

United States Senate

MEMORANDUM

I thought you
might find this of
interest —

Best wishes
Jesse

THE VIETNAM-CAMBODIA EMERGENCY, 1975
Part III—Vietnam Evacuation: Testimony of Ambassador
Graham A. Martin

HEARING
BEFORE THE
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
NINETY-FOURTH CONGRESS
SECOND SESSION

JANUARY 27, 1976

Printed for the use of the Committee on International Relations

for Bill LeGros:

Bill:

*you may find
this interesting.*

As always,

Graham A. Martin

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1976

CONTENTS

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(II)

WITNESS

Martin, Hon. Graham A., U.S. Ambassador to the former Republic of Vietnam..... Page 534

STATEMENTS AND MEMORANDUMS SUBMITTED FOR THE RECORD

Cables from Ambassador Martin to the Department of State regarding interfaith group charges against the United States..... 552
Ambassador Martin's responses to questions submitted by Chairman Hamilton on the evacuation of South Vietnam..... 588
Additional statement submitted by Ambassador Martin on Can Tho evacuation..... 594
Responses to questions submitted by Chairman Hamilton regarding the \$12.5 million sent to Saigon..... 596
Ambassador Martin's responses to questions submitted by Mr. Hamilton... 604

APPENDIX

1. Biography of Hon. Graham A. Martin..... 615
2. Letter and report on "Evacuation From South Vietnam," by Congressman Norman Y. Mineta and his staff..... 616

(III)

VIETNAM EVACUATION: TESTIMONY OF AMBASSADOR GRAHAM A. MARTIN

TUESDAY, JANUARY 27, 1976

HOUSE OF REPRESENTATIVES,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS
OF THE COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C.

The special subcommittee met at 2:05 p.m., in room 2200, Rayburn House Office Building, Hon. Lee H. Hamilton (chairman of the special subcommittee) presiding.

BACKGROUND OF THE HEARINGS

Mr. HAMILTON. The meeting of the subcommittee will come to order.

In early 1975, the chairman of the Committee on International Relations mandated the Special Subcommittee on Investigations to follow closely developments in Indochina.

The subcommittee held a series of four hearings in March and April dealing with the deteriorating political and military situations of the Lon Nol and Thieu governments in Vietnam and Cambodia and with 11th hour requests for additional economic and military aid.

These sessions were overtaken by events and soon the Congress was dealing with evacuation and resettlement issues.

Since the events of last spring, the subcommittee has been waiting for the opportunity to hold an inquiry on the final days of the former Vietnam and Cambodia regimes and on U.S. evacuations from those countries.

Since June 1975, we have written the Department of State four times trying to arrange for testimony from the senior American representatives who oversaw the last days of the Lon Nol and Thieu governments and the evacuations of Vietnam and Cambodia.

We are happy finally to be able to conduct this inquiry and hopefully come closer to closing out our committee investigation. Many judgments were involved in determining the course of U.S. policy during the months leading up to the evacuations and many questions remain about those evacuations and those judgments.

Our witness today is Graham Martin, former U.S. Ambassador to the former state of South Vietnam.

Mr. Ambassador, we welcome you back before the committee.

I believe that the last time you appeared before a subcommittee of this committee was on July 31, 1974, when the situation in Vietnam was very different.

Perhaps you would like to make a few brief remarks on the events of last spring before we start with questions from members.

You may proceed.

STATEMENT OF HON. GRAHAM A. MARTIN, U.S. AMBASSADOR TO THE FORMER REPUBLIC OF VIETNAM

Ambassador MARTIN. Thank you, Mr. Chairman.

You are quite right, it was almost a year and a half ago that I had the pleasure of appearing before this committee.

I attempted then to lay before you in complete candor, the current realities of the situation as it actually existed in Vietnam.

Recently, I again read the record of that hearing. It was a completely accurate report of the conditions in Vietnam as they existed in July of 1974.

Since it may contribute to perspective, I hope that record will be reviewed by those who wish to seriously consider and comment upon the remarks I make here today.

FIRST PUBLIC COMMENT

It might be noted that this is the first public comment I have made on Vietnam since I became the guest of the U.S. Navy on May 1 last year.

I have not exactly lacked opportunities, but none of the invitations to appear on major TV news outlets or to write articles for some of this country's major publications were accepted.

FOREIGN POLICY AND CONGRESS

There were two major reasons. The first was personal. It was the deeply held conviction that our constitutional institutions dealing with vital foreign policy considerations would be best served if reports like this were first made to the committees of the Congress dealing with our foreign relations.

It was 44 years ago, in 1932, that I first attended meetings of this committee. My Congressman was a member.

Since I worked for him part time he arranged for me to attend even closed sessions. I was fascinated in those days at the easy and productive interchange between the members of the committee and the Department of State officials.

This was particularly true of the relationships between the committee and the officers of the new Foreign Service—then 8 years old under the 1924 Rogers Act. These officers were to be cherished, I was told, because they provided the essential continuity, because they were the principal executants of policy, because their expertise made an essential contribution to policy formulation, although the responsibility for the policy must remain, as constitutionally prescribed, with the Presidency and the Congress.

Perhaps it was an easy relationship because there was a common objective—the mutual search for courses of action that would best serve the interests of the Nation; perhaps it was an easy relationship because, in that search, the interchange was marked by obvious mutual respect, and by observance of the forms of courtesy which, in those days, governed the relationships between gentlemen. And, perhaps, these were the factors that made the interchange a productive one as well as an easy one.

In the intervening four decades I have watched this relationship vary from time to time. I have remained myself convinced that the national interests are best served by the kind of relationship I first observed so long ago.

I have always governed my own approach to this committee in accordance with that conviction. Accordingly, it was my preference to await an appropriate time to speak publicly first in this forum.

AN END TO RECRIMINATIONS

The second major reason was the concern of the President and Secretary Kissinger that the traumatic shock to the country not be further exacerbated by recriminations that would almost certainly ensue from an immediate prolonged debate. I agreed completely.

A good deal of absolute nonsense was said and written about the final days in Vietnam. The President and the Secretary were among the very limited number who were fully aware of the full gamut of the problems faced by the Saigon Mission.

The President and the Secretary were among the very few really capable of appraising the performance of the Saigon Mission. Both had publicly commended that performance.

