurgency as early as 1968. Whatever differences in strategy may have existed among Moscow, Peking and Hanoi, it appears that at each critical juncture Hanoi obtained concurrence in Moscow with an aggressive course of action. . . .

Ngo Dinh Diem was entirely correct when he stated that his was a nation at war in early 1959, South Vietnam was at war with both the Viet Cong insurgents and with the DRV, in that the latter then undertook to provide strategic direction and leadership cadres to build systematically a base system in Laos and South Vietnam for subsequent, large-scale guerrilla warfare. Persuasive evidence exists that by 1960 DRV support of the insurgency in South Vietnam included material as well as personnel. In any event, by late 1959, it seems clear that Hanoi considered the time ripe to take the military offensive in South Vietnam, and that by 1960 circumstances were propitious for more overt political action. . . .

U.S. PERCEPTIONS OF THE INSURGENCY 1954–1960

Much of what the U.S. knows now about the origins of the insurgency in South Vietnam rests on information it has acquired since 1963, approximately the span of time that an extensive and effective American intelligence apparatus had been functioning in Vietnam. Before then, our intelligence was drawn from a significantly more narrow and less reliable range of sources, chiefly Vietnamese, and could not have supported analysis in depth in insurgent organization and intentions . . . Nonetheless, U.S. intelligence

estimates through 1960 correctly and consistently estimated that the threat to GVN internal security was greater than the danger from overt invasion.

The intelligence estimates provided to policy makers in Washington pegged the Viet Cong military offensive as beginning in late 1959, with preparations noted as early as 1957, and a definite campaign perceived as of early 1959. Throughout the years, they were critical of Diem, consistently expressing skepticism that he could deal successfully with his internal political problems.

These same estimates miscalculated the numerical and political strength of the Viet Cong, misjudged the extent of rural disaffection, and overrated the military capabilities of the GVN. But as strategic intelligence they were remarkably sound.

Indeed, given the generally bleak appraisals of Diem's prospects, they who made U.S. policy could only have done so by assuming a significant measure of risk.

For example, on 3 August 1954, an NIE (National Intelligence Estimate) took the position that:

"Although it is possible that the French and Vietnamese, even with firm support from the U.S. and other powers, may be able to establish a strong regime in South Vietnam, we believe that the chances of this development are poor and, moreover, that the situation is more likely to continue to deteriorate progressively over the next year . . ."

This estimate notwithstanding, the U.S. moved promptly to convene the Manila Conference, bring SEATO into being with its protocol aegis over Vietnam, and eliminate France as the recipient of U.S. aid for Vietnam. Again on 26 April 1955, an NIE charged that:

"Even if the present empasse with the sects were resolved, we believe that it would be extremely difficult, at best, for a Vietnamese government, regardless of its composition, to make progress towards developing a strong, stable, anti-Communist government capable of resolving the basic social, economic, and political problems of Vietnam, the special problems arising from the Geneva Agreement and capable of meeting the long-range challenge of the Communists."

Within a matter of weeks, however, the U.S. firmly and finally committed itself to unstinting support of Ngo Dinh Diem, accepted his refusal to comply with the political settlement of Geneva, and acceded to withdrawal of French military power and political influence from South Vietnam. . . .

. . . An NIE of May 1959 took the position that Diem had a serious military problem on his hands:

"The GVN internal security forces will not be able to eradicate DRV supported guerrilla or subversive activity in the foreseeable future. Army units will probably have to be diverted to special internal security assignments. . . ."

The same NIE noted a waning of popular enthusiasm for Diem, the existence of some disillusionment, "particularly among the educated elite," some "dissatisfaction among military officers," but detected little "identifiable public unrest. . . ."

The 1959 NIE again expressed serious reservations about Diem's leadership and flatly stated that:

"The prospects for continued political stability in South Vietnam hang heavily upon President Diem and his ability to maintain firm control of the Army and police. The regime's efforts to assure internal security and its belief that an authoritarian government is necessary to handle the country's problems will result in a continued repression of potential opposition elements. This policy of repression will inhibit the growth of popularity of the regime and we believe that dissatisfaction will grow particularly among those who are politically conscious . . ."

Despite these reservations, U.S. policy remained stanchly and fairly uncritically behind Diem through 1959 . . .

While classified policy papers through 1959 thus dealt with risks, public statements of U.S. officials did not refer to the jeopardy. To the contrary, the picture presented the public and Congress by Ambassador (Elbridge) Durbrow, Gen. Williams, and other Administration spokesmen was of continuing progress, virtually miraculous improvement, year-in and year-out. Diem was depicted as a strong and capable leader, firmly in command of his own house, leading his people into modern nationhood at a remarkable pace. As late as the summer of 1959, Ambassador Durbrow and Gen. Williams assured the Senate Foreign Relations Committee that Vietnam's internal security was in no serious danger, and that Vietnam was in a better position to cope with invasion from the North than it had ever been. In the Fall of 1959, in fact, Gen. Williams expressed the opinion that by 1961 GVN defense budgets could be reduced, and in the spring of 1961, he wrote to Senator Mike Mansfield that American military advisers could begin a phased withdrawal from MAAG, Vietnam the following year.

Whatever adverse judgment may be deserved by such statements or by the quality of U.S. assistance to Vietnam on behalf of its internal security, the American aid program cannot be faulted for failing to provide Diem funds in plenty. The U.S. aid program—economic and military—for South Vietnam was among the largest in the world. From FY (fiscal year) 1946 through FY 1961, Vietnam was the third ranking non-NATO recipient of aid, and the seventh world-wide. In FY 1961, the last program of President (Dwight D.) Eisenhower's Administration, South Vietnam was the fifth ranking recipient over-all. MAAG, Vietnam, was the only military aid mission anywhere in the world commanded by a lieutenant general, and the economic aid mission there was by 1958 the largest anywhere. More than 75 per cent of the economic aid the U.S. provided in the same period went into the GVN military budget, thus at least $8 out of every $10 of aid provided Vietnam went directly toward security.

Planning proceeded against a background of developing divergence of view between the Departments of state and Defense. As Ambassador Durbrow and his colleagues of State saw the problem on the one hand, Diem's security problems stemmed from his political insolvency. They argued that the main line of U.S. action should take the form of pressures on Diem to reform his government and his party, liberalizing his handling of political dissenters and the rural populace. Department of Defense officials, on the other hand, usually deprecated the significance of non-Communist political dissent in South Vietnam, and regarded Diem's difficulties as proceeding from military inadequacy. In this view, what was needed was a more efficient internal defense, and, therefore, the Pentagon tended to oppose U.S. leverage on Diem because it might jopardize his confidence in the U.S., and his co-operation in improving his military posture. Communist machination, as Defense saw it, had created the crisis, the U.S. response should be "unswerving support" for Diem.

In June 1960, additional U.S. Army Special Forces arrived in Vietnam, and during the summer a number of Ranger battalions, with the express mission of counterguerilla operation, were activated. In September, Gen. Williams was replaced by Gen. McGarr who, consistent with the directives of the JCS, promptly began to press the training of RVNAF to produce the "antiguerrilla guerrilla." Gen. McGarr's desire for an RVNAF capable of meeting and defeating the Viet Cong at their own game was evident in the (CIP) counterInsurgency Program when it was forwarded to Washington in January 1961, just before John F. Kennedy took office.

The CIP had been well co-ordinated within the U.S. mission in Vietnam, but only partially with the Vietnamese. The plan, as forwarded, incorporated one major point of difference between the Embassy and MAAG. Gen. McGarr desired to increase the RVNAF force level by some 20,000 troops, while Ambassador Durbrow maintained reservations concerning the necessity or the wisdom of additional forces. The ambassador's position rested on the premise that Diem wanted the force level increase, and that the United States should not provide funds for that purpose until Diem was patently prepared to take those unpalatable political measures the ambassador had proposed aimed at liberalizing the GVN. The ambassador held out little hope that either the political or even military portions of the CIP could be successfully accomplished without some such leverage . . . In the staff reviews of the CIP in Washington, the divergence between State and Defense noted above came once more to the fore. Those chiefly within DOD who considered the VC threat as most important, and who therefore regarded military measures against this threat as most urgent, advocated approval and any other measures which would induce Diem's acceptance of the CIP, and his co-operation with MAAG. They were impatient with Ambassador Durbrow's proposed "pressure tactics" since they saw in them the possibility of GVN delay on vital military matters, and the prospect of little profit other than minor concessions from Diem in political areas they deemed peripheral or trivial in countering the VC. Tipping the scales toward what might be called the Diem-MAAG-DOD priorities was the coincident and increasing need to "reassure" Diem of U.S. support for the GVN and for him personally . . . This requirement to reassure Diem was plainly at cross purposes with the use of pressure tactics.

Ten days after President Kennedy came to office, he authorized a $41,000,000 increase in aid for Vietnam . . .

In March, Ambassador Durbrow was replaced by Frederick E. Nolting. Ambassador Durbrow's closing interview with Diem in mid-March was not reassuring. While Diem stated that he was prepared to carry out the military aspects of the CIP, he dodged Durbrow's questions on the political action prescribed. It was on this disquieting note that the Kennedy Administration began its efforts to counter the insurgency in South Vietnam.

THE KENNEDY COMMITMENTS AND PROGRAM, 1961 SUMMARY AND ANALYSIS

When Kennedy took office, the prospect of an eventual crisis in Vietnam had been widely recognized in the Government, although nothing much had yet been done about it. Our ambassador in Saigon had been sending worried cables for a year, and twice in recent months in September 1960 and again in December had ended an appraisal of the situation by cautiously raising the question of whether the U.S. would not sooner or later have to move to replace Diem. Barely a week after taking office, Kennedy received and approved a counterinsurgency plan (CIP) which, at what seems to have been a rather leisurely pace, had been going through drafting and staffing for the previous eight months.

The CIP was a most modest program by the standard we have become accustomed to in Vietnam. It offered Diem financial support for a 20,000-man increase in his army, which then stood at 150,000 plus support for about half of the counterguerrilla auxiliary force known as the civil guard. In return, it asked Diem for a number of reforms which appeared to the American side as merely common sense—such as straightening out command arrangements for the army under

which 42 different officials directly responsible to Diem shared operational command.

The CIP was superseded in May by an enlarged version of the same program, and the only longer term significance the original program held was that it presumably offered the Administration a lesson in dealing with Diem and perhaps, although it was not foreseen then, a lesson in dealing with Vietnamese government generally.

The negotiations dragged on and on; the U.S. military and eventually most of the civilians both in Saigon and Washington grew impatient for getting on with the war; Diem promised action on some of the American points, and finally even issued some decrees, none of which were really followed up.

For practical purposes, the list of "essential reforms" proposed as part of the CIP, including those Diem had given the impression he agreed to, could have been substituted unchanged for the list of reforms the U.S. requested at the end of the year, with equal effect, as the quid pro quo demanded for the much enlarged U.S. aid offer that followed the Taylor mission.

Negotiations with Diem came to an end in May, not because the issues had been resolved, but because the U.S. decided to forget trying to pressure Diem for a while and instead try to coax him into reforming by winning his confidence.

A preliminary step came April 20. Immediately following the Bay of Pigs disaster, and with the prospect of a disaster in Laos on the very near horizon, Kennedy asked Deputy Secretary of Defense (Roswell) Gilpatric to work up a program for saving Vietnam. The program was delivered, as requested, a week later. It was a somewhat enlarged version of the CIP, with the implication, not spelled out in the paper, that the new effort would be put into effect without making any demands on Diem.

Simultaneously, Ambassador Durbrow, who had been in Vietnam for four years, was being replaced by Nolting, and this added to the hope that a new start might be made with Diem. There is nothing to suggest that anything more was expected of Gilpatric's program, and indeed all the evidence suggests that the main point of the exercise was to work Gen. Lansdale into the role of government-wide coordinator and manager of the country's first major test of the new art of counterinsurgency. Lansdale served as executive officer of the task force which Gilpatric organized and which he proposed should be given a continuing, dominant role in managing the Vietnamese enterprise.

By the time the report was submitted on April 27 when the Laos crisis was reaching its peak, a new Geneva conference had been agreed upon. But there were serious doubts that the pro-Western side in Laos would be left with anything to negotiate about by the time the conference opened.

Even the U.S.-favored settlement (a coalition government) represented a major, if prudent, retreat from the previous U.S. position taken during the closing months of the Eisenhower Administration. So the situation in Laos was bad, if unavoidable; and it followed right on the heels of the Bay of Pigs, and at a time when the Soviets were threatening to move against Berlin. The emphasis of the Gilpatric Task Force shifted from shaping up the counterinsurgency aid program for Vietnam, to finding ways to demonstrate to the South Vietnamese and others that a further retreat in Laos would not foreshadow an imminent retreat in Vietnam.

On April 28, an annex to the Task Force report proposed to counter the impact of Laos with U.S. support for an increase in South Vietnamese forces the original report had proposed only more generous financial support for forces already planned under the CIP and, further, a modest commitment of U.S. ground combat units in South Vietnam, with the nominal mission of establishing two training centers. On April 29, Kennedy endorsed the proposals of the original draft, but took no action on the far more significant proposals in the annex. On May 1, a revised task force draft came out, incorporating the Laos annex proposals, and adding a recommendation that the U.S. make clear an intent to intervene in Vietnam to the extent needed to prevent a Viet Cong victory.

At this point, practical control of the task force appears to have shifted out of Gilpatric's and Defense's hands to State and, apparently, George Ball.

A State Department redraft of the report came out May 3, which eliminated the special role laid out for Lansdale, shifted the chairmanship of the continuing task force to State, and blurred, without wholly eliminating, the Defense-drafted recommendations for sending U.S. combat units to Vietnam and for public U.S. commitments to save South Vietnam from Communism.

But even the State re-draft recommended consideration of stationing American troops in Vietnam, for missions not involving combat with the Viet Cong, and a bilateral U.S.-security treaty. On May 4 and 5, still acting under the pressures of the Laos crisis, the Administration implied through a statement by Senator Fulbright at the White House following a meeting with Kennedy, and at Kennedy's press conference the next day, that it was considering stationing American forces in Vietnam. On May 6, a final draft of the task force report came out, essentially following the State draft of May 3.

On May 8, Kennedy signed a letter to Diem, to be delivered by Vice President (Lyndon B.) Johnson the next week, which promised Diem strong U.S. support, but did not go beyond the program outlined in the original task force report. It offered neither to finance expanded South Vietnamese forces, nor to station American troops in Vietnam. On May 11, the recommendations of the final, essentially State-drafted, report were formalized. But by now, the hoped-for cease-fire in Laos had come off. Vice President Johnson in Saigon on May 12 followed through on his instructions to proclaim strong U.S. support for and confidence in Diem. When Diem talked of his worries about U.S. policy in Laos, Johnson, obviously acting on instructions, raised the possibility of stationing American troops in Vietnam or of a bilateral treaty.

But Diem wanted neither at that time. Johnson's instructions were not available to this study, so we do not know how he would have responded if Diem had asked for either troops or a treaty, although the language of the task force report implies he would only have indicated a willingness to talk about these things. With Johnson, came the new ambassador, Fritz Nolting, whose principal instruction was to "get on Diem's wavelength" in contrast to the pressure tactics of his predecessor.

A few weeks later, in June, Diem, responding to an invitation Kennedy had sent through Johnson, dispatched an aid to Washington with a letter outlining Saigon's "essential military needs." It asked for a large increase in U.S. support for Vietnamese forces sufficient to raise ARVN strength from 170,000 to 270,000 men and also for the dispatch of "selected elements of the American armed forces" both to establish training centers for the Vietnamese and as a symbol of American commitment to Vietnam. The proposal, Diem said, had been worked out with the advice of MAAG Saigon, whose chief, along with the JCS and at least some civilian officials, strongly favored getting American troops into Vietnam.

The question of increased support for Vietnamese forces was resolved through the use of the Staley mission. This was normally a group of economic experts intended to work with a Vietnamese group on questions of economic policy. Particularly at issue was whether the Vietnamese could not be financing a larger share of their own defenses.

On the basis of the Staley report, the U.S. agreed to support a further increase of 30,000 in the RVNAF, but deferred a decision on the balance of the South Vietnamese request on the grounds that the question might not have to be faced since by the time the RVNAF reached 200,000 men, sometime late in 1962, the Viet Cong might already be on the run.

The other issue—the request for "elements of the American armed forces" was left completely obscure. From the record available, we are not sure that Diem really wanted the troops then, or whether Kennedy really was willing to send them if they were wanted.

A new, and much more serious sense of crisis developed in September. This time the problem was not directly Laos, but strong indications of moderate deterioration of Diem's military position and very substantial deterioration of morale in Saigon. There was a sharp upswing in Viet Cong attacks in September, including a spectacular raid on a province capital 55 miles from Saigon during which the province chief was publicly beheaded by the insurgents. At the end of September, Diem surprised Nolting by asking the U.S. for a U.S.-GVN defense treaty. By Diem's account the loss of morale in Saigon was due to worries about U.S. policy growing out of the Laos situation.

In response, President Kennedy sent Gen. Taylor and Walt Rostow, then both on the White House staff, to Vietnam, accompanied by some less prominent officials from State and Defense.

What Taylor and Rostow reported was that Saigon faced a dual crisis of confidence, compounded with doubt arising from Laos that the U.S. would stick by South Vietnam, and doubts arising from the Viet Cong successes and that Diem's unpopular and inefficient regime could beat the Viet Cong anyway. The report said that U.S. military commitment in Vietnam was needed to meet the first difficulty; and that the second could best be met by supplying a generous infusion of American personnel to all levels of the Vietnamese government and army, who could it was hoped, instill the Vietnamese with the right kind of winning spirit, and reform the regime "from the bottom up" despite Diem's weaknesses. The report recommended the dispatch of helicopter companies and other forms of combat support, but without great emphasis on these units.

Probably, although the record does not specifically say so, there was a general understanding that such units would be sent even before the report was submitted, and that is why there is relatively little emphasis on the need for them.

The crucial issue was what form the American military commitment had to take to be effective. Taylor in an eyes-only cable to the President, argues strongly for a task force in the delta, consisting mainly of Army Engineers to work where there had been a major flood. The delta was also where the VC were strongest, and Taylor warned the President that the force would have to conduct some combat operations and expect to take casualties. But Taylor argued that the balance of the program, less this task force, would be insufficient, for we had to "convince Diem that we are willing to join him in a showdown with the Viet Cong . . ."

(This is all the textual material available at the time this edition of the Post-Dispatch went to press.)

[From the St. Louis Dispatch, June 30, 1971]

CONTRADICTORY MOVES ON AIR WAR ARE TOLD

WASHINGTON.—The night before President Lyndon B. Johnson cut back the bombing of North Vietnam in his successful 1968 effort to start peace talks the Department of State secretly sent word to its Vietnam war allies that the move would most likely fail

and that full-scale resumption of the air war was possible any time.

A message to U.S. ambassadors in six capitals instructed them to tell the Allied government chiefs:

"You should make clear that Hanoi is most likely to denounce the project and thus free our hand after a short period.

"Nevertheless we might wish to continue the limitation even after a formal denunciation, in order to reinforce its sincerity and put the monkey firmly on Hanoi's back for whatever follows."

The message is quoted at length in parts of the Pentagon papers on the Vietnam War made public last night and today by Senator Mike Gravel (Dem.), Alaska. The Senator in a suddenly convened one-man hearing of a Senate subcommittee read sections of the study for three hours and 31 minutes.

The result was to make available to newspapers and the public a major share of the material, particularly the narrative account of policy-making and various documents or excerpts. Gravel's aids said some material that the Senator considered sensitive was screened out. Some passages had been cut out with a razor blade.

Public reports on the 47-volume, 7000-page account were started two weeks ago by the New York Times and subsequently published by other newspapers as the secret study leaked widely. The Government then took the issue of publication into the courts, obtaining restraining orders against three papers.

Gravel wound up his reading after 1 a.m. and went home to sleep shortly before daybreak. His office reported receiving hundreds of telephone calls from around the country praising his action. A spokesman at the Department of Justice had no comment on Gravel's action, referring all queries to the Department of Defense.

Presidential press secretary Ronald L. Ziegler said the White House had no comment.

Senate Republican leader Hugh Scott, Pennsylvania, said Senate Democrats should determine whether Gravel had violated Senate rules by reading from the Pentagon papers.

Scott said Gravel should be disciplined if the Democrats determined that he had violated the rule requiring Senators to keep secret confidential papers sent to Congress by the President.

Republican whip Robert P. Griffin, Michigan, took much the same stand. "If the rules have been violated, the Senate ought to act."

Gravel said there was no justification for keeping the still officially top-secret papers from the American people.

"I have read these documents and I am convinced I am in no way jeopardizing this nation's security," he said.

One of the disclosures in the material made public by Gravel was that Secretary of Defense Robert S. McNamara broached to President John F. Kennedy as early as Nov. 8, 1961, the possibility of attacking North Vietnam.

The suggestion was coupled with consideration then being given to a proposal by Gen. Maxwell Taylor, a Kennedy adviser, for some introduction of U.S. troops into the Mekong Delta in Vietnam, then a source of Viet Cong strength and a scene of heavy flooding.

The suggestion was made on behalf of Roswell Gilpatric, McNamara's deputy, and the Joint Chiefs of Staff.

Kennedy increased U.S. assistance to South Vietnam but kept it within the limits of military aid and advisers. Regular bombing of the North was started by President Lyndon B. Johnson in February 1965; a few months later he committed U.S. ground forces.

From then until his 1968 proposal for peace talks, Johnson began various public and private peace initiatives, some coupled with bombing pauses. None prospered. His announcement of March 31, 1968, with its limitation on bombing had one dramatic new ingredient. He announced at the same time he would not stand for re-election.

The State Department's telegram to U.S. ambassadors was part of the Administration's operation plan and was intended to prepare the leaders of Australia, New Zealand, Thailand, Laos, the Philippines and South Korea for the peace move. Johnson did not tip his hand to them on his renunciation of political ambitions, however.

All the moves at the time were made against the background of the Communist January–February Tet offensive, which had led the Administration to reconsider its whole position. Initial success of the offensive had shocked Washington. But Johnson decided against military recommendations to send in more than 200,000 additional troops.

The telegrams to the ambassadors, nevertheless, held open the possibility that the war might still be escalated. That possibility evidently collapsed when the North Vietnamese responded favorably in three days, and little more than two months later the Paris peace talks resulted.

The Nov. 8 McNamara memo, according to the study, said the Taylor program should be adopted "only on the understanding that it would be followed up with more troops as needed, and with a willingness to attack North Vietnam . . .

"The Taylor mission report, and Taylor's own cables, had also stressed a probable need to attack, or at least threaten to attack, North Vietnam."

Three days later, Nov. 11, McNamara reversed his position in a joint memorandum with Secretary of State Dean Rusk, recommending deferring dispatch of U.S. troops.

President Kennedy accepted this position, although the papers gave no reason for either the switch in McNamara's view or Kennedy's motives in following the Nov. 11 advice.

The papers, which the Government has tried to stop newspapers from publishing on grounds their disclosure would endanger national security, did indicate that the ultimate decision by Kennedy to send American troops came as a spinoff of a counter-insurgency plan.

This plan itself was spurred by the ill-fated Bay of Pigs invasion and prospects of a Laotian disaster, along with fears that the regime of Ngo Dinh Diem was collapsing, the papers said.

As the plan developed it moved from a basic effort to provide financial aid to South Vietnam's counter-insurgency force to finally "consideration of stationing troops in Vietnam."

On May 12, 1961, Vice President Lyndon B. Johnson raised with Diem the "possibility of stationing American troops in Vietnam or of a bilateral treaty," the Pentagon study said, "but Diem wanted neither at that time."

By June, Diem had changed his mind. Through an aid sent to Washington, the South Vietnamese president sought a large boost in U.S. financial aid and dispatch of "selected elements of the American armed forces."

Nothing was done on this until December 1961 when American helicopter units were sent to Vietnam and the U.S. advisory force was increased

As reported by the Post-Dispatch Friday, the papers indicated U.S. officials and disaffected South Vietnamese generals conspiring to overthrow Diem in 1963 had been in contact three months before the coup was carried off.

The study indicated that Ambassador Henry Cabot Lodge told the generals in August 1963 that Washington could not back Diem any further because he maintained his unpopular brother Ngo Dinh Nhu as secret police chief.

President Kennedy was reported as later having second thoughts about aborting U.S. support of Diem, second thoughts that proved unnecessary because the August coup fell through.

Diem and Nhu were overthrown in November and assassinated.

The summary of the study outlined the scope of the American involvement in Vietnam and the origins of U.S. aid.

In 1954, soon after the defeat of the French and the signing of the Geneva accords, the report said, an American intelligence estimate concluded the chances of establishing a strong, anti-Communist regime in Vietnam were poor and that the situation was likely to continue to deteriorate progressively.

Despite the estimate, the analysis said, The United States moved promptly to bring about the SEATO alliance and eliminate France as the recipient of American aid for Vietnam. It quoted another intelligence estimate in April 1955 that it would be "extremely difficult" for a Vietnamese government to make progress towards developing . strong, stable anti-Communist regime.

"Within a matter of weeks, however," the analysis continued, "the U.S. firmly and finally committed itself to unstinting support of Ngo Dinh Diem, accepted his refusal to comply with the political settlement of Geneva, and acceded to withdrawal of French military power and political influence from South Vietnam."

The analysis said that during the Eisenhower years "the American aid program cannot be faulted for failing to provide Diem funds in plenty."

"From fiscal year 1946 through fiscal 1961, Vietnam was the third ranking non-NATO recipient of aid, and the seventh world wide," the summary said. "In fiscal year 1961, the last program of President Eisenhower's administration, South Vietnam was the fifth ranking recipient over-all."

It said the American military assistance group in Vietnam by fiscal year 1961 was the "only military aid mission anywhere in the world commanded by a lieutenant general, and the economic aid mission there was by 1958 the largest anywhere."

During the period, the analysis said, American aid had "an explicit military rationale." For example, it said, a 20-mile stretch of highway from Saigon to Bien Hoa built for specifically military purposes, received more U.S. economic aid than all funds provided for labor, community development, social welfare, health and education in Vietnam in the years 1954–1961.

Writers of the report refused to accept at face value the public American view that the People's Revolutionary Party, the political arm of the National Liberal Front, or Viet Cong, was merely the southern arm of the Communist party of North Vietnam. The analysis noted official U.S. statements had labeled the PRP as the instrument through which Hanoi instigated and controlled the revolt against Diem.

The report said Communist party efforts in the first years after the Geneva agreements appeared to be devoted to the careful construction of an underground apparatus which, although it used assassinations and kidnaping, "circumspectly avoided military operations."

The report said all evidence pointed to the autumn of 1959 as the period in which the Viet Cong made their transition from a clandestine political movement to a more overt military operation. But the report traced the start of incidents of violence against the Diem regime in South Vietnam to mid-1957.

WHEELER RESISTED CURBS, STUDY SHOWS

The following story was released by the Post-Dispatch after a federal court judge lifted today a temporary restraining order barring the publication of excerpts from a secret Pentagon study of American involvement in the Vietnam War.

WASHINGTON.—Secret Pentagon papers obtained by the Post-Dispatch show that early in 1968 Gen. Earle G. Wheeler fought vigor-

ously against efforts to curb American military action in Vietnam.

Wheeler, then chairman of the Joint Chiefs of Staff, was described as "appalled" at what he regarded as a repudiation of American military policy recommended in a reassessment of American war policy by a group of top-level federal officials.

The secret Department of Defense study reports that Wheeler immediately went to work to water down the report of the reassessment group. The military leader succeeded in having much of what he regarded as objectionable recommendations deleted in a second version of the report.

These disclosures are contained in hundreds of pages of a secret study of the history of United States involvement in the Vietnamese conflict obtained by the Post-Dispatch. The study was made by a Department of Defense team in 1967 and 1968.

The Post-Dispatch reported previously that the secret documents it had obtained show also that former Secretary of Defense Robert S. McNamara labeled the pacification program in South Vietnam "a bad disappointment" in 1966 and told President Lyndon B. Johnson he saw "no reasonable way to bring the war to an end soon."

The documents published by the Post-Dispatch in its last article last Friday also showed that McNamara told Mr. Johnson that the first year and a half of American bombing raids over North Vietnam had failed to stem enemy infiltration into South Vietnam or to crack Hanoi's morale.

Gen. Wheeler's objections to setting a limit on American involvement in the war in Southeast Asia developed in March 1968, the documents obtained by the Post-Dispatch show. At that time a small group of high civilian officials headed by then—Secretary of Defense Clark M. Clifford had begun to push for limiting the American military build-up in South Vietnam and curbing the bombing of North Vietnam.

This was the period that became known as "The fight for the soul of Lyndon Johnson." It ended on March 31, 1968, when the President finally announced a limited halt to the bombing of North Vietnam and also startled the nation by stating he would not seek re-election to a second term.

The effort to change American policy came after more than two years of massive American military build-up in Southeast Asia but only very limited United States successes.

As 1967 drew to a close, Gen. William C. Westmoreland, then commander of American forces in South Vietnam, wrote an optimistic end-of-the-year assessment observing that the enemy was "increasingly resorting to desperation tactics" and that his bases "are no longer safe havens."

He said the Communists were losing control over large areas and population.

Then came the Tet offensive. Westmoreland now questioned the ability of the weakened South Vietnamese forces "to cope with additional sustained enemy offensive operations," and the Joint Chiefs recommended calling some American reserve units to active duty.

McNamara rejected that proposal, deciding instead to deploy an additional 11,000 troops to Vietnam.

Fearing that American personnel were being stretched too thin, the Joint Chiefs repeated their recommendations for a callup of reserves together with congressional authority to extend the terms of service for men in the armed forces.

Before that request could be acted on, Clifford succeeded McNamara as defense secretary, and President Johnson sent Wheeler to Saigon for a new assessment of the situation in the light of Tet.

Wheeler's report, the Pentagon study says, stated that, although the enemy had suffered heavy losses, he was likely to recover rapidly. In the face of sustained enemy momentum, Wheeler said, there was a question about the ability of the South Vietnamese to bear up.

"The initial attack nearly succeeded in a dozen places," Wheeler reported of the Communist offensive, "and defeat in those places was only averted by the timely reaction of U.S. forces. In short, it was a very near thing."

Viewing the over-all situation, Wheeler observed that American forces then in Vietnam were "inadequate in numbers and balance to carry out the strategy" of securing the cities, regaining control of the countryside and resuming the offensive.

Wheeler's report supported MACV's request for 206,756 troops above the 525,000 ceiling then in existence. That would have pushed the new ceiling above 731,000, all to be deployed into South Vietnam by the end of 1968. The magnitude of that request triggered the Administration's thorough review of U.S. policy in South Vietnam.

"A fork in the road had been reached," the Pentagon report says. "Now the alternatives stood out in stark reality. To accept and meet General Wheeler's request for troops would mean a total U.S. military commitment to South Vietnam—an Americanization of the war, a callup of reserve forces, vastly increased expenditures. To deny the request for troops, or to attempt to again cut it to a size which could be sustained by the thinly stretched active forces, would just as surely signify that an upper limit to the U.S. military commitment in South Vietnam had been reached."

On Feb. 29, Clifford, who was to be sworn in the next day, met with McNamara, Bundy, Gen. Maxwell D. Taylor, the American ambassador to South Vietnam, and other top Government officials to plan for the reassessment of American policy.

Clifford, outlining the task given him by Mr. Johnson, said the real questions were: "Should we follow the present course in South Vietnam? Could it ever prove successful even if vastly more than 200,000 troops were sent?"

Taylor later submitted a paper to the group and to the President saying that the current military situation argued strongly against any new negotiation effort on the part of the U.S. or any thought of reducing the bombing of the North. He said the Administration ought to withdraw from Mr. Johnson's San Antonio formula, in which he had stated a policy of maintaining steady bombing of the North while remaining open to peace negotiations.

Other papers covering a variety of subjects dealing with the Vietnam problem, the study says, adopted a general thrust that "more of the same in South Vietnam would not achieve decisive results and, indeed, would not be satisfactory." A paper on pacification concluded that the Tet offensive "appears to have killed the program once and for all."

The Clifford group received one paper from the systems analysis section of the Defense Department complaining that the U.S. "never achieved the momentum essential for military victory" in Vietnam. The paper said the U.S. "became mesmerized by statistics of known doubtful validity, choosing to place our faith only in the ones that showed progress."

"In short," it concluded, "our setbacks were due to wishful thinking compounded by a massive intelligence collection and/or evaluation failure."

Reviewing the American objectives and the ability of the enemy to counter every American move, the systems analysis paper said:

"We know that despite a massive influx of 500,000 U.S. troops, 1.2 million tons of bombs a year, 400,000 attack sorties per year, 200,000 enemy killed in action in three years, 20,000 U.S. killed in action, etc., our control of the countryside and the defense of the urban areas is now essentially at pre-August 1965 levels. We have achieved stalemate at a high commitment. A new strategy must be sought."

A paper submitted by the Defense Department's public affairs section said that the only alternative that would have any general public acceptance would be to deny Westmoreland's troop requests and change strategy in Vietnam.

"What the people want most of all," the paper said, "is some sign that we are making progress, that there is, somewhere, an end."

The Pentagon papers noted that there was no way to tell how much weight was given to each paper by the group preparing the reassessment memo. By Feb. 29, the group had produced its first draft. It expressed pessimism about the future direction and ability of the South Vietnamese government and army.

As for the requested increase in troops, the memo said that even with the full complement sought "we will not be in a position to drive the enemy from South Vietnam or destroy his forces." The likely enemy response, the paper said, was a matching increase in Hanoi's forces and little success "in attriting the enemy or eroding Hanoi's will to fight."

The memorandum predicted that further Americanization of the war would encourage the Saigon government to let the U.S. do the fighting "while it engages in backroom politics and permits widespread corruption." Such a move would diminish "our chances of leaving behind an effective functioning national government" in South Vietnam, the paper said. It also forecast "unfortunate" effects in this country, as casualties mounted and taxes climbed.

The memo concluded that American strategy should aim at steps that would turn the South Vietnamese army into an effective fighting force and permit the South Vietnamese government to win the confidence of the people. It urged that the American military mission be to provide security to populated areas rather than try to drive the enemy out of the country.

The Pentagon papers said that a March 1 discussion of the memorandum in Clifford's office showed that Wheeler "was appalled at the apparent repudiation of American military policy" that was suggested.

Wheeler then went to work to achieve a revision of the memorandum and succeeding in having much of the objectionable data about new grand strategies deleted in a second version. The Pentagon papers called this time a "period of frantic preparation," but noted that the net result fell far short of any call for a startling revision of strategy.

Clifford's resulting memorandum to the President on March 4 called for sending 22,000 more troops to Vietnam, early approval of a reserve callup, but reservation of any decision to meet Westmoreland's request in full.

The memo suggested that the Administration "give intensive study to the development of new strategic guidance to General Westmoreland" to indicate "that he should not be expected either to destroy the enemy forces or to rout them completely from South Vietnam."

Clifford's message said there was no reason to believe that the enemy could be routed "by an additional 200,000 American troops or double or triple that quantity." He urged that the new strategy be the subject of detailed study in the immediate future.

The Pentagon historians concluded that the supposed "A to Z reassessment" thus emerged as a compromise between civilian and military authorities to do some more studying. The Clifford working group, they said, "seemed to recommend that we continue rather haltingly down the same road, meanwhile consulting the map more frequently and in greater detail to insure that we were still on the right road."

From March 4 until Mr. Johnson's dramatic announcement March 31, the Pentagon report said, "the written record becomes

sparse." The debate over Vietnam policy "was argued and carried forward on a personal basis by the officials involved, primarily, the Secretary of Defense and the Secretary of State."

Mr. Johnson, the study said, was beset by external political pressures as he shouldered the decision. Press leaks had disclosed the Westmoreland request, and members of Congress were demanding a reassessment of Vietnam policy before additional troops were committed.

On March 12, Senator Eugene S. McCarthy of Minnesota, the Democratic peace candidate, won the Democratic presidential primary in New Hampshire, encouraging Senator Robert F. Kennedy of New York to announce his entry in the Democratic race four days later.

On March 13 Mr. Johnson decided to send 30,000 new troops to South Vietnam and to call up some reserves. He indicated firmness and resoluteness in public but privately, the study said, he was troubled.

The President assembled a group of his friends and confidants from outside Government on March 18. Most of them had formerly worked in his or earlier administrations. Most had supported his Vietnam policies. After hearing briefings on the situation, the group advised Mr. Johnson that continued escalation of the war would do no good. They said he should "forget about seeking a battlefield solution to the problem and instead intensify efforts to seek a political solution at the negotiating table," the secret report says.

Mr. Johnson was said to be "greatly surprised" at the conclusions. They came from such men as Dean Acheson, Gen. Matthew B. Ridgway, Maxwell Taylor, McGeorge Bundy and Gen. Omar Bradley.

The Pentagon study said the President made his decision on March 28 and went on television to announce it three days later.

Mr. Johnson's decision to seek a new strategy in Vietnam and to limit U.S. military involvement, the Pentagon papers say, were based on two major considerations:

(1) The convictions of his principal military advisers, particularly Clifford, that more troops would not make a military victory any likelier.

(2) A deeply felt conviction of the need to restore unity to the nation.

Summing up, the study said that American planners suffered from "an embarrassing lack of knowledge as to how much it would take to win the war." It said civilian decision-makers "seemed willing to accept the field commander's estimate of what was needed" because they lacked any information from other sources.

The Tet offensive, the study said, showed that "the possibility of military victory had seemingly become remote and the cost had become too high both in political and economic terms."

"Only then," it said, "were our ultimate objectives brought out and re-examined."

J. F. K. Hiked Commitment

New York, July 1.—The secret Pentagon study of the origins of the Vietnam War concludes that President John F. Kennedy transformed the "limited-risk gamble" of the Eisenhower Administration into a "broad commitment" to prevent Communist domination of South Vietnam.

In addition, the study says that Kennedy knew and approved of plans for the military coup that ousted President Ngo Dinh Diem of South Vietnam in 1963.

These are the principal points in an account of the Kennedy years published today as the New York Times resumed publication of its series of articles based on the 1967–68 Pentagon study. The study was commissioned by Secretary of Defense Robert S. McNamara.

The series had been halted after the publication of three articles, on June 13, 14 and 15, by court action initiated by the Federal Government.

The first three articles in the Times' presentation of the material recounted the movement toward intensification of the war in 1964 and 1965 during the Johnson Administration.

Today's articles describe the Kennedy years as a time of significantly deepening U.S. involvement in Vietnam.

The study says that although Kennedy resisted pressures to put American ground-combat units into the country, he took a series of actions that significantly expanded both the U.S. military and political involvement there. For the first time American servicemen were put into combat-support roles that involved them increasingly in actual fighting.

Moreover, the study says, the Kennedy tactics deepened the American involvement piece-meal, with each step minimizing public recognition that the American role was expanding.

The Times said the first U.S. commitment to Vietnam in the Kennedy Administration was made secretly. This occurred on May 11, 1961, when, the study says, Kennedy ordered that 400 Special Forces troops and 100 other military advisers be sent to Vietnam.

No publicity was given to either move, the Times said.

The number of men involved was small, but the move was significant, the study says, because it "signaled a willingness to go beyond the 685-man limit on the size of the U.S. (military) mission in Saigon, which if it were done openly, would be the first formal breach of the Geneva agreement."

The U.S. had not signed the 1954 Geneva accords ending the French war with the Viet Minh, but had agreed not to undermine them.

The Pentagon study relates that Kennedy faced three main questions on Vietnam in his time in office: Whether to make an irrevocable commitment to prevent a Communist victory; whether to commit ground-combat units to achieve his ends; and whether to give top priority to the military battle against the Viet Cong or to the political reforms necessary to win popular support for the Saigon government.

The President's response, as the Pentagon account describes it, was to increase the number of American advisers from 685—the level internationally accepted under the Geneva agreement—to about 16,000; to put Americans into combat situations (with a resultant increase in casualties), and to inject the U.S. into the internal South Vietnamese maneuvering that toppled the Diem regime.

In commenting on those actions, the Pentagon study says: "The limited-risk gamble undertaken by (President Dwight D.) Eisenhower had been transformed into an unlimited commitment under Kennedy." Later, the Times says, the Pentagon study comments more cautiously that Kennedy's policies had produced a "broad commitment" to Vietnam's defense, giving priority to the military aspects of the war over political reforms.

In secretly urging the first commitment of U.S. ground troops in November 1961, Gen. Maxwell D. Taylor, then Kennedy's personal military adviser, said that "the risks of backing into a major Asian war" by way of South Vietnam "are present but are not impressive."

The Joint Chiefs of Staff, the study says, reckoned that a maximum of 205,000 American ground troops would be needed to cope with the Viet Cong, and with North Vietnam and Communist China if they should intervene. However, the Administration shied away from such a commitment.

Kennedy, in this period in 1961, according to the Pentagon study, was troubled also by Soviet-U.S. tensions over the Berlin situation, and saw the U.S. in a global power competition with the Soviet Union because of Soviet Premier Nikita S. Khrushchev's statement on Jan. 6, 1961, that Moscow intended to back "wars of national liberation" around the world.

Counterinsurgency against guerrilla warfare thus became a primary preoccupation of the Kennedy White House, the study says.

Taylor, in a fact-finding mission to Vietnam in October 1961, according to the study, reported to President Kennedy that a "U.S. military task force is essential."

Vice President Lyndon B. Johnson, who also made a fact-finding trip to Southeast Asia earlier in the year, had expressed similar sentiments, according to the study. Johnson, giving Thailand and Vietnam pivotal significance, told Kennedy on May 23 that "we must decide whether to help these countries to the best of our ability or throw in the towel in the area and pull our defenses back to San Francisco and the 'Fortress America' concept," the study says.

Concluding this part of the analysis, the Pentagon study says that in spite of the military build-up under the Kennedy Administration, President Kennedy left President Johnson a Vietnamese legacy of crisis, of political instability and of military deterioration at least as alarming to policy makers as the situation that Kennedy had inherited from the Eisenhower Administration.

Of the fall of Diem, the study says: "Our complicity in his overthrow heightened our responsibilities and our commitment in Vietnam."

The coup was a "watershed" in U.S. involvement, the Times article said. It was a time, according to the Pentagon study, when Washington could have reconsidered its entire commitment to South Vietnam and disengaged.

The Pentagon account of the 1963 events in Saigon makes clear that Washington did not originate the anti-Diem coup, nor did American forces intervene in any way.

However, for weeks, the study says, the American mission in Saigon maintained secret contacts with the plotting generals through an operative of the Central Intelligence Agency, and Washington was informed every step of the way.

After the coup began on Nov. 1 and proved successful, the study says, Washington did not immediately recognize the new regime because Rusk believed that a delay would reduce the appearance of U.S. complicity and make the generals look less like U.S. stooges.

After the change of regime, Lodge was reported to have cabled Washington his belief that under the new chief of state, Lt. Gen. Duong Van Minh, the fight against the Viet Cong would be shortened because of improved morale in the South Vietnamese army.

But within three months another of the plotters, Maj. Gen. Nguyen Khanh, had seized power, starting, the story relates, "a round of intramural power struggles that plagued Washington for the next two years, drawing it even deeper into the Vietnam war in an effort to prop up successive South Vietnamese regimes."

The study makes no attempt to answer what subsequently became a vigorously debated question: If President Kennedy had lived until 1965, would he have felt compelled by events, as President Johnson was, to undertake full-scale land war in South Vietnam and an air war against the North?

"No reliable inference can be drawn," the Pentagon study concludes, "about how Kennedy would have behaved in 1965 and beyond had he lived."

Papers Show Rift on Troop Levels

Washington, June 26.—A sharp dispute between military and civilian officials in the Department of Defense over a 1967 request that 85,000 to 200,000 additional United

States troops be sent to South Vietnam has been disclosed in secret Pentagon documents.

The Supreme Court yesterday, in a 6-to-3 decision, lifted restraining orders against publication of secret documents by the New York Times and the Washington Post. After the Supreme Court acted, United States District Judge James H. Meredith at St. Louis immediately removed a restraining order against the Post-Dispatch that had been in effect since Saturday.

The documents obtained by the Post-Dispatch show that the acrimonious argument developed when Gen. William C. Westmoreland, then U.S. commander in South Vietnam, asked for more troops at a time when there were already 470,000 to 480,000 American soldiers in the war zone.

Westmoreland's request was supported by the Joint Chiefs of Staff, but was strongly opposed by civilian officials in the Pentagon, including the late John T. McNaughton, then assistant secretary of defense in charge of international security affairs.

McNaughton, in a draft of a memorandum to President Lyndon B. Johnson, said there already was a widespread belief in the United States that "the Establishment is out of its mind" and the sending of a large number of additional troops to Vietnam would add to this belief.

In the end, Secretary of Defense Robert S. McNamara gave Westmoreland about 50,000 additional troops, bringing the new level to about 525,000 men. This was less than the minimum additional number that the general had requested.

But the relative hold-down in force levels was short-lived.

"Hardly had the ink dried on approval of Program Five deployments (the new total of 525,000 men) when pressures began to build for the acceleration of these deployments to Vietnam," the Pentagon report says.

Then on Jan. 31, 1968, the Communist began the massive Tet offensive that dealt a severe setback to U.S. and South Vietnamese troops and called into question, to a greater extent than ever before, the entire premise of the American involvement in Southeast Asia.

Gen. Earle G. Wheeler, then chairman of the Joint Chiefs of Staff, was sent to Saigon to confer with Westmoreland.

Wheeler cabled back a request for 206,756 more U.S. troops, above the 525,000-man authorized level. This was virtually the same number as the maximum request that Westmoreland had submitted in 1967.

The Pentagon documents confirm what was reported in newspapers at the time—that Wheeler's request rocked the Johnson Administration to its foundations.

The stage was set for the famous review of Vietnam policy in March 1968, with the new Secretary of Defense, Clark M. Clifford, presiding over what came to be known as "the struggle for the soul of Lyndon Johnson."

The climax was on the night of March 31, 1968, when Mr. Johnson told the nation that he would not seek re-election. He announced also another halt in the U.S. bombing raids on North Vietnam and, incidentally, gave Westmoreland only a handful of additional troops.

The new maximum level, known as Program Six, was set at 549,500 men, an increase of only 24,500. This was the number in Vietnam when President Richard M. Nixon took office.

The 1967 controversy over troop levels began on March 18 when Westmoreland submitted a request for a minimum or "essential" increase of two and one-third divisions, and an "optimum" increase of four and two-thirds divisions, the Pentagon documents disclose.

The team of Government officials who wrote the secret Pentagon report at McNamara's direction commented wryly that "essential looks like optimum."

In discussing the Westmoreland request, the report is critical of Westmoreland and the Joint Chiefs of Staff and highly sympathetic to the civilian officials who opposed the troop increase.

The reaction of the Joint Chiefs to the troop requests, the report says, "was predictably rapid." It says the JCS strongly supported the new troop levels proposed by MACV, the U.S. military command in South Vietnam.

But the report says that the Joint Chiefs "realized that the general analysis provided in the original MACV request would prove to be inadequate for the Secretary of Defense to either assess the validity of the requirements or the sufficiency of the means of meeting them."

The Joint Chiefs, according to the documents, directed MACV and the U.S. command in the Pacific to do a more detailed analysis "to validate these increased (troop) requirements." But when the report came in, it provided "little of interest," the Pentagon team says.

A subsequent JCS memorandum stated the U.S. objective in South Vietnam as follows:

"(a) Making it as difficult and costly as possible for the North Vietnamese army to continue effective support of the Viet Cong and to cause North Vietnam to cease direction of the Viet Cong insurgency.

"(b) To defeat the Viet Cong-North Vietnamese army and force the withdrawal of North Vietnamese army forces.

"(c) Extend (South Vietnamese) government dominion, direction and control.

"(d) To deter Chinese Communists from direct intervention in Southeast Asia."

The Pentagon report makes it clear that the thorniest problem for the Johnson Administration in weighing Westmoreland's request was the fact that a substantial increase in troop levels would require a callup of reserve units.

The report said that the Joint Chiefs estimated that if no reserves were called to active service, the troop increase would be limited to the equivalent of one and one-third divisions.

On the other hand, a reserve callup and a 12-month involuntary extension of duty for servicemen already in Vietnam would enable the armed services to "provide the major combat forces required," the Joint Chiefs said.

The documents cite several instances that make it clear the Administration greatly feared that a reserve callup would increase antiwar sentiment i. the United States to an intolerable extent.

The first step taken by civilian officials in the Pentagon to block the troop increase proposal apparently was a study of the matter by the systems analysis office headed by Assistant Secretary of Defense Alain Enthoven.

"Despite considerable progress in the Vietnam conflict during the past year," the office said, "an end to the conflict is not in sight and major unresolved problems remain.

"North Vietnam still believes it can win in the long run, in the name of nationalism if not Communism. It has been fighting for over 25 years against the Japanese, French and Americans and appears prepared to fight indefinitely."

The systems analysis study made it clear that middle-level officials in the Defense Department were willing to acknowledge privately what the top echelons of the Administration would not acknowledge publicly—that the Vietnam War was an indigenous civil war in which a nationalistic impulse was at least as strong a factor as Communism, if not stronger.

Enthoven's report "concentrated upon the 'unfortunate lack of analysis' in the MACV-JCS request (for more troops), one which failed to explain how the extra forces were needed to avoid defeat," the documents state.

Enthoven's conclusion was that the additional U.S. forces were not needed: "We should be looking for ways to ease the burden for the years ahead, rather than making the war more costly."

"As we divert resources from other national goals, as U.S. lives are lost, and as the electorate sees nothing but endless escalation for the future, an increasing fraction will become discouraged," the report of Enthoven's office said.

Enthoven followed up his office's report with a personal memorandum to Secretary McNamara on May 1, 1967.

"MACV-JCS offer no analysis to show that these extra forces are needed to avoid defeat, or even that they are likely to achieve any specific goal," he said.

"But I am concerned far less about this unfortunate lack of analysis than I am by the whole strategy which such a massive increase in combat forces must imply.

"Though the North Vietnamese are indeed Communists, we have come up against something more than just Marxism. We are facing the strongest political current in the world today: nationalism. That is the force which welds the North Vietnamese together, just as it does so many other peoples today."

Enthoven's memorandum was followed on May 19 by a draft of a proposed memorandum to President Johnson. The draft was prepared by Assistant Secretary McNaughton, but the Pentagon documents do not show whether it went to the President.

McNamara later assigned McNaughton to supervise the work of the 20 or 30 Pentagon officials who prepared the secret report on U.S. involvement in South Vietnam.

Mr. McNaughton, the report says, was deeply apprehensive about the U.S. strategy of pouring more and more ground combat forces into the war. The report quotes him as saying that this strategy was "a trap which had ensnared us."

"A feeling is widely and strongly held that 'the Establishment' is out of his mind," he wrote. "The feeling is that we are trying to impose some U.S. image on distant peoples we cannot understand (any more than we can the younger generation here at home) . . ."

The Joint Chiefs fought back on May 31 with a reply to McNaughton's proposed memorandum to the President.

"It was a sharply worded and strong reply, expressing strong objections to the basic orientation of the (McNaughton) paper as well as its specific recommendations and objectives," the Pentagon report says.

"The chiefs resented the implication of the (McNaughton memorandum) that Course A generally reflected their recommendations. They insisted that Course A as outlined (by McNaughton) was an extrapolation of a number of proposals which were recommended separately but not in concert or ever interpreted as a single course of action, as they were in the (McNaughton memo).

"The JCS categorically denied that the combination force levels, deployment and military actions of Course A accurately reflected the positions or recommendations of (Westmoreland; Adm. U.S. Grant Sharp, U.S. commander in the Pacific, or the Joint Chiefs)."

As defined in the McNaughton memorandum, Course A was to grant the full troop request submitted by Gen. Westmoreland—200,000 men.

The documents do not make clear why the Joint Chiefs of Staff on May 31 denied that they had supported the request for a maximum increase of 200,000 troops.

But the report points out that on April 20, the Joint Chiefs "formally reported to the Secretary of Defense that MACV required additional forces to achieve the objectives they considered the U.S. was pursuing in Vietnam."

McNaughton's memorandum discussed another possible response to the request for

additional combat troops. He termed this Course B.

Under Course B, no more than 30,000 additional troops would be sent to South Vietnam, "thereby stabilizing the ground conflict within the borders of South Vietnam."

Course B called also for concentrating the U.S. bombing raids on North Vietnam on the infiltration routes south of the twentieth parallel. The Joint Chiefs took issue with this proposal.

"The (McNaughton memo) stresses a policy which would concentrate air operations in the North Vietnamese 'funnel' south of the twentieth parallel," the Joint Chiefs said on May 31.

"The concept of a 'funnel' is misleading, since in fact the Communists are supplying their forces in South Vietnam from all sides, through the demilitarized zone, Laos, the coast, Cambodia, and the rivers in the Delta," the JCS said.

"According to the (McNaughton memo), limiting the bombing to south of the twentieth parallel might result in increased negotiation opportunities with Hanoi. The Joint Chiefs of Staff consider that such a new self-imposed restraint would most likely have the opposite effect."

McNaughton's position on the bombing drew support from Walt W. Rostow, then national security assistant to President Johnson, Rostow was widely rated one of the most Hawkish hawks in the Johnson Administration.

In this instance, however, he rejected a policy of all-out bombing attacks on North Vietnam's major harbors and on the railroads between Hanoi and mainland China.

The Pentagon report cited an undated memorandum by Rostow and said it showed that he had little confidence that an all-out bombing policy would have an important effect on North Vietnam's war effort.

Rostow gave a more favorable assessment to the air strategy that was then being followed—attacks on Hanoi and Haiphong. He disagreed with the judgment of the Central Intelligence Agency that these raids were hardening the will of the North Vietnamese people.

But Rostow, according to the Pentagon report, gave his chief indorsement to McNaughton's recommendation for confining the bombing raids to the area between the seventeenth and twentieth parallels in the southern part of North Vietnam.

He said, according to the documents, that this would reduce losses of U.S. planes and pilots and would diminish the risk of retaliatory action by Russia and Communist China.

The twentieth-parallel bombing policy essentially was what President Johnson finally adopted in his March 31 speech.

Before the decision was made to give Gen. Westmoreland substantially less than he asked for, the civilian forces in the Pentagon got a helping hand from Under Secretary of State Nicholas Katzenbach and Assistant Secretary William P. Bundy, in charge of Far Eastern Affairs.

"Many observers are already reporting, and South Vietnamese performance appears to confirm, that the massive U.S. intervention has in fact had a significant adverse effect in that South Vietnamese tend to think that Uncle Sam will do their job for them," Bundy said in a memorandum June 2.

"If the ISA (McNaughton group) that proposed a stabilized ground strategy took heart from the Bundy memorandum, it was positively elated when the reply came from . . . Katzenbach," the Pentagon report states.

It says Katzenbach found some advantages in a 200,000-man increase in American ground forces in Vietnam, but listed far more disadvantages.

Among these, according to the report, were the possibility of counter-moves by Hanoi, divisive debate in Congress and the nation if reserves were called up, less incentive for South Vietnam to carry its share of the combat burden and the possibility that the U.S. troop increase eventually might reach 500,000 men, for a total of more than 1,000,000 American troops in Vietnam.

As 1967 drew to a close, Westmoreland wrote an optimistic end-of-the-year assessment observing that the enemy was "increasingly resorting to desperation tactics" and that his bases "are no longer safe havens." He said the Communists were losing control over large areas and population.

U.S. Resisted Peace in '63, Papers Show

Washington, July 1.—Pentagon documents show that United States strategists, fearing neutralist peace in Vietnam, worked harder in 1963 and 1964 to keep America in the war than to get out of it, the Washington Post reports today.

The Post had published two parts of a series based on the papers before the government attemped to block it. It resumes publication today with three more stories as a result of the Supreme Court ruling against the Government.

The documents, covering the changeover years of the Kennedy and Johnson Administrations, indicate a paramount concern that the United States might be humiliated by a forced withdrawal without victory, the Post says.

Policymakers in the period were pictured as being concerned that Vietnamese politicians opposed to escalation of the war might secretly negotiate for peace with North Vietnam or that pro-French South Vietnamese generals would agree to a neutralist end to the war.

However, President Lyndon B. Johnson repeatedly defined neutralization as "a Communists takeover," the Post says, and apparently considered it the greatest danger to his domestic and international objectives.

When the late French President Charles de Gaulle called for neutralization of South Vietnam as part of a plan to obtain for France a larger world role, the Johnson Administration reacted by digging in deeper to avoid what it considered a new double threat of American humiliation, the Post says.

Secretary of Defense Robert S. McNamara is quoted in a March 16, 1964, memorandum to President Johnson:

"While De Gaulle has not been clear on what he means by this neutralization—and is probably deliberately keeping it vague as he did in working toward an Algerian settlement—he clearly means not only a South Vietnam that would not be a Western base or part of an alliance structure (both of which he could accept) but also withdrawal of all external military assistance and specifically total U.S. withdrawal.

"To negotiate on this basis—indeed without specifically rejecting it—would simply mean a Communist take-over in South Vietnam. . . . Even talking about a U.S. withdrawal would undermine any chance of keeping a non-Communist government in South Vietnam, and the rug would probably be pulled before the negotiations had gone far."

The other options, as McNamara saw them, were direct military action against North Vietnam or lesser levels of expanded U.S. intervention in the war.

The documents relate, according to the Post, that President John F. Kennedy was being told in early 1962 he had not done enough and might have to commit U.S. troops to save South Vietnam.

A talk prepared by Gen. Lyman L. Lemnitzer, then chairman of the Joint Chiefs of Staff, for delivery to Kennedy at a Jan. 9 meeting refers to two 600-man battalions having completed training and another two battalions undergoing training.

A national security action memorandum dated nine days later said Kennedy had ordered establishment of a counterinsurgency group to aid friendly countries, including South Vietnam, Laos and Thailand.

Also, on Jan. 18, a Lemnitzer memorandum to another general stated: "Now a strong case can be made for increased direct participation by U.S. personnel in the planning and supervision of Vietnam counterinsurgency operations."

[From the St. Louis Post-Dispatch, July 1, 1971]

Text of Note on Proposed Boost in Troop Strength

Following is the text of a memorandum to Secretary of Defense Robert S. McNamara from Assistant Secretary of Defense Alain Enthoven, in charge of systems analysis. The memo, dated May 1, 1967, dealt with proposed increases in United States military forces in Southeast Asia.

MEMORANDUM FOR SECRETARY OF DEFENSE

Subject: Increase of SEA forces

MACV (editor's note: the U.S. military command in South Vietnam) has asked for a "minimum essential force" which would add 2⅓ divisions, 8 tactical fighter squadrons, and 85,000 personnel to Program 4. His "optimum force" would add 4⅔ divisions, 13 tactical fighter squadrons, and 200,000 personnel, for a total of 670,000 in SVN.

MACV/JCS offer no analysis to show that these extra forces are needed to avoid defeat, or even that they are likely to achieve any specific goal. But I am concerned far less about this unfortunate lack of analysis than I am by the whole strategy which such a massive increase in combat forces must imply.

Though the North Vietnamese are indeed communists, we have come up against something more than just Marxism. We are facing the strongest political current in the world today: nationalism. That is the force which welds the North Vietnamese together, just as it does so many other peoples today.

Having seen both the Japanese and the French come and go, the North Vietnamese are now fighting the United States. For their little country to triumph finally over the greatest nation the world has ever known would surely serve as the ultimate vindication of nationalism as a policy. Enticed by this goal, and hardened by 25 years of more-or-less continuous fighting, the North Vietnamese will, I fear, continue to endure great hardship. We have hurt them with our bombing, and we can hurt them more. But we can't hurt them so badly as to destroy their society or, more to the point, their hope, not only for regaining the material things they sacrifice today, but the whole of South Vietnam.

But how can they hope to beat this great nation? As MACV himself said before the Congress, the enemy "believes our Achilles heel is our resolve." They believe that public opinion in the United States will eventually force our retirement. And they could be right.

As for our own goals, I see only one way of establishing stability in Vietnam. We must match the nationalism we see in the North with an equally strong and patient one in the South. No matter what military success we may achieve, if we leave before that is done, there can be no stability, and we will have lost everything we have invested in South Vietnam. Indeed, we will jeopardize much of the general stability in the world which we bought at the price of the Korean War.

Therefore, I see this war as a race between, on the one hand, the development of a viable South Vietnam and, on the other, a gradual loss in public support, or even tolerance, for the war. Hanoi is betting that we'll lose public support in the United States before we can build a nation in South Vietnam. We must do what we can to make sure that doesn't happen. We must work on both problems together: slow the loss in public support; and speed the development of South

Vietnam. Our horse must cross the finish line first.

With regard to public support, some people feel we simply have no business being in this war, while others are just against all wars. We can't do much about that. But there are other factors influencing public support that we can control. Casualties are one. Diversion of the national wealth from badly needed domestic programs is another. But the biggest of all may well be escalation.

Since 1961, and particularly since 1965, the public has seen an apparently unending escalation of this war. This must have a strong psychological effect. There must be many who are more concerned about the unbroken upward movement of spending and casualty rates than they are about the current levels. Our escalation is designed to put pressure on the North Vietnamese. But they may be more resolved to withstand it than the United States electorate is. I believe that's the basis of Hanoi's strategy.

If MACV's additional forces are approved, our casualty rate may not rise, but our expenditure rate certainly will, and the ominous history of unending escalation will be maintained. That combination will reduce public support, and we will have even less time to develop a strong nation in the South.

With regard to developing that nation, more United States forces aren't going to solve the pacification problem. In spite of the Marines' ability to deny the Viet Cong control of an area, there were fewer people in the "Secured" category in I Corps at the end of 1966 than at the beginning. In Operation Fairfax, southwest of Saigon, the 3 U.S. battalions which were "temporarily" deployed with 3 ARVN battalions to secure the area were supposed to leave 2½ months ago. But they are still there, and will be for the foreseeable future. The kill rate per U.S. battalion-equivalent has been less than one V.C. per day and most of the V.C. infrastructure has evaded capture by moving out. Though the U.S. forces have made many friends (of unknown loyalty), the ARVN has made few and, in comparison with the Americans, the ARVN has lost prestige in the eyes of the populace, who are still worried that the V.C. may return.

Part of the reason for the ineffectiveness of the ARVN is a lack of supplies and support items, such as barbed wire, which the U.S. forces have in abundance. While more U.S. forces would bring more barbed wire, that's doing it the hard way. The pacification program depends instead, on better support for Vietnamese forces and a more energetic national Government. This program requires not only time and patience, but political and economic progress rather than military victories.

As we saw when Program 4 was approved, additional forces are a burden on the South Vietnamese economy. Inflation in the first 3 months of 1967 alone amounted to 20%. Even apart from the rice situation, prices rose 7%, or 28% on an annual basis. MACV is doing a good job in holding down piaster spending. It looks like the Program 4 forces will cost P41 billion in 1967, and MACV might be able to hold to P44 billion in 1968, even with increased forces. Nevertheless, the SVN economy is still far from sound, additional forces would mean slower progress, and the inflation would still hit hardest on the very civilian and military personnel on whom we must rely if pacification is ever to succeed.

Furthermore, if we continue to add forces and to Americanize the war, we will only erode whatever incentives the South Vietnamese people may now have to help themselves in this fight. Similarly, it would be a further sign to the South Vietnamese leaders that we will carry any load, regardless of their actions. That will not help us build a strong nation.

If you agree that more U.S. forces would speed the "horse" that is carrying public opinion toward rejection of the war, while slowing the "horse" carrying the development of a strong nation in the South, the only justification left would be to achieve other military objectives, of which I can imagine four:

1) To deter a Communist Chinese invasion. I see no sign of a change in Communist Chinese intentions. Were they to invade, they would face a formidable force already in place, and more available if needed, particularly with mobilization. Furthermore, I feel that the very nationalism which drives the North Vietnamese also inhibits them from calling in the same Chinese who have subjugated them in the past.

2) To prevent a military defeat in South Vietnam. I do not think there is danger of any significant military defeat, given the forces we have in place now. I have attached an appendix to this memorandum which shows that we already enjoy favorable force ratios.

3) To prevent terrorism. Though there is terrorism in South Vietnam now, I doubt that additional U.S. combat forces would significantly reduce it. This is a job for police-type forces, not maneuver battalions.

4) To raise VC/NVA losses to a level they cannot sustain. Presumably, this would be something above the weekly loss rate of 3,265 which the DIA/USIB estimate they can swallow indefinitely.

On the most optimistic basis, 200,000 more Americans would raise their weekly losses to about 3,700, or about 400 a week more than they could stand. In theory, we'd then wipe them out in 10 years. But to bank on that, you have to assume that (1) enemy losses are just proportional to friendly strength, and (2) that the unusually favorable kill ratio of the first quarter of 1967 will continue. However, if the kill ratio should be no better than the 1966 average, their losses would be about 2,100—less than two-thirds of their sustaining capability.

But even that figure is misleading. Losses just aren't directly related to the size of our force. Between the first and fourth quarters of 1966, our forces increased 23%, but their losses increased only 13%—little more than half as much.

Finally, the most important factor of all is that the enemy can control his losses within wide limits. The VC/NVA started the shooting in over 90% of the company-sized fire fights; over 80% began with a well-organized enemy attack. Since their losses rise (as in the first quarter of 1967) and fall (as they have done since) with their choice of whether or not to fight, they can probably hold their losses to about 2,000 a week regardless of our force levels. If, as I believe, their strategy is to wait us out, they will control their losses to a level low enough to be sustained indefinitely, but high enough to tempt us to increase our forces to the point of U.S. public rejection of the war.

In summary, I feel that adding more U.S. combat forces would be a step in the wrong direction. They are not needed for military security, and they could not force higher losses on the North Vietnamese. But they might play right into the hands of Hanoi by burdening the United States and increasing internal opposition to the war, while delaying the birth of the strong nation in the South which is our only hope of real stability. Therefore, I recommend the following:

1) Maintain the Program 4 ceiling.

2) Tell the electorate that, barring the unexpected, we'll stick with the present forces which are all we need, not only to stop the VC/NVA militarily, but also to exact a high price from Hanoi. Tell them that our "escalation" will now turn toward the building of a nation which will be strong enough to bring a natural stability to Vietnam so that we can leave for good.

3) Tell MACV to start making good analyses of his operations and feeding them back into his planning so that we can get more out of not only the U.S. and allied forces, but the ARVN as well.

4) Find ways to reduce costs for the long haul ahead. For example, cut back on the costly but ineffective bombing north of Route Package 4.

I know it's much easier to write down these recommendations than it is to get agreement on carrying them out. But I think we're up against an enemy who just may have found a dangerously clever strategy for licking the United States. Unless we recognize and counter it now, that strategy may become all too popular in the future.

Hanoi Awaited U.S. Vote

Following are portions of the Pentagon's secret study of the Vietnam War including excerpts from a draft of a memorandum to President Lyndon B. Johnson from the late John T. McNaughton, then assistant secretary of defense in charge of international security affairs:

1. The McNaughton Draft Presidential Memorandum:

On 19 May, the memorandum on which McNaughton had been working was floated. It was a comprehensive document drawing upon the arguments developed in the Office of System Analysis as well as recent CIA studies and views both from the State Department and the White House on the bombing. The preamble to the basic document noted that it was written at a time when there appeared to be no attractive course of action. McNaughton stated that he believed that Hanoi had decided not to negotiate until the American electorate had been heard from in November of 1968. His appraisal of the current situation dwelled on the unpopular nature of the Vietnam war in the country. In his eyes it was becoming:

". . . increasingly unpopular as it escalates—causing more American casualties, more fear of its growing into a wider war, more privation of the domestic sector, and more distress at the amount of suffering being visited on the non-combatants in Vietnam, South and North. Most Americans do not know how we got where we are, and most without knowing why, but taking advantage of hindsight, are convinced that somehow we should not have gotten this deeply in. All want the war ended and expect their President to end it. Successfully, or else.

"This state of mind in the U.S. generates impatience in the political structure of the United States. It unfortunately also generates patience in Hanoi. (It is commonly supposed that Hanoi will not give anything away pending the trial of the US elections in November 1968.) 1)"

There is sufficient evidence that McNaughton's feelings about the war, and especially the increasing opposition to force increases in South Vietnam, ran much deeper than even the cogent arguments he had been making in the draft memorandum. In a memo for the Secretary of Defense written on 6 May after McNaughton had examined an earlier 5 May "Rough Draft," he described his apprehensions about the ground force strategy which he described as a "trap which had ensnared us," and which if unchecked might lead us to almost an irreversible ground force escalation for the next undetermined number of years. He wrote:

"I am afraid there is the fatal flaw in the strategy in the draft. It is that the strategy falls into the trap that has ensnared us for the past three years. It actually gives the troops while only praying for their proper use and for constructive diplomatic action. Limiting the present decision to an 80,000 add-on does the very important business of postponing the issue of a Reserve call-up (and all of its horrible baggage), but postpone it is all that it does—probably to a worse time, 1968. Providing the 80,000 troops

is tantamount to acceding to the whole Westmoreland-Sharp request. This being the case, they will 'accept' the 80,000. But six months from now, in will come messages like the "470,000–570,000" messages, saying that the requirement remains at 201,000 (or more). Since no pressure will have been put on anyone, the military war will have gone on as before and no diplomatic progress will have been made. It follows that the 'philosophy" of the war should be fought out now so everyone will not be proceeding on their own major premises, and getting us in deeper and deeper; at the very least, the President should give General Westmoreland his limit (as President Truman did to General MacArthur). That is, if General Westmoreland is to get 550,000 men, he should be told 'that will be all, and we mean it.' ".

McNaughton was also very deeply concerned about the breadth and the intensity of public unrest and dissatisfaction with the war. To him the draft paper underplayed a bit the unpopularity of the conflict especially with young people, the underprivileged, the intelligentsia, and the women. He examined those lining up on both sides of an increasingly polarized public and he did not especially like what he saw:

"A feeling is widely and strongly held that "the Establishment" is out of its mind. The feeling is that we are trying to impose some US image on distant peoples we cannot understand (anymore than we can the younger generation here at home), and that we are carrying the thing to absurd lengths. Related to this feeling is the increased polarization that is taking place in the United States with seeds of the worst split in our people in more than a century. The King, Galbraith, etc., positions illustrate one nearpole; the Hebert and Rivers statements on May 5 about the need to disregard the First Amendment illustrates the other. In this connection, I fear that "natural selection" in this environment will lead the Administration itself to become more and more homogenized—MacBundy, George Ball, Bill Moyers are gone. Who next?"

Finally, he quarrelled with the way in which the paper had dealt with the definition of "success." He felt that this definition was the major problem, that the draft had not properly grappled with the redefinition, since "winning" was what the strategy pursued by COMUSMACV tried to do. He suggested that as a matter of tactics maybe the President should figure it out himself, a point which tied in closely with an earlier one of his about getting the "philosophy of the war" straightened out and thereby avoiding another diplomatic default and military misuses of forces. 4)

McNaughton's review of the situation in South and North Vietnam stressed that the big war in the south between the United States and the North Vietnamese units seemed to be going well but that regrettably the "other war" against the VC was not going so well. In his words:

"The 'big war' in the South between the US and the North Vietnamese military units (NVA) is going well. We staved off military defeat in 1965; we gained the military initiative in 1966; and since then we have been hurting the enemy badly, spoiling some of his ability to strike. 'In the final analysis,' General Westmoreland said, 'we are fighting a war of attrition.' In that connection, the enemy has been losing between 1500 and 2000 killed-in-action a week, while we and the South Vietnamese have been losing 175 and 250 respectively. The VC–NVA 287,000-man order of battle is leveling off, and General Westmoreland believes that, as of March, we "reached the cross-over point"—we began attriting more men than Hanoi can recruit or infiltrate each month. The concentration of NVA forces across the Demilitarized Zone (DMZ) and the enemy use of long-range artillery are matters of concern. There are now four NVA divisions in the DMZ area. The men infiltrate directly across the western part of the plains to nibble at our forces, seeking to inflict heavy casualties, perhaps to stage a "spectacular" (perhaps against Quang Tri City or Hue), and/or to try a major thrust into the Western Highlands. They are forcing us to transfer some forces from elsewhere in Vietnam to the I Corps area.

"Throughout South Vietnam, supplies continue to flow in ample quantities, with Cambodia becoming more and more important as a supply base—now of food and medicines, perhaps ammunition later. The enemy retains the ability to initiate both large- and small-scale attacks. Small-scale attacks in the first quarter of 1967 are running at double the 1966 average, larger-scale attacks are again on the increase after falling off substantilly in 1966. Acts of terrorism and harassment have continued at about the same rate."

C. NORTH VIETNAM

"Hanoi's attitude towards negotiations has never been soft nor open-minded. Any concession on their part would involve an enormous loss of face. Whether or not the Polish and Burchett-Kosygin initiatives had much substance to them, it is clear that Hanoi's attitude currently is hard and rigid. They seem uninterested in a political settlement and determined to match U.S. military expansion of the conflict. This change probably reflects these factors: (1) increased assurances of help from the Soviets received during Pham Van Dong's April trip to Moscow; (2) arrangements providing for the unhindered passage of materiel from the Soviet Union through China; and (3) a decision to wait for the results of the U.S. elections in 1968. Hanoi appears to have concluded that she cannot secure her objectives at the conference table and has reaffirmed her strategy of seeking to erode our ability to remain in the South. The Hanoi leadership has apparently decided that it has no choice but to submit to the increased bombing. There continues to be no sign that the bombing has reduced Hanoi's will to resist or her ability to ship the necessary supplies south. Hanoi shows no signs of ending the large war and advising the VC to melt into the jungles. The North Vietnamese believe they are right; they consider the Ky regime to be puppets; they believe the world is with them and that the American public will not have staying power against them. Thus, although they may have factions in the regime favoring different approaches, they believe that, in the long run, they are stronger than we are for the purpose. They probably do not want to make significant concessions, and could not do so without serious loss of face. 5)"

He then analyzed two alternative military courses of action which he labeled "A" and "B." In Course A the full troop requirement request from COMUSMACV was to be honored, and subsequent military actions intensified not only in the south, but especially in the north. This program consisted of an addition of the minimum of 200,000 men; 100,000 in the 2⅓ division "minimum essential" force in FY 68 and another 100,000 in FY 69, with possibly more later to fulfill the JCS ultimate requirement for Vietnam and associated worldwide contingencies. Course B proposed limiting the force increases to no more than 30,000 thereby stabilizing the ground conflict within the borders of South Vietnam and concommitantly concentrating the bombing on the infiltration routes south of the 20th paralel. He analyzed the two courses of action in the following terms.

"COURSE A would be chosen with a view to bringing additional military pressure to bear on the enemy in the South while continuing to carry out our present missions not directly related to combating enemy main-force units. It would involve accepting the risk—the virtual certainty—that the action especially the Reserve call-up, would stimulate irresistible pressures in the United States for further escalation against North Vietnam, and for ground actions against 'sanctuaries' in Cambodia and Laos."

RATIONALE

"Proponents of the added deployments in the South believe that such deployments will hasten the end of the war. None of them believes that the added forces are needed to avoid defeat; few of them believe that the added forces are required to do the military job in due course; all of the proponents believe that they are needed if that job is to be done faster. The argument is that we avoided military defeat in 1965; that we gained the military initiative in 1966, since then hurting the enemy badly, spoiling much of his ability to strike, and thus diminishing the power he could project over the population; and that even more-vigorous military initiative against his main forces and base areas will hurt him more, spoil his efforts more, and diminish his projected power more than would be the case under presently approved force-deployment levels. This, the argument goes, will more readily create an environment in South Vietnam in which our pacification efforts can take root and thrive; at the same time—because of our progress in the South and because of the large enemy losses—it will more rapidly produce a state of mind in Hanoi conducive to ending the war on reasonable terms.

"Estimates by the proponents vary as to how long the job will take without, and with, the additional forces. General Westmoreland has said that without the additions the war could go on five years. He has said that with 100,000 more men, the war could go on for three years and that with 200,000 more men it could go on for two. These estimates are after taking account on his view that the introduction of a non-professional force, such as that which would result from fulfilling the requirement by calling Reserves, would cause some degradation of morale, leadership and effectiveness."

QUESTIONS TO BE ANSWERED

"Addressing the force additions alone: We should expect no serious objections based on internal South Vietnamese reasons (the 44-billion piastre inflationary impact can probably be handled, and anti-Americanism is not likely to increase significantly); nor are dangerous reactions likely to come from the USSR, East Europe, or from the non-Communist nations of the world. The questions that must be answered are:

"(1) Will the move to call up 200,000 Reserves, to extend enlistments, and to enlarge the uniformed strength by 500,000 (300,000 beyond the Reserves), combined with the increased US large initiative, polarize opinion to the extent that the 'doves' in the US will get out of hand—massive refusals to serve, or to fight, or to cooperate, or worse?

(2) Can we achieve the same military effect by making more efficient use of presently approved U.S. manpower (e.g., by removing them from the Delta, by stopping their being used for pacification work in I Corps, by transferring some combat and logistics jobs to Vietnamese or additional third-country personnel)?

(3) Assuming no specific enemy counter-deployments, are the added U.S. forces likely to make a meaningful military difference? (On the one hand, if we are now "past the crossover point," cannot the military job be done without the added forces? On the other, if the enemy can conduct his terror "from the bushes," can the military job be done even with them?)

(4) Will the effect of any U.S. additions be neutralized, or stalemated, by specific enemy counter-deployments involving more forces from North Vietnam (and perhaps introduction of more Chinese in North Vietnam and Chinese and other "volunteers" into South Vietnam)?

(5) Will the factors mentioned in (1) above generate such impatience in the United States that "hawk" pressures will be irresistible to expand the land war into Laos, Cambodia and North Vietnam and to take stronger air and naval actions against North Vietnam, with consequent risks of a much larger war involving China and Russia and of even more dove-hawk polarization at home and abroad?

The answer to Question 1 (regarding "dove" reaction), we believe, is a qualified no. Barring escalation of the "external" war discussed under Question 5, we believe that increased forces will not lead to massive civil disobedience. However, a request for Congressional authority to call Reserves would lead to divisive debate.

"Question 2 (relating to more efficient use of U.S. forces) is an important one, but its answer, even if most favorable, is not likely to free-up enough personnel to satisfy a 200,000-man request. It is true that one of the additional divisions could be eliminated if the U.S. Army eschewed the Delta, and certain of the other ground-force requirements could be eliminated if the U.S. Marines ceased grass-roots pacification activities. Additional fractions might be trimmed if the ARVN (whose uninspired performance is exasperating) were jacked up, if the Koreans provided more combat or usable logistics personnel, or if other third-country forces were forthcoming. Efforts along this line should be made, but the items that prove out will not go nearly as far as the 200,000 request.

"Questions 3 and 4 (relating to the value of additional U.S. forces and possible enemy action to offset them) are very difficult ones and can be treated together. In December 1965, when the U.S. had 175,000 men in Vietnam, I reported that 'the odds are even that, even with the recommended deployments, we will be faced in early 1967 with a military standoff at a much higher level. . . .' In October 1966, when our deployments had reached 325,000, I pointed out that that was substantially the case and that 'I see no reasonable way to bring the war to an end soon.' That remains true today. With respect to Question 3, this is because the enemy has us 'stalemated' and has the capability to tailor his actions to his supplies and manpower and, by hit-and-run terror, to make government and pacification very difficult in large parts of the country almost without regard to the size of U.S. forces there; and, with respect to Question 4, because the enemy can and almost certainly will maintain the military 'stalemate' by matching our added deployments as necessary. (General Westmoreland has made the point that 'this war is action and counteraction; any time we take an action, we can expect a reaction.' He added, 'It is likely the enemy will react by adding troops.') In any event, there is no suggestion that the added deployments will end the war in less than two years and no assurance that they will end it in three, or five years.

"Question 5 (regarding irresistible pressures to expand the war) is the toughest one

"The addition of the 200,000 men, involving as it does a call-up of Reserves and an addition of 500,000 to the military strength, would, as mentioned above, almost certainly set off bitter Congressional debate and irresistible domestic pressures for stronger action outside South Vietnam. Cries would go up—much louder than they already have—to 'take the wraps off the men in the field.' The actions would include more intense bombing—not only around-the-clock bombing of targets already authorized, but also bombing of strategic targets such as locks and dikes, and mining of the harbors against Soviet and other ships. Associated actions impelled by the situation would be major ground actions in Laos, Cambodia, and probably in North Vietnam—first as a pincer operation north of the DMZ and then at a point such as Vinh. The use of tactical nuclear and area-denial radiological-bacteriological-chemical weapons would probably be suggested at some point if the Chinese entered the war in Vietnam or Korea or if U.S. losses were running high while conventional efforts were not producing desired results."

BOMBING PURPOSES AND PAYOFFS

"Our bombing of North Vietnam was designed to serve three purposes:

"(1) To retaliate and to lift the morale of the people in the South who were being attacked by agents of the North.

"(2) To add to the pressure on Hanoi to end the war.

"(3) To reduce the flow and or to increase the cost of infiltrating men and materiel from North to South.

"We cannot ignore that a limitation on bombing will cause serious psychological problems among the men, officers and commanders, who will not be able to understand why we should withhold punishment from the enemy. General Westmoreland said that he is 'frankly dismayed at even the thought of stopping the bombing program.' But this reason for attacking North Vietnam must be scrutinized carefully. We should not bomb for punitive reasons if it serves no other purpose—especially if analysis shows that the actions may be counter-productive. It costs American lives; it creates a backfire of revulsion and opposition by killing civilians; it creates serious risks; it may harden the enemy.

"With respect to added pressure on the North, it is becoming apparent that Hanoi may already have 'written off' all assets and lives that might be destroyed by U.S. military actions short of occupation or annihilation. They can and will hold out at least so long as a prospect of winning 'the war of attrition' in the South exists. And our best judgment is that a Hanoi prerequisite to negotiations is significant retrenchment (if not complete stoppage) of U.S. military actions against them—at the least, a cessation of bombing. In this connection, Consul-General Rice (Hong Kong 7581, 5-1-67) said that, in his opinion, we cannot by bombing reach the critical level of pain in North Vietnam and that, 'below that level, pain only increases the will to fight.' Sir Robert Thompson said to Mr. Vance on April 28 that our bombing, particularly in the Red River Delta, is unifying North Vietnam."

"With respect to interdiction of men and materiel, it now appears that no combination of actions against the North short of destruction of the regime or occupation of North Vietnamese territory will physically reduce the flow of men and material below the relatively small amount needed by enemy forces to continue the war in the South. Our effort can and does have severe disruptive effects, which Hanoi can and does compensate for by the reallocation of manpower and other resources; and our effort can and does have sporadic retarding effects, which Hanoi can and does plan on and pre-stock against. Our efforts physically to cut the flow meaningfully by actions in North Vietnam therefore largely fail and, in failing, transmute attempted interdiction into pain, or pressure on the North (the factor discussed in the paragraph next above). The lowest ceiling on infiltration can probably be achieved by concentration on the North Vietnamese 'funnel' south of 20 degrees and on the Trail in Laos.

"But what if the above analyses are wrong? Why not escalate the bombing and mine the harbors (and perhaps occupy southern North Vietnam)—on the gamble that it would constrict the flow, meaningfully limiting enemy action in the South, and that it would bend Hanoi? The answer is that the costs and risks of the actions must be considered.

"The primary costs of course are US lives: The air campaign against heavily defended areas costs us one pilot in every 40 sorties. In addition, an important but hard-to-measure cost is domestic and world opinion: There may be a limit beyond which many Americans and much of the world will not permit the United States to go. The picture of the world's greatest superpower killing or seriously injuring 1000 non-combatants a week, while trying to pound a tiny backward nation into submission on an issue whose merits are hotly disputed, is not a pretty one. It could conceivably produce a costly distortion in the American national consciousness and in the world image of the United States—especially if the damage to North Vietnam is complete enough to be 'successful.'