I was personally content to leave it at that. I was serenely confident that the President's words of approval would be fully supported by the future verdict of dispassionate historians, a verdict based on documented records—a verdict providing perspective uncolored by the perhaps inevitable hysteria of a traumatic moment.

NO CHANGES NECESSARY

While the guest of the U.S. Navy in the South China Sea, I reviewed the circumstances of April. I concluded that if I could relive that month I would change almost nothing in the way the Saigon Mission reacted to the realities of the unfolding situation. I will come back to this a little further on.

I am a professional foreign affairs officer. I have felt free within the confines of the executive branch to express my views quite candidly on what direction American policy should take.

I rarely submit such views, unless asked to do so, about matters with which I am not officially charged.

VOICING PERSONAL ATTITUDES

In any event, I have never forgotten that in the end the policy is never mine, but that of those individuals charged under the Constitution with the responsibility for the foreign relations of this country.

This self-imposed restriction about voicing my personal attitudes I violate now only because such gross distortions have been spread about my approach to Vietnam.

I participated in World War II, which might have been avoided, it seemed to me, if we had been much less naive about the realities of the decade of the thirties.

In the decade of 1945 to 1955, I was highly privileged to have an unparalleled observer's vantage point, and to be an occasional minor participant, in one of the most creative periods of American diplomatic history.

I watched the cables from Saigon with fascination, and the evolution of French attitudes with great interest. It seemed to me that our own emotional involvement in Vietnam began when we moved a million refugees from the Tonkin Gulf to the south in 1954.

The inconclusive end of the Korean war was frustrating. I well understand the instinctive reaction of those who, regretful for their inaction in Manchuria in the thirty's, perhaps overreacted to a new type of aggression in Southeast Asia in the midfifty's.

INVOLVEMENT IN ASIA

I understand it but doubted the wisdom of becoming too deeply committed anywhere in Asia.

I thought, then and now, that our first priority simply had to be Europe. As far as an overt military commitment on the mainland of Asia was concerned, it made no sense to me, then or now.

If we wished to help the nations of Southeast Asia with materials matching that provided by the allies of Hanoi, that should be the limit. They made it or they did not. It is still my judgment that had we done this, they would have made it just fine—their way.

OPINIONS EXPRESSED

For expressing these opinions within the privacy of proper channels, but with some pungency of expression that was perhaps too tart, I was relieved of my post in Bangkok.

In the record of the 1974 hearings I think I am quoted as saying that in 1967 it would be inaccurate to say that I was losing my head over Southeast Asia since I was already carrying it around in a basket.

I would not want any of the above to be interpreted as any kind of attack on American Armed Forces, for whom I have the utmost respect.

I am proud that Generals Westmoreland and Abrams in Vietnam and Generals Easterbrook and Stillwell in Thailand were my friends. This Nation owes them all a deep debt.

A DRAFT ARMY WITH TV COVERAGE

My point was then, and is now, that when it is obvious that the political limitations will so restrict application of force that a protracted war becomes inevitable; when it is obvious that you cannot use a draft army with unrestricted TV coverage for a protracted war; then it is usually better to stay out of direct military engagement in the first instance.

When I left Asia in 1967, I thought I could, like Mary Martin, wash the South Pacific out of my hair. There were the same sort of press stories we see today. I remember one quote that "Martin's past was brighter than his future."

But after that I spent one of the most satisfying periods of my life in intimate association with the great American family of American Voluntary Agencies for Foreign Service, and then the better part of 4 marvelous years in Rome.

TOUGH POSTS AND NICE ONES

Although I love Asia and treasure my friends there, I spent 8 months after the question was first raised in 1972 about my going to Saigon saying, "Hell No! I won't go!"

I had absolutely no illusions about what lay ahead of us. But when the highest officials of your country say "I thought the Foreign Service took the tough posts as well as the nice ones," you respond "Yes, we do," and then wonder how to tell your wife that we were going to Saigon and not to a Tuscan farm. Any surprises I have had since accepting the Saigon assignment have been agreeable ones.

When I arrived, American prisoners had been returned. But none of the other provisions of the 1973 Paris Accords were observed. There was no "cease-fire", there was no "delimitation of areas of control."

Hanoi never agreed to establish the points of entry where introduction of military equipment could be observed by the ICCS.

Charges and countercharges of which side was responsible are now useless, but a simple exercise in logic establishes that it would have been to the great advantage of the South Vietnamese to have had a full implementation of all sections of the accords.

A STRUCTURE OF PEACE

My great concern was to get the United States out of Vietnam as quickly as it could possibly be done, leaving a South Vietnam militarily capable of defending itself with its own manpower, economically viable, and free to choose its leaders and institutions as its own people might freely determine.

By so leaving, I thought we might make a contribution to the formation of institutions that might form a structure of peace that might insure a reasonably tranquil life for my grandchildren rather than a world of increasingly random violence.

If we failed, the cost was going to be very great, and it seemed obvious that the time was short. So, it seemed we had to try. Well, we didn't quite make it. But I venture the guess that future dispassionate historians will record that in June of 1974 we came very close.

MID-1974 AND AFTER

The report I made to this committee in July of 1974 was then described by some as an optimistic one. I can now tell you, as I could not then, that the two Communist members of the ICCS were reporting to their capitals in June of 1974 that the military initiative was clearly in the hands of the South Vietnamese.

Assuming the constancy of American support, their conclusion was that the interests of North Vietnam would be currently best served by curtailing further military pressure and beginning to accept the necessity of implementing the provisions of the January 1973 agreements.

Then in rapid succession the RVN suffered a series of reverses, almost all from causes external to South Vietnam. Any one of them would have been dangerous. Cumulatively, they proved mortal.

REDUCTIONS IN U.S. AID

The first was an internal DOD action, which informed the Defense Attaché in Saigon that about \$300 million worth of material in the pipeline, paid for, we thought, out of fiscal year 1974 funds, would now be charged against the fiscal year 1975 appropriations.

Military assistance for fiscal year 1975 had been reduced from the \$1.6 billion original request to \$1 billion in the fiscal year 1975 authorization bill. This amount, although authorized, and appropriation recommended by the Appropriations Committee to the floor, was reduced by House action to \$700 million in the final appropriation act.