"The most important risk, however, is the likely Soviet, Chinese and North Vietnamese reaction to intensified U.S. air attacks, harbor-mining, and ground actions against North Vietnam."

LIKELY COMMUNIST REACTIONS

"At the present time, no actions—except air strikes and artillery fire necessary to quiet hostile batteries across the border—are allowed against Cambodian territory. In Laos, we average 5000 attack sorties a month against the infiltration routes and base areas, we fire artillery from South Vietnam against targets in Laos, and we will be providing 3-man leaders for each of 20 12-man US-Vietnamese Special Forces teams that operate to a depth of 20 kilometers into Laos. Against North Vietnam, we average 8,000 or more attack sorties a month against all worthwhile fixed and LOC targets; we use artillery against ground targets across the DMZ; we fire from naval vessels at targets ashore and afloat up to 19 degrees, and we mine their inland waterways, estuaries and coastal waters up to 20 degrees.

"Intensified air attacks against the same types of targets, we would anticipate, would lead to no great change in the policies and reactions of the Communist powers beyond the furnishing of some new equipment and manpower.* China, for example, has not reacted to our striking MIG fields in North Vietnam, and we do not expect them to, although there are some signs of greater Chinese participation in North Vietnamese air defense.

"Mining the harbors would be much more serious. It would place Moscow in a particularly galling dilemma as to how to preserve the Soviet position and prestige in such a disadvantageous place. The Soviets might, but probably would not, force a confrontation in Southeast Asia—where even with minesweepers they would be at as great a military disadvantage as we were when they blocked the corridor to Berlin in 1961, but where their vital interest, unlike ours in Berlin (and in Cuba), is not so clearly at stake. Moscow in this case should be expected to send volunteers, including pilots, to North Vietnam; to provide some new and better weapons and equipment; to consider some action in Korea, Turkey, Iran, the Middle East or, most likely, Berlin, where the Soviets

*The U.S. Intelligence Board on May 5 said that Hanoi may press Moscow for additional equipment and that there is a "good chance that under pressure the Soviets would provide such weapons as cruise missiles and tactical rockets" in addition to a limited number of volunteers or crews for aircraft or sophisticated equipment. Moscow, with respect to equipment, might provide better surface-to-air missiles, better anti-aircraft guns, the YAK-28 aircraft, anti-tank missiles and artillery, heavier artillery and mortars, coastal defense missiles with 25-50 mile ranges and 2200-pound warheads, KOMAR guided-missile coastal patrol boats with 20-mile surface-to-surface missiles, and some chemical munitions. She might consider sending medium jet bombers and fighter bombers to pose a threat to all South Vietnam.

can control the degree of crisis better; and to show across-the-board hostility toward the US (interrupting any on-going conversations on ABMs, non-proliferation, etc.). China could be expected to seize upon the harbor-mining as the opportunity to reduce Soviet political influence in Hanoi and to discredit the USSR if the Soviets took no military action to open the ports. Peking might read the harbor-mining as indicating that the US was going to apply military pressure until North Vietnam capitulated, and that this meant an eventual invasion. If so, China might decide to intervene in the war with combat troops and air power, to which we would eventually have to respond by bombing Chinese airfields and perhaps other targets as well. Hanoi would tighten belts, refuse to talk, and persevere—as it could without too much difficulty. North Vietnam would of course be fully dependent for supplies on China's will, and Soviet influence in Hanoi would therefore be reduced. (Ambassador Sullivan feels very strongly that it would be a serious mistake, by our actions against the port, to tip Hanoi away from Moscow and toward Peking.)

"To US ground actions in North Vietnam, we would expect China to respond by entering the war with both ground and air forces. The Soviet Union could be expected in these circumstances to take all actions listed above under the lesser provocations and to generate a serious confrontation with the United States at one or more places of her own choosing.

"Ground actions in Laos are similarly unwise. LeDuan, Hanoi's third- or fourth-ranking leader, has stated the truth when he said 'the occupation of the Western Highlands is a tough job but the attack on central and lower Laos is a still tougher one. If a small force is used, the problem remains insoluble. The US may face a series of difficulties in the military, political and logistic fields if a larger force goes into operation. In effect, an attack on central and lower Laos would mean the opening of another, front nearer to North Vietnam, and then the US troops would have to clash with the North Vietnamese main force.' In essence, a brigade will beget a division and a division a corps, each calling down matching forces from North Vietnam into territory to their liking and suggesting to Hanoi that they take action in Northern Laos to suck us further in. We would simply have a wider war, with Souvanna back in Paris, world opinion against us, and no solution either to the wider war or to the one we already have in Vietnam.

"These are the likely costs and risks of COURSE A. They are, we believe, both unacceptable and unnecessary. Ground action in North Vietnam, because of its escalatory potential, is clearly unwise despite the open invitation and temptation posed by enemy troops operating freely back and forth across the DMZ. Yet we believe that, short of threatening and perhaps toppling the Hanoi regime itself, pressure against the North will, if anything, harden Hanoi's unwillingness to talk and her settlement terms if she does. China, we believe, will oppose settlement throughout. We believe that there is a chance that the Soviets, at the brink, will exert efforts to bring about peace; but we believe also that intensified bombing and harbormining, even if coupled with political pressure from Moscow, will neither bring Hanoi to negotiate nor affect North Vietnam's terms."

B. ANALYSIS OF COURSE B

"As of March 18, 1967, the approved US Force Structure (Program 4) for Southeast Asia provided for 87 maneuver battalions, 42 air squadrons, and a total strength of 468,000 men. Based on current forecasts of enemy strength, under COURSE B it should not be necessary to approve now for deployment more than 9 of the 24 available maneuver battalions and one of the air squadrons—a total of approximately 30,000 men including appropriate land and sea support forces (see Attachment III).

"This approach would be based, first, on General Westmoreland's statement that 'without (his requested) forces, we will not be in danger of being defeated . . . but progress will be slowed down,' and General Wheeler's support of that view. General Wheeler added, 'We won't lose the war, but it will be a longer one.' It would be based, second, on the fact that no one argues that the added forces will probably cause the war to end in less than two years. COURSE B implies a conviction that neither military defeat nor military victory is in the cards, with or without the large added deployments, and that the price of the large added deployments and the strategy of COURSE A will be to expand the war dangerously. COURSE B is designed to improve negotiating environment within a limited deployment of US forces by combining continuous attacks against VC/NVA main force units with slow improvements in pacification (which may follow the new constitution, the national reconciliation, our added efforts and the Vietnamese election this fall) and a restrained program of action against the North.

"This alternative would give General Westmoreland 96 maneuver battalions—an 85 per cent increase in combat force over the 52 battalions that he had in Vietnam in June of last year, and 22 per cent more than the 79 we had there at the beginning of this year. According to this report, we have already passed the 'cross-over point,' where the enemy's losses exceed his additions; we will soon have in Vietnam 200,000 more U.S. troops than there are in enemy main force units. We should therefore, without added deployments, be able to maintain the military initiative, especially if U.S. troops in less-essential missions (such as in the Delta and in pacification duty)* are considered strategic reserves.

"The strategy or proponents of COURSE B is based on their belief that we are in a military situation that cannot be changed materially by expanding our military effort, that the politico-pacification situation in South Vietnam will improve but not fast, and that (in view of all this) Hanoi will not capitulate soon. An aspect of the strategy is a "cool" drive to settle the war—a deliberate process on three fronts: Large unit, politico-pacification, and diplomatic. Its approach on the large-unit front is to maintain the initiative that "Program 4-plus" forces will permit, to move on with pacification efforts and with the national election in September, and to lay the groundwork by periodic peace probes, perhaps suggesting secret talks associated with limitation of bombing and with a view to finding a compromise involving, inter alia, a role in the South for members of the VC.

"This alternative would not involve U.S. or Vietnamese forces in any numbers in Laos or Cambodia, and definitely not in North Vietnam. Since the U.S. Reserves would still be untapped, they would still be available for use later in Asia, or elsewhere, if it became necessary."

BOMBING PROGRAM

"The bombing program that would be a part of this strategy is, basicaly, a program of concentration of effort on the infiltration routes near the south of North Vietnam. The major infiltration-related targets in the Red River basin having been destroyed, such interdiction is now best served by concentration of all effort in the southern neck of North Vietnam. All of the sorties would be flown in the area between 17 degrees and 20 degrees. This shift, despite possible increases in antiaircraft capability in the area, should reduce the pilot and aircraft loss rates by more than 50 per cent. The shift will, if anything, be of positive military value to General Westmoreland while taking some steam out of the popualr effort in the North.

"The above shift of bombing strategy, now that almost all major targets have been struck in the Red River basin, can to military advantage be made at any time. It should not be done for the sole purpose of getting Hanoi to negotiate, although that might be a bonus effect. To maximize the chances of getting that bonus effect, the optimum scenario would probably be (1) to inform the Soviets quietly that within a few days the shift would take place, setting no time limits but making no promises not to return to the Red River basin to attack targets which later acquire military importance (any deal with Hanoi is likely to be midwifed by Moscow); (2) to make the shift as predicted, without fanfare; and (3) to explain publicly, when the shift had become obvious, that the northern targets had been destroyed, that that had been militarily important, and that there would be no need to return to the northern areas unless military necessity dictated it. The shift should not be huckstered. Moscow would almost certainly pass its information on to Hanoi, and might urge Hanoi to seize the opportunity to de-escalate the war by talks or otherwise. Hanoi, not having been asked a question by us and having no ultimatum-like time limit, would be in a better posture to answer favorably than has been the case in the past. The military side of the shift is sound, however whether or not the diplomatic spill-over is successful. 6)"

McNaughton concluded his case against force level increases by proposing a time-phased "suggested strategy":

"(1) Now: Not to panic because of a belief that Hanoi must be made to capitulate before the 1968 elections. No one's proposal achieves that end.

"(2) Now: Press on energetically with the military, pacification and political programs in the South, including groundwork for successful elections in September. Drive hard to increase the productivity of Vietnamese military forces.

"(3) Now: Issue a NSAM nailing down U.S. policy as described herein. Thereafter, publicly, (a) emphasize consistently that the sole US objective in Vietnam has been and is to

*General Wheeler has explained where the first 2½ divisions would go: "One on the DMZ to relieve the Marines to work with ARVN on pacification; one east of Saigon to relieve the 9th Division to deploy to the Delta to increase the effectiveness of the three good ARVN divisions now there; the brigade to Quang Ngai to make there the progress in pacification in the next year that we have made in Binh Dinh in the past year." Thus the bulk of the first 100,000 men are for pacification and for the Delta. General Westmoreland said regarding the Delta, "in the fourth Corps, there is no threat of strategic VC victories and there are three good ARVN divisions there." The question arises whether U.S. combat troops should be devoted to pacification or to the Delta. Are these not matters for the Vietnamese? The Delta may be a test case of the proposed strategy. It is normally stated that "in order to win in Vietnam we must win in the Delta where the people are." This obviously implies that Saigon's writ must run throughout the Delta. But two facts appear: (1) The Delta is a fairly active VC area, in which a moderately high level of State II guerrilla warfare tactics are pursued; and (2) the VC effort is primarily indigenous (that is, the North Vietnamese Main Force units play almost no role). If our "success" objective is solely to check or offset North Vietnam's forceful intervention in the South, we are in that position already in the Delta! Must we go further and do the job for the South Vietnamese? What kind of a deal could the contending forces cut in the Delta?

permit the people of South Vietnam to determine their own future, and (b) declare that we have already either denied or offset the North Vietnamese intervention and that after the September elections in Vietnam we will have achieved success. The necessary steps having been taken to deny the North the ability to take over South Vietnam and an elected government sitting in Saigon, the South will be in position, albeit imperfect, to start the business of producing a full-spectrum government in South Vietnam.

"(4) June: Concentrate the bombing of North Vietnam on physical interdiction of men and materiel. This would mean terminating, except where the interdiction objective clearly indicates otherwise, all bombing north of 20 degrees and improving interdiction as much as possible in the infiltration 'funnel' south of 20 degrees by concentration of sorties and by an all-out effort to improve detection devices, denial weapons, and interdiction tactics.

"(5) July: Avoid the explosive Congressional debate and US Reserve call-up implicit in the Westmoreland troop request. Decide that, unless the military situation worsens dramatically, US deployments will be limited to Program 4-plus (which, according to General Westmoreland, will not put us in danger of being defeated, but will mean slow progress in the South). Associated with this decision are decisions not to use large numbers of US troops in the Delta and not to use large numbers of them in grass-roots pacification work.

"(6) September. Move the newly elected Saigon government well beyond its National Reconciliation program to seek a political settlement with the non-Communist members of the NLF—to explore a ceasefire and to reach an accommodation with the non-Communist South Vietnamese who are under the VC banner; to accept them as members of an opposition political party, and, if necessary, to accept their individual participation in the national government—in sum, a settlement to transform the members of the VC from military opponents to political opponents.

"(7) October: Explain the situation to the Canadians, Indians, British, UN and others, as well as nations now contributing forces, requesting them to contribute border forces to help make the inside-South Vietnam accommodation possible, and—consistent with our desire neither to occupy nor to have bases in Vietnam—offering to remove later an equivalent number of US forces. (This initiative is worth taking despite its slim chance of success.)."

His closing paragraph repeated his belief that it had to be made clear to political and military leaders alike that the troop limit as imposed by Course B which he recommended was firm and short of an imminent military defeat would not be breached. Westmoreland and the JCS had to be persuaded that the objective was not to attain 'victory' but to make progress, albeit slow, without the risks attendant to Course A. He acknowledged that it would not be easy for the President to stick at 550,000 troops in South Vietnam or to limit the bombing program to targets south of the 20th parallel, but that it would be possible, and that in his estimation the benefits of such a course of action far outweighed the political risks which Course A included. 7)

From the standpoint of ground forces strategy, what McNaughton was really, it appears, saying was that we should make a decision to basically set our objectives within a time frame geared to South Vietnamese Army and South Vietnamese government progress, and that in doing so our own troops in approximately the current strengths could be devoted to providing the shield while the government of South Vietnam provided the shelter and performed the vital pacification function. As he noted, associated in the decision was the very conscious determination not to use large numbers of U.S. troops in the delta and not to use large numbers of them in what he called "grass roots pacification work," the two justifications most frequently used to support requests for additional troops. The appraisal, as well as the alternative military courses of action and their analyses contained in this document provided the catalyst for the subsequent and final decisions on Program 5.

CHIEFS CITE FIVE MAJOR AREAS OF CONCERN

Extracts from the secret Pentagon papers on U.S. involvement in the Vietnam War, including excerpts from a memorandum by the Joint Chiefs of Staff on May 31, 1967, replying to McNaughton's draft memorandum to the President:

On the last day of May, the Joint Chiefs of Staff replied to the 19 May Draft Presidential Memorandum prepared by McNaughton. It was a sharply worded and strong reply, expressing strong objections to the basic orientation of the paper as well as its specific recommendations and objectives. The Chiefs resented the implication of the DPM that Course A generally reflected their recommendations. They insisted that Course A as outlined in the DPM was an extrapolation of a number of proposals which were recommended separately but not in concert or ever interpreted as a single course of action as they were in the DPM. The JCS categorically denied that the combination force levels, deployments, and military actions of Course A accurately reflected the positions or recommendations of CONUSMACV, CINCPAC or the Joint Chiefs. They stated that the positions of the Joint Chiefs of Staff which provide a better basis against which to compare other alternatives were already set forth in JCSM 218-67, JCSM 286-67 and JCSM 288-67.

There were five major areas of concern detailed in the JCSM: objectives, military strategy in operations, military strategy for air and naval war, the domestic attitude and predicted reactions in the international attitude and reaction. Reference objectives, the preferred course of action in the Draft Presidential Memorandum, Course B, was not considered by the military heads to be "consistent with NSAM 288 or with the explicit public statements of U.S. policy and objectives." In the eyes of the Joint Staff:

"The DPM would, in effect, limit US objectives to merely guaranteeing the South Vietnamese the right to determine their own future on the one hand and offsetting the effect of North Vietnam's application of force in South Vietnam on the other. The United States would remain committed to these two objectives only so long as the South Vietnamese continue to help themselves. It is also noted that the DPM contains no statement of military objectives to be achieved and that current US national, military, and political objectives are far more comprehensive and far-reaching. Thus:

"a. The DPM fails to appreciate the full implications for the Free World of failure to achieve a successful resolution of the conflict in Southeast Asia.

"b. Modification of present US objectives, as called for in the DPM, would undermine and no longer provide a complete rationale for our presence in South Vietnam or much of our effort over the past two years.

"c. The positions of the more than 35 nations supporting the Government of Vietnam might be rendered untenable by such drastic changes in US policy 22."

The strategy proposed in the Draft Presidential memorandum which the Chiefs characterized as "making do" was not acceptable either:

"Military Strategy and Operations (Other than Air-Naval Operations in the North). The DPM favors Course B with inadequate analysis of its implications for conduct of the war in Vietnam. The strategy embodied in this alternative—largely designed to "make do" with military resources currently approved for Southeast Asia—would not permit early termination of hostilities on terms acceptable to the United States, supporting Free World nations, and the Government of Vietnam. The force structure envisaged provides little capability for initiative action and insufficient resources to maintain momentum required for expeditious prosecution of the war. Further, this approach would result in a significant downgrading of the Revolutionary Development Program considered so essential to the realization of our goals in Vietnam. It would also result in the abandonment of the important delta region on the basis of its being primarily a problem for the Republic of Vietnam to solve without additional external assistance. 23)"

There was little more agreement expressed about the bombing, about the domestic attitude or the international attitude:

"Military Strategy for Air-Naval War in the North. The DPM stresses a policy which would concentrate air operations in the North Vietnamese "funnel" south of 20 degrees. The concept of a "funnel" is misleading, since in fact the communists are supplying their forces in South Vietnam from all sides, through the demilitarized zone, Laos, the coast, Cambodia, and the rivers in the Delta. According to the DPM, limiting the bombing to south of 20 degrees might result in increased negotation opportunities with Hanoi. The Joint Chiefs of Staff consider that such a new self-imposed restraint resulting from this major change in strategy would most likely have the opposite effect. The relative immunity granted to the LOCs and distribution system outside the Panhandle would permit: (a) a rapid recovery from the damage sustained to date; (b) an increase in movement capability; (c) a reduced requirement for total supplies in the pipeline; (d) a concentration of air defenses into the Panhandle; and (e) a release of personnel and equipment for increased efforts in infiltration of South Vietnam. Also, it would relieve the Hanoi leadership from experiencing at first hand the pressures of recent air operations which foreign observers have reported. Any possible political advantages gained by confining our interdiction campaign to the Panhandle would be offset decisively by allowing North Vietnam to continue an unobstructed importation of war material. Further, it is believed that such a drastic reduction in the scale of air operations against North Vietnam could only result in the strengthening of the enemy's resolve to continue the war. We doubt the reduction in scope of air operations would also be considered by many as a weakening of US determination and a North Vietnamese victory in the air war over northern North Vietnam. The combination of reduced military pressures against North Vietnam with stringent limitations of our operations in South Vietnam, as suggested in Course B, appears even more questionable conceptually. It would most likely strengthen the enemy's ultimate hope of victory and lead to a redoubling of his efforts. (Ssee Part III, Appendix A, for additional comments.)

"Domestic Attitude and Predicted Reactions. The DPM presents an assessment of US public attitude and assumed reactions to several occurrences. Its orientation is toward the risks involved in Course A. The difficulty of making accurate judgments in the area of public response is acknowledged, and the Joint Chiefs of Staff concede that their appraisal is subject to the same degree of uncertainty that is inherent in the DPM. Nevertheless, they are unable to find due cause for the degree of pessimism expressed in the DPM. The Joint Chiefs of Staff firmly believe that the American people, when well informed about the issues at stake, expect their Government to uphold its commitments. History illustrates that they will, in turn, support their Government in its necessary actions. The Joint Chiefs of Staff believe that there

is no significant sentiment for peace at any price. They believe also that despite some predictable debate a Reserve callup would be willingly accepted, and there would be no "irresistible" drive from any quarter for unnecessary escalation of the conflict. (See Part IV, Appendix A, for additional comments.)

"International Attitude and Predicted Reaction. There are several inconsistencies between the DPM and the published intelligence estimates. For example, from these intelligence estimates, there is no evidence that Hanoi is prepared to shun negotiation, regardless of the pressure brought to bear, until after the US elections. Also, it is estimated that US prestige will not decline appreciably if prompt military action is taken to bring the conflict to an early close. In the long term, US prestige would probably rise. The effect of signs of US irresolution on allies in Southeast Asia and other friendly countries threatened by communist insurgency could be most damaging to the credibility of US commitments. The DPM contains the view that there is strong likelihood of a confrontation between the United States and the CHICOMs or the USSR, as a result of intensification of air and naval operations against North Vietnam and-or a major increase in US forces in South Vietnam. Intelligence estimates do not support this contention. (See Part V, Appendix A, for additional comments.) 24)"

Summarizing, the Chiefs explained that the divergencies between the DPM and the stated policies, objectives and concepts were individually important and in their eyes, reasons for concern. However, as they viewed them collectively, an "alarming pattern" emerged which suggested a major realignment of U.S. objectives and intentions in Southeast Asia. The Joint Chiefs stated that they were not aware of any decision to retract the policies and objectives which had been affirmed by responsible officials many times in recent years (apparently stemming back to NSAM 288). In their view the DPM lacked adequate foundation for further consideration. Their conclusions were strong, namely that the DPM "did not support current U.S. national policy objectives in Vietnam and should not be considered further" and "there is no basis for change in their views in the major issues in the DPM," and that "these views were adequately stated in recent memorandums and reinforced herein." Implementation of Course B in the estimation of the joint body would serve to prolong the conflict, reinforce Hanoi's belief in ultimate victory, and probably add greatly to the ultimate cost in U.S. lives and treasure.

The Joint Chiefs recommended that:

a. The DPM NOT be forwarded to the President.

b. The U.S. national objective as expressed in NSAM 288 be maintained, and the national policy and objectives for Vietnam as publicly stated by U.S. officials be reaffirmed.

c. The military objective, concept, and strategy for the conduct of the war in Vietnam as stated in JCSM-218-67 be approved by the Secretary of Defense, 25)."

"SOUTH VIETNAMESE HAVE TO DO THE JOB THEMSELVES"

Excerpts from a memorandum by Assistant Secretary of State William P. Bundy, in charge of Far Eastern Affairs. The comments accompanying the excerpts are by the Defense Department analysts who wrote the secret Pentagon report on the Vietnam War. The Bundy memorandum was dated June 2. 1967:

The first detailed feedback from the circulation of the 19 May McNaughton Draft Presidential Memorandum came from William P. Bundy on 2 June when he wrote an incisive and highly perceptive memorandum which argued that the "gut" point in Vietnam was not necessarily the military effect of our bombing or the major force increases and all the rest, but the effect that they had on the South Vietnamese. He wrote:

"If we can get a reasonably solid GVN political structure and GVN performance at all levels, favorable trends could become really marked over the next 18 months, the war will be won for practical purposes at some point, and the resulting peace will be secured. On the other hand, if we do not get these results from the GVN and the South Vietnamese people, no amount of US effort will achieve our basic objective in South Viet-Nam—a return to the essential provisions of the Geneva Accords of 1954 and a reasonably stable peace for many years based on these Accords. . . .

"It follows that perhaps the most critical of all factors in assessing our whole strategy—bombing, major force increases, and all the rest—lies in the effect they have on the South Vietnamese. On the one hand, it is obvious that there must be a strong enough US role to maintain and increase GVN and popular confidence and physical security! Although the point is not covered in the CIA papers, it surely is the fact that in early 1965 virtually all South Vietnamese believed they were headed for defeat, whereas the general assumption today is strongly in the opposite direction, that with massive US help the country has a present chance to learn to run itself and a future expulsion of the North Vietnamese will take place although not perhaps for a long time. We have got to maintain and fortify this underlying confidence and sense that it is worthwhile to get ahead and run the country properly.

"On the other hand, many observers are already reporting, and South Vietnamese performance appears to confirm, that the massive U.S. intervention has in fact had a significant adverse effect in that South Vietnamese tend to think that Uncle Sam will do their job for them. This point was not included in the levy on CIA, and it may be that we need a judgment from the Agency, recognizing that it will be "broad brush" at best. The tentative judgment stated above need not be considered a shocking one; in our calculations of two years ago, we anticipated the possibility.

"But today, in facing decisions whether to make a further major increase in the US performance and whether to maintain at a high level that portion of the war that is really wholly US—bombing—we must at least ask ourselves whether we are not at or beyond another kind of "crossover point", where we are putting in an undue proportion of U.S. effort in relation to the essential fact that in the last analysis the South Vietnamese have got to do the job themselves. By "do the job themselves" we mean concretely a much more effective South Vietnamese role in security, pacification, and solid government while the war is going on. But we mean also the progressive development of a South Viet-Nam that can stand on its own feet whenever North Viet-Nam calls it off, and can nail down at that point what could otherwise be a temporary and illusory "victory" which, if it unraveled, would make our whole effort look ridiculous, undermine the gains in confidence that have been achieved in Southeast Asia and elsewhere, and have the most disastrous effects on our own American resolve to bear burdens in Asia and indeed throughout the world. 29)"

Turning to the specific question of the 200,000 man force increase Bundy argued that the gains from such a major force increase were increasingly marginal while the effect on the South Vietnamese, a very much more important factor and one which went to the heart of the conflict itself and our ability to achieve a lasting peace, may not be so marginal:

"Obviously, the assessment of the effect of our actions on the South Vietnamese is an extremely difficult one. It may be that the "cross-over-point" was reached in late 1965, when it became clear that we were conducting a massive intervention; perhaps any further change from additional forces, on any scale, is at most one of slight degree. Certainly we have all felt that our force increases up to their present strength were absolutely required in order to bring about a condition even more essential than maintaining South Vietnamese performance—the blunting and reversing of the North Vietnamese effort that, in 1965, was about to take over the country. But the question now presents itself in a new form, when 200,000 more men do not make the difference between victory and defeat, but at most the difference between victory in three years and victory in 5, on what is necessarily a calculation assuming both South Vietnamese and North Vietnamese performance and morale as relative constants. And, on the other side of the coin, we have reached a point where the South Vietnamese have managed in part to pull themselves together and must learn to do so more. Hence, the gains from major force increases are now more marginal, while the effect on the South Vietnamese must be rated a very much more important factor and one which goes to the heart of the conflict itself and of our ability to achieve a lasting peace. 30)"

On the basic objectives, Bundy disagreed with the Chiefs and expressed general agreement with what the McNaughton draft had stated. He believed that the minimum statement which we could make reference our objective in Vietnam was certainly "to see that the people of South Vietnam are permitted to determine their own future." But he felt it much too pat to say that "this commitment ceases if the country ceases to help itself," or even to observe that there are not further elements in our commitment. He believed additional commitments related not only to getting North Vietnamese forces off the backs of the South Vietnamese but to making sure that the political board, as he called it, in South Vietnam was not titled to the advantage of the NLF. 31)

In his summary, he addressed this question of our commitment again, and then expanded upon what he called the hard core question, that is, what to do if "the country (Vietnam) ceases to help itself." Using the teeter-totter analogy, he commented that our commitment must be to see that the people of South Vietnam were permitted to determine their own future and to see that the "political board" was level and not tilted in favor of elements that believed in force. He also believed that we should at least hold open the possibility that a future South Vietnamese government would need continuing military and security assistance and should be entitled to get it. He agreed with the Joint Chiefs analysis of the DOD draft and their contention that it displayed a negative turn to our strategy and to our commitment in Vietnam:

"In terms of our course of action, the major implication—as compared with the DOD draft—is that we will not take our forces out until the political board is level. The implication of the DOD draft is that we could afford to go home the moment the North Vietnamese regulars went home. This is not what we said at Manila, and the argument here is that we should not in any way modify the Manila position. Nor should we be any more hospitable than the South Vietnamese to coalitions with the NLF, and we should stoutly resist the imposition of such coalitions. 32)"

On the second question, of what would happen if the Vietnamese could not help themselves or refused to help themselves Bundy argued for more time to take a closer look at the Vietnamese situation, especially the elections, before getting into a negative

frame of mind about our Vietnamese military-political-economic commitment.

If the ISA group proposing a stabilized ground strategy took heart with the Bundy memorandum, it was positively elated when the reply came from Under Secretary of State Nicholas deB Katzenbach. 34)

Katzenbach quote skillfully outlined the outstanding disagreements included in the draft Presidential memorandum. First, Westmoreland and McNamara disagreed on whether Course A, the infusion of 200,000 troops would end the war sooner. Under Secretary Vance and the CIA disagreed on the ability of North Vietnam to meet the force increases in the South although, as Katzenbach later noted in his paper, the CIA figures were somewhat outdated and the analysis was not "good." He listed a Wheeler-Vance disagreement on the military effectiveness of cutting back bombing to below the 20th parallel and on whether it would save U.S. casualties. (The Wheeler label on this disagreement is not completely accurate since JCSM 288–67 and the later JCSM 312–67, the bases for this disagreement, were less the product of Wheeler, as the Chairman of the Joint Chiefs, than of the corporate body itself. As Chairman's Memoranda indicate, Wheeler had a much "softer" line on the military effectiveness of the bombing.) The CIA and Vance were seen as at odds because the CIA believed that the Chinese might not intervene if an invasion of North Vietnam did not seem to threaten Hanoi, while Vance stated that an invasion (of any kind) would cause Chinese intervention. Vance believed that the Chinese would decide to intervene if the ports were mined. CIA reports at the time did not mention this possibility. There was basic disagreement, as to whether or not we had achieved the "cross-over point" and more broadly how well the "big war" was going. One optimistic CIA analysis which Bundy quoted contradicted a later CIA statement expressing the view that the enemy's strategic position had improved over the past year. State's INR also disagreed with CIA on Hanoi's basic objectives, with CIA arguing that Hanoi was determined to wear us down or in the vernacular of the time "wait us out," while INR felt that Hanoi was really determined to seek more positive victories in the South. The INR also believed that the bombing was having a greater effect than did the CIA. CIA and Vance, of course, had been saying for some time that all of the worthwhile targets in North Vietnam except the ports had been stuck, while as we have seen, the JCS disagreed with this assessment. There was some allusion to the dispute over whether or not inflationary pressures would be aggravated by the increase in U.S. forces under Course A. DOD said that these pressures were under control and could be handled if Course A were adopted, while the CIA felt otherwise. (Comment: This leads to the suspicion that the piaster limitation might not have been as critical as was originally believed and possibly was just an instrument of a sophisticated rationalization for limiting force increases in the earlier programs.) Katzenbach also cited a basic disagreement about just what message an increase of U.S. forces or a massive call-up of Reserves would communicate to Hanoi.

The general goals which the Undersecretary predicated in Vietnam and upon which he based the analysis which followed were: first, to withdraw U.S. forces from Vietnam; we would only do so with the high degree of confidence that three things were accomplished—(1) That we would be behind a stable democratic government (democratic by Asian standards); (2) that we would confront the prospect of a reasonably stable peace in Southeast Asia for several years; and (3) that we will have demonstrated that we met our commitments to the government of Vietnam. To do these, we had to persuade the North Vietnamese to give up their aggression and we had to neutralize the internal Viet Cong threat while in the process being careful not to create an American satellite nor to generate widespread anti-American sentiment nor destroy the social fabric of South Vietnam, nor incur disproportionate losses in our relations with other countries or bring in so called "enemy" countries.

His overall prognosis for the war was not optimistic. He believed that during the course of the next 18 months, the probability of achieving our goals was quite low. In two or three years, it was possibly higher depending again on what we did during the intervening period. He entered a caveat, however, stating that because of our uncertain knowledge of the motivation and intentions of both the Democratic Republic of Vietnam and the VS in the South, that we may be closer to achieving our goals than we thought. Moreover, the Soviet Union and Communist China would influence the course of events in ways not easily predictable over the next three years.

He assessed the battle in South Vietnam as "the key" and reviewed the "big war" of attrition as one in which a flood of contradictory indicators made it much more difficult to appraise. Enemy losses were up 70% in the first quarter of 1967, but so were U.S. losses up 90%. North Vietnamese-VC intentions were also doubtful but they appeared to be set on an intensive grinding position-warfare campaign in the northern provinces coordinated with offensive thrusts in the central coastal provinces and the Western Highlands. All of these then possibly combined with major actions against cities, provincial capitals in the III Corps area. The overall object of such a strategy evidently being to inflict maximum losses on the U.S.–GVN in an effort to break our will (Here he noted that INR believed that the VC–NVA had a more positive approach and were looking for real victories.

Pacification efforts came in for little praise. There was little real progress reported and the short term prospects were not bright. However, the long term prospects appeared better if ARVN could be more effectively involved. However, it appeared that GVN and ARVN were going to continue moving slowly, corruption was becoming more widespread and the population was increasingly apathetic. Katzenbach said he could not determine whether this was due to growing anti-Americanism or war-weariness or what. He concluded that if we were winning the war, we were not winning it very quickly—it had become a question of the will to persist on either side rather than the attainment of an overwhelming military victory.

With this assessment as background he then analyzed the two courses of action. In his estimation, Course A, which added a 200,000 U.S. troop increment and necessitated a call-up of Reserves possessed the following advantages: It could hasten the end of the war by hurting the enemy more. It could dispel Hanoi's notions about weakening U.S. resolve. It could provide more U.S. troops to be used for main force sweeps and might release U.S. units to help provide security for pacification. It might persuade the Russians to counsel Hanoi to accept some kind of negotiations rather than risk a much expanded war, possibly in North Vietnam. Katzenbach listed a score of disadvantages for this course of action:

"1. Introduction of these forces could lead to countermoves by Hanoi, with result we have simply expanded the present war. (Need paper with better analysis of whether Hanoi could add troops.) Our position is one of meeting infiltration, not stimulating it. Even its proponents do not argue it could end the war in less than two years.

"2. It might well be viewed by Hanoi as another sign of U.S. impatience and unwillingness to persist. Hanoi might also see a call-up of reserves as a sign that we are running out of man-power.

"3. Congressional and public debate on the reserve call-up would be divisive and give comfort to Hanoi.

"4. It could mean a total eventual addition of 500,000 men; some limitation on our ability to act elsewhere in the world; and a cost of approxmately $10 billion in FY '68.

"5. It could lead to irresistible pressures for ground actions against sanctuaries in Cambodia and Laos, and increased actions against NVN. Problems involved in such moves—NVN and even Chinese reactions. International disapproval. Problems with Souvanna.

"6. Effect on U.S. flexibility and, inevitably, U.S. goals in Viet-Nam.

"7. It could produce, to some extent, a growth in the South Vietnamese attitude of "let the U.S. do it."

"8. More troops probably mean growth of anti-Americanism. (Although we don't really know how strong it is now.)

"9. Inflationary effects in South Viet-Nam.

"10. Adverse international reaction to escalation and to what would appear to be significant US move towards a friendly occupation of the country. 35)"

Compared to this course the option of maintaining current force levels possessed the twin advantages of avoiding all of those which we just listed, plus it could improve the negotiating environment if some progress were made without an expansion of forces. The disadvantages of this course were also twofold: Hanoi could be encouraged by forces levelling off and the possible bad effect on morale of U.S. and allied forces.

To these original two options Katzenbach added what he called two middle strategies. Each one of these would incur some of the advantages and disadvantages of the two which we just listed above, but to obvious lesser greater degrees. The first "middle" strategy was to add 30,000 troops. This would not necessitate a Reserve call-up. The second was to add enough U.S. forces to "operate effectively against provincial main force units and to reinforce I Corps and the DMZ area." 36) This he estimated would include a Reserve call-up.

The overall recommendation he made in this regard was, first, in the South, to emphasize the war of attrition and to do this by adding 30,000 troops. The complete set of recommendations which followed read:

"a. Add 30,000 more troops, in small increments, over the next 18 months. This would show Hanoi and our own forces that we are not levelling off, and yet we would not appear impatient or run into the risks and dangers which attend force increases. Continue to try to get as many more third country forces as possible.

"b. Make a major effort to get the South Vietnamese more fully involved and effective. A crucial question. (Separate paper with recommendations—advisers, joint command, threats, etc.) Tell the GVN early in 1968 that we plan to start withdrawing troops at the end of 1968, or earlier if possible, in view of progress in the "big war." Pacification will be up to them.

"c. Use the great bulk of U.S. forces for search and destroy rather than pacification—thus playing for a break in morale. Emphasize combat units rather than engineers. Leave all but the upper Delta to the Vietnamese.

"d. Use a small number of U.S. troops with South Vietnamese forces in pacification, targetted primarily on enemy provincial main force units. Recognize that pacification is not the ultimate answer—we have neither the time nor the manpower. In any event, only the Vietnamese can make meaningful pacification progress. The GVN should therefore hold what it has and expand where possible. Any progress will (1) discourage the enemy and (2) deprive him of manpower.

"e. We should stimulate a greater refugee flow through psychological inducements to

further decrease the enemy's manpower base. Improve our ability to handle the flow and win the refugees' loyalty.

"f. Devote more attention to attacking the enemy infrastructure. Consider giving MACV primary responsibility for U.S. efforts in this regard.

"g. Use all the political pressure we have to keep the GVN clean in its running of the elections. Press for some form of international observation. Play down the elections until they are held, then exploit them and their winner (probably Ky) in the international and domestic press.

"h. After the elections, but prior to the Christmas-Tet period, press hard for the GVN to open negotiations with the NLF and for a meaningful National Reconciliation program.

"2. In the North—the object is to cut the North off from the South as much as possible, and to shake Hanoi from its obdurate position. Concentrate on shaking enemy morale in both the South and North by limiting Hanoi's ability to support the forces in South Vietnam.

"a. A barrier, if it will work . . . or

"b. Concentrate bombing on lines of communication throughout NVN, thus specifically concentrating on infiltration but not running into the problems we have had and will have with bombing oriented towards 'strategic' targets in the Hanoi-Haiphong area. By continuing to bomb throughout NVN in this manner we would indicate neither a lessening of will nor undue impatience."

[From the St. Louis (Mo.) Post-Dispatch, July 2, 1971]

ENEMY BUILDUP CALLED SURPRISE

NEW YORK, July 2—The Pentagon's secret study of the Vietnam War indicates that the rapid expansion of American forces in 1965 and 1966 occurred because "no one really foresaw what the troop needs in Vietnam would be."

At the same time, the ability of the enemy forces "to build up their effort was consistently underrated," the New York Times says today in its sixth article on the Pentagon study.

It would seem, the Pentagon study says, that the American planners would have been "very sensitive to rates of infiltration and recruitment by the Viet Cong and North Vietnamese Army; but very little analysis was, in fact, given to the implications of the capabilities of the VC–NVA in this regard."

As a result of the unexpected enemy buildup, the Pentagon study discloses, Gen. William C. Westmoreland's troop requests rose from a total of 175,000 in June, 1965, to 275,00 that July, to 443,000 in December and to more than 542,000 the following June.

Neither the requests of the American commander in Vietnam nor President Lyndon B. Johnson's rapid approval of all but the last of them was made public at the time.

The study says the Johnson Administration's continual expansion of the air war during 1965 and 1966 was based on a "colossal misjudgment" about the bombing's effect on Hanoi's will and capabilities.

In particular, the study discloses that the Administration's decision in 1966 to bomb North Vietnam's oil-storage facilities was made despite repeated warnings from the Central Intelligence Agency that such action would not "cripple Communist military operations."

Instead, the study says, Washington apparently accepted the military's estimate that the bombing would "bring the enemy to the conference table or cause the insurgency to wither from lack of support." However, the flow of men and supplies to the south continued undiminished.

The Pentagon study of this period of the escalation in the air and on the ground—from July 1965 to the fall of 1966—makes these other disclosures:

(1) American military commanders were confident of victory. Westmoreland, for example, told Washington in July 1965 that by using a search-and-destroy strategy he could defeat the enemy "by the end of 1967."

In the same month, the Joint Chiefs of Staff assured Secretary of Defense Robert S. McNamara, "There is no reason we cannot win if such is our will."

(2) High-level civilian authorities, including McNamara, began to have serious doubts about the effectiveness of both the air and ground war as early as the fall of 1965, but they continued to recommend escalation as the only acceptable policy, despite their doubts.

(3) A secret Department of Defense seminar of 47 scientists—"the cream of the scholarly community in technical fields"—concluded in the summer of 1966 that the bombing of North Vietnam had had "no measurable effect" on Hanoi. The scientists recommended building an electronic barrier between North and South Vietnam as an alternative to the bombing.

The Pentagon study was ordered by McNamara in 1967 and prepared by a team of 30 to 40 officials and analysts to determine how the United States became involved in the war in Indochina. It consists of 3000 pages of analysis and 4000 pages of supporting documents.

Of the rapidly ballooning troop requests, the study says:

"It can be hypothesized that from the outset of the American build-up, some military men felt that winning a meaningful victory in Vietnam would require something on the order of 1,000,000 men.

"Knowing that this would be unacceptable politically, it may have seemed a better bargaining strategy to ask for increased deployments incrementally.

"An alternative explanation is that no one really foresaw what the troop needs would be and that the ability of the (North Vietnamese and Vietcong) to build up their effort was consistently underrated. . . ."

The Pentagon study says that President Johnson's decision to send U.S. ground forces in substantial numbers to Vietnam overtook "earlier expectations that bombing would constitute the primary means for the U.S. to turn the tide of the war" against the Communists.

In November 1965, the study says, an intelligence estimate made for McNamara reported that "the air strikes do not appear to have altered Hanoi's determination to continue supporting the war in South Vietnam."

On Dec. 24, 1965, the bombing was halted for 37 days "as part of a diplomatic initiative." Such a pause had been recommended several times by McNamara, who apparently believed, according to the Pentagon study, that a previous pause—May 8 to May 13, 1965—had been too short to give Hanoi time to reply.

The study says that Johnson had viewed the pause "as a means of clearing the way for an increase in the tempo of the air war in the absence of a satisfactory response from Hanoi."

The Pentagon study says that high officials in Washington, during the debate on McNamara's recommendations, assumed that the bombing would be resumed because they knew that the conditions they had set for a permanent halt were tougher than Hanoi could accept.

After the bombing was resumed a new strategy was adopted. Throughout the autumn and winter of 1965–66, the study relates, the Joint Chiefs of Staff had pressed for permission "to expand the bombings virtually into a program of strategic bombing aimed at all industrial and economic resources as well as at all interdiction targets."

According to the study, the chiefs backed the program "despite the steady stream of memoranda from the intelligence community consistently expressing skepticism that bombing of any conceivable sort (that is, any except bombing aimed primarily at the destruction of North Vietnam's population) could either persuade Hanoi to negotiate a settlement on U.S.-GVN (Government of South Vietnam) terms or effectively limit Hanoi's ability to infiltrate men and supplies into the South."

Nevertheless, the strikes on North Vietnam's oil supplies began on June 29, 1966, the study says, and great success was reported. But as the summer wore on, the Pentagon study says, it became clear that the strikes had been "a failure." The flow of men and supplies from North Vietnam continued undiminished, and there was no evidence that North Vietnam had been pinched for oil or related products.

The study says that the air strikes were "the last major escalation of the air war recommended by Secretary McNamara."

The Defense Department seminar of scientists had a "dramatic impact" on McNamara, the study says. The scientists met during June, July and August at Wellesley, Mass. They were given briefings by top officials and provided with secret materials, and their conclusions had a "powerful and perhaps decisive influence on McNamara's mind," the Pentagon record says.

The scientists concluded that continued bombing was unlikely to hurt North Vietnam; they criticized the assumption that bombing of a country reduces its will to continue fighting, and they concluded that "there is currently no adequate basis for predicting the levels of U.S. military effort that would be required to achieve the stated objects—indeed, there is no firm basis for determining if there is any feasible level of effort that would achieve these objectives."

As an alternative to the bombing, they suggested the establishment of an elaborate electronic barrier across the demilitarized zone.

McNamara, the Pentagon study relates, "was apparently strong and favorably impressed" by the scientists' ideas and immediately ordered research on the barrier.

Characterizing McNamara's attitudes toward the war, the Pentagon study says that the Secretary had gone from "hesitancy" in the winter of 1965 to "perplexity" in the spring of 1966, to "disenchantment" the following fall.

In October 1966, he went to Saigon to assess Westmoreland's latest troop request, and when he returned, the study says, he would detail his feelings in two long memorandums to President Johnson and for the first time would recommend against filling a troop request from the U.S. commander in Vietnam.

U.S. PLANNED A-BOMB USE IF CHINA ENTERED WAR

WASHINGTON, July 2.—Former Secretary of State Dean Rusk told the South Vietnamese Premier in May 1964 that the United States would use nuclear arms if the Communist Chinese entered the war in force, secret Pentagon documents indicate.

"We would not allow ourselves to be bled white fighting them with conventional weapons," Rusk was reported to have informed Maj. Gen. Nguyen Khanh at an unpublicized meeting with Khanh on the eve of the American Honolulu conference, which took place June 1 and 2.

The quoted phrase does not purport to reflect Rusk's own words. It is the language of a cablegram of June 2 from the American commander in chief, Pacific, to the Department of State, describing what took place at a meeting between Rusk and Khanh May 30.

In the cablegram, which was among Pentagon study documents obtained by the Post-Dispatch, Secretary Rusk was said to have told Premier Khanh he wanted to emphasize the following, among other things:

"A. Since 1945 U.S. had taken 165,000 casualties in defense of free world against

communist enroachments, and most of these casualties were in Asia.

"B. U.S. would never again get involved in a land war in Asia limited to conventional forces. Our population was 190,000,000. Mainland China had at least 700,000,000. We would not allow ourselves to be bled white fighting them with conventional weapons.

"C. This meant that if escalation brought about major Chinese attack, it would also involve use of nuclear arms . . ."

Rusk was reported in the CinaPac message to have pointed out to the South Vietnamese leader, who had seized power by military coup the previous January, that many free world leaders would oppose use of nuclear weapons.

Chiang Kai-shek of Nationalist China had told Rusk "fervently" of Chiang's opposition, the cable reported Rusk as saying, and the same viewpoint was expressed by U Thant, the Burmese Secretary General of the United Nations.

"Many Asians seemed to see an element of racial discrimination in use of nuclear arms; something we would do to Asians but not to Westerners," the cable said in reporting Rusk's side of the talk. It then gave Gen. Khanh's reaction.

"Khanh replied," the message to Washington said, "he certainly had no quarrel with American use of nuclear arms, noted that decisive use of atomic bombs on Japan had in ending war saved not only American but also Japanese lives. One must use the force one had; if Chinese used masses of humanity, we would use superior fire power."

The anonymous authors of the Pentagon Vietnam War analysis described the language of the cable reporting the Rusk-Khanh meeting as "candid and revealing." The conference occurred at a time when Americans considered the Vietnam situation grave and when the United States was considering deeper involvement in the war.

Communist China exploded its first atomic bomb in October 1964, a few months after the reported Rusk-Khanh meeting. In 1967 the Chinese exploded a hydrogen bomb. Throughout the 1960's, American officials brushed aside in their public utterances any suggestion nuclear weapons might be used in Asia.

The cable relating to the 1964 conference was in a second instalment of Pentagon documents obtained by the Post-Dispatch. This instalment of the massive in-house analysis, undertaken in 1967 on instructions from former Secretary of Defense Robert S. McNamara, dealt with relations between the United States and the government of South Vietnam from early 1964 through June 1965.

In South Vietnam, Khanh had taken over from Gen. Duong Van (Big) Minh early in 1964. Minh headed the military junta that had overthrown Premier Ngo Dinh Diem in November 1963. Khanh gave way to mob violence in August 1964 but returned to power in January 1965. Air Vice Marshal Nguyen Cao Ky became Premier the next June.

In the United States, President Lyndon B. Johnson had become the nation's Chief Executive after the assassination of President John F. Kennedy Nov. 22, 1963. Mr. Johnson won the presidency in his own right in November 1964 by defeating the Republican nominee, Barry M. Goldwater of Arizona. He campaigned as an opponent of a land war in Asia.

Nevertheless, the period 1964 through the early months of 1965 brought increasing American involvement in Vietnam and crucial decisions that escalated the war. President Johnson announced April 25, 1964, that Lt. Gen. William C. Westmoreland would replace Gen. Paul D. Harkins as head of the United States Military Assistance Command in South Vietnam. Westmoreland took over June 20.

Gen. Maxwell D. Taylor, chairman of the Joint Chiefs of Staff, was named by the President June 23 to be United States ambassador to Saigon, replacing Henry Cabot Lodge. U. Alexis Johnson was named deputy ambassador.

Taylor arrived in Saigon July 7 with a letter from the President making it clear that his overall responsibility included "the whole military effort in South Vietnam."

Taylor had been in Vietnam less than a month when United States Navy planes raided North Vietnamese coastal bases Aug. 4 and 5 in retaliation for reported attacks on the American destroyers Turner Joy and Maddox in the Gulf of Tonkin Aug. 2 and 4. A few days later, Congress approved the Tonkin Gulf resolution authorizing a wider war. The first American ground troops began arriving in Vietnam in the spring of 1965.

Against this background, the Pentagon analysts said in their summary that "in 1964 the U.S. tried to make GVN (government of Vietnam) strong, effective, and stable and it failed.

"When the U.S. offered more aid, GVN accepted it without improving; they promised to mobilize, but failed to speed up the slow build-up of their forces. When the U.S. offered a firmer commitment to encourage them, including possible later bombing of North Vietnam, the GVN tried to pressure us to do it sooner.

"When the U.S. endorsed Khanh, he overplayed his hand, provoked mob violence, and had to back down to a weaker position than before. When Taylor lectured them and threatened them, the ruling generals of GVN defied him and allied themselves with the street rioters. After several changes of government in Vietnam, the U.S. could set no higher goal than GVN stability. During this period the USG (United States Government) was already starting to think about doing the job ourselves if our Vietnamese ally did not perform."

The United States believed at first that the power of the Vietnamese generals would make the government of South Vietnam strong and effective, the analysts said, but the generals "proved to be less than perfectly united and lacking in will and ability to compel the civil government to perform."

"Yet," said the analysts, "the U.S. saw no alternative but to back them—to put up with Vietnamese hypersensitivity, their easy compliance combined with non-performance, and their occasional defiance. Moreover, MACV (Military Assistance Command, Vietnam) was even less ready to pressure the generals than the Embassy and the Embassy less willing than Washington. MACV controlled the resources that mattered most to the South Vietnamese."

South Vietnam had six major changes of government from the Khanh take-over early in 1964 to Ky's accession in June 1965, the Pentagon study said. In addition, Saigon was seized twice by coup groups.

The analysts said the United States initially hoped that repeated preliminary signals to Hanoi would bring a response before bombing of North Vietnam began, and that the promise of committing American forces would strengthen Vietnamese unity and resolve.

"Both hopes proved vain," the study said, "and we started bombing North Vietnam systematically without getting anything from either Hanoi or GVN. Then the bombing itself failed to stop Hanoi's intervention. Seeing no other choice, the U.S. poured troops into the country."

Throughout 1964, the Pentagon study group commented, the United States "pursued the objective of a strong, effective GVN (government of Vietnam) like the Holy Grail.

"Increasingly, we felt we had to reassure our Saigon ally about the U.S. resolve, and hoped that a firm U.S. commitment through bombing would improve GVN performance extending advisors and through bombing would improve GVN performance. Recurrently, we looked to the military as the one coherent, anticommunist force in the country. We leaned on them and on their strong man, who for most of the period was Khanh, at first hoping that he or Minh would play the role that Magsaysay did in the Philippines. We were interested in legitimacy and democratic forms only as a long-run deferable proposition; although more and more we recognized the need for broad political support—especially after the Buddhist crisis in August 1964 had proved its importance."

The United States was worried about the possible emergence of a hostile government in South Vietnam, or anarchy, as early as the June 1964 Honolulu conference, the American Vietnam study said, "and the South Vietnamese played effectively on our fears."

"We lectured them repeatedly on the importance of national unity, both in periods of political calm and in crises. When the mobs in the streets faced down the generals, we then clung to the position that no one should rock the boat.

The position of Gen. Khanh as a "brash usurper who had overthrown Gen. Minh, who earlier had upset Diem, gave Khanh little maneuvering room among Saigon's complex political currents," it was said. Subsequent shifts in the Saigon government only made its lack of legitimacy more conspicuous.

The Pentagon study group said the United States tried to induce the South Vietnamese to do a better job by holding out the prospect of committing American forces. It said this process started with Rusk's meeting with Gen. Khanh at the end of May 1964 and ended with an effort early in December by Ambassador Taylor.

In December, the study said, Taylor suggested to Gen. Khanh that he resign and leave the country. Khanh "threatened privately to declare Taylor persona non grata" and "the Embassy replied that asking Taylor to leave was equivalent to asking the U.S. to leave."

Ambassador Taylor urged Tarn Van Huong, who had become Premier of South Vietnam Nov. 1, to insist on restoration of the civilian High National Council, which had been dissolved in a military power takeover Dec. 20. The United States opposed the dissolution of the civilian Parliament. The attitude of the Vietnamese generals was defiant.

The Pentagon study group commented critically that American efforts to strengthen the Vietnamese government's will to govern and pacify the country failed. Neither inducements nor threats worked out well, it was said. The tactic of making military help contingent on better performance was ineffective.

". . . Taylor said that if this inducement were to fail, the U.S. should go ahead with the pressures against the North anyway," the study group said. "Taking this position meant that the attempted inducement was bluff. There is every sign, both in their nonperformance and in their December-January defiance, that the GVN sized it up that way and called the bluff."

The fact of American commitment to the Vietnam War had been demonstrated, the internal Pentagon history said, by Rusk's conversation with Khanh, by the intensification of American planning after the Honolulu conference in June 1964 and by the shift of Taylor, chairman of the Joint Chiefs of Staff, to the post of ambassador in Saigon.

As for American diplomatic competence in the period, the study said that in Saigon "the shifts of political loyalties, coups, rebellions, and major changes of public figures often caught the Embassy by surprise. It had no effective system, either through overt or covert contacts, for finding out what was going on."

Defense Secretary McNamara conferred with American officials and Vietnamese leaders in Saigon in March 1964. He brought back pessimistic views, saying in a trip report to the President that "the situation has

unquestionably been growing worse, at least since September . . ."

McNamara reported that large groups in the Vietnamese population were "showing signs of apathy and indifference." Also he saw signs of "frustration within the U.S. contingent." He said draft dodging among Vietnamese was high, while the Viet Cong were recruiting energetically and effectively.

The greatest weakness of the situation at that time, McNamara told President Johnson, was "the uncertain liability of the Khanh government." He made a reference to President Charles De Gaulle of France, the Pentagon papers indicate.

"There is a constant threat of assassination or of another coup," McNamara reported, "which would drop morale and organization nearly to zero. Whether or not French nationals are actively encouraging such a coup, De Gaulle's position and the continuing pessimism and anti-Americanism of the French community in South Vietnam provide constant fuel to neutralist sentiment and the coup possibility . . ."

Part of the background for the Rusk-Khanh talk of late May 1964, at which Rusk was reported to have commented on possible use of nuclear weapons against a Chinese attack, was that Gen. Khanh had told Henry Cabot Lodge, then ambassador, on May 4, that Khanh wanted to declare war and bomb North Vietnam with American aircraft.

Ambassador Lodge was noncommittal about United States forces—Khanh had asked also that 10,000 United States Army Special Forces troops be brought in to cover the Cambodian-Laotian frontier—but said the war came first and democratic forms could wait, the Pentagon analysts reported.

Then Defense Secretary McNamara met with Gen. Khanh in Saigon on May 13 to express concern about Vietnamese "inaction." McNamara took up also the question of replacing incompetent Vietnamese officers and bringing the Vietnamese army up to strength.

Also cited in the Pentagon papers was a draft memorandum dated May 25 by McGeorge Bundy, President Johnson's special assistant on international security affairs, advocating use of military force against North Vietnam. Its wording was given as follows:

"It is recommended that you make a presidential decision that the U.S. will use selected and carefully graduated military force against North Vietnam . . . on these premises:

(1) That the U.S. cannot tolerate the loss of Southeast Asia to Communism;

(2) That without a decision to resort to military action if necessary, the present prospect is not hopeful in South Vietnam or in Laos."

It is not clear from the Pentagon documents where Secretary Rusk met with South Vietnamese Premier Khanh at the end of May. Rusk had seen Khanh earlier, in April, on a visit to Vietnam, Rusk attended the funeral of Indian Prime Minister Jawaharlal Nehru May 28 and was at Bangkok May 30 before flying to Saigon and Hawaii for the Honolulu conference. He was reported to have seen Khanh at Saigon.

The internal Pentagon analysis said the Rusk-Khanh meeting at the end of May "reemphasized the accepted priorities of U.S. policy and unquestionably confirmed to the Vietnamese how far we were thinking of going.

"First," the analysts reported, "Rusk emphasized to Khanh the effect of Vietnamese quarreling on the U.S. and on other potential allies in the struggle. Second, they discussed immediate extensions of the war, such as attacking the Laotian corridor, and the various further extensions that might follow. Third, Khanh pushed hard on the idea, which as noted above had already been discussed in Washington, that he could not win without extending the war. Finally, Khanh pledged to keep all these matters secret until the U.S. agreed to overt statement or action."

Excerpts of a cable to the State Department reporting the Rusk-Khanh meeting indicated that Secretary Rusk "stated one of main problems President faces in justifying to American people whatever course of action may be necessary or indicated as matter of internal solidarity of SVN (South Vietnam). Secretary noted that if struggle escalates, only U.S. will have the forces to cope with it.

"This basic reality means President has heavy responsibility of making vital decisions and leading American public opinion to accept them. Difficult to do this if SVN appears hopelessly divided and rent by internal quarrels.

". . . Secretary said he was not thinking in terms of displaying solidarity so as to convince Paris that struggle could be won, but rather was thinking in terms of sustaining the faith in the possibilities of ultimate success of our Vietnamese effort among those nations we hoped 'would be in the foxholes with us' if escalation became necessary and if enemy forces reacted in strength. For example, UK (United Kingdom), Australia, New Zealand. Solidarity and unity of purpose in SVN was keystone of whole effort. Was Gen. Khanh doing all he could to bring about such national unity?"

There was an affirmative reply from Khanh, who emphasized that the South Vietnamese were "on the defensive" against the Viet Cong and said they could not win unless action was taken outside South Vietnam. He said this required a firm American decision for such action. He urged cleaning out Communists in eastern Laos.

The American Secretary of State was reported to have pointed out that enemy reaction could not be predicted with certainty. Rusk asked how the South Vietnamese people would react if North Vietnam and China responded by attacking South Vietnam.

"Khanh replied," said the cable as cited in the Pentagon papers, "this would have even more favorable effect on SVN national unity and faith in victory, and would mobilze usual patriotic reactions in face of more clearcut external threat."

Gen. Khanh was reflective as obviously seeking a more definite statement of what the United States intended to do in the immediate future. Rusk told him, the cable said, that the Honolulu meeting would produce some firm recommendations to President Johnson, but ultimately only the President could decide.

Rusk was said to have told Khanh that the American President would have to consider all the implications of escalating the war—". . . on our forces, on our allies and perhaps even on mankind itself if nuclear warfare should result.

Ambassador Taylor, newly appointed to succeed Lodge, presented his credentials to Gen. Khanh in Saigon on July 8. The Vietnamese military was pressing for cross-border operations and air strikes against North Vietnam. Congress adopted the Gulf of Tonkin resolution Aug. 7. The American presidential campaign was about to get under way.

President Johnson campaigned as an advocate of restraint in using American military power in Vietnam and elsewhere. His Republican opponent, Senator Goldwater, had called for stronger American action in Indochina. In April, former Vice President Richard M. Nixon had returned from an Asian trip urging that the Vietnam War be extended into North Vietnam and Laos.

Among the Pentagon papers was a message from Ambassador Taylor to the State Department in mid-August in which Taylor said South Vietnam's in-country pacification program was not enough and expressed the view, "Something must be added in the coming months."

Ambassador Taylor discussed various military measures and suggested the United States should be "developing a posture of maximum readiness for a deliberate escalation of pressure against North Vietnam, using Jan. 1, 1965, as a target D-Day."

Taylor said it must be made clear to the South Vietnamese leaders that the United States would engage in action against North Vietnam "only for the purpose of assuring the security and independence of South Vietnam within the territory assigned by the 1954 agreements; that we will not repeat not join in a crusade to unify the North and South; that we will not repeat not even seek to overthrow the Hanoi regime provided the latter will cease its efforts to take over the South by subversive warfare."

There was also mention in the message of taking visible measures, such as sending American Hawk antiaircraft units to Da Nang and Saigon and landing a Marine force at Da Nang.

On Aug. 14, Gen. Khanh showed Ambassador Taylor a rough English translation of South Vietnam's proposed new constitution. Taylor reported "we found it brusque in language and suggested to Khanh that in present form it could raise criticism in U.S. and world press." Khanh permitted American officials to help shape the draft. There was rioting after the constitution was installed, and it was withdrawn.

Vietnamese paratroopers restored order in Saigon late in August. This was followed by reshufflings in the government. Pentagon analysts said Taylor cautioned Khanh that an all-civilian government "would be too weak and would tend toward neutralism." Khanh said the Army would be vigilant.

In a message to the State Department Sept. 6, Ambassador Taylor was reported in the Pentagon analysis to have said the United States should go ahead with pressures on the North in the hope that the pressures would raise Vietnamese morale "enough to keep up their war effort."

The cited message from Taylor to Secretary Rusk told Rusk that "we can and must anticipate for the future an instrument of government which will have definite limits of performance." Taylor raised the specter that the government might make peace with the Viet Cong.

"At the very worst," the Taylor message to Rusk said, "it (the South Vietnamese government) will continue to seek a broadened consensus involving and attempting to encompass all or most of the minority of popular front. This amalgam, if it takes form, may be expected in due course to become susceptible to an accommodation with the liberation front, which might eventually lead to a collapse of all political energy behind the pacification effort.

"At best, the merging governmental structure might be capable of maintaining a holding operation against the Viet Cong. This level of effort could, with good luck and strenuous American efforts, be expanded to produce certain limited pacification successes . . ."

Taylor said that "if we leave Vietnam with our tail between our legs, the consequences of this defeat in the rest of Asia, Africa, and Latin America would be disastrous. We therefore would seem to have little choice . . ."

During the rest of 1964, the Ambassador, Gen. Westmoreland and other Americans in Vietnam wrestled with the problem of encouraging stable government there. Late in November, Westmoreland headed off a coup planned by Ky.

The United States presented a new program to the South Vietnamese on Dec. 7 after discussions in Washington, the Pentagon study related. An effort was again made to induce Khanh and others to take energetic measures sought by the United States, as a pre-

condition for steps this country might take against North Vietnam.

"This was the last time the USG (United States Government) tried to set GVN (government of Vietnam) performance preconditions for U.S. force use and deployments," the Pentagon narrative said. "Its effect, if any, was the opposite of that intended."

There were further confrontations involving Ambassador Taylor and the Vietnamese generals and further crises and disruptions. Taylor recommended on Feb. 9, 1965, that a program of continuous graduated attacks on North Vietnam ought to begin. On Feb. 13, the State Department cabled authority to begin the strikes, with Vietnamese participation, it was recounted.

In this period of early 1965, the bombing of North Vietnam began and a decision to land marines at DaNang was in progress. Taylor was represented as opposed to the introduction of United States combat forces in South Vietnam, except for base security.

The United States marines arrived in March. The Army chief of Staff, Gen. Harold K. Johnson, made a trip to Saigon in mid-March of 1965. Johnson's trip, the Pentagon analysis said, "signaled the beginning of consideration and planning for the introduction of significant numbers of ground combat forces."

At the beginning of 1965, United States military strength in Vietnam was about 23,000. By June 7 the total had passed the 50,000 mark, and on June 27 the 173rd Airborne Brigade began the first major American combat offensive of the war.

There was an element of humor in a personal message from Ambassador Taylor to McGeorge Bundy in mid-April 1965. Taylor complained that his mission in Saigon was charged with a 21-point Vietnam military program, a 41-point nonmilitary program, a 16-point United States information program and a 12-point program of the Central Intelligence Agency.

Taylor was complaining about a new seven-point program just received from Washington. He suggested somebody might believe "we can win here somehow on a point score." He suggested a moratorium on new programs for at least six months.

"Mac, can't we be better protected from our friends?" Taylor asked in the message to Bundy. "I know that everyone wants to help, but there's such a thing as killing with kindness. In particular, we want to stay alive here because we think we're winning—and will continue unless helped to death."

PARTIAL TEXTS OF 1964 REPORTS ON PROBLEMS IN SOUTH VIETNAM

WASHINGTON.—Following are excerpts from secret Pentagon papers on United States involvement in the Vietnam War that have been obtained by the Post-Dispatch.

First is the partial text of a cablegram June 2, 1964, from Adm. U.S. Grant Sharp, Commander in Chief, Pacific, to the State Department reporting on a meeting between Secretary of State Dean Rusk and Maj. Gen. Nguyan Khanh, then South Vietnamese Premier, on May 30, 1964:

"1. Solidarity Within South Vietnam

". . . Secretary (Rusk) stated one of the main problems the President faces in justifying to American people whatever course of action may be necessary or indicated as matter of internal solidarity of SVN. Secretary noted that if struggle escalates, only U.S. will have the forces to cope with it.

"This basic reality means the President has heavy responsibility of making vital decisions and leading American public opinion to accept them. Difficult to do this if SVN appears hopelessly divided and rent by internal quarrels.

". . . Secretary said he was . . . thinking in terms of sustaining the faith in the possibilities of ultimate success of our Vietnamese effort among those nations we hoped 'would be in the foxholes with us' if escalation became necessary and if enemy forces reacted in strength. For example, UK, Australia, New Zealand. Solidarity and unity of purpose in SVN was keystone of whole effort. Was General Khanh doing all he could to bring about such national unity?

"Khanh replied affirmatively, saying he was fully aware of importance of unity. His recent handling of the case of the arrested Generals showed this. His clemency showed he was primarily interested in protecting unity of Army. But there were many problems. Underlying structure and heritage of country was such that only Army could lead Nation in unity. Only Army had the requisite organization, cadres, discipline, and sense of purpose. The intellectuals would never be able to adopt a common point of view unless it was imposed by a dictatorship—by a party as the Communists did, or a 'family dictatorship' such as Diem's. This situation was made worse because of disproportion between measure of political and civil liberties granted in war-time situation on one hand and lack of background and sense of responsibility of recipients on (the) other . . . He was aware he had perhaps given more freedom than really prudent handling of situation would have dictated, but he had to be mindful oft-proclaimed democratic goals of the Vietnamese revolution. All in all, this disunity would not be fatal because Army itself was united, and no potentially disruptive force could hope to oppose Army and overthrow GVN. (N.B. No reference to religious problems, sects, or labor under this heading.)

"2. Need for Action Outside South Vietnam.

". . . Khanh dwelt at length on this, laying out some fairly precise ideas about the kind of action that might be taken.

"Basically, he said that despite the pacification plan and some individual successes he and his government were 'on the defensive' against the Viet Cong. He said pretty flatly that they could not win unless action was taken outside South Vietnam, and that this needed a firm U.S. decision for such action.

". . . He (Khanh) then said that the 'immediate' response should be to clean out the Communists in Eastern Laos, who were the same kind of threat to him, and that we should not get bogged down in negotiations but act.

". . . Secretary then noted we could never predict enemy reaction with certainty. How would SVN people react if NVN and China responded by attacking SVN? Khanh replied this would have even more favorable effect on SVN national unity and faith in victory, and would mobilize usual patriotic reactions in face of more clearcut external threat.

"3. Timing of Action Against the North and Necessary Prior Action Within South Vietnam.

"Khanh asked if Secretary and Ambassador believed he should proclaim state of war existed during next few davs and now that Generals' case was settled. Both advised him to wait at least until after Honolulu Conference and in no case ever to take action on such matter without consulting. He agreed, and remarked that if he proclaimed state of war, NVN would know this was preparatory to some form of escalation and he would never act unilaterally and thereby run risk of tipping America's hand. Although the matter was not specifically mentioned, Khanh appeared to accept as entirely natural that he would not necessarily know in advance if U.S. decided to strike outside VN.

". . . Some question as to how enemy camp will react. At various points in conversation Khanh was obviously seeking some more definite statement of specific American intentions in immediate future. Secretary told him he could say nothing on this because he simply did not know. The Honolulu meeting would produce some firm recommendations to the President and some plans, but ultimately only President could decide. His decision would be influenced by consideration of all implications of escalation: On our forces, on our allies, and perhaps even on mankind itself if nuclear warfare should result. Only U.S. had the means to cope with problems escalation would pose, and only President could make the ultimate decisions.

"Nevertheless, Secretary said he wished to emphasize the following:

A. Since 1945 U.S. had taken 165,000 casualties in defense of free world against Communist encroachments, and most of these casualties were in Asia.

B. U.S. would never again get involved in a land war in Asia limited to conventional forces. Our population was 190,000,000. Mainland China had at least 700,000,000. We would not allow ourselves to be bled white fighting them with conventional weapons.

C. This meant that if escalation brought about major Chinese attack, it would also involve use of nuclear arms. Many free world leaders would oppose this. Chiang Kai-Shek had told him fervently he did, and so did U Thant. Many Asians seemed to see an element of racial discrimination in use of nuclear arms; something we would do to Asians but not to Westerners. Khanh replied he certainly had no quarrel with American use of nuclear arms, noted that decisive use of atomic bombs on Japan had in ending war saved not only American but also Japanese lives. One must use the force one had; if Chinese used masses of Humanity, we would use superior fire power.

D. Regardless what decisions were reached at Honolulu, their implementation would require positioning of our forces. This would take time. Khanh must remember we had other responsibilities in Asia and must be able to react anywhere we had forces or commitments. Not by chance was this Conference being held at Honolulu; the combined headquarters of all American forces in Pacific was there.

". . . 6. Comment

"As can be seen, the Secretary let Khanh develop his ideas fairly fully and do most of the talking. Khanh talked firmly and effectively, and responded well to the Secretary's several points. He showed clearly that he was aware of the gravity of the decisions (tho he did seem a touch cavalier about the political problems of hitting eastern Laos at once), and did not seem to want a firm U.S. answer the day after tomorrow. But it seemed clear that he did want it pretty soon, and was now convinced he could not win in South Vietnam without hitting other areas including the North. He was careful to point out that the pacification campaign was making gains and would continue do so. Still, it was essentially defensive.

"On the timing, the Secretary said that any action would be preceded in any event by some period of time for force deployments. (He did not refer to diplomatic steps re Laos, the UN side, the U.S. Congressional problem, or other types of factors). Khanh understood this, and also accepted the Secretary's point that we would need to consult very closely with Khanh himself, try to bring the British and Australians aboard (the Secretary referred only to these two possible active participants), and generally synchronize and work out the whole plan with great care."

KHANH GIVEN ONLY 50–50 CHANCE OF RETAINING POWER

Partial text of a State Department cablegram to the U.S. Embassy in Saigon, Aug. 14, 1964:

"Mission's monthly report (Saigon 377) expresses hope of significant gains by end of year. But also says Khanh's chances of staying in power are only 50–50 that leadership . . . has symptoms defeatism and hates

prospect of slugging it out within country, that there will be mounting pressures for wider action 'which, if resisted, will create frictions and irritations which could lead local politicians to serious consideration negotiated solution or local soldiers to military adventure without U.S. consent' . . . Our actions of last week lifted . . . morale temporarily, but also aroused expectations, and morale could easily sag back again if VC have successes and we do nothing further . . ."

"Basically solution in both South Vietnam and Laos will require combination military pressure and some form of communication under which Hanoi (and Peiping) eventually accept idea of getting out. Negotiation without continued military action will not achieve our objectives in foreseeable future . . . After but only after, we have established clear pattern pressure hurting DRV and leaving no doubts in South Vietnam of our resolve, we could even accept conference broadened to include Vietnam issue . . .

"Joint US–GVN planning already covers possible actions against DRV and the Panhandle. It can be used in itself to maintain morale of GVN leadership, as well as to control and inhibit any unilateral GVN moves."

TAYLOR CALLED PACIFICATION INSUFFICIENT TO LIFT MORALE

Partial text of a cablegram from Ambassador Maxwell D. Taylor in Saigon replying to a State Department cablegram of Aug. 14, 1964:

". . . Underlying our analysis is the apparent assumption . . . (which we believe is correct) that the present-in-country pacification plan is not enough in itself to maintain National morale or to offer reasonable hope of eventual success. Something must be added in the coming months.

"Statement of the problem—A. The course which U.S. policy in South Vietnam should take during the coming months can be expressed in terms of four objectives. The first and most important objective is to gain time for the Khanh Government to develop a certain stability and to give some firm evidence of viability. Since any of the courses of action considered in this cable carry a considerable measure of risk to the U.S., we should be slow to get too deeply involved in them until we have a better feel of the quality of our ally. In particular, if we can avoid it, we should not get involved militarily with North Vietnam and possibly with Red China if our base in South Vietnam is insecure and Khanh's Army is tied down everywhere by the VC insurgency. Hence, it is to our interest to gain sufficient time not only to allow Khanh to prove that he can govern, but also to free Saigon from the VC threat which presently rings it and assure that sufficient GVN ground forces will be available to provide a reasonable measure of defense against any DRV ground reaction which may develop in the execution of our program and thus avoid the possible requirement for a major U.S. ground force commitment.

"A second objective in this period is the maintenance of morale in South Vietnam, particularly within the Khanh Government. This should not be difficult in the case of the government if we can give Khanh assurance of our readiness to bring added pressure on Hanoi if he provides evidence of ability to do his part. Thirdly, while gaining time for Khanh, we must be able to hold the DRV in check and restrain a further buildup of Viet Cong strength by way of infiltration from the North. Finally, throughout this period, we should be developing a posture of maximum readiness for a deliberate escalation of pressure against North Vietnam, using January 1, 1965, as a target D-Day. We must always recognize, however, that events may force us to advance D-Day to a considerably earlier date.

"In approaching the Khanh Government, we should express our willingness to Khanh to engage in planning and eventually to exert intense pressure on North Vietnam, providing certain conditions are met in advance. In the first place before we would agree to go all out against the DRV, he must stabilize his Government and make some progress in cleaning up his operational backyard. Specifically, he must execute the initial phases of the Hop Tac Plan successfully to the extent of pushing the Viet Cong from the doors of Saigon. The overall pacification program, including Hop Tac, should progress sufficiently to allow earmarking at least three division equivalents for the Defense in I Corps if the DRV step up military operations in that area.

"Finally, we should reach some fundamental understandings with Khanh and his Government concerning war aims. We must make clear that we will engage in action against North Vietnam only for the purpose of assuring the security and independence of South Vietnam within the territory assigned by the 1954 agreements; that we will not repeat not join in a crusade to unify the North and South; that we will not repeat not even seek to overthrow the Hanoi Regime provided the latter will cease its efforts to take over the South by subversive warfare.

"With these understandings reached, we would be ready to set in motion the following:

(1) Resume at once 34A (with emphasis on Marine operations) and Desoto patrols. These could start without awaiting outcome of discussions with Khanh.

(2) Resume U–2 overflights over all NVN.

(3) Initiate air and ground strikes in Laos against infiltration targets as soon as joint plans now being worked out with the Khanh Government are ready.

"Before proceeding beyond this point, we should raise the level of precautionary military readiness (if not already done) by taking such visible measures as introducing U.S. hawk units to Danang and Saigon, landing a Marine force at Danang for defense of the airfield and beefing up MACV's support base. By this time (assumed to be late fall) we should have some reading on Khanh's performance.

"Assuming that his performance has been satisfactory and that Hanoi has failed to respond favorably, it will be time to embark on the final phase of course of action A, a carefully orchestrated bombing attack on NVN, directed primarily at infiltration and other military targets . . .

"Pros and cons of course of action—A. If successful, course of action A will accomplish the objectives set forth at the outset as essential to the support of U.S. policy in South Vietnam. I will press the Khanh Government into doing its homework in pacification and will limit the diversion of interest to the out-of-country ventures. . . . It gives adequate time for careful preparation estimated at several months, while doing sufficient at once to maintain internal morale. It also provides ample warning to Hanoi and Peking to allow them to adjust their conduct before becoming over-committed.

"On the other hand, course of action A relies heavily upon the durability of the Khanh Government. It assumes that there is little danger of its collapse without notice or of its possible replacement by a weaker or more unreliable successor. . . . Also, because of the drawn-out nature of the program, it is exposed to the danger of international political pressure to enter into negotiations before NVN is really hurting from the pressure directed against it.

"Statement of the problem—B. It may well be that the problem of U.S. policy in SVN is more urgent than that depicted in the foregoing statement. It is far from clear at the present moment that the Khanh Government can last until January 1, 1965, although the application of course of action A should have the effect of strengthening the Government internally and of silencing domestic squabbling. If we assume, however, that we do not have the time available which is implicit in course of action A (several months), we would have to restate the problem in the following terms. Our objective: avoid the possible consequences of a collapse of National morale. To accomplish these purposes, we would have to open the campaign against the DRV without delay, seeking to force Hanoi as rapidly as possible to desist from aiding the VC and to convince the DRV that it must cooperate in calling off the VC insurgency.

"Course of action—B. To meet this statement of the problem, we need an accelerated course of action, seeking to obtain results faster than under course of action A. Such an accelerated program would include the following actions:

"Again we must inform Khanh of our intentions, this time expressing a willingness to bring military pressures against Hanoi at once providing that he will undertake to perform as in course of action A. However, U.S. action would not await evidence of performance.

"Again we may wish to communicate directly on this subject with Hanoi or awaiting effect of our military actions. The scenario of the ensuing events would be essentially the same as under course A but the execution would await only the readiness of plans to expedite, relying almost exclusively on U.S. military means.

"Pros and cons of course of action B. This course of action asks virtually nothing from the Khanh Government, primarily because it is assumed that little can be expected from it. It avoids the consequence of the sudden collapse of the Khanh Government and gets underway with minimum delay the punitive actions against Hanoi. Thus, it lessens the chance of an interruption of the program by an international demand for negotiations by presenting a fait accompli to international critics. However, it increases the likelihood of U.S. involvement in ground action, since Khanh will have almost no available ground forces which can be released from pacification employment to mobile resistance of DRV attacks.

"Conclusion: It is concluded that Course of Action A offers the greater promised achievement of U.S. policy objectives in SVN during the coming months. However, we should always bear in mind the fragility of the Khanh Government and be prepared to shift quickly to Course of Action B if the situation requires. In either case, we must be militarily ready for any response which may be initiated by NVN or by CHICOMS.

"Miscellaneous: As indicated above, we believe that 34A operations should resume at once at maximum tempo, still on a covert basis; similarly, Desoto patrols should begin advance operating outside 12-mile limit. We concur that a number of VNAF pilots should be trained on B-57's between now and first of year. There should be no change now with regard to policy on evacuation of U.S. dependents.

"Recommendations: It is recommended that USG adopt Course of Action A while maintaining readiness to shift to Course of Action B."

"SAIGON POLITICIANS FEEL CONFLICT BELONGS TO U.S."

Partial text of a cablegram from Ambassador Maxwell D. Taylor to Secretary of State Dean Rusk as Taylor was leaving Saigon for consultations in Washington on Sept. 6, 1964:

". . . While we must be disappointed by the political turmoil of recent days, we cannot consider it totally unexpected. The very nature of the social, political and ethnic confusion in this country makes governmental turbulence of this type a factor which we will always have with us.

"What has emerged from these recent events is a definition within fairly broad limits of the degree to which perfectability in government can be pushed. It should be

remembered that the recent fracas started when Khanh sought to make his broad and cumbersome government more tractable and more effective. His motives were of the best even though his methods were clumsy. But now, after this recent experience at government improvement we must accept the fact that an effective government, much beyond the capacity of that which has existed over the past several months, is unlikely to survive. We now have a better feel for the quality of our ally and for what we can expect from him in terms of ability to govern. Only the emergence of an exceptional leader could improve the situation and no George Washington is in sight.

"Consequently, we can and must anticipate for the future an instrument of government which will have definite limits of performance. At the very worst, it will continue to seek a broadened consensus involving and attempting to encompass all or most of the minority of popular front. This amalgam, if it takes form, may be expected in due course to become susceptible to an accommodation with the liberation front, which might eventually lead to a collapse of all political energy behind the pacification effort.

"At best, the emerging governmental structure might be capable of maintaining a holding operation against the Viet Cong. This level of effort could, with good luck and strenuous American efforts, be expanded to produce certain limited pacification successes, for example, in the territory covered by the Hop Tac plan. But the willingness and ability of such a government to exert itself or to attempt to execute an all-out National pacification plan would be marginal. It would probably be incapable of galvanizing the people to the heightened level of unity and sacrifice necessary to carry forward the counter-in-surgency program to final success. Instead, it would look increasingly to the United States to take the major responsibility for prying the Viet Cong and the North Vietnamese off the backs of the South Vietnamese population. The politicians in Saigon and Hue feel today that the political hassle is their appropriate arena: The conflict with the VC belongs to the Americans.

"We may, therefore, expect to find ourselves faced with a choice of (A) passively watching the development of a popular front, knowing that this may in due course require the U.S. to leave Vietnam in failure; or (B) actively assuming increased responsibility for the outcome following a time-schedule consistent with our estimate of the limited viability of any South Vietnamese government.

"An examination of our total world responsibilities and the significance of Vietnam in relationship to them clearly rules out the option of accepting course (A). If we leave Vietnam with our tail between our legs, the consequences of this defeat in the rest of Asia, Africa and Latin America would be disastrous. We therefore would seem to have little choice left except to accept course (B).

"Our previous views on the right course of action to follow in South Vietnam are set forth in EMBTEL 465. The discussion in this present cable amounts to a recognition that course of action A repeat A of EMBTEL 465 no longer corresponds with the realities of the situation. Recent events have revealed the weakness of our ally and have convinced us of the improbability of attaining the level of governmental performance desired under course A before embarking on a campaign of pressure against the DRV. We are forced back on course of action B with certain revised views on timing."

WESTMORELAND'S CONCERN FOR SOUTH VIETNAM'S OFFICER CORPS

Partial text of a memorandum by Gen. William C. Westmoreland, commander of U.S. forces in Vietnam, to Ambassador Maxwell D. Taylor, apparently in early September 1964:

". . . 1. In preparation for your trip to Washington, I thought it might be useful to give you my assessment of the military situation. In subsequent paragraphs I outline in some detail the rather substantial progress which we have already made and, more importantly, the great potential for additional progress. I also describe military problem areas. These, as you know, are many; but all are susceptible to solution assuming that political stability can be achieved, and that armed forces, particularly the Army, remains intact and unified in its purpose. Under the present circumstances, however, the continued solidarity of the armed forces is in doubt. As all else depends on holding the armed forces together, I address this matter first.

"The Key Military Issue.

"2. It seems to me there are certain conditions which must be met in order to preserve the structure and effectiveness of the RVNAF:

A. The officers of the RVNAF must be protected against purge, solely by reason of religious or political affiliation. The Commander in Chief, the officers of the Joint General Staff and commanders down the line, must be given some assurance that their careers and reputations will not be sacrificed, for political expediency to the ambitions or interests of political or religious blocs.

B. The Officers' Corps must be assured that its members will not be punished or expelled from the armed forces if they faithfully execute the orders of constituted authority in connection with the maintenance of law and order. They must be assured that their superiors will not accede to the arbitrary demands of pressure groups whose interest it is to destroy the discipline of the armed forces and to render ineffective the forces of law and order.

"3. If I interpret correctly the events of the past two weeks, neither of these minimum conditions have been met. To the contrary, actions best calculated to destroy the morale, the unity, the pride and confidence of the armed forces have transpired in a manner which leads me to believe that a relative free hand has been given to those who aim to destroy the armed forces. The demands of the Buddhists for the resignation of the Commander in Chief, the Chief of Staff, Commander of II Corps, the Prefect of Saigon and the Director of National Police, to name a few, appear to be blows directed at the heart of the security forces which stand between the Viet Cong and victory. I cannot believe that it is in the interests of the Nation to accede to these demands. To the contrary, I am persuaded that acceptance is a formula for political and military disaster. While aware that the insurgency cannot be overcome by military means alone, I am equally aware that without a strong military foundation no program will ever achieve victory. I am concerned that the Government of Vietnam has already moved some distance down the wrong road in dealing with its Armed Forces. I do not know whether the Armed Forces will collapse or whether, finding the present course intolerable, they will make a desperate move to regain power. Neither course of action is compatible with the objective we seek."

BUNKER URGED LAOS ACTION IN '67, PAPERS SHOW

(By the Washington Bureau of the Post-Dispatch)

WASHINGTON, July 3.—Secret Pentagon documents obtained by the Post-Dispatch disclose that as long ago as 1967 Ellsworth C. Bunker, United States ambassador in Saigon, urged secret military action against Laos of the kind eventually ordered this year by President Richard M. Nixon.

The papers show also recommendations at the same time for an attack on Cambodia, an action that Mr. Nixon took last year. Chief advocates in 1967 included American military leaders and South Vietnam's President Nguyen Cao Ky. They were opposed by same top U.S. officials in both the State and Defense departments.

The massive report reveals a history of continued pressure to expand the Southeast Asian conflict, dating back at least to 1964.

In addition, the controversial study is critical of American ambassadors, particularly Bunker's predecessor, Henry Cabot Lodge, Jr., for overlooking the South Vietnamese government's use of repressive police measures, political measures, political arrests, widespread corruption and its repeated failures to live up to agreements with the United States.

These disclosures are contained in hundreds of pages obtained by the Post-Dispatch of a secret study by the Department of Defense of the history of the war in Vietnam and America's role in it. The report is based largely on Pentagon documents; most White House and State Department documents relating to the origin of the conflict were not available to the authors.

In previous articles based on the documents the Post-Dispatch was reported that:

(1) Former Secretary of Defense Robert S. McNamara, a year and a half after the start of the massive American military buildup in South Vietnam, said he saw "no reasonable way" to end the war soon.

(2) Former Secretary of State Dean Rusk said in 1964 that the U.S. would use nuclear bombs if Communist China came into the South Vietnamese conflict.

(3) Military and civilian officials in the Defense Department clashed sharply over a 1967 request to add 200,000 American troops to the war in Southeast Asia.

Bunker's proposal for a military offensive against Laos contemplated the use of South Vietnamese ground forces to carry it out. This is the pattern that was followed this year by Mr. Nixon in the so-called Laos "incursion."

South Vietnamese troops invaded Laos last Feb. 8. The U.S. provided air, artillery and logistical support. Critics charged that the Administration's assertion that no American ground combat troops were involved was misleading. They pointed out that the U.S. role was a major one, involving virtually everything short of ground combat. A heavy U.S. air war against Laos already had been under way for several years.

The 47-volume historical study prepared for the Defense Department by unidentified analysts discloses that Bunker made his proposal during a meeting in Saigon on July 7, 1967. Among those present was McNamara, who had left Washington on July 5 on one of his frequent visits to South Vietnam.

The meeting took place at the U.S. Army's headquarters at Tansonnhut Air Base near Saigon. Bunker, Gen. William C. Westmoreland, who was then commander of U.S. forces in South Vietnam, and others gave McNamara a 10-hour briefing. At issue was a request by Westmoreland for additional troops numbering, according to varying reports, from 70,000 to 150,000

Bunker, then 73 years old, was the "new boy" in Saigon. Holding the position of ambassador-at-large after a distinguished diplomatic career, he was appointed ambassador to Saigon on March 15, 1967, by President Lyndon B. Johnson. Chosen after the resignation of Ambassador Lodge, he took over his new post in South Vietnam on April 25.

The Pentagon historical study, noting that Bunker had been in Saigon "barely more than two months" at the time of McNamara's visit, says that the new ambassador's remarks at the briefing were "guarded."

The dignified Bunker outlined in general terms basic American objectives, including the establishment of a just peace through negotiations. He was optimistic about the progress of the war, citing "splendidly executed" offensive actions by American troops

and "evidence of increased effectiveness" of the Vietnamese armed forces.

The crux of the military problem, however, was how to choke off North Vietnamese infiltration into South Vietnam, principally through Laos, he noted. Conceding the difficulty and delicacy of this problem, he expressed confidence that "with imagination and ingenuity" it could be met.

The Pentagon study then quotes him as saying:

"What is involved, of course, are operations within Laos, but I do not believe this fact should present insuperable obstacles. The North Vietnamese government is a signatory to the 1962 Geneva accords, but its forces have been in Laos both before and since the signing of the agreements. It is now using Laos as the main route for infiltration into South Vietnam.

"Is it not logical and reasonable, therefore, that South Vietnamese troops should oppose and combat North Vietnamese offensive action by whatever method can be devised in order to prevent the invasion of their country?

"Guarantees, of course, would have to be given to the Lao government by the South Vietnamese and I believe should be underwritten by us, that Vietnamese troops were on Lao territory for defensive purposes only and would be withdrawn immediately when peace is secured.

"The operation, especially in its preparatory stages, should be carried out with as much security and secrecy as possible."

Bunker urged that his proposal be pursued "with the utmost concentration." The study quotes him as saying, "I have made some recommendations as to methods we might use to achieve these objectives." However, the papers obtained by the Post-Dispatch do not disclose the nature of the recommendations.

The unidentified analyst writing in the massive historical study by the Defense Department comments that the new ambassador's views "of course, accorded with those which the military had been pressing for some time." Gen. Westmoreland, the analyst wrote, "was fortunate in having such a staunch ally in his battle for expanded operations into the sanctuaries as well as the moral support for a more intensive war effort."

As the lengthy briefing of McNamara continued, Westmoreland, too, focused on Laos. He expressed the confident appraisal that "we are winning slowly but steadily." Urging an even faster pace, he added:

"I believe we should step up our operations in pacification in the south, increase the pressure in the North and exercise new initiatives in Laos."

To buttress these recommendations, Westmoreland's assistant chief of staff for intelligence presented a lengthy appraisal of the enemy's likely tactics. The assessment printed in the Pentagon study forecasts larger military operations in South Vietnam by Communist North Vietnamese forces, necessitating heavier infiltration from the North.

This prospect emphasized the importance of both Laos and Cambodia, the intelligence officer noted, remarking:

"To support this buildup, the Laos corridor becomes increasingly important to the enemy . . . You know of the location of base areas in the Laos panhandle which serve as logistical, rest and training bases and permit the orderly movement of both men and materiel to South Vietnam . . .

"Use of Cambodia will also be increased. . . . The enemy has established a military region 10 in South Vietnam which extends into Cambodia. He has stated that MR 10 is to become the biggest base area of the war.

"He has formed a replacement and refitting center, reported to be strong, in the Fishhook area for units badly mauled in South Vietnam. An agent recently reported a Viet Cong arsenal in the Parrot's Beak which produces assorted mines and repairs weapons.

"We do know that the Parrot's Beak area is often used by the Viet Cong in moving men and supplies between Tay Ninh Province and the delta."

The intelligence officer concluded his appraisal with the assertion that "the war is becoming more and more an NVA (North Vietnam army) war, and Laos and Cambodia are becoming increasingly important to him."

The lengthy meeting in Saigon in Mid-1967 was only one in a series of efforts seeking large-scale military action against both Laos and Cambodia. Chief pressures came from American military leaders and some South Vietnamese officials.

As long ago as 1965, Vice President Nguyen Cao Ky, who then headed one of South Vietnam's many short-lived governments as premier, was pushing for measures against Cambodia. The historical study reports:

"Ky kept pressing for action against Cambodian sanctuaries; the U.S. stood firm on the rule of self-defense in emergencies only, which could mean shooting across the border but not maneuvering troops across it.

"Ky wanted to encourage a Khmer Serai expedition, which would cause a flareup with the Cambodian government; State directed Lodge to keep him on a tight leash." (Khmer Serai refers to a military group organized with U.S. backing and consisting of persons of Cambodian origin but living in South Vietnam.)

During this period Ky was pressing the U.S. to take over an increasing share of the war in Vietnam. The historical study discloses that on Aug. 26, 1965, the South Vietnamese air marshal told Ambassador Lodge that the U.S. should "hold strategic points" so that the Vietnamese could concentrate on pacification operations. The unidentified Pentagon analyst noted:

"That is, he wanted the U.S. to take over the main force of the war."

Lodge had arrived in Saigon just six days earlier to replace Gen. Maxwell D. Taylor, who had resigned as U.S. ambassador. Lodge previously served as ambassador to South Vietnam from June 27, 1963, until his resignation in June 1964 to take part in that year's campaign for the Republican presidential nomination.

Expansion of operations against Laos was contemplated, too, in an assessment of alternative strategies prepared in February 1967 for President Lyndon B. Johnson's night reading by the Defense Department's office of International Security Affairs and the Joint Chiefs of Staff with what the historical study describes as "an assist from Department of State."

Among the recommendations was a proposal to expand the so-called Shining Brass program, a code name for the limited and secret use of small numbers of U.S. troops in the jungles along the Laotian border. The proposal called for extending operations up to 20 kilometers, or about 13 miles, into Laos, and for use of larger forces and expanded helicopter operations.

The military renewed their pressure to expand the war in the spring of 1967 at the White House. Gen. Westmoreland had returned to the U.S. April 25. The Pentagon study asserts that the ostensible purpose of his visit was to address the annual convention of the Associated Press in New York City, but that the real reason was both to undertake an intensive review of his strategy and force requirements for 1967 and to marshall public support for the war effort.

Two days later the American military commander met at the White House with President Johnson, Gen. Earle G. Wheeler, who was then chairman of the Joint Chiefs of Staff, and others. The Pentagon documents obtained by the Post-Dispatch relate that portions of the conversation were reported by the late John McNaughton, who was then assistant secretary of defense for international security affairs.

In McNaughton's account, Westmoreland stressed the need for two and one third additional American divisions, which he had already requested. He estimated that even with such an addition, bringing the U.S. force level to 565,000 men, the war could well go on for three more years. The duration might be cut to two years by adding a second increment of two and one third divisions, leading to a total of 665,000 American troops, he added.

Wheeler emphasized the concern felt by the Joint Chiefs of Staff over the operations of North Vietnamese troops in both Cambodia and Laos. McNaughton's account relates that the chairman of the Joint Chiefs expressed the view that U.S. troops might be forced to move into both areas as well as to invade North Vietnam.

The White House discussion focused on Cambodia and Laos, with Westmoreland calling for strong action against the enemy in both countries. The historical study states:

"The American commander in Vietnam . . . believed we should confront the DRV (North Vietnam) with South Vietnamese forces in Laos. He reviewed his operational plan for Laos, entitled 'High Port,' which envisioned an elite South Vietnamese division conducting ground operations in Laos against DRV bases and routes under cover of U.S. artillery and air support. He saw the eventual development of Laos as a major battlefield, a development that would take some of the military pressure off the south.

"He also thought it would be wise to think in the same terms as 'High Port' for Cambodia; he revealed that he also possessed contingency plans to move into Cambodia in the Chu Pong area, again using South Vietnamese forces but this time accompanied by U.S. advisors."

The Pentagon study, which lacks most White House and State Department documents, does not make clear the result of the White House meeting beyond the fact that President Johnson questioned what would happen if additional American troops were not dispatched to South Vietnam. Wheeler replied that the momentum of the Allied drive would be lost.

As 1967 moved into late spring, the pressure for broadening the war beyond Vietnam continued. On May 20 the Joint Chiefs of Staff issued their "World-Wide Posture Paper." Although its most significant recommendation was for a selective callup of military reserves to meet America's worldwide commitments better, it discussed also broadening the conflict in Southeast Asia. The Pentagon study quotes the document:

"It may ultimately become necessary to conduct military operations into Cambodia to deny the Viet Cong-North Vietnamese army forces the psychological, military and logistical advantages of this sanctuary.

"Should the Viet Cong-North Vietnamese forces increase their use of the Laos panhandle, it might become necessary to deploy additional forces to Thailand and expand operations further to protect South Vietnam."

Speculating on the possibility of intervention by Communist China in the Southeast Asian conflict, the Joint Chiefs said such action might require the use of nuclear weapons against lines of communication and supply bases in southern China.

In the fall the military leaders again turned their attention to broadening the war. On Oct. 17 the Joint Chiefs of Staff forwarded to Mr. Johnson their reply to questions he had raised as to ways of increasing military pressure on North Vietnam within current U.S. policy guidelines.

Included among 10 possible steps were proposals to eliminate operational restrictions on B-52 bombing raids on Laos and to increase aerial interdiction both in Laos and along the borders of North Vietnam. The Joint Chiefs recommended also expanded operations along the borders of both Laos and Cambodia to disrupt enemy sanctuaries.

The matter was carried further the next month. At a White House luncheon Nov. 8 Secretary of State Dean Rusk proposed that the Defense and State departments draft a joint policy document to govern political and military operations in Southeast Asia for the next four months. Wheeler told the staff of the Joint Chiefs of Staff to set to work on a variety of recommendations that would include "ground operations in Laos, ground operations in Cambodia and possible ground operations against North Vietnam."

The Joint Chiefs of Staff finished their study Nov. 27, 1967. They concluded rather glumly that existing policy guidelines would allow no new programs that would bring quick military gains. They recommended, therefore, that the basic policies be modified and expanded to permit broader military action.

The roots of the pressure that existed in 1967 for broadening the war beyond Vietnam dated back long before Ambassador Bunker's proposal in the middle of that year. The vast Pentagon study traces the thread at least back to 1964, the year before the American buildup started in South Vietnam.

On May 4, 1964, Maj. Gen. Nguyen Khanh, who was the Premier, asked then Ambassador Lodge for 10,000 troops from the U.S. Army Special Forces to "cover the whole Cambodian-Laotian frontier." Lodge is described as being noncommittal.

Later that month Secretary of State Rusk met in Saigon with Khanh. The two men are reported to have discussed "immediate extensions of the war such as attacking the Laotian corridor." Khanh is said to have stressed the idea that he could not win without extending the war. As the Post-Dispatch has reported previously, Rusk told Khanh in this meeting that the U.S. would use nuclear weapons if Communist China entered the Vietnamese conflict in force.

The next month planning started for extending the war outside the boundaries of Vietnam. The Pentagon papers state that on June 27 a joint message from the State and Defense departments authorized joint planning by the U.S. with the Vietnamese joint general staff for cross-border operations in Laos.

The planning started promptly. Before the end of August, Gen. Maxwell D. Taylor, who had succeeded Lodge as U.S. ambassador in Saigon, submitted recommendations to Washington. Provided that Saigon met certain conditions for stabilizing its government and strengthening its military operations, he cabled, the U.S. should be ready to:

"Initiate air and ground strikes in Laos against infiltration targets as soon as joint plans now being worked out with the Khanh government are ready . . ."

At the end of November after a trip to Washington, Taylor returned to Saigon with an approved statement and program reflecting his principal recommendations. If the South Vietnamese government improved its performance, the U.S. was ready to join in bombing the Laotian corridor, already being carried out by Vietnamese planes. The plan, as quoted in the Pentagon study, did not refer to ground action against Laos.

The pressure from military leaders and others for expanding the war beyond Vietnam ran into stiff opposition from some civilian officials in both the State and Defense departments.

One of these was William P. Bundy, assistant secretary of state for Far Eastern Affairs. In a lengthy memorandum analyzing Gen. Westmoreland's request in March 1967 for 2⅓ additional divisions, he indicated his approval for adding perhaps 50,000 U.S. troops to the total in South Vietnam.

Bundy expressed strong opposition, however, "to any such idea as sending a GVN (South Vietnamese) division into Laos," noting, "it would almost certainly be ineffective, and the cry would at once go up to send more." He predicted that Prince Souvanna Phouma, Premier of Laos, would "object violently and feel that his whole position had been seriously compromised."

Nonetheless, Bundy supported limited proposals for more effective action against the Ho Chi Minh Trail in Laos, used by the Communists to send men and supplies into South Vietnam. These schemes, however, would require only small ground-force teams.

As for Cambodia, Bundy is described as believing that country was becoming increasingly important to the North Vietnamese war effort. He reportedly doubted whether any significant change in our actions in Cambodia could really affect the enemy's supply routes there or be worth the broad political damage of appearing to attack the country.

Another of those who opposed broadening the boundaries of the war was the late John McNaughton, then an assistant secretary of defense. In a draft memorandum prepared in May 1967 for President Johnson, McNaughton appeared to find no attractive course of action for the U.S. He dwelled on the unpopular nature of the war in this country and expressed belief that Hanoi had decided not to negotiate until after the 1968 presidential election.

He opposed any thought of American ground action against North Vietnam, warning it would bring on Chinese intervention. He found ground actions in Laos to be "similarly unwise," noting:

"In essence, a brigade will beget a division and a division a corps, each calling down matching forces from North Vietnam into territory to their liking and suggesting to Hanoi that they take action in northern Laos to suck us further in.

"We would simply have a wider war, with Souvanna back in Paris, world opinion against us and no solution either to the wider war or to the one we already have in Vietnam."

To support his argument, McNaughton quoted from Le Duan, the North Vietnamese Communist party leaders. Le Duan was represented as predicting that the U.S. would encounter severe trouble if it attacked Laos. "The occupation of the western highlands (of Laos) is a tough job, but the attack on central and lower Laos is a still tougher one," the Communist leader is reported to have said. Le Duan then stated:

"If a small force is used the problem remains insoluble. The U.S. may face a series of difficulties in the military, political and logistic fields if a larger force goes into operation. In effect, an attack on central and lower Laos would mean the opening of another front nearer to North Vietnam, and then the U.S. troops would have to clash with the North Vietnamese main force."

Neither the text of McNaughton's memo nor the lengthy Pentagon study itself disclosed when or where Le Duan's remarks were made.

In March 1968, Clark M. Clifford, who that month succeeded McNamara as Secretary of Defense, omitted any discussion of expanding the conflict into Laos or Cambodia in a forceful argument for turning down the volume of the war. Clifford outlined his views in a memorandum dated March 4 that the Pentagon study says apparently was sent to President Johnson.

The emphasis in the Clifford proposal was on keeping Laos and Cambodia out of the conflict rather than bringing them into it. It suggested that the U.S. put "substantial emphasis lengthy Pentagon study itself disclosed when or where Le on restoration of the Laos accords of 1962," which called for the neutrality of that country.

In similar fashion, it called for stressing the need to preserve "the neutrality and territorial integrity of Cambodia under the 1954 accords. After making these recommendations, an appendix to the memo stated:

"Indeed, we could go still further and take the occasion to talk in terms of an over-all settlement for Southeast Asia that would specifically provide that each nation was free to assume whatever neutral or other international posture it wished to take.

"We could explicitly state that we were prepared to accept a Southeast Asia that was 'neutral' in the sense of not adhering to any power bloc or forming a part of any alliance directed at others."

It suggested also that Communist threats to both Laos and Cambodia could be put before the United Nations.

In his memorandum Clifford recommended that 22,000 additional American troops be sent to South Vietnam and that military reserves be called up in the near future. The memo came early in the month-long "Battle for the soul of Lyndon Johnson" as Clifford and other advocates of curbing the war sought to change policy.

The struggle within the American Administration came to a climax on March 31, 1968, when Mr. Johnson announced a partial halt in American bombing attacks on North Vietnam and unexpectedly announced he would not accept a second term as President. He agreed to send only 13,500 additional American troops to South Vietnam.

The denouement of the long struggle over whether the war should be expanded to Laos and Cambodia did not come until after President Nixon entered the White House.

During the Johnson Administration no overt ground actions were mounted against either country. In the case of Cambodia, only air strikes and artillery fire were allowed to quiet hostile batteries operating from across the border.

More intensive action was carried out against Laos. In mid-1967 U.S. warplanes averaged 5000 attack scrties a month against Communist infiltration routes and base areas in Laos. Artillery fired from South Vietnam against targets in Laos. The U.S. also provided three-man leaders for U.S.-South Vietnamese special forces teams that operated up to a depth of nearly 13 miles inside Laos in the operation code named Shining Brass. Also, the U.S. financed and directed a native army operating inside Laos.

The picture changed when Mr. Nixon came to the presidency. On April 30, 1970 the President disclosed that more than 20,000 U.S. and South Vietnamese troops had been sent into Cambodia in an effort to destroy Communist sanctuaries in the Parrot's Beak and Fishhook areas along the country's eastern border. The action set off explosive demonstrations of opposition on American campuses and led to new attacks in the Senate on American war policy. American troops stayed for two months, with Mr. Nixon terming the operation a success when they pulled out.

Nine months later the war was broadened to Laos. About 5000 South Vietnamese troops invaded the southern part of the country last Feb. 8. The U.S. said that no American ground forces were involved. However, U.S. air, artillery and logistical elements gave essential backing to the attack.

The Laotian operation, code-named Lam Son 719, officially ended April 9. Mr. Nixon described it as a resounding success, but eyewitness accounts from the front told of heavy losses by the South Vietnamese troops and of enemy men and supplies moving along the Ho Chi Minh Trail again before the end of the attack.

The 7000-page study by the Defense Department is critical of the performance of American ambassadors in Saigon in a section dealing with corruption in the South Vietnamese government and its repeated failure to live up to promises made to the U.S.

"The (American) embassy looked the other way from repressive police measures and political arrests unless these led to embarrassing press stories," the Pentagon's unidentified analyst wrote. "And when the ambassador would raise this type of issue with the GVN (South Vietnamese government) it was always to be touchy."

The study added that especially during Henry Cabot Lodge Jr.'s term as ambassador, "the embassy tried to protect GVN from the press and help it build a favorable image."

The study related that in September 1964 a Lt. Col. Chi, who was then chief of Binh Tuy Province, was accused of misusing $250,000 in American assistance funds. Pressure from the Agency for International Development, far from producing correction of the situation, "merely produced threats against the lives of AID personnel in the province, the historical account stated.

AID withdrew its representatives and suspended assistance to the province on Sept. 23. Chi, however, was reportedly a protege of Gen. Co, then minister of defense and deputy premier, who himself figured in charges of corruption a year later, the study states. It was not until after the story about Chi got into the newspapers that Premier Ky removed Chi. He was given a job in he Ministry of Defense.

The study comments that "Lodge played no role in starting this episode and told the mission council on Oct. 7 that he did not want it repeated."

The study relates that later when Premier Ky offered to move against corruption, American officials counseled delay. It states:

"In August Ky volunteered to do something about the most corrupt generals in the directorate, especially Co and Quang (Gen. Quang, commander of IV Corps). Again, Lodge, who had frankly given up on corruption in the highest places, cautioned him to go slow, and Ky decided to put off any action until after the September elections.

"Lodge's advice, with State concurrence, concentrated on making sure Ky had definitive evidence of the alleged corruption. Lodge was sure that following this advice would delay things sufficiently."

In November, the Pentagon report states, Ky informed Lodge that he was prepared to relieve Gen. Quang of his post. Lodge reportedly again urged caution but was said to feel satisfied that Ky was prepared to make the move properly. Two weeks later Quang took over as head of a newly created Ministry of Planning and Development to deal primarily with postwar planning.

Related to the problem of corruption were the failure of the South Vietnamese government to live up to agreements, its tendency to take unauthorized, independent actions and the failure of American representatives to push for better performance.

One of the most startling of the unauthorized actions recounted in the Pentagon study concerned the discovery in 1967 that the South Vietnamese government "had brought in Chinese nationalists . . . to engage in operations in Laos." The Chinese were disguised as Nungs, ethnic Chinese living in South Vietnam who have been employed by the U.S. as mercenaries in guard and other capacities.

Although the Pentagon study is not clear on a related point, it indicates that the South Vietnamese government also sent a group of Chinese Nationalists to construct an airfield on an island 170 miles south of Hainan, an island that is part of Communist China.

Unauthorized moves by South Vietnam often reflected a "taste for foreign adventure," the Defense Department report states. As an example, it points out that in July 1965 Brig. Gen. Nguyen Chanh Thi, a member of the National Leadership Committee in Premier Ky's government, planned unauthorized operations in the Demilitarized Zone separating North and South Vietnam.

The South Vietnamese were described as "quite sensitive" on matters purportedly relating to sovereignty or "face." The U.S., the study asserts, "was afraid to inflame this sensitivity. Both sides avoided many delicate topics."

On request, the historical account goes on, the Vietnamese "showed a ready willingness to declare new policies, sign decrees and engage in joint studies." It adds:

"Ky was always willing to issue decrees purporting to clear up the port problem and to make public declarations against corruption. On economic policy, Ky and Hanh gave us one agreement after another promising to control inflation and to run down their dollar balances. The relations of their military with MACV showed the same pattern."

This willingness, however, "scarcely means that we got what we wanted on such matters," the lengthy Pentagon study reports, continuing:

"Examples of superficial compliance are almost too numerous to mention. The Honolulu conference of February 1966 produced over 60 agreed points between the two governments on all areas of mutual interest; getting any followup proved to be like pulling teeth and then the followup we got was nothing more as a rule than more promises.

"Likewise, at the Manila conference much the same thing happened, where GVN agreed to programs for social revolution, economic progress and so on. However, at our insistence they did go ahead with the constitution and elections, and they shifted half of ARVN (South Vietnamese army) into pacification."

BUNKER HAD WAR BLUEPRINT

WASHINGTON, July 6.—Ambassador Ellsworth Bunker, in a "Blueprint for Vietnam" in mid-1967, proposed a mixture of military and pacification measures that he said "can defeat the enemy."

Bunker's memorandum was among secret Pentagon papers obtained by the Post-Dispatch.

Documents in this group detail the "evolution of the war" and the relations between the United States and the Saigon government from 1963 through 1967, including the period of the Buddhist uprising in 1966, the adoption of a new constitution and the national elections of 1967.

The papers show that Ambassador Henry Cabot Lodge, Bunker's predecessor at the Saigon post, intervened in the affairs of the South Vietnamese government even to the point of advising Premier Nguyen Cao Ky not to bob his head up and down when reading a speech on national television.

In the "Blueprint for Vietnam," Bunker laid out a plan for expanding the U.S. effort in Vietnam after the elections had been completed satisfactorily. As the unidentified Pentagon historians noted, he "struck a consistently optimistic note."

"Progress in the war has been steady on all fronts," his memo began. "We can defeat the enemy by patient, continued, and concerted effort."

Bunker proposed, "Now that the initiative is ours and the enemy is beginning to hurt," that the United States keep "maximum pressure" on him by stepping up military activity in the South and the bombing of the North.

In raiding North Vietnam, he said, the U.S. planes should bomb "all targets in the North connected with the enemy's war effort that do not result in unacceptable risk of uncontrolled escalation."

Bunker urged also that the pacification program be accelerated, including "more effective attacks on the infrastructure." The so-called "Viet infrastructure" was the underground organization of Viet Cong agents that the United States and the Saigon government were trying to uproot and destroy by arrest and death.

Lodge's public relations advice was given in a memorandum reporting on a meeting he had had with Premier Ky March 22, 1966. Two problems at the time were keeping the Saigon government to its promises to hold provincial elections and draft a new constitution.

Lodge said he advised Ky not to cancel the election, as it had been reported he might. Ky replied that he was not canceling them but that two provincial councils did not want elections.

The ambassador's solution was to have the two councils say publicly that they did not want elections "so that the onus of not holding these elections would not fall on the government."

Lodge said he then advised Ky to "take the lead and influence opinion, and not be at the mercy of events." He proposed that Ky obtain approval by the Vietnamese generals of a list of names for a commission to draft the constitution and then "make a very carefully written and persuasive announcement which would be done on film for use on television and in the movie theaters."

"I said that he should not read it on film with his head bobbing up and down as he looked down at the text, but should have it put on a cue card alongside the camera and read it as he looks right into the lens," Lodge wrote.

He told Ky that the question whether elections should be held later on for a constitutional convention "should be deliberately fuzzed and left open by implication."

Lodge reported that he suggested to Ky that "impulsive unprepared statements were most dangerous at this time."

"Experienced politicians often make statements which seem to be 'off the cuff,' but actually are carefully thought out," the ambassador observed. "His unprepared statements always worry me."

A Pentagon historian's summary of the period implies strong criticism of the U.S. Embassy in Saigon under both ambassadors. It says that the Embassy seemed to be surprised repeatedly by the maneuverings of the various political groups.

"The blandly naive language of the 'Blueprint for Vietnam,' unmodified by any back channel elaboration, offered no hope of any foreseeable improvement," the analyst said.

Events of 1964 and 1965, when the Saigon government kept changing in repeated coups, showed that "the Embassy had no effective system, either through overt or covert contacts, for finding out what was going on," the historian wrote.

He said that Central Intelligence Agency officials "talked to a few official contacts, who told them things the Vietnamese wanted the U.S. to believe" but lacked the resources to gather and evaluate large amounts of information required on political forces and corruption.

"The Embassy looked the other way from repressive police measures and political arrests unless these led to embarrassing press stories," the historian wrote.

"And when the ambassador would raise this type of issue with the GVN (Government of Vietnam) it proved always to be touchy. Especially under Lodge, the embassy tried to protect GVN from the press and help it build a favorable image."

The Saigon government followed American advice more in form than in substance, the Pentagon history said. It noted that the Honolulu Conference of February 1966 produced more than 60 agreed points between the two governments, but "getting any follow-up proved to be like pulling teeth, and then the follow-up we got was nothing more as a rule than more promises."

President Lyndon B. Johnson embraced Premier Ky for photographers and thus "added to the impression that Ky was tied to our apron strings," the historian wrote.

In the Buddhist uprising, when a "struggle movement" controlled Hue and operated freely from Pagodas in Saigon, Lodge followed instructions and praised Ky to be conciliatory, although the ambassador was "unreservedly sympathetic to Ky" and "viewed

the Buddhists as equivalent to card-carrying Communists," according to the Pentagon history.

The State Department sent a message that "a key objective is to avoid anti-Americanism becoming a major issue."

"We shall be accused of interferences in any event, but it is vitally important not to give potential anti-American elements (or the press and outside observers) any clear handle to hit us with," the message said.

Lodge's efforts to maintain Ky's good image included urging him to go slow with a planned cabinet reshuffle and on action to deal with corruption among Vietnamese generals.

In August, 1966, the historian recalls, Ky received an invitation to talk to a press group in Los Angeles and tentatively accepted.

"Both Lodge and State panicked, especially when the group started to set up a debate between Ky and Senator Fulbright," the report said. In the upshot they talked Ky out of going."

Again, in February 1967, Ky spoke of accepting another invitation to speak in the United States. Washington's reaction was apprehensive.

Lodge reported from Saigon: "We have twice headed him off and to object a third time might create strain."

But eventually Ky announced postponement of his visit on the ground that his presence was needed in Vietnam to insure a free and fair election.

As the 1967 elections approached, the historian said, the U.S. mission become increasingly worried that competition between Ky and Gen. Nguyen Van Thieu would threaten "the indispensable unity of the military." The confrontation developed, and both were announced candidates for the presidency.

The historian said that Bunker's "ploy" was to invite the two generals to an informal luncheon and let them work out their own solution. Eventually, Ky agreed to run for vice president on Thieu's ticket.

"The mission sighed in relief and agreed that Bunker's approach had worked," the historian said.

TEXT OF LODGE'S REPORT ON TALK WITH KY IN 1966

Following are excerpts from secret Pentagon papers on United States involvement in the Vietnam War that have been obtained by the Post-Dispatch:

First are excerpts from the text of a report to Washington from Ambassador Henry Cabot Lodge in Saigon on a meeting with Premier Nguyen Cao Ky on March 22 1966:

2. . . . He is eager for advice and when he received it, he said he agreed with it. Now it remains to be seen whether it will be carried out.

3. My advice was based on careful reflection and consultation with my associates and was to this effect:

4. The GVN should not cancel provincial elections as I had heard reported. He said that this was not exactly the case; that there were two provincial councils, which didn't want elections. I said in that event these councils should be made to say publicly that they didn't want elections so that the onus of not holding these elections would not fall on the Government. A public announcement had been made that the Government was in favor of holding these provincial elections; the offices involved have little actual consequence but are of symbolic significance; Washington had been informed of this fact; and if there was some reason why in one or two provinces they should not be held, then the provinces should make the reason plain.

5. I then advised that he should take the lead and influence opinion, and not be at the mercy of event. I suggested that a list of names for so-called consultative assembly (which I suggested would be better named "preparatory commission") which aims to draft a constitution, should be confirmed by the Generals. When this had been done, I suggested that then Ky should make a very carefully written and persuasive announcement which would be done on film for use on television and in the movie theaters. The Vietnamese are great movie-goers and it is a very important medium here. I said that he should not read it on film with his head bobbing up and down as he looked down at the text, but should have it put on cue card along side the camera and read it as he looks right into the lens.

6. His statement should be written in such a way as not to exclude the possibility of elections later on for a constitutional convention. In other words, this should be deliberately fuzzed and left open by implication. I said I much preferred the phrase "constitutional convention" to the pernicious French phrase "constituent assembly." The constitutional convention would meet, adopt the constitution and disband, whereas the constituent assembly stays around and makes trouble for an indefinite period.

7. He agreed with all this and seemed to understand it. He said that last night, the Generals had unanimously confirmed the names of the members of the preparatory committee. He would announce all this as I suggested. I wish he would do it quickly.

8. I suggested that impulsive unprepared statements were most dangerous at this time. Experienced politicians often make statements which seem to be "off and cuff," but actually are carefully thought out. His unprepared statements always worry me.

9. He agreed with me that certain Buddhists were unwittingly taking Communist inspired advice, as were the students in Hue who had attacked me.

10. He was absolutely sure that the Buddhists were divided among themselves—an analysis which I share. He agrees with me that Tri Quang simply has not got the powerful psychological factors working for him now that he had in October '63. All the Communist Propaganda in the world cannot alter these facts: That in '63, the Buddhists were discriminated against, and now they are not; that in the latter days of '63 the Buddhists were persecuted whereas now they are not, and that Tri Quang was an underdog then, and now he is not. Yet Tri Quang is evidently determined.

11. My advice to him was not very drastic and quite simple to do, and yet I believe that if he follows it conscientiously and expeditiously without procrastination that there may be enough of a budding sense of National interest to start moving things along in the right direction.

12. He thanked me more effusively and warmly than he has ever done before and said he was so grateful for my interest in his welfare, physical and political.

13. The situation is not yet out of hand. Ky has had offers from Catholics and Southerners for them to enter the fray on his side and start throwing their weight around, which he so far as been able to prevent them from doing. This is one of the things which I have been fearing. I talked in this vein with the Papal delegate and the Archbishop of Saigon yesterday, and they agreed completely. The leadership of the Southerners is not, I fear, as responsible.

BUNKER'S PLAN FOR WAR IN 1967

Excerpts from the text of a paper transmitted to Washington by Ambassador Ellsworth Bunker, titled "Blueprint for Vietnam," in August 1967:

Progress in the war has been steady on all fronts. We can defeat the enemy by patient, continued, and concerted effort. The way to do this is for the GVN and its allies (a) to reinforce and accelerate the progress already made; (b) to markedly improve the interdiction of infiltration of North Vietnamese troops and supplies; (c) to upgrade, accelerate, and coordinate the pacification program in the countryside; and (d) to maintain political and economic stability and support the development of the constitutional process.

. . . We still have a long way to go. Much of the country is still in VC hands, the enemy can still shell our bases and commit acts of terrorism in the securest areas, VC units still mount large scale attacks, most of the populace has not actively committed itself to the Government, and a VC infrastructure still exists throughout the country. Nevertheless, the situation has steadily improved since the spring of 1965 . . .

Now, that the initiative is ours and the enemy is beginning to hurt, maximum pressure must be maintained on him by (a) intensifying military activity in the South; (b) developing new methods of interdicting infiltration; (c) bombing all targets in the North connected with the enemy's war effort that do not result in unacceptable risk of uncontrolled escalation; (d) accelerating the program of pacification (including better security, more effective attacks on the infrastructure, stepped up National Reconciliation and Chieu Hoi programs, a greater involvement of the people in solving their own problems at the village and hamlet level); (e) encouraging reforms in the government structure and continued improvement in the armed forces; (f) attacking the problem of corruption; (g) using influence to effect a strong, freely elected government with political stability; and (h) taking actions necessary to the continued growth and stability of the economy . . . 102.

[From the Boston Globe, July 1, 1971]

L. B. J. WAS WARNED OF DOMESTIC CRISIS IF WAR WIDENED

(By Martin F. Nolan)

A Pentagon memo to President Johnson in March 1968 warned of "a domestic crisis of unprecedented proportions" if he continued escalation of the Vietnam war. The memo followed Gen. William Westmoreland's request for an additional 205,000 troops.

"It will be difficult to convince critics that we are not simply destroying South Vietnam in order to 'save it' and that we genuinely want peace talks," the memo said. It also warned against "increased defiance of the draft and growing unrest in the cities because of the belief that we are neglecting domestic problems."

The memo came from the office of Paul Warnke, then Assistant Secretary of Defense for International Security Affairs. Warnke is now a law partner for former Defense Secretary Clark Clifford.

But other Pentagon officials dismissed domestic reaction to war policy changes. One suggested that complaints would be confined to "dissent columns and editorials."

A Joint Chiefs of Staff document said "the price of quitting now would include the undermining of our other commitments worldwide, bitter dissension at home and a probable resurgence of active Chinese-U.S.S.R. territorial aggrandizements."

One of the JCS memos prepared for President Johnson during March, 1968, said "we must prove . . . that the nation still has the resources for the ghetto fight."

The aftermath of urban riots in Newark and Detroit in 1967 was also a factor in military planning, according to the Pentagon study:

CIVIL DISORDER

"In examining the capacity to meet the possibility of widespread civil disorder in the United States, the Joint Chief of Staff concluded that whether or not deployments under any of the plans were directed, it appeared that sufficient forces would still be available for civil disorder control."

Army units were later sent into Washington and Baltimore during riots that erupted after the assassination of Martin Luther King in April, 1968.

The "deployments" considered by the Joint Chiefs were part of various Vietnam battle plans offered President Johnson in February and March, 1968.

In all the documents on the Pentagon study obtained by the Boston Globe, little mention is made of domestic political considerations until March, 1968, after the Viet Cong's Tet offensive and Gen. Westmoreland's request for more than 205,000 additional American troops to fight the war.

Warnke's troubled assessment of the war's effect on America was contradicted by the Pentagon official most responsible for gauging U.S. public opinion, Phil G. Goulding, then Assistant Secretary of Defense for Public Affairs.

Increasing the bombing of North Vietnam and sending substantially more troops to Vietnam would "help unite the country," Goulding wrote in a memo: "This course would clearly bring aboard more hawks and further isolate the doves: It would also make the war much easier to accept by the middle of the roaders."

Goulding examined "five alternative options" in a memo entitled "Possible Public Reaction to Various Alternatives." According to the Pentagon analyst, "Mr. Goulding emphasized that all options were being examined from a public reaction standpoint only. He also emphasized that no action would unite the country. The question to be attacked was which option will most coalesce supporters and most isolate the opposition."

"Mr. Goulding divided the public into hawks, doves and middle-of-the-roaders," said the study, then judged the "acceptable" alternative of the five the eventual policy that was later called Vietnamization by President Nixon: "Denial of the Westmoreland requests and a change in war-fighting policy with greater concentration on defending populated areas and less on search-and-destroy in unpopulated areas. This would include an announced program to begin troop withdrawal at a fixed date."

HAWKS AND DOVES

Goulding also saw virtues in deployment of more troops plus expanded bombing of the north:

"This course would clearly bring aboard more hawks and further isolate the doves . . . Some fence-sitters, however, would be added to those who already view the war as an unforgivable sin. I think the campus and 'liberal' reaction would surpass anything we have seen."

In recommending the "acceptable" alternative, Goulding said: "The frustration of more-and-more-and-more would be eliminated. What the people want most of all is some sign that we are making progress, that there is, somewhere, an end. While this (alternative) does not necessarily show progress, it does show change."

Goulding, a former reporter for the Cleveland Plain Dealer, had been the Pentagon's top public relations man since Arthur Sylvester retired in 1967. His view of the war was actually more hopeful than that of Warnke, who had joined the Defense Department in 1966 as general counsel and was appointed assistant secretary in 1967.

The memo foreseeing the risk of "a domestic crisis of unprecedented proportions" was prepared March 1, 1968, the day that Warnke's friend, Clifford, became boss of the Pentagon. According to the secret study, "this draft was slightly revised by senior officers in ISA (International Security Affairs, Warnke's office) and apparently discussed within the Defense Establishment on March 1."

The memo said that in South Vietnam, large influx of additional US forces will intensify the belief of the ruling elite that the US will continue to fight its war while it engages in backroom politics and permits widespread corruption."

LAOS INCURSION CONSIDERED IN 1961

(By Darius S. Jhabvala and Stephen M. Johnson, Globe Staff)

The joint allied thrust into Cambodia last summer and the South Vietnamese drive into Laos this year constituted new chapters in the Indochina war, but the Pentagon papers obtained by The Globe indicate that they had been in the minds of American military planners at least a decade.

Such cross-border ground operations were designed to cut off the flow of supplies reaching Communist forces in South Vietnam, and to deny to the enemy his long-held sanctuaries in Laos and Cambodia.

The secret Pentagon study reveals that:

On Oct. 11, 1961, the State Department put forward a plan for American military intervention in Laos and Vietnam. The plan would have required the deployment of 11,000 troops along the Laotian and Cambodian borders, plus the option for "hot pursuit" by American forces across these borders to engage enemy forces.

On Oct. 13, 1961, in response to a plea from South Vietnamese president Diem for American troops to help protect his borders from guerrillas "inspired, directed and supported from North Vietnam," President Kennedy directed that plans be made to "initiate guerrilla ground action, including the use of US advisers if necessary, against Communist forces in the area of Tchepone (Laos)."

On Nov. 26, 1963, President Johnson directed that plans be made for military operations by US forces "up to a line 50 kilometers inside Laos, together with political plans for minimizing the international hazards of such an enterprise."

March 17, 1964, Mr. Johnson approved Defense Secretary McNamara's request for tentative plans to "mount new and significant pressures against North Vietnam," including a full range of South Vietnamese "border control operations" and "retaliatory actions against North Vietnam." McNamara further recommended and the President approved "continued high-level US overflights of South Vietnam's borders and "hot pursuit" and SVN ground operations into Laos for the purposes of border control."

On May 31, 1964, South Vietnamese President Gen. Nguyen Khanh told Secretary of State Dean Rusk that South Vietnam could not win the war against the Viet Cong without military operations outside its borders. Khanh demanded "immediate military action by the ARVN with American air support to eliminate Communist forces in Eastern Laos."

On Jan. 22, 1964, the Joint Chief of Staff, in a memorandum to the President, criticized the "self-imposed restrictions on operations in Laos," and tied the security of South Vietnam to the situation in Laos. The JCS requested "reconnaissance operations over and into Laos," arguing that without such operations "the task in Vietnam will be made more complex, more time consuming, more costly."

On Feb. 24, 1964, the JCS again asked authority to begin low-level reconnaissance flights over Laos in a memo for the President entitled "Steps to Improve the Situation in Southeast Asia wtih Particular Reference to Laos."

On March 2, 1964, the Joint Chiefs asked the President for "the removal of restrictions on air and ground cross-border operations. . . . The time has come to lift the restrictions which limit the effectiveness of our military operations," the Joint Chiefs said.

But the President was skeptical, according to the Pentagon study. Mr. Johnson felt such action "might have only limited military effect and could trigger wider Communist action in Laos."

In May 1964 the JCS asked for permission to begin "battalion-size border control operations in Laos." Such operations, they felt, "offer the possibility of a favorable long-term solution to the insurgency problem in Southeast Asia."

The study includes a report on a White House meeting between President Johnson, Gen. Westmoreland, and Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, on April 27, 1967. At this meeting Gen. Westmoreland recommended to the President that "we should confront the DRV (North Vietnam) with South Vietnamese forces in Laos."

The American commander saw "the eventual development of Laos as a major battlefield," and proposed that Mr. Johnson "think in terms of a similar effort in Cambodia."

According to the Pentagon study, Gen. Westmoreland asked for approval of his request for an additional 2⅓ American divisions (50,000 men) to counter increased enemy infiltration. The President is reported as asking: "When we add divisions can't the enemy add divisions? If so, where does it all end?"

Gen. Wheeler then brought up "three matters . . . closely related to Vietnam which were bothering the Joint Chiefs." These were, according to the account in the Pentagon papers:

North Vietnamese troops movements in Cambodia. US troops might be forced to move against these enemy units, Gen. Wheeler warned.

Similar enemy activity in Laos.

A possible allied invasion of North Vietnam.

In the exchange that followed, Gen. Westmoreland "described his impression of the role of Cambodia to the North Vietnamese" and reviewed "his operational plan for Laos, entitled High Port, which envisioned an elite South Vietnamese division conducting ground operations . . . under cover of US artillery and air support."

"Furthermore," the study quotes Westmoreland as saying, "it would be wise to think in terms of a High Port for Cambodia."

In September 1967 the President asked the Joint Chiefs how military pressure on the North could be increased, "Thereby accelerating the rate of progress towards achievement of US objectives in South Vietnam."

The JCS reply, contained in the Pentagon papers, was this:

"In a rather resigned tone, the Joint Chiefs indicated that they considered the rate of progress to have been . . . slow largely because US military power had been constrained in a manner which had reduced significantly its impact and effectiveness."

The limitations, they felt, were imposed in these ways:

—"Areas of sanctuary, containing important military targets, had been afforded to the enemy.

—"Covert operations in Cambodia and Laos had been restricted."

The Joint Chiefs then listed a series of actions—including covert allied operations in Laos—that could be taken to counter enemy moves. But the President still shied away from giving in to the Joint Chiefs, the secret study says:

"Information indicates that the President reviewed this paper and stated that it was not what was desired, that it recommended actions which had been previously denied and would not now be approved."

The Joint Chiefs continued to press for crossborder ground operations in Laos and Cambodia to deprive the enemy of his sanctuaries and supply routes, but their repeated requests were denied until May 1970 when American and South Vietnamese forces entered Cambodia in a limited action patterned after Operation High Port planned three years earlier.

MANY SCHEMES IN 1967 TO INVOLVE ALLIES IN VIET TROOP BUILDUP

(By Crocker Snow, Jr., Globe staff)

With 470,000 American troops committed to Vietnam and the need for still more apparent, US officials in May 1967 considered several schemes for having allied countries in Southeast Asia contribute the bulk of any future troop buildup.

The Pentagon study of the background of US involvement in Vietnam clearly indicates official Washington's concern for getting allied troops fully involved in the war effort all along. At no time is this concern more apparent than in May 1967 when the first major doubts about future US commitments were being aired.

One contingency plan offered at this time by the Defense Department had other Asian nations committing future troops at the same ratio to their populations as the US troop commitments. Thus, a contemplated 100,000 US troop buildup could have meant almost 120,000 additional allied troops from eight Asian nations.

A similar plan, credited to President Johnson's national security adviser, Walt W. Rostow, and which the Pentagon narrative quotes Rostow as terming a "troop community chest operation for Vietnam," had allied contries contributing men at the same ratio to their total armed forces as the US.

Under this scheme which the Pentagon study describes as providing the "base line" from which "later in July President Johnson was to begin 'arm twisting' a number of national heads of state", an additional 126,400 allied troops would result from a 100,000-man increase in US troops.

Though the full plans never came to pass and were never formally proposed the President's pressure on allied nations was not without effect.

The Pentagon study describes a July 1967 memorandum from Assistant Secretary of State William Bundy to Dean Rusk, Robert McNamara, Walt Rostow and Nicholas Katzenbach, entitled "Messages to Manila Nations and Possibilities for Additional Troop Contributions."

The memo, says the Pentagon narrative, was written by Bundy following a luncheon with President Johnson "and indicates just how urgently everyone saw the problem and how much they desired to obtain troops from these sources."

The Pentagon report describes Bundy's assessment of the prospects from different countries, including the Philippines (Described as "a doubtful starter"), and Thailand (which would "take very careful handling").

The question of additional Thai troops had been the subject of a meeting ten days earlier between Johnson, Rostow and the king of Thailand. After lengthy discussions of the number of Thai volunteers and their training, equipment, IQ and physical condition, the narrative reports that Secretary McNamara by telephone advised that "it would not be worth our while to train and equip a few thousand more Thais for Vietnam, but if Thailand could furnish 10,000 he could guarantee their training and equipment."

Six months later, at the high point of allied third country involvement in the war a total of 69,300 troops from Australia, New Zealand, South Korea, Thailand and the Philippines were engaged in South Vietnam.

But three other nations—Indonesia, Taiwan and Malaysia—specifically listed in the Defense Department analysis of May 1967, had sent no troops.

The process of the gradual buildup to this figure while the American troop buildup itself was underway is well documented in the Pentagon study.

In April 1964, President Johnson publicly requested "the nations of the free world to unite in an effort to stop the spread of communism" in Southeast Asia. This was at the same time, according to the Defense Department report, that Secretary of State Dean Rusk in a Saigon conference recommended that the US seek the support of "more flags" to support the government of South Vietnam.

But in fact it was almost two years earlier—in July 1962—that the first 30 Australian army officers were landed clandestinely at Saigon's Tan Son Nhut airport—the first "third country" troops to become involved.

In December 1964 the report describes several White House meetings about the possibility of further support from Australia, New Zealand, Canada and The Philippines.

Acccrding to the Pentagon narrative, during one of these meetings "the President asked about the possibility of a West German contribution, but Secretary McNamara emphasized that German political problems would prohibit such a pledge from Bonn."

At this time, William Bundy is mentioned as "relating the President's recent wish to obtain assistance even from governments without strong Southeast Asian commitments, like Denmark, West Germany and India."

"At the time," writes the Pentagon analyst, "not only general assistance from many countries but specifically military assistance from a select few was particularly sought."

As increasing numbers of third country troops arrived in South Vietnam during 1965 and 1966, they took over assorted military duties and functions around the countryside.

The Australian force, which totalled 8000 troops, and the South Korean force of 55,000 were assigned to frontline operations in several provinces.

The New Zealand force, which never totalled more than a thousand, operated primarily in support of the Australians. And the 11,000-man Thai force and 2000-man unit from the Philippines operated mostly in civic operations and pacification programs in the safer Saigon area.

Curiously, however, despite a number of references to the possible missions for the allied troops, the Pentagon study makes few references to their actual effectiveness in their eventual operations.

In May 1967 American officials were searching for ways to relieve the pressures for sending more American troops to Vietnam. One possible solution was to obtain more allied troops, especially from Asian nations. On May 4 a Pentagon analysis of Vietnam troop deployments in relation to the populations of the participating allied nations was prepared. This analysis, based on the population of the countries involved, concluded that for an increase of 100,000 American troops from a population of 200 million the "allocable" share for various countries would range from 14,500 more troops from South Korea (29.1 million population) to 53,400 more troops from Indonesia (106.9 million population). The following table, part of the Pentagon papers, gives a detailed reading of Pentagon hopes for allied troop commitments to the fighting in South Vietnam:

	Troops in Vietnam May 1967	"Allocable" Share of Troops Projected
United States	470,000	100,000
South Korea	45,800	14,500
Australia	6,100	5,900
New Zealand	500	1,300
Philippines	2,100	16,700
Thailand	300	16,700
Indonesia	0	53,400
Nationalist China	0	6,600
Malaysia	0	4,900
	524,000	219,900

THE GOULDING MEMORANDUM: 5 OPTIONS FOR VIETNAM DILEMMA

Following are excerpts from a paper prepared by the Assistant Secretary of Defense for Public Affairs, Phil G. Goulding, in March, 1968. The paper was entitled "Possible Public Reaction to Various Alternatives." Five alternative options for fighting the war are examined:

1. Increased mobilization and deployment. This includes sending General Westmoreland 50,000 to 200,000 more troops and the additional moves this would require at home—calling reserves, extending enlistments, extra expenditures, bigger tax bill, etc.

2. Increased mobilization-deployment plus expanded bombing of N. Vietnam.

3. Increased mobilization-deployment plus a bombing pause.

4. Denial of the Westmoreland requests and continuation of the war "as is"—as it was being fought prior to the Tet offensive and Khe Sanh.

5. Denial of the Westmoreland requests and a change in war-fighting policy with greater concentration on defending populated areas and less on search and destroy in unpopulated areas. This would include an announced program to begin troop withdrawal at a fixed date.

(Option 1) . . . will make the doves unhappy because we become more and more enmeshed in the war. They will make the hawks unhappy because we still will be withholding our military strength, particularly in the North. And the middle-of-the-roaders who basically support the President out of conviction or patriotism will be unhappy because they will see the ante going up in so many ways and still will not be given a victory date, a progress report they can believe or an argument they can accept that all of this is in the national interest. (Further, they will read in the dissent columns and editorials that 18 months from now, when the North Vietnamese have added 30,000 more troops, we will be right back where we started.)

(Option 2) . . . would clearly bring aboard more hawks and further isolate the doves. It would also make the war much easier to accept by the middle-of-the-roaders. It should help unite the country. Some fence sitters, however, would be added to those who already view the war as an unforgivable sin. I think the campus and "liberal" reaction would surpass anything we have seen.

(Option 3) . . . would alienate those who take the hardest line. We would be adding much to our cost, both by the extra deployment and the military price paid for the pause, without receiving any immediate or concrete results. If the Communists took advantage of the bombing halt, the hawks and many of the military would react strongly . . . The doves, of course, would enthusiastically endorse the pause and would immediately begin pleading and praying that it be continued long enough to explore every possible and conceivable corridor . . . Additionally, the doves would deplore the extra deployments. They would complain that the pause was not unlimited or unconditional. They would argue that the deployments plus the failure to be "unconditional" detracted from the effort. This two-pronged approach—strengthen but seek negotiation—would give new confidence to the middle-of-the-roaders. They would applaud the government for doing "something" different, for seeking a way out of the quagmire. They would be more patient than the hawks to give the pause a chance, and less disturbed than the doves at the mobilization. For them, it could be a way out—and even a "could be" is better than the frustration they now feel . . . The deploy-pause option would be more favorably received by the nation than the deploy-escalate

North, since it would, in the public mind, offer more hope of an eventual solution to the war.

Option 4, denial of the Westmoreland request and continue the war "as is," would please no one, according to Mr. Goulding. The hawks (and the military) would protest vehemently. They would be less satisfied, and the doves would be no more satisfied by this failure to take new initiatives toward peace. However, Mr. Goulding concluded, since fewer people would be affected by this course than by Option One, and therefore it would be preferable to that Option.

Option 5 . . . The pain of additional deployments, Reserve callups, increased draft calls, increased casualties, extended tours would be eliminated. The hazards of bombing escalation would be eliminated. The dangers of a bombing pause would be eliminated. The frustration of more-and-more-and-more into the endless pit would be eliminated. What the people want most of all is some sign that we are making progress, that there is, somewhere, an end. While this does not necessarily show progress, it does show change. It does show the search for new approaches. . . . It would prevent the middle-of-the-roaders from joining the doves. While the doves want a pause, I would think they would prefer this to deployment-mobilization plus pause. While the hawks want to escalate in the North, most of them (not all) also want an end to increased ground strength in the South. I believe that we would be successful in getting members of Congress to make speeches in support of this.

In summary, then, and strictly from a public reaction standpoint, the options are as follows:

Acceptable: Only No. 5—Denial of requests and a change in policy in the South.

Most acceptable of the others: No. 3—Deploy and pause.

Next most acceptable: No. 2—Deploy and expand Air War North.

Next most acceptable: No. 4—Deny Westmoreland and continue as is.

Most objectionable: No 2—Deploy and continue as is, north and south.

TOUGH POLICY FOR CHINA IN 1964

(By Darius S. Jhabvala)

In their Southeast Asia policy discussions of August–October 1964—during the heat of the Johnson-Goldwater election campaigns—Administration officials had accepted the view that overt military pressures against North Vietnam probably would be required.

Barring some critical developments, however, it was generally conceded that these should not begin until after the new year. Preparations for applying such pressures were made in earnest during November.

Communist China figured prominently in those discussions and it was concluded within the Administration that the US maintain a tough posture not only toward North Vietnam but also toward Peking.

One of the principal proponents of this line was William H. Sullivan, head of the Interagency Vietnam Coordinating Committee (he is presently deputy assistant Secretary of State for Far East Affairs).

According to the Pentagon's history of US involvement in Southeast Asia, Sullivan recommended:

"I feel that it is important . . . that the administration go on record fairly soon placing our policy in Vietnam within the larger perspective of our policies in the Western Pacific, especially as they involve confrontation with Communist China."

Analysts of the documents conclude that the US commitment to defeat North Vietnamese aggressions, even at the "risk of direct military confrontation with Communist China" was perceived as part of the longer-term policies for Southeast Asia.

Accordingly, an initial draft of the objectives and national interests was circulated with a request for comments. On Nov. 4, Michael Forrestal, a key White House aide, suggested that "an important flavor" was lacking in the original analysis—namely "the role of China" and her need for "ideological successes abroad."

In his view, given the Chinese policy, "the effect of our withdrawal from a situation in which the people we were trying to help seemed unable to help themselves" would be more politically pervasive in Asia than if China did not exist.

He thought the US object should be to "contain" Chinese political and ideological influences "for the longest possible period," thus providing time to create "at the very least Titoist regimes on the periphery of China . . ."

Sullivan appeared to go further than Forrestal in his reasons for stronger action against Hanoi.

According to the documents, he portrayed the political future of the peoples of East Asia "as depending largely on a struggle between Washington and Peking."

This view was shared to a larger extent by Vice Adm. Lloyd Mustin, a representative of the Joint Chiefs of Staff. As a strong advocate of the domino theory, Adm. Mustin warned that Cambodia, Thailand, probably Burma and possibly Malaysia would collapse "plainly and simply as the corollary to our withdrawal.

Thus a working group, under the direction of McGeorge Bundy, concluded:

"There are enough 'ifs' (in the analysis) so that it cannot be concluded that the loss of South Vietnam would soon have the totally crippling effect in Southeast Asia and Asia generally that the loss of Berlin would have in Europe; but it could be that bad, driving us to the progressive loss of other areas or to taking a stand at some point so that there would almost certainly be a major conflict and perhaps the great risk of nuclear war."

The group then considered several options for possible action, including one which "might give us a defensible case to destroy the Chinese Communist nuclear production capabilities."

But this option was discounted in favor of some other action that would be considered in Hanoi as a signal to negotiate.

Walt W. Rostow backed the latter. He claimed that "too much thought is being given to actual damage we do in the North, not enough thought to the signal we wish to send."

In Rostow's view, the Communists would not accept a setback until they were absolutely certain that the US really meant business.

He said: "I have no doubt we have the capacity to achieve a reinstallation of the 1954 and 1962 accords if we enter the excercise with the same determination and staying power that we entered the long test on Berlin and the short test on Cuba missiles. But it will take that kind of presidential commitment and staying power."

Rostow outlined a scenario of action. This would include:

Immediate movement of relevant forces to the Pacific.

Immediate direct communication to Hanoi, including a clear statement of US objectives.

Should this first communication fail (as was likely) installation of ground forces and naval blockade plus first attack in the North.

WILLIAM BUNDY'S VIETNAM SCENARIO

The following scenario was prepared by Assistant Secretary of State William Bundy on May 23, 1964. Bundy outlines a series of possible American actions, following a hypothetical congressional resolution in support of U.S. resistance to Communist aggression in Southeast Asia. Two days later, on May 25, the National Security Council rejected Bundy's scenario because of its inherent risks of escalation and unfavorable diplomatic reaction. The scenario was written 10 weeks before the Gulf of Tonkin incidents. The actions:

1. Stall off any 'conference on (Laos or) Vietnam until D-Day.'

2. Intermediary (Canadian?) tell North Vietnam in general terms that US does not want to destroy the North Vietnam regime (and indeed is willing 'to provide a carrot'), but is determined to protect South Vietnam from North Vietnam.

3. (D–30) Presidential speech in general terms launching Joint Resolution.

4. (D–20) Obtain Joint Resolution approving past actions and authorizing what is necessary with respect to Vietnam.

(Concurrently: An effort should be made to strengthen the posture in South Vietnam. Integrating (interlarding in a single chain of command) the South Vietnamese and US military and civilian elements critical to pacification, down at least to the district level, might be undertaken.)

5. (D–16) Direct CINCPAC to take all prepositioning and logistic actions that can be taken "quietly" for the D-Day forces and the forces described in Paragraph 17 below.

6. (D–15) Get Khanh's agreement to start overt South Vietnamese air attacks against targets in the North (see D-Day item 15 below), and inform him of U.S. guarantee to protect South Vietnam in the event of North Vietnamese and/or Chinese retaliation.

7. (D–14) Consult with Thailand and the Philippines to get permission for U.S. deployments; and consult with them plus U.K., Australia, New Zealand and Pakistan, asking for their open political support for the undertaking and for their participation in the re-enforcing action to be undertaken in anticipation of North Vietnamese and/or Chinese retaliation.

8. (D–13) Release an expanded "Jordan Report," including recent photography and evidence of the communications nets, giving full documentation of North Vietnamese supply and direction of the Viet Cong.

9. (D–12) Direct CINCPAC to begin moving forces and making specific plans on the assumption that strikes will be made on D-Day (see Attachment Bx in backup materials for deployments).

10. (D–100) Khanh makes speech demanding that North Vietnam stop aggression, threatening unspecified military action if he does not. (He could refer to a "carrot.")

11. (D–3) Discussions with Allies not covered in Item 7 above.

12. (D–3) President informs U.S. public (and thereby North Vietnam) that action may come, referring to Khanh speech (Item 10 above) and declaring support for South Vietnam.

13. (D–1) Khanh announces that all efforts have failed and that attacks are imminent. (Again he refers to limited goal and possibly to 'carrot.')

14. (D-Day) Remove US dependents.

15. (D-Day) Launch first strikes (see Attachment Cxx for targets). Initially, mine their ports and strike North Vietnam's transport and related ability (bridges, trains) to move south; and then against targets which have maximum psychological effect on the North's willingness to stop insurgency—POL storage, selected airfields, barracks-training areas, bridges, railroad yards, port facilities, communications and industries. Initially, these strikes would be by South Vietnamese aircraft; they could then be expanded by adding FARMGATE, or US aircraft, or any combination of them.

16. (D-Day) Call for conference on Vietnam (and go to UN). State the limited objectives: Not to overthrow the North Vietnam regime nor to destroy the country, but to stop DRV-directed Viet Cong terrorism and resistance to pacification efforts in the

South. Essential that it be made clear that attacks on the North will continue (i.e., no cease fire) until (a) terrorism, armed attacks, and armed resistance to pacification efforts in the South stop, and (b) communications on the networks out of the North are conducted entirely in uncoded form."

RUSSIA USED PIERRE SALINGER IN 1965 NEGOTIATIONS MOVE

(By Darius S. Jhabvala)

In May, 1965, after the Soviet Union refused to transmit to Hanoi an American peace feeler, it started a covert operation of its own.

The evident purpose was to secure an American commitment to certain principles Moscow felt should be the basis for negotiations.

However, in its pursuit of that commitment it followed some unconventional methods that puzzled Administration officials.

One of them is related in the Defense Department's history of the American involvement in Vietnam.

The principal characters in this episode are Pierre Salinger, the former White House press secretary, Mikhail Sagatelyan, a Russian correspondent he had met in Washington, and a Soviet Foreign Office representative identified only as Vassily Sergevich. The report describes the Russians as "two somewhat shady officials." When Salinger was in Moscow on other business, Sagatelyan invited him for dinner quite convinced that his guest "was on some kind of covert mission" for the US Government. He wanted Salinger's opinion on a formula for a solution along the following lines:

—The US would announce temporary suspension of the bombing;

—The Communists would publicly hail the suspension;

—The Russians would then intervene with the Viet Cong to curtail their military activities;

—A de facto ceasefire would thus be accomplished;

These steps would ultimately lead to a conference between the warring parties in Vietnam.

Sagatelyan suggested that Salinger fly to Paris to convey the proposal to Washington via the Embassy there. He was prepared to go to the French capital to await Salinger's response.

Furthermore, the Russians sought to impress on Salinger that any settlement "must be initiated and carried through, at least in preliminary stages on the basis of unofficial contacts."

Salinger returned to Washington on May 18 and met with a high-ranking State Department official to convey the Soviet message. But by that time the Department had already assessed "Soviet disinterest in any role for themselves" and Salinger's contacts were not pursued further.

ENCLAVE IDEA RULED OUT BEFORE 1966 POPULARITY

(By John S. Driscoll)

The enclave theory, which excited so many armchair strategists in 1966, was snuffed out a year earlier, in the summer of 1965, by Gen. William C. Westmoreland, according to the Pentagon papers.

The issue was brought to the public's attention in 1966 by Gen. James M. Gavin of Chestnut Hill, now president of Arthur D. Little, in a Harper's Magazine article.

A Gavin boomlet for President resulted, and he became a serious candidate before bowing out of his own volition prior to the campaign period.

The enclave strategy actually was ordered into practice by the Johnson Administration at the April 1965 Honolulu Conference. It was in effect within weeks.

But while the Administration was implementing this holding action, Westmoreland was preparing a plea to the President which would reverse our posture from one of defense to one of offense.

Gavin said yesterday that he realized in 1966 that the enclaves were set up but feared a lack of commitment to the idea.

"They're following that strategy now and that's the key to success of withdrawal.

"In 1966, I felt sure the Chinese would step in if we tried to launch a ground offensive. This was, in fact, a war with Red China. If Ho Chi Minh wanted, the Chinese would have come in."

Gavin said he discussed this with Westmoreland in Vietnam in 1966, but "in those days you just didn't question them" and "he was very unhappy with me."

The enclave theory calls for the military to seal off and defend small sections of the country, preferably along the coast.

Basically a defensive measure, it allowed for occasional thrusts into the countryside on search-and-destroy or rescue missions.

On June 7, 1965, Gen. Westmoreland's half-inch thick "Estimate of the Situation" went to President Johnson and touched off "acrimonious debate" in the United States, according to the papers received by The Globe.

Westmoreland, commander in Vietnam, called for more troops "as rapidy as possible" to stem what he considered a disintegrating situation. He felt the South Vietnamese army was about to be overwhelmed.

Escalation and the US takeover of the land war began soon thereafter.

According to the analyst in this section of Pentagon papers, "Up to that time, most of the Washington decision makers had been content to indulge in relatively low-key polemics about the enclave strategy and to advocate some experimentation with small numbers of US troops in Vietnam.

"Washington saw that it was Westmoreland's intention to aggressively take the war to the enemy with other than Vietnamese troops, and in such a move the spectre of US involvement in a major Asian ground war there for all to see."

Two ranking, hawkish members of the Administration, Ambassador Maxwell Taylor and Asst. Secretary of State William Bundy, fought hard to maintain the enclave strategy, admitting that it was a no-win policy.

According to the documents, "Ambassador Taylor wanted to give the Vietnamese maximum opportunity to save themselves...

"The difference between Westmoreland and Taylor was the former's insistence on using US and 3d Country forces to take the war to the enemy."

Westmoreland also expected a major enemy offensive in the highlands outside the enclaves after the monsoon season. He thought the enemy should be met there to prevent the Viet Cong from setting up a front government in that locale.

But Taylor argued that the Viet Cong would try for another Dien Bien Phu if a US division were to go inland.

Bundy submitted a memo to President Johnson on July 1, 1965, defending the enclave concept to allow the US "to extricate itself honorably from South Vietnam."

"He did not expect a victory from such a move, but he did not expect a loss either," the papers say.

The idea of the enclave theory was to deny the enemy victory. It was felt by its proponents that it would lead to a political solution. No one will ever know now.

PENTAGON PAPERS PROVIDE: AN OBVIOUS PICTURE: "NO CLEAR OBJECTIVES TOWARD PEACE"

(By Darius S. Jhabvala)

On June 13, the nation received a jolt by the publication in the New York Times of the Pentagon's secret history of the Vietnam war.

Each day since then there have been further disclosures—next in the Washington Post, then the Boston Globe and then in scores of other newspapers—despite governmental injunctions. Readers in this country and throughout the world learned from the massive documentation compiled in 47 volumes by officials and academicians, how and why succeeding Administrations moved inexorably into the Vietnam quagmire.

The papers that fell into the possession of the news media are, at best, difficult reading even for experts and those thoroughly schooled in the crisis. There are chronological and thematic chapters, narratives and analyses, notes of debates, discussions and private conversations among all levels of officials here and abroad, contingency plans, suggestions, confidential cables, instructions, personal and professional gripes, decisions, orders, second-thoughts, and so on and on.

But the picture that emerges from the documents is sharp and clear. The United States moved in stages, some small and some very large, to become the principal force in Southeast Asia without a clear objective towards peace. A handful of advisers gave way to military forces, limited and tactical objectives because strategic and geopolitical and the demands to win overtook any chance of compromise.

The Globe's editorial staff has carefully studied the data in its possession and also material that has been printed in other newspapers and news agencies. The following are just some of the highlights of the Vietnam history:

TRUMAN ERA

In August and September 1945, Ho Chi Minh sent eight messages to the United States pleading against restoration of the French colonial rule in Indochina. The Administration failed to respond, suspecting that he would lead the region into the Soviet orbit. The Indochinese war began, the Viet Minh vs. the French occupation forces.

Less than a year later, the Truman Administration provided France with $160 million in credits as aid in the war effort. At the same time the State Department instructed its representative in Hanoi to "keep in mind Ho's clear record as an agent of international Communism . . . " Washington was convinced that US aid and French tenacity would break the back of the Viet Minh.

The first political plunge into Indochina was on Feb. 7, 1950 when President Truman recognized the Paris-installed puppet regime of Emperor Bao Dai. This was followed with an announcement on June 27 that the United States would send a 35-man military advisory group to Vietnam to teach their troops how to use American weapons.

EISENHOWER ERA

Three years later, Washington backed a French plan (devised by Gen. Navarre) to start the buildup of a Vietnamese National Army.

But the pressures of the war increased from the north and the French forces began to retreat. A month before Dien Bein Phu fell in May 1954, Secretary of State John Foster Dulles proposed "united action" to save Vietnam. President Eisenhower described the proposal "as an attempt to make China stop supporting the Viet Minh rather than face the prospect of a large allied involvement in Vietnam." The British, French and Russians rejected it.

Nine nations met in Geneva to work out an accord. After two months of negotiations, the Viet Minh, under much pressure from China, accepted a temporary de facto partition and the principle of neutralization, i.e. withdrawal of all foreign forces from the Vietnams.

US involvement proceeded without let up. On Feb. 12, 1955 the State Department announced that Americans will train the South Vietnamese forces. The number of advisers

had jumped to 327 and by the spring of 1960 to 685. The movement was inexorable. By the time President Kennedy took office the advisory strength had increased to 1100.

KENNEDY ERA

Just months after inauguration Kennedy approved programs for covert operations which had been recommended by an interagency Vietnam task force, and never publicly discussed. They included plans to dispatch agents into North Vietnam, formulation of networks of resistance, teams for sabotage and harassment and reconnaissance flights over North Vietnam.

Gen. Maxwell Taylor advised the President in October 1961 in an "eyes only for the President" cable to send an 8000-man US task force into South Vietnam for "flood-relief operations." The President, after intensive consultations in the National Security Council, refused the request but sent more advisers. Failure to do so, he was told, would mean the end of the Diem regime.

Opposition to the regime began to mount in Vietnam. The Buddhists began to protest and the United States recognized the need for change. It took steps starting with cuts in aid. But Diem refused to resign. The Kennedy Administration publicly maintained a hands-off policy. But the Pentagon documents now show it was in "complicity" with those who plotted Diem's overthrow. Analysts claim that the decision "inadvertently deepened American commitments in the conflict."

The National Security Council met in August 1963 and decided that the United States "will support a coup which has a good chance of succeeding." CIA agents and representatives of the military command contacted the anti-Diem plotters and conveyed American sentiments.

The change in government did not ease the military pressures. While maintaining a smiling face to the American public on the prospects of the war, the Pentagon and the White House began to receive reports of impending disaster.

After a visit to Saigon in December 1963, Defense Secretary Robert McNamara warned the President that the new government "is indecisive and drifting" and the US mission should be vastly expanded and strengthened. A memorandum was prepared for "retaliation and rejection" and a scenario for "the next courses of action."

State Department Aide William Bundy drafted a series of options to achieve "military silence and limited pressures." All along the focus turned to the bombing of the North. An interagency group devised a plan to draw North Vietnam into some action which the United States then would use to launch retaliatory raids.

JOHNSON ERA

In March 1964 McNamara proposed "new and significant pressures on North Vietnam." President Johnson approved the plans and a list of 94 potential targets for bombings were drawn up.

In the political field, all American diplomats were instructed by the President to put down the idea of neutrality for Vietnam. Also a campaign was started to end talk of negotiations except on the "absolutist" terms of the United States that meant total withdrawal of North Vietnamese forces from the south and bring the South into the western defense orbit. Thus, an initiative by Secretary General U Thant to bring together Hanoi's and Washington's representatives was rejected.

The following May the Administration's principal advisers drafted a joint congressional resolution "authorizing whatever is necessary with respect to Vietnam." The principal concern was not only security for South Vietnam but also Laos and Cambodia.

President Johnson queried the CIA on the "domino theory." The agency replied that only Cambodia "is likely to succumb quickly to communism if Laos and South Vietnam fall." But within the administration, concern was expressed for "American face."

In July 1964, South Vietnamese naval commandos raided two North Vietnamese islands in the Gulf of Tonkin. It was part of the plans for covert operations. North Vietnam responded to the raid and the destroyer *Maddox* came under attack.

On Aug. 4 the destroyer *Turner Joy* was also attacked. The American response was swift and devastating. Within less than 12 hours after the attack on the *Joy* bombers were on their way to North Vietnam on reprisal raids.

The Tonkin Gulf Resolution, already in draft form since the previous May, was introduced in Congress and adopted. McNamara disclaimed any knowledge of the South Vietnamese attack on the islands. Thus, the Pentagon study recalls that an "important threshold in the war was crossed with virtually no domestic criticism."

The following month, airstrikes on Laotian trails were started. The National Security Council decided there would be no public statements unless a plane is lost, then "to insist we are merely escorting reconnaissance flights."

Use of nuclear weapons was not ruled out. It was one of the issues discussed at the Honolulu meeting in 1964.

The Administration again moved in the political arena to secure support for its actions. Bundy drafted a paper on "handling world and public opinion," while Walt W. Rostow, chairman of the Policy Planning Council, prepared a memorandum on "victory and defeat in guerrilla wars." "The objective of the exercise is to convince Hanoi that its bargaining position is being reduced with the passage of time."

At the start of 1965, the State Department alerted the White House to the "very shaky" morale in South Vietnam. It recommended stronger action against the North Vietnamese "despite grave difficulties."

Defense aide John T. McNaughton offered a plan of action. The US purpose, he argued, is "70 percent to avoid a humiliating US defeat, 20 percent to keep South Vietnam from Chinese hands, 10 percent to permit the people of South Vietnam to enjoy a better, freer way of life. Also, to emerge from the crisis without unacceptable taint from the methods used."

In April, the President approved an increase of 20,000 men and for "a more active use of US Marines." On the other hand, Undersecretary George Ball recommended "we cut our losses" and withdraw from the war.

Two months later Gen. William Westmoreland asked for more men and made "a big pitch . . . for a free hand to maneuver the troops around." The Joint Chiefs of Staff backed Westmoreland. The troop strength jumped to 194,000 in July.

During Christmas of 1965, the U.S. suspended the bombings. But Hanoi rejected all peace feelers. The bombing resumed with greater intensity. The troop strength increased to 358,000 in November 1966 and to 525,000 the following August.

That year and in early 1968 disillusionment grew within the government about the value of continued troop buildup. In the summer of 1967 the first heavy dissents against the commitments were voiced within the Defense Department. But the question took on paramount interest in January of 1968 after the Tet offensive.

The fighting gave voice to certain officials who claimed that more American troops was not the answer. The debate coincided with the appointment of a new Secretary of Defense, Clark Clifford, who started working in February 1968 on what the Pentagon study calls an "A to Z" reassessment.

That reassessment culminated at the end of March 1968 with the President's speech announcing a partial halt in the bombing of the North, the Vietnamization program and his decision not to seek reelection.

[From the Christian Science Monitor, June 29, 1971]

PRESIDENT KENNEDY'S VIETNAM DILEMMA—SUMMARY AND ANALYSIS OF PENTAGON DOCUMENTS DEALING WITH '62–'64 PERIOD

The following are excerpts from the text of the summary and analysis of that section of the Pentagon papers dealing with the evolution of the Vietnam war from 1962 to 1964.

A former planning and budgetary process for the phased withdrawal of U.S. forces from Vietnam was begun amid the euphoria and optimism of July, 1962, and was ended in the pessimism of March, 1964. Initially, the specific objectives were: (1) to draw down U.S. military personnel then engaged in advisory, training, and support efforts from an FY 64 peak of 12,000 to an FY 68 bottoming out of 1,500 (just HQ, MAAG); and (2) to reduce MAP from an FY 64 peak of $180 million to an FY 69 base of $40.8 million. South Vietnamese forces were to be trained to perform all the functions then being carried out by U.S. personnel.

What the U.S.G. was actually trying to accomplish during this period can be described in either or both of two ways: (1) a real desire and attempt to extricate the U.S. from direct military involvement in the war and to make it a war which the GVN would have to learn to win, and (2) straightforward contingency planning and the use of a political-managerial technique to slow down pressures for greater U.S. inputs. A blend of the wish embodied in the first explanation and the hard-headedness of the second seems plausible.

Needless to say, the phase-out never came to pass. The Diem coup with the resulting political instability and deterioration of the military situation soon were to lead U.S. decisionmakers to set aside this planning process. An ostensible cutback of 1,000 men did take place in December, 1963, but this was essentially an accounting exercise—and the U.S. force level prior to the reduction had already reached 16,732 in October, 1963. By December, 1964, U.S. strength had risen to 23,000 and further deployments were on the way.

What, then, did the whole phased withdrawal exercise accomplish? It may have impeded demands for more men and money, but this is doubtful. If the optimistic reports on the situation in SVN were to be believed, and they apparently were, little more would have been requested. It may have frightened the GVN, but it did not induce Diem or his successors to reform the political apparatus or make RVNAF fight harder. It may have contributed, however, to public charges about the administration's credibility and overoptimism about the end of the conflict.

Despite the carefully worded White House announcement of the phase-out policy on October 2, 1963, tentative Johnson administration judgments came to be regarded by the public as firm predictions. While this announcement made clear that the U.S. effort would continue "until the insurgency has been suppressed or until the national security forces of the GVN are capable of suppressing it," the public tended to focus on the prognosis which followed—"Secretary McNamara and General Taylor reported their judgment that the major part of the U.S. military task can be completed by the end of 1965. . . ." In August, 1964, Mr. McNamara further explained the policy: "We have said—as a matter of fact, I say today—as our training missions are completed, we will bring back the training forces."

Quite apart from what was actually accomplished by the phase-out policy and the costs in terms of domestic political perception of administration statements on Vietnam there are some important lessons to be learned from the exercise. What was the U.S. rationale behind the policy? Was it

sound, feasible, and consistent with statements of national objectives? By what policy and programmatic means were we trying to bring about the desired results? Were these, in fact, the most appropriate and effective vehicles? What did the intelligence and reporting system in Vietnam help or hinder policy formulation? Why was not the Diem coup in its darkening aftermath grasped as the opportunity to reexamine policy and unambiguously to decide to phase out, or to do whatever was deemed necessary?

The rationale behind the phase-withdrawal policy was by and large internally consistent and sensible.

To put Vietnam in the perspective of other U.S. world interests. Vietnam, at this time, was not the focal point of attention in Washington; Berlin and Cuba were. Part of this exercise was to make clear that U.S. interests in Europe and in the Western Hemisphere came first. Even in terms of Southeast Asia itself, Laos, not Vietnam, was the central concern. So, the phase-out policy made the kind of sense that goes along with the structuring of priorities.

To avoid an open-ended Asian mainland land war. Even though violated by U.S. involvement in the Korean war, this was a central tenet of U.S. national-security policy and domestic politics. The notion of the bottomless Asian pit, the difference in outlook about a human life, were well understood.

To plan for the contingency that events might force withdrawal upon us. Seen in this light, the planning process was prudential preparation.

To treat the insurgency as fundamentally a Vietnamese matter, best solved by the Vietnamese themselves. Most U.S. decisionmakers had well-developed doubts about the efficacy of using "white faced" soldiers to fight Asians. This view was invariably coupled publicly and privately with statements like this one made by Secretary McNamara: "I personally believe that this is a war that the Vietnamese must fight. . . . I don't believe we can take on that combat task for them. I do believe we can carry out training. We can provide advice and logistical assistance."

To increase the pressure on the GVN to make the necessary reforms and to make RVNAF fight harder by making the extent and future of U.S. support a little more tenuous. This was explicitly stated in State's instructions to Ambassador Lodge on how to handle the White House statement of October, 1963: "Actions are designed to indicate to Diem Government our displeasure at its political policies and activities and to create significant uncertainty in that government and in key Vietnamese groups as to future intentions of the United States."

In other words, phased withdrawal was thought of as a bargaining counter with the GVN.

To put the lid on inevitable bureaucratic and political pressures for increased U.S. involvement and inputs into Vietnam it was to be expected and anticipated that those intimately involved in the Vietnam problem would be wanting more U.S. resources to handle that problem. Pressures for greater effort, it was reasoned, eventually would come into play unless counteracted. What Secretary McNamara did was to force all theater justifications for force buildups into tension with long-term phase-down plans. On 21 December, 1963, in a memo to the President after the Diem coup, Mr. McNamara urged holding the line: "U.S. resources and personnel cannot usefully be substantially increased. . . ."

To deal with international and domestic criticism and pressures. While Vietnam was not a front-burner item, there were those who already had begun to question and offer nonconsensus alternatives. During 1963, for example, both General de Gaulle and Senator Mansfield were strongly urging the neutralization of Vietnam.

It is difficult to sort out the relative importance of these varying rationales; all were important. Paramount, perhaps, were the desires to limit U.S. involvement, and to put pressure on the GVN for greater efforts. And, the rationales were all consistent with one another. But they did not appear as being wholly consistent with other statements of our national objectives in Southeast Asia.

For example, on July 17, 1963, President Kennedy said: "We are not going to withdraw from [bringing about a stable government there, carrying on a struggle to maintain its national independence]. In my opinion, for us to withdraw from that effort would mean a collapse not only of South Vietnam, but Southeast Asia."

He added: "We can think of Vietnam as a piece of strategic real estate. It's on the corner of mainland Asia, across the East-West trade routes, and in a position that would make it an excellent base for further Communist aggression against the rest of free Asia."

In a Sept. 9, 1963, interview, the President stated: "I believe ['the domino theory']. I think that the struggle is close enough. China is so large, looms up high just beyond the frontiers, that if South Vietnam went, it would not only give them an improved geographic position for a guerrilla assault on Malaya, but would also give the impression that the wave of the future in Southeast Asia was China and the Communists."

One could argue that such an unequivocally strong statement of strategic importance would not be consistent with any sort of phase-out proposal short of a clear-cut victory over the Communists. Despite the caveats about it being essentially a South Vietnamese struggle, President Kennedy's statements were very strong. And, insofar as the U.S. was interested in gerater leverage on the GVN, these statements tended to reduce U.S. bargaining power because of the explicit and vital nature of the commitment.