It is ironic that, as I have been reliably informed, the authors of the amendment reducing the appropriation by \$300 million were not anti-Vietnam but were irritated by their inability to get information they desired from the Pentagon.

In the climate of the events of August 1974, efforts to have the Senate restore the \$300 million were unsuccessful.

RISING PETROLEUM COSTS

Another blow was the rapid escalation of petroleum costs after the 1973 Arab-Israeli war. The quadrupling of these costs and similar inflationary rises in costs of other items in needed military aid meant that the final \$700 million appropriation, in terms of items that could actually be purchased, was a cut of four-fifths, or 80 percent of the items that had been furnished in the previous fiscal year. These cuts had not been anticipated by the South Vietnamese.

EFFECTS ON SOUTH VIETNAM

In the climate accompanying the departure of President Nixon, it seemed highly unlikely the cuts would be restored.

A rough indicator of their effect is the calculation that the RVNAF could now expend ammunition at one-tenth the rate that would normally have been expended by a comparable American unit on an inactive front, repeat, an inactive front.

Another is the observation by a senior American military officer that "we are now forcing the South Vietnamese to substitute bodies, bones, and blood for bullets."

TRUNCATION OF SOUTH VIETNAM

We later learned that the South Vietnamese began in August to study intensively the practicality of truncating South Vietnam by sloughing off the unproductive—both militarily and economically—military regions I and II and concentrating all their resources in defending the essential heartland, the economically rich area below a line running roughly from the Nha Trang to Tay Ninh. The argument of some senior Vietnamese for such truncation rested on three principal bases:

A. The GVN simply could not defend the whole of the present national territory with the military resources then in hand or realistically in sight;

B. In the event of an all-out assault by the North, the GVN simply could not depend on the United States to come to its aid, no matter what had been so clearly promised at the time of the 1973 January accords which permitted the return of the American prisoners;

C. Socioeconomic changes in the South over the past decade had created a new political potential which if adroitly developed would minimize the political dangers of truncation.

In such a study one suspects that a great deal of prayerful consideration and agonizing soul-searching went on about the effects, both on individuals and on the Nation, that might follow implementation of this plan.

LIMITED U.S. INVOLVEMENT

It would take an unusual amount of personal courage and even greater political skill to implement such a daring concept. This would be especially true since the need to do so was not yet, in August of 1974, apparent to the general public or, even more importantly, to the officers and men of the RVNAF.

So the studies went on. The Congress had forbidden U.S. military advisers. We were confined to a wholly logistical role. We were governed by this restriction.

The Vietnamese (in Saigon) did not seek our advice about this plan. The small Vietnamese group involved did utilize the services of a brilliant retired Army officer of another country who strongly urged its early implementation.

I haven't counted it up, but I suspect that I spent about half my time in the fall of 1974 and the first quarter of 1975 in Washington trying to see that our Congress had a better understanding of the actual realities in South Vietnam.

LITTLE TIME TO LEAVE

I had long been convinced that our inability to mount an effective counter to the propaganda campaign being waged within the United States against South Vietnam left us very little time to extricate ourselves from Vietnam as we should leave it.

After I had been in Vietnam for 6 months, I proposed, during a visit in January 1974 of our Under Secretary of State to the President of the RVN, that they jointly consider putting a definite limit on our future aid both as to time and amount.

When a year later we began to seriously explore this possibility with senior congressional leaders, there was considerable sympathy for the concept but the further erosion of public support made congressional acceptance of this concept an impossibility.

In the United States the erosion of public support was a progressive, palpable, almost measurable phenomena in the late summer and fall of 1974.

AN EFFECTIVE PROPAGANDA CAMPAIGN

From 1947 to 1955 in France I had watched the marvelously subtle implementation of an increasingly effective propaganda campaign waged by the North Vietnamese and their ideological allies in France and Europe. In 1954 I saw it succeed in France.

In the fall of 1974 we were told that the North Vietnamese had been advised by their Soviet friends that it seemed that American will to continue assistance would be progressively eroded, and perhaps it would be opportune for Hanoi to exert maximum pressure on Saigon before the latter arranged to obtain defensive arms from sources other than the United States.

Through intelligence channels we watched the massive military buildup for such a campaign. The movement in the highlands leading to the fall of Ban Me Thuot in 1975 convinced all the campaign was underway.

ORGANIZED DISTORTION

On the propaganda front, which was really more important, we saw the pilgrimages of Americans to Hanoi and to the North Vietnamese Embassy in Paris. These visitors were followed by the mounting crescendo of organized campaigns of distortion in the United States coming to a focus with the December "pastoral letter" convoking on January 29, 1975, in Washington the celebration of the second anniversary of the 1973 January accords.

When no effective way was found to counter this propaganda extravaganza in January, I personally concluded that the game was up and my thoughts were more directed toward holding actions while we waited for the end in Saigon which, I thought in January, only a miracle could avert, and I further thought miracle makers were in very short supply.

CONGRESSIONAL VISITS

I think we are all familiar with the visit of the congressional study group in the early winter of 1975.

I think the more objective members of that delegation were shaken by the vast difference between the reality they saw and the distorted image they had received from the anti-Saigon lobby in Washington.

Others, unfortunately, simply confirmed the image brought with them by carefully programed itineraries prepared by the "activists" who had preceded them from Washington.

The trip was useful on the whole as I have always felt all congressional visits are. It is still a matter of deep regret to me that we received so few in the period after the 1973 accords.

OTHER SOURCES OF AID

Just before this congressional visit, the president of the Senate of the Republic of Vietnam, Tran Van Lam, had visited Washington. The climate he found here and the incredibly efficient propaganda exercise staged by the anti-Saigon lobby on the second anniversary of the 1973 Paris accords led him to report to the government on his return to Saigon that they would not only not receive the restoration of the \$300 million in military aid, but would receive no more military aid at all—a perceptive and accurate diagnosis, we can now see, of the realities in Washington in the early months of 1975.

Senior GVN leaders concluded that if South Vietnam were to survive in face of the rapid military buildup being prepared by Hanoi, then other sources of military aid would have to be found.

ARRANGEMENTS TO BUY BULLETS

Tentative arrangements were made to transfer the gold reserves to the Bank of International Settlements in Basel, Switzerland, where it might provide a collateral for loans to buy bullets in Europe.