The rationales behind the phased-withdrawal policy were incorporated into a formal programming and planning process that began in July, 1962, and ended on 17 March, 1964. It was at the Honolulu Conference on 23 July, 1962, the same day that the 14-nation neutralization declaration on Laos was formally signed, that the Secretary of Defense on guidance from the President put the planning machine in motion. Noting that "tremendous progress" had been made in South Vietnam and that it might be difficult to retain public support for U.S. operations in Vietnam indefinitely, Mr. McNamara directed that a comprehensive long-range program be developed for building up SVN military capability and for phasing-out the U.S. role. He asked that the planners assume that it would require approximately three years, that is, the end of 1965, for the RVNAF to be trained to the point that it could cope with the VC.

On 26 July, the JCS formally directed CINCPAC to develop a Comprehensive Plan for South Vietnam (CPSVN) in accordance with the secretary's directives. Thus began an intricate, involved, and sometimes arbitrary bargaining process, involving mainly MACV, the Joint Staff, and ISA. There were two main pegs that persisted throughout this process: MAP planning for the support and buildup of RVNAF, and drawdowns on U.S. advisory and training personnel.

The first COMUSMACV CPSVN was floated on 19 January, 1963. It envisioned MAP for FY 1963-1964 at a total of $405 million. The total for FY 1965–1968 was $673 million. The RVNAF force level was to peak in FY 64 at 458,000 men. U.S. personnel in SVN were to drop from a high of 12.2 thousand in FY 65 to 5.9 thousand in FY 66, bottoming out in FY 68 at 1.5 thousand (Hq MAAG). No sooner was this first CPSVN cranked into the policy machinery than it conflicted with similar OSD/ISA planning. This conflict between ISA/OSD guidance and COMUSMACV/Joint Staff planning was to be continued throughout the life of the CPSVN.

Secretary McNamara opposed General Harkin's versions of the plan for a variety of reasons: (1) it programmed too many RVNAF than were trainable and supportable; (2) it involved weaponry that was too sophisticated; (3) it did not fully take account of the fact that if the insurgency came into control in FY 65 as anticipated, the U.S. MAP investment thereafter should be held at no more than $50 million per year; (4) the U.S. phase-out was too slow, and the RVNAF training had to be speeded up. It other words, Mr. McNamara wanted both a more rapid U.S. withdrawal of personnel, and a faster reduction in U.S. military/economic support.

The Secretary's views prevailed. The embodiment of Mr. McNamara's desire to quicken the pace of the phase-out planning was first in a Model M plan prepared by the JCS and later in what came to be called the Accelerated Model Plan of the CPSVN. The Accelerated Plan provided for a rapid phase-out of the bulk of U.S. military personnel. It also provided for building up GVN forces at a faster pace, but at a more reduced scale. MAP costs for FY 1965–1969 totaled $399.4 million, or nearly $300 million lower than the original projection.

All of this planning began to take on a kind of absurd quality as the situation in Vietnam deteriorated drastically and visibly. Strangely, as a result of the public White House promise in October and the power of the wheels set in motion, the U.S. did effect a 1,000-man withdrawal in December of 1963. All the planning for phase-out, however, was either ignored or caught up in the new thinking of January to March, 1964, that preceded NSAM 288. The thrust of this document was that greater U.S. support was needed in SVN. Mr. McNamara identified these measures as those that "will involve a limited increase in U.S. personnel and in direct Defense Department costs." He added: "More significantly they involve significant increases in Military Assistance Program costs. . . ." On 27 March, 1964, CINCPAC was instructed not to take any further action on the Accelerated Plan. Quickly, requests for more U.S. personnel poured into Washington. The planning process was over, but not forgotten. Secretary McNamara stated in his August, 1964, testimony on the Tonkin Gulf crisis that even today "if our training missions are completed, we will bring back the training forces."

While the phase-out policy was overtaken by the sinking aftereffects of the Diem coup, it is important to understand that the vehicles chosen to effect that policy—MAP planning, RVNAF and U.S. force levels—were the right ones. They were programmatic and, therefore, concrete and visible. No better way could have been found to convince those in our own government and the leaders of the GVN that we were serious about limiting the U.S. commitment and throwing the burden onto the South Vietnamese themselves. The public announcement of the policy, on October 2, 1963, after the McNamara-Taylor trip to Vietnam was also a wise choice. Even though this announcement may have contributed to the so-called "credibility gap," publication was a necessity. Without it, the formal and classified planning process would have seemed to be nothing more than a drill.

While the choice of means was appropriate for getting a handle on the problem, it proceeded from some basic unrealities. First, only the most Micawberesque predictions could have led decisionmakers in Washington to believe that the fight against the guerrillas would have clearly turned the corner by FY 65. Other nations' experience in internal warfare pointed plainly in the other direction. With more propitious circum-

stances, e.g. isolation from sanctuaries, the Philippine and Malayan insurgencies each took the better part of a dozen years to bring to an end.

Second, there was an unrealistic contradiction within the CPSVN itself. As directed by Secretary McNamara, U.S. MAP was to decrease as RVNAF increased. In practical terms, MAP costs should have been programmed to increase as the South Vietnamese Army increased, and as they themselves began to bear most of the burden. The desire to keep MAP costs down after FY 65 could, at best, be perceived as a budgeting or program gimmick not a serious policy.

Three, the political situation in South Vietnam itself should have prompted more realistic contingency plans against failure of the Vietnamese, in order to give the U.S. some options other than what appeared as precipitous withdrawal. The intelligence and reporting systems for Vietnam during this period must bear a principal responsibility for the unfounded optimism of U.S. policy. Except for some very tenuous caveats, the picture was repeatedly painted in terms of progress and success.

In the July, 1962, Honolulu Conference the tone was set. Secretary McNamara asked COMUSMACV how long it would take before the VC could be expected to be eliminated as a significant force. In reply, COMUSMACV estimated about one year from the time RVNAF and other forces became fully operational and began to press the VC in all areas. Mr. McNamara was told and believed that there had been "tremendous progress" in the past six months. This theme was reechoed in April of 1963 by COMUSMACV and by the intelligence community through an NIE. All the statistics and evaluations pointed to GVN improvement. While noting general progress, the NIE stated that the situation remains flexible.

Even as late as July, 1963, a rosy picture was being painted by DIA and SACSA. The first suggestion of a contrary evaluation within the bureaucracy came from INR. Noting disquieting statistical trends since July, an unpopular INR memo stated that the "pattern showed steady decline over a period of more than three months' duration." It was greeted with a storm of disagreement, and in the end was disregarded.

The first, more balanced evaluation came with the McNamara-Taylor trip report late in September and October, 1963. While it called the political situation "deeply serious," even this report was basically optimistic about the situation, and saw little danger of the political crisis affecting the prosecution of war.

Not until after the Diem coup, the assassination of President Kennedy, and the December Vietnam trip of Secretary McNamara was the Vietnam situation accurately assessed. In Secretary McNamara's December memo to the President, after his trip, he wrote: "The situation is very disturbing. Current trends, unless reversed in the next 2-3 months, will lead to a neutralization at best and more likely to a Communist-controlled state." One of the most serious deficiencies he found was a "grave reporting weakness on the U.S. side." Mr. McNamara's judgment, apparently, was not predominant. He noted in the concluding paragraph of his memo that he "may be overly pessimistic, inasmuch as the ambassador, COMUSMACV, and General Minh were not discouraged and look forward to significant improvements in January."

By 6 March, 1964, when another major Secretary of Defense Conference convened at CINPAC Headquarters, the consensus was that the military situation was definitely deteriorating. The issue was no longer whether there was or was not satisfactory progress; the question was how much of a setback had there been and what was needed to make up for it. Mr. McNamara observed that attention should now be focused on near term objectives of providing for necessary greater U.S. support. It was finally agreed that the insurgency could be expected to go beyond 1965.

The intelligence and reporting problem during this period cannot be explained away. In behalf of the evaluators and assessors, it can be argued that their reporting up until the Diem coup had some basis in fact. The situation may not have been too bad until December, 1963. Honest and trained men in Vietnam looking at the problems were reporting what they believed reality to be. In retrospect, they were not only wrong, but more importantly, they were influential. The Washington decisionmakers could not help but be guided by these continued reports of progress.

Phased withdrawal was a good policy that was being reasonably well executed. In the way of our Vietnam involvement, it was overtaken by events. Not born of deep conviction in the necessity for a U.S. withdrawal or in the necessity of forcing the GVN to truly carry the load, it was bound to be submerged in the rush of events. A policy more determined might have used the pretext and the fact of the Diem coup and its aftermath as reason to push for the continuation of withdrawal. Instead, the instability and fear of collapse resulting from the Diem coup brought the U.S. to a decision for greater commitment.

TEXT ABBREVIATIONS

CINCPAC—Commander in Chief, Pacific.
COMUSMACV—Commander, United States Assistance Command, Vietnam.
CPSVN—Comprehensive Plan for South Vietnam.
DIA—Defense Intelligence Agency.
FY—Financial Year.
GVN—Government of Vietnam.
INR—Intelligence and Research (State Department).
ISA—International Security Affairs (Defense Department).
JCS—Joint Chiefs of Staff.
MAAG—Military Aid Advisory Group.
MACV—Military Assistance Command, Vietnam.
MAP—Military Assistance Program.
NIE—National Intelligence Estimate.
NSAM—National Security Action Memorandum.
OSD—Office of Secretary of Defense.
RVNAF—Republic of Vietnam Armed Forces.
SACSA—Special Assistant for Counterinsurgency and Special Activities (Joint Staff).
SVN—South Vietnam.
USG—United States Government.
VC—Viet Cong.

[From the Christian Science Monitor, June 29, 1971]

NEW PENTAGON PAPERS—WHY 1962 VIET-EXIT PLAN FIZZLED

(By David K. Willis and Geoffrey Godsell)

BOSTON.—For a crucial 21 months spanning the Kennedy and Johnson administrations, the United States laid plans to pull almost all American troops out of South Vietnam over a five-year period—while being sucked inexorably deeper and deeper into the war instead.

The plan begun in July 1962, eventually crashed to the ground in March, 1964. The story of how it crashed, detailed in hitherto unpublished Pentagon papers which have become available to this newspaper, vividly illustrates grave weaknesses in American policymaking that misled senior officials and directly contributed to the dramatic escalation of U.S. involvement in 1964–65.

ORIGINAL PLAN OUTLINED

The original plan was to reduce American military personnel engaged in advising, training, and support efforts from a high point of 12,000 men in fiscal 1964 to a mere 1,500 in fiscal 1968. Later, after several revisions, the plan called for a drawing down from 15,215 in fiscal 1964 to 2,610 in fiscal 1969.

Savings in the final plan in military assistance totaled about $140 million—from $180 million in fiscal 1964 to $47.8 million in fiscal 1969.

The Pentagon study implies that it was doomed almost from the beginning—by flaws and "some basic unrealities" in its conception; by serious weaknesses in intelligence reporting from the field that consistently underestimated the strength of Communist forces; by a lack of basic commitment to the idea of troop withdrawal; and by steady deterioration of the South Vietnamese political situation (culminating in the coup against President Diem in November, 1963) as well as in the military picture.

MIXED MOTIVES

The pullout plan was prompted by mixed motives, the study suggests. One was a real desire by the Kennedy administration "to extricate itself from direct military involvement" in the wake of the 14-power neutralization of Laos, signed in mid-1962, and in a period in which Soviet activities on Cuba and in Berlin dominated world headlines. Another was a strong desire to make it clear to President Diem in Saigon that the war was one the Vietnamese themselves had to win.

In other words, the plan was in part "a bargain counter with the GVN," the study says.

Again, the proposed pullout could also be seen as contingency planning, covering the possibility that the U.S. might be forced to withdraw.

And again, it was a planning technique to try and head off demands within the American Government for more and more buildups—as well as to try and counter domestic and international criticism of overall American policy.

FAULTY REPORTING

The Pentagon study goes on to fault the plan on all counts.

While it may have "frightened" the Saigon government, it did not induce Diem to overhaul the South Vietnamese political apparatus; nor did it spur the South Vietnamese armed forces to fight harder.

It did not contain a really deep commitment to the concept of withdrawal; and based as it was on faulty reporting from the field—reporting "that cannot be explained away"—it was inadequate on other grounds as well.

It failed to give the U.S. any other contingency plans than what would appear as "precipitous withdrawal"; and in the end, it may have only compounded the government's credibility gap.

Existence of the phase-out plan was carefully hinted in a public statement from the White House on Oct. 2, 1963, in which Defense Secretary Robert S. McNamara and Gen. Maxwell D. Taylor, back from a visit to Vietnam, said "the major part of the U.S. military task can be completed by the end of 1965. . . ." But the statement was also larded with restatements of the basic American commitment to "deny this country to communism. . . ."

Nor was the pullout plan wholly consistent with strong public statements being made by President Kennedy, among others. Mr. Kennedy said the U.S. was "not going to withdraw" from Vietnam (July 17, 1963); "I believe [the domino theory]; I think that the struggle is close enough. China is so large, looms up high just beyond the frontiers, that if South Vietnam went, it would not only give them an improved geographic position for a guerrilla assault on Malaya, but would also give the impression that the wave of the future in Southeast Asia was China and the Communists" (Sept. 9, 1963).

Comments the study: "One could argue

that such an unequivocally strong statement of strategic importance would not be consistent with any sort of phaseout proposal short of a clear-cut victory over the Communists . . . these statements tended to reduce U.S. bargaining power because of the explicit and vital nature of the commitment."

WEAKNESSES SCORED

The study comes down hard on serious weaknesses in intelligence reporting. It quotes a report by Mr. McNamara to President Johnson after a Vietnam scouting expedition in December, 1963, which it says was "laden with gloom."

Following an extended period of optimistic intelligence reports, despite the assassination of President Diem on Nov. 1, 1963, and the Buddhist crisis which immediately preceded it in South Vietnam, Mr. McNamara said bluntly:

"The situation is very disturbing. Current trends, unless reversed in the next two-to-three months, will lead to neutralization at best and more likely to a Communist-controlled state." He said the "new government [whose strongman was Gen. Duong Van (Big) Minh] was indecisive and drifting" and was "the greatest source of concern."

He criticized the senior council of officials at the American Embassy in Saigon (the "Country Team"). He said it "lacks leadership, and has been poorly informed."

M'NAMARA CONCLUSION

(Henry Cabot Lodge took over as Ambassador from Frederick E. Notling Jr. on Aug. 26.)

Mr. McNamara continued: "Vietcong progress has been great in the period since the coup, with my best guess being that the situation has in fact been deteriorating in the countryside since July to a far greater extent than we realize because of our undue dependence on distorted Vietnamese reporting."

His conclusion from this was not to send in more American troops: at the same time, he did not talk about more withdrawals. His suggestion was to hold the line—to improve "independent, U.S." intelligence reporting, but not to substantially increase U.S. resources.

Yet in his final paragraph, the Secretary admitted that his own estimate "may be overly pessimistic," since Ambassador Lodge, the commander of the Military Assistance Command, and General Minh were not discouraged, and looked for significant improvements in January, 1964.

SAIGON ASSESSMENTS

Before the Secretary's report, assessments from Saigon had maintained that the South Vietnamese forces were improving, and that the Communist troops were having a hard time. One exception was an estimate by the State Department's Bureau of Intelligence and Research, on Oct. 22, 1963. The estimate showed a steady decline in the military balance over the preceding three months. It was greeted by a "storm of disagreement" within the government, the study says, and "in the end was disregarded"—only to be confirmed by Mr. McNamara himself a few weeks later.

So great was the pressure from Pentagon brass that Secretary of State Dean Rusk wrote Mr. McNamara a note on Nov. 8, 1963, which the study says amounted to an apology for not clearing the estimate through the Pentagon first.

PENTAGON HASSLE

Similarly, battle was waged inside the Pentagon between the Joint Chiefs of Staff and the military mission in Saigon on the one hand, and the office of the Secretary of Defense and the International Security Affairs branch on the other. The first group wanted to spend more on military assistance and withdraw at a slower rate; the latter group wanted to spend less and withdraw faster.

Yet events overtook the entire plan. What the study calls the "euphoria" of the summer of 1962, when the campaign against the enemy appeared to be going well, dissipated under a barrage of contrary events. The Diem government became more and more unpopular. The crisis with the Buddhists, which saw Buddhist bonzes (monks) burning themselves in public protest, accelerated.

An American plan was put into effect to pull out 1,000 men by December, 1963, as reports of steady military progress continued. In fact, American strength was reduced by 1,000 slots by the end of 1963, but the study says men added because of simultaneous decisions to boost American airpower among other things, offset the reductions. The full goal of 1,000 men was never met, and the study calls the 1,000-man withdrawal "essentially an accounting exercise."

CONFIDENCE SLIPS

American confidence began to drop after President Diem declared martial law on Aug. 20, 1963. His troops marched into Buddhist pagodas. Mass arrests of Buddhists and laity followed. "Any hope of reconciliation was shattered, and the Diem government was irrevocably isolated," the study says.

In succeeding passages, the Pentagon study implies that the United States kept hands off during the political struggle that led up to the overthrow and assassination of Mr. Diem, on Nov. 1, 1963.

As the crisis mounted, "the U.S. was confronted with a dilemma," the study says. "It was helpless to ameliorate conditions as long as Diem remained in power—nor did it want to approve and support such a regime. Yet at the same time, it was equally helpless to encourage a change of government—there was no feasible replacement anywhere on the South Vietnamese political horizon."

"WATCHFUL WAITING"

The result: an "ambivalent" policy of "watchful waiting" while primary attention was fixed on the performance of the South Vietnamese armed forces and the counter-insurgency program.

Mr. McNamara and the chairman of the Joint Chiefs of Staff, General Taylor, were dispatched to Vietnam by President Kennedy. Their visit lasted from Sept. 26 to Oct. 2. The highest levels of the American Government were deeply troubled.

However, the text of a very blunt and stern letter which someone in Washington had proposed be sent by President Kennedy to President Diem (the study does not say exactly who made the draft) was eventually scrapped in favor of a milder approach.

ULTIMATUM STATED

The draft letter was sent to Saigon (State Dept. Message 476, Sept. 24, 1963, TOP SECRET EYES ONLY for AMBASSADOR LODGE and SECRETARY McNAMARA) and their reply went back on the same day, also TOP SECRET.

The draft laid down an ultimatum, the study says: Unless the Saigon government changed the repressive policies, methods, and actions practiced by some individual officials and gained for itself a broad base of popular political support, the United States might have to consider disassociating itself from the Diem government, and further U.S. support of Vietnam might become impossible.

President Kennedy thought the letter "too extreme" the study said, and he was reluctant to use it unless he absolutely had to. In their reply, Mr. McNamara and Ambassador Lodge agreed. Both said the situation was very serious, but that "it was not likely to be influenced by such a letter to Diem."

SOFTER MESSAGE SENT

The letter was not sent. Instead, "many of the points were conveyed in conversations with Diem, and in another letter, "not only much softer in tone and more circumspect but [which] went out over the signature of General Taylor as chairman, Joint Chiefs of Staff." Messrs. McNamara and Lodge approved.

In the letter, General Taylor said he had no doubt that ultimate victory could be achieved, "providing there are no further political setbacks." Military situations in I, II, and III Corps were generally good, but some of the hard-core Viet Cong areas remained untouched; ". . . only a ruthless, tireless offensive can win the war." The main military problems were in the delta. The Strategic Hamlet program must be overhauled, combat troops of IV Corps (in the delta) must go out on clear-and-hold forays.

OPTIMISM VOICED

The subsequent McNamara-Taylor report to the President was generally optimistic about the military situation. Soon afterwards, the White House statement making guarded reference to the U.S. pullout plan was made public (Oct. 2).

When President Johnson came into office, he faced a new government in Saigon, but a situation in which the kind of upheavals and disruptions to the South Vietnamese war efforts that many had feared did not appear to be taking place. He ordered a review of war policies, but as charted by lower-level officials, it broke no new ground, and previous policies continued.

Meanwhile, the pullout plan for almost all U.S. troops from South Vietnam had progressed through an original draft and a second draft, known as Model M, to a third version, known as the Accelerated Model Plan. The acronym for the plan itself was CPSVN (Comprehensive Plan for South Vietnam).

ASSUMPTION CRITICIZED

The Pentagon study says the plan "proceeded from some basic unrealities." The plan was based on the assumption, made by Mr. McNamara, that the war against the guerrillas would have turned the corner in three years (by fiscal 1965).

"Only the most Micawberesque predictions" could have led to that belief, the study says; ". . . other nations' experience in internal warfare pointed plainly in the other direction"—the Philippines and Malaya each took the better part of a dozen years to bring their struggles to an end.

Secondly, as the South Vietnamese shouldered more of the load, it was to be expected that American military assistance would rise—yet the proposed pullout plan decreased military assistance after fiscal 1965. The study calls this provision, ordered by Secretary McNamara, as one that "could, at best, be perceived as a budgeting or program gimmick, not a serious policy."

GOVERNMENT TOPPLED

The coup de grace for the pullout plan came in March, 1964. On March 6, 1964, after the government of strong man Big Minh had been topped in a coup and Gen. Kanh was in command in Saigon, Mr. McNamara met in Honolulu with the Commander in Chief, Pacific, not to assess whether the situation was getting worse, but to decide how much worse.

The outcome was that Mr. McNamara agreed that a "limited increase" of dollars and American manpower was in order: a one-shot expense of $20 million, plus between $20 to $40 million annually. A 12-point program was drawn up, the last point of which read:

"To prepare immediately to be in a position on 72 hours' notice to initiate the full range of Laotian and Cambodian 'Border Control' Actions . . . and the 'Retaliatory Actions' against North Vietnam, and to be in a position on 30 days' notice to initiate the program of 'Graduated Overt Military Pressure' against North Vietnam."

RESOLUTION OBTAINED

On March 27, 1964, formal notice terminating the pullout plan was sent from the Penta-

gon to the Pacific commander in Hawaii. Soon, the entire thrust of U.S. planning moved to escalation.

The Gulf of Tonkin affair was in early August, 1965. President Johnson went to Congress, obtained the Tonkin Gulf Resolution (since repealed), and the war began heating up in earnest.

Concludes the Pentagon study:

"Phased withdrawal was a good policy that was being reasonably well executed. In the way of our Vietnam involvement, it was overtaken by events. Not born of deep conviction in the necessity for a U.S. withdrawal or in the necessity of forcing the GVN (Government of South Vietnam) to truly carry the load, it was bound to be submerged in the rush of events.

"A policy more determined might have used the pretext and the fact of the Diem coup and its aftermath as reason to push for the continuation of withdrawal. Instead, the instability and fear of collapse resulting from the Diem coup brought the U.S. to a decision for greater commitment."

NEW PENTAGON PAPERS—II: U.S. IGNORED APPEALS FROM HO

(By David K. Willis and Geoffrey Godsell)

The United States ignored eight direct appeals for aid from North Vietnamese Communist leader Ho Chi Minh in the first five winter months following the end of World War II.

And, according to previously unpublished Pentagon papers, Ho also sent several messages through secret channels even earlier, in August and September of 1945, proposing that Vietnam be accorded the "same status as the Philippines"—an undetermined period of tutelage preliminary to independence.

These latter messages were sent through the OSS (Office of Strategic Services), wartime forerunner of the Central Intelligence Agency.

The eight that followed, sent after guerrilla fighting broke out with returning French troops in the south, asked for formal American intervention against the restoration of French colonial rule in Indo-China. Ho cited the Atlantic Charter, the United Nations Charter, and a speech by President Truman in October, 1945, endorsing national self-determination.

SUPPORT FOR FRANCE

When Ho got no answers to his messages, sent between October, 1945, and February, 1946, he acquiesced in a return of the French to Vietnam for a five-year period.

(The papers quoted him as telling strident Vietnamese critics that he had agreed (in March, 1946) because—as he crudely put it—he preferred to smell French excrement for five years rather than Chinese excrement for the rest of his life.)

Having done that, however, he had one last direct communication with the U.S. He visited the American Ambassador in Paris in September, 1946, to ask—"vaguely," the papers say—for U.S. assistance in obtaining independence for Vietnam within the French Union.

Underlying the American refusal to deal with Ho at all is a suspicious uncertainty about helping a leader known to be a Communist, for fear that he might lead his country into the orbit of the Soviet Union. United States policy after the war evolved into support of the French in Indo-China, in order to cement the alliance with France in Europe in face of the growing Russian threat from the East.

The papers do say Ho received "OSS support during and immediately after" the war. But in finding no record of any answers to his eight communications in the winter of 1945-46, the study goes on to comment that the U.S. offered Ho "only narrow options."

The Pentagon says:

"After 1946, not only were Ho's direct communications with the U.S. cut, but also the signals he received from the U.S. were hardly encouraging. By the time the Indo-China war had begun in earnest in late 1946, U.S. military equipment had already been used by French forces against the Vietnamese, and the U.S. had arranged credit for France to purchase $160 million worth of vehicles and miscellaneous industrial equipment for use in Indo-China.

"Secretary of State George C. Marshall's public comment on the outbreak of war in January, 1947, was limited to a hope that 'a pacific basis for adjustment of the difficulties could be found,' and within six months the Marshall Plan threw even greater U.S. resources behind the French.

"The simple truth seems to be that the U.S. knew little of what was transpiring inside Vietnam, and certainly cared less about Vietnam than about France. Knowing little and caring less meant that the real problems and variety of choices were perceived but dimly.

"For example, the U.S. could have asked itself—'Did we really have to support France in Southeast Asia in order to support a non-Communist France internally and in Europe?' Another question . . . 'If the U.S. choice in Vietnam really came down to either French colonialism or Ho Chi Minh, should Ho automatically be excluded?' Again, 'If the U.S. choice was to be France, did France have any real chance of succeeding, and if so, at what cost?' "

Controlling American policy was a decision to support France fully in Indo-China, the papers say. But Washington did have misgivings about the kind of colonial policies France pursued there, and voiced these misgivings in Paris.

But Washington's distaste for Ho's communism prevented it from looking upon Ho as an "Asian Tito"—as a Communist nationalist, who would seek a foreign policy independent of Moscow—and eventually Peking—as well as of the West.

This kind of American thinking would have required "perspicacity unique in U.S. history." Ho possessed real political strength through the Viet Minh in Vietnam—the study says—and could have "worked seriously against U.S. interests" as well as against those of the Chinese Communists. Laos and Cambodia could have been "easy pickings" for a Vietnam under Ho's leadership and drive. His own party was originally called the Indo-Chinese Communist Party. Thailand, Malaya, Singapore and even Indonesia could have been next: a domino theory with Ho instead of Mao Tse-tung.

The papers, written in about 1967, comment: "This may seem implausible, but it is only slightly less of a bad dream than what has happened to Vietnam since. The path of prudence rather than the path of risk seemed the wiser choice."

PEACE THREATENED

At the same time Ho was appealing to the United States for aid in 1945–46, he was also addressing Britain, the Soviet Union, and China.

An example of the tone and style of the letters is given in a report from an American diplomat in Hanoi named Landon, received at the State Department Feb. 27, 1946. Landon said Ho had handed him two letters addressed to the President of the U.S., China, Russia, and Britain. The letters asked the U.S. to support the idea of Annamese (North Vietnamese) independence according to the Philippines example, to examine the case of the Annamese, and to "take steps necessary" to keep world peace, which was being threatened by "French efforts to reconquer Indo-China."

The American attitude can be gauged from State Department instructions on Dec. 5, 1946, to the U.S. representative in Hanoi, which said, in part, "Keep in mind Ho's clear record as an agent [of] international communism . . . least desirable eventuality would be establishment [of a] Communist-controlled Moscow-oriented state. . . ."

Two months later, Secretary of State Marshall reiterated that the U.S. was opposed to "colonial empire administrations" replaced by philosophy and political organizations emanating from and controlled by the Kremlin.

With all this certainty of Ho's communism, however, the U.S. remained through 1948 paradoxically unable to nail down any links Ho might have had with the Soviet Union.

A State Department appraisal of Ho, provided to the U.S. Ambassador in China in July, 1948, was "admittedly speculative," the papers show.

It called Ho a Communist, but went on to say that the department "has no evidence of direct link between Ho and Moscow but assumes it exists. . . ." Nor was it able to evaluate the amount of pressure or guidance that Moscow may have been exerting.

In the autumn of 1948, the State Department's Office of Intelligence Research surveyed Communist influence in Southeast Asia, found evidence of Kremlin-directed conspiracy in virtually all countries—except Vietnam.

Referring to Ho's government, the study said it was a coalition in which "avowed Communists hold influential positions." It said that to date the Vietnam press and radio had not adopted an anti-American position; rather, it was the French colonial press that was strongly anti-American "and has freely accused the U.S. of imperialism in Indo-China to the point of approximating the official Moscow position."

UNSOLVED PROBLEM

The study said it was most likely that Moscow had issued no rigid directives to Communists in Indo-China, or that the Vietnam Government had a "special dispensation." It also raised the possibility that the Vietnam Communists "are not subservient to the foreign policies pursued by Moscow."

Historically, the unsolved problem is to what extent Ho's nationalist goals overrode his Communist convictions in 1945–46. The Pentagon papers argue:

"Ho seemed to place the former above the latter not solely as a matter of dissemblance . . . but possibly as a result of doubts about communism as a political form suitable for Vietnam." In the autumn of 1946, Ho appealed to the French to "save him from the extremists" in the Viet Minh by offering some concessions to independence. He told the U.S. Ambassador he was not a Communist. At any rate, the study concludes his actions after 1949 "support a Leninist construction."

"But, then," the papers add, "U.S. insistence on Ho's being a doctrinaire Communist may have been a self-fulfilling prophecy."

[The Christian Science Monitor]

NEW PENTAGON PAPERS—III: HOW ASIAN DIE WAS CAST

CHINA SHADOW GREW LARGER

(By David K. Willis)

The first United States plunge into Indo-China was early in 1950. It was preceded by five fateful years in which American policies were marked by "indecision" and "an undertone of indifference."

In those five years, according to previously unpublished Pentagon papers, Washington clearly saw the "vacuity" of French colonial policies in Indo-China, but refused to intervene because it needed French as well as British support against Soviet expansion in Europe.

The fall of mainland China to Mao Tse-tung in 1949 sharpened American fears about the spread of communism in Asia, however, and led Washington to try to apply to Asia the same kind of policies already in use against communism in the West. The papers

imply that this was a wishful approach, without much chance of success.

(William P. Bundy, former State Department official in charge of East Asia, has written that it was a similar fear of China in the early 1960's that led President Johnson to involve the U.S. in a full-scale land war in Vietnam in 1965.)

"COMPLEX MATTER"

In January and February, 1950, the U.S. worked closely with the French, recognizing the government that Paris had just set up in Vietnam as a counter to Ho Chi Minh, and then agreeing to a French request for economic and military aid to that government, which was led by Emperor Bao Dai.

In the face of Mao Tse-tung's victory in China, and his swift recognition of Ho's Democratic Republic of Vietnam, the U.S. really had in mind collective action by Asians in self-defense, the papers assert. But such collective organization "among the disparate powers and political entities of the Far East was inherently more complex a matter than the North Atlantic Treaty (NATO) nations had successfully faced."

So the U.S. decided on more direct action—and from that policy, in concert with its European allies, or acting bilaterally, sprang the Korean war, the Southeast Asia Treaty Organization (SEATO), and "the progressively deepening American involvement in Vietnam," the papers say.

PREOCCUPIED WITH EUROPE

Some writers have argued that the five years from 1946 to 1950 saw the U.S. "neutral" on Indo-China. They include the late historian Bernard Fall. Others, many sympathetic to the Viet Minh, have said the U.S. was actively supporting French colonial policies of the period.

The Pentagon papers say the facts fit neither view, calling American policy "less purposeful that either assumes." Their analysis is that the United States tried to stay out of Indo-China. It deferred to French will; preoccupied with European recovery, it saw Indo-China as one region "in which the U.S. might enjoy the luxury of abstention."

Washington refused to intervene directly. To have done so would have alienated the French; American officials feared it would have greatly strengthened the hand of the French Communist Party in Paris as well. It would also have offended the British, who paved the way for the postwar French return to former colonies in Indo-China in the first place (see adjoining article).

In 1945, Secretary of State Edward Stettinius made it clear, the papers say, that it was France who would be left to handle the growing spirit of nationalism in Indo-China. What followed, in essence, was that a succession of short-lived French governments resorted more and more to colonial force to "reassert sovereignty" over the growing influence and strength of Ho Chi Minh and his followers.

TRUMAN: HANDS OFF

Compared with events in Europe, the U.S. "considered the fate of Vietnamese nationalism relatively insignificant."

The American acts of 1950 are seen by the Pentagon analysts, not as a "volte-face" by Washington, but rather as a "cohesive progression" of policy.

While the Truman administration resolutely kept hands off from 1948 to the end of 1949, acute American diplomats were pointing out in reports to the State Department that French policies were heading for defeat. Often, the American Government pointed this out to the French, but its advice was not heeded until Paris realized that "the Bao Dai solution," as it was called, was its only choice (given its implacable hostility to Ho's struggle for independence).

DANGERS HIGHLIGHTED

One particularly prescient analysis came from John Carter Vincent, then director of the State Department's Office of Far Eastern Affairs, in a memorandum to Undersecretary of State Dean Acheson on Dec. 23, 1946.

(Mr. Vincent was later dropped from government service under pressure from the late Sen. Joseph McCarthy of Wisconsin.)

Recommending that Mr. Acheson call in the French Ambassador in Washington to highlight dangers in the outbreak of open warfare between Ho Chi Minh and France earlier that same month, Mr. Vincent wrote, in part:

"Although the French in Indo-China have made far-reaching paper concessions to the Vietnamese desire for autonomy, French actions on the scene have been directed at whittling down the powers and the territorial extent of the Vietnam 'free state'. . . . The French themselves admit that they lack the military strength to reconquer the country. . . With inadequate forces, with public opinion sharply at odds, with a government rendered largely ineffective through internal division, the Fernch have tried to accomplish in Indo-China what a strong and united Britain has found it unwise to attempt in Burma.

"Given the present elements in the situation, guerrilla warfare may continue indefinitely."

AID CONSIDERED

Mr. Acheson called in the French Ambassador and said that, while the U.S. was ready to do anything the French might consider helpful, the situation was "inflammatory."

"Frankly," said State Department instructions to the U.S. Ambassador in Paris in February, 1957, "we have no solution to the problem to suggest."

It was not until September, 1948, that the U.S. first hinted at tangible involvement. In June, Paris had agreed in words, but not in fact, to transfer administrative power to a Vietnamese government. The U.S. urged it to take even more steps, adding that it was prepared to consider financial aid to the French Government but only if "real progress" was made toward a "non-Communist solution" in Indo-China.

By May, 1949, after Paris agreed to unifying Annam, Tonkin, and Cochin China into a single Vietnam, and to putting it under Vietnamese rule, the U.S. urged that Bao Dai be the new ruler. Gone were previous doubts that Moscow might use the Emperor's installation as propaganda—democracies resorting to monarchies against communism.

Later, in December, 1949, the National Security Council formally approved aid to Asians opposed to communism. Bao Dai was installed, Mao recognized Ho Chi Minh, American aid flowed to Bao Dai. The American die had been cast.

BRITAIN OPENED DOOR TO FRENCH

(By Geoffrey Godsell)

It was the British who held the door open for the French to return to Vietnam at the end of World War II. And it was the British who went along with the French removal of a pro-Ho Chi Minh "Committee of the South" in Saigon as early as September, 1945—this precipitating the first Indo-China war out of which grew the massive American involvement in Vietnam in the late 1960's.

This is one of the main arguments of the Pentagon analysts in their survey of what happened in Vietnam during the presidencies of Franklin D. Roosevelt and Harry S. Truman.

During World War II, direct American involvement on the ground in Vietnam was minimal. The Japanese had moved into French Indo-China even before Pearl Harbor.

Toward the end of the Japanese occupation, Ho Chi Minh's Viet Minh emerged as the sole efficient resistance apparatus within the country. And as such, it was the only organization to get help from the American Office of Strategic Services (OSS), forerunner of the Central Intelligence Agency. But when the Japanese surrendered in August, 1945, Vietnam was temporarily taken over not by American or Free French forces, but by British and Nationalist Chinese.

AGREEMENT REACHED

The dividing line between British and Chinese responsibility—in agreement with the Americans—was the 16th parallel of latitude North. (The present boundary between North and South Vietnam is along the 17th parallel of latitude.)

At the moment of Japanese surrender, Ho Chi Minh had installed a government in Hanoi in place of the pro-Japanese puppet Emperor Bao Dai and was well in control of Tonkin and Annam (North and Central Vietnam). In Cochin China, around Saigon, the hold of his Committee of the South was more tenuous.

Ironically, the Nationalist Chinese made no move to disolace him in Hanoi. He remained in control there until the French made a deal with Chiang Kai-shek's forces and began to replace them in March, 1946. But in Saigon, Admiral Mountbatten's Southeast Asia command was ferrying Free French troops ashore as early as Sept. 12, 1945.

Eleven days later, those Free French troops overthrew Ho's Committee of the South, which—according to the Pentagon study—was viewed "with disdain" by the British commander "because of its lack of authority from the French and because of its inability to quell disorder in South Vietnam."

RETALIATION NOTED

"Vietnamese retaliation was quick and violent," says the study. "Over one hundred Westerners were slain in the first few days, and others kidnapped; on 26 September, the U.S. commander of the OSS in Saigon was killed. Thus the first Indo-China war began in Cochin China in late September, 1945, and American blood was shed in its opening hours."

Admiral Mountbatten's virtually free hand in South Vietnam was the result of what the study calls the disarray of American policy "toward the colonial possessions of its allies, and toward Indo-China in particular," at the time of President Roosevelt's death in April, 1945.

During the earlier years of World War II, Mr. Roosevelt had tried to get allied agreement to following through on the promise implicit in the Atlantic Charter by placing all their colonial possessions under trusteeship after the war as a prelude to self-government or independence. This the British resisted.

The Pentagon study quotes Prime Minister Winston Churchill, Foreign Secretary Anthony Eden, and British Ambassador Lord Halifax objecting at different times to American initiatives toward trusteeship. As a result, the Americans backed away.

But President Roosevelt was still arguing as late as Jan. 24, 1944, that French Indo-China was a special case. He told Ambassador Halifax on that day—according to a passage from the late Cordell Hull's memoirs quoted by the study—"that it was perfectly true that I had, for over a year, expressed the opinion that Indo-China should not go back to France but that it should be administered by an international trusteeship."

CONTRADICTION SEEN

Such a view, however, was in flat contradiction to an assurance given by Mr. Roosevelt's personal representative to French General Giraud—the American alternative to both Charles de Gaulle and Vichy, France, at the time of the North African landings in the fall of 1942. "It is thoroughly understood," said the representative, "that French sovereignty will be reestablished as soon as possible throughout all the territory, metropolitan or colonial, over which flew the French flag in 1939."

When these contradictions were overtaken

by fast-moving events in the summer and fall of 1945, it seems that the best the United States Government—now in the hands of President Truman—could do was to leave decisions to allied military commanders on the spot, subject to the political directive from Washington that no American help be given to the French to reestablish their control over Indo-China by force.

Adm. Louis Mountbatten, the allied commander in Southeast Asia, was a Briton. The British wanted no precedent in Indo-China which might have inhibited their right to return to Malaya. Consequently, it was hardly surprising that Admiral Mountbatten, as the study says, "bilaterally agreed with the French for the latter to assume British occupation authorities, and signed a pact on 9 October, 1945, giving 'full recognition to French rights' in Indo-China."

This was the first step in a process which within the next six months moved the problems of United States policy toward Vietnam "from the context of wartime strategy to the arena of the U.S. relationship with France." Few could have foreseen then how it would involve Americans more deeply and directly in Vietnam than they had ever been in World War II.

[From the Chicago Sun-Times, June 26, 1971]

TELL CIA PULLOUT ADVICE TO NIXON

(By Morton Kondracke and Thomas B. Ross)

WASHINGTON.—The Nixon administration was advised by the Central Intelligence Agency in 1969 that it could immediately withdraw from Vietnam and "all of Southeast Asia would remain just as it is at least for another generation."

Government documents revealed Friday that the CIA offered the following prediction of what would happen if President Nixon, at the start of his administration, had pulled all U.S. troops out of Vietnam and opened the way to a possible Viet Cong take-over of the Saigon government:

"We would lose Laos immediately. Sihanouk would preserve Cambodia by a straddling effort. All of Southeast Asia would remain just as it is at least for another generation.

"Thailand, in particular, would continue to maintain close relations with the U.S. and would seek additional support. Simultaneously, Thailand would make overtures and move toward China and the Soviet Union. It would simply take aid from both sides to preserve its independence.

"North Vietnam would consume itself in Laos and South Vietnam. Only Laos would definitely follow into the Communist orbit.

In totally rejecting the so-called domino theory on which U.S. policy was based in the Eisenhower, Kennedy and Johnson administrations, the CIA took a position consistent with a long line of estimates dating back to the original U.S. involvement in 1954.

For example, the documents show that on May 25, 1964, the CIA declared in a National Intelligence Estimate that the United States would "retain considerable leverage in Southeast Asia even if Laos and South Vietnam came under North Vietnamese control."

The CIA produced the estimate as part of its pessimistic assessment of the value of launching a bombing campaign against North Vietnam. It argued that air attacks were unlikely to break Hanoi's will and carried the danger of escalating the war into a direct confrontation with Communist China and the Soviet Union.

"Retaliatory measures which the North might take in Laos and South Vietnam," the CIA declared, "might make it increasingly difficult for the U.S. to regard its objectives as attainable by limited means. Thus, difficulties of comprehension might increase on both sides as scale of action mounted."

Former President Lyndon B. Johnson rejected the CIA's advice and started sustained bombing in February, 1935.

Similarly, President Nixon disregarded the CIA estimate in 1969 and decided on a slow withdrawal, and expansion of the war into Cambodia and Laos and a partial revival of the bombing of North Vietnam.

On several occasions since coming to office, Mr. Nixon has referred to immediate, total U.S. withdrawal from Southeast Asia as "precipitate" and the equivalent of "our defeat and humiliation."

In various ways, he has signaled an intention to preserve non-Communist governments in South Vietnam, Laos and Cambodia.

Instead of pulling out of Vietnam rapidly, Mr. Nixon has withdrawn gradually, to give the South Vietnamese a "reasonable chance" to maintain their present government.

U.S. troop levels were at 540,000 when Mr. Nixon took office. They are scheduled to be down to 184,000 by Dec. 1, close to the end of Mr. Nixon's third year in office. The President has not said when—if ever—U.S. forces will be completely gone from Vietnam.

Meanwhile, Mr. Nixon stoutly denied that the invasions of Cambodia in 1969 and Laos in 1970 constituted expansions of the war or were even related to political conditions in those countries.

In 1969, U.S. troops joined South Vietnamese forces in the invasion, while the Laos incursion was conducted by Vietnamese ground forces supported by U.S. planes and helicopters.

Mr. Nixon defended both actions as efforts to speed the "end of war" in South Vietnam. Nevertheless, the administration has exhibited interest in preserving the non-Communist character of the governments of Laos and Cambodia.

There has been a massive infusion of military and economic aid to the anti-Communist regime of Lon Nol in Cambodia, and U.S. air power continues to support South Vietnamese and Cambodian army combat operations there.

The Cambodian operations began on the heels of Lon Nol's overthrow of Sihanouk, the man the CIA predicted would retain power if the United States left Southeast Asia. The United States did not leave, and Sihanouk fell. In some quarters, his overthrow has been ascribed to the CIA.

In Laos, the United States has continued extensive bombing raids both along the Ho Chi Minh infiltration routes in the southern part of the country and in north Laos near the Plain of Jars.

The north Laos operations—bombing and aid to anti-Communist guerrillas—are linked to retention of a neutralist government in Vientiane, the capital.

The government documents, disclosed to The Sun-Times by a number of reliable sources, show the CIA consistently reported that the bombing of North Vietnam was not effective, either in military or political terms.

The CIA's estimates, the documents also reveal, provided the basis for former Defense Sec. Clark Clifford's silent campaign to get the bombing stopped in 1968.

The CIA's Office of National Estimates advanced the case against the bombing in 1965 despite CIA Director John A. McCone's advice that U.S. planes "hit them harder, more frequently, and inflict greater damage."

In an April 2, 1965, memo to Sec. of State Dean Rusk, White House adviser McGeorge Bundy and Ambassador Maxwell D. Taylor, McCone argued that Mr. Johnson's decision the previous day to commit U.S. troops to combat would work only "if our air strikes against the north are sufficiently heavy and damaging really to hurt the North Vietnamese."

He warned that a slow escalation of the bombing would open the U.S. government to "increasing pressure" from the press and public opinion to stop the raids.

Then, McCone concluded: "We will find ourselves mired down in combat in the jungle in a military effort that we cannot win, and from which we will have extreme difficulty in extracting ourselves."

[From the Chicago Sun-Times, June 27, 1971]

HUMPHREY MEMO TO L. B. J. AGAINST ESCALATION REVEALED

BALTIMORE.—Former Vice President Hubert H. Humphrey, in a last-ditch attempt to alter President Lyndon B. Johnson's war policy, urged the President not to escalate combat operations in 1965, the Baltimore Sun reported Saturday.

The story was based largely on a memorandom Humphrey sent Mr. Johnson dated Feb. 27, 1965, and interviews Sun reporter Philip Potter had with Humphrey in January 1970.

Humphrey told Mr. Johnson, according to the Sun account, that the Democratic administration was adopting a war policy similar to that of Arizona Sen. Barry Goldwater, Johnson's Republican opponent for the Presidency in 1964. During the campaign, Mr. Johnson had cast himself as a moderate on the war while he characterized, Goldwater as a "warmonger."

The memorandum written by Humphrey said full-scale military action in North Vietnam could bring in the participation of the Soviet Union and China, and might trigger ill feelings among U.S. allies in Europe.

He also argued against further escalation of the war by increasing ground troops and bombing raids in Vietnam, saying those moves would threaten the President's domestic Great Society programs. By 1965, Humphrey said, "people in the United States already were expressing concern about the war.

"I don't think LBJ was awed by the military, but he was by (then Defense Sec. Robert S.) McNamara," Humphrey told Potter. "McNamara thought he was smarter than the military."

Humphrey said Mr. Johnson "was not a Hawk" and that he was "constantly trimming back requests of the Defense Department."

MILITARY'S ADVICE ON VIET IGNORED

(By Morton Kondracke and Thomas B. Ross)

WASHINGTON.—U.S. military commanders consistently told their civilian superiors that victory in Vietnam could be achieved only by committing 500,000 to 1 million troops for a period of 5 to 10 years, top-secret Pentagon documents and other sources reveal.

The civilians, however, tended to disregard the estimates and to search for quicker, less costly solutions to the war.

In October, 1961, the Pentagon recommended sending 22,600 Americans, half of them combat troops, to Vietnam, as the first installment on a commitment of at least three divisions, roughly 100,000 men.

In the same year, however, William P. Bundy, a civilian, argued that there was a 70 percent chance that prompt and aggressive U.S. measures could "clean up the situation." He said there was only a 30 percent chance "that we would wind up like the French in 1954; white men can't win this kind of war."

Instead of the levels recommended by his military advisers, President John F. Kennedy rejected even a recommendation that the United States commit 8,000 men to the war.

At that time, however, Kennedy's military adviser, Gen. Maxwell D. Taylor, foresaw conflict "escalating into a major war in Asia."

CIVILIANS' UNDERESTIMATES SEEN

In January, 1964, Taylor advised President Lyndon B. Johnson that "it would be unrealistic to believe that a complete suppression of the insurgency can take place in one or even two years. He said: "The British effort in Malaya is a recent example of a counter-insurgency effort which required approximately 10 years. . . ."

When, in 1964, the administration of President Johnson was considering whether and how heavily to bomb North Vietnam, the Joint Chiefs of Staff recommended a "sharp, sudden blow," while civilians called for "calculated doses of force."

Pentagon papers record that the civilians had underestimated the capacity of North Vietnam to withstand attacks and had overestimated the effectiveness of U.S. pressures.

The papers indicate that Mr. Johnson opted for the civilians' strategy because of its "relatively low cost in political terms."

In fact, documents indicate, the President's civilian advisers may have blocked the full military recommendation from reaching the President—presumably because, realizing the costs of a full-scale bombing campaign, Mr. Johnson may have decided to institute none at all.

PROPOSALS OF MILITARY CHIEFS

The Joint Chiefs of Staff wanted to knock out all of North Vietnam's airfields and oil supplies in three days, attack the Ho Chi Minh Trail and progressively build up the air strikes in the north, culminating, if necessary, with "full destruction of the DRV (North Vietnam)."

Throughout the period of strategic bombing of the north, the chiefs called for air strikes at Hanoi, the Haiphong Harbor and Chinese border areas—programs that Mr. Johnson and his civilian advisers considered too risky.

Documented evidence indicates, further, that the military chiefs had in mind a maximum troop level of up to 1 million men. The peak level actually reached was 540,000.

In 1966, according to Pentagon evidence Gen. Earl Wheeler informed Mr. Johnson that victory in Vietnam would take another five years and a troop commitment of 700,000 men. Mr. Johnson reportedly told Wheeler he was "crazy" and walked out of the room.

Following the Tet offensive of January, 1968, Wheeler and Gen. William C. Westmoreland submitted troop requests that would have raised the level of forces to 750,000 men. It was at that point that the Johnson administration decided it could not continue down the escalatory route.

The Westmoreland-Wheeler plan, following Tet, included a step-up in the bombing of North Vietnam, closing of the harbor at Haiphong, an invasion of Laos and Cambodia to cut the Ho Chi Minh Trail and sanctuary areas and even, amphibious attacks in North Vietnam just north of the demilitarized zone.

Carrying out these policies would have required an additional 206,000 men and the mobilization of at least one division—35,000 men—from the Army reserves.

Both the strategies recommended and the troop commitments had been asked for by the military since early in the conflict, but ignored in favor of piecemeal escalation.

Mr. Johnson has revealed that the final requests of the military, though not their early recommendations, led him to ask Sec. of State Dean Rusk and Defense Sec. Clark M. Clifford the questions that, in turn, led Clifford to recommend de-escalation.

Documents obtained by the Sun-Times also reveal these previously hidden aspects of the war:

Robert Kennedy—The President's brother played a key role in the conduct of the war during the Kennedy administration. As co-chairman of the Special Group Counterinsurgency, Robert F. Kennedy served as chief interrogator of the Central Intelligence Agency, Pentagon and State Department officials responsible for Vietnam programs. Several witnesses complained that he was overly aggressive.

Defoliation—The program was first approved by President John F. Kennedy in 1961 under the designation Operation Hades. Later it became known as Operation Ranchhand. Taylor, then the President's personal military adviser, described the program as "ineffective" and "irrelevant."

A later study prepared for the Pentagon by the Rand Corp., a government-sponsored "think tank," concluded that 88 per cent of the South Vietnamese villagers in areas where defoliants were used blamed the United States for their plight and the standing of the Viet Cong improved by 30 per cent among them.

OBSCENITY REGULATIONS

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PRICE of Texas. Mr. Speaker, this afternoon the House is scheduled to debate and vote on H.R. 8805, a bill to provide additional Federal regulations to the obscenity laws insofar as they apply to minors. While this bill has merit, and I will support it in the absence of having any other alternatives to vote for at present, I think the bill is too limited in its scope.

Basically H.R. 8805 would prohibit individuals and organizations from using the mails to promote or sell pornographic materials to minors. It would also prohibit use of the mails for delivery of pornographic materials to a minor's residence unless the material were completely wrapped, sealed, and addressed to a person at the residence who is not a minor.

Mr. Speaker, Congress would be deluding itself if it thought it were striking a telling blow in the battle against the obscenity by passing this bill. This bill is to the smut trade what a band-aid is to a gunshot wound.

What this body must do, if it really wants to establish effective controls on the smut trade and put the porno peddlers out of business, is to adopt a tough bill similar to that passed by the House during the second session of the last Congress. At that time, as will be remembered, the House approved legislation closing off interstate facilities, including the mails, to the transmission of salacious advertising, or advertising that would pander to prurient interests. Unfortunately, although the proposal passed the House by an overwhelming margin, it never became law because the other body failed to act upon it.

To breathe new life in this proposal, I introduced it early in this Congress. I introduced it because, in my mind, the fact the bill never became law in the last Congress does not mean that its value has been diminished one iota. The use of interstate facilities, including the mail, should be closed to the transmission of salacious advertising. The homes of our Nation should be freed from the mounting reams of filth being peddled by the smut industry.

Mr. Speaker, I would urge my colleagues on the House Judiciary Committee to give my bill H.R. 3503, their fullest consideration, notwithstanding the fact that the Post Office and Civil Service Committee has reported out its weaker version of obscenity control, the bill being voted on today. In my judgment, the mails must be closed off to the smut trade. If the 92d Congress fails to act with swiftness and with resoluteness, the moral decay eroding the foundations of our Nation will continue unabated.

A NATIONAL BENEDICTION

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. WOLFF. Mr. Speaker, one of the most cherished liberties in our national life is the freedom of religious belief that has been guaranteed by the Constitution for almost 200 years. The United States is respected not only for the spiritual liberty and diversity that is upheld by this freedom, but for the sincere religious ideals that guide the lives of Americans of all faiths. One of the most moving manifestations of this faith occurs each week day at 12 o'clock at the opening of the Senate and House when a prayer is read by a member of a major faith. These prayers have always been a source of inspiration for the Nation's legislators and the public and have been composed by people from all parts of the United States.

There is a Lutheran church in Port Washington, N.Y., whose pastor composed such a prayer several years ago. Rev. Henry von Schlichten has been the leader of the Lutheran Church of Our Saviour for many years and has been an active and influential leader of his community in New York. The prayer he wrote, A National Benediction, has been read in the Senate numerous times, and has opened several major political rallies. This inspiring prayer was composed in the same rhythmic style as the original O'd Testament benediction and is unique for its moving combination of religious and patriotic ideals and feelings. Mr. Speaker, I include the prayer at this point in the RECORD:

A NATIONAL BENEDICTION—DEDICATED TO GOD AND COUNTRY

(By Henry J. von Schlichten)

Lord bless our Country's President,
Our Halls of Congress, too;
The people on our Continent,
The good we try to do.
Lord keep us in Your loving care,
Unharmed by night and day,
On land and sea and in the air,
At home and far away.

Lord make Your gracious Face to shine
Upon a troubled world,
That needs a spark of Light Divine
To keep our faith unfurled;
Lord lift Your Holy Countenance
Upon the ways of men
Who look to You for sustenance,
And grant us peace. Amen.

DISSENTING VIEWS ON THE VOTE TO CITE THE PRESIDENT OF CBS FOR CONTEMPT OF CONGRESS

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. TIERNAN. Mr. Speaker, as you know, on Thursday, July 1, the House Committee on Interstate and Foreign Commerce cited for contempt of Congress the Columbia Broadcasting System and its president, Dr. Frank Stanton.

As a member of the committee, I dissented to this vote. I feel strongly that the action of the committee in this matter is in serious error. I have prepared a dissent to the majority decision and at this point submit it for inclusion in the RECORD:

SEPARATE DISSENTING VIEWS OF HONORABLE ROBERT O TIERNAN IN THE MATTER OF THE HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE CITATION, CONTEMPT OF CONGRESS OF CBS NETWORK AND ITS PRESIDENT, FRANK STANTON

There are five points which I feel must be made in my separate dissenting views on the vote to cite the President of CBS for Contempt of Congress for his refusal to supply our Committee will "all film, workprints, outtakes, sound tape recordings, written scripts and/or transcripts utilized" in connection with "The Selling of the Pentagon." The subpoena required the submission of all the above, "Provided, that the foregoing be limited to all such materials relating to the actual broadcast and not include such materials relating to segments not shown therein . . ."

Our Committee's action to cite CBS and its President for contempt of Congress is a serious mistake from a number of viewpoints. First, our contempt vote and the surrounding publicity has apparently made some of us lose sight of the public service which CBS rendered by disclosing how the Pentagon was using a very substantial sum of the American taxpayer's dollars for propaganda purposes. The documentary was devastating in its portrayal of how the Pentagon has gotten out of hand in its public self-aggrandizement and in its attempts to romanticize the role of battle despite a Presidential order curbing such public relations activities.

Second, our contempt citation will clearly have an intimidating and chilling effect upon all broadcast journalists who may in the future decide to prepare a documentary on a controversial subject. There is little doubt that this subpoena and contempt citation are every bit as intimidating to broadcast journalists as was the grand jury subpoena of a newspaperman's notes concerning the Black Panthers. In that case, the Ninth Circuit Court of Appeals on November 17, 1970 said:

"The very concept of a free press requires that the news media be accorded a measure of autonomy; that they should be free to pursue their own investigations, to their own ends without fear of governmental interference, and that they should be able to protect their investigative processes. . . . Further, it is not unreasonable to expect journalists everywhere to temper their reporting so as to reduce the probability that they will be required to submit to interrogation. The First Amendment guards against governmental action that induces such self-censorship."

Justice Hugo Black reiterated the view of the Supreme Court on this subject in the recent case of the *New York Times Co.* v. *United States* (June 30, 1971):

"In the First Amendment the Founding Fathers gave the free press the protection it must have to fulfill its essential role in our democracy. The press was to serve the governed, not the governors. The Government's power to censor the press was abolished so that the press would remain forever free to censure the Government. The press was protected so that it could bare the secrets of government and inform the people. Only a free and unrestrained press can effectively expose deception in government. And paramount among the responsibilities of a free press is the duty to prevent any part of the government from deceiving the people. . . ."

We cannot hope for enlightened broadcast journalism if we allow for Congressional review and governmental interference. How many networks or independent stations will be willing to attempt such a documentary in the future if they know the Congress has the authority to step in and subpoena outtakes and workprints and second-guess their editorial judgments?

Third, our contempt citation seems to put us on record in support of the proposition that broadcast journalism is not entitled to First Amendment protections. This would be most unfortunate, for it flys in the face of the law, as interpreted by the Supreme Court, and is alien to the intent and spirit of the Communications Act of 1934 which sought to add a new and diverse spokesman to the field of American journalism through the use of the airwaves. On June 7, 1971, Mr. Justice Brennan announced the opinion of the Supreme Court in the case of Rosenbloom v. Metromedia, Inc., 39 U.S.L.W. 4694 and noted that the "petitioner does not question that the First Amendment guarantees of freedom of speech and freedom of the press apply to newscasts."

This subpoena is a formal governmental intrusion into a network's news operation and is unwarranted by the facts in the case and prohibited by strictures of our Constitution. This subpoena is clearly governmental interference, the first step down the road toward governmental censorship, and again I wish to emphasize that the action clearly has a chilling effect upon free expression and reporting.

Our Committee has made previous attempts at interfering with programming, as evidenced in its report on *Deceptive Programming Practices* in 1969. At that time a number of my colleagues, submitting Minority views, stated the issue quite succinctly:

It is not clear from the report whether the majority merely feels that broadcasting is not "press" within the meaning of the First Amendment or that, even if it is, Congress has the power to review and interfere with the exercise of its journalistic judgment. Whichever, we believe the majority is wrong as a matter of law and policy.

We firmly believe, and the Supreme Court has affirmed on several occasions, that broadcasting falls under the protection of the First Amendment. The report seems to say that, since broadcasters are licensed to use the spectrum, a valuable and scarce public property which must be regulated for its fullest scientific use, then the Government can condition that use upon the broadcaster surrendering his rights under the First Amendment. We believe that the Government cannot condition the enjoyment of a governmental license or privilege upon the surrender of any Constitutional rights. We regard a broadcaster's exercise of journalistic judgment synonymous to that of the newspaperman's, and as such, believe that the Constitution aggressively protects that judgment from governmental interference and that it should be protected, not only as a matter of policy.

In my view, America does not need legislative surveillance of the judgments of any news media. Even though television is Federally licensed, there is no right to infringe upon its First Amendment freedom of editorial judgment. To subpoena the workprints outtakes and written scripts of television editors and reporters is not a proper function of democratic government and leads us closer to the censorship so abhorred by our founding fathers.

Fourth, our Committee was called on, in this one vote, to make a choice that can only result in placing one on the horns of a dilemma. When we are forced to choose between the right of freedom of the press and the power of legislative investigation, for which do we opt?

It is clear from the Legislative Reorganization Act of 1946, that our Committee has the power to investigate the employment of certain production and editing techniques used by networks and broadcasters "in order to see if there is a need for new laws for the protection of the public". It is also clear that this Committee has a duty to protect the public by insuring that the valuable and limited airwaves be used in a proper manner. But to leap from these powers and duties to the view that our Committee is thus empowered to use its subpoena authority as a weapon of intimidation of the broadcast press, is totally without merit. The subpoena power was designed to allow Congress to obtain that information which is legitimately within its sphere of authority, not to go on fishing expeditions into areas protected by the First Amendment.

The Supreme Court has pointed out on a number of occasions that the Court has required the sacrifice of First Amendment freedoms *only* where a compelling need for the particular testimony in question is demonstrated. (De Gregory v. Attorney General of New Hampshire 383 U.S. 825, 86 S.Ct. 1148, 16 L.Ed. 2d. 92, 1966) Gibson v. Florida Legislative Investigation Committee (372 U.S. 539, 83 S.Ct. 889, 9 L.Ed. 2d 929, 1963). In 1959, in Barenblatt v. U.S. (360 U.S. 109, 126, 79 S. Ct. 1081, 1093, 3 L.Ed. 2d. 1115), the Supreme Court noted that where the alleged abridgement of First Amendment interests occurs as a by-product of otherwise permissible governmental action not directed at the regulation of speech or press, "resolution of the issue always involves a balancing by the courts of the competing private and public interests at stake in the particular circumstances shown". Where is the overriding compelling public need for the particular outtakes from "The Selling of the Pentagon"? On what grounds can our Committee justify sacrifice of First Amendment freedoms, especially in light of the fact that the Committee already has stated unequivocally that it has evidence of the improper editing techniques?

Fifth, let us ask for what purpose does our Committee seek the outtakes and workprints of "The Selling of the Pentagon"? It is already eminently clear that CBS did show poor judgment, possibly malicious intent in its editing process. We already know how CBS managed to take some statements out of context, thus making the statements misleading. We can prove this.

An important point to be made is that our Committee already has access to a number of scripts of complete and original interviews as well as a transcript of the actually televised documentary. According to a release from "The Office of The Special Subcommittee on Investigations" dated June 29, 1971:

The Subcommittee issued its subpoena because of *evidence* that CBS, in its news documentary, "The Selling of the Pentagon", had engaged in highly deceptive practices. *That evidence, since verified by sworn testimony,* showed that by cutting and splicing filmed materials, the words of speakers were rearranged to make an individual appear to answer questions in a different way than he did

in fact answer them, and another individual appear to be delivering a statement he did not in fact deliver. (Emphasis added.)

Since our Committee already has "verified evidence," obtained from alternative nonpress sources, we cannot justify the injury to First Amendment liberties by any demonstrated need of the Committee. If the Committee is truly seeking to formulate legislation to protect the public against poor editing, the case is already clear. The abuses are obvious. A subpoena of specific outtakes and workprints in a specific documentary will not produce any new or needed information.

It is not only CBS' First Amendment right of editorial judgment that is at stake, it is the more sacred First Amendment right of the public.

As the Supreme Court stated in the *Red Lion Broadcasting Company* case in 1969:

It is the right of the public to receive suitable access to social, political, esthetic, moral and other ideas and experiences which is crucial here. *That right may not constitutionally be abridged either by Congress or by the FCC.* (Emphasis added.) (395 U.S. 267.)

When the Federal Communications Commission was asked to comment on the problems surrounding "The Selling of the Pentagon," Chairman Dean Burch was directed by the FCC to reply. In a letter to Chairman Staggers dated April 28, 1971, Chairman Burch stated:

It would be unwise and probably impossible for the Commission to lay down some precise line of factual accuracy—dependent always on journalistic judgment—across which broadcasters must not stray. As we stated in the "Hunger in America" ruling, "the Commission is not the national arbiter of the truth" (20 FCC 2d at p. 151). Any presumption on our part would be inconsistent with the First Amendment and with the profound national commitment to the principle that debate on public issues should be "uninhibited, robust, (and) wide-open" (New York Times C. v. Sullivan, 376 U.S. 254, 270). It would involve the Commission deeply and improperly in the journalistic functions of broadcasters.

I believe that our Committee is making a grave error. It is placing itself in the position of "national arbiter of the truth." This is clearly an undesirable and untenable position.

MODEL BILL FOR ENVIRONMENTAL PROTECTION

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HUNGATE. Mr. Speaker, the American Trial Lawyers Environmental Law Section has proposed a model bill for environmental protection. There may be improvements or adaptations that could be made that would make it more effective and more equitable but I submit it as a common starting point.

I include the proposed model bill:

MODEL BILL

Section 1. As used in sections one through five the following words shall have the following meanings.

(a) "Abatement" means the cessation or any reduction of damage to the environment.

(b) "Damage to the environment" means any destruction, damage or impairment, actual or likely, of or to any of the natural resources of the state, whether caused by the defendant alone or by the defendant and others acting jointly or severally. Damage to the environment includes, but is not limited to, air pollution, water pollution, noise, and destruction, damage, or impairment of rivers, streams, lakes, ponds or other water resources, seashores, wetlands, or publicly held or dedicated open spaces or natural areas.

(c) "Person" means any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, political subdivision, administrative agency, public or quasi-public corporation or body, or any other legal entity or its legal representatives, agents, or assigns.

(d) "Prohibitive" means any cost so great as to substantially deprive a person of the use of his property.

(e) "Statute or regulation" means any statute, ordinance, regulation, or ruling of the United States or of the state or any of the political subdivisions or administrative agencies of either.

Section 2. Any person shall have the right to make timely intervention into any ---------- proceeding, as defined in section ----------, of any administrative agency in which damage to the environment is or might be at issue. Said intervention shall be for the purpose of assuring that the nature and extent of such damage are adequately considered and that any decision in such proceeding minimize such damage to the fullest extent possible consistent with the other purposes of said agency. Any person intervening hereunder may present evidence or witnesses and make written or oral argument, except that the agency may exclude any repetitive, irrelevant, or spurious intervention. Any such person shall be considered a party to the proceeding for the purposes of notice and any other procedural rights applicable to such proceeding. Such person shall also have the right of appeal, any other statute notwithstanding.

Section 3. Any person shall have standing to maintain in ---------- court an action against any person causing or about to cause damage to the environment and, upon proof of damage to the environment caused or about to be caused by defendant, shall be entitled to relief as follows:

(a) Upon finding that defendant is violating or about to violate a statute or regulation, a direct effect of which is to prevent or minimize damage to the environment, the court shall order the defendant to comply therewith.

(b) Upon finding that there is at least one method of abatement, the court shall order abatement to the lowest attainable level which is not prohibitive. The burden shall be upon the defendant to prove by a clear preponderence of the evidence that any method of abatement under consideration would be prohibitive.

The defenses of sub-section (c) shall not be available to a defendant against a claim under this subsection.

(c) The court shall issue an injunction ordering the defendant to cease so much of his action, activity, operations or enterprise which causes or is about to cause such damage to the environment, unless the defendant proves, by a clear preponderance of the evidence, that such damage to the environment does not constitute a nuisance which equitably should be enjoined. In determining whether such damage to the environment constitutes a nuisance which equitably should be enjoined, the court shall consider, in addition to those substantive factors which are relevant under the common law of nuisance, the following: (1) the extent and likelihood of such damage; (2) the number of people that are or will be affected by such damage to the environment and the severity of such affect; (3) the value of the natural resources of the state affected in terms of economics, asthetics, recreation, health, safety and welfare, and (4) whether defendant is attempting to research or to assist in research to reduce or eliminate said damage and, if so, the extent of said attempt.

(d) Upon finding that the defendant is causing damage to the environment and that the plaintiff has been injured thereby after the effective date of this act, the court shall award damages to the plaintiff. The court shall award up to three but not less than two times the amount it would otherwise award, if it finds that the damage to the environment complained of was in willful or knowing violation of subsection (a) or (b).

(e) If the court issues an order requiring abatement, cessation, or damages or grants any other relief under this section, it shall award plaintiff a reasonable amount for costs, attorney's fees, and expenses reasonably incurred in connection with said action, including fees and expenses of expert witnesses and consultants.

Section 4.

(a) Any person entitled to bring an action under section (3) may, if the damage to the environment complained of has caused similar injury to other persons similarly situated and too numerous to join, and if the court finds in a preliminary hearing that he adequately and fairly represents such other persons, bring the action on behalf of himself and such other similarly injured and situated persons. The court shall require that notice of said action be given to unnamed plaintiffs in the most effective practicable manner. Said action shall not be dismissed, settled or compromised without the approval of the court, and notice of any proposed dismissal, settlement or compromise shall be given to all members of the class of plaintiffs in such manner as the court directs.

(b) If the court has reasonable grounds to doubt the plaintiff's ability to pay any cost which might be rendered against him in an action brought under section (3) the court may order the plaintiff to post a surety bond or cash not to exceed one hundred dollars.

(c) The court may appoint a master or referee to take testimony and make a report to the court in any action under section (3).

(d) (1) Proof of non-compliance with any statute or regulation on damage to the environment, shall constitute prima facie evidence that the defendant is causing or is about to cause damage to the environment.

(2) Proof by the defendant of compliance with any statute or regulation shall not constitute a complete defense to an action under section (3).

Section 5.

(a) Nothing in this act shall be interpreted to derogate from any existing or future common law of statutory right or remedy against damage to the environment or damage to any person.

(b) The provisions of this act are severable, and if any of its provisions shall be held by any court of competent jurisdiction to be invalid or unconstitutional, said holding shall not affect or impair any of the remaining provisions.

THE WAGE-PRICE DILEMMA IN CONSTRUCTION

HON. JOHN B. ANDERSON

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ANDERSON of Illinois. Mr. Speaker, recently Deputy Under Secretary of Labor for Economic Affairs and Program Coordination, Mike Moscow, delivered an address on the wage-cost problem in the construction industry that I believe is particularly worthy of note. His speech displays at once a wise and seasoned sen-

sitivity to the unusual structure, complexities, and uniqueness of the industry, while at the same time does not shrink from the fact that wages and costs are clearly out of line and that steps must be taken to remedy that situation. In this regard he gives high marks to the stabilization program being carried out under the President's Executive order.

I would urge that my colleagues read Mr. Moscow's speech, for in a few short pages he succinctly pinpoints the unique characteristics of the construction industry that must be carefully considered in fashioning any long term solution:

THE WAGE-PRICE DILEMMA IN CONSTRUCTION

For the past few years wages and prices in the construction industry have increased at highly inflationary rates. The construction industry became a symbol of an inflation that was "out of control." Wage increases were clearly out of line with traditional relationships to increases in other industries even when adjustments were made for skill differentials.

I'd like to discuss briefly the wage side of this problem and comment on several questions: (1) Why the problem occurred, (2) what is being done about it—specifically the President's recent Executive Order 11588; and, (3) how well it is doing.

The reason that construction wages accelerated rapidly and showed no signs of decelerating in the late 1960's, in my view, stems from two causes:

(1) The rapid growth of non-residential construction in the mid and late 1960's, and

(2) The basic underlying structure of the industry itself.

The boom in non-residential construction was the motivating force, but the underlying structure of the industry accentuated the wage increases and permitted them to continue far longer than economists ever expected and far longer than was acceptable from a standpoint of public policy. In fact, in the first quarter of 1971 with seasonally adjusted unemployment rates of 11 percent in contract construction, there was *still* no sign that negotiated increases would slow down.

Let's focus a bit on the underlying structure itself.

Construction is a confounding industry. There is a language to be learned and morals and values to be understood. Like the maritime trades, mining and a few other occupations, there is a social closeness and aloofness among construction people despite the fact that construction is probably one of the most diffuse economic activities, geographically and by size of establishment. If construction workers have a little *mystique*, they also have a little *panache* as well. Their opinions are strongly held and strongly voiced and their unions are both militant and conservative.

These impressions apply equally well to construction management. There is, of course, a well-beaten path from craftsman to manager to owner. (Firm size is small, about 10 employees per establishment in contract construction.) Entry is easy and there are many stories about the worker who has made it all the way, such as the Kellys, McCloskeys and Perinis. But the failures are many.

Construction is a private industry, yet better than a third of the time it is operating on government money and much more of the time under government regulation. Public corporations are rare. Practically all business is done through contracting but this doesn't necessarily mean through an open bidding system. Contracts are privately arranged, usually through customer and favorite contractor, through general contractor and favorite sub-contractor. Business life is competitive, but the competition is often uneven and there are always suspicions or allegations of collusion and corruption.

The market for the construction product is unique. The end product is not standardized. There are more than just functional tests of competition as in trucks or washing machines, but also aesthetic and other subjective considerations. In fact, there may be considerable resistance to a standard design, even if demonstrably cheaper. It will take considerable effort to develop industrialized processes in construction that will be acceptable to consumers. Another restraint, and it is crucially important to our discussion today, is summed up in the words of a well known labor leader, "you can import a car but you can't import a skyscraper." Product market competition, because of this natural *place* limitation, does not turn on wage differentials. A purchaser of a skyscraper in downtown Philadelphia cannot import the finished product manufactured with lower paid workers from another geographical area.

It is difficult to understand the construction labor force using our usual concepts. There are about 3¼ million in the industry, *on the average*. But nearly twice that many individuals are connected with the industry in any year. There is considerable disagreement as to what this means, like deciding on whether a glass is half full or half empty. We can proceed on the assumption that there is terrific underemployment or we can accept the special nature of the industry and be grateful that here is an industry which gives casual labor a chance to earn some big money. We should probably strive for a fully employed labor force but what the size and configuration of such a force would be is not really known because we don't have ways to determine who is a serious worker and who is not. Even the workers do not know because their attachment depends on what the local demand *is* and *is going to be*.

It is easy to visualize actual cases. A card carrying carpenter works seven months out of a year and for the rest of the time farms or works at other jobs outside of construction. Would he do these other things if construction work were available? Yes, No, or maybe? I don't know myself, I'm not sure he does either.

Because there are these variable experiences, the labor statistics we use are subject to misinterpretation. Unemployment rates are always high even in summer when contractors are crying for help and men put together as much as 20 or 25 additional weekly hours of premium overtime pay. And when winter comes the whole labor force contracts by a third, but many still stay employed. In fact, there is a discernible seasonal factor even in Southern California and Florida.

Upon these erratic phenomena is built, as you might guess, a unique system of wage determination. Aside from the collective bargaining agreement, we have an employment contract which commits a worker to an employer for a finite period, perhaps as little as one or two hours. The employer can discharge the man without any real difficulty, particularly if there is no work. Consequently, the only stable force in the industry is the craft union. It is incumbent upon the union to supply what the employer cannot supply—some kind of security or, at least, some kind of income flow resembling what other workers receive. The union, thus, has to negotiate a wage rate which cumulatively will supply an average journeyman some kind of annual income commensurate with an acceptable life style in his community. As a result, the local union, if at all possible, will try to limit the *size* of its membership to the number of craftsmen who can get enough *union* work to receive a reasonable annual income. In practice, the easiest way a worker can get a permanent and often exclusive attachment to the construction labor market is to get a union card.

Craft unions in construction will try to spread the union scale to as many projects as is economically possible. This provides more work for their members and helps to increase the opportunity to members to receive a secure annual income.

Prevailing wage laws are an important means of spreading the union scale and increasing work opportunities for union members. The Davis-Bacon Act, passed in 1931, is the most famous of these laws, but it covers only direct federal construction. There are another 55 statutes relating to federally assisted construction that requires the payment of prevailing wages. In addition, 38 states have "little" Davis-Bacon Acts covering state construction.

Let us now turn to the way in which the union scale is determined. As one would expect, the collective bargaining structure in construction is extremely complex.

There are at least 18 different craft lines each requiring a different set of skills and expertise and each with different training and apprenticeship standards. Each craft has a different labor market and often a bargaining unit that covers a different geographical area setting a different wage rate or wage rates. Some crafts, such as the elevator constructors and sprinkler fitters, bargain nationwide; boilermakers bargain regionally; the operating engineers often bargain a statewide agreement; the bricklayers usually have several locals with different collective bargaining agreements in the same city.

The bargaining structure is highly fragmented—to say the least. A considerable amount of bargaining, perhaps most, is local covering a relatively small geographical area and sometimes by special types of constructions such as industrial, heavy and highway, or residential. Almost 1,400 separate collective bargaining agreements in the construction industry will expire in 1971. One result of the fragmented bargaining structure is that workers who are on strike in one unit or locality can often find work in neighboring localities. Of course, this increases the unions bargaining power vis-a-vis the employers.

The employers' side of the bargaining table is also quite complex. Because of the sporadic nature of construction activity, the anomalous situation often develops wherein the management spokesmen at the bargaining table have no work in progress and, thus, are not concerned, at least temporarily, about a strike. Or the contractors with current projects may negotiate and backload the settlement because they find it easier to pass on higher rates to users in future years as opposed to passing them on during the first year of the collective bargaining agreement.

National contractors rarely participate in local negotiations. Instead, the national contractors accept the wage rate negotiated by the local contractors. National contractors often sign "national contracts" with the International President of a craft union. The "national contract," in brief, guarantees the contractor that he will not be struck on his project if he accepts the locally negotiated wage rate. (In other words, the national contractor often works his project through a local strike, giving jobs to craftsmen, exerting additional pressure on local contractors being struck.) Of course, it is not surprising for local contractors to negotiate costly manning requirements or work rules that are only applicable for large projects awarded for national contractors.

Now that we have discussed the structure of the construction industry, let's turn to the new Executive Order and how it fits into that structure.

On March 29, 1971, the President issued Executive Order 11588 which established a system for stabilizing wages and prices in construction largely through the tripartite

Construction Industry Stabilization Committee and bipartite craft dispute boards representing various segments of the industry. The President had a legal basis for doing so through the Economic Stabilization Act of 1970 but, what is more important for us to discuss today, is the economic justification and the means employed.

The government took upon itself not to regulate, but to set up a system of self-regulation with implicit but real sanctions available should the need arise. The CISC was set up a halfway house between purely voluntary restraint and outright controls.

The procedures adopted require that all *new* settlements negotiated after March 28, 1971, be approved by a craft disputes board and then the CISC. Increases negotiated earlier which were scheduled to go into effect after March 28, were subject to review but did not have to be approved before being put into effect.

The Executive Order lists two criteria to be used by the CISC and craft dispute boards in deciding whether to approve or disapprove a settlement:

(a) Acceptable economic adjustments in labor contracts negotiated on or after the date of this order will be those normally considered supportable by productivity improvement and cost of living trends, but not in excess of the average of the median increases in wages and benefits over the life of the contract negotiated in major construction settlements in the period 1961 to 1968.

(b) Equity adjustments in labor contracts negotiated on or after the date of this order may, where carefully identified, be considered over the life of the contract to restore traditional relationships among crafts in a single locality and within the same craft in surrounding localities.

The Executive Order recognizes a legitimate claim for parity, or equity, but it seeks to control leading settlements which could ripple out and encourage further disequilibrium in local craft wage structures. The CISC reviews each settlement individually. This is an exceedingly difficult task requiring the submission of considerable background data and what is equally important, the use of temporal judgment as to the stimuli which led to the agreement and the probable future impact on other settlements.

The question is often asked why we permitted larger increases for some construction crafts in some localities. Wouldn't it have been a lot easier to limit every settlement to a rigid guideline—say 6 percent? In part, the answer to that question is "Yes," because it would have been a lot easier to interpret and administer an Executive Order that required a rigid common guideline for every settlement. But administrative ease is not synonymous with efficient labor markets. The Executive Order permits "equity adjustments" in order to restore traditional differentials with other crafts in the same locality and with the same crafts in neighboring localities. If equity adjustments were not permitted, serious morale and productivity problems would result—to say nothing of the likelihood of strikes against the government. For example, suppose the electricians and plumbers in the same town have received the same rate for the past 40 years, which is not unusual, considering that unions and collective bargaining in the construction industry are nearly a century old. If the electricians received a 15 percent increase last year, can we realistically expect to limit the plumbers to 6 percent when they negotiate this year? Some labor economists use the phrase "coercive comparisons" to explain the close connection between some wage rates in labor markets. The term implies a strong interdependence of wage rates which will ma ifest itself in other ways if the wage rate connection is broken.

Think of it this way. We are trying to turn a race into an orderly procession. We want everyone to end up in the traditional order, and we want a slower pace to be maintained. Thus, in the middle of the procession, some units speed up and some slow down. It would depend on whether you were a bystander or a marcher whether you felt the procession was a forced march or a funeral.

Let me tell you of progress so far. I indicated earlier that the potential case load for new settlements is about 1,400 for this year. About 250 cases have reached the tripartite Committee and 56 settlements have been approved, i.e., the increase justified. One settlement—a Morgantown, West Virginia, painters' contract has been officially rejected. About 20 of the 200 were returned to the local parties for new data or clarification of data.

Approximately two-thirds of the settlements received by the Committee asked for consideration on the basis of equity. As a rule of thumb, this means the settlements were over 6 percent.

About 25 requests have been made to review deferred increases. The Committee quite explicitly ruled out any consideration of *pro forma* requests, of which there are hundreds and which do little more than bemoan the fact that craft X or craft Y is getting too much.

Seventeen bipartite craft dispute boards have been established. The economic adjustments so far have averaged 8.1 percent annually on a time weighted basis. On an equal timing basis (which is comparable to the methodology used in published BLS data) the average annual increase has also been about 8.5 percent. Of course this is not a random sample and we have no idea of the final outcome for this year. But last year's increase over the total life of the contract average over 16 percent per year. (Settlement and work stoppage data have been updated to June 24, 1971.)

One definite sign of progress is the reduction in the number of strikes this year. As of June 24 there were 51 strikes in progress affecting about 36,000 workers. At the same time last year there were 128 strikes affecting 68,000 workers—twice as many. We believe that the duration of strikes also has diminished but unfortunately no data are available yet to support that contention. This gain in time worked alone is an important and encouraging achievement.

In conclusion, E.O. 11588 presents a unique, experimental approach to restraining wage and price increases. It is a problem solving approach designed specifically to operate in the construction industry. It cannot be transferred *in toto* to other industries. In my view the term "multilateral bargaining" accurately describes the approach in the Executive Order. Both labor and management actively participate with government-appointed but non-governmental, neutrals in reviewing and determining the acceptability of new wage increases. Government sanctions are available if needed, but the decision to utilize these sanctions is made by government officials who are not members of the CISC. Whether this type of approach can solve the wage-price problems in construction remains to be seen. At this point we can be happy with the preliminary returns and say that it "looks good so far."

ACCUSATIONS AT HEARING DENIED BY EMPLOYER

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. McFALL. Mr. Speaker, during recent hearings in Los Angeles of the House Subcommittee on Immigration and Nationality of the Judiciary Committee, several central California employers were cited by one witness as having utilized improper procedures in the hiring of immigrant labor. No advance notice was given as to the nature of the testimony to be presented at the hearings.

Those employers named should have the opportunity to respond and receive the same publicity, should they desire, as did the person who made the accusations in Los Angeles.

Mayor Enoch Christoffersen of the city of Turlock, located in the 15th District which I have the privilege to represent, has submitted as testimony to the subcommittee a personal statement in response to the accusations of June 21 in which his name and firm were mentioned.

The statement of Mayor Christoffersen of July 2 to the subcommittee, as well as press accounts in the Turlock Journal of June 21 and the Modesto Bee of June 22 follow:

VALCHRIS, INC.,
Turlock, Calif., July 2, 1971.

Hon. PETER W. RODINO, Jr.,
Chairman, House Judiciary Subcommittee on Immigration and Nationality, Rayburn House Office Building, Washington, D.C.

DEAR CHAIRMAN RODINO AND COMMITTEE MEMBERS: On June 22, 1971, an article appeared in the Modesto Bee involving Valchris, Inc. and Enoch Christoffersen as employing illegals. A copy of the article is enclosed. It quotes, "Mayor Enoch Christoffersen of Turlock is an outspoken opponent of welfare, yet he employs illegals at his poultry plant, Valchris, in Turlock."

"People who employ illegals do so because they can pay them less money, force them to live in terrible housing, pay no insurance benefits nor taxes," she said.

This article was one from a Congressional Hearing at Los Angeles for the House Judiciary Subcommittee on Immigration and Nationality where Mrs. Teresa Cantu, a CAC worker, accused Valchris, Inc. and myself of these false accusations.

I am, therefore, requesting that my statement in its entirety be made part of the Congressional Records and of the Subcommittee Hearings on Immigration and Nationality.

1. We do not house anyone and we, therefore, do not cause them to live in unfavorable environments.

2. There is no discrimination whatsoever to any employee as to wages.

3. There is no discrimination to anyone as to insurance benefits or taxes.

4. We do not ever knowingly hire "wetbacks" or illegals. But when a person has a Social Security Card and a Green Card, we would be discriminating under the law if we do not hire them. If the Green Card is illegal, we have no way of knowing. For this reason, I do not want to be accused of having illegals working for me. This is the government's fault.

We must have a percentage of minority groups working at our plant and we purpose to abide by this labor regulation.

A few months ago, a representative from the government went through our books and plant operation to check if we are complying with the regulations as to minority groups. Upon the inspection, he found that we were within the law.

The investigator from the gov't had our records at his access to determine whether we had any illegals working for us or not, but I want you to know that we received no negative reports whatsoever.

5. Accusing us of paying lesser wages and

no insurance or taxes is stating that we would know if we had illegals. So, Mrs. Cantu is, thereby, accusing me of deliberately hiring illegals which is so far from the truth. The only way we would get illegals is because of the process makes it impossible to avoid it.

6. It happens that the first several months we were not eviscerating turkeys until the 21st of June. We had only regulars working up to that time.

We are being accused of contributing to the high percentage of unemployment this year because of hiring illegals. This proves my point. This is impossible because we were not processing.

I was accused of being "an outspoken opponent of welfare, yet he employes illegals in his plant, Valchris, in Turlock." I have not spoken against welfare. I have been opposed to the abuse of welfare and certainly Mrs. Cantu should be.

When we need a solid foundation to stand on, we can go to the Word of God. In II Thessalonians 3:10 it states, "For even when we were with you, this we commanded you, that if any would not work, neither should he eat." The Bible is opposed to people not being willing to work.

We have sent ledger sheets on payroll to a union so that what I am writing can be verified as the truth. You also can verify from the union that our plant did not operate before the 21st of June this year.

We have asked the union to assist us in determining the legal status of our employees. They have assured us they will.

We requested the Border Patrol to inspect our plant in determining whether there were any illegals. We feel certain there are not any. They are going to do so on the 16th of July.

Because Mrs. Teresa Cantu has deliberately accused me of committing illegal operations, which is untrue, we, therefore, feel very strongly that her testimony should be removed from the Congressional Record as far as its use is concerned. When a person is misrepresenting an area, it is difficult to determine what is correct and what isn't.

It shall be my request to our Congressman, John FcFall, to have her removed from the CAC (Community Action Commission) as being unfavorable to its purpose and cause.

Mrs. Cantu has never come to our place asking for our cooperation. The first acknowledgement I had was when I read the Turlock Daily Journal and Modesto Bee of Valchris being accused of such false accusations.

To summarize, we have never participated in a recruitment program to bring in illegals. All workers in our plant are paid union wages (for the job they do). We furnish no housing to plant employees.

Now I would like to give some points which I feel would be very constructive in solving this Immigration and Nationality problem in our country.

1. There must be a stronger enforcement of the Border Patrol. All trucks and vans should be very carefully checked for people sneaking over the border. Trunks as well should be opened. Some may attempt to get over the border in the trunk of a car. There seems to be no rhyme nor reason to have this many sneak over the border.

2. There should be a crackdown on the issuing of Social Security cards. By having a fingerprint and a picture on the card, we could then identify a person and avoid the possibility of hiring an illegal.

Presently, we are not to pay a person without a Social Security number. But at this time, there are people who have several numbers, we are told. This is because the Social Security card system is too loosely handled.

I strongly urge this constructive change in the Social Security card system.

3. With continuing the Green Card system accompanied by a fingerprint and picture, the Cards should be made in duplicates in order that the employer may have the right to send it to the closest computer system of the government to determine if they are legal.

It thus eliminates the possibility of an honest operation receiving insulting write-ups as have been displayed in our California papers on the 21st and 22nd of June.

4. We understand that a quantity of Green Cards have been made and sold at a small charge in another country for the illegals to obtain entrance into the U.S.

For that reason, having the computer system to check out the name, fingerprint, and picture, we can catch up on this racket.

5. The Social Security Card and/or the Green Card should be made of such material and chemicals of detecting all illegal prints.

In this way with these five suggestions, we can cut down the illegal entry and their stay in our country to a very small percentage. We trust from these points something beneficial to our country will be the result.

Sincerely yours,

E. S. CHRISTOFFERSEN,
President.

[From the Turlock (Calif.) Journal, June 21, 1971]

MAYOR DENIES ACCUSATION HE HIRES "ILLEGALS"

Terry Cantu, community worker for the Stanislaus County Community Action Commission, Inc., testified at a hearing of the House of Representatives Subcommittee on Immigration hearings today in Los Angeles and charged that several local industries are hiring illegal aliens and responsible for a "drastic shortage of jobs in Stanislaus County."

The CAC worker also told the subcommittee that because of this, many local residents and legal migrants have been forced to go on welfare.

"ONLY GREEN CARDS"

Named in the testimony was Valchris, Inc., and several other local agricultural industries.

Mayor Enoch Christoffersen, of Valchris, denied the allegation, stating that his firm hires only those aliens who have "green cards," which indicates they have been cleared by immigration authorities for employment.

"We don't want any wetbacks," Christoffersen said.

"If there is some better means of screening these workers than through the issuance of a green card, we would like to know," he stated.

"Furthermore, we haven't been operating for several months and haven't hired anyone but our regular staff," he pointed out.

BLAMES "PART-TIMERS"

Christoffersen blamed the high unemployment figure on cannery employes.

"They only work about 60 days and they don't want to work any more and are eligible for unemployment compensation, thus, the percentage goes up," he stated.

"These include housewives and others who seek only this seasonal work," he said.

Other local firms named during the testimony could not be contacted by press time.

The witness claimed that legal aliens and residents are forced out of jobs when the "wetbacks" appear on the job to work at lesser wages.

[From the Modesto and News-Herald, June 22, 1971]

CAC WORKER LISTS 10 HIRING ILLEGAL ALIENS

LOS ANGELES.—A Stanislaus County anti-poverty worker gave a congressional subcommittee yesterday the names of 10 employers she said hired illegal aliens. She claimed some were hired with the knowledge of the employer.

Teresa Cantu, a community organizer for the Stanislaus County Community Action Commission, told the House Judiciary Committee's subcommittee on immigration and nationality there is no federal law against knowingly employing the illegal aliens or "wetbacks."

"They simply import another bunch of wetbacks—charging them high fees for promises of big money—to replace those who are caught and deported," Mrs. Cantu said.

"The Border Patrol seems unable to contend with the flow of these illegals and, until recently, appeared uncooperative," she charged. Mrs. Cantu said she and other CAC workers have recently sought illegal aliens and their employers in an effort to curb high unemployment in Stanislaus County of local residents and "legal migrants."

"We have seen and talked to illegals and have first-hand information about places where these people hide," Mrs. Cantu told the subcommittee chaired by Rep. Peter W. Rodino, D-N.J.

"Mayor Enoch Christopherson of Turlock is an outspoken opponent of welfare, yet he employs illegals at his poultry plant, Valchris, in Turlock," she charged.

She said David Aredondo keeps illegal aliens at his farm labor camp in Patterson and "runs these people in for $250 a head." She also said labor contractor Rudy Avila employs illegal aliens.

"Lara Brothers Farm recently lost around 16 wetbacks in a raid, Burchell Nurseries lost six of their best grafters in a raid and Patterson Farms lost 12 field workers. Monte Vista Ranch in Denair—also known as Montpelier Management Co.—employs illegals, as does Rainbow Farms, a poultry plant in Turlock, the Snider Lumber Co., Turlock, the Orth Ranch in Hughson and many many other places," Mrs. Cantu testified.

"People who employ illegals do so because they can pay them less money, force them to live in terrible housing, pay no insurance benefits nor taxes," she said.

ADDS TO WELFARE

Also, she said, the practice forces other people onto welfare when they are unable to get work.

Among others who testified at two days of hearings in Los Angeles were Sheldon Greene, general counsel of the California Rural Legal Assistance Inc., and Assemblyman Dixon Arnett, R-Redwood City.

More than 250,000 illegal entrants have moved into California and earned more than $100 million, Arnett told the subcommittee.

He said the illegal aliens are a "significant cause in the increase of our welfare rolls" and were "a major source for the entrance of illegal narcotics."

GI WIDOWS—OUTCASTS?

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BROYHILL of Virginia. Mr. Speaker, a constituent of mine recently called my attention tc an open letter to the President, printed in the Washington Daily News on Tuesday, June 15, 1971, concerning the plight in which the widow of a retired serviceman found herself at her husband's death. I am aware that our colleagues who served on the Special Subcommittee on Survivor Benefits of

the Committee on Armed Services last year expressed grave concern over the woefully inadequate benefits available to widows of retired personnel, and that, as a result H.R. 984 has been introduced by several of our colleagues in an attempt to remedy the situation. I am hopeful that enactment of this legislation will provide relief to those ladies who face circumstances such as those described in the News article, and I insert the article in full at this point in the RECORD:

GI WIDOWS—OUTCASTS OF OUR SYSTEM?

NOTE.—A copy of the accompanying letter to the President was sent to The Washington Daily News and is reprinted with minor editing. We checked with administrative agencies, which agreed the plight is a sad one, but said the law is being followed. Had Mr. Graham elected, upon his retirement, to provide survivors' benefits to his wife in the event he preceded her in death, which has happened, his pension program would have done so. By her account, Mr. Graham apparently was under the impression he had taken this option. The question seems to be: should our military pension program be rewritten to protect survivors against Mrs. Graham's fate?

DANA POINT, CALIF.

DEAR MR. PRESIDENT: It is with sorrow and very great shock that I relate the following:

My husband, James I. Graham, CWO-4, retired after 30 years service and two wars with the Marine Corps, passed away at Camp Pendleton, Calif., April 25, 1971.

My husband had always assured me, and believed with all of his heart, that I would always be taken care of with an adequate income in the event of his death, so that I would not be frightened nor destitute. He left just enough insurance so that I would have peace of mind and a small cushion to fall back on for the necessities of the life.

When Mr. Graham passed away, I was informed that there was no widow's pension and with the payment of $250 by the military to help with funeral expenses that this was the limit of my husband's legacy to me for his 30 years of service to his country.

To say that I was and am completely shocked and horrified is truly putting it mildly.

I then contacted Social Security and was told that I would receive approximately $250 to help with funeral expenses and that was all that I was entitled to as I am only 58 and one is not eligible for assistance until they reach 60. I asked the representative if he could find me a job at my age and if so I would be most willing to work for my living. He assured me he understood my position but that the laws of the land do not take into account whether one can get a job or not—just that there isn't a thing to be done until one has reached 60.

Next I found that Mr. Graham was really not military anymore. I was obligated to place him in a mortuary—the price for which they have carefully calculated to be as near the amount one receives for death benefits as possible.

I could not afford to go out and buy a cemetery lot in California within the few days before interment as the price of such a decision would have been prohibitive when one has no money or future to depend upon. I had had every confidence that my husband would be interred at San Diego but found that this and all military cemeteries with the exception of Portland, Ore. and Arlington have been closed to retired military.

I was obligated to pay an additional $148 to send Mr. Graham to Portland, Ore., for interment.

Evidently on the very day Mr. Graham passed away, or rather on Monday morning as it was Sunday night, the Camp Pendleton Deceased Patients Affairs office sent a TWX to Headquarters Marine Corps to hold up Mr. Graham's last retirement pay check to deduct five days' pay and the hospital bill of $19.50.

I am writing this as of the 26th of May and as yet have not received a cent, if Mr. Graham had not had a retired officers' hospital insurance policy there would have been no way to pay the monthly bills nor money on which to subsist. This is an incredible situation in a land that sends money by the billions to foreign lands to support people in the style they are not accustomed to.

* * * * *

I am not alone in this horrible situation. Camp Pendleton has an office whose sole duty is to assist widows at this period of crisis and frustration and it was explained to me that every widow who came thru the door was as shocked and horrified as I was to find they were absolutely without any benefits whatsoever until they are at least 60 years of age.

This office filled in a form to send to the V.A. to inquire if they would grant assistance—I understand this is entirely as at their discretion and a widow might receive $50 or with great luck as high as $81 per month to live on. In this period of time to ask a woman to exist on such a pittance, after having spent 20 to 40 years with a military husband whose pay has been adequate to live a fairly good life, is certainly the most degrading and frustrating situation one can imagine in the most horrible nightmare.

I have a small mobile home I must sell as I simply cannot afford the price of parking it here.

Where I shall go and what I shall do, I have no idea. My husband's insurance, all going out, is not going to last very long and my outlook is very bleak indeed.

I have not been speaking, in this letter, for myself alone but for all the wives who have faced this same situation and find themselves the outcasts of our system. I hope that many career and retired career men will read this and perhaps put a spark under a government whose callous treatment of the men who have served with pride and honor for 30 years active service and see that something is done to alleviate this intolerable situation.

* * * * *

The way I see my present and future it is apparent my only outlook is to go on welfare even tho I have always deplored even thinking that some day I might have to use this means of subsistence. Seems this has become the American way of life and why shouldn't I get on the gravy train.

Mr. Graham received the Bronze Star for building air strips under fire during the Korean War and at this moment I am not at all sure he would be as proud as he had always been in his past life. I have written this from my heart and with the hope that some deep soul searching by our Congress will take a very sharp look at the treatment the widows of our military career men have received thruout the years and start immediate action to right a dreadful wrong.

Very truly yours,

MILDRED GRAHAM.

THE ENVIRONMENT AND THE ALASKA PIPELINE

HON. LES ASPIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ASPIN. Mr. Speaker, today I am including in the CONGRESSIONAL RECORD a quite remarkable paper by Miss Martha Bush on the environmental effects of the proposed trans-Alaska pipeline.

I urge my colleagues to read this interesting and important paper:

THE ENVIRONMENT AND THE ALASKA PIPELINE

The temptation to consider man as apart from nature is the basis for his indiscriminate exploitation of her vast resources. Much research has been done with man's progress, comfort and safety in mind. Man has continually questioned the best way of utilizing and exploiting with little consideration as to whether he should be exploiting at all. Such has been the case with the Alaskan oil pipeline. Methods have been considered, guidelines and stipulations set, but questioning of rationale for the actual project has come mainly from the outside. In this paper I wish to consider the tundra as a highly interrelated ecosystem, and the potential risks of a pipeline in this system—completely apart from any necessity that man has to protect, to progress or to be secure.

The tundra, apart from man, is an interesting study of environmental dynamics. Due to the harsh adaptive circumstances of cold, lack of water or the super-abundance of it, poor soil, and permanently frozen ground, few species have survived. Those that have survived one-hundred species of flowering plants in the area of Barrow, Alaska and upwards of 2,000 in the entire sub-Arctic region, are usually dwarfed and cast into rigid molds.[1] Though the number of species is small, they are as highly developed as their southern relatives and intimately adapted to their environment,[2] e.g. the cushion habit of moss-campion, and the water-holding capacity of the pitcher plant.[3] This limited number of species increases the instability of the area and calls for greater dependence of each species on the other.

The plants in the arctic tundra are the northern limit of treelike species. Trees as we know them are scarce and found in considerably dwarfed form. The major vegetation consists of creeping shrubs, grass-like plants, lichens and mosses. The subarctic region found south of the tree line (Brooks Range), consists mainly of what is called the taiga—the region of trees. Here again, the trees are somewhat dwarfed. The conditions demand a forest of well-spaced trees with shallow root systems.

The short growing season demands a rapid life cycle. Growth begins when snow is still on the ground. Flower and seed stages follow in about six weeks with a short flowering in mid-July. The cycle is completed in August with plants prepared for winter.

The actual dynamics of this environment is of the most importance in this discussion. I will consider four main areas: (1) the dependence of vegetation on the soil; (2) the consequences of an underlying layer of permanently frozen ground; (3) the presence of water; and (4) animal life.

The soils play a significant role in the development of plant life. Generally of poor quality and pitifully thin, its development has been slowed by the arctic climate. Plant growth is slow, but decomposition of organic materials by micro-organisms is even slower. The net result is an "accumulation of rough fibrous material bound together by woody roots and stems" and of limited use to ordinary growth.[4] Further, the climate and vegetation conditions favor the development of a strongly acid soil. Despite the quality, it has taken thousands of years for the effects of wind, weather and vegetation to accumulate this thin soil.

The relation of vegetation to soils is made unique by the presence of another factor, the underlying layer of permanently frozen ground. The ground is frozen solidly during the winter. In the summer, there develops an "active layer" which thaws from the surface downward. This is essentially a layer of

Footnotes at end of article.

fluid soil lying on top of a layer of ice. The growing season begins, as stated earlier, well before any amount of warmth can be maintained from day to day and utilized by the plants. Heat storage, however, gradually increases and for sometime, an unfrozen layer is maintained. The depth of the soil thaw is regulated by the latitude, the exposure to heat and the texture of the surface. For example, the permafrost lies closest to the surface in areas of high latitude and in areas where clays or silts are well-covered with vegetation. The vegetation acts as insulation from the arctic sun, and prevents thaw. On the other hand, coarse gravel has the deepest ice-free layer of any soil due to its direct exposure to the sun.

The consequences of permafrost, however, far outreach the simple thawing of the soil for plant usage. The continuous thawing and freezing action described above creates a perpetual motion of contraction and expansion of the soil. The pressure exerted thereby has a churning effect which prevents the arctic soil from ever becoming stable. Stability is found to be the least under the densest plant cover. This accounts for the constant evolution of plant communities.

The evolution of plant communities is often cyclical, with one community being little more durable than the previous one. Pierre Dansereau, Associate Professor of Botany, University of Michigan, in an article entitled: "Biogeography of the Land and the Inland Waters" has stated that:

"Reversible processes in soil vegetation dynamics are not unknown in temperate areas, where more careful observation will show them to occur almost everywhere. In the arctic, however, with its poor flora and limited number of communities, the recapitulations involved are of such magnitude and frequency as almost to preclude any stabilization. . . ."[5]

An example given by Dansereau illustrates this idea of cyclical plant communities.

"In many places, therefore, bare soil or gravel will be colonized by woodrushes, mountain-avens, and purple saxifrage. Under the sparse cover of these plants the soil will thaw annually to a considerable depth. But as the mountain-avens and the willows tend to harbor mosses, sedges, and lichens, they reduce evaporation at the surface; they plunge their roots deeper into the soil, and above all, form an effectively insulating screen which reduces the depth of the "active layer" in the soil. The permafrost line has risen, and will continue to rise, as the mosses and heaths wedge into each other above the surface. Then, a regression will start; mosses and health will die out leaving bare parches. These will thaw more deeply than the still vegetated rings around them. Frost heave, sagging, and continued starving of willows and heaths will further disturb the stand and reduce it nearly to its original sterility."[6]

From this example we can see several things. First, that the bare soil with its deep "active layer" is a valuable growing ground due to the availability of soil and water. Second, that once inhabited, the soils active layer tends to decrease with the increased insulation. Third, the different levels of insulation afforded by varying plant species causes differential thawing of the permafrost. For example, mosses affording the best insulation will have a lower depth of active layer and hence, water availability will be lower than in surrounding areas of different vegetation. Fourth, the vegetation disappears in patches, leaving areas open to thaw. Fifth, the differential freezing and thawing will cause heaving and sagging detrimental to the remaining plant growth. It seems obvious from this discussion that plants determine the depth of the active layer, and in turn are affected by the conditions they bring about.

Consideration of the actual mechanics of permafrost in the arctic regions seems of importance to this discussion. The permafrost layer is in a state of "thermal quasi-equilibrium" in regards to the surface conditions.[7] As the conditions of the surface change, the permafrost must freeze or thaw in order to regain this equilibrium. Vegetation, as we've seen, acts as an insulator, as do different soils in varying degrees.

The freezing and thawing of the soil results in several distinctive land formations. These formations with few exceptions are found only in the arctic. One such, is known as "stripped ground", and is described as an arrangement of soil in parallel strips of alternating coarser and finer gravel. This arrangement usually follows the downward direction of a slope. It is often due to solifluction. Another such arrangement is of polygonal structure. This is caused by the differential thawing of ice wedges due to uneven thermal conditions.[8]

One specific ground action which should be mentioned here is known as solifluction and was cited above as the usual cause of the "stripped ground". Solifluction means a simple movement of soil down a slope. This is the result of three conditions: 1) soils saturated with melt water (a fluid condition); 2) the downward pull of gravity; and 3) the nonfriction surface of the permafrost layer. The saturated soils on the slopes of mountains simply slide downward, much like a sheet, and terminate in soil terraces down slope. The movement of the fluid soil is made easier by the low friction surface of permafrost and the pull of gravity. The results of this movement can be inferred from past discussion: the vegetation on the slopes is reduced and the permafrost layer previously insulated is now subject to greater thawing.

As winter approaches in the arctic, the active layer begins to freeze in a downward direction while at a slower rate the permafrost layer freezes upward. The result is a middle fluid layer which as it freezes must expand in some direction. The frozen soil layer is thrown upward as the solid permafrost layer resists the pressure.[9]

This churning and heaving of the ground affects the vegetation in three ways: 1) by burying them; 2) by damaging roots and stems; and 3) by changing the water-soil relations, i.e. moving the plants to or away from water tables, or blocking surface-water flow.[10] Several examples of this disruption can be noted. The "drunken forest" found primarily in the sub-arctic taiga illustrates trees at precarious angles due to the heaving and sagging of the surface where the permafrost level has risen because of insulation by vegetation. The cyclical evolution of plant communities mentioned earlier is also a good example of this instability.

The third area of discussion is the availability of water for plant nourishment. It seems obvious from the previous discussion that this too, is regulated primarily by the freezing and thawing of the permafrost layer. The deeper is the active layer, the greater will be the availability of water. Underneath gravel, as stated earlier, is found the deepest layer of thawed ground. The water is retained by the gravel because the solid layer of ice underneath prevents drainage. The surface water, then, is available to the subsoil. However, the water table is further regulated by the water-retaining capacity of the area. This capacity is determined 1) by the geography of the area which determines the amount of drainage; 2) by the capacity of the soil to hold water; and 3) by the amount of evaporation due to the various kinds of plant cover.

The fourth area to be considered here is the animal life of the region. Large animal populations are frequent but they are subjected to greater fluctuations of weather conditions then seems to be the case in more temperate regions. Here as with the vegetation, we find animal life of low variation, somewhat poor in species, but rich in numbers. This is the result of the polar glacial climate allowing only a limited time for adaptation, and due to the small variety of habitats available. Technically, there is a distinction between the arctic and sub-arctic forms of animal life. Only a few animals remain active in the arctic throughout the year, namely, the polar bear, musk-ox, fox, raven, snowy owl, ptarmigan, and the denizens.[11] The caribou who's habitat is the northern tundra is a migratory animal who spends its winters on the less harsh tundra of the more-southern regions. The arctic wolf, weasel, arctic hare, and lemmings are active in the sub-arctic regions. These animals, together with the vegetation which feeds them form a tight ecological system which is virtually self-sufficient.[12]

The adaptations of the animals are of valuable notice. The caribou and moose is equipped with a large extensible hoof with a hollow sole which aids in their crossing of the soft, soggy soil layer, which poses some difficulty for heavy animals. The seasonable change of color of ptarmigans, and hares is of equal importance in this region of ice and snow.[13]

Due to the harsh adaptive circumstances, the number of plants and animal species is limited. This limitation increases the interdependence of each species on the other. Coupled with the affects of permafrost which plays an important and often controlling role in the life of the arctic; the ecosystem is one of fluctuation and instability.

"This circumstance of a few species, each with large populations, constitutes a relatively simple and potentially unstable ecosystem, for the number of inter-relationships in the food web is limited and means that any simple element within the system must be extremely sensitive to or dependent on another. As a result of this close interrelationship, together with other factors, populations may fluctuate dramatically, often in a cyclic pattern. . . . While these natural cycles are of relatively short duration, others produced by, for example, fire or construction may alter the balance of nature for hundreds or for thousands of years."[14]

Is it of any great surprise that ecologists and conservationists are concerned about the construction of an oil pipeline through the arctic tundra? The implications for this delicate and highly integrated ecosystem are grave. I would like to consider the pipeline and its consequences for the tundra in two sections. The first to consider the possible damage to plant and animal life and the implications of gravel utilization. The second to determine the significance of the risk in terms of potential oil spills and earthquake damage.

The first question to be dealt with in this section is the impact the pipeline will have upon the highly adaptive tundra vegetation. It is a foregone conclusion that the vegetation in the immediate area of the pipeline will be destroyed. It's silly to assume, however, that only a 54 foot wide, eight-hundred mile long stretch will be affected, because the pipeline company TAPS (Trans-Alaskan Pipeline System) has asked for an additional 46 feet right-of-way and another two-hundred feet for a haul road.[15] In reality, the damaged area will extend far beyond this area simply because of the construction techniques and the nature of the equipment. TAPS has been sponsoring a study at the University of Alaska—the Institute of Arctic Biology—on methods of revegetating tundra that has been disturbed by engineering operations. So far, the 'quick answers' desired have not been forthcoming.[16] However, some of the material I've previously considered

Footnotes at end of article.

may give us an indication of the magnitude of the problem.

We previously discussed the soil of the tundra as being a significant factor in the development of plant life. Despite the poor quality, it has taken thousands of years for a thin accumulation to occur which would support the life of the tundra vegetation. If we destroy this thin topsoil, with what are we going to replace it? Dr. James E. Morrow, professor of zoology at the University of Alaska expressed the opinion that destruction of the topsoil could be avoided if construction crews painstakingly replaced the gravel in the "proper order", i.e. the soil last removed should go back first, so that the original topsoil would be placed back on top.[17] However worthy this sounds, it seems highly unlikely that it will happen. More realistically, calculations of time required to grow a well-developed heath from initially bare gravel is estimated to be fifty years or longer.[18] This would be the amount of time required for a natural reseeding to take place on the unnaturally exposed ground.

The impact of thawed permafrost on tundra vegetation is another area of concern. Previously, we touched upon the interrelation of the freezing and thawing of the frozen layer to the cyclic evolution of plant communities. We saw how the depth of the active layer modified the vegetation on the surface (by regulating the water conditions of the soil, etc.) while in turn the vegetation insulation modified the depth of the thaw. The proposed pipeline will undoubtedly alter this balance, at the very least, in the area of the line itself. The oil will be pumped into the pipeline at a temperature of 160 degrees F and is expected to reach Valdez at a temperature of 100 degrees F.[19] A study conducted by the Interior Department indicated that a pipeline buried several feet in permafrost heated to 80 degrees centigrade (only 144 degrees F.) would thaw a "cylindrical region 20 to 30 feet in diameter in a period of a few years in typical permafrost material, [while] at the end of the second decade [the] thawing depth would be 40 to 50 feet."[20] The designers say there will be a "thaw bulb" of at least a 25 foot radius, and that the ground in contact with the pipe will be somewhat fluidy despite insulation.[21] The potential consequences this situation has for tundra revegetation can only be guessed at.

The second question of concern relates to the possible disturbances of animal life. It is fairly obvious that a project of this magnitude will have a destructive effect upon animal habitats in the immediate pipeline area. Further, Dr. Morrow, previously quoted, has expressed fear that the pipeline might reduce fish runs and threaten some salmon with extinction.[22] However, of even greater importance to ecologists, is the fear that the pipeline will interfere with deer and caribou migratory patterns.[23] They see the pipeline as a potential impassable barrier to migratory animals. And indeed, a canal of fluid soil (made so by melting permafrost) 50 feet in width might prove to be a substantial problem for the animals.

The third question to be considered is the proposed use of gravel for pipeline construction. Its been stated by the engineers that gravel will be used as a base for the five pumping stations along the route, for base where the pipe must be elevated, and for insulation where the pipe parallels a river.[24] My first question of this engineering technique would be based on material I spoke of earlier. In the arctic tundra, the ground cover which has the deepest thaw layer is that of gravel soil. In other words, gravel has less protective ability than other soils, or soils covered with vegetation. Hence, placing gravel on areas previously covered with vegetation will allow a greater depth of thawing. How is that insulation?

Of even more importance, is the question of where the gravel will come from. The engineers maintain that there is enough gravel in the rivers or in natural rock formations to amply supply their needs.[25] However, Tom J. Cade of Cornell University section of ecology and systematics asks some pertinent questions:

"Along the Sagavanirtok River, construction will require more than three million cubic yards of gravel per mile. Does that much gravel exist in the flood plain on the river? What would the removal of three million cubic yards of gravel per mile of river do to the river.[26]

I can't give definite answers to those questions, but it seems logical that removal of a substantial amount of gravel from the river could result in an eventual change of course. What would be the results of such a change? It's known that the bottom waters of deep lakes and rivers do not freeze in the arctic, and to find permafrost beneath them would be most unlikely. Any permafrost that does exist would lie deep below the ground surface. When a body of water forms or reforms, as in the example above, it takes thousands of years for the thermal equilibrium to be reached in the permafrost layer below.[27] In other words, there would be an unnatural freezing and thawing of permafrost in areas not before affected by such conditions. This could greatly affect the other components of so highly an integrated ecosystem.

The three areas covered in the first section were concerned with the possible dangers of construction to the tundra ecosystem. In the next section I would like to determine the significance of the pipeline risk in terms of oil spills and earthquake damage. In order to do that we must return to the dynamics of permafrost in this ecosystem.

The depth of permafrost in the tundra is the result of a state of thermal quasi-equilibrium in regards to surface conditions. As stated before, the actual depth of thaw is determined by latitude, exposure to heat, and texture of the surface. As the surface conditions change so does the equilibrium, and the permafrost thaws or freezes accordingly. Excavation, filling, stripping of plant cover, erection of buildings all disturb the equilibrium. When the thermal equilibrium is altered, disastrous problems can result for the engineer. One such example is the town of Igarka, Siberia where engineers had to import solidified CO_2 to pack the foundation piles of homes where permafrost had begun to thaw.[28] Also of note is Aklavik in the Mackenzie River Valley of Northern Canada. The town, built on the frozen sands of the delta was slowly sinking as the heat from the interior of the buildings turned the firm soil into a soft muck. The permafrost, acting as a bonding agent for the high-moisture arctic soils, lost its strength as thaw allowed soils to become semi-fluid. The condition necessitated moving the town to a new site where the buildings were erected on stilts to protect the permafrost from thaw.[29]

Even simple construction techniques can mean a serious disturbance to the permafrost layer. Exploration in the Prudhoe area, 1944–1953, brought serious lessons home to the engineers:

"One of the lessons learned is that tractors and other heavy equipment cannot be operated over unprotected tundra in summer without serious damage to the environment. When the tundra's thin surface area of thawed ground is broken, the permafrost beneath loses its insulation and begins to melt and erode. Often tracks left by a tractor or 'cat' train will become a deep ditch, impassable to vehicles and capable of altering the surface drainage over a large area."[30]

And indeed, the lesson was too soon forgotten. As reported in *Environmental Action*, January 23, 1971: "One bulldozer operator carved out initials in the arctic region five years ago. The scars are now ten feet deep in many places, growing deeper, and expected to last as long as several hundred years."[31]

Another such example of this kind of destruction is "Hickel's Road". As one of his last major acts as governor, Hickel had his highway department build a winter ice road from Livengood (50 miles north of Fairbanks) to the North Slope. A scant two years later the "road" was an impassable water-filled ditch due to permafrost which had been carelessly exposed and left open to thawing action.[32] A tribute to hasty action and a gross lack of knowledge of a terrain.

Damage is also caused by the differential swelling and settling of the newly thawed ground, for example:

"At the beginning of winter, foundation walls, piles, and slabs may be pushed upwards and sideways by the swelling ground (as it freezes) and then settle unevenly during the melt period in the following summer."[33]

This condition has had grave consequences for construction. A railroad constructed on permafrost in Southern Alaska is impassable due to the uneven settlement of disturbed permafrost.[34] The line resembles more a misplaced rollercoaster than a railway.

These conditions described above, have serious bearings on the size of the risk posed by the oil pipeline. The environmentalists major concern is oil spills. The Department of Interior's environmental statement acknowledged the "unavoidable environmental costs," the probability that spills would occur even under the most stringent controls, and that the spills might endanger wildlife and fish species.[35] Of interest perhaps, is that in 1968 there were 500 oil pipeline leaks in the United States involving the loss of 50 barrels of oil or more. One-fifth of these involved the loss of between 1000 and 12,000 barrels and the pipes involved were mostly of the 8 to 12 inch size, none being larger than 20 inches. The risk in the tundra is even greater. The 48 inch Alaska pipeline will be the largest ever built and at capacity will carry 500,000 gallons of oil per mile. This fact, coupled with the permafrost conditions and the earthquake danger constitute a substantial risk of tremendous spills in the arctic.[36]

Let's look at some potential situations. Hasty construction could bring about a tremendous exposure of permafrost, cause melting and leave the pipeline floundering unsupported in the fluid soil—much like the Hickel road in 1969, washed away by a mud slide. Parts of the pipeline could be carried away as solifluction occurred. The heat could speed the natural process of solifluction, causing a massive land flow and breaking the pipeline. An uneven thawing and differential settling could cause the pipeline to split, a lesson of the railway in Southern Alaska. The additional fact that the pipeline will cross two major earthquake faults brings further questions to mind. The earthquake of 1963 hit Valdez, the proposed pipeline destination, the hardest of any other area. However, engineers point to the California pipelines, with no massive breaks, despite earthquake activity, as basis for their claims of safety. Louis C. Pakiser, Jr. of the National Center for Earthquake Research at Menlo Park, California states contrary to this:

"I don't think you can transfer the earthquake experience in California to Alaska. I think the nature of the faults and the seismic activity are quite different. In general, the earthquake hazard in Alaska is potentially much larger than in California.[37]

The risks are indeed high!

What would be the results of an oil spill in the arctic tundra? One extreme consequence could be the absorption of so much solar radiation by the black mixture that melting of the polar ice cap could result. More realistically perhaps, or maybe just more immediately would be the effects on fishing and

Footnotes at end of article.

wildlife resources. Studies by the U.S. Geological Survey indicate that major spills in the drainages of the Yukon or Copper Rivers could cause heavy losses to salmon runs, nesting waterfowl and other fish and wildlife resources.[38] Whatever, it is obvious that an oil spill in the Arctic tundra would last far longer than any comparable spill further south. The tundra does not have a climate which would allow normal decomposition to take place. Oil dumped in the arctic could remain on the terrain for several hundreds of years.

The Department of Interior has taken many of these facts into consideration. In 1969, the Department issued a fifty page book of stipulations which governed the building of the proposed pipeline. Additional stipulations were issued in the Department's statement on the environmental implications of the pipeline published in January of this year. However, the practicality of the stipulations are in question as they are based on experience of other than the arctic regions. There is no previous experience in the arctic which can approximate the conditions to be expected from the pipeline construction. Further, most of the stipulations can be enforced only after the fact. Detection devices work on the principal that damage has already occured. If the guidelines are not followed then government can cite a violation and demand that the company repair the damage—if that is possible.

It seems clear, that whatever the circumstances, the oil companies cannot guarantee the Alaskan landscape. The soft approach of the following excerpt from an advertising campaign of the Alyeska Pipeline Service Company is somewhat ironic in view of the haste of the companies to build two years ago, and considering their feelings that the last two years have been an unecessary delay to bringing the oil to the states:

"We know environmental problems must be faced—and solved—before the project can proceed. It will take a great deal of care and a great deal of money, but we know we can build the pipeline without significant damage to the land or to the wildlife.

"We've already spent millions of dollars in finding out whether or not the pipeline could be built without damaging the environment. We've conducted experiments in the north with both warm and cold pipe. We've studied the wildlife—its breeding and migratory habits. We've carried out far-reaching botanical experiments to determine the best methods for reseeding and restoring the tundra. We've even examined our entire proposed route to make sure that we will not disturb areas of archeological importance. In short, we've done our homework.

"Now we think it is time to move ahead. We need permission to use a right-of-way 54 feet wide and approximately 800 miles long. We must touch a wilderness, but we will touch it as carefully and as gently as possible." [39]

And touch it lightly they will: with their 48 inch, 800 mile pipeline, their haul road and heavy equipment, their hasty construction techniques in a highly delicate ecosystem. They're itching to begin construction of the "stable and safe" pipeline which will bring untold wealth to the Alaskan wilderness.

FOOTNOTES

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[3] Kimble, George H. and Dorothy Good, eds., *Geography of the Northlands,* The American Geographical Society and John Wiley and Sons, Inc. (New York: 1955) p. 117.

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[7] Sater, John E., Co-ordinator, *The Arctic Basin,* The Arctic Institute of North America (Washington: 1969), p. 99.

[8] Ibid., p. 309.

[9] Ibid., p. 102.

[10] Kimble, p. 98.

[11] Sater, p. 119.

[12] *Encyclopedia Britannica,* Encyclopedia Britannica, Inc., 1968.

[13] Kimble, p. 118.

[14] Sater, p. 117.

[15] "Debunking Madison Avenue", *Environmental Action,* January 23, 1971, Vol. II, p. 9.

[16] "North Slope: Oil Rush", *Science,* Luther J. Carter, October 3, 1969, Vol. 166, p. 92.

[17] "Getting Set for a Black Gold Rush," Edward Gross, *Science News,* February 14, 1970, Vol. 97–98, p. 89.

[18] Kimble, p. 98.

[19] "North Slope . . .", p. 89.

[20] "Pipeline and Permafrost," *Science News,* December 6, 1969, Vol. 95–96, p. 524.

[21] "Getting Set . . .", p. 178.

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[23] "Pipeline and Permafrost," p. 524.

[24] "Getting Set . . .", p. 178.

[25] Ibid., p. 179.

[26] Ibid., p. 178–179.

[27] Sater, p. 100.

[28] Ibid., p. 99.

[29] Euller, John, *Arctic World,* Abelard-Schuman Ltd. (New York: 1958), p. 51.

[30] "North Slope . . .", p. 86–87.

[31] "Debunking Madison Avenue," p. 8.

[32] "North Slope . . .", p. 91.

[33] Sater, p. 310.

[34] "North Slope . . .", p. 89.

[35] "Debunking Madison Avenue," p. 9.

[36] "North Slope . . .", p. 88.

[37] "Getting Set . . . .", p. 178.

[38] "North Slope . . .", p. 90.

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WE HAVE LOST A BROTHER

HON. HERMAN BADILLO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BADILLO. Mr. Speaker, a great American, Louis Armstrong, or Pops as he liked to be called, had a following that cut across all social lines. Pops enjoyed the friendship of people in all walks of life. He was an American original, as original as our Declaration of Independence, on whose date July 4, 1900, he was born. He was an example of international communications by taking the music with which he grew up and transforming it into a global art. I join with all Americans who mourn the passing of our Ambassador of Jazz. As he once said, "I play the trumpet in any language," and we only had to listen to understand.

Mr. Speaker, I am pleased to present for the RECORD an article by Anthony Burton of the New York Daily News and an editorial from the New York Times, as my personal tribute to Louis Satchmo Armstrong:

[From the New York Daily News, July, 1971]

SATCHMO'S GOLDEN HORN IS STILLED

"When the time comes for me to head for the pearly gates, I'll play a duet with Gabriel—maybe it'll be 'Sleepy Time Down South' or maybe 'Hello, Dolly.' "—Satchmo.

(By Anthony Burton)

Louis Armstrong, the jazzman whose peerless horn gave birth to music fit for the angels, died in his sleep yesterday at his home on 107th St., Corona, Queens.

Armstrong, who celebrated his 71st birthday two days earlier—on the 4th of July—apparently died of heart failure, according to a family spokesman.

Suffering from kidney ailments and heart trouble, Armstrong only a few days ago offered a wry commentary on funerals.

"In New Orleans, I played at as many funerals as I could get," he mused, "and cats died like flies, so I got a lot of nice gigs out of that.

"It's business. They going to enjoy blowing over me, ain't they? Cats will be coming from California and everywhere else just to play."

Whether they play or not, those cats will be there Friday to pay tribute to Pops, a trumpeter who could even put soul into the stuffy State Department.

STATE DEPARTMENT MOURNS

Spokesman Charles W. Bray said yesterday, "The Department of State, for which he traveled on tours to almost every corner of the globe, mourns the passing of this great American."

Satchmo didn't speak like that, but he made himself clearer than any diplomat.

"I play the trumpet in any language," he used to say. "If they understand it, that's any language.

"A note's a note in any language, and if you hit it—beautiful—they dig it."

In London once, he prepared to play a number and looked up from the stage with that famous grin. "This one's for you, Rex," he said. From the royal box, King George V acknowledged the honor.

Armstrong first picked up a horn in New Orleans, where he was born in 1900 to a laborer and his wife, a former domestic serv-

ant. The town's notorious brothel district, Storyville, was wide open and young Louis grew up in the midst of thieves and cutthroats, prostitutes and madams.

He loved it, but particularly he loved the jazz that was evolving among musicians who played in the plush brothels. Jelly Roll Morton played piano at Miss Lulu White's Mahogany Hall on Basin St.

Still in short pants, Armstrong learned to play a little toy slide whistle. He would listen as musicians on bandwagons touted their appearances at local clubs.

"Two wagons would park head-to-head and blow until one band was reduced to a frazzle," he remembered.

Long afterwards, Armstrong told writer Larry L. King that his first professional gig was at 15 as a substitute cornet player in a honky-tonk. He made 15-cents.

SANG IN STREET WITH PALS

"But I sang for my money long before I played for it," he said. "When I was around 12, we formed this quartet. We'd sing on the streets and in taverns—pass the hat; might make six bits, a dollar.

"After hours all them prostitutes would be juicing, having a little fun, and they would offer us big tips to entertain 'em. Some would hold us on their laps and we would sniff the pretty scents and powders they wore."

When he was 16, Armstrong found a patron in King Joe Oliver. Oliver gave the youngster a new horn, fed him and, most important, got him jobs.

"Lotta claims been made that Bunk Johnson put me wise to trumpet," Armstrong said later. "Bunk hisself helped that story along. No such thing. Joe Oliver was the man."

Aged 19, Armstrong married the first of his four wives, Daisy Parker. Once she found him with another woman and went at him with a brickbat.

"I ain't been no angel," Armstrong said later. "But I never once set out to harm NO cat."

In 1922, his reputation already growing, Armstrong took the train to Chicago to join Oliver as second trumpet for $50 a week. It was a tough town, then and later.

"One night this big hood crashes my dressing room in Chicago and instructs me that I will open in such-and-such a club in New York the next night," Armstrong told King.

"I tell him I got this Chicago engagement and don't plan no traveling. And I turn my back on him to show I'm so COOL. Then I hear this sound: snap! click! I turn around and he has pulled this vast revolver on me and cocked it. Jesus, it look like a cannon and sounds like death!

"So I look down that steel and say, 'Weeelll, maybe I do open in New York tomorrow."

Instead, Armstrong contacted every Chicago tough he and his friends knew—"it must have been 1,800 of 'em"—and asked them to pass the word he wasn't to be messed with. He didn't go to New York.

He organized his first band, Louis Armstrong's Hot Five, and began a period of spontaneous inventiveness that produced records now known as classics and worth hundreds of dollars.

Critics said his lips and strong teeth gave him a natural advantage with a trumpet or cornet. That vast mouth also let to his knicknames, first "Dippermouth," then, "Satchelmouth," later shortened to "Satchmo."

In later years, Armstrong was accused of becoming too much the showman, relying too much on the white handkerchiefs, the teeth-baring grin, the voice that seemed to come gurgling up from an emptying wash basin.

Militants accused him of playing the Uncle Tom for his white audiences.

Billie Holiday watched him on TV once and murmured, "God bless Louis. He Toms from the heart."

But Armstrong could get angry about the sufferings of his people. After seeing the televised gassing and clubbing of blacks in the South, he said:

"They would beat Jesus if he was black and marched . . . Tell me, how is it possible that human beings treat each other in this way today? Hitler is dead a long time. Or is he?"

But, above all, Armstrong was a musician who simply wanted to entertain people.

"I believe in myself, and I know what I can do when I pick up the horn," he said shortly before his death. "Lots of guys just hoping that they play something. I don't have to go in a corner and practice nothing.

"I play a piece of music and the thought of the life of that tune comes in my head . . . just the music, that's all I'm interested in."

"POPS" WAS KING

If, as many believe, American jazz—that indefinable offspring of the historical and cultural and racial vortex of New Orleans—is this country's singular contribution to the art of the world, it was surely Louis Armstrong more than any other who made it so. No one else played so creative or enduring a role in the evolution and development of jazz or in insuring its survival.

To make that unique contribution one had to begin, as Mr. Armstrong did, in the Storyville district of New Orleans, where jazz was born around the turn of the century out of that peculiar mix of African-American-French-Creole culture. Then one had to possess the imagination, creativity, flexibility and musicianship to widen and deepen the music—to propel the art form forward—as Mr. Armstrong began so clearly to do in his Chicago days.

Finally, one had to have the unflagging enthusiasm and the endurance to stay with it, in good times and lean (there were times when jazz seemed to be dying), and to bring the music wherever possible to those in many lands who eagerly awaited it. Mr. Armstrong's amazing career spanned more than 55 years, dating from his first public performances on the cornet, which he had learned to play at the New Orleans Colored Waifs' Home.

There are those who say that jazz over the last twenty years had passed Mr. Armstrong by. Most experts are unlikely to agree, even if they concede that the entertainer at times overshadowed the artist. Once asked to define his own brand of jazz, Mr. Armstrong reportedly said: "If you got to ask what is it, you ain't never gonna know."

Millions of idolators around the world never had to ask. They knew "Pops" as king, the title his followers conferred in Chicago long ago; as an authentic American folk hero, a legend in his own time.

IMPLICATIONS OF BAILING OUT LOCKHEED

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ROBISON of New York. Mr. Speaker, the debate over the Lockheed loan guarantee continues to rage in both the House and the Senate. I hope and trust it will be a serious debate, since the questions involved go to the very essence of our economic and political systems. One of the most persuasive articles I have yet seen on this subject appeared recently in the Wall Street Journal. Written by Alan Greenspan, it is a shortened version of the author's testimony recently before the Senate Banking, Housing, and Urban Affairs Committee. I think my colleagues will find Mr. Greenspan's comments to be of interest:

[From the Wall Street Journal, July 1, 1971]

IMPLICATIONS OF BAILING OUT LOCKHEED

(By Alan Greenspan)

I am in fundamental disagreement with the type of loan guarantee proposed for Lockheed Aircraft Corp. because it would set a major precedent that could have far-reaching consequences. To place the federal government in a position where it can pick and choose which private enterprises should or should not be allowed to slip into bankruptcy, must inevitably lead to subsidization of the least efficient firms in an industry.

I believe we often lose sight of the tremendous churning that goes on in a free, competitive economy—of the way in which firms vying for profitability attempt to marshal their resources in the most productive manner. It is the very threat of bankruptcy that often jolts firms, large and small, from inefficient practices in their utilization of labor and capital and in their methods of financing and marketing. To have the possibility of falling back on a guarantor of last resort must inevitably remove this very valuable prod to efficiency and productivity.

AT THE EXPENSE OF OTHERS

Moreover, it is important to remember that when the federal government guarantees private credit it does not add to the total financial resources available. It only moves one borrower up in the credit rating queue at the expense of other borrowers who are not fortunate enough to have such a guarantee.

Of more immediate concern, however, is whether the proposed loan guarantee is an effective response to the crisis that now confronts Lockheed. What would such a loan do? First, barring as yet unforeseen difficulties, production of the L–1011 would be expedited. Presumably, 100 or more planes eventually would be produced and the loan under federal guarantee repaid. But there appears little chance of full recovery of the $1 billion plus already invested in this project. A substantial part—several hundred million dollars—will doubtless be lost. In fact, by any reasonably conservative evaluation it has already been lost. The work force committed to the L–1011 by Lockheed and its sub-contractors would, if this loan guarantee goes through, I assume be kept on their jobs for several years.

But is this all a net gain? Certainly the longer-term effects on aerospace employment are by no means clear. The McDonnell-Douglas DC–10 and L–1011 are very similar planes, calculated to serve substantially the same market. Hence, the longer-term airframe production and employment picture is likely to be determined by total airbus demand rather than the existence of Lockheed. While there may conceivably be some slippage should the L–1011 program be disbanded, substantially all of the orders are likely to shift to the DC–10. Hence, although one cannot deny that the termination of the L–1011 would have a severe immediate impact upon the employes of Lockheed and its sub-contractors, the longer-run trend of U.S. aerospace employment may not be significantly altered.

Moreover, owing to the heavy initial fixed costs involved in any airbus program, incremental costs of additions to the production line of the DC–10 should be relatively low. Thus, from the point of view of airbus production and use, the productivity gains achieved by extending the production lines of the DC–10 could act as a partial offset to the losses incurred should Lockheed cease production of the L–1011.

The Lockheed crisis is an early symptom of a much broader problem that will confront the American economy during the next five years—that is, the required shrinkage in our

over-all aerospace-military complex. Even the most optimistic projections of our military and civilian airframe requirements over the next five years suggest a decline in capacity needs. The process of retrenchment will understandably be difficult, but attempts to shore up an industry declining for fundamental economic reasons must in the end turn out to be both costly and self-defeating.

We are now experiencing the downside of a cycle, the upside of which began a decade ago. During the early 1960s a major expansion in our general purpose forces, specifically Air Force and Navy squadrons, was initiated. This program was well under way when the air war in Vietnam escalated. As a result, the time schedule for equipping our wing structure with modern aircraft was moved ahead. On top of this, we had to replace large losses of jet fighters and helicopters. Thus, to be able to sustain both the accelerated rate of buildup and the level of losses, a massive increase in airframe production was undertaken.

WINDING DOWN AIRFRAME OUTPUT

Even had we maintained the early high levels of air combat in Vietnam, it is likely that airframe production would still have slipped as fighter and helicopter inventory goals were finally met. This normal retrenchment, however, was accelerated by other factors. As the air war was de-emphasized, our losses dropped sharply. In addition, owing to technical and cost difficulties, the few aircraft programs still scheduled for heavy production in the current period, such as the F–111 and the C–5A programs, were scaled back. Concurrently, our space program peaked and civilian air carrier requirements for new equipment were reduced.

I do not wish to minimize the pains associated with the retrenchment of so important an industry as this. In fact, even before Lockheed's most recent difficulties, the aerospace industry was in what many have perhaps rightly called a major depression. However, if Lockheed is continuously propped up (and I mean more than by the planned loan guarantee), without a major reversal in the long-term aerospace outlook, some other major company in the industry must find itself in trouble. Unless we are willing to embark upon a major new aerospace weapons expansion, some contraction in the industry, some further losses of jobs, mergers and possibly bankruptcies, appear inevitable.

Despite our concern with the current recession, the economy today is functioning in a wholly different world from that which characterized the 1930s, when the severe financial difficulties, following the collapse of the economy, led to the creation of the Reconstruction Finance Corp.

We exist, and have existed since the end of World War II, in a period of relative prosperity. Thus, we cannot look upon the problem of government loans or guarantees as a temporary expedient pending a return to prosperity. In fact, the types of problems that have now led to the call for government guarantees are structural and threaten to be long-standing.

Although our level of activity by any historic standard is high, profit margins have only just emerged, and then by the narrowest of margins, from their lowest levels since the 1930s. The debt burden of our business structure has risen sharply. As a result, interest charges, loan amortizations and other legally fixed obligations have now reached the point where a substantial number of large, as well as smaller, business enterprises are barely able to meet their commitments at the present depressed levels of cash flow.

PROBLEM LIKELY TO PERSIST

Unfortunately, the current outlook suggests that the problem of subnormal corporate profitability and attendant financial difficulties is one that is apt to persist to a greater or lesser extent throughout the remainder of this decade. So long as this condition persists, increasing demands will be heard to substitute government guarantees for private financial worthiness.

If margins remain subnormal during the decade of the 1970s, it will be difficult to raise the substantial quantities of equity money that almost every flow-of-funds analysis suggests will be required. Hence, the longer-term financial prospects of American business are scarcely such as to suggest that the current difficulties are of a short-term or emergency nature; rather, they reflect far more basic problems.

In addition, it must be recognized that while the quantity of long-term savings flowing into the capital markets does vary from year to year, it is not an unlimited source of funds. Government loan guarantees tend to reduce the size of the pool of long-term savings available for nonguaranteed private borrowing. Hence, the initial problem of inadequate cash flow for business will tend to be compounded by these expanding guarantee programs.

In such a case, the administration and the Congress are likely to be faced with a major dilemma characterized by increasing demands of a political nature on a limited resource—real savings. All things cannot be accomplished. Attempts to do so without realization of the implications can only lead to grave disruptions in our economic system.

PRIVATE EFFORTS TO STEM THE TIDE OF CRIME

HON. JONATHAN B. BINGHAM

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BINGHAM. Mr. Speaker, an article in the New York Times on July 8, 1971, highlights a growing effort by residents of the Upper West and East Side of New York City to cope with the serious incidents of crime in their neighborhood. Beset by a constant series of attacks on the street and in apartment buildings, citizens have joined together to hire private guards to patrol neighborhood streets. The presence of these unarmed guards acts as a deterrent to crime and offers a hope for communities despairing from the daily nightmare of being assaulted on the streets. If any trouble occurs, the guards notify the police immediately, The police department has praised the effort which is described as a boon to law-enforcement, and which is believed to have diminished crime on the patrolled streets. Residents pay about $5 per month to a tenants association which then hires the guards recently trained by a private detective and security agency. Not only has the program had an impact on reducing crime, but communities, feeling more secure, are becoming more unified.

The Congress should applaud efforts of individual citizens to supplement public actions against crime. In the past, I have introduced legislation designed to encourage just such private initiative and hope that the success of this program will stimulate increased individual concern in combating crime in our cities.

The article follows:

USE OF PRIVATE PATROLMEN ON CITY STREETS INCREASING

(By Ralph Blumenthal)

A hapless subway purse snatcher picked the wrong street on which to seek refuge the other night.

Pursued by the police, the thief, purse in his hand, ran out of the subway station at 88th Street and Central Park West, threw the purse away and lounged in front of a building, trying to look casual.

But Sol Kaminski saw him and did not recognize him as a resident of the street. When the police arrived moments later, the stocky, elderly Mr. Kaminski—who wears a badge on his shirt and a blue cap and carries a nightstick—pointed the suspect out for arrest.

Mr. Kaminski is a private, unarmed guard hired from a protective agency by residents of the 88th Street block.

Dramas such as the one he was involved in are being played out nightly on a growing number of Upper West and East Side streets in high crime areas, where residents are meeting the burgeoning threat of street crime by hiring their own guards.

EXPERIMENT BEGAN IN '68

From an experiment that was tried on 90th Street between Central Park West and Columbus Avenue three years ago, the practice has now spread to at least seven other Manhattan streets: 88th and 89th between Central Park West and Columbus; 102d, 103d and 104th between Broadway and Riverside Drive, and 93d and 95th between Park and Lexington Avenues.

Tenants on at least two other West Side streets—105th and 106th between Riverside and West End Avenue—and residents of Jamaica Estates in Queens are considering hiring guards.

The Police Department welcomes the practice, which it sees as a boon to law-enforcement and which is said to have diminished crime on the patrolled streets.

Deputy Inspector Richard DiRoma of the 24th Precinct, which covers the area, said that before the private guard was hired for 89th Street, there were six recorded incidents of street crime—ranging from robberies to muggings—on the street in the first four months of 1969. In that same period, eight crimes were committed inside buildings. In the first four months of this year, the inspector said, one street crime was reported and nine inside buildings.

On 90th Street, a photographer who calls himself Domenique and uses no last name, was the main organizer of the street patrol. He said that there had not been a successful assault-mugging during patrol hours since August, 1969, but that before the guard was hired in January of 1969, there had been an average of one mugging a night.

"Our guard isn't Attila the Hun but then he doesn't have to be," said John W. Applegate, a director of the 102-103d Streets Block Association that hired a guard less than two months ago. "All he has to be," he went on, "is an eminence noir."

"Most people," Mr. Applegate said, "are still not brazen enough to commit a crime in full view of anyone who bears any resemblance to a law-enforcement officer."

LACK POLICE POWERS

The block associations that hire the guards and the agencies that provide them stress that the men are primarily deterrents to crime—a role emphasized by the signs usually prominently displayed at the ends of patrolled streets: "This street patrolled by uniformed guard."

As unarmed civilians without police powers, the guards are not there to search suspicious persons, make arrests or fight off interlopers, although they will do all three in the event of an attack on a resident. Instead, they are supposed to telephone the police.

They are cautioned not to interfere in domestic quarrels.

Despite a proliferation of guard dogs and training kennels throughout the city, the street guards rarely, if ever, use a dog because of the legal liabilities should the animal bite anyone.

The Yellow Pages list three pages of guard agencies, but the Security Specialists Corporation of Long Island City, Queens, seems to have the most residential street contracts, followed by World Wide Detective Bureau and Vanguard Investigation Service.

The agencies provide their street patrolmen with varying degrees of training before sending them out.

Generally, the guards are taught to spot a suspicious person—one, for example, who looks in every parked car for something to steal; to remember features for identification later, and how to fend off an assailant by prodding him—not beating him—with a nightstick.

One guard on patrol who asked not to be identified, said he had received no training at all, just a few quick tips from a supervisor who visited him on duty.

PAY IS $2 TO $2.25 AN HOUR

The guards usually earn $2 to $2.25 an hour and generally take home less than $75 a week.

"Get me a social worker," pleaded Mr. Kaminski, of 88th Street, who works for Security Services. "I can't even pay my rent."

The tenant associations pay the guard agencies about $10,000 a year for eight-hour evening and night patrols seven days a week. (The associations prefer to keep the guards' precise hours unannounced.)

For an average street, the assessment for a guard for each family or apartment is $5 a month.

Some residents say they get more for their money than just protection.

Susan Dresner of West 88th Street, a teacher, thwarted a knife-wielding mugger six months ago, hours before the guard came on duty. Her assailant ran away when she cut her hand wresting the knife from him.

Miss Dresner said "the guard unifies the block. He plays with the kids," she said. "He greets you when you come home. Aside from the safety function, he's bringing the small town back."

A SHAMEFUL RECORD

HON. ROBERT F. DRINAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DRINAN. Mr. Speaker, I attach herewith editorials which point out the shameful situation by which the United States continues to give American aid to Pakistan. The editorial from the New York Times as of June 30, 1971, states that:

This incredible policy defies understanding.

The editorial from the Washington Post is equally critical of the policy of the Nixon administration.

The situation outlined in these two editorials constitute another reminder of the abdication by the Congress of its power of oversight over the executive departments of the Government as well as its right and duty to participate in the formulation of the foreign policy of the United States.

The editorials follow:

[From the Washington Post, July 5, 1971]

U.S. ARMS FOR PAKISTAN: A SHAMEFUL RECORD

The Pakistani army undertook to crush the autonomy movement in East Pakistan on March 25. Soon after, as word of the army's appalling and indiscriminate slaughter began to seep out, the question was asked in Washington whether arms sold or given by the United States were being used and, further, whether the supply of these arms was continuing. Here is the record of the answers given in Washington.

April 2: The State Department said it could neither confirm nor deny reports from the scene that American equipment was being used.

On April 20, the fact no longer deniable, the Department informed Senator Kennedy that it had "expressed our concern over the use of American arms in East Pakistan"; it added that "arms acquired from a number of countries, including China, the U.S.S.R. and the U.K., also have been used."

Three days later: The Department specifically acknowledged to Senator Fulbright that "some M–24 tanks and F–86 aircraft have been observed in use in East Pakistan in recent weeks." It did not acknowledge that these tanks and planes had been employed against ragged desperate men armed with little more than rifles, if that.

April 6: Mr. Fulbright had asked Secretary of State Rogers for information on the "status of any current shipments" of military equipment to Pakistan. The following week a department spokesman, speaking to reporters, denied that the United States has "a large on-going military assistance program with Pakistan" and declared, "There is no—repeat—no equipment in the pipeline and none has been delivered" under a one-shot October, 1970, arms deal. Referring to a "modest" sales program dating from 1967 for "non-lethal military equipment, spare parts for equipment already in Pakistani hands and some ammunition," he said: "Insofar as shipments under these agreements are concerned, we have this matter under review."

April 14: An unattributed report appeared in The Washington Post saying that arms shipments were continuing but with minimum publicity. The next day, however, a department spokesman concluded a review of the subject this way: "In short, no arms have been provided to the Government of Pakistan since the beginning of this crisis, and the question of deliveries will be kept under review in light of developments."

April 20: The department told Senator Kennedy: ". . . none of these items [on the 1967 'non-lethal' list, including ammunition] has been provided to the Pakistan Government or its agents since the outbreak of fighting in East Pakistan March 25–26, and nothing is presently scheduled for such delivery."

May 6: Senator Fulbright was told: "In short, no arms have been provided since the beginning of the crisis and the question of deliveries is under review."

May 8: The Sonderbans, a Pakistani ship carrying arms to Pakistan, sailed from New York, without public announcement or public knowledge.

June 17: The State Department told reporters, as reported in this newspaper the next day, that "no deliveries of military equipment has been made to Pakistan since March 25, when the fighting began."

June 22: The department, responding to a story in the New York Times, acknowledged that two shiploads of arms were going to Pakistan and explained that they had been licensed before March 25. The same day the second ship, the Padma, sailed.

Six days later: The administration said it would allow further shipments of military material if licensed before March 25. The first reason cited was to apply "leverage" to induce the Pakistan Government (1) to bring about a political accommodation in East Pakistan (it has yet to do so) and (2) to take back the six million refugees who had fled to India (the flight continues, according to report, at a 40,000-a-day rate). The second reason cited by the administration—which had earlier downgraded use of American arms in the carnage by saying Soviet, Chinese and British arms also were used—was to discourage Pakistan from shifting to other arms suppliers.

June 29: It was revealed that four or five more arms ships were scheduled. The Kaptai sailed July 2.

This is, we submit, an astonishing and shameful record, with two meanings. The first is that, for the shabbiest of political reasons, the United States is supplying military equipment to a brutal regime that has killed an estimated 200,000 of its citizens and driven some six million others out of their country. The second meaning must be read in the context of the current controversy over the Pentagon Papers, which turns on the public right to know and the government's right to conceal. Here we have a classic example of how the System really works; hidden from public scrutiny, administration officials have been supplying arms to Pakistan while plainly and persistently telling the public that such supplies were cut off. We assume that this deception is due to a combination of organizational confusion and bureaucratic dissimulation and not to deliberate deceit. The fact is: arms ships still sail. It is up to the President to stop them—assuming the government is serious about its proclaimed policy.

[From the New York Times, June 30, 1971]

WHY AID PAKISTAN?

After months of equivocation and evasion, the State Department has finally made it clear that the Administration intends to keep on furnishing military and economic assistance to the Government of Pakistan despite continuing acts of repression in East Pakistan that have shocked the world. This incredible policy decision defies understanding.

The admission that aid is continuing as before undermines the credibility of the United States Government at home and abroad. The public, members of Congress and at least one vitally interested foreign government (India) had been led to believe—although always in evasive language—that all military assistance and any new development assistance for Pakistan would be held in abeyance until there was progress toward a political resolution of the crisis in East Pakistan. The exposure of this deception is likely to be particularly damaging to United States relations with India, whose foreign minister left Washington a few days ago with what he believed were firm assurances concerning American policy toward Pakistan that have now been thoroughly discredited.

The decision to continue economic aid puts the United States in defiance of the World Bank and the eleven-nation Aid to Pakistan Consortium, which has decided informally to refrain from making new aid commitments to Islamabad at this time. The Nixon Administration repeatedly in the past has indicated its policy would be to channel more and more United States aid through such international means in order to avoid the kind of unilateral decision it is now making in respect to Pakistan.

* * * * *

Administration officials say they opposed the consortium decision because it amounts to using aid as a political instrument. But at the same time they argue that the United States must continue aid in order to gain leverage to persuade President Yahya Khan to seek a political solution in the East. They can't have it both ways.

Perpetuation of American aid to Pakistan is not, in fact, likely to help persuade the military regime there to move toward restoration of genuine democratic government any more than continuing American support for the Athens junta has helped restore democratic rights to the Greek people. It will, however, put the United States in the untenable position of underwriting policies of repression, which have led to the ruthless and continuing slaughter of hundreds of thousands of Bengalis in East Pakistan. These policies have already driven more than six million East Pakistanis into exile in India where their presence creates grave political, social and economic tensions and a rising threat of domestic and even international conflict.

President Yahya's recent proposals for restoration of civilian rule offer little hope for significant change since they continue to exclude the outlawed Awami League, the party which won an overwhelming majority of the votes in East Pakistan and an absolute majority of the seats in the unconvened National Assembly in last December's elections. Under these circumstances, can anyone in Washington explain how additional military or developmental aid to Pakistan can be justified morally or in terms of this country's pragmatic self-interest in peaceful, democratic development on the Indian subcontinent?

"THE WILD BLUE YONDER OVER LAOS"

HON. MICHAEL J. HARRINGTON

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. HARRINGTON. Mr. Speaker I have just read an article detailing some of the activities of the American Government in and over Laos. This latest piece of writing comes from Fred Branfman and appears in the July 1971 issue of Washington Monthly magazine. Mr. Branfman was in Laos from March of 1967 to February 1971, first with International Voluntary Services, and then as a writer, researching the bombing of Laos on his own. He interviewed thousands of refugees who lived under the bombs, plus many American officials and pilots. My interest in reading about the effects of our bombing on the people and land of Laos is tempered with a deep sadness. I am saddened by the fact that I am forced to read in the press of this Nation information my Government claims is too sensitive for the American public to be exposed to. Just as it is a tragedy for this esteemed body to be forced to rely on the newspapers of the United States to break the truth to us about our present and past activities in Vietnam, so it is equally troubling that Members of Congress are forced to rely on brave and tenacious members of the press, such as Mr. Branfman, for our information on what our country is actually up to in Laos.

As long as the House of Representatives votes, as it did on Wednesday, against being fully informed by the proper official sources as to what our actual activities over Laos are, we will have to continue to depend on persons such as Mr. Branfman for the truth about our Nation's continuing war upon that already shattered little country of Laos. I ask unanimous consent that Mr. Branfman's article be printed in the RECORD.

[The Washington Monthly, July 2, 1971]

THE WILD BLUE YONDER OVER LAOS

(By Fred Branfman)

War is no longer the desperate annihilating struggle that it was . . . It is a warfare of limited aims. This is not to say that . . . the conduct of war . . . has become less bloodthirsty or more chivalrous. On the contrary. . . . But in a physical sense war involves very small numbers of people, mostly highly trained specialists. The fighting . . . takes place on the vague frontiers whose whereabouts the average man can only guess at . . . George Orwell, *1984*

Conventional land warfare, George Orwell predicted, would inevitably give way to automated war as military technology developed. The war in Indochina today appears to be undergoing such a transformation.

Perhaps unaware of this, Americans who watch the war have not yet learned to look up in the air. While most people believe that bringing the troops home is synonymous with getting out of Vietnam, ground troops are becoming irrelevant to the war effort. The real war has taken off. The skies are being filled with American planes as the land is emptied of its foot soldiers.

The Nixon Administration has accomplished massive aerial escalation, perhaps more devastating than President Johnson's troop buildups of 1965, with minimum public notice or concern because the country still thinks it is fighting with the Green Machine—the ground army—of the 1960s. But the war of the 1970s is that of the Blue Machine—U.S. air power—several thousand feet above the grunts, climbing away from any American agony. With the inexorable development of American air technology, Indochina is already becoming Orwell's battlefield.

Since Nixon took office, and as ground troops have been withdrawn, more than 2.7 million tons of bombs, by Pentagon estimate, have been dropped on Indochina. This is more American ordnance than was absorbed by both the European and Pacific theaters during World War II, plus the Korean war. We are dropping six million pounds of bombs a day, 4,000 pounds every minute.

The people underwent another war: the air war. They learned another form of civilization: the holes. We dug day and night, the planes bombed day and night. Our village was filled with bomb craters, the land made barren. I grieved very much to see my village in ruins, my animals vanished, my crops destroyed. . . . Each day, news came about such and such a village being bombed, more and more deaths and wounded . . .—from essay by teenage refugee, Laos

The bombing of Laos has doubled, erasing whatever restrictions on striking civilian targets that formerly existed. Hundreds, perhaps thousands, of villages have been destroyed. Tens of thousands of peasants have been killed and wounded, hundreds of thousands have been driven underground. The Plain of Jars, formerly a thriving society of some 50,000 people, has been leveled and emptied of its inhabitants.

The Laos pattern has been repeated in Cambodia. Numerous towns and villages have already been decimated. As *The Washington Post* reported on January 21, 1971, "the United States is now waging a full-dress air war across Cambodia [that] now rivals in scope, although not in intensity, the air war in Laos."

The bombing of North Vietnam has also resumed. By June 1, air raids had occurred on 43 days since the first of the year, an average of twice a week. As Randy Floyd, a Marine pilot who bombed North Vietnam 37 times, puts it, "Anywhere in North Vietnam is basically a free drop zone . . . if you didn't find any particular targets you wanted to hit, then normally you'd just drop your bombs wherever you wanted to." One may or may not accept Hanoi Radio claims that civilian targets are constantly struck. But all informed American sources say that "protective reaction" strikes are going far beyond enemy missile sites.

During these escalations, there has been a significant decrease of U.S. air activity within South Vietnam, both because of the slowdown in ground activity there and because some 500 aircraft have been transferred to the Vietnamese Air Force. Monthly American air sorties have been about 70 per cent lower this year in South Vietnam than they were in 1968.

It is assumed, however, that should fighting flare up again, American squadrons will be returned from their present resting locations in Japan, Korea, the Philippines, Taiwan, or the United States—squadrons that can be made operational in three days, according to a Seventh Air Force information officer. Most Air Force personnel I interviewed tended to minimize the importance of the reductions in Vietnam itself.

In any event, more than 350,000 tons of bombs—200,000 pounds every hour—will be dropped before the end of the year. Clearly, as they say out in Cam Ranh Bay, "The name of the game is air."

There wasn't a night when we thought we'd live until morning . . . never a morning we thought we'd survive until night. Did our children cry? Oh, yes, and we did also. I just stayed in my cave. I didn't see the sunlight for two years. What did I think about? Oh, I used to repeat, "please don't let the planes come, please don't let the planes come, please don't let the planes come . . ."

—*Refugee from the Plain of Jars*

Many Americans believe that the pattern of the war fought on the ground in Vietnam will spread to the other countries. Actually, the opposite seems to be true. The air war in Laos has been going on for several years, a concurrent experiment with the land war in Vietnam. Neither experiment has been successful in stopping guerrilla forces, but at least the air war has a possibility for surviving the domestic politics while at the same time delaying communist takeovers in Indochina. It is perhaps the only solution for an Administration that wants to keep from losing wars abroad and elections at home.

The air war also involves a change in the tactics of battle. If a guerrilla is a fish among the sea of the people, the objective of the land war is to remove the fish. The air war, however, drains the sea. It has paralyzed the civilian populations. Vietnam is not the future of Laos, but Laos may be the future of the war all over Indochina. The Era of the Blue Machine has arrived.

This is my daughter, Khamphong. She's three years old. I was fishing in a stream with all seven of my children on February 28, 1969. Suddenly jets came and dropped anti-personnel bombs all around. Six of my seven children were hit. See, you can still feel many pellets in Khamphong's legs and back. There was no soldiers nearby—refugee from Plain of Jars.

For the last two-and-a-half years, bombing has been the heart of U.S. policy. Historians may come to date this era from January 20, 1969. In it, war is waged primarily through the aerial bombardment of populated areas. Heavy bombing of civilian targets has, of course, occurred during other wars, and in the Vietnam war before 1969. But in each of these cases, the bombing powers have also deployed large numbers of ground troops, with the bombing seen as a support effort.

What the Era of the Blue Machine means is no better illustrated than in portions of Laos controlled by the Pathet Lao. Pathet

Lao zones encompass an area the size of New York state, or about two-thirds of the country. They are composed of 3–4,000 tiny villages, each consisting of a few dozen bamboo homes, a pagoda, rice storehouses, a few hundred head of water buffalo, cows, pigs, chickens, and ducks, and inhabited by some of the poorest, most gentle, rice farmers in Southeast Asia.

Each day for the last several years, hundreds of millions of dollars of the world's most sophisticated aircraft have been hovering over these villages: O1E, 02, and 0V10 spotter planes at 2,000 feet; A1E, A26, T26 prop bombers, AC47, AC54, AC119, AC130 gunships, flare ships, rescue and gunship helicopters at 5,000 feet; F4, F100, F105, A7, B57 jet bombers, jet reconnaissance, EC47 and EC119 electronic aircraft at 10,000; KC135 super-tankers at 20,000; B52s at 30,000; EC130 command and control aircraft at 35,000; and SR71 reconnaissance aircraft at 70,000 feet.

Giant computers, seismic and acoustic sensors, infra-red devices, and ANAPQ108 radar (designed to see through trees) have been tracking squat Soviet-built trucks or farmers trying to grow rice at night; laser-guided bombs and TV-guided missiles have been loosed on buffalo, trucks, rice storehouses, homes, and peasants alike. More than two million tons of ordnance have been dropped, $5–$10 billion spent.

By the admission of American officials closely associated with the war there, Laos has been the most heavily bombed country in the history of aerial warfare.—The Washington Post, *May 23, 1971.*

Hundreds of case histories of bombing casualties have been recorded on film and tape in the refugee camps. Several thousand refugees, several hundred defectors, and Western observers who have visited these zones all report constant bombing of towns and villages and widespread destruction.

Each one of the refugees interviewed from both northern and southern Laos said that his village was either partially or totally destroyed by American bombers while he still resided there, or that beginning in 1969 the planes came "like the birds," as one old man put it, "and the bombs fell like the rain."

All refugees and defectors say the guerrilla soldiers avoided the villages, neither bivouacking in them nor storing arms and ammunition in them. All say that the vast majority of the casualties from the bombing were civilian and not military, as the soldiers were out in the forest and could not be found.

A significantly high number of casualties are children and old people. When asked why, refugees explain that the children like to "play around" too much and get caught in the open and, confused with terror, do not make it to the holes. Old people "often could not hear well or could not run fast enough," one chief of the Plain of Jars subdistrict explained. He also said that most of the casualties were due to anti-personnel bombs dropped in or near the villages, but that napalm, fragmentation bombs, and 500-pound bombs were also frequently dropped. "During 1969 about 45 per cent of the people, mostly old people and women, never left their trenches or caves at all. They were too afraid. The others would go out and do their work if they didn't hear the planes coming."

Various press reports suggest that the same kind of bombing is going on in guerrilla-controlled zones of Cambodia. Population estimates for these zones begin at one million. The air war is still relatively new there, and as a result, refugees who have lived for long periods of time in guerrilla areas have not yet come into friendly regions. But private interviews with informed American sources indicate that the bombing of civilian targets in Cambodia is as extensive as in Laos.

One of the most heavily bombed areas has been the Plain of Jars, located in northeastern Laos and controlled by the Pathet Lao since 1964. If Khe Sanh and My Lai were the symbols of American ground intervention during the 1960s, the Plain is the symbol of the automated war of the 1970s.

On the Plain, once Laos' most prosperous area, there were no American ground combat troops. As former Ambassador W. H. Sullivan told the U.S. Senate in April, 1971, the area was not related to the security of American ground forces in South Vietnam. American-supported Asian troops were likewise doing little fighting there.

George Chapelier, a Belgian U.N. advisor, has described what occurred: ". . . in 1969 . . . jet planes came daily and destroyed all stationary structures. Nothing was left standing. The villagers lived in trenches and holes or in caves. They only farmed at night. In the last phase, bombings were aimed at the systematic destruction of the material basis of the civilian society."

In September, 1969, CIA-supported Meo troops went in and took out the remants of what remained. Some 25,000 refugees were removed.

The Plain of Jars is today a deserted wasteland.

Sure, some of the villages get bombed, there's no other way to fight a war out here, for God's sake. It's a war, and the civilians have to suffer. We did it at Cherbourg, didn't we?—L. Hafner, Deputy Director, USAID/Laos, January 4, 1971

All refugees talk about the bombing. They don't like [it]. But even if you found an example in which it was proven conclusively that houses were bombed, so what?—J. Williamson, USAID refugee relief chief, Vientiane, February 2, 1971

While American officials concede that villages are frequently bombed, they tend to attribute this to Air Force "stupidity," "confusion," or "overkill." There is little doubt, however, that American policymakers also share the responsibility. Deputy Assistant Secretary of Defense Dennis J. Doolin has testified to Congress that in Laos "all United States operations, including our air operations, are controlled by the U.S. ambassador."

All indications are that the American ambassador has approved strikes against civilian targets in Pathet Lao zones. As Robert Shaplen has written in *Foreign Affairs*, an American goal has been to "destroy the social and economic fabric in Pathet Lao areas," in an attempt to weaken the communists' stronger ground army by depriving it of indigenous food supplies, disrupting communications, killing off potential recruits or porters, demoralizing the civilian population, and causing a refugee flow to friendly zones.

Informed sources indicate that this has largely been due to pressure from the CIA, which is heavily involved in targeting American bombing strikes in Laos. The CIA has its own photo-reconnaissance team, reconnaissance aircraft, and ground observers in Pathet Lao zones. Together with Air Force personnel, CIA representatives participate in weekly meetings at Udorn Air Force Base in Thailand to draw up target listings.

Largely because of its direction of the Armee Clandestine, an indigenous paramilitary force, the CIA, sources say, has consistently placed inhabited villages on the target list in an attempt to weaken the Pathet Lao.

It is certainly clear that the American embassy has taken few steps to enforce the Rules of Engagement (military rules of warfare that prohibit attacks on civilians). To this day, only one junior Foreign Service officer has been assigned to check proffered target listings. Virtually no mechanism has been established to monitor strikes, and there are no known instances of disciplinary action being taken against pilots for bombing civilian targets in Pathet Lao zones, although a few have been punished for strikes on friendly villages.

Now the cabinet is in deep discussion of a series of proposals by General Henri Navarre, commander in chief in Indochina, that the war be increasingly turned over to the Vietnamese themselves, permitting France to reduce the burden on its manpower and economy. Life, August 3, 1953.

The bombing of villages results most fundamentally from a 25-year-long American refusal to allow guerrilla forces to come to power in Indochina.

Richard Nixon's first public admission on April 17, 1971, that withdrawal hinges on keeping a noncommunist government explains the reliance on bombing.

For Asian ground armies alone will hardly accomplish what 550,000 American troops could not. The ARVN, whatever its improvement in the last five years, remains riddled with corruption, elitism, and poorly motivated conscripts. As their raping, looting and indiscriminate shelling of towns has shown in Cambodia, they have yet to master the most elemental rules of ground warfare in Indochina. Their failures in Laos, and their loss of 54 posts in the "pacified" Mekong Delta during the first four months of 1971, have surprised few old Indochina hands.

The Lon Nol army, although its soldiers' courage is often admirable has made little headway, even with ARVN help. The guerrillas now control from 60 to 70 per cent of Cambodia.

The Royal Lao Army and CIA-directed Armee Clandestine in Laos are even weaker. With the communist capture of the Bolovens Plateau in May of this year, the Royal Lao government now controls little more than the major towns.

And the Royal Thai army is something of a standing joke in South Vietnam. Assigned to guard one corner of Long Binh base, its major accomplishment to date has been mastering the complexities of the black market.

At this writing, Asian troops are essentially playing a supplemental role: serving as live bait to lure the enemy out into the open for the bombers, as in the February, 1971, Laotian invasion; searching for enemy supplies, as in the A Shau valley; taking out refugees, as on the Plain of Jars; and guarding the major bases and towns. In any case, we risk Vietnamization because we do not have to rely on it. We rely on the bombs.

Me Ou was 59 when she died on February 20, 1969. It was a cold day and she decided to leave the trench about 3 p.m. to get some clothing for herself and the children. The jets bombed while she was in the house. She was burned alive—Me Ou's son-in-law, Plain of Jars

Domestic pressures generated by the ground war have also played a part in the shift to air. The Vietnam ground war costs more in money and in lives. The American people will not continue to pay the price that has already come to $100 billion spent, 50,000 dead, 300,000 wounded—nor will the troops, who are now in grassy-headed revolt.

The air war, however, provides few such problems. Although its cost is considerable, probably over $10 billion annually, much of the money used for upkeep of air bases and development of new aerial technology would be spent even without the air war.

Charles Schultz, former director of the Bureau of the Budget, estimates that costs above normal upkeep of bases and production of aircraft are $2–3 billion for 1972. And more important, U.S. casualties are minimal from the air. American pilots, freed from the discomforts of the ground war, and rarely seeing the people they kill, tend to raise fewer complaints.

Perhaps most important of all, information about the air war is as ethereal as the atmosphere itself. It can be kept far from public and congressional consciousness; and, since there are no tales of atrocities and few pictures of the bombing, domestic reac-

tion to its more questionable moral aspects is muted.

The U.S. public is generally unaware of the massive bombing in Laos, for example. Newsmen have not been permitted to go out on bombing raids over Laos, although they can go over South Vietnam. They have usually not been allowed to interview the American air attache in Vientiane or the pilots bombing Laos from Thailand. When asked, official spokesmen merely deny that civilian targets are bombed, and almost all information is classified beyond public reach.

The most dramatic example of what freedom an air war allows the government occurred in November, 1968, when criticism of the well-publicized bombing of North Vietnam had reached its peak. President Johnson halted the bombing, a move still regarded by the antiwar forces as one of the few important victories of the peace movement.

But the bombing never stopped. It just shifted to north Laos, leading to far greater destruction of villages than occurred in North Vietnam. There was no public reaction, however. Neither the people, nor their congressmen, even knew it had happened.

In August 1969, the jets bombed. Nang Pha Sii, my daughter-in-law, was in a trench. A bomb landed nearby, killing her father and wounding her mother and two other villagers. She was killed, shielding her year-old baby with her body. Soldiers? Oh, they didn't come near the villages. They knew they'd be bombed—Nang Pha Sii's mother-in-law, Plain of Jars

The opportunities the bombing provides for developing and testing sophisticated weaponry is another factor leading to its continuation. While a foot soldier can support just so much new technology on his back, the air war provides a vessel to be filled with all the gadgetry of the nuclear age.

This is seen as giving us important advantages over our adversaries. "The Russians are going nuts over what we're learning out here. They're dying that they can't test their stuff out," explained one happy pilot at Danang Air Force Base last November.

Later on, the pilot added one of the standard comments heard on Air Force bases in Indochina: "It may sound trite, but it's the only war we've got. Do you realize this is the only place in the world right now where you can drop live bombs?"