When this leaked, it became impossible to move the gold by commercial air. Arrangements were then made to deposit the gold with the Federal Reserve Bank of New York which acts as the depository for the gold reserves of many foreign nations.

Unfortunately, the delay within the United States in arranging insurance for the transit saw the departure of President Thieu who had authorized the shipment. The Deputy Prime Minister and the Finance Minister could not secure in time from the new President a revalidation of the authority to ship the gold to the Federal Reserve Bank in New York.

An exploration was also undertaken to see if there was any possibility of foreign loans to be secured by future oil revenues. Such loans were to be used to buy the bullets so desperately needed. The Foreign Minister was actually so engaged when the North Vietnamese occupied Saigon.

The fall in January of Phuoc Long province, a rugged, sparsely populated province, gave some clear signals.

NO RESPONSE TO VIOLATIONS

First, there would be no automatic American response to massive North Vietnamese violations. The South Vietnamese felt they had been promised such a response in January of 1973 and again in April of that year.

Both Hanoi and Saigon noted that there would be no attempt to repeal or to evade the U.S. legislative restrictions that made such a response impossible.

EVENTUAL TRUNCATION

The second signal was that in refusing to defend Phuoc Long for "prestige" or "moral" reasons, the South Vietnamese had concluded that they must attempt, sooner or later, to implement the truncation concept.

Obviously, it was a heartbreaking decision for the South Vietnamese leadership. It was postponed until the fall of Ban Me Thuot made it impossible to evade the fact that the North Vietnamese invasion was fully underway.

President Thieu, as we learned later, called his non-American military adviser and asked whether it was too late.

He was told that it probably was but that since the unexpected could always happen, the GVN might be lucky.

The next day the order was issued. The GVN was not lucky.

GENERAL WEYAND'S EVALUATION

President Ford asked Gen. Fred Weyand, Chief of Staff of the U.S. Army, to make a personal on-the-spot appraisal of the evolving military situation, to see whether effective military resistance to the North Vietnamese invasion was possible, and, if so, what mili-

tary equipment would be necessary. General Weyand and I returned to Saigon on March 26.

On April 5, General Weyand reported to President Ford at Palm Springs, Calif. The general's report recommended that an additional \$722 million in military assistance be provided and concluded that if it could be done immediately, the GVN had a good chance to hold on the shortened military front.

On April 10, President Ford addressed a joint session of the Congress recommending that appropriation, asking that a decision be forthcoming before April 19.

As these events were unfolding, staffs in Washington and in Saigon were preparing for the safe evacuation of Americans and Vietnamese for whom we might have a special responsibility.

EVACUATION OF DANANG AND NHA TRANG

When I returned to Saigon at the end of March, the evacuation from Danang and Nha Trang was approaching the final moment of truth. Although the charge had raised the question of U.S. Navy assets to stand by to assist, he was told that available assets were committed to "Eagle Pull" and were standing off Phnom Penh.

Some commercial shipping under military charter did provide great assistance in moving Vietnamese refugees to the south.

The evacuation of Danang and Nha Trang was completed, using the internal assets available to the Saigon mission. All the Americans who desired to leave were brought out, excepting those captured at Ban Me Thuot and released later.

Most of the senior local employees, and their extensive families, were successfully brought out to the south.

LESSON OF DANANG AND NHA TRANG

One overriding lesson which Danang and Nha Trang emphasized was that the element most to be feared was panic. Panic could be the killer, the destroyer, the paralyzing agent which had to be avoided at all costs.

It was a near miracle that the dedicated, coolly executed, innovative actions taken by our American staffs in both areas under the consul generals' leadership had worked so well.

In 1939, I had studied the reasons for utter chaos of the movement of the refugee streams from Paris to Bordeaux.

In the early fifties, I had a Europeanwide responsibility which required my continuing participation with EUCOM and SHAPE on contingency plans for evacuation of Americans from Europe.

I knew how incredibly complex such an operation could be under completely calm circumstances, and these were certainly unlikely to prevail very long in Saigon unless we took the most extensive precautions to avoid panic.

PLAN FOR EVACUATING AMERICANS

Plans for the evacuation of Americans existed in two essential parts. The greater part of Americans, even as late as early 1975, were in the employ of the Defense Attaché Office.

This Office was the successor to MACV although with a function limited to logistics.

Almost all of the Defense civilians were employees of the Defense contractors. Evacuation plans for the DAO element were periodically updated in consultation with its superior headquarters in USSAG and CINCPAC, as well as a corollary plan developed largely by the Security section of the Embassy for most of the remaining U.S. mission elements.

If time permitted, commercial transportation would be used. If not, assets of the Defense Department would be called on.

Shortly after my return to Saigon, I designated Maj. Gen. Homer Smith, our Defense Attaché and an extraordinarily able logistician, to supervise the planning for the use of DOD assets to move out of Saigon.

Admiral Gayler, Commander-in-Chief Pacific, permitted Admiral Benton of his staff to stay with us to insure the closest possible coordination with USSAG and CINCPAC.

The Embassy Special Assistant for Field Operations, Mr. George Jacobson, who had marshaled the Mission's internal assets to successfully complete our evacuation from Danang and Nha Trang, was assigned to oversee the proper coordination of the other major elements of the U.S. mission with General Smith and Admiral Benson. The Deputy Chief of Mission, Mr. W. J. Lehman, exercised a watching brief for me over the whole operation.

AVOIDANCE OF PANIC

Our primary concern was the avoidance of panic. This concern affected all our other actions. Closely allied was the concern that we did not so conduct ourselves that our allies, feeling abandoned, would turn on the American presence in our last days.

A great deal of coolness was imperative if we were to get all our Americans out, if we were to get out the Vietnamese relatives of Americans, and if we were going to get out as many as possible of the Vietnamese to whom it was determined we had a special obligation.

LACK OF AUTHORITY

Another limiting factor at the beginning of April was the total lack of authority to move out Vietnamese, except those who met the most rigorous standards of relationship to American citizens. This lack also seriously interfered with our ability to move out many Americans who had acquired Vietnamese dependents and who would not leave Vietnam without them.