Although the number of bases has decreased by four in 1970 Pacific Air Force installations still stretch from Hawaii to Thailand. The command's area of responsibility covers roughly 40 per cent of the earth's surface—an area with a population of more than one-billion people living under the flags of 27 nations. Pacific Air Forces has justly earned the title "Guardians of the Pacific."—Air Force magazine, May 1971.

Only as one drives past the paddy fields and samlor drivers onto an American air base in Indochina does one begin to appreciate just how awesome a military force the Blue Machine is.

Miles of roads stretch as far as the eye can see (an airman, perhaps apocryphally, is said to have measured the roads on Korat Air Force Base and found that there were enough for a two-lane highway to Peking and back). There are thousands of pre-fab structures, quonset huts, trailers, tents, wooden and cement buildings; acres of hospitals, commissaries, canteens, nightclubs, restaurants, swimming pools, barracks, gasoline pumps, garages, buses, trucks, jeeps, radios, radar installations, warehouses, offices, and hangars; millions of gallons of fuel on the "fuel farm"; closed-circuit TV and radio and giant movie theaters.

Thousands of American and Asian personnel drive, scurry, loll about; pilots, radio operators, mechanics, bomb-loaders, fuse-installers, "fuel farmers", gas-pump operators, drivers, electricians, carpenters, janitors, doctors, medical orderlies, lawyers, chaplains, cooks, MPs, guards, loaders, stackers, waiters, "hooch-girls," secretaries, clerks, information officers, launderers, photo interpreters, gunners, navigators, men wearing the uniforms of the Air Force, Navy, Marines, Army, Air America, Continental Air Service, and Pan American and Northwest airliners.

And then there are the planes constantly taxiing, taking off, flying, landing—sleek, squat, giant, tiny, silver, camouflage-green.

And finally, of course, the ordnance.

There are five such installations in South Vietnam, with some 40,000 American airmen; five in Thailand, with 25,000 airmen; four to six aircraft carriers operating in and out of the Gulf of Tonkin, with some 10–12,000 personnel; and a dozen smaller American-directed bases throughout Indochina for indigenous air forces.

These installations are, of course, but a small part of the Blue Machine. A logistics network stretching through 18 major air bases in the Pacific back to 112 in the United States provides the men and planes necessary to keep the bombs falling.

"I'm as liberal, as much for peace as anyone else. But war is not a pretty thing. In a guerrilla war, the civilians are going to pay a price. War has now progressed to a point where you're going to bomb civilian targets and that's it. I'll be frank, I'm trained to kill people. I don't like it particularly. But when the time comes, I'm prepared to do it."—*American F4 pilot, Saigon, November 14, 1970.*

The image of the Air Force that most Americans grew up with was embodied in the fighter pilot. We still think in terms of World War II movies: blue-eyed, blond-haired young men soaring into the sky to defend God and country against the heathen Kraut or Jap.

The Air Force itself is still modeled after this tradition. The F4 and F105 jets, which have done most of the bombing in Indochina, are designed as fighters, not bombers. The training emphasis for pilots is still on the techniques of aerial combat, the need to establish "air superiority."

The pilots have fought few aerial duels in Indochina, however. And bombing villages just hasn't been the same thing. As long as bombing went on in Vietnam, morale remained high. The relatively significant number of military targets, the heavy anti-aircraft fire in North Vietnam satisfied the pilots' need for a challenge. And in South Vietnam, the goal of providing air support for the 550,000 American troops on the ground seemed worthy enough. As one pilot explained, "Bombing for troops in combat is the most satisfying. It's really great to have them tell you afterwards, 'We'd have been overrun if you hadn't come.' I really like working with people."

With the switch to bombing Laos and Cambodia, the raison d'etre of the Air Force seems to have disappeared. Antiaircraft fire is relatively light. Plane losses in Laos have averaged four a month for the last year, for example, compared to 20 a month in North Vietnam during 1965–1968. There are no American units to support. There are few large bridges, factories, or other targets which seem worth hitting.

Pilot: Our 500-pound nape canisters are newer, they have a better dispersal pattern than the older 1,000-pounders.

Information officer: Hey, you're not supposed to talk about the napalm.

Pilot: No ———. Why not?

Information officer: Well, you know those college kids. Pretty soon they're going to put poor Dow Chemical out of business. You're not supposed to talk about it to the press.

Pilot: Well, it seems pretty ridiculous to me that people can be so emotional about how you kill people. What's so bad about nape anyway?

—conversation at Danang Air Force Base, November 1970

The pilots themselves tend to be an odd combination of hot rodder and technocrat. On the one hand, they spend a good deal of time discussing the technical details of their work and take it quite seriously. On the other hand, as one pilot says, "Pilots are more immature than most civilians their age. They sort of like to play cowboys and Indians. That's part of the attraction of being a pilot." On a visit to Danang Air Force Base, I was surprised to see sharks' teeth and mouths painted on the noses of the F4s. "It's good for morale," a pilot explained proudly.

Pilots tend to get restless without a challenge. This has led to increasing frustration with their role in the last two-and-a-half years. One pilot explained, "You go up over Laos and it's just not that satisfying. All you're doing is bombing roads and inanimate objects. But even that's more exciting than South Vietnam. In Laos at least you get some antiaircraft fire."

Such problems were illustrated in a long interview with several F4 pilots at Danang in November, 1970. Conversation for the first several hours, as is usually the case, was rather dry and technical. Discussion focused on the capabilities of different aircraft and kinds of ordnance, weapons-delivery systems, and navigational problems.

At one point, however, the pilots were asked if they got any feedback on people killed in action as a result of their raids. As the men in the room began to chuckle, one pilot explained: "You've hit on a rather sore point, you know. You could say there's kind of a controversy between us and the grunts on that subject." He then went on to explain that the pilots felt that the foot soldiers were taking credit for aerially-inflicted casualties.

The pilots grew gradually more and more indignant as they told personal anecdotes of having been "robbed" of "kills." A typical example was given by the pilot who exploded, "One day we went in over a North Vietnamese military camp on top of a mountain. It was right out in the open, so we could see it and everything. We plastered the place, napalm, 500-pounders, the works. I know we had kills, you could see people running all over the place, buildings burning. There was no way for there to be no KIA. But do you know what happened? The grunts came in and reported 25 enemy killed by ground fire. All they did was shoot their M16s into the corpses and then claim they'd killed them. The nerve. Can you imagine?"

Such haggling over body counts does not, of course, satisfy the pilots' competitive urges. And though they try to compensate by striving to win the "Gunfighter of the Month" award—based on percentage of bombs dropped in the target area—it hardly suffices. As one F4 pilot said, "Bombing the North really keeps morale up. Every man likes to feel that he's an adventurer. I'll tell you, it's exciting to come down the chute with the flak flying all around you. The general attitude around here is 'let's keep the war going, it's dying.' "

. . . Our air activities are governed by strict Rules of Engagement and Operations Authorities designed to minimize civilian casualties.—*Assistant Secretary of Defense Doolin, Kennedy hearings, May 1970 . . . the United States Air Force contribution was limited to striking at [military targets] . . . it was the policy not to attack populated areas—former Ambassador W. H. Sullivan, Symington hearings, fall 1969.*

The pilots' indifference to the air campaign in Laos and Cambodia is a major factor in the constant strikes against villages. As one pilot who has bombed in both northern and southern Laos explains it, "Sure, we're supposed to follow the Rules of Engagement,

like not bombing within 500 meters of an active village. But all of these rules and regulations don't mean ——— when you have a guy in an aircraft. Ninety-five per cent of the guys have no qualms about dropping bombs anywhere. Very few differentiate where the hell they bomb."

The bombing of civilians is also a result of the fact that pilots cannot easily locate military targets in Laos and Cambodia. The guerrillas move through the forest at night in small groups. There are no munitions factories or exposed military camps, and arms depots are hidden underground. And since the targets that are traceable, such as trucks, are of minor importance, pilots tend not to risk bombing from lower altitudes. "When you go down in Laos, you don't face a very bright future," an F4 pilot said, "and frankly, I'm just not going to risk my ——— for a goddamned truck." From higher up, especially in the monsoon season, the bombing takes place without the pilot ever seeing the ground below. It is not surprising that one pilot estimated that only one of ten bombs generally falls anywhere near the target. Many of these bombs fall on villages, for, in places like Laos and Cambodia, most villages are located on or near the road. "When you have to bomb trucks one by one, you're going to kill hundreds and hundreds of civilians," one pilot says.

Pilots who cannot locate any targets are discouraged from wasting their bombs by dumping them at sea or in unoccupied forests. "The pilot who doesn't get rid of his ordnance somehow," a pilot says, "is a rare exception." So they end up striking the only thing they can see from the air—villages.

Nixon Administration officials, as did those in the Johnson and Kennedy Administrations, say that never before has such care been taken to spare civilians in bombing raids.—George Wilson, The Washington Post, *April 1971*

Another factor leading to low Air Force morale has been the military ineffectiveness of the bombing.

The major success claimed for the bombing by the Pentagon is that it destroys seven of eight trucks moving down the Ho Chi Minh Trail. This appears to be more a reflection of what some of us call the "Leff Syndrome," however, than reality.

Arnie Leff, an Air Force doctor at Udorn Base in Thailand, achieved some local fame during the great Gonorrhea Crisis in the fall of 1969. Charged with controlling venereal disease for Udorn's airmen, Leff was instructed by his hospital commander to get the rate below one case per 1,000 men per day for the month of December, 1969. Trying his best, the good doctor lectured, charted, and examined. But, alas, the rate was still 1.5. A hospital superior ordered him to lower the figures anyway. Although he refused, Leff later found it common practice elsewhere for rates to be finagled. Incensed, Leff asks, "If they'd change gonorrhea rates, what else would they falsify?"

All available evidence suggests that they falsify the high "truck-kill" ratio.

No less an authority than former Defense Secretary Robert McNamara, after all, revealed in the fall of 1968 that bombing raids on the Ho Chi Minh Trail had reduced the flow of men and supplies by no more than 10–15 per cent.

Subsequent events seem to bear this analysis out: communist successes against the South Vietnamese invasion in February 1971; the uncovering of supply complexes in the A Shau Valley in May, 1971; significant guerrilla advances in southern Laos during the same month; the ongoing communist military success in Cambodia despite the closing of Sihanoukville port. All this suggests that however many trucks are being destroyed from the air, communist forces are suffering few serious supply problems.

My way of killing people is better than their way. The Pathet and North Vietnamese are a plague. We have to eliminate them. They have no regard for human life.—F4 pilot, Danang, November 28, 1970

Despite the inefficiency of the bombing, there is little likelihood that it will be halted.

The Air Force argues strongly, that bombing has been most successful. Even where it admits limited failure, as for example in the inability of the bombing of North Vietnam to halt the flow of supplies into the South, it ascribes this to improper constraints placed on it by civilians.

As one F4 pilot put it, "Targeting for air war North was done by Washington. This gives the enemy the advantage. The whole problem comes from Kennedy's 'flexible response' idea. You hit me on the foot, I hit you on the ankle. You hit me on the knee, I hit you on the shin. But it doesn't work. If you hit me on the foot, I should slug you with a club and put you out of commission.

"I'm not saying we were right. Let's face it, we just attacked the ———. But when we did decide to bomb them, we should have kicked the ——— out of them."

Some critics see an element of cynicism in continued Air Force claims of success. They suggest that they are produced to justify more money from Congress, and more weapons development.

While there may be some truth in this, there seems no doubt that Air Force personnel are by and large sincere in their belief that bombing has been effective, not because it has cut off supply lines, but because it has made the enemy "pay a price" for his conquests. Guerrillas in Indochina, it is argued, are an implacable force bent on military victory, and whatever we do to make it more difficult for them is justifiable.

This war from the pilot's standpoint is a very impersonal one, whether or not you believe the goals that the government prescribes for us. Most of the pilots just go along and figure, well, it's a job. You fly. You see flak at night. That's about as close to war as we get. Sometimes you get shot down, but you don't see any of the explosions. You can look back and see 'em, but you don't see any of the blood or any of the flesh. You go out, fly your mission, you come back to your air-conditioned hooch and drink beer or whatever. You're not in contact with it. . . . —Randy Floyd, Marine Corps pilot.

The increasing automation of the American military effort in Indochina will have an impact extending far beyond that unhappy region. One of its far-reaching ramifications is the change it is bringing to the psychology of warfare.

It is not only that few of the Laotian or Cambodian peasants presently living under the bombing have no idea what an American is, why the United States is bombing them—it is also that few of the Americans involved in the air war have ever seen a Laotian or Cambodian.

Navigators plot bombing raids on coordinates, not villages; pilots pull levers from thousands of feet up, not triggers at human forms 100 yards away; photo interpreters see bomb craters and destroyed "enemy structures," not headless children or napalmed grandmothers; a Stinger pilot—whose machine can put a bullet every square foot in an area the size of a football field—stares ahead into the inky darkness, periodically firing when two pips on his computer coincide. Any corpses below lie far from his consciousness.

And those few Americans who do know Laotians or Cambodians express little but warmth and affection for them. The past and present American ambassadors to Laos, for example, both speak frequently—and no doubt sincerely—of their deep admiration for its people. Neither has shown any noticeable discomfort as they wander through Laotian refugee camps, chatting and smiling with people against whom they had earlier approved bombing raids.

In the Era of the Blue Machine, war is gradually becoming a technical exercise, bereft of malice or rancor, an elemental expression of the art of killing. Men are increasingly freed from the hatred, doubts, greed, or rationalizations that killing usually entails. The issue of guilt is becoming meaningless, conscience irrelevant. The pilot, bomb-loader, and the policymaker have no intention to kill. Psychologically, therefore, they do not.

The attack or bombardment, by whatever means, of towns, villages, dwellings, or buildings which are undefended is prohibited—Article 25, Hague Convention on Land Warfare, 1907

The issue of war crimes is reduced to absurdity.

The chief U.S. prosecutor at the Nuremberg trials, Telford Taylor, talks of two principles which establish aerial bombardment as a war crime: 1) if the means of bombardment of civilian targets are disproportionate to their military value; and 2) if bombing is carried out against civilians in reprisal for military acts over which they have no control.

In rural theaters such as Laos or Cambodia, any means of bombardment would be disproportionate—enemy stores and soldiers are not located in the villages. Antiaircraft positions are not located there, either.

Moralists may wonder why an Ambassador Godley continues overseeing bombing strikes in Laos while a Lieutenant Calley languishes in jail. The lieutenant, after all, was convicted for killing unarmed and unresisting civilians. And bombing strikes in Laos, for which the ambassador bears responsibility, are killing unarmed and unresisting civilians as a matter of course.

But that is precisely the point. In countries such as Laos, the act of automated war itself is the war crime. There are no Calleys or Medinas to accuse.

And barring the unlikely event of the superstate itself being vanquished, its policymakers are hardly likely to admit to—let alone convict themselves of—war crimes.

A lot of people in the States underestimate what we're up against. They're just primitive little jungle fighters, sure. But they're shrewd, good tacticians. They have equipment, too, like SAMs up North. And they use a lot of the stuff we discard, like tin cans. They make fuses out of them. And they'll make a damn good booby trap out of a couple of boards and some nails—F4 pilot, Danang Air Force Base

As such a war continues, ideological, economic, and political considerations assume a secondary role.

Perhaps when the war began it was primarily a struggle between freedom and communist totalitarianism, as conservatives see it; or perhaps it was a conflict between American imperialism and national liberation, as the left claims.

But today, with South Vietnam being run by its American-imposed Curtis LeMays, few U.S. leaders claim that democracy is really a factor in the war. Ideological and political questions have long since dimmed in importance, since most people within Indochina have already decided what side they are on. After an expenditure of over $100 billion, the U.S. economic motives have diminished, too.

The main concerns, from the American side, are technical in nature: developing sensors which will allow instantaneous, automatic, and pinpoint bombing of enemy guerrillas; getting hand-held lasers into use instead of ineffective aircraft-directed beams; applying new and better forms of ordnance.

For the guerrillas the war has become primarily a question of persevering, of developing courage, patience, and near-mystical faith in their troops, of continuing to meet technological developments from the air with increased ingenuity and resourcefulness.

It is Ho Chi Minh himself who is said to have remarked to a graduating class of sappers, the elite units of the North Vietnamese army, "You are our answers to the B52s."

The war in Indochina today has become primarily one of technology versus the human spirit.

The biggest problem I had was to restrain my men's enthusiasm. If I asked for volunteers, all my men would argue to be the first chosen. "Let me do it, they killed my mother!" "No, let me go, they destroyed my village," they would say. Were we afraid of the planes? Oh, no. If they stayed up high, they couldn't hit us. If they came down low, we could shoot them down. We were very angry. The planes didn't come to bomb the soldiers, they tried to kill the villagers. The villagers are just rice farmers. They didn't do anything against those pilots.—Pathet Lao defector, former captain.

The human spirit seems to be triumphing. Interviews with Pathet Lao defectors indicate that far from breaking the enemy's will, the bombing strengthened it. "Before, maybe only 20–30 per cent of the young men would volunteer to join the Pathet Lao army," explains one defector. "But by 1969, 90 percent and more wanted to join. Nobody really understood what the Pathet Lao meant by 'American imperialism' before the planes came. But by 1969 the attitude was 'better to die fighting than hiding in the holes.'"

In an arena where American-supported ground forces are as lacking in motivation as they are, such sentiments on the other side are a key factor. At this writing, communist guerrillas are the only force in Indochina who believe they know what they are fighting for.

The influx of more than 30,000 refugees from heavily bombed areas during 1970 has made the bombing common knowledge in American-supported zones. Laotians of all political stripes are opposed to the bombing because it caused hardship to their fellow Laotians against whom they bear no enmity, and because they believe it widened the war. They blame Souvanna Phouma's government in part for permitting it. Conversely, they admire the Pathet Lao for standing up to it.

The war in Laos has always been for essentially political ends. The communists have made it clear they are not planning to take over the major towns militarily. The bombing has undoubtedly aided them in achieving a political victory. This may later be true of the other countries as well, making one wonder whether technology can keep up with the growing opposition to the U.S. in Vietnam, if we will resort to even more effective bombs to keep down more strengthened wills.

I can assure you that my words are those of a devoted pacifist. My very hardest job is to give out medals of honor. If I lived in another country that wanted to be sure and retain its right to self-determination, I would say, "Thank God that the United States exists at this moment of history." We are not bent on conquest or on threatening others. But we do have a nuclear umbrella that can protect others. This is the moral force behind our position. We could be a terrible threat to the world if we were to lose that restraint—Richard Nixon, interview with C. L. Sulzberger, The New York Times March 10, 1970.

The issues raised by the air war go far beyond the personal culpability or motives of American leaders. For if the last few years have shown anything, it is that technological growth has a dynamic of its own, independent of the will of individuals. American leaders are more products of this process than its conscious manipulators, more the Man in the Grey Flannel Suit—or sometimes the Mad Hatter—than Big Brother.

The change in the Laos air war from a limited number of prop bombers dropping 500-pound bombs outside of populated areas to hundreds of jet and B52 bombers using laser and TV-guided missiles does not appear to be the result of a series of carefully planned decisions. It was just part of ongoing technological development. The war kept up with the advances; each new improvement was put into action.

Dow, Honeywell, and Lockheed did their part; so did the Air Force, Marines, and Navy, the State Department and the CIA, Standard Oil and Gulf. The momentum was more powerful than the people within it; a belief in technology covered the horrors, much as a belief in religion protected the Inquisition. And without anybody really understanding or caring, thousands of Indochinese villages were destroyed in the process.

The roar of the bombs and the noise of the planes frightened me terribly. Our life became like one of animals who search to escape the butchers. Each day, across the forests and ditches, we sought only to escape from the bombs. When looking at the face of my innocent child, I could not stop crying for his future. Why do the men in this world not love each other, not live together in peace, not build happiness in development and progress? Human beings, whose parents cherished them, died from the explosions of the bombs. Who then thinks about the affection and love their parents felt for them? As for the other men, do they know all the unimaginable atrocities which can happen here in this war?—from essay by 35-year-old woman refugee from Plain of Jars.

The questions raised in this, the third year of the Era of the Blue Machine, really have less to do with men than Man.

What does it mean, after all, when the strongest of the species is systematically killing and maiming some of the weakest? . . . the most prosperous regularly destroying the homes and belongings of some of the poorest? . . . the most industrialized constantly devastating the land and food supplies of some of the most rural? . . . and the most technically advanced using their most sophisticated weaponry against a people who pose the most marginal of challenge to their interests?

In a nuclear age such questions are of more than passing concern.

WINNING WHEELS, INC.

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. MICHEL. Mr. Speaker, an area of special interest and concern to our Labor-HEW Appropriations Subcommittee is the care and rehabilitation of victims of accident and disease.

Many of these people are forced to spend a great deal of time in wheelchairs, and one particular organization in my State which was formed to help those confined to wheelchairs help themselves is Winning Wheels, Inc., of Prophetstown, Ill.

I recently received the June issue of the Winning Wheels News, and I believe two articles in this paper will be of real interest to my colleagues because of the insight they provide into the problems faced by individuals suffering varying degrees of paralysis.

Mr. Speaker, the founders, supporters, and members of this group are to be commended for their efforts in this area, and I hope we will see their organization grow and flourish in the future.

The articles follow:

ON THERAPY

How difficult it is to start the therapeutical road back after the muscle and tendons have shrunk up. It is really pure torture to pry the arms from the position they go into naturally from lack of use.

Many hours are spent coaxing, teasing and threatening to get one to do the things that are beneficial to the patient. If you are one of those fortunate enough not to tighten up or be out of commission for six or seven months, you are indeed fortunate. This is one of the important reasons in getting to the patient as soon as possible, to keep the natural muscle-tone from wasting away, whether it is the arms, legs, fingers, feet, stomach muscles, chest muscles, bladder or colon. All of this training as quickly as possible is of the utmost importance.

Of course the bad habits, like smoking, are the ones that come the quickest and easiest; and any therapist will tell you this with a smile. I also know, because I have the scars to prove it.

Different people take to different therapy with different relish. Some will work hours just to learn to use the telephone; others will do the same just to learn to write again and still others, shaving, brushing teeth, combing and brushing one's hair, depending upon the importance to each individual.

The one thing everyone is taught as soon as possible is to feed oneself. The list will go on and on, whether it is speech therapy, activities of everyday living, learning to stand, climb steps, go down steps, getting in and out of cars and even learning how to drive an automobile again.

There are many interesting antecdotes along the way that would have to be or very few people would be able to make it or stand it, because it is the kind of work that takes everything you have, not for a minute, or hour, but day after day after day.

There are those that just plain quit after so long and these are the ones that just sit when they return home or wherever they go.

This is but one of the many challenges facing a paralyzed person after the accident has happened. There are a lot more and each day brings its own. I guess this is one time you learn to live a minute, an hour or just a day at a time and pray to Almighty God that you have the strength and patience to do it on the morrow.

CALL FOR INFORMATION

Luke 22:32: But I have prayed for thee, that thy faith fail not: and when thou art converted, strengthen thy brethren.

We hope you never have to spend any time in a wheel chair. But if you were forced to for life, who would care for you? This is why Winning Wheels has come into existence. We solicit your help, that we may help others. Call us for information.

DOUG YORDY'S ACCIDENT AND COMEBACK

My accident happened July 21, 1967 when I had a swimming accident similar to Mike Maki's. I was taken by ambulance to Mercy Hospital in Davenport, Iowa. I was placed in the Intensive Care Unit on a Stryker frame after being put in traction.

On the fifth day after my accident I had surgery on my neck which was broken and dislocated. While in Mercy Hospital I was heavily sedated, therefore, hazy about some of the things that happened during this time. Ironically, one of the things I do remember was waking up in the operating room and seeing one of my high school classmates who was a technician.

I remained in traction on the Stryker frame in "ICU" for three weeks; then I was trans-

ferred to the main floor of the hospital. Later I was placed in a brace for my neck called a "Four Poster" because of its structure. In the Stryker frame I spent two hours looking at the ceiling, then two hours looking at the floor.

The nurses in "ICU" were very efficient and knew what to do, as they were picked and trained for this unit, while nurses in the rest of the hospital are not trained in the specialized care of the paralyzed, such as turning them every two hours. It was during my time on the regular floor of the hospital that I started to develop a bed sore.

On July 30, 1967, I was transferred to Forest Park, the Rehabilitation Unit of St. Francis Hospital in Peoria. I remained there for a period of 11 months, undergoing physical therapy and psychological testing.

It was a few days after arriving in Peoria, that a sore was discovered on my chest, caused from the neck brace. About a week later the bed sore that started in Davenport broke open. This one I had for about seven months before it was healed. During that time I underwent surgery on it twice. This sore meant I had to spend my time in bed on one side or the other; then special padding and a seat were made so that I would be able to sit in a wheelchair. During this time I lost 60 to 70 pounds.

While I was in Peoria a fund was started in my hometown which resulted in the purchase of my special wheelchair.

After several months of physical therapy I was able to move my arms, sit up with help, and later developed partial use of my arms. This is why a special wheelchair was necessary—so I could move myself around in the chair and eventually leave my room from time to time and see what the rest of the place looked like.

This is when I discovered there were several other quadriplegics and paraplegics on the same floor. We spent most of our free time together and, as several of us were about the same age, we had similar interests. We often talked about our problems and adjustments we were having to make and would have to make in the future.

We often made trips to the cafeteria or to someone restricted to their bed. As not everyone was able to maneuver his own chair, sometimes these trips turned into quite an ordeal, but having a couple of strong "paras," also an electric wheelchair in our group, we would line up like a train and would usually manage to get where we wanted to go.

After regaining all that I could in the use of my arms, I was dismissed from Forest Park in June of 1968 to live at home again.

There were many adjustments to be made by me as well as my parents. The doors of our home on the main floor had to be widened to allow the chair to go through; a ramp for access to the house was built; also, rugs were removed to allow easier moving from room to room.

After three years at home, I met Kendall DeMaranville through our both having "C.B." radios. In our many conversations the goal of the Winning Wheels, Inc. was discussed. This is how I first learned of the club and its purpose.

Through my own personal experiences I know the home is something that is urgently needed.

Recently I spent a month in a nursing home in Decatur in which all residents were 60 to 70 years older than I. The staff was not trained to take care of my needs, although they were all willing to help in any way they could.

Up until the time I got involved with Winning Wheels, Inc. I had accomplished nothing and had wasted three years of my life. Now I feel I am doing something worthwhile in trying to reach others so that they will not waste years of their life the way I did.

NEAR "NO-NO" TO NO-KNOCK

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DINGELL. Mr. Speaker, the Washington Post of Friday, July 2, 1971, carried a column by William Raspberry under the heading "Near 'No-No' to No-Knock" in which he discusses the raid by Federal agents on the home of Kenyon Ballew in Silver Spring, Md., and the unfortunate fact that no-knock police raids are legal within the District of Columbia.

As one of those who voted against the so-called District of Columbia crime bill, and its no-knock provision, when it was before the House in the 91st Congress, I find myself very much in sympathy with the points raised by Mr. Raspberry.

So that my colleagues may have an opportunity to be aware of Mr. Raspberry's comments, I insert the text of his column at this point in the RECORD:

NEAR "NO-NO" TO NO-KNOCK

(By William Raspberry)

The D.C. Young Republicans defeated the resolution the other night, but the fact that it was even considered—it had been passed by the YR's board of directors at an earlier meeting—demonstrates that you don't have to be a numbers-writing, dope-dealing ghetto resident to be upset over no-knock police raids.

The resolution itself gives a fair account of the news story that prompted it:

"Whereas, Kenyon Ballew of Silver Spring, Md., has been seriously wounded, perhaps fatally, as a consequence of an Alcohol, Tobacco and Firearms Division-led raid on his home;

"Whereas, the purported purpose of this raid was to seize unregistered 'destructive devices' that violated Title 2 of the 1968 Federal Gun Control Act;

"Whereas, no such devices were found nor any others that violated any federal or state law;

"Whereas, Ballew was apparently wounded in an understandable though mistaken defense of his home and family;

"Whereas, the circumstances of the raid—its occurrence after dark, its being led by ununiformed agents and its tragic consequences—suggest the incompetence of those directing the raid and overstepping the authority granted to the ATFD or the granting to too great an authority by Congress;

"Whereas, other ATFD or the granting of too * * * a similar pattern of raid, search and arrest after dark led by plainclothes agents and of a provocative nature;

"Whereas, there is no reason to believe that such a tragic occurrence will not happen again,

"Be it resolved by the D. C. Young Republicans Board of Directors that the Congress of the United States be enjoined to investigate the law enforcement techniques of the Alcohol, Tobacco and Firearms Division of the Internal Revenue Service in that division's administration of the 1968 Federal Gun Control Act; and the ramifications of the aforesaid act to the right of the individual to his privacy and safety in his home and freedom from improper searches and seizures."

There is some disagreement over whether it was in fact a no-knock raid (the authorities say they broke in after Ballew refused them entry) but it involves the same questions as similar actions in the District of Columbia, where no-knock, regrettably, is legal.

The courts will have to determine its constitutionality, but it takes no legal genius to see that the no-knock law is stupid.

Take a D.C. resident who finds himself in Ballew's circumstances. He's at home minding his own business when a bunch of guys start to break in.

If he's dealing in hard narcotics or other contraband, he has to guess that the intruders are (1) police officers, in which case he's due for a good long stretch in jail or (2) robbers who want his contraband or his cash.

In either case, the temptation may be strong to shoot it out—particularly if he can plead that he had no idea those guys were cops. (Under no-knock you don't have to be in uniform or otherwise identify yourself as a policeman.)

But if the temptation is strong for a criminal to risk shooting it out, how much stronger it may be for a man who knows he's not involved in anything that should attract the attention of the authorities. He almost has to assume that he is being robbed when the masquerade party shows up.

And it's not only bad law from the standpoint of potential suspects, it's bad law for the lawmen themselves. Just suppose, for instance, that Ballew had had a better gun, or had been a better shot. There just might have been a couple of dead feds.

That's the sort of thing the opponents of the D.C. crime bill had in mind last year when they worked so hard—and so vainly—for its defeat.

I was reminded of one of the forgotten casualties of the fight the other day when Sherry V. Friedman of the National Information Center, one of the leaders in the fight, came in to pay a few more dollars on the full-page ad that ran in The Washington Post when the bill was under consideration. Most of the pledges for contributions evaporated after the law was passed, and Mrs. Friedman found herself stuck with much of the $3700 bill.

ALAN PATON RECEIVES HONORARY DEGREE AT HARVARD UNIVERSITY

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BRADEMAS. Mr. Speaker, one of the most distinguished living writers is the South African, Alan Stewart Paton, author of "Cry the Beloved Country," and other books and essays.

On June 17, 1971, Mr. Paton was among those to receive an honorary doctor of letters degree at the commencement exercises of Harvard University.

Mr. Paton delivered an address on this occasion during which he made a statement which, it seems to me, is particularly appropriate as we consider the impact on the life of our country of the constitutional amendment enabling 18-year-olds to vote in Federal, State, and local elections.

Said Mr. Paton:

To younger people: I understand well your dissatisfaction with the world that we have made. But I do not believe that one can make it any better by withdrawing from it. I understand your argument that if you take part in it, you are only prolonging its existence. I understand your argument that if you take part in it, it will corrupt you just as it has corrupted us. But it is not a very good or a very brave argument. The only way

in which one can make endurable man's inhumanity to man, and man's destruction of his own environment, is to exemplify in your own lives man's humanity to man and man's reverence for the place in which he lives. It is a hard thing to do, but when was it ever easy to take upon one's shoulders the responsibility for man and his world?

Mr. Speaker, I include at this point in the RECORD further excerpts from the address of Alan Paton on this occasion:

THE TESTING GROUND OF THE WORLD

To what does one give one's highest loyalty? A religious person—which I myself am, though of no great quality—could claim that his highest loyalty is given to God, which is a just claim and a safe claim only when it is made humbly. A person who claims to have no religion could justly claim that his highest loyalty is to the truth, and that also is a safe claim only when it is made humbly.

But in what way can one's highest loyalty be given to one's country? Surely only in one way, and that is when one wishes with all one's heart, and tries with all one's powers, to make it a better country, to make it more just and more tolerant and more merciful, and if it is powerful, more wise in the use of its power.

But when loyalty to one's country means loyalty to some party or some government or some policy, or even in that mythical power known as the State, there are many people in both your country and mine who find it difficult, and sometimes impossible, to give that kind of loyalty.

I would find it difficult to say what love of South Africa means to me. It certainly means a love of the place where I was born, a love of the physical land, of mountain and river and plain, a love of its infinite variety, a love of its peoples and especially of those who have suffered for the things that they believe in. South Africa is often called a land of fear, and so it is. But it is also a land of great courage—and so is this. A friend of mine was once asked at a symposium, "if you did not live in South Africa, where would you like to live?" to which he gave the totally unexpected answer, "if I did not live in South Africa that's where I should like to live." My own views and beliefs which are often called un-South African, were made nowhere else but there in South Africa, just as many of the views that are called un-American were made nowhere else but in America.

Now when people hold un-South African and un-American views, there is a great temptation on the part of rulers to take steps against them. I should say at once that protest in South Africa has never been as vigorous and as widespread as it is in the United States. And I should say at once that the reason for that is that one has to pay a much higher price for protest in South Africa. Therefore one is tempted to conclude that if rulers took a firmer line in the United States, protest would to some extent die away. And in order to take a firmer line, rulers would have to interfere with that charter that was subscribed to when your country achieved its independence, and would have to curtail that liberty the entrenchment of which was the firm resolve of your founders, and would have to adopt the methods of Hitler and Stalin, which methods have rightly been held in such abhorrence by Americans.

IN YOUR COUNTRY AS WELL AS MINE

So it is—in your country as well as mine—that there comes this schism between those who believe that the maintenance of law and order is the prime obligation of any good society, and those who believe that the preservation of civil liberty is the prime obligation. And this schism is made more bewildering by the coming into being of other schisms which are related but not identical—between the rich and the poor, the old and the young, the white and the black, the rulers and the ruled. The temptation to achieve conformity by legislation is very powerful, and I hope that the American people will never yield to it, becaues it will mean the erosion of liberty and the rule of law, and that is what it has meant in my own country. . . .

We are both countries of many races, but whereas your policy—with many halts and hesitations—has been to aim at one American society, our policy—vacillating under earlier governments but determined under the Nationalist government—is to create a multi-racial society, with its African nations, which comprise 70% of the total population, allotted various portions of the country which total something like 13% of the total area, and the aim of the policy is to create homelands where these national groups will achieve cultural, social, economic and eventually—in ideal theory—political autonomy. . . .

I was the President of the inter-racial Liberal Party which was made illegal in 1968, and we opposed uncompromisingly the policies of separate development, and the creation of what we would have called subservient sub-governments. Now I find myself hoping that all our people who are not white, will make the fullest use of these instruments of power which are being put into their hands by the architects of separate development, no matter how feeble they may be; for the creation of these instruments has made it possible for the leaders of these sub-governments to speak with authority to an audience they could never have reached before. And it would be my hope that this would be a stage in our development towards some kind of common society. For in my view no other kind of society could ever give to black men a just share in the fruits of their labour and the earth.

AMERICA AND SOUTH AFRICA

I am often asked the question as to whether Americans should withdraw all investments in South Africa. I know this view is strongly held by some, and I respect it, but it is not my own. If those American enterprises in South Africa—and there are not a great many—and here I am quoting from the statement of the Polaroid Corporation entitled "An Experiment in South Africa," would "improve dramatically the salaries and other benefits of their non-white employees," then I have no doubt that this would exert a moral pressure on South African employers to do the same. It is my opinion—that apart from any colour of skin or difference of race and culture—the great disparity between white and black wages leads, paradoxically enough, to an intensification of white fear, for people of other colours and races, when they also, owing to their poverty, live a totally different kind of economic life, seem more alien and more other than ever.

Now I have reached my end. Your tribulations are known to the whole world. Some of us in the outside world derive satisfaction from them. Some of us in South Africa believe that your troubles are due to your policies of racial integration, and such people are trying anew to prove that separate can be equal. Yet you should not be discouraged by this. The problems of racial prejudice and friction, the problems caused by man's destruction and pollution of his environment, the problem of war and of deluding oneself—after all these centuries of experience—that war can make the world better, the problem of the terrible gulf that yawns between the rich and the poor, the problem of the impersonality and meaninglessness of human life, especially in the great city, they are our problems too, even if only in miniature. It is foolish of us to gloat when you appear to fail to solve them, for are we any better, any wiser than you? Therefore you must regard yourselves as the testing ground of the world, and of the human race. If you fail, it will not be America that fails, but all of us.

NEED FOR A NATIONAL ENERGY POLICY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PICKLE. Mr. Speaker, I address this body today to remind my fellow Members of an impending crisis, a crisis that could bring this Nation to a standstill unless we take prudent remedial measures. I refer, Mr. Speaker, to the growing energy gap which confronts us.

By using the term "energy gap," I do not intend to imply that this country is running out of natural fuel supplies; quite the contrary. The United States is blessed with an abundance of fuel reserves, most of which still lie untapped beneath the earth's surface. Instead, energy gap refers to the gap between the demand for energy and the available supply. Although the energy gap is not yet critical, it is growing at an alarming rate. The search for, and development of, new fuel resources is not keeping pace with rapidly increasing energy demands. This is because our present policy does not provide adequate incentives for the promotion of fuel exploration or the development of known reserves.

It is time for this Congress to sit down and take a good look at our national energy policy. We cannot continue to operate under a confused policy composed of regulatory subpolicies and patchwork legislation. Federal action and legislation should be the product of an overall policy, rather than the opposite case which holds true today. Individual pieces of legislation should accord with overall policy objectives. Such a national policy should encompass the following two basic elements:

First. The United States should pursue the optimal development of dependable energy sources. Given the tentative nature of most foreign fuel supplies, we should not cultivate a reliance upon them. Instead, our national energy policy should also encourage the development and use of our abundant domestic fuel reserves.

Second. Our national energy policy must be flexible enough to adapt to changes in the demands for various fuels. For example, although the demand for natural gas as a fuel source far exceeds the available supply, our current policy discourages the development of new gas reserves.

In years to come, technological innovations and stricter environmental controls are certain to alter the demand profiles for the various energy sources. Just as the present search for low-sulfur content fuels has affected the desirability of many energy sources, future fuel demands will continue to shift. Our national energy policy must combine the foresight to anticipate these changes with the flexibility to adapt to them.

BARBARA M. WATSON

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. EILBERG. Mr. Speaker, we in the Congress are frequently frustrated by what we sometimes feel is an immovable and unresponsive bureaucracy.

The source of our frustration is not in fact the system itself, but rather the stewards of the system; those charged with administering the laws we make.

It is equally true that when the bureaucracy responds, when it is effective, we can be certain that this is the result of the interest, dedication, and competence of an outstanding civil servant.

Such a civil servant is Barbara M. Watson, Administrator of the State Department's Bureau of Security and Consular Affairs.

I have come to know Miss Watson through her appearances before the House Immigration and Nationality Subcommittee.

It is a pleasure to cite Miss Watson to my colleagues as exemplary of the best traditions of the civil servant.

My admiration for her is shared by my colleagues on the subcommittee and my colleagues in the House who have come in contact with her.

On Wednesday, June 23, Stan Carter of the New York Daily News devoted his column to Miss Watson and to her work. I place that column in the RECORD, as well as an address delivered by Miss Watson before the National Association of Foreign Student Affairs at the University of British Columbia, Vancouver, Canada:

[From the New York Daily News, June 23, 1971]

CAPITOL STUFF

(By Stan Carter)

WASHINGTON, June 22.—Barbara M. Watson once was owner and executive director of a New York firm called Barbara Watson Models, Inc. If the graph she pointed at today had been a record of the company's profits, she would be rolling in dough. Starting at a figure of 142 in March 1969, it went up, up, up—to 747 at the end of last month—and a dotted line projected a continued sharp rise for the remainder of this year.

But instead of being a happy record of profits, the chart with the steeply climbing black line was something far different—a record of Americans, most of them in their teens and 20s, imprisoned in foreign countries on drug charges. The graph showed a four-fold increase in only two years.

Miss Watson, who ran the first black modeling agency in New York City in the late 1940s and early 50s, is administrator of the State Department's Bureau of Security and Consular Affairs, the first woman to hold such a high position in the department. A New York native, she is the daughter of Mrs. Violet L. Watson and the late Municipal Court Judge James S. Watson, the first Negro ever elected to a judgeship in New York.

For the second year in a row, Miss Watson gave a press conference at the start of the summer travel season to warn "travelers, particularly young Americans, of the serious consequences that may result from arrests abroad on charges of possessing, trafficking in, or smuggling illegal drugs."

"I repeat the warning I gave last year with even more seriousness," Miss Watson said.

The State Department has sponsored radio commercials and distributed leaflets through passport agencies, travel agents, and colleges to warn young people that the widely held impression that foreign countries are more tolerant of drug use and more permissive in law-enforcement than the United States is dead wrong.

But many youngsters either don't read or listen to the warnings, or don't believe them. Miss Watson expressed fear that the $95 and $100 youth fares to Europe recently announced by the trans-Atlantic airlines would bring many more arrests of young Americans.

The 747 Americans in foreign jails for drug offenses at the end of May is an increase of 200 since last June. The largest number, 237, are detained in Mexico. The next largest figures are Canada, 66; Spain, 50; Japan, 38; Germany, 37; Israel, 37; France, 27; the United Kingdom, 27; Italy, 24; Jamaica, 23; and Sweden, 20.

Two youths were released recently after serving three-year terms in Soviet work camps, but no Americans are held in Communist countries for drug offenses at the present time.

Far from the general belief, Miss Watson said that drug laws are much harsher in many other countries than in the United States. Most countries do not differentiate between soft drugs, such as marijuana, and hard drugs. It is the amount of the drug a person is caught with that is important. If he has less than a certain amount—usually one or two kilos—he is charged with possession; if he has more, he is charged with trafficking.

Possession alone can bring a six-year jail term and a heavy fine in some countries. Penalties for trafficking can mean sentences of 10 years, 20 years, or life. One country, Iran, imposes the death penalty, although no American has been executed.

The international effort to suppress the illicit drug trade, which has been led by the United States, has brought intensified prosecution of offenders throughout the world during the past year. Even tiny Nepal, once considered a haven by many drug-users, has begun making arrests.

Miss Watson also warned that in many countries the drug-peddlers are also police or Customs informers. After making a sale, they tip off police or Customs officials, making money both from the sale and in rewards after the customer is caught with the goods.

THEY GET MISTREATED LIKE THE NATIVES

In Italy, police undercover agents dress like hippies to infiltrate gatherings of youngsters. Miss Watson related, "Some of our 'young innocents' will pass drugs to someone they think is one of their ilk and then find that this supposed hippie to whom they have passed a joint is a policeman."

She cited these other cases:

One young man has had nothing to eat but beans and tortillas since being jailed nearly a year ago in a South American country; he has no money and there are no local charitable sources to supplement his diet. He has 18 more months to serve.

In another Latin American country, a cab driver urged a young American married couple to buy two marijuana cigarets for 50 cents. The next night, police arrested them as they sat by the waterfront smoking the joints. They were put in separate prisons. It was six months before they were brought to trial.

A young American woman, a schoolteacher, was arrested in the Middle East for possessing a small quantity of hashish. The only light in her cell in the provincial jail where she was held for several months filtered through the bars of the cell door; when the door was covered to keep out winter drafts, there was complete darkness.

Despite the severe penalties and the primitive penal conditions in some countries, usually all that American consular officials can do is try to ensure that imprisoned Americans receive the same treatment as nationals of the particular country.

"American consuls help as much as they can," Miss Watson said, "but they can't get offenders out of jail."

"YOUNG AMERICANS ABROAD AS SEEN THROUGH THE EYES OF THE STATE DEPARTMENT"

First of all, I should like to express my pleasure over the opportunity to take part in this conference. Its theme "Seeing Ourselves as Others See Us" strikes a familiar chord to State Department officials because much of our time is devoted to learning what others do think of us.

Since you as college teachers and student advisers have little time to devote to examining the intricacies of Washington bureaucracy, I should now explain the function of the Administrator of the Bureau of Security and Consular Affairs.

The Bureau of Security and Consular Affairs is the only State Department Bureau to be established by law—in this case, the Immigration and Nationality Act of 1952. We have done no security work for over nine years but because the Bureau was established by law we still have the word security in this title. The function of the Bureau is to supervise the consular programs in approximately 250 U.S. posts abroad and the three major offices in this country. The largest of the offices in this country is concerned with the issuance of U.S. passports, the travel document issued to American citizens. The next largest is the Visa Office which supervises the important function of issuing the proper types of visas to foreigners wishing to visit the United States. The third office is concerned with the welfare and protection of American citizens abroad. All three of these offices act as home base for some 500 officers and 1500 clerks and local personnel abroad who implement the consular program.

Among the duties of the last office I mentioned is the protection of American citizens who are incarcerated in foreign jails. For many years, the reasons why Americans were in jail were the obvious ones. There were individual Americans held on charges of fraud, robbery, and homicide. There were smugglers, black marketeers, and con men.

There are still substantial numbers of Americans under detention abroad for these reasons, but early in 1969, we began to notice a new and ominous element in the reports of arrests coming into Washington from the field. Young people were being detained for violating the drug laws of foreign countries in constantly increasing numbers. Let me give you a few figures on this: At the end of March 1969, there were 142 Americans in foreign jails because of violations of drug laws. By the end of March 1970 there were 522 and the corresponding figure for the end of March this year was 711. The largest number under detention in one place is 220 in Mexico, followed by Canada with 65, Spain 63, Israel 34 and Italy 32.

Last year we thought that perhaps this was a temporary phenomenon and that the number would decline when summer vacation time had passed. This did not happen. With minor fluctuations the number of Americans under detention rose during the winter months and it still shows no firm indication of leveling off.

Naturally we have become much concerned about the young people who find themselves in jails abroad. One reason is that many jails, especially in the Middle East, are dirty, crowded and can boast of no comforts and few sanitary facilities. Moreover, the prison terms for drug abuse abroad are often severe. In Spain, for example, there is a heavy fine plus six years in jail for the individual who is caught with just a little over a pound of hashish. In Italy, trafficking in drugs, which

some young people do to earn the money necessary to keep them going, brings a penalty of from three to eight years. In Greece, one American was recently sentenced to 18 months and another to 5 years. In Lebanon, possession and use of drugs can bring a sentence of from 1 to 3 years in a detoxification asylum, while the trafficker of drugs can expect a sentence of from 3 to 15 years. Iran has the most severe penalty of all for the drug trafficker—execution. So far no Americans have been executed but they receive substantial penalties in accordance with the laws of the countries where they were caught.

Naturally, I devoted considerable attention to the increase in these arrests. I found they involved mostly people little younger than yourselves. I also found that the problem of young Americans in foreign jails is just one indication of the changed attitude towards drugs which has developed in the United States. It is a part of a subculture among the youth in this country, with its preference for an unstructured, spontaneous life style.

Along with casualness of dress and appearance many in the subculture use marijuana, hash and sometimes LSD. They rarely take heroin or other narcotic drugs. Marijuana is a social practice accepted by many and the holdout is considered "straight", and sometimes excluded. The fact that pot is illegal is not an effective deterrent, partly because enforcement of the laws against its use is erratic, and partly because public attitudes toward these laws are often ambivalent.

A natural consequence of the new life style is a desire to travel abroad. A large number of people from middle and upper middle-class America now travel in other countries seeking a way of living among their peers which meets their desire for a society where they can be themselves without the psychological fetters of family and the Establishment.

Many of the young people who travel abroad live in colonies of youthful expatriates in countries of Western Europe, the Mediterranean, South Asia and Latin America. In these colonies they live a free, casual existence on little money where the smoking of hashish or marijuana is—as at home—often a regular feature of life.

Recently, there has been some change in the types of people involved in breaking drug laws. Reports from our posts abroad in 1969 and early 1970 indicated that the bulk of those arrested were itinerant young people travelling from country to country in search of harmonious surroundings. Now we know that the American communities abroad have become more involved. A significant number of the young people under detention are the offspring of Americans living and working in those countries.

Young Americans abroad these days present special problems from the point of view of the State Department. Often they do not realize that the countries they are visiting have laws different from those of the United States and that those laws are frequently strictly enforced. Nor do they realize that the friendly drug seller is frequently an informer whose next stop is the police station where he will give information and collect a reward. Also they have a feeling that if they break local laws they will not be the ones to be caught. That could happen to someone else but not to them. Lastly, taking risks is exciting in itself and many people, young and old, enjoy it. It is hardly strange, then, that a growing number of young Americans break the laws of the countries they are visiting, are arrested and must go to jail.

The stories of those who are caught are often tragic. As an example, 23 year-old Ken almost made it out of the Middle East with the two kilograms of hashish he had purchased from a local dealer for $300. Two kilos of good quality hashish would have been enough to keep Ken happily stoned for five years. If he chose to sell it in the United States, he could expect to make a profit of $4,700. He was sure he had it made after passing safely through the customs check at the airport. What he didn't know was that the aviation authorities had just instituted a policy of body searches of airline passengers in order to foil would-be hijackers. The police didn't catch any hijackers that day, but they caught Ken. The maximum penalty for attempted exportation of hashish from that country is life imprisonment. Ken hopefully will receive a lighter sentence—when he finally is sentenced. Today, six months after his arrest he is still in jail awaiting the court's decision.

In another case, it had always been John's and Mary's dream to honeymoon in the Caribbean. Days in the surf; moonlight picnics on the beach! They worked hard for years to make their romantic dream come true. Their families could not help. John's father was a teacher and Mary's widowed mother had five younger children to bring up.

But dreams do come true—some dreams, that is. They *were* married and they *did* get to the Caribbean. They even had the picnic on the beach. The evening was soft and warm. They had cheese and bread and fruit and wine and, for an added thrill—marijuana! How was it possible that the authorities learned of their "pot picnic" and came to arrest them? Almost immediately, the bridal chamber turned into a prison cell. Their honeymoon funds could not be used for bail. In this "island paradise" there is no bail.

The newlyweds spent over five months in separate jails before their case was judged and they were finally released and allowed to return to the United States. I only hope they'll have a second chance for a honeymoon.

The consular officers in our posts abroad try to help all they can. As soon as they learn of an arrest they visit the individual. They furnish him with lists of reputable lawyers and advise friends and family. If possible, the consular officers attend the trial as observers. If the young person in jail needs money, the Consul will try to obtain it for him from his family. He will make arrangements for medical attention when necessary.

There are, however, limits to what our Consuls can accomplish. Since a person travelling abroad is subject to the laws of the country he is visiting, the most that a Consul can do is to make sure that the American citizen receives just as fair treatment as citizens of that country. If the laws are strict and the penalties high, he cannot change them. The Consul cannot act as a lawyer himself nor is he permitted to use government funds to assist a citizen in jail.

We are occasionally criticized for not pressuring other governments to release American citizens in jail. Of course, we would not countenance efforts by a foreign government to interfere with our judicial processes and we cannot expect other governments to treat Americans as beings above their laws either.

Another limitation on what our Consuls can do is the growing workload with which our undermanned offices abroad must deal. The resulting pressure of work sometimes makes it impossible for them to spend as much time as they would like with the young prisoners. However, I assure you they do their best.

We have tried to combat the drug problem abroad by warning young people by all the means at our disposal that if they violate the drug laws of foreign countries they may well risk long jail sentences.

I have held a press conference on the subject, talked over the radio, appeared on TV and encouraged networks to broadcast programs relating to these dangers. We have stimulated press and magazine publicity. We have distributed over one-half million leaflets and have prepared radio and TV spot-announcements on the subject for use before this summer's travel season starts.

There are indications that the warning is getting through and that young people realize the dangers.

The question now is "Will increasing numbers of young Americans violate foreign drug laws in spite of knowing that they may go to jail?".

DENIAL OF THE RIGHT TO VOTE

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. EDWARDS of California. Mr. Speaker, the right of every citzen to vote is the very cornerstone of our democracy. In order to insure this right for all Americans, the 15th amendment was added to this Constitution, and Congress passed the Voting Rights Act of 1965 and the Voting Rights Act Amendments of 1970. It now appears that there are those who would say that the denial of the right to participate in the democratic process is no longer a problem, that people are no longer being denied access to the voting booth. They are wrong.

In clear violation of the Constitution and the Voting Rights Act, subtle and not so subtle means are still being employed to prevent members of various minority groups from voting. Although I find this situation appalling, I feel that it is unconscionable that the Department of Justice appears to be less than vigorous in its enforcement of the Voting Rights Act. Hearings before the Judiciary Committee's Civil Rights Oversight Subcommittee, of which I am chairman, have shown that the Department of Justice has the statutory authority and the resources to prevent a large portion of the problems which confront minority people in States covered by the Voting Rights Act. Most unfortunately, however, they have also shown, that the Department of Justice has refused to enforce the law and that thousands of people will, as a result, be denied the right to participate in the political process freely and without harrassment.

I insert in the RECORD an excellent article written for the Village Voice by Bob Kuttner. I commend this article to all who are interested in civil rights:

BLACKS AND THE VOTE: THE NEW HARASSMENT

(By Bob Kuttner)

WASHINGTON, D.C.—"If you can't say 'sir' to me, then get the hell out of my damn office"—a black lady trying to register to vote. An elderly black man asked for proof that he is over 21. Registration offices opening late and closing early. Sixty mile trips to hostile county courthouses. Economic retaliation against plantation workers who try to register. The polling place is moved to an ancient jail long used for beating arrested blacks. This is Canton, Mississippi, in 1963 and 1964, right? Wrong. In 1971.

The Voting Rights Act of 1965, extended last year at full strength over the objections

of John Mitchell et al, is being watered down administratively, with unexpected assists from, of all places, the Supreme Court. The probable result is that the 280,000 previously registered black voters in Mississippi may be cut in half in this year's elections. And in Virginia, a re-districting plan is going forward which will dilute black voting strength through multi-member districts and gerrymandering.

The legislators who drafted the 1965 Voting Rights Act thought of just about everything. Working from a catalog of devices used since the Civil War to weaken the black franchise, they outlawed all they could think of, and in case the South thought up new ones, the Act wisely required that any proposed changes in electoral procedures be submitted in advance to the Attorney General to determine whether the intent or effect was discriminatory. The only flaw in this provision, section five of the act, is that the Attorney General has to *want* to enforce it.

Mitchell has taken the position that unless a discriminatory intent is clear in a proposed change, he will not object. Last April the national press gave the impression that he got his come-uppance in the Mississippi open primary case. In that instance, after Mitchell refused to object to a law intended to prevent a black candidate from winning by a plurality, a federal court in Mississippi compared Mitchell to the late Pontius Pilate for "washing his hands" of his responsibilities under the law.

Some time later, on May 24, it appeared that the Attorney General contritely reversed himself by issuing new regulations putting the burden of proof on the states to demonstrate non-discriminatory intent before any change would be approved. "Special to the New York Times" commented: "The move represented a victory for a bipartisan bloc of liberal senators who had been working for months in private to persuade Attorney General Mitchell to adopt a more stringent interpretation of the Voting Rights Act."

But regulations, like laws, are only as good as their enforcement. The House Judiciary Subcommittee on Civil Rights, chaired by Don Edwards of California, has been holding virtually unreported hearings on the administration's voting rights enforcement, and they suggest that "Special to the New York Times" conclusion was premature.

With the demise of the open primary gambit, Mississippi is relying on two other devices: reapportionment and re-registration. More on re-apportionment later. The state legislature has empowered counties to require complete re-registration of all voters. Testimony at the Edwards hearing brought out that Mississippi had never employed re-registration following previous censuses; that nobody, not even the witnesses representing Mitchell (who refused to come personally), contends that the new districting necessitates complete re-registration, which most states accomplish administratively; and that the re-registration requirement is opening the door to the kinds of harassment reported in Canton and other places, which should have gone out with the passage of the Voting Rights Act.

Nor is the Justice Department sending federal registrars to Mississippi to ensure that blacks are aware of the need to register, and that they are registered without harassment. As a result, the shrunken voter-registration organizations are being taxed to the extreme, and in the opinion of Aaron Henry, John Lewis, and other witnesses before the hearings, it will be impossible to re-register the majority of blacks by the July 2 deadline. Clarence Mitchell, the NAACP's Washington representative, told me there is no question that the requirement is anything but "a tool to take black voters off the rolls."

Apparently the purge of the old voting rolls, which was only announced in March, even removes federally registered voters, despite the provision of the Voting Rights Act that these may not be removed.

Thus far, 20 of the 29 counties planning re-registration have made the required submissions to the Justice Department. Two counties have refused outright. The Justice Department has approved six, and the 60-day period for the Attorney General to object to the remainder is about to expire. The Justice Department has no plans to punish officials who refuse to submit their plans, preferring to spend scarce man-hours on patient negotiation. As Armand Derfner, the civil rights lawyer who has argued most of the Mississippi voting rights cases, told Edwards "the quickest way to get compliance would be for the Justice Department to file *one* criminal information." But Attorney General Mitchell apparently has no intention of exercising the provision of the act specifying criminal penalties. And even if all of the Mississippi counties are finally compelled to submit their re-registration plans, it makes little difference if the Justice Department approves them. Even if the Department does object to the plans of a county or two, in Derfner's words: "How will the people who may have heard that they are off the books learn that they can vote? County registrars are not going to exert themselves to spread the word."

Thus it appears that the Mississippi black voters, who braved harassment, economic reprisal, and personal hardship to get on the voting rolls, will have to painfully repeat the process all over again without any objection from John Mitchell.

Mississippi is also re-districting. The plan passed by the legislature in March was thrown out by three federal judges in Mississippi for population inequities and racial gerrymanders. The judges then wrote their own plan, which was almost as bad. The Lawyers Committee for Civil Rights Under Law appealed to the Supreme Court, which did require some change in the districting. But in passing, in response to an argument by the plaintiffs that the proposed re-districting should have been submitted to the Attorney General, the Justices wrote on June 3: "A decree of the United States District Court is not within the reach of Section Five of the Voting Rights Act." In other words, since the Mississippi court had done the re-districting for the legislature, the Attorney General had no jurisdiction. This opens the door to collusive re-districting suits. Apparently any Southern state with a friendly district court can now have the court do its dirty work and the Attorney General is barred from intervening. The absence of even a single dissent has suggested to many observers that the Court may not have realized the impact of what it was doing. To others, including Subcommittee Chairman Edwards, the Court took offense at the notion that an Attorney General should be allowed to overrule a court. In any case, the result is to give Southern states another technique for getting around the Voting Rights Act, and the Attorney General a basis for letting them.

And if this were not sufficient, in another case decided on June 7, the Supreme Court by a six-to-three vote gave Attorney General Mitchell an excuse to weaken yet another Voting Rights action. The Court threw out a suit alleging that Indiana's re-districting plan, which includes multi-member at-large districts, dilutes black voting strength. Attorney General Mitchell promptly withdrew his objection to Virginia's re-districting plans, saying that the Indiana decision made at-large districts acceptable. The Virginia case had been one of the few where the Justice Department had taken a strong, politically unpopular stand to prevent the black vote from being weakened. Numerous critics, including Senator Philip Hart of Michigan, who had won the earlier promise of stricter enforcement, have resumed harsh criticism of Mitchell. Hart and others note that the Indiana case is no basis for permitting Virginia to gerrymander. In the first place, the Court ruled only that in the specific instance of the Indiana plan, at-large districts did not discriminate, not that at-large districts are inherently acceptable. Secondly, Indiana is not one of the states subject to the burden-of-proof requirements of the Voting Rights Act. But for the second time in a week, the Supreme Court—deliberately or inadvertently—has handed Mitchell a device to let the South off the hook."

Don Edwards is continuing his hearings. As word of the Mitchell decision reached the House, John Lewis was talking of a regression to the pre-1965 days. I asked Edwards how serious he thought the Court's action barring Justice Department review of court-mandated re-districting would be. He said he hoped that subsequent decisions would prevent "sweetheart" re-districting suits. If not, he added, Congress would have to amend the law. "We anticipated just about everything else when we wrote the bill. We should have thought of that, but it never entered my head."

A BILL TO REINSTATE THE INVESTMENT TAX CREDIT

HON. WILLIAM J. KEATING

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. KEATING. Mr. Speaker, today I have been joined by eight of my Republican colleagues in introducing a bill that would reinstate the investment tax credit. I believe this action by the Congress would act as a catalyst in stimulating economic improvement, especially in the area of unemployment.

In the city of Cincinnati, which is in my district, a recent survey was taken by eight machine-tool companies which showed the current employment picture in this industry. In January of 1970, these eight companies were employing 11,718 people as of June 30, 1971, the figure had dropped to 7,810. This is a reduction of 33.4 percent in the past year and a half.

If one looks at the machine-tool industry on a national basis, this same trend is seen. On January 1, 1970, the metal-cutting segment of the industry was employing 79,800 nationally; as of June 30 of this year the figure had dropped to 52,000, a reduction of 34.7 percent.

It should be further pointed out that these workers who have maintained their jobs have experienced reduced working hours per week. This same situation is repeated throughout the economy.

The steel industry is another example of the urgent need to attract capital. Since the repeal of the credit in 1969, the steel industry has lost its competitive position in the world market. If the investment tax credit is not reinstated, the situation will continue to deteriorate The United States, with its higher paid workers, can only remain competitive if our machinery is modern and up to date. The investment tax credit will encourage the purchase of new equipment.

Last week the Department of Labor announced a significant drop in the unemployment rate when it was seasonally adjusted. This is, indeed, heartening;

but the figures also showed that in fact an additional 1 million people joined the ranks of the unemployed. We must move to help these citizens.

I know that the colleagues on this bill join me in urging the Ways and Means Committee to start hearings on this legislation at the earliest possible date.

RESTORATION OF THE INVESTMENT TAX CREDIT

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SHRIVER. Mr. Speaker, I am joining today in the introduction of legislation to reinstate the investment tax credit. It has become evident that existing mechanisms and actions to boost the economy and total levels of employment are insufficient. Continued economic sluggishness is costing far too much in terms of jobs and productivity.

Much of our concern regarding the current high unemployment rates has necessarily been aimed at alleviating the immediate economic crisis faced by the thousands of families affected. These efforts should and will continue.

Now it is time to evaluate our efforts to deal with the underlying causes of this sluggishness. Cutbacks in Federal expenditures in the fields of defense and aerospace activities are major culprits, especially in selected geographic areas where these programs have dominated the local economies for years. High interest rates for a time acted as an artificial lid on economic expansion.

But while Federal expenditures in some areas have been reduced, overall Federal spending is at the highest level ever. Interest rates have moderated, but the expected investment and economic activity have not followed. Further action is necessary.

Therefore, I believe it is time to restore the investment tax credit. Such action has been very effective in the past to lift our economy out of temporary recessions, and it is needed more than ever today.

A graph inserted into the RECORD last week by our colleague from Ohio, WILLIAM KEATING, shows the dramatic and immediate effect of the investment tax credit during the 1960's. In the machine tool industry, which serves as an accurate gauge for business capital investment activity, new orders rose quickly and significantly each time the tax credit was instituted. Each time the credit was rescinded, sharp downturns in orders resulted.

I want to stress that these results were immediate, not stretched over a period of years as in the case of other economic remedies which are being initiated. And the effects in terms of capital investment, which leads to increased business activity and more jobs, were significant in dollar amounts.

During the 7 years between 1956 and 1962 when there was no investment tax credit, capital expenditures were almost static. In 1956, these expenditures amounted to $35 billion; in 1962, they had risen only to $37.3 billion. Then, after the passage of the tax credit, capital purchases rose at a remarkable rate to $64 billion in 1968.

The effects of the investment tax credit are especially important to farmers and small businessmen, who are always hit hard by economic recessions and inflationary periods. They need help through tax relief for capital expenditures in order to increase their productivity. Without productivity increases to stimulate profits during difficult periods such as we have today, employers must cut back on employment levels. While most large firms can survive temporary slowdowns, farmers and small businessmen do not have the resources to ride out the storm.

In the Wichita, Kans., area which I represent, the unemployment rate has been at a level of 10 to 11 percent for many months. Aside from the personal effects on the families involved, the lack of regular income for these breadwinners has a longer-term detrimental effect on small businesses. These small businesses serve the local community, and any downturn in local income levels is reflected in the business level throughout the area.

Farmers, too, must depend on continued capital investment to meet the combined effects of recession and inflation. Increased farm productivity means more machines and fertilizers. This, in turn, means more business activity in the agribusiness field and more jobs nationwide.

This bill calls for the restoration of the 7 percent tax credit on the first $15,000 invested in capital items. It is a simple bill; it requires no extensive new bureaucracy or redtape; and it has proven its effectiveness in the recent past.

I congratulate BILL KEATING for his timely leadership in seeking meaningful help for our lagging economy in this way, and I am happy to join my other Republican colleagues in cosponsoring this measure.

HOUSE RESOLUTION 319

HON. ANDREW JACOBS, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. JABOBS. Mr. Speaker, the following is the language of House Resolution 319, which I introduced on March 17, 1971. I was hoping it might catch the attention of the administration:

HOUSE RESOLUTION 319

Whereas the President of the United States on March 4, 1971, stated that his policy is that: "as long as there are American POW's in North Vietnam we will have to maintain a residual force in South Vietnam. That is the least we can negotiate for."

Whereas Madam Nguyen Thi Binh, chief delegate of the Provisional Revolutionary Government of the Republic of South Vietnam stated on September 17, 1970, that the policy of her government is "In case the United States Government declares it will withdraw from South Vietnam all its troops and those of the other foreign countries in the United States camp, and the parties will engage at once in discussion on:

"The question of insuring safety for the total withdrawal from South Vietnam of United States troops and those of the other foreign countries in the United States camp.

"The question of releasing captured military men."

Resolved, That the United States shall forthwith propose at the Paris peace talks that in return for the return of all American prisoners held in Indochina, the United States shall withdraw all its Armed Forces from Vietnam within sixty days following the signing of the agreement: Provided, That the agreement shall contain guarantee by the Democratic Republic of Vietnam and the National Liberation Front of safe conduct out of Vietnam for all American prisoners and all American Armed Forces simultaneously.

DRUG ABUSE—NO. 1 NATIONAL ENEMY

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ROBISON of New York. Mr. Speaker, President Nixon has branded drug abuse as our No. 1 national enemy. He unequivocally called upon the Nation to give highest priority to the fight against this growing menace, currently reaching epidemic proportions. The war on the killer-drugs such as heroin, cocaine, must be waged on many fronts, not the least important being the effort carried on by the Treasury Department's customs service, to interdict and reduce smuggling of illicit drugs across our borders.

It is a source of satisfaction that this one front is well guarded, under the superb leadership of Myles J. Ambrose, U.S. Commissioner of Customs. How this continuing problem is being handled is the subject of a thoughtful and analytical interview with Commissioner Ambrose in the June 21 issue of U.S. News & World Report. The article deserves to be widely read, and I am inserting it in the RECORD for this purpose:

GAINS IN THE WAR AGAINST DRUG SMUGGLERS

(Interview with Myles J. Ambrose, Commissioner of Customs)

Americans vacationing abroad this year are on notice: They, too, are involved in the allout drive to cut back the flow of narcotics. The nation's Customs chief came to "U.S. News & World Report" for this interview.

Q. Commissioner Ambrose, will Americans traveling abroad this summer be in for more-intensive baggage searches when they return from abroad, and even longer lines through customs?

A. They certainly are going to be in for intensive baggage examination. How much longer the lines will be depends on a number of circumstances—some of which are within our control, and some of which are not.

The problem of delivery of baggage by air carriers to customs areas is pretty difficult. They are still using DC-3s, so that I don't think we can take all the blame for the slowdowns at the airports.

It will also depend on the increase in air travel. Although domestic air travel has declined over the last year or so, there has been a continuing increase in international

traffic. So we expect that there may be some delays. We have increased the rate and intensity of our inspection, and we will continue to do so.

Q. Has the advent of the big 747 jets slowed down the process of people through customs?

A. It doesn't slow down processing of people through customs, except when two or more aircraft arrive virtually at the same time. The greatest problem we have—particularly at JFK [John F. Kennedy International Airport in New York], which accounts for roughly 35 per cent of the international air arrivals—is that a substantial number of planes land in a two or three-hour period. This creates an immediate jam-up of many people and lots of baggage in a limited area, and the 747 naturally adds to this congestion.

Q. Is your problem providing enough manpower for inspections after the baggage has arrived?

A. No. The biggest single problem is the funneling of passengers through in a very short time.

The airports are tremendously under utilized during off hours. This is a very serious problem that we have taken cognizance of. The Port of New York Authority has issued instructions to carriers utilizing JFK that they will not permit aircraft to discharge passengers if there are more than 2,500 passengers an hour processed through the international-arrivals building. That is the maximum number they figure they can physically handle comfortably.

I think that under those conditions, with weather and a few other factors thrown in, there could be times when passengers could conceivably be sitting out in the aircraft waiting to be delivered to the terminal building.

Q. Is there any way to speed up baggage searches other than with more manpower? Could you use machines of some kind, or more of a sampling procedure?

A. We use a sampling procedure now. There are no machines at this time that are adequate for our purposes.

Q. What instructions do your inspectors have about courtesy?

A. It's a very definite policy that, in examining people and baggage, we are supposed to do it politely and nicely. There is never any excuse for a Government officer's acting in any manner which demeans his badge or his uniform. We strictly enforce this rule.

If we receive complaints about the conduct of our officers, we have an immediate investigation into the circumstances.

In their training courses, they are given specific instructions about how to handle certain situations. Sometimes we have to frisk people and, indeed, on occasion, require personal searches of people. These have to be handled with discretion.

We also examine people's personal possessions. Here, again, we have to exercise good judgment.

Q. What sort of situation leads to a body search?

A. This is a very difficult area for us and requires great judgment, experience and discreation. The basis for a personal search could be prior intelligence or obvious bulges or lumps, where ordinarily there would be no bulges or lumps, or suspicion that a passenger is concealing contraband on his person. In most cases the individual who comes under suspicion is merely frisked.

Q. Who conducts a body search, and where is it done?

A. A personal search can be conducted by a male customs inspector or special agent, or by a matron when a female passenger is suspect. On occasion, medical assistance is requested. Searches are conducted in private and isolated rooms set aside for this purpose.

Q. What kinds of things have people tried to smuggle in on their bodies?

A. We have had many instances in which smugglers have concealed heroin and other narcotics in their natural body cavities; watches or watch movements strapped to their waists; personal jewelry and other articles of adornment on their limbs; undeclared clothing or firearms on their persons. We have also found diamonds and other precious stones on the bodies of passengers.

Q. What changes would you favor in customs facilities?

A. I would like to get delivery systems of baggage from the aircraft to the arrival area faster than they are now in many cases.

We want to avoid the fishbowl kind of arrangement which they have at JFK where local residents—nontravelers waiting outside the customs areas—come and bring their lunch and look in through windows at the travelers' personal possessions as they are being inspected. This, incidentally, is a widely used method by smugglers to signal each other. The Port of New York Authority is taking some steps for us at JFK, and we're making similar arrangements at other airports.

We need sufficient room so that when the people queue up they're not back out on the tarmac of the airport someplace, or in other inspection facilities or in the wrong lines.

We're trying to get more space, smoother procedures and more efficient handling equipment so that people can get in and out faster.

Q. Is there any problem of baggage disappearing between the airplane and the customs areas?

A. No, not on baggage, to any great extent. We have security provisions there. We routinely patrol the areas outside the terminals, and we also search aircraft. We do this for other reasons, too.

Many aircraft fly on to other cities in the United States after they have arrived here from overseas. Those flights used to be popular with smugglers bringing heroin into the United States. They would secrete the drugs in the plane, get off at JFK, and have somebody else board the plane and pick up the narcotics en route to some other U.S. city. The drugs often were hidden in the toilet compartment or someplace like that.

Q. Will it ever be possible to cut down baggage searches to the point that has been reached in some countries in Europe?

A. They've done that in some countries in Europe, but mostly for Americans. One of the great problems we have is that people say, "When I go to Europe, I don't have this kind of baggage search." But if you go to France and you're a Frenchman, you get that kind of baggage search. It depends on the tax situation in the given countries.

France, for example, has a very high duty on tobacco. This is one of the principal sources of revenue for the French Government. So Frenchmen are constantly examined to see if they have brought cigarettes back into France. They are searched more intensively than we examine Americans.

So I don't think it's necessarily true that the Europeans examine travelers less.

Q. What's the primary object of your searches—narcotics, or contraband such as jewelry?

A. The basic reason for our search now is the interdiction of narcotic drugs—"hard" drugs, heroin and cocaine, particularly.

Q. Is the traffic in narcotics increasing?

A. It has been at such an inordinately high level that it would be very difficult to measure whether it is increasing or decreasing. I can say that our seizures are increasing, and I think the increase in our seizures is more indicative of the success of our programs than it is of an increase in the actual flow of drugs to the United States. I think—and hope—we may be reaching a point now where the demand for narcotics in the United States may be leveling off.

I would point out that the age group which might be developing an interest in narcotics—the 13, 14 and 15-year-olds—seems to be much more aware of the dangers inherent in it. I think that the educational programs which are in progress and the startling statistics relative to deaths from overdoses and things like that have gotten across to these kids.

You can notice in children—I notice it in mine—the disinclination to use tobacco as a result of the educational programs that have come up in recent years. I also think the anti-drug-abuse campaign is having a real impact.

We may have reached the point where the number of starting narcotics users has diminished considerably in relation to the population.

I don't think we've reached the peak in narcotics usage, though. There are still the people 15 or 16 years old who have already become used to it. We're now confronted with the problem of the returning veterans from Vietnam, many of whom have been exposed to drug abuse.

Q. Are there any changes coming this summer in baggage searches—any new equipment or methods?

A. Yes. We are utilizing a new streamlined method of examining and selecting passengers for examination at the airports which we call "an accelerated selective inspection system." We hope that this procedure will give us a better opportunity to utilize the standards that we have established for examining prospective individuals, and, at the same time, not in any material way delay the movement of passengers through customs.

On the other hand, we have to be somewhat flexible. Smugglers—professional smugglers—are very astute criminals. They have a long experience in this, and they are constantly probing our defensive posture to see if they can break through it.

Q. Without tipping your hand, can you give any indication what these changes will be?

A. We have all sorts of programs going:

We have developed, modernized and perfected our Mexican-border radio-communications system which is now in operation. We're just starting to use what will be the most sophisticated police-type radio equipment in the United States. Our men will be able to communicate car to car from Brownsville, Tex., to San Ysidro, Calif., and with our new aircraft and boats.

We also are utilizing a more scientific analysis of the types of people whom you examine under certain conditions. This could be for any number of reasons. It could be because of the place the plane originated, the places where it stopped, the types of passengers, where they are from, whether the passengers are American citizens or foreigners.

All of this information may be examined in some form of analytic profile.

Q. Do you do any of this analysis on the plane while it is en route?

A. No, it's almost exclusively done when people arrive, except for those circumstances in which we have prior intelligence information. Maybe someday some of this could be done en route, too. We have experimented with transmission of passenger lists and cargo manifests via satellite. We may eventually use something of this nature to help us do this job.

There are also occasions when people are suspicious of fellow passengers and notify us upon arrival.

Q. Has there been an increase in amateur smuggling of narcotics?

A. There is a fantastic increase in amateur smuggling of narcotics—amateur to the extent that they are not people who have been engaged in it for years. It is a very serious problem that complicates our work tremendously.

I think roughly half of our arrests now are young people who have had some exposure to college—frequently they have advanced degrees—who are in the business of smuggling principally hashish for commercial reasons. They are often in the 20-to-25-year age bracket. They are usually very bright, and they have developed all sorts of ingenious methods of introducing these drugs into the United States. But it is our business to catch professionals, and amateurs are a lot easier.

SPOTTING A SMUGGLER

Q. How do you spot a likely smuggling prospect?

A. I wish I could make a statement about that in a categorical fashion. I can't. I think there is a sixth sense to some extent. It goes back to the analysis of where the person was, what his appearance is. We even do it strictly on a mathematical basis on occasion, too.

You have to maintain any number of flexible approaches to how it is going to be done. I know we are frequently accused of selecting young people because they have long hair. Of course, we do select people with long hair on occasion. We select people with short hair on occasion. We select women who are apparently wearing wigs, and women who are apparently not wearing wigs.

There is no operative method that I could state now which would answer all of the questions about it.

Q. Does a lot depend on the instincts of the inspector?

A. Yes, it does. We have some inspectors, for example, who have tremendous records of seizures of illegal goods. If we could isolate whatever that instinct is and train others to use it, we might not need machines or any other "fancy Dan" operations in the future.

Q. Are dogs useful in this regard?

A. Dogs are tremendously useful in searching baggage and mail. We do not use dogs on people. Many people have a fear of big dogs, such as German shepherds.

Q. How many people are caught smuggling each year?

A. During the first nine months of fiscal year 1970, we made 4,500 arrests and 3,900 seizures for drug smuggling. In the first nine months of this fiscal year, we have made over 5,700 arrests and over 7,000 seizures just for narcotics. Five years ago, in all of 1966, we made 2,522 arrests and 1,206 seizures.

Q. Does this reflect an increase of staff and surveillance?

A. Yes. You have to remember that our bureau for many years was conditioned to the idea that they were in the passenger-facilitation business. Nowhere in the law are we charged with passenger facilitation. We are charged with the collection of revenues due the United States and the interdiction of prohibited merchandise. It has taken some time for people who have been bludgeoned into this passive attitude for some years to readjust and reorient their approach.

Q. What's the penalty for smuggling heroin?

A. It's a mimimum of five years.

Q. Is the penalty stiff enough, or should it be made tougher?

A. It's not just a question of penalty. Most judges are giving very stiff penalties for commercial-type smugglers of heroin and drugs like that.

The biggest problem we've had recently is that some judges set the bail too low, and these fellows take off. That's very hard for us to accept after we've made such a big effort to catch them.

I read recently that a former South American consular official, whom we arrested in a very serious commercial narcotic-smuggling case, fled from the United States after conviction and went back to South America. They won't produce him for us, even though he has been convicted after a trial in federal court.

Before that happened, when the bail was set on this man, we had asked the judge for a much higher bail, based on our knowledge and experience. The judge refused to give it. As a result, this man left the country, and we'll probably never get him.

The judge gave him a 10-year sentence in absentia on the bail-jumping charge. That's a great penalty, isn't it? This man is sitting in South America, and that's going to have a great deterrent effect—the fact that he's got a 10-year sentence facing him in the U.S., to which he'll never return.

We have to get the recognition of some people on this. This is not an isolated case—but I think most judges are giving greater recognition to this now. But making it too easy for the smugglers encourages them to escape and frustrates all of our efforts.

Q. At which entry points are most arrests made?

A. At the Mexican-border points, because that is where we have the most crossings and over a great distance. Most of the arrests would be made there for land entries by automobile and other vehicles. That is where most of the marijuana comes in.

Heroin, however, comes in any number of ways. Heroin now comes basically from opium grown in Turkey, refined into heroin in Europe and then smuggled into the United States by any number of routes, including Mexico.

The principal thrust in recent years of heroin smuggling into the United States has been from the French Corsican underworld that controls a great deal of the traffic together with some other old-time smugglers in Central Europe. Recently they have been utilizing South America as a base for bringing drugs into the United States. Most of our major seizures in the last three or four months have involved heroin coming from South America.

Q. Are the narcotics-smuggling routes changing now?

A. Routes are constantly changing. From 1962 to 1967, "hard" drugs, particularly heroin, were generally smuggled into the United States from the Marseilles region of France where it was manufactured. The narcotics come into the U.S. at a variety of points, through such places as Canada and Mexico City.

This was changed by certain individuals operating in South America. They expanded their operations from 1966 to 1968, and began to work into the East Coast of the U.S. from there.

Now much heroin has been coming from France through South America and into the United States via the Miami region. Miami is the principal entry point for "hard" drugs entering the United States. There is relatively little entering through New York. Our inspection operation in New York has improved that considerably. Some Mexican heroin comes in through the West Coast—a considerable percentage through the Los Angeles area.

The people who smuggle from South America under the so-called *contrabandista* system have been smuggling goods out of the United States by private aircraft to South America for years. They have flown out tobacco, liquor, television sets and things like this. They went down with full planes and came back with empty ones. Recently they decided they might as well make money going both ways—and they've made a lot more money in heroin and cocaine traffic.

Q. How do these people get into the U.S.—the airlines or private planes?

A. By private aircraft and by couriers aboard airliners. There was one case, for example, in Miami in December when 202 pounds of heroin was seized. We also had a case in which we seized 93 pounds of heroin. Those amounts would have sold on the street for almost 37.5 million dollars.

The shipments were both on private aircraft. Both were detected as the result of work we were doing along with the Bureau of Narcotics and Dangerous Drugs and from information our intelligence operators had uncovered—plus alert customs inspectors.

We, of course, examine private aircraft arriving from foreign places, just as we would any other aircraft.

Q. Do you have to keep changing your tactics in order to keep the smugglers off balance?

A. Yes, we change all the time, because they are constantly probing our defenses.

They fly people over without any contraband on them to see what the inspection activities are in a given place. We therefore have to move our operations around. It is a key in our enforcement not to let people know how many people we are examining in JFK, or when or what flights, or that maybe today we'll examine 20 per cent and tomorrow 100 per cent of the passengers.

We have to be one step ahead of them.

PROBLEMS WITH "CHEAP CHISELERS"

Q. Is there an increase in small-time smuggling of things such as fur coats and watches by tourists?

A. It's not increasing, but it is a continuing problem. Frequently, the ones who try to smuggle this way are people who are not without considerable means and who seem to enjoy this form of game. Frankly, it's cheap chiseling in most instances, because the duty is very small. What it really does, and what bothers me about it most of all, is that it diverts our energies to the nonsense of apprehending people who simply should not be doing that kind of thing. They're not really criminals; they're petty chiselers.

There was the case, for example, of a rather well-known lady some months ago who is constantly being written about in the society columns—I guess you'd call her part of the "jet set." She came in with a rather large diamond ring, which one of our inspectors spotted immediately. It had a setting that wouldn't normally be an American jewelry setting, so he asked her about it. I think it was about a 7 or 8-carat diamond ring—a very valuable jewel. It wasn't on her declaration sheet. At first she said she bought it in the United States, and then insisted she had had it for some years and really bought it in France or someplace.

She didn't amend her declaration, even though the inspectors gave her an opportunity at that point to do so. They frequently do that to try to get these things solved quickly. So we seized the diamond, and she wound up paying penalties which amounted to more than the value of the diamond in order to get it back.

Q. Is there much smuggling of large quantities of commercial goods?

A. Yes, there is a lot of that. Billions of dollars' worth of materials are brought into the United States every year.

Depending upon the classification of the goods and the rate of duty, the amount of duty varies considerably. Consequently, people in the commercial world on occasion say, for example, that they've received 450 bales of 750 yards each of some material, instead of 500 bales of 1,000 yards each, the actual figure. If we accepted that, it would give them a considerable savings in duties and an edge in their business dealings. These kinds of fraud cases are causing us considerable problems, and we intend, this year to increase our efforts in the area very vigorously.

Another method by which some importers evade the law and take advantage of U.S. producers is by misrepresenting the cost of the merchandise imported. Because of this, we have laws under which duties are frequently calculated to make up for the difference between the cost of production overseas and the cost of production in the United States. We then impose "countervailing duty" to offset this maneuver.

Q. Is there an increase in that type of activity?

A. Yes, for a number of reasons. One of our senior officers said that, in his experience, when there is some decline in business, there seems to be an increase in fraud. I guess it goes along with the old theory that fire-insurance losses are greater during periods of depression than they are during periods of prosperity—a theory which I've never personally checked.

Another factor is a tremendous increase in imports into the United States in relation to what is manufactured here.

Q. How much does the U.S. collect in customs duties?

A. Just under 3.5 billion dollars. We're the second-largest revenue-collecting agency in the United States. Until the advent of the Internal Revenue Service, we were No. 1.