PAROLE AUTHORITY

We might list at this point the actual authorities possessed by Embassy Saigon at the beginning of April and at what dates we received increased authority.

Until April 14 the Embassy had parole authority—that is, authority to waive issuance of U.S. visas—only for the 2,000 orphans being airlifted to the United States.

On April 14 the Embassy received parole authority for alien relatives physically present in Vietnam of U.S. citizens who were physically present in Vietnam.

On April 19 the Embassy received parole authority for alien relatives of U.S. citizens and Vietnamese permanent residents not physically present in Vietnam if the relatives were beneficiaries of visa petitions approved by the U.S. Immigration and Naturalization Service.

On April 25 the Embassy finally received parole authority for additional categories of relatives and up to 50,000 high-risk Vietnamese. This was 4 days before the final departure from Vietnam.

WHERE WOULD THEY GO?

Because the authority was lacking, neither of the plans referred to above contemplated the evacuation of large numbers of Vietnamese. Even if such authority existed, the question arose about their eventual destination. Where would they go? It was obvious that no other country in Southeast Asia could receive them.

A decision, the inevitable one, that they must come to the United States, was arrived at slowly and reluctantly in Washington.

I am not critical of that, I am simply recording an obvious fact. At the same time, there was an equal reluctance on the part of the Republic of Vietnam to issue exit documents permitting the legal departure of these people.

I understand these reasons. Patient work on the part of a dedicated Embassy staff in Saigon solved the Vietnamese end of this problem before the Washington one was solved on April 25, only 4 days before our evacuation began on April 29.

Then we received authority to send out a grand total of 50,000 Vietnamese—a number which was clearly insufficient.

So I interpreted the number to include only heads of families and not the families too. So, using the John Marshall broad construction approach, we stretched the authority to cover the problem.

The final number of Vietnamese nationals brought to the United States will exceed 140,000. I do not criticize the failure of Washington to move earlier. I understood the reasons all too well.

AMERICANS CAN COUNT

While there is some occasional regurgitation of the criticism that we brought out too few, it seems that the American people can count.

In the thousands of letters I received after I came back, it was obvious they understood we had brought out more than had been authorized—almost three times as many.

They also noted that all the Americans had been gotten out who wanted to come. They noted that our departure had been so managed that panic was avoided.

They noted that the transition through three governments in less than 10 days, preserving the constitutional legitimacy until it was finally brushed aside by the North Vietnamese, contributed to the avoidance of panic.

Above all, they noted that the destruction of Saigon had been avoided, that we did not leave under attack by our former allies, and

that our final departure was conducted with as much dignity as was conceivably possible under the circumstances.

One letter commented that many of the stories about the last days seemed to be based on sources who believed that you could fool all of the people some of the time and some of the people all of the time, and that was usually sufficient. Not in this case, he said.

A HELL OF A GOOD JOB

The American people can count. They can see what did and what did not happen. When the whole story gets on the record it will undoubtedly prove what the American people already sensed—that it was a hell of a good job.

Now I can agree with my correspondent because the credit goes to a staff which, with only one or two exceptions, did an unparalleled job.

The more I explored the situation in early April, the more I was convinced General Weyand was right in his estimate of the fighting capability of the Vietnamese Armed Forces if only they could be assured of adequate munitions.

The Vietnamese fought with incredible bravery at Xuan Loc. But the battle here on Jenkins Hill in Washington was being lost. The erosion of public support, so marked in the winter, now accelerated. The retreat from military regions I and II was perceived here, not as a badly executed strategic withdrawal, forced by a shortage of munitions, but as a collapse of South Vietnamese will under North Vietnamese attack.

THE TEMPER OF THE TIMES

It is fashionable in some circles to blame the Congress for the final collapse of South Vietnam. God knows there is enough blame over two decades to spare a bit for everyone, but the easy way out of blaming the Congress, in my opinion, just won't wash.

The President and the Secretary were calling it absolutely right. But, in the temper of the times, this just could not be enough.

The negative decision was made inevitable by one of the best propaganda and pressure organizations the world has ever seen. If any of those who so glibly put the full blame on the Congress had been a member, receiving the full weight of the pressure in Washington and from their home districts—with nothing given to them in the way of information that would help them to combat the propaganda with the truth; if they were given nothing to enable them to understand the real sources of the pressure campaign, they too, would have probably voted negatively.

In the end, the Congress did not finally act on the President's request. Since a clear answer would have been negative, the longer it was delayed, the longer we avoided that possible trigger of a panic decision. However, when we knew the answer would be negative, we had to inform the Vietnamese.

MEETING WITH THIEU

I saw President Thieu on the morning of April 20. I had obtained from the Defense Attaché and the CIA station the latest information

available to us on both the realities of the military situation and the feelings of the senior Vietnamese civilian and military leaders.

I told President Thieu the actual military order of battle and the analysis of the comparative forces each side could bring to bear provided a very grim picture.

The conclusion was inescapable that should Hanoi rapidly move in for the kill it would be difficult for Saigon to last more than a month, even with the most skillful and determined defense, and probably not more than 3 weeks.

I said that while it was my opinion that Hanoi wanted Saigon whole, not a pile of rubble, one could not escape the possibility they might elect the latter, if there was no move toward negotiations.

President Thieu asked about the prospects for additional military aid. I said that even if by some miracle it were now approved, it might preserve the opportunity for a better negotiating position, but it could not arrive in time to change the balance sheet he had just read. As of now the military balance arrayed against him was overwhelming.

THE WHOLE TRUTH

I said that anyone sitting in his chair, whether in Independence Palace, Downing Street, the Elysee, the Kremlin, in Peking, or in the White House had one problem in common. It was difficult to be sure they were getting the whole truth.

Some would shade reports for personal or bureaucratic advantage, others for fear of hurting him, others because they were afraid of him, others because they did not wish to be the conveyors of bad news.

Whatever the reasons, it was difficult at times to perceive things as they really were.

I said I was speaking to him only as an individual, not for the President or the Secretary of State, or even as the American Ambassador.

I said I was speaking only as one who for a very long time had watched events in Southeast Asia and who for the past 2 years had worked very hard at understanding the interweaving of the fabric of Vietnamese affairs.

I said the older I got, the more I knew that I did not know it all, and a reasonable doubt was always present. But it was a difficult time, and perhaps my perceptions were as accurate as those of any other Westerner.

POTENTIAL EFFECT OF THIEU'S RESIGNATION

A few things were very clear to me. The military situation was very bad, and the Vietnamese people held him responsible for it. The political class, both his supporters and his enemies, did not believe he could lead the country out of its present crisis.

I said it was my conclusion that almost all of his generals, although they would continue to fight, believed defense was hopeless unless a respite could be gained through the beginning of the negotiating process.

And they did not believe such a process could begin unless the President left or took steps to see that the process began immediately.

I said it was my feeling that if he did not move soon, his generals would ask him to go.

THE VOTE IN CONGRESS

President Thieu asked whether his leaving would affect the vote in Congress. I said it might have changed some votes some months ago, it could not now change enough to affect the outcome.

In other words, if his thought was to offer to resign if Congress assured a level sufficient for South Vietnamese survival, that was a bargain whose day had passed, if indeed it had ever existed.

After all his opponents would accept just as easily the distortions that would be fed to them about his successor as they had about him. The important thing was perhaps the effect his leaving would have on the other side.

I said I did not know the answer, but it seemed that most South Vietnamese now seemed to think it would facilitate negotiations.

DIM HOPE

I personally thought it would make little difference. Hanoi would be opposed to any strong leader. They would insist on a much weaker man, if indeed they were really interested in negotiating. But his colleagues felt it might buy time which was now the essential commodity for Vietnam.

Some felt if the destruction of Saigon could be avoided, if an independent Vietnam could continue to exist, one might hope, even if reason recognizes the dimness of the hope, that things might improve. The conversation went on for about an hour and a half.

NO AMERICAN INTERFERENCE

It was thoroughly understood that I was not conveying any suggestions, directly or indirectly, but merely attempting to add as much relevant background as possible for decisions which had to be made, and which could only be made by the Vietnamese.

On leaving, President Thieu said he would do what he thought was best for the country. We later learned through other channels that he met the following day with his senior military and civilian advisers. He reviewed the information I had given him and the others agreed that the factual description of the current situation was as I described it.

Thieu repeated that I had given no advice, either on my own behalf or on behalf of the United States. That night he resigned and the Vice President assumed the Presidency. I did not see him again except for a brief moment on his final departure which I had arranged at the specific request of the new President.

Time does not permit the details of the evolution which led to the transition of power to General Minh, again arranged by the Vietnamese in accord with legal and constitutional requirements. My concern was that American actions in no way interfere with whatever arrangements the Vietnamese would work out themselves. I think that on the whole we were successful.

However, this did require the most careful coordination with Washington where pressure for the immediate evacuation of all Americans was being fed partly by wholly legitimate concerns and partly by some who would have welcomed our final departure degenerating into a debacle.

SAFE EVACUATION

I have just said that one of our concerns was to manage our departure in a way which would not destroy whatever small chances the negotiating process might have had.

This was a legitimate concern, but of much lesser importance than the safety of the remaining Americans. Too much detail of what we were doing could not be revealed without risking the turning of Vietnamese anger against the remaining Americans if they felt they were being callously abandoned.

Our intelligence was full of quite accurate reporting of this feeling and threats that if we brought in the marines in large numbers to assure the safe evacuation of the Americans, we would have to fight our way out, and the South Vietnamese Air Force would shoot down our transports as we abandoned our friends to the tender mercies of the North.

In addition to the rather ghastly footnote to our involvement this would provide, quite a few Americans would be killed on the way out.

I was quite aware, fully and painfully aware, of these pressures being brought to bear in Washington.

On April 17, I received a message from the White House which said, in part, that the congressional situation is fast getting out of hand, and that our task was to prevent panic both in Saigon and Washington "and I know that you recognize this more clearly than almost anyone in the U.S. Government."

APRIL 15, 1975 MESSAGE TO THE WHITE HOUSE

In a message to the White House on April 15, I had recognized this pressure and with reference to the press attacks had observed that—

The relatively few people about whose opinions I really care will not change their opinion of me.

Even the sly, anonymous insertion of the perfumed ice-pick into the kidneys in the form of quotes from my colleagues in the Department are only a peculiar form of acupuncture, indigenous to Foggy Bottom, against which I was immunized long ago.

There are only two important considerations I keep in mind, the safety of the people under my charge and the integrity of U.S. policy. Both of these crucial objectives, especially the first, seem to me to demand that we not be diverted by any kind of pressure, press or congressional, from coolly pursuing a course best designed to achieve them.

I shall always treasure the Secretary's response the following day:

I know you have been getting a lot of harassment from Washington, especially of late, but I want you to know how much the President and I appreciate what you are doing. You are operating in the best tradition of a field commander and doing a tremendous job of it.

The last 10 days required a most careful walking of the tightrope of judgment of just how the situation was developing and of just how much the traffic would bear without triggering the panic or the resentment of the Vietnamese, either of which would have brought catastrophe.

ESCAPE OF PRESS EMPLOYEES

We were getting out thousands of people each day, most of them quite illegally from both Vietnamese or United States legal requirements. One vignette is illustrative of the problems. The Secretary had

requested that we do what we could to facilitate the escape of the Vietnamese nationals of the American press and TV offices in Saigon.

A committee of the home offices in New York had been working to get chartered aircraft—a solution which was inoperable since there was no way to get Vietnamese exit permits.

Fortunately, they delegated their problem to Mr. Brian Ellis, the CBS bureau chief in Saigon.

Mr. Ellis and the Embassy Attaché, Mr. John Hogan, worked out a system that performed a small miracle. Mr. Ellis refused to inform any of his colleagues of any details.

He had the locals and their families assembled at particular points at times prearranged with me. I had a transport flown in from Clark.

Ellis would pick up the locals in a bus, drive them with Hogan to the Air America terminal, load them immediately and the plane departed for Clark.

The other newsmen, thinking that Ellis had made arrangements with the Vietnamese for charter evacuation, kept a complete lid on the story. Ellis also requested that the details be kept from all other Embassy information people since he regarded one senior officer as unreliable as some of his press colleagues.