Q. Are these duties increasing along with our foreign trade?

A. Yes. In spite of constantly lowered rates of duty, our total over-all collections are increasing simply on the basis of a greater volume of merchandise imported into the U.S.

Q. Is the Canadian border a source of big problems?

A. Yes, definitely. The Canadian border has always caused us problems. As I mentioned before, one of the principal routes of heroin was through Canada. Frequently, that would be on flights after they were precleared in Canada and then flown into the United States.

We have a very different enforcement posture along the Canadian border. We're also increasing our enforcement effort on the Canadian border. And the Canadians are increasing theirs—they've stepped up their own programs. We work very closely with them, as we are now with Mexico.

Q. Is this likely to cause bottlenecks for people going back and forth between the two countries?

A. It will, on occasion. We frequently run what we call "blitzes" at border points like that, in which all cars are examined for 15 minutes or an hour, or whatever the time frame is. Nobody knows when or where it's going to be.

Q. Are these kinds of tactics really making it more difficult for professional smugglers?

A. Yes. We have to make the professional smugglers take higher risks in bringing their merchandise into the United States. The more risks they take, the more chance there is for exposure to our investigative efforts and that of our brothers-in-arms, the Bureau of Narcotics and Dangerous Drugs.

HOW TO GET PAST CUSTOMS QUICKLY

Q. What can ordinary law-abiding travelers do to facilitate quick and easy re-entry to the U.S.?

A. One of the simplest things for the traveler to do is to itemize what he purchased overseas and have his bills ready.

Before he goes, he should read some of the customs booklets available at his nearest customs office. We publish many booklets which outline the various duties and procedures that should be taken.

For example, people frequently go overseas with beautiful foreign watches or cameras, which they should register before leaving the country. When they return, they expect us to go to the trouble of examining the item to see whether it's new or was bought previously. There are many things a traveler can do in this area which would be very helpful.

Another thing a traveler can do is to take flights arriving at nonpeak hours. It would be wise, for example, to avoid JFK at the peak hours of 2 p.m. to 5 p.m. As I recall, more than 60 per cent of the passengers coming into New York arrive during this three-hour period.

Q. Have you asked the airlines to stagger arrival times?

A. We have been working with them, but unsuccessfully thus far.

Q. Has it helped the situation for airlines to schedule more and more flights into less traditional ports of entry, such as Boston?

A. No. It's still a problem for us at this point, because it spreads our manpower so much.

I think in the long run it will be helpful to us, and we ought to give some consideration to regional air-arrival centers with shuttles to more distant areas. That way, we will be able to do a thorough job in coping with these problems, particularly in narcotic drugs.

The use of narcotics reached the epidemic stage only after 10 years of doing too little about the problem. I hope that maybe in the next 10 years the problem won't be so great, and that it won't be necessary to delay so many travelers.

Q. How difficult is it to control the import of narcotics from Vietnam?

A. It's becoming a greater problem all the time.

The winding down of the war, to some extent, has made it easier to bring narcotics from the opium-growing areas into Saigon.

Also, there has been substantial use of marijuana over there by our troops, and they sometimes go on to using the "harder" narcotics that are available there.

A third factor is that, with the winding down of the war, a lot of these fellows have a lot of time on their hands. And some of them start sniffing heroin. They kid themselves into thinking that sniffing the stuff doesn't result in addiction but it can and does.

Q. Do servicemen bring narcotics back when they return to the U.S., or do they send it back in the mail?

A. They've tried it both ways. We've got a very extensive program going now in conjunction with the military to try to abort this before it gets too bad.

Q. Which has priority in your fight against narcotics smuggling—heroin or marijuana?

A. Heroin. There has been considerable debate about the validity of our laws concerning marijuana, and a presidential commission is now examining this from the medical and penal aspects. We, on the other hand, in the enforcement area are well aware of the fact that you don't die from marijuana the way you do from heroin. We've reached the stage where more people are dying from drug-related causes in the city of New York than there are soldiers from New York who are dying in the Vietnam war.

In terms of priorities, we're going after the "hard" drug peddlers. We're trying to reduce the supply of "hard" drugs in the United States.

Q. How extensive are your intelligence operations overseas?

A. The United States has two basic systems.

The President has assigned the Bureau of Narcotics and Dangerous Drugs [BNDD] the principal responsibility for overseas-enforcement representation. They have a number of principal offices located around the world.

In addition, the Bureau of Customs has specially trained senior agents in each of those overseas BNDD offices as coordinators of intelligence for our own purposes.

With reference to general smuggling, we have had agents stationed for many years in such places as Rome, Paris, London, Tokyo, Hong Kong and Frankfurt. These agents conduct investigations for us in cases of fraud, underevaluation of imports and other customs problems.

We don't have enough agents overseas. One of the biggest problems we have is getting sufficient prior intelligence. If we want to reduce the amount of examination and the rigorous aspects of our examinations, the more intelligence we have, the better.

Q. Do you get much co-operation from foreign countries?

A. We're increasing our co-operation with foreign countries on a national basis at a tremendous rate. For example, we recently agreed to work more closely with the French. We hope that this means exchanges of techniques and intelligence can be improved considerably.

One of the great accomplishments of this Administration in this area has been that the President has raised the whole matter of narcotic-law enforcement to a major foreign-policy consideration.

Q. Do the new air marshals play any role in your program?

A. The air marshals, who are Customs security officers, are primarily responsible for preventing the hijacking of aircraft. Thus far they've been quite successful in doing that. I hope eventually they will also be able to help the Bureau more with our antismuggling work. I wouldn't say yet that they have been too successful in this. But they are being trained to detect smugglers, and I would think that professional smugglers would be well-advised to beware of the sky marshals.

Q. Are you still recruiting for that program?

A. We have slowed down. We're planning to have two more classes, and then there will be a delay for a period of time until we can absorb this group. There's a great problem in absorbing tremendous numbers of people like this to make sure you get the right personnel.

Q. How many sky marshals are there now?

A. There are more than a thousand.

Q. How much of the total shipments of "hard" drugs do you estimate you've stopped?

A. I don't think there is any way of making an estimate. The only thing we'll be able to measure is when we notice that there are shortages of heroin. Heroin shortages are noticeable, because the police know about it from the addicts pretty quickly. We haven't seen any significant heroin shortages recently. We're looking forward to that. We know that too much has gotten past us—enough, certainly, to permit this tremendous addict population to fulfill its needs.

If we can ever stop it completely, narcotics, obviously, won't be available. That, in itself, would stop all addiction.

Q. Will it ever be possible to stop all but a tiny trickle of smuggling, both of narcotics and contraband?

A. If the country were willing to go to the lengths necessary, almost all of it probably could be stopped. I don't know how far the country is willing to go to do this.

Q. What lengths would you have to go to?

A. Well, for example, we virtually stopped drugs from coming in from Mexico during Operation Intercept. That necessitated the examination of almost every person and vehicle coming into the United States.

There is no question that if this country wanted to establish complete barriers around its borders, we could stop a lot more contraband from being smuggled in, but that would require measures that would be unacceptable for other reasons.

Q. Will you ever have another program like Operation Intercept?

A. I don't think we'll have another Operation Intercept at the Mexican border in that form. We've had other forms of intensified programs. This was just one of them.

The result of Operation Intercept was that

we're now getting much more cooperation at the Mexican border from the Mexican Government.

THE DANGER OF OPEN BORDERS

Q. Conversely, what would happen if you completely opened our borders, as has been suggested from time to time?

A. At the rate of growth of narcotic addiction in the United States during the '60s, I would estimate that by the year 2000, some 25 per cent of the American population would be heroin addicts.

You cannot become an addict unless the drugs are available. There is no question in my mind that there is a direct relationship between the number of people who become addicted and the amount of drugs that is available.

SINO-AMERICAN RELATIONS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. DERWINSKI. Mr. Speaker, in a number of statements in the House in recent weeks, I have emphasized my strong belief that we must move with great caution in dealings with the Chinese Communist Government in Peking. I am convinced that we have witnessed in the press in the last 2 months a very predictable, but nevertheless unfortunate, euphoria stimulated by a very careful propaganda move of Red China's in inviting the U.S. table tennis team to enter its mainland.

A very timely and, I believe, excellent commentary of the Chinese question was contained in a speech by the Ambassador of the Republic of China to the United States, the Honorable James C. H. Shen, at the National Press Club here in Washington on June 24.

In view of the editorial commentaries that were prompted by this speech, I wish to insert the full text of Ambassador Shen's remarks.

I include the article as follows:

SINO-AMERICAN RELATIONS IN PERSPECTIVE

(A speech by Mr. James C. H. Shen, Ambassador of the Republic of China to the United States, at the National Press Club, Washington, D.C. at 12:30 P.M. June 24, 1971)

A new Ambassador, if he is to be truly useful to his country, must learn to stand with his feet in two worlds—the world from which he comes, and the world to which he is accredited.

However, in the case of an Ambassador from the Republic of China to the United States, this task is not so onerous. The similarities between our two countries greatly outweigh the differences. We have shared a long tradition of mutual goodwill. There is the long habit of working together in international affairs. Each of us is moved by the same basic objective—the preservation of a free world in which our children and our children's children will have a chance to grow up in peace and security. Although differences do sometimes arise between our two countries, the important thing is that we move in the same direction. In the dichotomy of the world which has been created by the Communist upsurge, the Republic of China and the United States stand on the same side.

One helpful bridge to understanding is the fact that I, like most of my predecessors in the office of Ambassador, have had the advantage of study in the United States in my formative years. We have lived amongst you, and learned to admire your culture and institutions. We have a common link of youthful memories. To return as Ambassador to a nation which is so intertwined with one's student years is one of the pleasures of the diplomatic life.

I realize, poignantly, that I come here at a moment of changes. The United States, in its sincere desire to reduce tensions and achieve a peaceful world, has taken some initial steps toward accommodation with the Communist regime which has imposed itself upon our fellow-countrymen on the mainland. Some Americans want to go much further. There are many in your country who are convinced that the Free World can live on friendly terms with an aggressive Communist dictatorship, such as that which is headed by Mao Tse-tung. Although we respect the sincerity of your effort, we in Taiwan do not share your optimism.

If we, of the Republic of China, seem to have little faith in the often voiced hope of building bridges to the Communist-occupied Chinese mainland, it is because we have had long and bitter experience with Mao Tse-tung and his cohorts. We have learned, at a great cost, the worthlessness of his promises. We have experienced the fanatical ruthlessness with which he pursues his goals. We know that, even behind Chou En-lai's much publicized "smiles", lurks the unaltering intent to trap the Free World, and especially the United States, into letting down its guard. We know, from their own boasts, that their aim is the subjugation of the world. With such an opponent, truces are meaningless.

Nor has the Chinese Communist regime changed.

Some of you, I am sure, have read about the current Peiping newspaper campaign against the United States. On the Chinese mainland where the newspapers are owned and controlled by the regime, their editorial statements are the voice of Mao Tse-tung himself.

On May 20, scarcely a month after the Ping Pong overtures, the Peiping press, spearheaded by the JEN MIN JIH PAO, published an editorial which touched an almost all-time low in savage hatred and contempt for the United States. Declaring that the Nixon Administration had "landed itself in a blind alley and is at the end of its tether", it proceeded to hail the "violent revolutionary storms in the United States". I confess that I have not seen any such "storms" since my arrival.

Drawing upon its imagination, the Peiping press pictured the American people as turning in vast numbers against their government. It climaxed itself with the following outburst:

"The people of the United States are dealing heavier and heavier blows from within, at U.S. imperialism, the world's ferocious enemy, and they have become an important vigorous force in the world people's struggle against American imperialism."

All this, mind you, within a month after this country had made the friendliest gesture to Peiping since the Korean War! The American press has been full of talk about a "thaw" in Washington-Peiping relations. If this is a "thaw", I wonder what a real breakthrough would be like.

Perhaps the American people should have been prepared for this cold blast from Peiping when, last month, the People's Daily, the Red Flag and the Liberation Army Daily, all official organs of the Chinese Communist regime, went out of its way to ridicule President Nioxn over the Ping Pong amity by an editorial warning, with the caption, "Nixon, Don't Let Your Head Get Too Dizzy."

To return to the JEN MIN JIH PAO editorial, its most important punch line was the reproduction of the year-old statement of Mao Tse-tung himself, (first published on May 20, 1970) calling for war upon the United States. In this oft-quoted statement, Mao called upon the people of the world to "unite and defeat the United States aggressors and all their running dogs". That the JEN MIN JIH PAO should resurrect this statement of Mao's in the context of the present post-Ping Pong developments, is a clear signal to the United States that the Peiping regime has not changed one iota in its anti-Americanism. If the Mao government had even a vestige of desire to improve relations with Washington, it would have made an especial effort at this time to bury such past anti-American declarations. Instead, its controlled press flaunts these insolent words in Washinton's face. Certainly, the Mao regime could not have made it any plainer that it does not intend to recede one inch from its past policies, no matter what concessions or gestures the United States is willing to make.

In all the utterances of Mao Tse-tung and Chou En-lai, one thing is always noteworthy. In their official pronouncements, they make no attempt to speak to the United States Government. If you read their statements closely, you will note that they are always speaking over the head of the U.S. Government to what they describe as the rebellious masses of the American people. Their words are not words of amity. They are the words of an unchanging enemy government which is thinking constantly about the incitement of revolution in this country. Their terminology has not changed in the slightest despite repeated gestures of friendship from your government.

Thus, the so-called "thaw" is all on the part of the United States.

The whole gesture which is now being made to the scowling men in Peiping is, of course, motivated by one of the noblest sentiments of mankind—the desire for universal peace. Nobody is more eager to hasten the arrival of that ideal condition than the Republic of China. But we must be on guard against those who use the peace slogan as a mask to conceal the fact that their real objectives are militaristic and evil.

We live in a world in which cynical political forces have used the popular longing for peace as a propaganda weapon. As political realists, we must recognize that all those who cry "Peace, Peace," may not really mean it. Every would-be world conqueror has always justified his crimes against humanity by the plea that he was seeking peace. Adolf Hitler rationalized his inhumanities by intoning the "peace" slogan. Today, the most brazen exploiters of the notion of "peace" are the Communists. They have rewritten history by picturing the United States and the Free World nations as the "imperialist aggressors". They have depicted themselves as the unselfish defenders of the peace-loving people of the world against such aggression. The unthinking and the uninformed have, only too often, been moved by this "Great Lie". What the Communists do not disclose is that the only peace in which they are interested is a peace of world submission to Communist totalitarianism.

We of the Republic of China believe that peace upon such terms is not worth having.

The Free World should be vigilant, at all times, against those who are trying to make the genuine peace movement an unwitting tool for Communist purposes.

There is another mental trap in the current discussion of China, which I want to point out. Many editorialists and TV commentators have the habit of referring to the Peiping regime as if it were the genuine voice of the Chinese people. In their articles and discourses, they talk about "what China wants", as if there were indeed some present procedure by which the wishes of the vast Chinese public, imprisoned on the mainland, is being determined. Actually, such publicists, knowingly or unknowingly, are only repeating the handouts of the comparatively small Communist officialdom which

has imposed its merciless rule upon the people on the Chinese mainland.

Even this officialdom is divided in its real convictions. The recent so-called "Cultural Revolution", in which thousands of youths were slaughtered or imprisoned for differing with Mao Tse-tung, shows that there is not even a consensus among this ruling minority. Whenever Red China is quoted, only one man is speaking—Mao Tse-tung.

Overlooked in the present debate about building bridges to Red China is the remorseless fact that, in 21 years of rule, the Communist regime has not once made any attempt to ascertain or poll the wishes or opinions of the mainland Chinese masses. Authors who write so glibly about "what China wants", do not have even the remotest touch with the real Chinese public.

Who are the Chinese people? Not only are they the submerged masses of mainland China, they are the 14 million Chinese of the Republic of China on Taiwan, who are struggling desperately to keep alive the cherished traditions of historic China which Mao Tse-tung scornfully seeks to stamp out. They are the 18 million overseas Chinese who play such an important part in the economy of the nations of Southeast Asia. They are the terrorized youths of mainland China, thousands of whom are risking life every month to escape to Hong Kong and other places of refuge, rather than endure the prison camp life of Mao's China.

Should not the wishes of these unconsulted Chinese be considered before action is taken which will tighten Mao Tse-tung's grip over the majority of the Chinese race?

The Republic of China asks her friends not to take hope away from these freedom-loving Chinese people.

But there are those who say that we must come to terms with Mao Tse-tung because it is "inevitable". In every discussion of China's destiny, someone always raises the point that we cannot disregard Mao's rule because such action is compelled by inevitability.

Of course, no contention could be more unsound. You and I know that nothing is inevitable until faint-hearted men, weary of struggle, decide to give up. All through history, the plea of "inevitability" has always been the alibi for appeasement. The brave can find many alternatives, in China's present situation, to the proposed course of placation.

The hollowness of this inevitability plea is shown by the present attitude of the Peiping regime. In all its official statements, the stress is always placed upon the changes which the United States should make in its policies. Not one word is said about the changes which Peiping is ready to make in its policies. Their unchanging posture is that the whole world is wrong and they are right, and that the world must remake itself to secure their friendship. This is not "inevitability": this is a brazen demand for surrender.

This brings us to the question of the United Nations.

The alleged "thaw" with the Peiping regime is renewing the demand, by many who should know better, that the Chinese Communists be admitted to the United Nations, in place of the Republic of China. No greater travesty of the peace role of the United Nations could be projected.

Peiping, condemned as an aggressor because of its armed intervention in the Korean War in 1951 by the vote of the General Assembly, would enter the U.N., unchanged and unrepentant. Its presence in the U.N. would doom the organization to a snarling Communist-Free World deadlock. Such a deadlock would nullify all the peace hopes of the people of the world. Surely the good sense of the Free Nations should save us from such a moral collapse.

I need not stress the fact that the United Nations itself has come under serious and damaging criticism in recent years. Its credibility as a force for world morality and world peace has suffered bruising blows from its ill-wishers. The question should be seriously asked and pondered whether the U.N. can afford the loss of prestige which capitulation before an unchastened Chinese Communist regime would bring. The United Nations has its own troubles. To add to them the discredit which would follow the admittance of the bellicose Chinese Communists would impose too great a strain upon the whole apparatus.

Nothing is so dangerous in world affairs as a shortsighted, improvised decision for a long-term major problem. Once the decision is made, the world must suffer the consequences. Can the peace-seeking nations live safely in association with a Chinese Communist regime, blatantly boasting that it will destroy what it calls "imperialist United States"? The question is self-answering.

But some will argue that there are still saving advantages for the Free World in an entent with the Mao regime because it would stimulate trade. For countries having balance of payments problems, it seems like a godsend. Indeed, much of today's pressure for a "thaw" with Peiping comes from hopeful business interests seeking profitable mainland markets.

This argument, it seems to me, is shot full of holes. The Chinese mainland is a closed economy. The open economies of the Free Nations cannot sell goods in a closed market except upon the humilitating terms of Mao Tse-tung's go-between. There can be no hope of reasonable profits when the regime is able to rig every economic operation to its own narrow advantage and gain. Do the entrepreneurs of Europe and North America believe that they can gainfully enter a Mao Tse-tung market which for years has baffled master salesmen of other countries, Japan for instance?

Actually, Japanese businessmen have sent trade delegations for several successive years to the Canton fairs. How have they been greeted? The proof of the complete politicalization of all Chinese Communist trade maneuvers is the fact that these Japanese, with their order books open, have been instructed to make a public statement condemning the policies of their own government before the Communists will do business with them. Is there any hope of mutually profitable trade with a regime which requires such abject surrender?

The delusion of rich trade prospects on the Chinese mainland for the Free World is plainly demonstrated by current trade statistics. Last year, the total two-way foreign trade of the Chinese mainland was only $4.2 billion. This figure was reached only by including the extensive barter trade with the Chinese Communist regime carries on with the other Iron Curtain nations Peiping's world trade figure has sunk as low as $2.7 billion within the last decade. Measured in terms of the population, the per capita foreign trade of people on the Chinese mainland in 1970 was only $5.5. This, for an area which claims a population of 700 millions! It is not that the Chinese mainland does not offer profitable trade. The fault is that an anti-foreign Communist regime of Mao Tse-tung is psychologically incapable of the mutual give and take which must be the foundation of any durable trade relationship.

That rich trade, on civilized terms, is possible in China, is clearly shown by the experience of the Republic of China in Taiwan. This province of only 14.7 million people, last year rolled up a total two-way foreign trade of $3.088 billion. The per capita foreign trade was $192.5. The explanation for this difference is a very simple one. There is free enterprise in the Republic of China's province of Taiwan, whereas an autarchy is in control on the Chinese mainland.

So slight are the possibilities of important trade with Mao Tse-tung that an organization which has clamored for closer relations between Peiping and Washington—the National Committee on United States-China Relations—recently reported that, under the most favorable conditions, it would be a decade before U.S. trade with the Chinese mainland would reach a figure as high as $650 millions. This report followed a study which the Committee authorized, conducted by Dr. Robert F. Dornberger of the University of Michigan.

American businessmen who expect early profits from the "thaw" with Mao Tse-tung should also heed the words of Mr. C. W. Robinson, president of the Marcona Corporation, who has had long experience in Far East ventures. Mr. Robinson said, "In new trade with the Peiping regime, we may have to learn to crawl, before we can walk—and we may have to do a lot of crawling."

Now, with your permission, I would like to conclude by telling you a bit about what we have done on Taiwan in a matter of twenty years. Taiwan, as you know, is the smallest province in my country. It is an island of only 14,000 square miles and has few natural resources. Today it is the most prosperous province in China's history. The per capita income is nearly U.S. $300. Our foreign trade this year will be close to four billion dollars. Basic education has been extended to nine years, and a quarter of our population is in school. We have the highest daily count calories in Asia. Taiwan is also about the healthiest place in our part of the world. We have had no cases of malaria, cholera and smallpox for many years. We have raised the life span of women to 72 and that of men to 68. Since 1965, the year your country terminated its economic aid to us, we have been on our own. Meanwhile, as an ally of the United States, we continue to receive some military aid, but this has been steadily decreasing in amount over the years. But we are determined to support largely by our own resources a strong military posture. Our 600,000 men under arms and more than a million others in trained reserve are making a positive contribution toward the maintenance of collective security in the Western Pacific. Our very existence as a viable society has kept alive in the hearts of our brethren on the mainland their hope for eventual liberation. The Chinese Communists are world revolutionaries and they must be denied the opportunity of forging China's vast population into an instrument for either the enslavement or destruction of the world.

Before I left Taiwan a few weeks ago, a friend came to me. He said he feared the United States was deserting the Republic of China and asked what could we do. I told him that, first of all, I refused to believe the United States was abandoning one of the best friends it ever had. And I told him, second, that the Americans were too intelligent and too knowledgeable not to realize that their self-interest lies with the Republic of China and not with the Chinese Communists who oppose everything for which America stands.

These are some of the considerations that I, as a freshman Ambassador, believe to be important. *We* must not let ourselves be deceived by our groundless hopes. Knowing the American people as I do, I cannot believe that the United States will allow itself to be deceived by the false image which Mao Tse-tung is now expediently holding up to the world. The future of Asia and of the whole Free World depends upon your decision. I know you will not fail us.

IN OPPOSITION TO PROPOSAL TO CITE CBS AND DR. FRANK STANTON FOR CONTEMPT OF CONGRESS

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. MOSS. Mr. Speaker, the following is a preliminary draft of a statement of minority views in the matter involving the recommendations of the Committee on Interstate and Foreign Commerce to cite CBS and Dr. Frank Stanton for contempt of Congress. Thirteen members of the committee opposed the action. Since time may be short for members to consider this important question, some of these 13 have made a preliminary draft encompassing several of our ideas and presenting the factual background of the action, and we place it in the RECORD herewith so that you may share these facts with us and have time to consider these views. We have not yet formulated our final views for the report, but such will be filed Monday as permitted by action of the committee.

MINORITY VIEWS

SUMMARY

The undersigned are all opposed to the House citing Dr. Frank R. Stanton of CBS for contempt. Some of the undersigned have differing views on the strength of certain arguments against the citation, and therefore additional minority views are included in this report.

All of those who voted against the citation are in agreement, however, that this case is not justified because all of the information which the Committee needs in order to legislate is available to the Subcommittee on Investigations of the House Interstate and Foreign Commerce Committee.

It is asserted that the editing by CBS of its program, "The Selling of the Pentagon," was so flagrantly deceitful and injurious to a proper public understanding and appreciation of the subject matter as to invite Congressional inquiry. Congresss certainly has a legitimate interest in preserving the integrity of usage of public airwaves and channels by their licensees. And as in other areas of legislative concern, it has a broad power to compel the production of information it deems essential to its lawmaking function.

But under the First Amendment we do not have the power to abridge freedom of speech and of the press. Even assuming, without accepting, that the subject program was deliberately edited with such deceptive result as to require our inquiry, the question then arises as to whether an absolute necessity exists to compel production of the outtakes in order to complete that inquiry. There is the further question as to who shall determine what is truth and what is deception. It is plain that if information is not needed for a legitimate investigative purpose, an order that it be introduced can only be construed as arising from a concern for establishing "What is truth" by a governmental action.

If we do choose to exercise the drastic power recommended by our Committee, we must recognize that the underlying assumptions we make as to its reach will be subject to judicial review and possible reversal. So the first question to consider ought not to be whether the asserted power actually exists in this case but whether, on the perilous assumption that it does, it should be exercised in this fashion. Discretion may be the better part of Congressional valor where the Constitutional line to be approached is seen by many to divide us from First Amendment territory.

In view of the availability for comparison of the full transcript of the principally contested materials, no such overwhelming necessity is shown. Congress certainly ought not to compel production of information already in its possession.

The CBS network did not object to the Congressional investigation and supplied to the Subcommittee the full transcript and film of the program "The Selling of the Pentagon" as it was broadcast. Dr. Frank Stanton, the President of CBS, appeared before the Committee and subjected himself to questioning for a period of several hours. The network has also made available to the Committee a statement of the general principles which it has applied to editing in the past and the specific guidelines which are to guide its editors in the future. This has been placed in the Congressional Record for July 8 under Extension of Remarks of the Honorable Brock Adams at page 24142. Dr. Stanton answered all of the questions before the Committee except those relating specifically to the editing and outtakes involved in the Committee subpoena. Nevertheless, we are told we must serve notice now, by asserting this power, that it exists, else we will lose it.

STATEMENT

A brief statement of the subject of this controversy is appropriate here.

The controversial portions stressed by those advocating the citation are the interview of Daniel Z. Henkin and the speech of Colonel MacNeil. The specific areas of investigation demanded by the Committee staff and later incorporated in its subpoena are purportedly necessary to show that the interview of Daniel Z. Henkin, Assistant Secretary of Defense for Public Affairs, was altered and that a speech of Colonel MacNeil was quoted out of context and distorted in the documentary.

An analysis of the materials available to the Committee and now to the House of Representatives shows that the entire interview that was filmed with Daniel Z. Henkin was recorded by the Pentagon, and a transcript of this is not only in the Committee files, but has been analyzed by the Committee staff to show the purported distortions. This is available to all members under the Extension of Remarks of the Honorable F. Edward Hébert of Louisiana in the Congressional Record of March 8, 1971, starting at page 5401. The Colonel MacNeil speech and the alleged distortions as analyzed by the Committee staff are also available in the Committee files. The full text of this speech is available to all Members in the Congressional Record of July 8, 1971, under the Extension of Remarks of the Honorable Brock Adams of Washington starting at page 24203.

ARGUMENT

Desirability of restraint

Here we are called upon to create an incident on the border between the constitutional rights of Congress to demand information related to its duties and the right of the press to be free from governmental prying—prying which has a chilling effect on the exercise of First Amendment rights. As is the case in all conflicts between institutions operating in areas of constitutional powers, it is always best to remain well within the constitutional bounds of the area involved. Thus, Congress has been extremely cautious in approaching the borders of Presidential powers to wage war, even when its power to declare war is arguably infringed. Thus, resolutions in this area are framed as admonitions rather than commands. Likewise, the Supreme Court does not issue mandates directly to Congress to perform acts, but rather delineates the law and directs, as in the Adam Clayton Powell case, that subsidiary officers perform the ministerial duties that result, for instance, pay money where it is found to be due.

The same rule of prudent self-restraint should govern Congress in a case where it is called upon to extend an exercise of its powers to the very edge—and perhaps over the edge—of its bounds of constitutional authority. Though this is not a case involving conflict between any of the three great branches of government, it is a matter of equal importance. It is a confrontation at the borderline between congressional power and First Amendment rights. The Bill of Rights of the Constitution protects the people against government, and this area of constitutional authority and protection is at least as important as the areas of constitutional authority represented by the three branches of government.

The Henkin interview

We must view what lies in the foreground of this dispute against these important background considerations. The problem presented is an adamant demand to have material much of which the Committee already has. In the crucial area of Subcommittee concern, it has it all. It has the total script of the interview between Daniel Z. Henkin, Assistant Secretary of Defense, and Roger Mudd of the Columbia Broadcasting System; and it has the tape of the documentary, "The Selling of the Pentagon." Thus, it has all the information concerning this matter that it needs to draw conclusions concerning governmental policy, or the need for law relating to such documentaries and to their editing, cutting, splicing, and rearrangement. The cogent facts concerning the Henkin interview were these (what is recited is taken from Committee files):

During the program, "The Selling of the Pentagon," Roger Mudd said: "We asked the man in charge of all Pentagon public relations, Assistant Secretary of Defense Daniel Henkin, if he felt the press did a good job covering the Defense Department."

The documentary showed Mr. Henkin saying: "I believe that it does. From time to time, of course, it gives me some headaches, and I give the press some headaches. We understand that. We act professionally, there is a professional relationship, not only with the Pentagon press but with other members of the Washington news corps, but with newsmen who cover military activities around the world."

This was the unaltered first portion of Mr. Henkin's response to Mr. Mudd, and in the analysis by Committee counsel it is said: "This constitutes about half of the original answer. The meaning and intent were not changed substantially."

Later Mr. Mudd asked Mr. Henkin: "What about your public displays of military equipment at State Fairs and shopping centers? What purpose does that serve?"

The first sentence of Mr. Henkin's answer was televised, as follows: "Well, I think it serves the purpose of informing the public about their armed forces." This eliminated Mr. Henkin's additional elaboration that an ancillary benefit was that of "stimulating interest in recruiting."

After a follow-up question by Mr. Mudd concerning speakers at Kiwanis and Rotary functions (which was not included in the documentary), Mr. Henkin further elaborated on the purpose of military visibility by saying: "I believe that the American public has the right to request information about the armed forces, to have speakers come before them, to ask questions and to understand the need for our armed forces, why we ask for the funds that we do ask for, how we spend these funds, what are we doing about such problems as drugs and we do have a drug problem in the armed forces, what are we doing about the racial problem in the

armed forces and we do have a racial problem. I think the public has a valid right to ask us these questions." This appeared in the documentary as if in answer to Mudd's question about public displays.

The staff reporter's analysis states that "The modification alters the tenor of the response from attracting volunteers to problems in the armed forces."

Mr. Mudd asked further, "Well, is that the sort of information about the drug problem you have and the racial problem you have and the budget problem you have, is that the sort of information that gets passed out at State Fairs by sergeants who are standing next to rockets?"

The first sentence of Mr. Henkin's answer was broadcast: "No, I wouldn't limit that to sergeants standing next to any kind of exhibits." And then a statement is taken from a previous answer of Mr. Henkin and placed in context as follows: "Now there are those who contend that this is propaganda. I don't—do not agree with this." The staff report properly points out that the excerpts from Mr. Henkin's colloquy were not sequential and that other matter was involved in the discussion from which the statement concerning propaganda was taken. Such matter referred to data indicating an "increasing Soviet threat."

The only other part of the Henkin interview treatment which is specifically objected to is set out below. It is the last part of a statement by Mr. Henkin in reply to a previous question by Mr. Mudd and runs in sequence exactly as the colloquy occurred, except that the expression, "as one might say," was eliminated:

"We are trying our best to provide information. There undoubtedly have been times when certain actions have been staged. I think this is true of all TV news coverage. After all, this interview here is being staged, as one might say."

Mr. MUDD. How so?

Mr. HENKIN. Well, props were set up, arrangements were made—I did not just walk into this room cold; arrangements were made for it.

Mr. MUDD. Well, we wanted to film in your offices, but your people said let's go to the studios. So, we didn't stage it.

Whether the editing was fair, whether it was proper or improper, is thought by Members of the Subcommittee to be pertinent to their investigation. But there is no question but that they have before them the manner in which the broadcast was edited. They attempted to discuss these matters with Mr. Frank Stanton, President of the Columbia Broadcasting System, and though he willingly discussed editing in general, he refused to discuss this specific program or supply, even under subpoena, the outtakes. The important fact, though, is that the Committee had the information as to what the outtake concerning the Henkin interview consisted of and had the film of the program itself.

Colonel MacNeil's speech

Chairman Staggers had said at the commencement of the Subcommittee hearings on Thursday, June 24, 1971, that the documentary was controversial for two reasons, the first of which the Committee was not concerned about, that "it provoked the criticism of those who thought it was unduly biased against the public affairs efforts of the Department of Defense. . . . The Pentagon documentary was controversial for other reasons, however, which have nothing to do with the particular point of view expressed on the program."

He then gave two examples, the first relating to the Henkin interview which we have described in the first section. The second example related to Colonel MacNeil's speech. On this subject, Chairman Staggers said:

"In illustrating this allegation, the network presented the military officer apparently delivering a segment of his public address. Subsequent disclosures seem to demonstrate that the officer's words were rearranged out of their original order so as to make him appear to be delivering a statement which he did not in fact deliver."

The Committee has the whole text from which Colonel MacNeil made his speech. It appears to be in the form of a lecture on Southeast Asia, and the text was apparently somewhat changed in the delivery as will be noted from the staff's compilation of what actually appeared in the documentary. What was stated in the documentary is set out below in the underlined language. The source, the language of the text which was apparently used as a prompter, is placed in parentheses. It will be noted that certain changes in what is stated in the documentary from what appears in the text are of the kind that a man would make in making a speech from such a written text. References to the text are given below each of the statements from the documentary in parentheses.

Well now we're coming to the heart of the problem—Vietnam.

(And now—we come to the heart of the problem—Vietnam.)—from page 55 of the text.

Now the Chinese have clearly and repeatedly stated that Thailand is next on their list after Vietnam.

(Thailand is situated near Vietnam and it will be the next target of the Communists as they have already proclaimed.)—from page 36 of the text

If South Vietnam becomes Communist it will be difficult for Laos to exist. The same goes for Cambodia, and the other countries of Southeast Asia.

(If South Vietnam becomes Communist it would be difficult for Laos to exist; the same goes for Cambodia and the other countries of Southeast Asia.)—from page 48 of the text

I think if the Communists were to win in South Vietnam, the record in the north—what happened in Tet of '68—makes it clear there would be a bloodbath in store for a lot of the population of the South.

(If the Communists were to win in South Vietnam—the record in the North makes it abundantly clear—what kind of a widespread blood bath would be in store for the population of the South?)—from page 73 of the text.

The United States is still going to remain an Asian power.

(But the United States will still remain an Asian power.)—from page 88 of the text.

Apparently Chairman Staggers' statement that Colonel MacNeil was made to appear to deliver a statement which he did not in fact deliver is based upon the fact that the words actually spoken by Colonel MacNeil relating to the "domino theory" and taken from page 48 of the text was in fact indicated in the text to be a quotation from Prince Souvanna Phong (sic). But his portion of the statement was cited with approval and is supported in a much more wordy form in the last part of the lecture. The following appears at pages 125 and 126 of the Script in Colonel MacNeil's own language:

"In Col. Hof's lecture last week—geopolitics—he showed—in a strategic sense—that the war in Vietnam—like the war in Korea was—is a step or stage in the American policy of containment—which is concerned with the long range security of the United States. Vietnam is important to our national security. (U. S. security interests encompass, etc.)

"The loss of Vietnam to the free world [will] start the fall of the domino countries adjacent to it and to Red China, and then we shall face a threat from a hostile Asia quite similar to the threat we perceived in Europe nearly 30 years ago as the dominoes adjacent to and around Germany fell into the grasp of the Third Reich."

We do not condone the use of language in quotes without some indication that the same was in fact a quotation even though that portion of the quotation was given in order to prove a position which the speaker took and even though it agrees with the speaker's position enunciated elsewhere in his speech. But there is no showing that the point at which the quotation left off was indicated in other than the speech text in the Colonel's hands. The latter part of the quotation is an integral part of the substantive position he was taking.

Mr. Richard Salant, President of CBS News, states CBS' situation in "a postscript" of the documentary broadcast on March 23, 1971 as follows:

"I have examined the transcript of the Colonel's statement and it is difficult to tell where Souvanna Phouma left off and the Colonel started."

Apparently the transcript was the document that remained in the hands of CBS and not the special notes which we have referred to as the "text."

At any rate we have everything we need before us: the special notes which we have referred to here as the "text" and the tape of the documentary itself. Since Mr. Salant has testified that it is difficult to tell from the transcript where quotes left off, he has apparently brought this matter into the area of public inquiry, and there is no showing that with respect to this narrow question of fact any materials would not be supplied, as, for instance, a part of the transcript. The point is, the subpoena is not narrowed to the specific allegations respecting "manipulative techniques," "rearrangement of the words of an individual", or making one appear to "deliver a statement which he did not in fact deliver." They are directed at the whole process of editing and of selecting and rejecting.

Besides, from the information we already have it is quite apparent that the excerpt from Colonel MacNeil's speech did not unfairly impute to him a position which he did not take; and, of course, it is not accurate to say that Colonel MacNeil did not in fact deliver a speech containing these words.

A consideration of this type of editing was within the scope of what the Chairman said constituted the Committee's purpose. It will be remembered that he said that the Committee's proper inquiry dealt with a controversial matter having "nothing to do with the particular point of view expressed on the program . . . that the network engaged in some questionable techniques of persuasion. . . . questionable manipulative techniques alledgedly included the rearrangement of the words of an individual who was attempting to present a point of view at variance with that espoused by the producers of the program. . . ." (This comment was apparently with respect to the Henkin interview.) Then the Chairman referred to the MacNeil interview in the manner which we set out previously.

But the point here is that the Subcommittee had everything it needed in order to draw its conclusions about the propriety of this type of editing. Again, as in the case of the Henkin interview, it had both the total script of the speech as written and as approved by the Pentagon, and it had the tape of Colonel MacNeil's utterances which were included in the documentary.

Other materials sought by subpoena

As we have seen, there is ample material before the Subcommittee to consider the questions of policy enunciated by the Chairman as constituting the purpose of the investigation. The subpoena would seek to obtain *all* outtakes, material filmed but *not* used in the documentary. In our opinion this goes beyond what is needed for any legitimate Committee consideration.

It is not necessary for us to decide the correctness of Mr. Stanton's statement:

"But this subcommittee's legislative purpose—to prevent "distortions" or to control "editing practices" in broadcast news reports and thereby engage in official surveillance of journalistic judgments—has no constitutional warrant and therefore no benefit that can be balanced against the chilling effect of this subpoena, let alone outweight it."—page 20, Hearings of Thursday, June 24, 1971. because the Chairman in his initial statement eschews the purpose of entering into any aspect of the controversy which would review the question of whether or not the program "was unduly biased against the public affairs efforts of the Department of Defense." (See page 2 of the Hearings of Thursday, June 24, 1971.)

Mr. Stanton was, we believe, correct, however, and within his rights when he stated:

"I shall, however, do my best to answer questions of the subcommittee which do not seek to probe so deeply into the news process as to reach specific journalistic practices or the editing of particular broadcasts. The line is a difficult one to draw, and I hope the members of the subcommittee will bear with me as I deal with your questions. I hope we can achieve a dialogue consistent with the stand we feel compelled to take as a matter of constitutional principle."—page 22 of Hearings of Thursday, June 24, 1971.

Mr. Stanton stated precisely what he did object to in the following language:

"What we do object to is being subjected to compulsory questioning in a government inquiry, expressly intended to determine whether this or any other CBS news report meets government standards of truth."

It is our view that Government should forbear to establish "standards of truth" in the area of press freedom. We may set to the side questions involved in the area of advertisement. It is absolutely clear that this documentary was in the area of press freedom and that matters of editorial judgment in editing the documentary relate primarily to the opinion of the speaker and are under First Amendment protection.

Therefore, a subpoena directed generally at all outtakes must necessarily relate primarily to an examination of editorial judgment and not to filming techniques. Of course, all filming has some relation to filming techniques, but if First Amendment rights are involved, a review of editorial processes under the guise of examining filming techniques is not constitutionally permissible.

Therefore, we believe it was improvident for the Committee to issue the subpoena seeking outtakes, generally, particularly in view of the fact that all of those which were under specific attack were, in substance, known to the Committee.

The May 26 subpoena calls for production of all "film, workprints, outtakes, sound tape recordings, written scripts and/or transcripts utilized" in connection with "The Selling of the Pentagon," but the same is "limited to all such materials relating to the actual broadcast and (does) not include such materials relating to segments not shown. . . ." Thus, all manner of editing materials, in addition to outtakes, which had to do with the actual film shown are called for. We believe that such a general demand is tantamount to asking a newspaper for notes and journalistic preparation for an editorial and that such broad request has a chilling effect on free speech.

The subcommittee went beyond its stated purpose

As we have said, at the beginning of the Subcommittee hearing, Chairman Staggers stated that it had been alleged that "the broadcaster manipulated and rearranged their speech in such a way as to give the appearance that they were making statements they never made and giving answers to questions which were in fact not given." He said:

"Clearly this raises important issues concerning the adequacy of the laws governing broadcasting. Present law and regulations do address the subject of deception, but they do so in a very disjointed and unorganized manner. Thus, sponsorship, if any, must be announced; mechanical reproduction, if employed in the broadcast, must be disclosed. These provisions apply to news programming just as they do to other types of broadcast. In addition, fraudulent and deceptive advertising and quiz programming is forbidden. All of these provisions of present law are of undoubted constitutionality. Furthermore, they are quite similar to the legislative concerns involved in the present matter.

"All of these provisions reflect an understanding that the public has a legitimate interest in knowing the relevant circumstances under which material is broadcast.

"With this in mind, and recognizing that existing law might not be fully adequate to serve the public interest, this subcommittee determined to inquire into the serious allegations raised about the "Pentagon" documentary."

There is no question about the legitimacy of the concern of the Committee as enunciated by its chairman. The question is whether or not this legitimate concern can be pursued as far as is sought here without impinging upon freedom of the press. Also, can it be pursued *adequately* so as to obtain sufficient information to make decisions legitimately within its powers and duties without issuing the subpoena, or without issuing one as broad as that which is sought to be enforced here. We think it can, and we think the Subcommittee hearing itself indicates that the Subcommittee had before it all that is needed to satisfy its legitimate curiosity in this area of concern.

We further think that, though the Chairman carefully constricted the area of concern within the Committee jurisdiction and within the power of Congress, Mr. Stanton's precaution against opening up a wide ranging investigation of editorial policy, with its attendant chilling influence on press freedom, was not without basis. This is reflected at many points in the record.

It is obvious, from some of the questions of both counsel for the Subcommittee and of some of the Subcommittee members, that the purpose of the hearing went far beyond the mere consideration of Federal Communications Commission control or of legislation to answer any specific problem raised by the facts involved. Of course, no legislation was before the Subcommittee, and indeed this was not the Subcommittee that ordinarily considers such legislation.

The real purpose of the Subcommittee was to review the editorial judgment exercised in the filming of the documentary, "The Selling of the Pentagon," and other controversial documentaries and news coverage. Note, for instance, that Mr. Manelli, counsel for the Committee, on page 35 of the transcript of the June 24 hearing, introduced correspondence between a Mr. Walter J. Cunningham of New York and CBS wherein Cunningham sought to obtain for review outtakes with respect to the 1968 Democratic Convention. Mr. Manelli was trying to establish that outtakes were not generally available to the public and, therefore, if they were to be gotten, they must be subpoenaed by a committee of Congress. Thus, Manelli said at page 39 of the transcript:

"So that if outtake material is deemed by this subcommittee or by the Congress or by the courts to have a bearing on the public interest and to have a legitimate relevancy to a public purpose, it follows, does it not, that that material will have to be obtained by compulsory process?"

This does not envisage the obtaining of the information, the outtakes, for the purpose of formulating statutes or policy with respect to regulation or surveillance over the Federal Communications Commission, but rather envisages obtaining them for their "public interest" value—for the disclosure of the material to the public, or perhaps only to members of the Committee, in order that there be some political pressure toward conformity with what the Committee deems a fair and proper presentation of the news.

Mr. Manelli says at page 40 of the transcript:

"Well, the investigation that was conducted by this subcommittee on the Chicago Convention I think by its terms did address a number of allegations—in fact, as the staff report shows a number of the allegations were prejudicial editing and selective inclusion in the broadcast of material unfavorable to the Chicago administration or to the police or what have you, that those were two of the specific allegations that prompted the subcommittee's inquiry. The report did not conclude that you had done these things but that certainly was one of the purposes of conducting the inquiry."

To further emphasize that a part of the purpose of the hearing was factual disclosure critical of the method of editing documentaries—and not eliciting information for the purpose of legislation and policy—is found in the following statement by Manelli at page 45 of the transcript:

"You don't think that the public is benefited by more information which goes to the techniques and the practices by which television news documentaries are produced? Don't you think that that particular product, the television news documentary is very important to the American public and they ought to know more about how they are produced just as they should know about other products that are important to them?"

Interrogation became inquisition

Second, as an illustration of the chilling effects that an investigation of this type has on media personnel, it should be noted that Mr. Manelli repeatedly asked questions that did not elicit information but sought to confine or bind the witness to a position favorable to the Subcommittee's position, such as the following on page 56 of the transcript:

Mr. MANELLI. Do you think that everything that people saw and heard on The Selling of the Pentagon was exactly what it purported to be?

Mr. STANTON. Mr. Manelli, I believe the broadcast was fairly edited.

Mr. MANELLI. That was not the question.

Mr. STANTON. I began to get into the editing answer a minute ago and you said you didn't want to get into that, but I have got to talk about editing if you are going to talk——

Mr. MANELLI. Mr. Stanton, would you start off with a Yes or No to my question and then explain. I asked you, Do you believe that what people saw and heard in The Selling of the Pentagon was "exactly what it purports to be?"

Mr. STANTON. I do.

Mr. MANELLI. You do. Do you want to explain it? I would be happy to wait and let you do so.

Then again on page 57 of the transcript Mr. Manelli asked:

"Again with respect to the Pentagon documentary do you believe that the program production practices were revealed so that the program as it appeared on the air was exactly as it appeared to be?"

Then on page 58, Mr. Manelli again asked:

"Do you think that there was anything in The Selling of the Pentagon which was likely to mislead a substantial number of people as to what they were seeing?"

This smacks of inquisition, not inquiry. No fact is elicited. It seeks to elicit from the witness an admission that the broadcast was biased. It appears that this is the *opinion* of the inquisitors and an attempt is repeatedly made to get Mr. Stanton to agree. It must be

remembered that TV stations which carry CBS programs are subject to licensing, and the ranking majority member of the Interstate Commerce Committee was quick to point out our Committee's historic posture and power in this area. See June 24th hearing, p. 61.

Determining "a Standard of Truth" was a subcommittee goal

In the course of the hearing the Subcommittee *did* enter into the dubious role of determining "a standard of truth." Perhaps the fact that such was done was inevitable, and what is said here is not in criticism of the individuals who, as Committee members, probed deeply to bring out information deemed relevant to the inquiry. This is what Committee members *should do*. Their questions and the direction of the inquiry must, however, be considered in connection with the subpoena and with the motion to cite for contempt.

At page 73 of the June 24th hearing, the ranking minority member said:

"I have explained in detail we are not interested in the First Amendment, we don't have anything to do with the First Amendment. What we are talking about is deceit."

* * * * *

". . . It is our preliminary opinion that CBS is guilty of deceit. If I view the word "deceit" correctly, it is a fraud."

Then on page 76 of the hearing Mr. Stanton answering that and subsequent questions by Mr. Springer stated:

"The intent of CBS news is not to deceive. The intent of CBS news is to move information on specific subject areas. The editing process is for the purpose of condensation, it is for the purpose of clarity and conciseness and it is done always by every journalist that I know fairly, objectively and in an effort to maintain the essence of what was said."

Again looking toward the ultimate question of "standard of truth," Mr. Pickle said at page 86 of the hearing:

"I will come back to you. '—in a government inquiry, expressing intended to determine whether this or any other CBS news report meets government standards of truth.'

"Now when you use the words 'government standards of truth' you are trying to imply, I believe at least, that you are saying that we are trying to set up Government censorship or Government control, that we are using Government standards of truth. Now who else is going to pass judgment on these matters if it is not the Government? We representing the people?"

Mr. STANTON. Mr. Pickle, that is the whole point, that is why I am here, and that is the reason I refuse to comply with the subpoena. If a subpoena is not compulsory, I don't know what is. You are the Government and this was a broadcast about a Government activity.

Again, on page 94, the ranking minority member stated:

"Now I don't want to get into an argument but I am saying as long as you do these controversial programs. isn't there some way in fairness—and this is an entirely different subject and I would like for you to think about it because I mean philosophy I wish that CBS would think about it and NBC and ABC. In the Public Broadcasting Act we passed three years ago we put in there . . . 'All controversial matters must be presented in perspective and in balance.' "

* * * * *

". . . I would hope that you people in TV would give this some thought about trying these balanced programs as an experiment and see if you cannot make just as interesting a program out of it as you can with this one-sided stuff."

We hasten to say that this discussion is useful in a Committee's ordinary deliberations, but it would be a dangerous precedent to permit the alleged "one-sidedness" to become an issue in an inquisitory proceeding which utilizes the power of compulsory subpoena and which examines the same types of materials that enter into a TV documentary as enter into the preparation of a newspaper editorial. In this context it is most dangerous to assert the obvious conclusion to the rhetorical question: "Now who else is going to pass judgment on these matters if it is not the Government? We representing the people?"

First amendment applies to both press and TV

Much has been made of the major difference between the print and broadcast news media—the Federal licensing and regulation of broadcasting. The airwaves are a limited resource not open to every citizen, according to this line of argument. And we agree that far. But we dissent from the line of reasoning that follows—that newspapers are to be left unchecked by government because they are a purely private enterprise, and that because broadcasting is a government-licensed privilege, government therefore can and must exert supervision over the content and shape of news

The point has also been raised that there are precedents in the form of the legislation of some years ago which curbed the abuses of the "quiz show" era, and later of the fairness doctrine which the Federal Communications Commission imposed on broadcasters to assure equal time for the rebuttal of public issues. We approve of both the fairness doctrine and the restrictions on the illegal activities on the commercial programming side of broadcasting. There is indeed ample precedent for those limitations; even newspapers must follow legal standards where their advertisements and other commercial activities are concerned. Moreover, the fairness doctrine affords only a chance for rebuttal; it does not place a prior restraint on the broadcaster's presentation nor allow a subsequent review of the presentation measured against governmental standards of truth of fairness.

But neither the fairness doctrine nor illegality is at issue in the CBS case. News and editorial comment is. Just as unfettered reporting and presentation of the printed news is jealously protected by the First Amendment to the U.S. Constitution, so also we feel that this protection must be extended to the electronic media if they are to provide the same essential, and sometimes painful function of keeping the public involved in and aware of the workings of its society.

Moreover, while there is not yet a sizeable body of court precedent setting out in detail the role of government in its control of news broadcasting, that which does exist firmly links the electronics media to their printed counterpart and to the protections afforded by the Constitution.

This is not a good test case

Congress stands to lose much if it presents the question of its authority to the courts in the least appealing fact situation, and a case in which Congress stands largely upon its dignity is the least appealing one to the courts. As we have seen, there is little practical need for the subpoena or for its enforcement by contempt citation.

The language of footnote 1 of *Caldwell* v. *United States*, 134 F.2d 1081 at 1083 states the situation here:

"Where, as here, the alleged abridgement of First Amendment interests occurs as a by-product of otherwise permissible governmental action not directed at the regulation of speech or press, "resolution of the issue always involves a balancing by the courts of the competing private and public interests at stake in the particular circumstances shown." Barenblatt v. United States, 360 U.S. 109, 126, 79 S. Ct. 1081, 1093, 3 L. Ed. 2d 1115 (1959); see, e.g., Konigsberg v. State Bar of Cal., 366 U.S. 36, 50–51, 81 S. Ct. 997, 6 L. Ed. 2d 105 (1961); Bates v. Little Rock, 361 U.S. 516; 80 S. Ct. 412, 4 L. Ed. 2d 480 (1960); NAACP v. Alabama ex rel. Pattersen, 357 U.S. 449, 460–467, 78 S. Ct. 1163, 2 L. Ed. 2d 1488 (1958); Kalven, "The New York Times Case: A Note on 'The Central Meaning of the First Amendment.' " 1964, Sup. Ct. Rev. 191, 214–16 (1964)."

In the Caldwell case, as is said at page 1089:

"Appellant asserted in affidavit that there is nothing to which he could testify (beyond that which he has already made public and for which, therefore, his appearance is unnecessary) that is not protected by the District Court's order. If this is true—and the Government apparently has not believed it necessary to dispute it—appellant's response to the subpoena would be a barren performance—one of no benefit to the Grand Jury. To destroy appellant's capacity as news gatherer for such a return hardly makes sense. Since the cost to the public of excusing his attendance is so slight, it may be said that there is here no public interest of real substance in competition with the First Amendment freedoms that are jeopardized."

The cost to the public here, as has been shown, is slight. Let us measure, though, the cost to the public and to Congress if our prerogatives are diminished and our power of oversight over TV is crippled by a bad decision resulting from a weak case. A contempt citation at this point would certainly be appealed through the entire Federal court system and certainly would find its way to the U.S. Supreme Court where a firm decision would undoubtedly be handed down in some manner in favor of Dr. Stanton *et al*. In the light of such a decision, we can foresee great difficulty facing the Congress should the decision improvidently limit our powers because of the failure of the case to raise the real interests of Congress in a strong way.

If the question of Congress power to demand information is raised in the strongest way—that is, when production of information is responsive to a "compelling need" and there is a "lack of an alternative means" to get it—Congress power is likely to be sustained. The cases have by no means favored an unqualified newsman's privilege.

In *Garland v. Torre*, 259 F. 2d 545 (2 Cir. 1958), cert. denied, 358 U.S. 910, where Judy Garland sued a reporter for libel and sought to discover the source of the alleged libel, the Court of Appeals, per Circuit Judge Stewart, pointed out that that question went "to the heart of the plaintiff's case." (id at 549). While one might question whether the source of an alleged libel is of sufficient importance to warrant surrender of a qualified newsman's privilege, particularly in light of the Supreme Court's decisions on the law of defamation since *Garland v. Torre*, even in that case Judge Stewart noted that the question which had to be determined was "whether the interest to be served by compelling the testimony of the witness in the present case justifies some impairment" of freedom of the press (id at 548) which he found to be inevitably entailed in requiring a newsman to disclose his confidential sources. The emphasis on "the present case" reinforces the notion of balancing the competing interests within a specific factual framework. And see the recent case of *In re Pappas*, 266 N.E. 2nd 297 (Mass.) cert. granted May 3, 1971, ——— U.S. ———, 39 Law Week 3478.

But it would be foolhardy to assume from the favorable cases like *Pappas* and *Garland* v. *Torre* that the claim of newsman's privilege and the necessity of self-restraint in the employment of compulsory process against newsmen may be ignored with impunity. Even in *Pappas*, there is an emphasis upon self-restraint. A footnote points out that, "It may be argued that use of newsmen as witnesses is likely to result in unneces-

sary or burdensome gratuitous use of their work product . . . where the testimony of police or other witnesses would suffice. This if shown, a presiding judge may consider in his discretion." (id at 303). Additionally, another footnote cited to the same text points out that the court is not dealing with appearances before administrative and legislative bodies and cities Davis, *Administrative Law Treatise*, §§ 3.06, 3.12. Those sections in Davis contain a discussion of needlessly broad "fishing expedition" investigations. While *Pappas* flatly rejects any notion of privilege, it does thus contain substantial language counselling against needless compulsion.

In *State* v. *Knops*, 49 Wisc. 2d 647, 183 N.W. 2d 93 (1971), there is the strongest affirmation of the First Amendment considerations underlying the claim of newsman's privilege and of the necessity for self-restraint in the employment of compulsory process against newsmen. The case permitted the insistence upon disclosure but clearly the majority of the Wisconsin court was quickened by the brutality of the arson and bombing attacks and the resulting death of an innocent person which were involved in that case. Thus, although it concluded that "a weighing of competing values is involved here," (id at 99), it came down very strongly in favor of the need of the State to learn the identity of the attackers. But it also went on, in line with *Caldwell*, to consider whether there were alternative methods of getting that information. Contrast the absolute *lack* of need of the committee for getting information it already has. In *Knops* the court found that the fact that the culprits were still at large was "nearly conclusive proof" (ibid.) that the State did not know who they were. It was on this point that the dissenting judge disagreed, noting that both State and Federal authorities had announced they knew the identity of the Madison bombers. The dissenting judge therefore would only have allowed inquiry as to the identity of the Whitewater arsonists.

These cases underscore the point that the "compelling need" and the "alternative means" of obtaining material may affect Congress' right to have certain information as against a First Amendment claim asserting the "chilling effect" of governmental scrutiny.

There are, indeed, good reasons why Congress should put forth its best foot in any case which is likely to result in a judicial delineation of our legitimate authority to establish policy respecting the use of the air waves.

Some of the general criticism leveled against broadcast news reporting these days is well-founded. Our dissent is not an endorsement of the past conduct of broadcast journalism. In fact, we feel that the physical and technical limitations of the medium and the questionable practices of the past may force Congress at some future date to formulate a more effective national policy in this area to safeguard the public's interest. However, that is not at issue here except that we migh lose some of our authority to act properly in the future by acting improperly here.

We are not here concerned with any allegation that the Columbia Broadcasting system has engaged in any illegal activity. No such charge has been made in this case.

What we have before us is a narrow question: Should Congress hold in contempt both CBS and its chief executive officer, Dr. Frank Stanton, for refusal to furnish the Committee with the unused television film—the "outtakes"—from its program, "The Selling of the Pentagon." Beyond that looms the broader issue of the power of Congress to exert a different standard of control and supervision over broadcast news reporting than the United States Constitution would permit it to exercise over the general news media in this country. These are interrelated issues and cannot be separated despite the assurances from the Committee that its interest lies only wih the narrow issue.

What we are doing here is endangering our authority to deal with the greater issue by pressing for the lesser one.

We, of the minority, do not for a moment challenge the proposition that the mighty networks have *certain* distinguishing characteristics from the thousands of newspapers and magazines in the country. But the right to state an opinion, to express freely a view, without having it measured against a governmental standard of truth or orthodoxy is not among these distinguishing characteristics.

Clearly, the Congress would not attempt to draft a national newspaper policy on the basis of a news reporter's outtakes from his notebook after he wrote a controversial story. There is not only explicit Constitutional prohibition, but also a long history of court precedent that forbids restraint on how a newsman's judgment is exercised in the formation of a news report. Prying into his notebook after the fact, or setting up formal guidelines prior to publication, goes against the spirit of these guarantees. Abuses that occur in the print media can be and are corrected by libel actions in the courts and by the public pressure for accuracy and truth that can be brought to bear by commercial competition.

Admittedly these processes are not perfect, but we have staked our national course on the proposition that free speech is so important to us, as the catalyst of change and the companion of liberty, that we will pay a price for it of some inconvenience and even some inequity.

CONCLUSION

Men have pondered the problem of how to keep the press both free and responsible since the days of the first broadside sheets of the London coffee houses. The French historian de Tocqueville, who travelled this nation in the early 1800's, concluded that the freedoms of the American press probably struck the best balance. The characteristic that impressed him most was the fact that American periodicals were diverse in opinion, owned by many men who competed in giving access to the average citizen to a wide range of opinions and interpretations. The brash and unruly American newspaper of that day offended the aristocratic de Tocqueville, but he conceded that the system worked better than the one in his own country, where a few powerful papers in the major cities determined what the news would be.

We must also ponder the problem of how to keep TV both free and responsible.

In this country we have no BBC or other government-controlled network, yet our broadcasting industry is a powerful and in many ways more concentrated industry than magazines and newspapers. A single newscast often reaches more citizens than the largest circulating newspaper, and the impact can be incredible to behold. So decentralization may be the path that best affords a cure for what ails the broadcast industry. It certainly involved broadcasters, particularly the networks, putting their own houses in order. It probably means a greater standard of responsibility of local station owners to provide a check and balance system against the lapses of the networks.

But whatever standards it chooses to impose on broadcasting, the Congress cannot extend its controls to the method by which news is obtained and reported. Nor can it set out on a search of effective remedies that are within the spirit of the First Amendment by first abusing the spirit of that principle in the case of CBS and Dr. Stanton.

Any Congressional initiative which springs from the premise that government has the power to guarantee the "responsible" use of journalistic judgment springs from a false premise. Government is powerless either to render journalism "responsible" or to restore public confidence in it. Only the journalists have that power. Government can certainly erode public confidence in the press and other media, and one way to do so, paradoxically, is to announce that it has taken measures to keep them honest. Few would be reassured by such an assertion. In our society the government and the press cannot at any given moment know precisely where their respective boundaries are. They must coexist in a state of dynamic tension. Maintenance of this delicate balance cannot be achieved by fiat or force any more than a fine watch can be tuned with a hammer. Does this place the public at a disadvantage? It will be temporary. The threat of public disbelief and contempt should hang far heavier over the media and its sponsors than any Congressional subpoena. No doubt public respect today for the media is at a low ebb. It would be inaccurate to say the media need no apology, or that their apologists are in abundance in the Congress.

If and when their practices should invite governmental challenges it is to be hoped that such challenge might be issued on behalf of some other aggrieved party than the Government itself. The First Amendment problem is most acutely raised when the material to be censored or condemned is deemed injurious to the censor.

In 1861 President Lincoln wrote Thurlow Weed:

"Do you gentlemen who control so largely public opinion, do you ever think how you might lighten the burdens of men in power—those poor unfortunates weighed down by care, anxieties, and responsibilities?"

It is a wistful question, with sympathetic echoes in our time. But Lincoln did not confuse or equate his own discomfiture with public injury. Nor should we. An educated and vigilant citizenry is the best and perhaps the only defense against the broadcast of falsehood whether it emanates from a private source or a public one.

TENNESSEE PHARMACISTS OFFER SERVICES IN CARRYING OUT PRESIDENT'S DRUG CONTROL PROGRAM

HON. LAMAR BAKER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BAKER. Mr. Speaker, one of the important resolutions to be adopted at the 84th annual convention of the Tennessee Pharmaceutical Association recently placed the Tennessee pharmacists on record with an offer to provide their professional services in the implementation of the President's drug control program as outlined in his message of June 17, 1971.

I commend the association. The licensed pharmacists in Tennessee and elsewhere can make an inestimable contribution to any program dealing with drug abuse. I am sure ways and means will be found to take advantage of this source of professional assistance.

The text of the resolution follows:

Whereas, the President of the United States in his message to the Congress on June 17, 1971 entitled "The Dimensions of a National Emergency" has recognized the present problems of drug dependence in the United States, and

Whereas, legislation to provide for treat-

ment, rehabilitation and education will be implemented, and

Whereas, the pharmacists of this country are the best qualified and most accessible drug specialists in the country.

Therefore be it resolved, that this 84th Annual Convention of the Tennessee Pharmaceutical Association does hereby petition directly the President of the United States and the Congress, through the Tennessee Delegation, to fully utilize the pharmacists of this nation to disseminate both the information and the drugs that will be involved in these proposed programs.

MAN AND HIS ENVIRONMENT

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PRICE of Texas. Mr. Speaker, on May 15, 1971, Dr. W. T. Pecora, Under Secretary of the Department of the Interior, delivered the commencement address at Texas Tech University which is located in the city of Lubbock, Tex.

I commend the text of Dr. Pecora's remarks to the attention of my colleagues. His perspective, his insight, and his philosophy of man with regard to his environment are very important and singularly relevant to some of the major legislative and public policy issues being considered by this Congress.

The text follows:

UNIQUENESS OF MAN AND HIS ENVIRONMENT

(By W. T. Pecora)

There would be no commencement on this campus if man were not a unique biological specimen living in a unique environment that he is capable of changing. Institutions of learning symbolize the results of scientific innovations, technical achievement and social progress. The intellectual superiority of Homo sapiens stands out clearly against the backdrop of geologic history as reassurance to those who fear that modern man is charting a course to ecologic disaster. He is not!

THE BASIC ECOLOGIC WEB

In the beginning, as the Good Book says, life on the planet earth was simple in form and diversity. Evolutionary process gradually increased the level of climax populations—those best fitted to the primitive environments they occupied. In the past one billion years, millions of animal and plant species have appeared and disappeared on earth. Despite its biological complexity, this earth life system was powered essentially by the sun through photosynthetic energy transfer to green plants. A variety of herbivores, marine and terrestrial, derived their energy from this stockpile and in turn served as food for several stages of carnivores until the relatively inefficient system of energy transfer culminated in the end of the food chain. Decomposer organisms, such as bacteria, finished the job by reducing the remains of plants and animals to basic nutrients for still another cycle. This primitive existence of the world-before-man had several distinguishing characteristics. Green plants tended to cover all but the most hostile environments; the competitive system of primary and secondary consumers stabilized populations well below the limit of the food supply; intake of food determined the energy that organisms search for food was the primary purpose in life.

SURPLUS ENERGY KEY TO A UNIQUE ENVIRONMENT

Man was simply another competitor for food, but one with special capability for toolmaking and communication and deep curiosity about his surroundings. The discovery that fire could be made at will broke the energy barrier and started him up the long ladder of environmental modification. The change from pastoral to agrarian to urban and finally to industrial and technical ecosystems has been characterized by alteration of land uses and population patterns and by continuous expansion of the resource and energy bases beyond that available in food supplies. Man substituted for examples the forest, the bottom lands, and the prairie for farms; and river banks for settlements. With some of these changes came new unexpected sensitivities. Substituting selected food crops for native vegetation and domesticated animals for their wild ancestors set the stage for a controlled food supply but created the need for artificial fertilizers and a host of predator controls including the controversal pesticides of today.

On balance, the unique environmental changes provided a favorable climate for human living and a challenging workshop for superior intellect. There is real doubt in my mind that man could have survived as a member of the animal kingdom had he not been capable of harnessing energy. On the other hand, who can doubt that scientific and technical developments have brought with them longer life, better living, and more leisure time. The contribution of technology to quality of living is readily apparent if one compares life in the primitive bush with that in the United States. Which do you really prefer?

IMPACT ON POPULATION PATTERNS

The technical development which set man apart from the rest of animal world had a profound effect on life patterns. Human populations in a modern society no longer respond to natural restrictions. At present, the world's population appears to be doubling each 35 years. Were this rate to continue for a century, which is unlikely, there would be 30 billion people on the earth—more than eight times the number we have today.

Whether these projections are valid or not, there is little hope that population controls, natural or imposed, will reduce our rapidly increasing demands for energy resources and facilities in the foreseeable future. Even if the world population could be stabilized immediately, per capita demand would continue to increase significantly. Professor Paul Ehrlich of Stanford University estimates the per capita resource demand and environmental impact of the western world at about 50 times that of an underdeveloped country. Continuing efforts to upgrade global living standards and the socio-economic systems which attract more and more people to less and less area in urban centers will place heavy burdens not only on those who must locate and supply the energy and resources needed, but on those who must cope with such typically human problems as transportation, communication, and environmental quality control.

DEMANDS ON MINERAL RESOURCES AND FACILITIES

The level of need can be illustrated with a few statistics. Demand for primary hard minerals is expected to increase fourfold by the year 2000. For example, by the year 2000, the United States alone will need more than: 7.5 billion tons of iron ore; 1.5 billion tons of aluminum ore; 1 billion tons of phosphate ore; and 100 million tons of copper metal.

Requirements for water are expected to *triple* by the year 2000, and by that time we will need as many new buildings as we have now. When one considers that only a small fraction of a percent of the earth's crust is readily available mineral; that many of the mineral "vitamins," such as tungsten, tin, and similar metals are in short supply; and that the average grade of ore is decreasing as time goes on, the magnitude of the task before us is evident. To accomplish it with tolerable impact on our surroundings will dwarf achievement of the past.

ENERGY RESOURCE NEEDS

It takes about 100 times as much energy per person to sustain our modern way of life as was needed in primitive societies. The total energy requirement in this country is expected to double or triple by the turn of the century—exceeding the growth rate of our population. The compounding effects of population growth and per capita increase in energy use will empty the conventional energy tank at an exceedingly rapid rate. Estimates based on our present knowledge of fossile fuel reserves indicate that petroleum yet to be found can sustain us for about a century and that coal that is known will last only a few centuries if it is called upon to carry the major power load. Nuclear fission using natural uranium-235 must be viewed as no more than a stopgap energy source because of the limited supply of natural uranium available. Beyond these resources, one must depend on the continuing ingenuity to seek out more substantial energy sources, such as breeder reactors, atomic fusion, geothermal heat, and solar energy.

ENVIRONMENTAL IMPACT OF MAN

The use of enormous amounts of energy in relatively inefficient processes to produce a great variety of exotic products has left some marks on the natural environment as one would expect. Ellsaesser estimates that about 30 percent of the land surface of Los Angeles is covered with buildings and paving and that the total square footage of highways in this country is enough to cover the five states of Vermont, Rhode Island, Massachusetts, Connecticut, and Delaware. The same author states that the average American citizen *discards* about five pounds of solid waste per day. He estimates the total disposal to the year 200 at about 10 billion tons, because waste is a necessity of all life. Where shall we put our wastes?

Some 700 years ago the Lords of England petitioned their king to clean up downtown London of smoke and filth. We are still trying to clean up our cities. Although we have overcome a great many waste problems in our modern cities, we have substituted others. And yet, one might prefer our modern sewage systems, automotive wastes, and smokestacks to the medieval cities of yesteryear—with all of their pestilence, animal wastes, and stink. If science and technology has given man such great progress, why can't we solve the environmental degradation our society has generated? We can, of course, if we will bear the cost.

OBJECTIVE APPROACH TO ENVIRONMENTAL QUALITY

The same human qualities which made ancient man discontent with primitive existence causes modern man to be concerned with quality problems in his environment. This is a wholesome attitude if it acknowledges the fact that the influences of man are superimposed on natural quality patterns beyond our control. The Stanford Research Institute reports that 65 percent of the 250 million tons of sulfur compounds and 99 percent each of the 6.5 billion tons of nitrogen compounds and 1.9 billion tons of hydrocarbons which enter the atmosphere each year are from natural sources. Qualities of surface waters in this country vary markedly from one region to the next because of natural influences and, despite induced pollution problems, the best quality of waters generally occur in the most populated

areas. The entire country is underlain at shallow depth with water too salty to drink. With a little searching one can find waters unaffected by man which don't measure up to water quality standards—wells with high arsenic or fluoride, acid springs, and salty rivers like the Brazos. Surprising as it may seem, mercury has always been released by nature to our rivers.

These facts do not mean that man's unique environment involves no new problems. Rather it emphasizes the need to sort out the new problems carefully, to concentrate effort on what can be controlled, to set our standards of quality realistically, and to adhere to them.

Trade off vs. turn-off

Coexistence of the levels of resource development and environmental quality needed to satisfy our appetite for affluence must be achieved through trade off of values rather than complete turn-off of troublesome operations. The fossil fuels which power much of our industry have increased the carbon dioxide of the earth's atmosphere by about 6 percent, but this has provided the average citizen with 50 times the worldly goods of his frontier counterpart.

Offshore drilling provides a considerable part of these energy resource supplies but contributes to the ocean's oil pollution. It also must supply an estimated 35 percent of our energy base before the end of the decade—most of it low-sulfur fuel sorely needed for air pollution control.

The Bingham Canyon open-pit mine near Salt Lake City, Utah, is a digging some 1600 feet deep and 10,000 feet across. One could see it from the moon with an ordinary observatory telescope, but without this unique mine we could not have produced about the 16.5 billion pounds of copper needed to service the electric generators and their related industries and communication systems. These industries during the last 150 years have created a society with a work week half of what it used to be, a life expectancy 50 percent greater, and an average annual income increased some twentyfold.

In some instances we have traded relatively clean for relatively dirty rivers during the era of technological development. We have gained in return living conditions which are free from epidemics of yellow fever, cholera, typhoid and the like—epidemics which claimed the life of one person of every five in Philadelphia during 1793. We also have laced our landscape with about four million miles of highways, traveled by about 90,000,000 vehicles. Together, these allow an affluent society to take advantage of the scenic natural wonders that few of our forefathers could enjoy.

One could add a long list of examples to the dividends of trade off. DDT is suspected to have thinned the eggshells of pelicans and other birds and thereby reduced their numbers; but it is known to have reduced the world's annual death rate from malaria from four million in 1930, to less than one million in 1968. The great variety of industries which have added mercury in certain rivers to the extent of less than 1/10th of one percent of the ocean's mercury content have also yielded chlorine to sterilize public water supplies, micro batteries to power hearing aids, and a host of electrical controls for the appliances on which we depend. The full impact of prudent trade off is placed in perspective by an estimate of the World Health Organization that 100 million people living today would have succumbed to disease but for the introduction of DDT. This does not count the multitude who also may have perished from famine but for artificial fertilizers and exotic pesticides that trouble so many of us.

Unexpected results have characterized most trade offs of the past and some have been disastrous. The ancient engineers of Mesopotamia did not foresee the long-term salt poisoning of their fertile, irrigated land. Nor did the first settler of New Zealand expect imported elk, deer and goat to skyrocket in populations, overgraze the forage and denude the land. Modern earth scientists should be more capable of foreseeing such interactions and be more sensitive to them.

Because our every action involves unavoidable change in a complex ecological system beyond complete comprehension or control, man must play the game of life as a wise investor, not a gambler—one who attempts to predict and weigh risk against potential gain—in short, to make the wisest possible trade off of values on the basis of knowledge and experience. To avoid every action which involves an element of undesirable effect is to play the part of the Foolish Steward—to bury the very talent needed for investment in future security.

FACING THE FUTURE REALISTICALLY

If one faces the facts squarely, he must admit that we cannot restore the past or even preserve the present for future generations. If we could, there is no guarantee that either action would provide a "good life" as we define it for our descendants. Good life depends as much on ability to develop resources as it does upon environmental protection. A very high percentage of the world lives under conditions that are poor by our standards and would gladly trade our affluence and pollution problems for their more fundamental problems.

It would be short-sighted to assume we can supply all of our needs by the relatively simple expedient of recycling waste—important as the concept may be. Some underdeveloped countries practice very effective reuse out of necessity, but still have very poor living conditions by our standards. Lovering concludes that if we were to depend upon reuse for our primary metal needs, the best we could hope for is a quality of living like that of 100 years ago and we would have to work hard to achieve even that.

In the final analysis, we must settle for conservation with controlled preservation rather than for whole preservation, and for a system which provides the best alternatives when no solution is a perfect one. Gifford Pinchot, Chief U.S. Forester at the turn of the century, followed the Geological Survey concept of conservation—conservation meant managing resources to achieve the greatest good for the greatest number for the longest time. To the great naturalist, Aldo Leopold, it meant living in harmony with nature and to both it meant wise use of and respect for the world around us.

We enter this decade torn between the desire to produce the *goods* needed for high quality of living and the desire to avoid the *bads* of environmental degradation. If true ecological balance is not compatible with these objectives, how then can environmental harmony be achieved? Somewhere between the attitudes of unconcerned development and total preservation, there must be an acceptable point of balance—one where the ledger records the cost of environmental sacrifices, as well as operations costs—one which permits judicious alteration of the environment when there appears to be net gain. This point of balance cannot be set by legislation. It must be located and kept in focus by continuing dialogue between those concerned primarily with supplying material needs and those concerned with maintaining pleasant surroundings. All of us must encourage and participate in this dialogue if environmental harmony is to be achieved. Above all, we must think things through and not fall prey to slogans or headlines.

ROLE OF GOVERNMENT

What can our government do for us in our strife to maintain the advantages of modern society with minimal degradation of our environment? Government is, after all, the instrument of the people and citizens look there for leadership. The President's Federal reorganization plan is one appropriate response. In seeking to establish a Department of Natural Resources the intent is to gather in one agency the capability to appraise and evaluate all natural resources leading to development or nondevelopment decisions.

An informed citizenry must participate in making these decisions in a rational and timely fashion. Man can do this because he is a unique species on a unique planet. He has nowhere else to go. He must keep his cool and think things through. In the interest of practicing good conservation of our total natural resource base the concept of trade-offs versus turn-offs must always be before us. But we must think things through!

THE CONSTITUTIONAL RIGHT TO KEEP AND BEAR ARMS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. GRIFFIN. Mr. Speaker, having long been a supporter of our second amendment to the Constitution which guarantees to our citizens the right to keep and bear arms in a lawful manner, I was impressed by the editorial in the July, 1971, issue of the American Rifleman.

Editor Ashley Halsey, Jr., eloquently and persuasively points out the fallacy of controlling crime by prohibiting ownership of handguns by decent, law-abiding citizens.

The possession of legal firearms by honest Americans is a deterrent to crime—not a cause. Disarmed citizens would be sitting ducks for the criminal element.

Failure to enforce present laws with vigorous determination is more responsible for the illegal use of guns than mere ownership of legitimate weapons by decent Americans.

Furthermore, Mr. Speaker, swift prosecution and the imposition of maximum punishment allowed under the law would help reduce crime by firearms. I suggest that courts, where the docket is crowded, give trial priority to cases involving use of lethal weapons to perpetrate a crime.

The above mentioned editorial follows:

LET US LEGISLATE AGAINST CRIME FOR A CHANGE

Sorry, friends, this is no season to relax.

The opponents of legitimate gun ownership are at it again. This time their pretext for attempting to take guns out of the hands of law-abiding citizens is that policemen are being shot down at an increasing rate.

It is tragically true that more policemen are being killed with guns. The rate is increasing faster than the general homicide rate. The FBI says 100 policemen were murdered last year. Fifty-one were killed in the first five months of this year. Not all were shot, but most were.

From President Nixon on down, all decent Americans, including a million NRA Members, are deeply concerned at the vicious attacks, the calculated ambushes, the senseless slaughter, of law-enforcement officers as they go about their duty of protecting two hundred million men, women and children from

a murderous riff-raff numbering less than a quarter of a million.

As usual, the "Nice Nellies" of the anti-gun set have rushed forward with a "solution." It is a weary, hackneyed and impractical one—the same old one—that handguns be prohibited and that all guns and gun owners be registered. Such proposals not only miss the mark widely, they trifle with the lives of policemen and of law-abiding citizens who feel entitled to own self-defense arms at a time when, everyone agrees, crime is soaring.

What the new proposals would do to prevent the slaying of policemen is hard to see. Certainly anyone who would kill a policeman is not going to register his gun first.

Surprisingly enough to many, House Judiciary Committee Chairman Emanuel Celler, 83, the canny "elder statesman" who heads one of the most powerful committees in the Congress, emerges as the leader of the new movement for tighter gun controls.

Until now, Rep. Celler chose to enforce an uneasy peace in the field of gun legislation. Nearly all such House bills have been referred to his committee and not one, pro or con, has emerged from behind committee doors since the 1968 Federal Gun Control Act. Now, however, Rep. Celler is one of the three New York City Congressmen who have rushed forward with gun control bills of their own.

Disarming the American public is not the answer, for it is not the American public that has mercilessly killed law officers at the rate of 10 a month across the country. What needs controlling is not guns but criminals, a point that some anti-gun lawmakers persistently miss. And stiffer sentences for gunmen and ambushers seem like the very thing to take them out of circulation. The National Rifle Association has long favored mandatory imprisonment for violent crime. Among the bills stranded in Rep. Celler's committee were 49 for mandatory imprisonment.

The situation in the Congress is one that every gun owner might well consider, and also consider making clear to his Representatives and Senators. Speaking at the NRA Annual Meetings in April, Rep. John P. Saylor (22nd Dist., Pa.), one of the Congressional leaders in the defense of firearms ownership, pointed out that NRA Members had become "one-shot Charleys" who contacted their Congressmen only in times of crisis. Rep. Saylor suggested constant, steadfast contact instead. This might well be the time for NRA Members to heed this sound advice. (See *The American Rifleman*, May, 1971, p. 56.)

For what the gun world faces now could be the most serious threat certainly in 1971–72, and perhaps in a long, long time, in the opinion of veteran lawmakers.

What the new gun bill backers propose is a law that could make half the people in the United States, the gun owners, criminals for the high crime of failing to sign a piece of paper. Simply for neglecting or refusing to register a gun, you could go to jail for as much as five years.

Some shooter language has become accepted American slang. For a precise approach to any subject, we say "rifling;" for a broader approach, "shotgunning." For a law that would make half a nation potential criminals, however, we must make a nuclear-age adjustment. This kind of law could "nuke" legitimate gun owners. That is why it must be stopped.

If the real object of the game is to save the lives of policemen—and we certainly hope that it is—then the way to do it is to put habitual criminals behind bars and keep them there. It would be a lot more effective than trying to legislate against half of the population of the United States.

H.R. 9668—PREDATOR CONTROL AND PROTECTION ACT

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ANDERSON of California. Mr. Speaker, I am today introducing legislation which would require the Secretary of the Interior to gain the approval of the Administrator of the Environmental Protection Agency before the Secretary could authorize any individual to use a poison, such as strychnine, thallium, or compound 1080, on a public land.

Presently, the Department of Interior—through its Division of Wildlife Services—distributes enough poison 1080 bait to kill 73.4 million coyotes. Last year, the Department distributed enough 1080 bait to kill every coyote in an area covering 388,800 square miles, or an area larger than the entire States of California, Colorado, and Idaho.

But, this is not all. In addition to the 1080 bait, the Department of the Interior placed 822,043 strychnine baits last year.

How effective is the Department's poisoning program? How many animals has the Department killed?

As a starting point, we can use Interior Department's figures for fiscal year 1970. Last year, 73,093 dead coyotes were discovered, autopsied, and credited to the Department of the Interior; 8,403 bobcats were killed under their supervision; 121 mountain lions were killed under Interior programs, and 403 black bears were killed by the Department of the Interior.

But this is only the tip of the iceberg. These numbers represent only the number of animals that were discovered, autopsied, and credited to the Department of Interior. Many more animals died in the wilds and were not discovered.

But the Department of the Interior is not the only poisoner of wildlife. Total sales of 1080 in the United States over the past 3 years have averaged approximately 2,600 pounds annually. Of this, the Department of Interior used less than 24 pounds—but, I might add, 24 pounds of 1080 diluted in bait is sufficient to kill 73.4 million coyotes.

This bill, Mr. Speaker, will not just restrict the Department of the Interior's poisoning campaign, it will apply to everyone—State officials, and local ranchers.

We were all shocked when we recently read the accounts in Wyoming of the poisoned eagles. The poisoned bait, which was consumed by the eagles, was distributed by ranchers.

In referring to the recent death of the eagles, William Ruchelshaus, Administrator of the Environmental Protection Agency, testified that—

> This situation graphically illustrates the inadequacy of the present law—we do not have at the present time, the controls over the use of environmentally hazardous pesticides that we so clearly need.

This legislation would give him the authority to completely ban the use of deadly poisons from our public lands.

Mr. Speaker, these poisons are not selective. These poisons kill whatever happens to consume the tainted bait. In far too many instances, the placement of poisons—either by the ranchers or Government agents—have resulted in the death of endangered species.