GRATEFUL TO CBS

We removed 595 Vietnamese without triggering stories that would have forced Vietnamese interference with our operations. I shall always be grateful to CBS for their smoothness of that operation under the direction of their Mr. Brian Ellis. We were very liberal in our interpretation of "families," although I did draw the line at the inclusion by one Washington reporter of his cook and nursemaid, a decision I now regret in view of the domestic help situation in Washington.

I cite this only as illustrative of the tightrope we were walking. Details of our operations, if published, could have triggered considerable danger to the remaining Americans.

If the price was an unfavorable press, it was a cheap price to pay not to endanger the lives of the Americans for whom I was responsible.

If the impression was given that I was either "serenely ignorant or serenely indifferent" to the events that were unfolding, it might be regarded as the highest of compliments to the sense of theater that must be an essential part of the baggage of any good diplomat.

NIT NOY'S COMPLAINT

I really have only one gripe with the press. When they began to attack a member of my household named "Nit Noy," like Franklin Roosevelt and his "Fala," I resented the attack on the dog.

The fact is that it was not my dog but my daughter's. The fact is that I did not intend to bring it out, but had arranged for Nit Noy to seek asylum with the Ambassador of France.

However, a correspondent of the Los Angeles Times, a journal not noted for its uncritical support of American policy in Vietnam, decided otherwise. He put the dog under his coat and took it out, leaving his typewriter behind as more than compensating weight.

LOSS OF PERSONAL ITEMS

To leave his typewriter behind certainly qualifies George McArthur as a certified dog lover. I shall always be eternally grateful to him because my wife was devoted to that dog, and in my family, my wife suffered most in the evacuation of Vietnam.

Her contribution to stability was an enormous one in those last days. Had we begun to pack our household items, the signal would have been all over Saigon.

So all our small collections of things that were of great sentimental importance to us remained untouched.

On the last day, the marine log shows that I returned to the residence at 11:03 and departed at 11:14.

My wife had 11 minutes to pack one bag and walk away from all those small things we had found comfortable to live with in the places we have served our country.

I have been told that our residence is now occupied by a very senior North Vietnamese official.

One hopes the next time a senior American official visits Saigon, or a Member of Congress, it might be gently indicated that the return of some of her things, particularly her granddaughter's portraits, would be favorably regarded.

HISTORY WILL TREAT YOU KINDLY

When the totally uninformed criticisms began to appear, my wife was furious at first. Then she said:

You know, you have served this country for over one-fifth of its life, and two-thirds of your own. The record is there and clear, and the historians will treat you very kindly.

My wife is, of course, a prejudiced witness, but I rather think she may be right about the historians.

Mr. Chairman, I am ready for your questions.

PRESSURE AND PROPAGANDA

Mr. HAMILTON. Mr. Ambassador, the subcommittee appreciates very much your very complete statement and we recognize and appreciate your attitude that you express in your statement about the U.S. Congress.

I want to begin with an observation you make on pages 24 and 25 of your statement.

You say that it's fashionable in some circles to blame the Congress for the final collapse of South Vietnam. It's not fashionable to do that up here on the Hill, as you can appreciate, Mr. Ambassador.

The thing that strikes me about those several lines there is that you seem to put the responsibility for the events that transpired in South Vietnam in the spring of last year not upon the Congress, not upon the President, but upon a propaganda and pressure organization the likes of which the world has never seen, to paraphrase your statement.

I am very interested in those observations. I wonder if you could elaborate for us who you are talking about at that point, what the organizations are, and how they could be so remarkably successful.

THEY DESERVE ENORMOUS CREDIT

Ambassador MARTIN. The main organization I think is the Indochina Resources Center, and I really think that another principal element would be the multi-faceted activities of Mr. Don Luce.

I would think that this kind of operation, I must say I have watched these operations over the world for a long period of time, those individuals deserve enormous credit for a very effective performance.

It's the constancy of the drumming in day after day after day after day of certain particular themes.

I describe this in considerable detail in the memorandum of conversations that I sent to Congressman Nix on the visit to Saigon in the early part of 1974 by a group from New York.

I think you perhaps have read that, Mr. Chairman. I outlined in considerable detail the operations as we had watched them unfold. It's the building of the pressure from the constituencies, the use of the concern, the humanitarian concerns, of most American people, good, wholly healthful concerns, but which are twisted and distorted by the flood of propaganda about perfectly awful things which are happening in Vietnam. We must not, therefore, support Vietnam, we cannot give any aid to people like this.

WERE AMERICANS MISLED?

Mr. HAMILTON. Is it your view that the American people then were misled, even duped, by these groups and organizations to which you refer?

Ambassador MARTIN. To a great extent yes, Mr. Chairman, I do believe that to be true. I saw it in France. I saw it before. I saw the public opinion erode until where the Prime Minister of France set a date certain in July of 1954 on which the arrival of an agreement in Geneva would take place.

It's something which I feel very deeply about, not so much about Vietnam. If this is to be a primary factor and influence on the formation of foreign policy, it's a phenomenon which I deeply believe ought to be most carefully examined.

DISPROPORTIONATE IMPACT

Mr. HAMILTON. When you look, Mr. Ambassador, at the relative resources available to the contending groups here, the U.S. Government, the power of the Presidency, the power of the resources that America put into this thing, the vast efforts of the Department of State and the Department of Defense, the support of many of the world's governments, and you compare that against the kind of organizations you are talking about, an Indochina Resource Group, you mentioned one man, Mr. Luce.

It's very difficult for me to conceive that that small a group could have that kind of an impact on the American people and the U.S. Congress and cause us to turn around.

Isn't it also possible that the American people just perceived this interest of the United States in South Vietnam in a very different way than the Executive and the Congress, at least for an extended period of time.

Ambassador MARTIN. Yes; I think during the period when our American boys were militarily involved, when there was a danger of death or their being wounded, had a very great influence. No one could quite see why they should be there.

A great many people felt that way. I, myself, never thought American boys should be there, as you know.

I publicly testified before the committee of the other House last July a year ago that I was also opposed to the reintroduction of American forces in Vietnam no matter what the circumstances.

But the removal of our soldiers seemed only to encourage the use of these organizations that had their roots in the constituencies, the constant pressure that was exerted, such as letters about political prisoners. It was day-after-day-after-day.