The director of the Research Department of the National Audubon Society, Alexander Sprunt, recently testified that—

> We have heard repeatedly from ranchers, foresters, hunters, game agents, and other outdoorsmen from all over the western United States of deaths of eagles due to poison baits which are placed for animal control of one kind or another. These deaths are hard to verify. But, a number of cases have been investigated and the cause of death determined by the Bureau of Sport Fisheries and Wildlife. These deaths were caused by a variety of poisons—compound 1080 (sodium monofluroacetate), strychnine, cyanide, and now, thallium.
>
> We have records from the Bureau of 14 eagles which upon analysis proved to contain levels of poison sufficient to cause death. These included 11 golden eagles containing 1080 in their tissues, one bald eagle containing 1080, one golden eagle containing sodium cyanide. It is of interest in this context that there is also a record of a California Condor, one of our rarest birds, containing lethal amount of 1080 . . . we are convinced that these reported and verified cases represent only a very small fraction of the eagles and other species affected by the lethel poisons.

In addition, Mr. Speaker, the use of poisons is driving other species, such as the black-footed ferret, and the San Joaquin kit fox, to the edge of extinction.

Fortunately, there are other ways in which to protect livestock from predators. According to the League of Conservation Voters:

> Kansas and Missouri have programs to teach farmers and ranchers to trap the specific animal doing the damage, and these programs have proved more effective and less costly than efforts to wipe out an entire species. Predator losses in Missouri have been cut 80% since this program began, but cost only 5% as much as the Division of Wildlife Services program in Oklahoma.

This legislation would prohibit the placing of certain poison on public lands—lands owned by all the people of the United States; the lands are not intended to be the private reserve of the ranchers to carelessly poison the wildlife that many of us would hate to see eliminated from the face of the earth.

If, in a specific instance, the Secretary of Interior, in conjunction with the Administrator of the Environmental Protection Agency, determines that it is necessary to set poison on public lands in order to kill an individual predator—such as a rabid coyote—they would have this authority.

Mr. Speaker, at this point, I am inserting the bill in the RECORD, along with an article which, I believe, would be of interest to my colleagues:

H.R. 9668

A bill to establish a national policy and program with respect to wild predatory mammals, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the

policy of the Congress to recognize that the wolf, the coyote, the mountain lion, the lynx, the bobcat, the several species of bear, and other large, wild carnivores native to North America and commonly known as predatory mammals, are among the wildlife resources of interest and value to the people of the United States, and that the Secretary of the Interior, through the United States Fish and Wildlife Service, is authorized to engage in the conservation of such predatory mammals.

SEC. 2. There is hereby authorized to be established in each regional office of the Bureau of Sport Fisheries and Wildlife the position of extension mammal control agent who, upon the request of the duly authorized wildlife agency of any State within the region, shall provide advice and demonstrations to State-employed specialists in methods of instructing farmers and ranchers, or their agents, in techniques of preventing depredations by wildlife predatory mammals on domestic livestock and in techniques of trapping the individual mammals causing depredations on domestic livestock. Any control methods used, demonstrated, or advocated by the extension mammal control agents shall be in compliance with applicable Federal and State laws relating to the taking of wildlife, but only in a specific instance where both the Secretary of the Interior, in conjunction with the Administrator of the Environmental Protection Agency, have determined, because of unusual and extraordinary circumstances, that it is imperative to use poisons for animal control, shall any person be authorized to use poisons on public lands for animal control.

SEC. 3. As of July 1, 1973, and thereafter, the number of extension mammal control agents and other persons employed in the United States Fish and Wildlife Service, or in any bureau or branch thereof, to engage in or assist, either directly or indirectly, the trapping or other control of predatory mammals shall not exceed six persons. Biologists or other personnel employed within the wildlife research branch of the Bureau of Sport Fisheries and Wildlife to investigate the biology or ecology of predatory mammals, or to develop control methods less likely to endanger valuable wildlife than the methods now in use or practiced in the past, shall not be counted against the foregoing limitation.

SEC. 4. For purposes of this Act—

(a) "Public lands" means all publicly owned lands of the United States except Indian and military reservations.

(b) "Poison" means biocides and toxicants, singular or plural, in gaseous, liquid, dust, or solid form, placed in food, baits, or water directly ingested by carnivores from eating poisoned herbivores or omnivores, and includes: direct acting poison, for example, strychnine; cumulative poison, for example, thallium sulfate; and chain-reacting poison, for example, sodium fluoracetate.

SEC. 5. Any person, including officials, employees, and agents of the United States or any State, who violates the provisions of this Act shall, upon conviction for the first offense, be subjected to a fine not to exceed $1,000 or imprisonment not to exceed six months, or both; upon conviction of a second or subsequent offense, violators shall be subject to a fine not to exceed $5,000 or imprisonment of one to three years, or both.

SEC. 6. There is hereby authorized to be appropriated for the purposes of this Act not to exceed $105,000 for the fiscal year ending June 30, 1974, and for each fiscal year thereafter through and including the fiscal year ending June 30, 1978. The Secretary of the Interior is directed, during the period from the effective date of this Act until the close of the fiscal year ending June 30, 1973, to make such reorganizations, reductions, and adjustments in the predator-control programs of the Bureau of Sport Fisheries and Wildlife as are necessary to prepare for the implementation of this Act.

[From the New York Times, June 13, 1971]

DEAD BALD AND GOLDEN EAGLES

(By Lewis Regenstein)

ARLINGTON, VA.—Last month, 48 bald and golden eagles were found dead in the state of Wyoming. It is virtually certain that many more eagles have died and have not yet been found in the remote Wyoming canyon country, the one place where it was hoped they might be able to make a comeback.

About half of the eagles found had been poisoned by thallium sulfate, a chemical which the United States Department of the Interior had spread throughout the western United States as part of its efforts to exterminate coyotes. Although the Interior Department asserts that it has discontinued using thallium, there is widespread suspicion that the department is involved in the latest deaths of eagles. In any event, thallium which is manufactured by American Smelting and Refining Company of New York City, is still readily available to sheep farmers and cattle ranchers for their own use.

What is not in doubt is that the killing of these eagles is part of a deliberate, well-planned campaign, aided and abetted by the United States Government, to wipe out all predatory animals which might compete with agricultural interests.

In describing the American eagles, it is difficult to capture the majesty of these awesome creatures. Both the Bald Eagle (*Haliaeetus leucocephalus*) and the Golden Eagle (*Aquila chrysaetos*) have wingspreads of six to eight feet and stand over three feet high. They mate for life and return to the same nest at the same time each year, spending the first month refurbishing their huge "eyrie."

The eagle first appeared on a United States coin in 1776, and it has been present ever since. The bald eagle became our national symbol during the Congressional assembly of 1782. As President Kennedy once put it, "The fierce beauty and proud independence of this great bird aptly symbolize the strength and freedom of America." Yet there are many Americans—some in the United States Department of the Interior—who would destroy this magnificent creature. The reason is that ranchers who raise wool and cattle believe that eagles—like coyotes—occasionally kill their livestock, particularly very young sheep or calves. Biologists dispute this, contending that eagles do not kill animals any larger than rabbits, although they may feed upon an animal that has already been killed. Despite the fact that eagles perform beneficial functions such as preying on snakes and rodents, the belief persists in many quarters that they are injurious to agriculture.

As a result, the Interior Department has gone along to some extent with this campaign to wipe out our few remaining eagles. For example, in March 1967, then Secretary of Interior Stewart Udall—who is now posing as an ardent conservationist—authorized the killing of golden eagles "for the protection of livestock" in 52 of 56 Montana counties. The law still authorizes the Secretary of Interior to permit "the taking" of bald and golden eagles "for the purpose of seasonally protecting livestock" and under other "special circumstances."

This killing of eagles for vested interest groups is not new. In Alaska, a bounty was paid on bald eagles until 1951 because they were considered "damaging" to the salmon industry. During the 36 years in which bouty payments were made, over 100,000 eagles were killed.

Today, the main cause of eagle deaths are DDT and other pesticides, high-voltage power lines, "sportsmen" and hunters—and the United States Government. Again, at the behest of cattle and sheep farmers, the Interior Department has adopted a mass and indiscriminate poisoning campaign designed to wipe out all wild animals which these ranchers consider undesirable. This massive effort involves distributing throughout the western United States tons of grain and meat baited with the deadly poisons, cyanide, strychnine and sodium monofluoroacetate, or 1080. The intent of the program is to "eliminate" such predators as coyotes and mountain lions, but there is no way to prevent other creatures, such as eagles, from feeding on this bait or on the carcass of a poisoned animal. For years, eagles have been dying from 1080; it was present in the area and has not yet been ruled out as a cause of some of the eagle deaths in Wyoming. The Interior Department is aware of this situation and admits that eagles are "accidentally" being killed, but each year it increases both the scope and cost of this poisoning program.

The "predator control program" has already succeeded in its effort to drive the wolf, the fox, the mountain lion, the grizzly bear, the black-footed ferret, and other species of wildlife to the very brink of extinction. Why should the eagle—which is also a predator—be treated any different?

The Interior Department has been one of the main culprits in driving the eagle toward extinction. While it is charged with the responsibility for protecting the eagle, Interior has in fact contributed to its demise—both purposefully and through neglect.

According to the new Secretary of the Interior, Rogers C. B. Morton, there are now at most 800 nesting pairs of bald and golden eagles left in the United States. Unless Secretary Morton can bring about an immediate and drastic change in Interior's wildlife policies, our national symbol will soon be gone forever.

MANHASSET, N.Y., MAIL CELEBRATES 45TH ANNIVERSARY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. WOLFF. Mr. Speaker, the local weekly press is the backbone of the American media, reporting news of community interest to thousands of towns and villages in the United States. My own district has approximately 20 such newspapers and I am proud to take this opportunity to congratulate one of those weeklies on its 45th anniversary.

The Manhasset Mail has been serving the Manhasset community, in New York's Third Congressional District, since July 8, 1927. Through a depression, a world war and a postwar regional growth of enormous proportions it has never failed in its mission of providing the citizens of its community with complete coverage of local news events and items of community interest. It has been, and remains, a voice for the public good.

Under the leadership of its publisher, Mrs. Elsie Vignec, and a dynamic new management, I am confident that the Mail will continue its long tradition of responsible reporting.

I wish the Manhasset Mail continuing success; may it serve as a model of journalistic quality which all newspapers would do well to emulate.

CBS, DR. FRANK STANTON AND CONGRESS

HON. CLARENCE J. BROWN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. BROWN of Ohio. Mr. Speaker, the House Interstate and Foreign Commerce Committee's citation of the Columbia Broadcasting System and its president, Dr. Frank Stanton, is based on the undeniable right of Congress to obtain—by subpena, if necessary—the information it feels it needs to legislate in the public interest. The refusal of Dr. Stanton to accede to the subpena is based on the first amendment to the Constitution which guarantees the freedom of speech and press.

Dr. Stanton's argument is that the network's unbroadcast outtakes of the CBS news documentary, "The Selling of the Pentagon," are privileged materials akin to the newspaper reporter's notes. It is an abridgement of his first amendment rights, Dr. Stanton contends, because such a demand by Government, for whatever purpose, tends to "chill" the vigor of the broadcast journalist in the exercise of his news-gathering ability and his freedom of expression.

The committee, on the other hand, avers that broadcast journalism is not the same as the printed press, because broadcast stations are licensed by the Federal Government to operate in the public interest. Since the Federal Government has the right to control the public-owned airwaves, says the committee, it must have the requested information to determine whether additional legislation is needed to assure that broadcasters are using the spectrum in the public interest. The presumption cannot be avoided that, if the committee determines that there was "distortion, misinterpretation or propaganda" in the program in question, a legislative means of correction may be undertaken.

From a study of the hearing records and other materials now available, many have already concluded that CBS was at least guilty of sloppy or unprofessional journalism or, at most, guilty of a malicious attempt to mislead the public by misrepresenting public officials through unfair editing of actual interviews in order to propagandize by maligning institutions, individuals, and their motives. If sufficient data is available for such conclusions, one might reject the citation on the theory that the subpena was unnecessary. In view of the fundamental nature of the conflicts involved, the point which the citation is trying to prove might better be left unconfronted. But, to try to avoid the question by saying that the committee does not need the data or that to provide the material could not be construed as an abridgement of first amendment rights, is to sidestep the issue of whether the committee has the right to ask for this data and whether the broadcast journalist has a right to refuse it.

There is no allegation by the committee that any Federal law was violated here, as was the case in the hearings on "Pot Party at a University" where the illegal sale and use of marihuana were suspected, or in the Haitian invasion hearings where violation of the Logan Act was under investigation. While "rigging" or "staging" of news was merely collateral to those investigations of CBS, it appears to be the only charge being made in the case of "The Selling of the Pentagon." Such invasion of the judgmental areas of program content may not only serve to chill journalistic vigor it is inconsistent with the development of communication law.

Faced with the practical necessity of finding an agency to allocate and supervise the use of a limited resource—the spectrum—the people chose the Federal Government as the vehicle through which to operate. Thus, Congress clearly has jurisdiction over broadcasting to maintain orderly and efficient use of the people's resource. But from the very earliest days of communication law the tendency has been to avoid specific definitions of "the public interest" as it relates to program content. Indeed, as the numbers of radio—and now television—stations have grown, the Government has backed further and further away from attempts to prescribe or proscribe program content out of respect for the competitive processes which, it was felt, would provide diversity of content and view. It has been the very diversity of ownership and viewpoint which has brought about the balance between freedom and responsibility in the printed press of our Nation. Each newspaper has traditionally seemed to exist to say the other nay, thus leaving the ultimate arbitration of truth in the hands of the people, where it properly belongs.

In its efforts to develop this same proliferation of voices, among which will be found the truth, government and technological progress have apparently done a good job in spite of the early technical limitations on use of the spectrum because there are now almost as many television stations as daily newspapers in the United States and almost as many AM and FM radio stations as there are weekly newspapers. Since untrammeled freedom can be tolerated in newspapers, certainly we can "risk" allowing the same freedom in the electronic media, particularly since there is competition for ideas not only within the medium but between those in the different media. The fact that the electronic media is now the method by which most people receive their news argues for the greater exercise of first amendment freedoms by this medium rather than less.

While it is now true that a few networks may dominate the gathering and disemination of news in the electronic media and that network news shows are vastly more influential than any single station or newspaper chain because of the audiences they command, there have also been eras in the newspaper business when the same could be said of the wire services and certain newspaper chains. If the Nation could survive the first amendment freedom of the press through the days of "Yellow Journalism" as operated by the proud barons of the press of the past, certainly we can survive the present temporary situation where the electronic media are dominated by too limited a number of networks which are in turn operated by men not known for their humility or for their journalistic objectivity.

The plain fact is that the first amendment is not limited to the truth. That amendment guarantees the right to print and speak—but the right of expression thus assured may be the truth to one and lies to another. It is up to the individual citizen to make the discrimination of which is which. Rather, the first amendment merely guarantees that someone dissatisfied with the version of the truth he is hearing may select another version of the truth as he sees it from other outlets among the various media or even tell his own version of the truth. In printed media he may be as constrained by economics as he is by Federal licensing in the electronic media, if current numbers of outlets are any measure. It is this approach to achieving freedom and truth which has left written journalism untrammeled in America except by the realities of economics and which resulted in governmental policies that encourage as much use of the spectrum as possible for broadcast stations. And even while spectrum allocations remained open, Government was encouraging the individual licenses through the "fairness doctrine" to let as many divergent voices as possible be heard on each station.

Now with the proliferation of CATV, the current monopoly exercised by the three major networks over spectrum broadcast programing may soon become a thing of the past. The number of voices one can select from may be expanded even further by the advanced use of satellites.

Government, of necessity and through international agreements, will continue to control access to any such expanded utilization of a CATV monopoly or the broadcast spectrum to satellites. But Government should not and must not be permitted to control the content of programs. Fraudulent and deceptive advertising or that which is blatantly pornographic must stand on its own feet as areas for regulation, but varying viewpoints on public affairs, a multiplicity of "free" voices, must be preserved to insure the public's right to know. The free citizen must have the largest possible number of free voices from which to choose the truth.

To set a precedent now that could impair the rights and privileges of both the public and the free press, therefore, could have the gravest undesirable effects not just today in America, but into the future over the world.

PRESIDENT NIXON'S OUTSTANDING RECORD OF PERFORMANCE IN OFFICE

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. WYMAN. Mr. Speaker, President Nixon has an excellent record of accomplishment for America. His vast experience and undeniable wisdom in foreign

affairs as well as domestic stands the United States in good stead during these crisis-ridden days.

Recently the President addressed the media in Kansas City, Mo., and gave them a report of the situation in America and what he is doing to help strengthen our country and make it a better place in which to live for all citizens of all races, color and religious preference.

President Nixon's remarks on this occasion merit the thoughtful consideration—and I believe approbation—of all Americans. The President said:

REMARKS OF THE PRESIDENT MEDIA BRIEFING ON THE PRESIDENT'S DOMESTIC POLICY INITIATIVES, HOLIDAY INN, KANSAS CITY, MO.

Ladies and gentlemen: From reading the agenda, I think you have had a pretty full plate on the domestic issues. I gather from looking at the people here at the head table that you have been briefed.

I heard the answer to the last question on the economy. I understand there were other questions on that, and on the health program, also on our environment, on our revenue sharing, reorganization programs, on our crime programs, particularly with regard to the control of dangerous drugs, and also programs that may be in related fields that Mr. MacGregor may have covered.

I think perhaps for this kind of meeting, what I could best do is to put all of these domestic programs into a broader context, to indicate the relationship between these programs and the problems that America has in the world.

Sometimes that seems very, very hard to do. I realize that it is quite the approach these days to suggest that we either ought to look at our foreign policy and put that as Priority Number 1, in other words, the security of America must come first, or we must put our priority on domestic problems and turn away from the problems in the world.

The answer to that is that we must do both. It would not be any good to have clean air and water if we were not around to enjoy it. On the other side of the coin, we are not going to play an effective role in the world unless we have a healthy environment, economically and every other way.

For a new moments, I would like to discuss the world position we find ourselves in today, and indicate why I believe these domestic programs, a program of reform which goes far beyond any program of reform which has been submitted to the American people in over 40 years; why that program is so essential at this particular time; why it is that America now cannot be satisfied domestically, we cannot rest on our laurels, why we have to make a critical examination of everything we are doing in this country to see whether we are doing it with the most efficiency possible.

Now, in terms of our world situation, the tendency is, and this has been the case for the last five to six years, for us to obscure our vision almost totally of the world because of Vietnam. That is understandable. We are always concerned about the war in which we are currently involved. That was true at the time of Korea. It is now true of Vietnam.

The difficulty is that as we obscure our vision with Vietnam, we do not see very significant changes that have occurred in the world over the past 25 years, the period since World War II, and changes that have occurred even more dramatically, perhaps, over the past five to ten years, and ones that may be in the offing. So I would like to take Vietnam very briefly.

I have nothing new to say on Vietnam. It seems to me, however, that since so much has been written and said in recent weeks about how we got in, it might be well to reiterate what we are doing to get out.

On Vietnam, what we find is that 300,000 Americans have left Vietnam since this Administration came in. A division a month are coming home each month at this time. As far as casualties are concerned, it is interesting to note that the casualties in the month of June were less on a monthly basis than the weekly casualties we were having a year ago. When we came into office, they were 15 times as great per month or week or day, take the index, whatever it is. One is too many, but that does indicate the winding down of the war.

As far as the ending of the war is concerned, as far as American involvement, we find that we are proceeding on two tracks. We are actively pursuing the negotiating channel. We also, regardless of what happens on the negotiating front, are pursuing our program of Vietnamization in which all Americans will be withdrawn from Vietnam consistent with two objectives: First, of course, the release of our prisoners of war; and secondly, in a way that will contribute to a permanent and lasting peace, we hope, in Southeast Asia and in the Pacific, rather than in a way that might increase the danger of another war.

I will simply conclude this section by saying this: Vietnam is an issue which, of course, concerns us. It is an issue, however, to which we have an answer. The American involvement is being ended. It will be ended certainly. The question is only a matter of time and only a matter of how. So consequently, it seems to me that a group of editors, opinion makers like yourselves, should, and I think will, appreciate the opportunity to look beyond Vietnam.

For example, a year from now, what is the world going to look like as Vietnam moves from our vision, or at least recedes from it, and what will America's role in the world be at that time?

As I came into the room, I noticed Martin Hayden. I shook hands with him. I perhaps can put my remarks on the world scene in context by pointing out that he first came to see me when I was a freshman Congressman. It was 24 years ago. I was thinking how much had happened in those 24 years. Many of you, a few of you, are old enough to remember what America was 24 years ago.

We were Number 1 in the world militarily, with no one who even challenged us because we had a monopoly on atomic weapons. We also at that point were Number 1 economically by all odds. In fact, the United States of America was producing more than 50 percent of all the world's goods.

That was just 25 years ago. Now, 25 years having passed, let's look at the situation today and what it may be five years from now or ten years from now. I will not try to limit myself to five or ten years except to say that in the next decade we are going to see changes that may be even greater than what have occurred in the last 25 years, and very great ones have occurred in that respect.

First, instead of just America being Number 1 in the world from an economic standpoint, the pre-eminent world power, and instead of there being just two superpowers, when we think in economic terms and economic potentialities, there are five great power centers in the world today. Let's look at them very briefly.

There is, of course, the United States of America. There is, second, Western Europe, Western Europe with Britain in the Common Market. That means 300 million of the most advanced people in the world, with all the productivity and all the capacity that those people will have and, of course, with the clout that they will have when they act together, as they certainly will. That is a new factor in the world scene that will come, and come very soon, as we all know.

Then in the Pacific, looking also at free world countries, we have a resurgent Japan. I met with steel leaders of industry and unions this morning. I pointed out what happened to Japan in terms of their business. Twenty years ago Japan produced 5 million tons of steel; this year 100 million; two years from now Japan will produce more steel than the United States of America.

That is what has happened. It has happened in the case of Japan, in the case of Germany, our two major enemies in World War II, partly as a result of our help in getting them on their feet, and partly because of their own energy and ability.

Now we have three power centers—the United States, Western Europe and Japan, noting that both Western Europe and Japan are very potent competitors of the United States; friends, yes, allies, yes; but competing and competing very hard with us throughout the world for economic leadership.

Now we turn to the other two superpowers, economic superpowers I will say for the moment. The Soviet Union, of course, first comes to mind. Looking at the Soviet Union, we are entering a period which only time will tell may be successful in terms of creating a very new relationship or a very different relationship than we have had previously.

I referred to the need for an era of negotiation rather than confrontation when I made my inaugural speech. We have been negotiating. We have made some progress in the negotiations. The important thing is, we are negotiating rather than confronting in many areas of the world, where confrontation could lead to explosion. Whether it is on limitation of nuclear arms, the issue of Europe, or negotiations on the Mideast, the negotiations are going on.

I am not suggesting that these negotiations are going to lead to instant peace and instant relationships with the Soviet Union such as we presently have with our friends in Asia who may be allied with us, or who may have systems of government that are more closely aligned to ours. What we have to recognize is that even as we limit arms, if we do reach an agreement in that field, and even if we find ways to avoid confrontation in other areas, and perhaps work out a negotiated settlement for mutual force reductions in Europe, and the problem of Berlin and all the others that come to mind, we must recognize that the Soviet Union will continue to be a very potent, powerful, aggressive competitor of the United States of America. And, ironically—and this is also true of Mainland China, as I will point out in a moment—as we have more and more success on the negotiation front, as for example the Soviet Union, like the United States, may be able if we have a limitation in nuclear arms, if we are able to turn our eyes more toward our economic development and our economic problems—it simply means that the competition changes and becomes much more challenging in the economic area than it has been previously.

So what we find, in other words, is that the success, and we do want success, of a policy of negotiation rather than confrontation will lead to infinitely more economic competition from the Soviet Union.

Mainland China is, of course, a very different situation. First in terms of its economic capacity at the present time, a pretty good indication of where it is is that Japan, with 100 million people, produces more than Mainland China with 800 million people. But that should not mislead us, and it gives us and should give none of the potential competitors in the world markets, Mainland China, any sense of satisfaction that it will always be that way, because when we see the Chinese as people—and I have seen them all over the world, and some of you have, too, whether in Hong Kong or Thailand or Singapore or Bangkok, any of the great cities, Manila, where Chinese are there—they are creative, they are productive, they are one of the most capable people in the world, and 800

million Chinese are going to be, inevitably, an enormous economic power, with all that means in terms of what they could be in other areas if they move in that direction.

That is the reason why I felt that it was essential that this Administration take the first steps toward ending the isolation of Mainland China from the world community. We had to take those steps because the Soviet Union could not, because of differences that they have that at the present time seem to be irreconcilable. We were the only other power that could take those steps.

Let me be very, shall I say, limited in what I would discuss on this particular issue, because we should not consider that more has happened than has happened. What we have done is simply open the door—open the door for travel; open the door for trade.

Now the question is whether there will be other doors opened on their part. But at least the doors must be opened and the goal of U.S. policy must be in the long term, ending the isolation of Mainland China, and a normalization of our relations with Mainland China because, looking down the road, and let's just look ahead 15 to 20 years, the United States could have a perfectly effective agreement with the Soviet Union for limitation of arms; the danger of any confrontation there might have been almost totally removed.

But Mainland China, outside the world community, completely isolated, with its leaders not in communication with world leaders, would be a danger to the whole world that would be unacceptable, unacceptable to us and unacceptable to others, as well.

So, consequently, this step must be taken now. Others must be taken, very precisely, very deliberately, as there is reciprocation on the other side.

But now let's see how this all fits into the economic program I mentioned a moment ago, and the economic challenge. The very success of our policy of ending the isolation of Mainland China will mean an immense escalation of their economic challenge, not only to us, but to others in the world.

I again come back to the fundamental point: 800 million Chinese, open to the world, with all the communication and the interchange of ideas that inevitably will occur as a result of that opening, will become an economic force in the world of enormous potential.

So, in sum, what do we see? What we see as we look ahead 5, 10, and perhaps 15 years, we see five great economic superpowers: The United States, Western Europe, the Soviet Union, Mainland China, and, of course, Japan.

Now, I do not suggest, in mentioning these five, that Latin America is not important, that Africa is not important, that South Asia is not important. All nations are important and all peoples in underdeveloped or less developed countries will play their role. But these are the five that will determine the economic future, and because economic power will be the key to other kinds of power, the future of the world in other ways in the last third of this century.

Now let's see what this means to the United States. It means that the United States as compared with that position we found ourselves in immediately after World War II, has a challenge such as we did not even dream of. Then we were talking about the dollar gap; then we were talking about the necessity of, putting it in terms of a poker game, that the United States had all the chips and we had to spread a few of the chips around so that others could play.

We did it. $100 billion for Western Europe to rebuild them, and billions of others to other countries, and it was the correct policy as it turned out. Now as we see the world in which we are about to move, the United States is no longer in the position of complete pre-eminence or predominance. That is not a bad thing. As a matter of fact, it could be a constructive thing. The United States is still the strongest nation in the world, the richest nation in the world, but now we face a situation where four other potential economic powers have the capacity, have the kind of people—if not the kind of government, at least the kind of people—who can challenge us on every front.

That brings us back home, and it brings us back home for a hard look at what America needs to do if we are going to run this race economically and run it effectively and maintain the position of world leadership, a position that can only be maintained if the United States retains its pre-eminent position in the economic field.

I could sum up briefly this way. First in personal terms we need a healthy people. Mr. Richardson has, of course, directed his comments to the need for programs that will make us a more healthy people in a very physical sense. We need a healthy environment and Mr. Ruckelshaus has directed his remarks to programs that will make the environment in this country more healthy.

We also need a healthy economy, and Mr. Stein has been talking about the economy. I think it is only relevant to mention that in terms of the economy that we have a situation here that at the moment, again, obscures our vision because of temporary problems which will change once the problems move along. For example, when we consider the problem of unemployment, it must be noted that if the 1,200,000 who have been let out of defense plants and out of the Armed Forces since this Administration came in were still in the Armed Forces and Vietnam and defense plants unemployment would be less than five percent today. But the cost would be too high. What we want is high employment, full employment to the extent that we can get full employment, but without the cost of war. We can have it. That is what our policy is directed to achieve.

When we speak of a healthy economy, we are also speaking, as Mr. Stein mentioned, I heard his answer to the last question, of an economy in which the fires of inflation have been cooled. We are moving on that. We have made some progress, not enough, but we have made some.

At this particular point, it is essential that whether it is in having to make the hard decision to veto a public works bill which would not speak to the problem of unemployment now, but would enormously escalate the problem of inflation a year or two or three or four years from now, or whether it is in speaking to the leaders of labor and management and calling upon them to be responsive and responsible in their wage-price decisions in seeing that they are not inflationary, the United States, of course, if it is going to have a healthy economy, must move in those particular areas, as well as in others.

Also, when we speak in terms of our health, we must speak in terms of how we accomplish some of these goals. Let me now speak quite directly about a problem that I know has been the subject of many editorials, editorials of newspapers, and, of course, on television and radio, to the extent that you are permitted to do so.

First, it has become rather common practice to berate the American system. Now, without being a bit jingoistic, and being totally objective, let's examine this system of ours, examine it in terms of the problems that I have just mentioned. Health: It would be very easy at the time that we are looking at the problems of the distribution of health care to throw the baby out with the bath water and to fail to recognize that at the present time while we have enormous problems which need to be dealt with of distributing health care fairly so that everybody who needs medical care can get it, we must handle that problem without destroying what we also enjoy, the best medical care in the world in terms of quality. That is why our medical program and our health program is not one that throws out the present medical care system; it builds on it. It reforms it. It corrects it.

Let's look at the environment for a moment. Here one is tempted, as he goes into a place like Los Angeles, and I will be there in a few hours, and you see the smog, that yellow ugly smog hanging over the city or when you go down the Potomac and see the filth in that river, one is tempted to say: Wouldn't it be great if we didn't have automobiles? Wouldn't it be great if we didn't have all these factories? Wouldn't it be great if we could go back to the way it was in the beginning?

The answer is: not at all. I have been and you have been to countries who do not have the problems of the environment created by an industrial society. Those countries and those peoples, of course, would very much like to have those problems if that was the cost of raising their standard of living.

That is why Mr. Ruckelshaus, and this Administration, has emphasized, and will continue to emphasize an attack on the problem of the environment, but recognizing that the genius that created the industrial might of the United States, that created the problems in the environment, can be put to the task of cleaning it up. This we will do, and this we believe we can accomplish, consistent with maintaining our system.

In terms of our economy, when we talk about how we can change it and how we can deal, for example, with problems like the wage-price escalation, it of course has not gone unnoticed that many at this time tend to throw up their hands and conclude that the only answer to the problem is to go to wage and price controls. Some nibble at it at the edges and say, Well, we ought to have a wage-price board, or others go all the way and say, Why not wage and price controls? When you talk to management, however, they want wage controls. When you talk to labor, they want price controls. When you talk to Government, they recognize, as we recognize that you cannot have wage controls without price controls and any of us, as I was—I was in the OPA for a few months in 1942 before I went in the service—you cannot have wage and price controls without rationing.

It would help us on the unemployment problem. I just checked and found we had 47,000 in the OPA in World War II enforcing all the regulations in wage and price controls over the country. It was not working because it will not and cannot in peace time.

So, despite the fact that a majority of the American people, when asked, do believe there should be wage and price controls, they say yes, if they had them for a while, they would say no with a vengeance; one, because they do not work in peacetime in controlling the problem, and two, because the cost in terms of snuffing out the dynamism and strength of the American economy would be a cost much too high to pay.

When we are talking about the system we must take the necessary steps to correct the problems that are wrong about it, but recognize that it is a system that has nevertheless produced today more jobs, higher wages, and greater opportunity than any system in the world. Before lightly changing it or reforming it in a way that changes its character, let us also have this in mind.

I look, for example, at the Soviet Union and those of you who have traveled in the Soviet Union several times, as I have—my first trip in 1959, and my last in 1967—have noted the significant change that has occurred there. There we find that they have moved more and more to a system of rewards rather than every man according to

his ability, and receiving according to his needs, because the other will not work.

At a time when we find them moving—and may I say others who are trying the total socialistic approach—moving our way, we could make no greater mistake than to move their way.

What are the economic miracles in the world today? Japan: a different system from ours in terms of government, but relying very, very heavily on private enterprise and private incentives. Germany: a different system from ours in terms of government, but again, private enterprise oriented, private incentives.

Here is the United States of America. At this particular time, as we look around the world, we should not turn away from what is really the great source of our strength.

Now, I have mentioned the personal health that is very important, the health of our environment, the health of our economy, and I should also touch upon the health of government. Government in this country needs some major surgery. It is too fat. It has in many cases too many useless limbs; some need to be chopped off. Certainly it needs to be reduced in size. Most of all, of course, it needs an infusion of leadership and responsibility at local and State levels which is going to be essential if you are going to have improvement of government in this country.

That is why revenue sharing and government reorganization are very high on our agenda. There is not much sex appeal in these programs unless you talk to Mayors or Governors or county officials who say, please give us the money or we cannot pay our payrolls.

But, on the other hand, they are enormously important because the United States cannot go into this last third of a century with competition, when we are going to have to be at our best, with an unhealthy government structure. We have to thin it down and get it ready for the race. It is not ready for the race. That is why at the present time we are strongly advocating these changes.

There is one other kind of health that the nation needs. I don't want to sound here like a moralist or a preacher, although I have great respect for preachers and moralists. This nation needs moral health. By moral health, I use the term in a very broad sense.

Don Rumsfeld, I know, has addressed himself to the problem of drugs and I assume of law enforcement. I have stated categorically, and I state it again here today, that in this Administration, the era of permissiveness in law enforcement has come to an end. We are going to continue to support strong laws dealing with criminal elements, to support law enforcement officials up and down this land, and continue to have a program that will reduce the rising crime and eventually reverse it.

One of our most substantial achievements has been that in cities over 100,000, that in 61 of them the crime rate went down in the last quarter, and in the city of Washington, it went down for the first time in almost 20 years. This kind of progress is, of course, significant, but more needs to be made.

Let me now address myself to the narrow, but in a sense, decisive issue of drug control. I will not elaborate on what Don Rumsfeld said, except to say that we are dealing very effectively with the problem at its source. Our arrangement with the Government of Turkey: to the great credit of the Turkish prime minister, we have stopped that source to a great extent, and it will be totally stopped by next year. We are dealing with it in law enforcement and better education.

But the fundamental problem of drugs goes beyond that. You can stop the source of supply in one country and if there is enough demand they will go some place else. You can have the strongest laws possible, and if there is enough demand and use, you will have to add more officials.

What we really need is to get at the fundamental cause and the fundamental cause has to do, as all of you know, with basically a problem in our society. We must recognize that the problem is no longer a black problem, it is no longer a ghetto problem, it never was, as a matter of fact, although it was predominant. It has moved to the suburbs and the upper-middle class and upper class. It is particularly a problem among younger people. It is not just limited to veterans. It goes far beyond that. All these things we know.

The real problem, fundamentally, gets down to why; why do people take them? There we find the fundamental challenge of our time, a challenge that opinion leaders have to meet. If individuals have something to live for, if individuals have something to believe in, then the tendency to throw up their hands, to retreat, to give up on life, is substantially reduced.

But as a society comes to the point where there is negativism, defeatism, a sense of alienation, it is inevitable that younger people will give up. They will turn to drugs, to any other kind of activity that is, of course, disruptive of a society.

I address myself at this point to this particular question for a reason that I think is quite relevant in view of the announcement that I made on July 3. I said then that the United States was entering its bicentennial era, because five years from July 4th of this year we will celebrate the 200th anniversary of the United States of America.

We wonder what kind of a nation we are going to be then. Well, I will flatly predict that five years from now we will still be the richest nation in the world. If we want to be—and this will depend upon the American people—and need to be. We will still be the strongest nation in the world. But the critical question is whether the United States will be a healthy nation, a healthy nation not simply with a healthy government and a healthy economy and a healthy environment and a healthy physical system insofar as we personally are concerned, but healthy in terms of its moral strength.

On that, there is a question. That question is raised often in your editorial columns that I have noted, because I read many of them. It should be raised. But I would only suggest that part of the reason for raising it is that again we tend to allow the problems of the moment to obscure our vision of the future. We tend to allow our faults—and we have many—to obscure the many virtues of our society.

I will not list them. Let us simply say that world leadership—oh, I know all the criticisms: the United States can't be trusted with power; the United States should recede from the world scene and take care of its own problems and leave world leadership to somebody else, because we engage in immorality in the conduct of our foreign policy. Let's take a look.

We have been in four wars in this century, and four times young Americans have gone abroad. We have done so without any idea of conquest or domination. We have lost hundreds of thousands of lives and we have not gotten a thing out of any of it, and we have helped each of our enemies, after each of the Wars, get on his feet again.

We made our mistakes. We make them now, for example, as we made them in previous wars. Let me say this: Think for a moment. What other nation in the world would you like to have in the position of pre-eminent power? What other nation in the world that has what it takes would have the attitude that the United States has, as far as its foreign policy is concerned?

Here is a nation that did not seek the pre-eminent world position. It came to us because of what had happened in World War II. But here is a nation that has helped its former enemies, that is generous now to those who might be its opponents, a nation that, it seems to me, is one that the world is very fortunate, in a way, to have in a position of world leadership.

In terms of our domestic policies, I think we can truly say we have some problems. They are quite significant, and we like to look at those problems; not only look at them but we must work on them, and constantly see that America is revitalized and reinvigorated.

But as we look at those problems, the enormous strengths of this country can only be appreciated once you have seen other countries, great as they are and as much as they have to offer, and come back to see what we have in America. I am not speaking of wealth. I am speaking of freedom. I am speaking of opportunity. I am speaking of concern; concern that people have not only for people here, but for people in other places.

When we presented the program on July 3rd, some of you who may have heard it will note it was in the Archives Building. I am often asked, as I am sure many of you are who are in Washington, what is your favorite building? My usual answer is the Lincoln Memorial, particularly at night, with the light shining on the statue of Lincoln. But I would say that in terms of the most impressive building, impressive because it has the appearance of the ages there, it has to be the Archives, more impressive than the Capitol, the Lincoln Memorial or the Jefferson Memorial or the White House itself.

The great marble columns give you the feeling of the past and what the Nation stands for, and you know that the building is one that holds the Constitution, the Bill of Rights, the Declaration of Independence, the great documents that started the Nation at the beginning.

Sometimes when I see those pillars I think of seeing them on the Acropolis in Greece. I think of seeing them also in the Forum in Rome, great, stark pillars—and I have walked in both at night, as I have walked down by the Archives at night from time to time.

I think of what happened to Greece and to Rome, and you see what is left—only the pillars. What has happened, of course, is that great civilizations of the past, as they have become wealthy, as they have lost their will to live, to improve, they then have become subject to the decadence that eventually destroys the civilization.

The United States is now reaching that period. I am convinced, however, that we have the vitality, I believe we have the courage, I believe we have the strength out through this heartland and across this Nation that will see to it that America not only is rich and strong, but that it is healthy in terms of moral and spiritual strength. I am convinced it is there. I am convinced, as I talk to crowds of people. I am convinced as I see a group of young people, 500 of them, going off to Europe, as I saw yesterday, from 50 States.

But I also know that people need to be reassured. The people who can reassure them are opinion leaders, editors, television, radio commentators, teachers, even perhaps Presidents and politicians. At the present time, I will simply say in raising these problems, I don't raise them in any sense of defeatism; I don't raise them in the usual sense of pointing out that the United States is a country torn by division, alienation, that this is truly an ugly country; because I don't believe that.

I honestly believe that the United States, in its pre-eminent position in world leadership, has in its hands the future of peace in the world this last third of a century. I honestly believe that the United States has the destiny to play a great role, but I also know we cannot play it unless this is a healthy land, with a healthy government, a healthy citizenry, a healthy econ-

omy, and above all, the moral and spiritual help that can only come from the hearts of people and their minds, and that will only come as people are reassured from time to time. As we discuss our faults and as we correct our faults, reassured. Keep them in balance.

Don't let the problems of the moment obscure the great and good things that are going on in this country. It is that that I would suggest to the editors and other opinion makers here: that from time to time, maybe once a month, that message might come through.

FIFTY YEARS OF AMERICAN HISTORY

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. PEPPER. Mr. Speaker, there are few people in the country today who can look back with the knowledge of experience over the past 50 years of our country's history and the history of the world. A very dear and close friend of mine, Mr. L. W. Hardy recently delivered a speech at the 50th anniversary meeting of the class of 1921 of Mercer University at Macon, Ga. I am sure that my colleagues in the House will find his overview of some of the dramatic events of the past 50 years most fascinating and his optimism for the future most refreshing. His speech follows my remarks:

SPEECH BY LUCIEN WAYLAND HARDY

It gives me great pleasure to say a few words to the Class of 1921. This year we have been out in the world for a period of fifty years. In 1921 we had just finished the first World War and most of us took part in it. During our fifty years we have seen another World War, which shook the world to its foundations and which was much more savage than the first World War. We have seen the United States engage in two foreign wars—the Korean War and the present war in Southeast Asia, which has not yet been concluded. Following the First World War we saw a world-wide depression in which many of our people of the United States were "on the soup line". Following the second World War we saw the greatest period of prosperity the world has even seen—a period in which our gross national product has passed the trillion mark! I don't know whether any of us can clearly comprehend a trillion—but that is a thousand billion!

Still, with all of our great wealth, we are in one of the most turbulent periods of our history—a time in which we are having riots, and bombings, and burnings; a period when times are "out of joint"; and a time that "tries men's souls". We are seeing an organized effort to destroy some of our colleges; an organized effort to destroy our government by violence and revolution.

Prior to 1921 our Supreme Court confined itself mainly to an interpretation of the law as it was written by Congress. The Supreme Court is now handing down decisions which amount to legislation and it is making some decisions which amount to an Amendment of the Constitution.

The Southern Manifesto, which was signed by most of the Southern Members of both Houses of Congress, showed clearly that the first school desegregation decision of 1954 was, in effect, legislation. Justice Black, in a series of recent lectures, has said that the Court lately has been making decisions which amounted to legislation. He doubts whether it is wise for the Court to legislate. The Court just recently made a further ruling in the school law and it was twisted to where it applied almost exclusively to the South.

In the April issue of the American Bar Association Journal, an article by George Cochran Doub appeared in which he shows the great danger that has arisen by the expansionary policy of the Supreme Court, which has allowed the minor federal courts to overrule the States' highest court in habeas corpus cases.

I recently read the Memoirs of Arthur Krock. He thought that, since the Supreme Court was legislating, the United States had already passed its peak!—And that in the future we would be living under an oligarchy, which is not responsible to the people.

We have also seen a revolution in medicine when the "Miracle Drugs" were discovered. Another is when the computer was invented and later perfected to where computers can do a great deal of the world's work, making many things possible which could not be done before.

There was an article in the April 19, 1971 issue of Time magazine on the new Genetics. It flatly predicts that in the next fifty years man will have approximately 20 years added to his active life.

We have also seen the organization of the United Nations. We have seen the beginning of inter-planetary travel. Through television (another marvel invention) we saw a man land on the moon and walk on the moon. And we heard him talk from the moon—to the President in the White House.

We have seen the fission of the atom which resulted in the atom bomb and the awful destruction of Hiroshima and Nagasaki which ended World War II.

As a matter of fact, knowledge has increased so fast during these last fifty years that it has almost been an explosion. It is obvious that we already need another twenty years of active life in which to develop an intelligent grasp of what is taking place in the world and to deal realistically with these vast and complicated problems that keep rushing on us!

The last fifty years have marked the beginning of an era. The fission of the atom and the "one small step" on the moon have elevated man to the class of the gods. No longer can we say, "Lord, the woman gave me the apple and I did eat thereof". The only thing we can say now is, "O, Lord, we have been messing around the Tree of Knowledge and we have eaten several apples!"

I have pointed out some of the mistakes which it seems to me the Supreme Court has made and is making. I am not stressing rioting, the bombings and the burnings, although these are important. In my opinion, the most important mistakes which are being made today and will be made in the future are the mistakes of our leaders! If Hanoi wanted to hire agents in this country to handicap us, I do not see how they could hire anybody who would be as effective as Mr. Fulbright and certain other members of Congress in handicapping the President in his efforts in winding down the war.

One of the things our leaders could do at the present time is to strengthen the United Nations. Do you remember when King David was first making a bid for power? He was careful not to make any move against the anointed king. That hesitancy to make a move against the anointed king has persisted throughout the years for the very good reason that the king had an army back of him.

The "anointed king" of our time is the United Nations but it is not much stronger than a glorified debating society. On the other hand, if it was able to maintain an army of a million men, it would be the strongest force in the world! Not only would it have a strong army but it would also have world opinion back of it. If the western Nations were to tax themselves enough to maintain such an army with the law that only the nations who contributed to that army could control the army in proportion to their contribution, you could have a force which, within a few years, could have a profound influence for good throughout the world.

I would like to give a thumbnail history of what we have seen in the world and how it relates to what I have just said. When I first started to school, we were told that the history of the Romans in the time of Christ and for two thousand years preceding was "ancient history"; but it is, in fact, very recent history. We have only about ten thousand years of history that can be reasonably well authenticated; then, another ten thousand years before that, or the "dawn of history", making a total of twenty thousand years of known history of mankind. Yet Science tells us that the world has been in existence for four billion years and some of the species of animals have existed continuously on the earth for more than a million years. This makes mankind's history very, very short!

In 1922 it will be just 500 years since Columbus discovered America. Yet the whole complexion and power of the earth has changed radically in that short period of time. Those 500 years cover the most important part of the history of mankind.

Take our class of 1921—most of us have a first hand knowledge of about 150 years of our history and we can make somewhat of a guess of the next 50—making approximately 200 years of time with which we ourselves are reasonably well acquainted.

As for me, I am one of the ones like Mr. Micawber in "David Copperfield"—I'm living in daily expectation of "something happening". You may remember that Mr. Micawber's wife ran a boarding house and he considered himself an important man around the premises. He lived in daily expectation of "something turning up—or happening".

Just suppose that our class had graduated in 1821 instead of 1921. We could have lived in daily expectation of something happening. For instance, my grandfather Hardy used to tell of the stars falling in 1833. He said the flame in the skies was bright enough so that one could read a newspaper out in the yard. That would have been "one of the happenings" we would have seen. Many of us would have lived through the Civil War and other great events of that period.

Or, suppose our class had been in 1871. We would have been witnessing great events of that fifty year period; the great expansion of our country westward—our becoming one nation from coast to coast, and our consequent rise to greatness. We would have seen the invention of the incandescent electric light bulb; the consequent development of electricity and its multiple uses that have given us luxury in our every day lives; and, of course, the first World War.

I have just outlined what we ourselves saw between 1921 and 1971. The Class of 1971 can certainly look forward to tremendous events happening which will further change the complexion of the whole world. And I'm sure it is the prayer of all of us that these young graduates will have the vision to see it and the background and understanding to guide our nation wisely in the coming events of our next 50 years. Let us of the Class of 1921 tell the Class of 1971 to look to the East; that, notwithstanding the world

shaking problems that confront us, the sun is clearly above the eastern horizon and that they are now living in the early morning of civilization.

PROUD TO BE YOUNG AMERICANS

HON. HOWARD W. ROBISON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ROBISON of New York. Mr. Speaker, the Ithaca, N.Y., High School Commercial Club has undertaken a most worthy project to help raise money needed to repair the Lincoln Memorial, and I enclose a news article which these students are using to bolster their drive to raise the necessary funds. These young people have shown that they care very much about what happens to one of our finest national monuments. They are proud to be young Americans and we should be very proud of them. As the following article illustrates, this is a project that is worthy of our support, too.

THREATENED BY AIR POLLUTION—LINCOLN MEMORIAL: "WHEN IT RAINS, IT FIZZES"

(By John J. Lindsay)

WASHINGTON.—The Lincoln Memorial is in trouble.

The limestone walls and marble columns of the 48-year-old monument are deteriorating, mortar is flaking away, and stalactites and stalagmites have transformed its basement into an eerie cavern.

Millions of spiders and tiny, winged midges swarm over the ceiling. Tourists tread uneasily, and occasionally a bat swoops across the Great Emancipator's brooding head.

"It isn't going to fall down tomorrow," says Kenneth Eisenberg, the internationally known restorations expert who recently supervised the work on Washington's Corcoran Gallery of Art. "But I'm worried about the future. It's a blight on the entire country that a monument of this importance should be allowed to run down so disgracefully."

Eisenberg thinks the memorial is turning into "a gigantic Alka-Seltzer tablet—you can almost hear it fizz when it rains."

The reactions between air pollutants and the carbonates in the marble are the chief cause of deterioration. What happens is that the buses and cars that constantly circle the one-block, four-story monument and the jet planes that continually pass overhead spew sulphur dioxide into the air.

In wet weather, the water combines with the dioxides to procure a mild sulphuric acid which washes down the sides of the monument, seeps into the cracks, gets in behind the stones and reacts with the carbonate—and the fizzing action begins.

The result is an increase in volume of the huge blocks of stone—and a subsequent sloughing off of the surface of the stone and of the masonry in between.

Of course, the answer to the problem is the answer to most problems these days—money. Yet in this case the financial backing needed is relatively small. Experts believe the deterioration could be halted, at least for a time, for about $500,000.

For another $500,000, the monument could be returned to the condition it was in on Memorial Day, 1923, when Chief Justice William Howard Taft, chairman of the commission that supervised the building of the memorial, presented it to President Warren G. Harding who accepted it in the name of all American citizens.

Since then, the monument has been one of the half-dozen major tourist attractions in the country. Millions have visited it, including one lady last year who was bitten by a bat and several who ducked away just in time.

He wasn't what you'd call a fancy person," says a recent woman visitor gesturing to the great seated statute of Abraham Lincoln. "But he wouldn't have wanted bats and spiders and things like that in his house. It seems like kind of a rotten way to run a monument."

No one can be certain who exactly is at fault. To some extent. Congress is to blame for not appropriating more money. The legislators have chosen to pay heed not to those who point out the deterioration of the monument, but to those who say the condition is not serious. Some of the latter are employes of the National Capital Parks division of the National Park Service, a branch of the Interior Department.

But Russell Dickinson, the clear-sighted general superintendent of monuments, candidly admits there is "a lack of maintenance"—and can do absolutely nothing with the amount of funds available to him.

Recently, under a new allotment of about $25,000, the authorities have hired two full-time masons to patch up the monument. To critics of the system, this step fell ludicrously short of what is needed.

"It's like putting a sponge into the Atlantic Ocean to clean up the pollution," says Eisenberg.

Ridding the monument ceiling of its accumulated insects would be relatively easy, though it would entail closing the place for a time. Apparently the officials have decided that a ceiling full of midgets and spiders is preferable to a city full of disappointed tourists. Anyway, the creatures might well be drawn back by the monument heights.

In all the rising controversy about the state of the monument, one irony has so far been little noticed. The monument to the nation's first Republican President may deteriorate beyond the point of no return during the administration of another Republican President.

THE HIGH COST OF NOSTALGIA

HON. BELLA S. ABZUG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mrs. ABZUG. Mr. Speaker, it's "off we go, into the wild blue yonder," time again, courtesy of the U.S. Air Force. Only the subtitle of the theme should read, "Taking what's left of the U.S. Treasury with us." I refer, of course, to the escalating campaign on the part of that old alliance of the military and their pet contractors on behalf of a new manned bomber.

Consider the B–1, latest effort on the part of Air Force generals to keep alive the tradition of manned combat aircraft that can deliver large bomb loads. Antiaircraft missile and radar technology is making massive strides. Even though it is still more than a little difficult to bring down a sophisticated incoming missile by use of antimissile technology, it is becoming increasingly easy for the defense to locate, track and hit attacking aircraft. Already, sophisticated antiaircraft missiles have made life miserable for offensive bombers over Southeast Asian skies. Can we imagine what any attack by manned bombers would encounter over the skies of the Soviet Union?

Further, as intercontinental ballistic missiles become ever more sophisticated, there is less and less need for manned bombers. We are into our third generation of ICBM's. Warheads have been multiplied in the form of MIRV's—multiple independent reentry vehicles—thus making that ancient legend of the Hydra into a modern day military reality. Each of these warheads, heading for its own target, throws out a series of decoy images onto defensive radar screens. In short, the age of the ICBM dominates world offensive military thinking.

Why then, in the name of all that is holy, solvent and sane is there any need for a new generation of manned strategic bombers? Such a plane will be an antique before it ever leaves the ground. It is useless before entering production. It is a total waste of priceless, vital dollars. It is just a desperate scramble by a group of aging Air Force generals for a youthful image in an age when they are fearful of the name "Silo Sitters."

These gentlemen still live in an age of the Red Baron, Messerschmitts, Zeros and Mig 15's. They conjure up that distant, romantic picture of an open cockpit, clattering machineguns, while silk scarves and bombardiers peering through bombsights. Touching, but fit only for late shows and war museums—certainly not worth taking seriously in terms of billions of dollars and our national defense

There is another side to the B–1 coin. In addition to swollen egos and unslaked desires of some military gentlemen to possess a new, shiny toy, there is also the care and feeding of selected defense contractors. In this case, the affected operation is that of North American Rockwell.

For several decades, a half dozen major defense contractors have had full run of the Treasury of the United States.

In the name of national defense they have perpetrated a series of atrocities upon the taxpayers and the Federal Treasury. We have watched in growing shock and horror as defective weapons systems have been revealed, complete with massive cost overruns as weapons systems that were supposed to be delivered in 3 to 5 years took 7 to 8 years and when finally termed completed, they turned out to be unworkable piles of junk.

We are still paying for something called the main battle tank, the Sheridan armored vehicle and an assortment of other pieces of hardware that add utterly nothing to the quality or quantity of our national defense. Of course, major defense contractors in each case have made large, even staggering fortunes in the process.

However, in the past 2 years, the whistle has been blown, various rocks have been lifted and an astonished public has been able to see what has been transpiring. A series of rules and regu-

lations have been laid down regarding cost accounting, delays and performance standards. The General Accounting Office has been increasingly utilized, although not adequately as the accountant of Congress. Now, GAO has discovered and publicized what may be the most blatant attempt yet to enrich a major contractor at public expense while attempting to build another flying dinosaur, the B–1.

This plane is as necessary as more sand in a desert. Our Nation has more than an adequate defense, regardless of Pentagon and industrial complex scare talk. The B–1 is a useless piece of hardware. Old mistakes, which I consider the height of folly, are being deliberately repeated. The avionics of the B–1 have not been fully settled on yet, a mistake that cost several billion dollars on the TFX.

The planners make no allowance for inflation, which, courtesy of President Nixon, is presently hurtling along at about a 6 percent annual clip. Vital performance characteristics of the plane, which are the supposed reason for its being, have been relaxed in an effort to hold down ballooning costs.

What is perhaps worst of all is the fact that there is no ultimate cost figure for the program. This means there is virtually an open end to the cornucopia now being emptied into the corporate treasury of North American Rockwell. It is possible that upwards of $20 billion could be wasted on this plane, above and beyond all original projections, and some estimates double this figure.

The missile to be fired from this aircraft, SRAM, is turning into a complete disaster. Its tests have been failures. It is supposed to be fitted onto the B–52 and F–111 as well as the B–1. The B–52 is an already obsolete plane. The F–111 is a standing joke among military aircraft and production circles. Its manufacturer, General Dynamics, maintains that its contract does not compel it to produce a bomber capable of flying at heights required for so-called effective use of the SRAM missile. No one in their right mind takes the F–111 seriously any more except as a classic example of waste, corruption and inefficiency. Yet this is how far the rationale for the B–1 and its missile armament is being stretched.

Mr. Speaker, the air force, its civilian allies at the Pentagon and their friendly neighborhood contractors are pulling out all the stops to ram this project through. What they obviously seek is repetition of what was allowed in the past; open-ended finances, unlimited delay, little or no oversight and unquestioning congressional acceptance of whatever they choose to do behind the scenes. The Pentagon, urged on by the Air Force establishment, is lending all available support to this effort. It is also plain that this plane, when and if ever delivered, will be as useless to the defense of this Nation as the F–111 is at present.

We would expend at least 50 billion dollars on what would end up a museum piece. In order to possess this useless indulgence, we would throttle mass transit, nutrition programs, antipollution efforts, housing programs, vital public works projects and a variety of other domestic requirements that literally shriek for attention and priority. What good does it do to end a war abroad only to waste the same amount of money on such a useless project? Mr. Speaker, the B–1 is unnecessary and should be cut off, forthwith.

NAMING NAMES

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ROSENTHAL. Mr. Speaker, there is a story told about a movie critic for a local newspaper who told his readers that he had just seen one of the worst films ever made. The acting was terrible, the script abominable and the directing and editing even worse. Do not waste your time or your money, he advised his readers.

But he failed to tell them the title of the film or the theater playing it.

Now that may sound ridiculous to a thinking person—and it is—but it is just the kind of thing that happens every day. Perhaps it does not occur with films, but we see it daily with far more important names that the news media fail to identify.

It is part of what Wall Street Journal reporter Stanford N. Sesser calls "a growing controversy in American journalism: the reluctance of some publications to name names when dealing with consumer stories that put businesses and products in an unfavorable light."

Now there are some publishers and editors who would tell you when businesses know they and their products would not be identified publicly they will be more likely to rectify problems.

On the other side are the consumer activists who, like Frank Pollock of Consumers Union, contend that—

A news organization unwilling to name names in a consumer story is shirking a basic responsibility to its readers.

I am only one of those who strongly support naming names. Such a policy not only is in the best interest of consumers but of businessmen as well. The refusal to identify an offending merchant or harmful product makes the warning meaningless to the consumer and, what's more, unfairly puts in a bad light all honest businessmen and good products in competition with the bad ones.

I am inserting in the RECORD at this point Mr. Sesser's fine article from the July 6, 1971, Wall Street Journal:

NAMING NAMES: SOME PAPERS HESITATE TO SPECIFY BRANDS IN CRITICAL STORIES—CRITICS SAY FEAR OF ANGERING ADVERTISERS IS THE CAUSE—PUBLISHERS DENY CHARGES—THE BEE'S TALK WITH A BUNNY

(By Stanford N. Sesser)

When Massachusetts' highest court recently issued a landmark ruling expanding the rights of consumers, the Boston Herald-Traveler said the decision came in a lawsuit involving "a store." The Boston Globe for its part spoke of a "disputed retail bill." The articles were buried deep inside both papers; the Globe, in fact, didn't even print the news until a week after the court action.

To many Boston newspaper readers, it might have sounded as though Sam the corner druggist was being hauled into court. Neither article so much as hinted at the identity of the defendant, although the Herald-Traveler had quoted two paragraphs from "the store's brief."

But in this case the defendant, far from being a small merchant, was Jordan Marsh Co., which calls itself the largest department store in New England. Jordan Marsh was accused of illegally transferring a $500,000 debt from a bankrupt man to his mother and then harassing the mother with late-evening phone calls, threats of legal action and letters stating her credit had been revoked. The mother, who contended that such tactics brought on two heart attacks, won a ruling by the Supreme Judicial Court allowing a debtor to sue a creditor for undue harassment. Her $100,000 suit will go to jury trial.

WAS ADVERTISING A FACTOR?

Some Boston newspaper readers think there was more than bad news judgment involved in the treatment of the story. "This is new law; it should have been front-page news," declared Joseph Stashio, the lawyer for the mother. He charges that the papers didn't mention the department store by name "because they get a lot of advertising from Jordan Marsh."

Both the Globe and the Herald-Traveler deny that they are reluctant to use Jordan Marsh's name. Globe editors say they can't account for the omission on the lawsuit story. John R. Herbert, executive editor of the Herald-Traveler, says the name was left out because the court decision "was applicable to all retailers."

The Boston case illustrates a growing controversy in American journalism: the reluctance of some publications to name names when dealing with consumer stories that put businesses and products in an unfavorable light. Such policies are gaining increasing attention as they come into conflict with the nation's growing consumer movement.

Frank Pollock, executive assistant to the director of Consumers Union, charges that "one of the reasons we have the very serious consumer problems we have today is that the press over the years developed a tradition of not serving the informational needs of the consumer." He contends that "a news organization unwilling to name names in a consumer story is shirking a basic responsibility to its readers."

NAMES THAT DON'T MAKE NEWS

Arnold B. Elkind, who was chairman of the National Commission on Product Safety until the group disbanded last fall, feels that "the news media to whom our records and hearings were available generally haven't availed themselves of the opportunity to alert the public to product hazards." Mr. Elkind recalls that a commission hearing on hazardous toys in December 1968 elicted considerable press coverage—but that only the Washington Post actually mentioned the brand names. "I don't think the fear of libel was at the root of the problem," he says. "I feel there was a concern of alienating advertisers that was at the bottom of that kind of self-censorship."

Talks with reporters indicate that the re-

moval of names from articles is being met with increasing resistance in the newsroom. Several Time magazine staffers, for instance, are known to have protested the decision of editors to take out all references to Chrysler Corp. in an article published in the magazine's law section June 7. The story concerned the acquittal by a Detroit jury of a black factory worker on the ground of insanity when he murdered three others workers at a Chrysler axle plant. The defense had argued that inhumane working conditions at the plant, particularly for blacks, had driven the worker to murder while he was temporarily insane.

In its article, Time referred only to "an axle plant," even though the Detroit papers and The New York Times had previously published stories that named Chrysler. Richard M. Seamon, an assistant managing editor at Time, says the name was removed because "from the reading of the trial transcript, the significant thing was that working in an axle plant was a terrible thing. There was nothing to indicate the Chrysler plant was any worse than any other axle plant."

Mr. Seamon also says that Chrysler had been mentioned in the Detroit newspaper articles and that there was "no sense in pointing the finger again at a corporation that had already been embarassed by it."

DISPUTE OVER A BYLINE

One dispute over names received national attention early this year when a Baltimore Sun reporter, Sandra Parshall, sought unsuccessfully to enjoin the paper from using her byline on a series of stories about Maryland's nursing homes. She argued that because the paper removed the names of the homes, the stories were so flimsy that her professional reputation would be "irretrievably damaged" if her byline was used. The Sun responded that publishing the names would open it up to possible libel suits.

All the critics of newspaper consumer-reporting practices concede that there has been vast improvement from the early 1960s, when the press largely neglected such major problems as the alleged hazards of General Motors' Corvair. Today actions by government agencies against specific products and companies are widely reported, as are the allegations of Ralph Nader, the consumer advocate. In addition many papers—including the Knight newspaper chain, the Washington Post and the Rochester Democrat & Chronicle—frequently launch investigative studies of their own and use names in the resulting stories. (Even these papers, though, sometimes refer to companies anonymously when anonymity is the only way to get desired information for a story.)

But a surprising number of publications still suppress product or company identifications on critical stories. A report by a group of Stanford University students provides some measure of the problem. Last fall the students released the text of a year-long study of air pollution in the San Francisco Bay area that included a company-by-company description of 29 industrial polluters. The students say that 17 newspapers carried the story—but that only three used one or more names. The other 14, including the two San Francisco dailies, carried news of the report without identifying a single polluter, the students state. (The major corporations identified as polluters in the report include Standard Oil Co. of California, Pacific Gas & Electric Co. and FMC Corp. None of the three concerns had any comment.)

A few newspapers still seem to consider names about as desirable in print as four-letter words. Consider the Sacramento Bee. One day recently its "Action Line" column contained three items, all with nameless references. The first was a complaint about "one of the leading credit-card concerns"; the second concerned "a Chicago mail-order house"; and the third concerned "scores of letters from irate readers who have sent away for bowls and spoons offered by the national marketer of bananas."

BATTLING THE BEE

Reporters for the Bee say they sometimes match wits with management in a battle to get the names across. One Action Line column discussed calling a credit company and drawing "a blanche." One reader had a complaint about a magazine subscription; the column noted that "we called the famed men's magazine and talked to a bunny there."

The reluctance to use names doesn't stop with the Action Line column. Reporters say that model names are never used in stories about car or small-plane accidents. For example, the Bee recently ran a picture of a burned-out, overturned Volkswagen whose two occupants were killed. But the photo caption referred only to a "small car."

One Bee reporter complains that "on our food pages, they can say there is a great new cereal with no vitamins and minerals that costs $12 a box and they can name the cereal. But if someone wants to do a story on a cereal with DDT in it, we can't use the name."

A spokesman for the Bee, who asks not to be identified, says the Action Line column omits names because "you find that no one was really at fault; it was a minor clerk or something like that." He contends that the paper "pulls no punches," but doesn't do investigative consumer articles because "we've been too damn busy doing too many other things." Asked specifically about the photo of the wrecked Volkswagen, he says the car wasn't identified because it would have been "free advertising."

The Cleveland Plain Dealer is another paper that bans names in its Action Line column. William M. Ware, executive editor, says, that "we get greater results for our readers when we don't name names. When the merchandisers know we won't name a name, they'll rectify the problem much better." But what if the merchant doesn't act when the Plain Dealer calls? That never has happened, Mr. Ware insists.

TAPING OVER TOYS

Mr. Pollock of Consumers Union, which publishes the magazine Consumer Reports, points to several types of stories he says most newspapers won't run for fear of alienating businesses by the necessity of naming names. They include loss of luggage by airlines, thefts from downtown hotels, loan practices in the ghetto by local banks, and picketing of stores and auto dealers by disgruntled consumers. Consumers Union has just ruled that none of its executives will consent to interviews unless names can be used. The policy was adopted after a television station ran a feature on the organization's campaign against hazardous toys and taped over the names of the toys that were being demonstrated.

In some cases, however, newspapers are beginning to change their minds about the wisdom of a no-names policy. A year ago, for instance, The Record of Bergen County, N.J., ran an editorial sharply critical of a supermarket chain that was fined 12 times in seven years for selling hamburger containing more fat than was permitted by state law. "A fine should not be just another nominal expense of doing business," the editorial concluded. But there was only one problem: The editorial never said what supermarket chain was involved.

Malcolm A. Borg, who became president of The Record in January, now declares that "as it would stand today, we would say who it is," and he pointedly notes that the violator was Acme Supermarkets. "You're not serving the public unless you name the store," he says. "My own feeling is most newspapers have consistently hidden advertisers' names out of the news columns for fear of losing advertising revenue. It included our paper, very definitely."

EMPTY THREATS?

One editor who has done frequent battle with local businesses thinks the threats of libel suits and lost advertising are empty fears. "We periodically do get threatened, but nobody has really ever followed through and done anything," says Thomas Pew, editor of the Troy (Ohio) News. "We have temporary advertising boycots periodically, but they don't last too long," he adds.

Mr. Pew's paper, which has a circulation of 10,000, has been sharply critical of practices of some of the town's leading businesses. Last fall, for example, the Troy News accused Hobart Manufacturing Co., whose corporate headquarters is in Troy, of distributing IBM computer pledge cards from the Republican Party to all its salaried employees. The article also said some Hobart employees were complaining of management pressures to contribute to GOP campaigns.

Hobart at the time denied there was any pressure and said the punch cards were sent only to employes who were Republican Party members.

In addition, the Troy News has named supermarkets in articles on packaging and code dating and once ran a list of large local farmers with the government subsidies they got for not growing crops.

Mr. Pew is scornful of papers that take a more timid approach. "In the long run it hurts them not only with their readers but with their advertisers," he says. "If the reader trusts the paper and feels it will counter any misleading advertising, the advertiser actually gets more money for his dollar from the paper."

UPPER MISSOURI BASIN GOVERNORS MEET

HON. JAMES ABOUREZK

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ABOUREZK. Mr. Speaker, recently the Governors of Montana, Nebraska, Wyoming, North Dakota, and my own State of South Dakota held a meeting of the Upper Missouri Basin Governors' Conference in Rapid City, S. Dak. The thoughtful concern for the problems of our society that dominated that conference and the serious efforts to grapple with these problems are well expressed in the resolutions adopted. One in particular has such merit that I would like to call it to your attention.

The resolution follows:

RESOLUTION ON DISTRIBUTION OF OPPORTUNITY

Whereas our states including North Dakota, South Dakota, Wyoming, Nebraska and Montana have for decades experienced a serious outflow of people, especially our well educated youth who pursue opportunity elsewhere because of limited opportunity here; and,

Whereas the United States is experiencing a severe and persistent dislocation and shift in population which is causing mounting problems of out-migration from farms and small towns causing a decreasing tax base and insufficient people to maintain minimum

services such as schools, hospitals, parks, sewer and waste systems, etc., on the one hand, and on the other hand this out-migration is causing, in part, problems of urban glut, such as increasing crime, smog, racial tension, water pollution, clogged mass transit, crowded schools and hosiptals, etc.; and,

Whereas these opposite sides of the same coin—under population and congested population—are root causes of high social and economic costs involving a diminishing quality of life in America; and

Whereas out-migration from our states of our own youth is not a phenomenon of nature but is man made and too often the result of inadequate, inadvertent, and uncoordinated national government policy, planning and programming:

Now, therefore we call for a congressional declaration of a national policy on distribution of opportunity which solicits effort by the private sector as well as state and local governments to recognize and aid in distribution of opportunity and hence stabilization of population through such devices as:

A. Interstate Commerce freight rate adjustment to allow the midwest to be competitive

B. Regional multi-state economic planning and action through organizations such as the Missouri River Economic Development Commission

C. Small Business Administration type loans with preferential interest rates to industry in under populated states

D. Preferential tax programs for such industry

E. Manpower on the job training for new industry

F. Water resource development through regional effort

G. Agricultural programming recognizing the social and economic value of individual, non-corporate farming

PRESS, POLICE, AND LAWBREAKERS

HON. ROBERT H. MOLLOHAN

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. MOLLOHAN. Mr. Speaker, one of the current catchwords—and it seems our society has grown so fond of creating them—is "police brutality." Like all catchwords, that phrase is an oversimplification and an excuse to seal off discussion.

Come up with a catchword, repeat it often, and although you may never have tried to prove it and although you may never have examined the other side of the issue—and indeed, for the phrasemonger it is better that he does not do so—and soon you will be delighted to hear your catchword being accepted as truth and being echoed by those too hasty to examine the scope of the issue.

This is what is happening today with the catchword "police brutality." It has caught so many minds and sealed them off to discussion.

Can the phrase even begin to describe the feelings of our law enforcement officers confronted by jeering crowds hurling obscenities?

Can it even begin to convey the difficulty of a policeman trying to control a volatile mob to maintain the public order, while simultaneously trying to protect the rights of individuals?

I sometimes feel that those who cry "police brutality" do so to encourage "mob brutality" and to psychologically undermine the effectiveness of our police. I urge our policemen not to be swayed by such epithets, for they can be assured of the support of the American public which has grown increasingly alarmed by the tempo of violence and demonstration.

Mr. Speaker, I would now like to submit an editorial published in the June 29 edition of the Wheeling, W. Va., News-Register, which I think aptly expresses my views on police and lawbreakers:

PRESS, POLICE, AND LAWBREAKERS

There sill are rumblings being heard over the actions of police during the Mayday demonstrations in Washington, especially criticism of the mass arrest technique used by the police to keep government functioning.

Grant Dillman, Washington News Editor for United Press International, recently registered his objections to D.C. Police Chief Jerry Wilson over the treatment accorded reporters by some policemen during the demonstrations.

Mr. Dillman noted that six newsmen were arrested during the indiscriminate police sweeps and others were harassed in various ways. Of those arrested, two were physically assaulted.

UPI made one further point: "Black reporters and those with long hair were hassled most. The minority of your department that personally finds this objectionable must realize that being blacks and favoring long hair does not necessarily reflect sympathy for the protesters or anyone else."

Lt. Arthur F. DeGennaro, the police department's public information officer, noted that prior to the Mayday protest policemen were issued special orders instructing them "to expedite the movements of members of the press within or through established police lines."

But Lt. DeGennaro freely conceded that what officers are told to do and what they actually do sometimes are two different things. There are smart alecks in uniform as well as within the ranks of newsmen, he said.

Naturally reporters must be free to report the news under all circumstances and it is expected that police officers will not interfere with newsmen as long as the latter do not hinder the officers in their important duties. Police-press cooperation is a two-way street, something both reporters and policemen sometimes forget in the heat of a major confrontation. We have seen certain newsmen who have asked for trouble from police by getting themselves directly involved in the story they were covering. Sometimes by their own actions newsmen can incite demonstrators to violent actions.

Today it is incumbent upon a responsible press to be careful not to be "led" into situations whereby lawbreakers are encouraged to "perform" in order to get publicity. There are certain malcontents in every community today that enjoy nothing better than getting their pictures and rabble-rousing statements printed in the newspaper or shown on television with the idea that makes them important in the eyes of their followers. The press must not be used.

As for this matter of mass arrests of demonstrators by police in Washington, true they would be legal only by changing the Constitution to permit 24-or-48-hour detention by the police of any citizen for reasons of public safety. But as a nation we have wisely refused to give the police this authority. It is too easily abused. As an article in America magazine stated, "It is better to bend the Constitution now and then rather than declare open season on our individual freedoms."

Apparently the D.C. police did bend the Constitution a little during the Mayday demonstrations when they did not have time to distinguish between the zealots, the eggers-on, the sympathizers, the fire-watchers, the casual passers-by and certain members of the press as well. But they had little choice where public safety was the issue.

INDEPENDENCE DAY 1971

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. WOLFF. Mr. Speaker, the events of the last 3 weeks involving the publication of the Pentagon papers has brought before the American people a variety of facts and documents about our long and futile involvement in Southeast Asia. These papers have been a revealing source of information to the public. However, they are, at the same time, a source of deep discouragement.

The Pentagon documents and their clandestine handling by the Government have shown the people of this country the consistent attempts to maintain an atmosphere of unjustified secrecy when dealing with the war in Vietnam. The unsuccessful attempts to stifle the efforts of newspapers to print these documents has greatly added to my own disillusionment with the Government's policy. It is this constant denial of vital information that has kept the people of this country unaware of many of the facts of the Vietnam war while the Government pursued its foreign policy with a free and heavy hand.

Mrs. Sheila Noeth is the editor of the Syosset Tribune, a newspaper which has a large circulation among my constituents. Her newspaper has recently printed an editorial attacking the Government's attempts to suppress the Pentagon documents that is succinct and refreshing for its honesty. I believe, Mr. Speaker, that this article will be of interest to my colleagues and to the American public. I include the article at this point in the RECORD:

INDEPENDENCE DAY 1971

These are troubled times to celebrate our independence from English domination. In 1976 we will be celebrating 200 years of independence. But there is more to independence than pride and patriotism. From fledgling colony-states we have grown to a union of 50, one of the world's greatest powers. In 1776 we set an example for the oppressed everywhere. We fought for our independence against superior odds. Since then we also have fought for the indepedence of other countries. No other nation on earth can measure up when it comes to spending blood and money for freedom—ours and that of other nations. Also, no other country has expended such large sums of money to improve conditions around the world for the poor and the oppressed.

Revelations in the New York Times, Washington Post, Boston Globe and other newspapers are disquieting and shocking. They reveal that for the past decade Washington has been less than candid about what we are doing in Vietnam. The present administration inherited the Vietnam mess with a promise to end the war. President Nixon has succeeded in tamping some of the fires of anguish which have swept and sundered this nation. He has brought home thousands of troops and has succeeded in winding down the war. We are grateful for this. Now if we can get all of our prisoners back, few will object if we pull out body and soul from the war. More than $100 billion dollars and 50,000 deaths after 10 years is enough.

Statements from Washington in the past decade leave a slightly bitter taste. Attempts to muzzle the press, as to its responsibilities to the American public, do not sweeten the sour flavor. It is time for the government to cooperate with the Press instead of trying to muzzle it. Unless news would really be detrimental to our troops on the battlefield, it should be printed. A free press is one of the bulwarks of freedom, independence and democracy. And this newspaper will not now, or ever, stand for censorship of LEGITIMATE news from local, state or national officials. Freedom to print the truth is a basic right of a free press in a free society, providing that it's publication can not harm our country. The choice is clear. We opt for the American way.

KEEPING THE FARES UP

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. ROSENTHAL. Mr. Speaker, I wish to bring to the attention of my colleagues two articles from Montreal newspapers about the international airline cartel that secretly sets the fares their customers must pay.

The articles were written while this cartel, the International Air Transport Association—IATA—was holding its annual price-fixing meeting in that Canadian city last month.

Consumers have no say in the rate setting procedure, and IATA's proceedings are never made public.

If antitrust laws were applied to these international carriers, "every airline executive in sight would find himself behind bars," according to Reuben B. Robertson III, chairman of the Consumer Advisory Committee for the Civil Aeronautics Board and a founder of the Aviation Consumer Action project.

The articles follow:

[From the Montreal (Quebec) Gazette, June 29, 1971]

HOPE TO OPEN AIR MEETINGS: NADER'S RAIDERS AIM AT IATA

(By Kendal Windeyer)

Nader's Raiders are in Montreal this week with the avowed intention of exposing the inner workings of the International Air Transport Association.

The consumer advocates are asking IATA's permission to sit in on meetings to be held in Montreal this week. The meetings have been called to fix fares over international routes on behalf of member airlines.

"We think that exposing the inner workings of the cartel to public view will do a lot for the consumer," says Washington-based raider Reuben Robertson.

IATA has historically insisted on keeping its meetings secret, announcing the results at press briefings given by industry public relations men at the end of the conference.

Robertson acts as chairman of the Consumer Advisory Committee for the U.S. Civil Aeronautics Board as well as being one of the founders of the Nader associated Aviation Consumer Action Project.

To help in the attempt to open IATA meetings to the public, he has brought Yale law professor Arie David and aviation author K. G. J. Pillai along with him.

So far, the organization has declined to comment on the application other than to refuse admittance to meetings and publish all written correspondence on the matter.

"We plan to hold a public press conference to tell our side of the story," says Robertson.

The raiders are becoming increasingly nervous over the aviation business.

"If anti-trust laws were applied to them, every airline executive in sight would find himself behind bars," Robertson claims.

ONE BIG FRAUD

The proposed plans to reduce air fares for those passengers who reserve 90 to 120 days ahead of time "are one big fraud," according to Pillai, author of the controversial expose of the airline world "The Air Net."

Pillai fears that the scheduled carriers are trying to "force the charter operator out of business." Fares will go up again after the large airlines have gained control, he predicts.

The true cost of flying the Atlantic would sink to little more than $150 return if airlines would reduce "frills" such as expensive meals, costly P.R. programs and ever increasing management expenses, Pillai says.

"However, this is impossible under the present setup," he adds. "Airline management seem to prefer their own comfortable life the way they have it now."

IATA executives took advantage of a press briefing yesterday afternoon to answer to at least some of the charges.

PRIVACY NEEDED

"A forthright and free exchange," said IATA traffic manager Don Reynolds, can only be carried out in private. Otherwise, airlines might take "public relations-type positions."

Even elected government officials are barred from the meetings and proceedings are never made public. However, Reynolds says that the airlines "agreed to" but "do not fix" air fares in the private sessions.

The fact that governments must pass on the merits of each IATA proposal is a safeguard in itself, he says.

Round number two of the battle takes place this morning, when the raiders says they will make "exhaustive documentation" available to the public showing that IATA's closed meetings are against the interests of the consumer.

[From the Montreal (Quebec) Star, June 29, 1971]

NADER'S MEN SAY AIR FARES TO GO UP

(By Susan Altschul)

Four major airlines promise to lower their trans-Atlantic fares—but it doesn't mean prices will go down. On the contrary, they probably will go up. And up.

It's a recurring pattern each time the International Air Transport Association (IATA) holds a meeting, according to a team of lawyers trying to light up the shadowy corners of what they claim is a private and highly secretive cartel.

"What the public doesn't know is that increased air fares have to be agreed upon by unanimous vote," they said in an interview in Montreal yesterday.

"So when the rates go up, as they always do, even those four airlines who talked about $200 fares will have voted for the increase."

Lower rates, coupled with restrictive conditions (like the cut-off at age 30, or making passengers reserve seats three months in advance) are an attempt to kill the charter game, they said. And so far "one small American company has gone broke while another two or three are in imminent danger."

By the time the three lawyers leave Montreal they hope people will have a clearer picture of IATA—and how to fight it. The three are associates of consumer advocate Ralph Nader, members of the advisory board of the Aviation Consumer Action Project.

Nader and his dedicated band of "raiders" have fought for six years against incompetent or unfair practices by companies, government agencies, syndicates, corporations or any other organization they feel hurts the public. Their weapons are law and public opinion.

Big corporations have become "private governments," they charge—and none is so big or so all embracing as the airline cartel.

"IATA not only regulates fares, it fixes all conditions of service; it has developed an insurance plan, a financial clearing-house, and now they're trying to make a separate division to control hotel prices and tours," said K. G. J. Pillai, executive director of ACAP.

"People don't know what IATA is. They think its something like UNESCO" (a supranational United Nations agency), added Arie David, an air law expert from the Hebrew University of Jerusalem, currently working at Yale.

"Since we started last April we have received numerous complaints about IATA but many people don't know that it's IATA they are complaining about—they have a problem with an airline and come to us for help," explained the third member, Reuben Robertson III.

The three got together after Dr. Pillai began research studies for doctorate in international law at Yale. He went to Montreal, where IATA headquarters is located.

"I approached IATA, but they said it's all secret," he said. "My professor said the dissertation could not be written, but I had some ways of finding out things, and I did."

He not only won the degree, but a prize for excellence as well. The same year, 1969, he published "The Air Net," a 200-page highly-documented book subtitled: "The case against the world aviation cartel."

(The Oxford dictionary defines "cartel" as manufacturers' union to control production, marketing arrangements, prices, etc.)

"If the present practices of the IATA clique are not controlled by unified government action and the consumers are not given representation in the governance of this booming industry, the consumers will be forced to use the techniques of pressure, boycott and confrontation," he wrote.

"In international civil aviation, better than in any other huge commercial enterprise, the consumers can easily turn from IATA's subjects into IATA's rulers."

So, in the name of the consuming public, the three lawyers are trying to get into the IATA general meeting which opens here today.

"We are here to insist that the consumer should not be locked out like this," said Dr. Pillai. He said that, while some six million people cross the Atlantic yearly, there are millions more who are prevented from doing so by costly frills or restrictions.

"There is no need for gimmick fares—what the public needs is the right to go to the airport and buy a ticket and go."

Prof. Robertson declared: "It doesn't cost them any less to fly you there for 29 days than for 28—but with the excursion rates people are complaining that they have to spend fortunes on accommodation."

If the airlines can really fly people to Europe for $200, he argues, they should not charge some people $500. But he said headlines picked up the pledge of reduction but failed to mention an eight-per-cent increase on regular last-minute flights.

ACAP brought several documented charges before the United States Civil Aeronautics Board, a federal agency which theoretically has the right to overrule IATA regulations.

"They were shocked," recalled Prof. Robertson. They also appointed him chairman of a consumer advisory committee to investigate airline practices, and have initiated senate investigations.

But up to now, he said, "airlines scare the governments by saying the entire airline transportation system will collapse."

All ACAP action is strictly within the law, the raiders said. "We're just trying to bring IATA within the law too."

And with IATA being in Montreal, they are hoping to get a branch of consumer activists operating here. Anyone with a complaint or inquiry is invited to contact the Aviation Consumer Action Project, P.O.B. 19029, Washington D.C. 20036.

This is the second visit to Canada by an official group of Nader's Raiders. Two pollution fighters came to Beauharnois last month to point the finger at silica air pollution by Union Carbide Ltd. of Canada.

MAN'S INHUMANITY TO MAN—HOW LONG?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 8, 1971

Mr. SCHERLE. Mr. Speaker, a child asks: "Where is daddy?" A mother asks: "How is my son?" A wife asks: "Is my husband alive or dead?"

Communist North Vietnam is sadistically practicing spiritual and mental genocide on over 1,600 American prisoners of war and their families.

How long?