FAILURE OF THE EXECUTIVE BRANCH

I agree with you that the executive branch had enormous resources. The failure to use them had been a source of friction between some members of the executive branch and myself. But it is true those resources were not utilized in any way near the effective way that they should have been.

I sent a cable in, I think in relation to the January 29 exercise that was held here. After that meeting they all came up and went through the Congress.

People were brought in from all over the country. I sent in a cable, I think, which arrived in the Department on Christmas Day, which stated very fully my views on what the executive branch should have been doing. I think I have it with me.

If you think it would be relevant I would be glad to read it into the record.

Mr. HAMILTON. Why don't we just accept it as part of the record, Mr. Ambassador?

Ambassador MARTIN. All right.

Mr. HAMILTON. Without objection it will be made part of the record at this point.

[The following information was submitted for the record:]

CABLES FROM AMBASSADOR MARTIN TO DEPARTMENT OF STATE REGARDING INTER-FAITH GROUP CHARGES AGAINST THE UNITED STATES

SAIGON 15787

Subject: Interfaith group charges United States with failure to honor Paris agreement.

Ref. (A) Saigon 15729 (B) State 281471.

1. Noting in para. one of ref. B that the Department has been unable so far to obtain a copy of the interfaith group's letter and does not anticipate being able to do so until after the holidays, we are sending the full text from half way around the world, in the next following telegram. It is, perhaps, a desecration of all that this day should mean to the people of the world for this text to be received in the Department on Christmas Day. However, to borrow a word from its text it is such an "abomination" that we believe no time should be lost in the careful consideration of the nature and extent of the Department's responsibility for a response.

2. Ref. A was sent in the increasingly forlorn hope that the Department would come to share our deeply held belief that the American people, and their representatives in Congress, were entitled to the whole truth about the current realities in Vietnam; that distortions so gross that they approach the dimension of

caricature ought not to go without corrective action by the only agency of the executive branch, the Department of State, which is capable of doing so; and that failure to do so is, in fact, not only an abdication of a clear moral responsibility to accurately inform the American people, but also that failure to do so becomes a positive, albeit tacit, contribution to a cleverly orchestrated campaign to deceive the American people, a campaign of which this "pastoral letter" is only a part.

3. We fully share the Department's evident distaste to become "soiled" by the attacks which inevitably will be made on anyone who dares to observe that the interfaith groups statement is a tissue of lies from beginning to end and who points out its obvious connection with the visit to Hanoi in November by Don Luce, Bishop Gumbleton, et al., and that its clear and obvious design is to massively intervene on behalf of North Vietnam. Although we share the distaste, we cannot share the rationalizations that would permit the Department to evade its moral responsibilities to provide the whole truth to the American people. The memories of Pontius Pilate washing his hand are too fresh in our minds this Christmas season.

4. We note also that the statement is only a curtain raiser to the 25-27 January "national assembly to save the peace agreement" in Washington. This meeting is designed to preempt and obscure the attention which would otherwise be given on the second anniversary of the peace agreement to the voluminous and detailed record, not only of Hanoi's massive, systematic and deliberate violations of that agreement, but also its determined effort to destroy the agreements entirely. The preliminary reactions of the Department indicate that their efforts may succeed, even though it is well within the Department's capabilities not only to thwart such efforts, but also to turn the tables and expose this propaganda exercise for what it really is—the cynical manipulation of the decent instincts of certain, obviously ill-informed, American religious leaders and the prostitution of the principal tenets of their faith in an attempt to insure the victory of Hanoi.

5. After all, the Department does have in its possession the one devastating weapon—the ability to marshal all the the pertinent facts and present the whole truth to the American people. We do not believe the Department can escape its clear and present moral responsibility to do exactly that.

6. But just to accept the moral responsibility will not be enough. We again suggest the creation of an independent task force which can concentrate in depth and with precision on the task of providing the whole truth to the Congress and the American people about the actual current realities in Vietnam.

MARTIN.

SAIGON 15794

Ref.: Saigon 15787.

Following is the text of the "pastoral letter" issued by the so-called interfaith group:

Begin text:

A pastoral letter to the religious communities of the United States.

Two years ago we spoke in repudiation of unspeakable barbarity, the Christmas bombings of Hanoi, summoning the sensitive of heart to protest that most immoral act of the immoral war. Unprecedented national and international outrage helped to bring those bombings to a halt, and the Paris peace agreements were subsequently signed on January 27, 1973, a war-weary world assumed that the signing of peace agreements would bring peace, but the agreements have not been honored.

And so there is no peace.

We shy away from this hard truth. We have not been seduced by leaders who tell us that peace has come to Southeast Asia. It has not. Echoing our leaders' cry, we have been guilty to echoing their falsehood, as in the day of Jeremiah:

From prophet to priest, everyone deals false . . . saying "peace, peace," when there is no peace. (Jer. 6:13-14.)

There is no peace, the war goes on. American bombs are still dropped from American airplanes on Vietnamese targets.

There is no peace, the war goes on, American funds and American prestige support a dictatorship in South Vietnam that arrests and tortures dissidents.

There is no peace, American aid continues placing higher priority on feeding the war in Indochina than feeding the hungry in Bangladesh, the Sahel and elsewhere.

There is no peace, the war goes on. We supply the dollars, the guns, the tanks, the planes, the bombs, everything but the corpses. The corpses are Vietnamese.

Of those who cried "Peace, peace," when there was no peace, Jahweh asked, "were they ashamed when they committed abomination?" and he answered his own question, "No, they were not at all ashamed; they did not know how to blush." (Jer. 6:15.)

No more are we at all ashamed, no more do we know how to blush, even though we too commit "abomination", and our national life is a lie: "There is no peace."

Why is this so? As we approach the second anniversary of the signing of the Paris peace agreements, the unpalatable truth we choose to ignore is that we have failed to honor the agreements we pleaded to honor, our slogan was "peace with honor." Our reality is "no honor, therefore no peace." This is our "abomination." That is why the war goes on.

Two years ago we pledged "to respect the independence, sovereignty, unity and territorial integrity of Vietnam". (Article 1) We have not done so.

Two years ago we pledged "the United States will not continue its military involvement or interfere in the internal affairs of South Vietnam." (Article 4)

We are still militarily involved and we interfere continuously, providing more than 80 percent of the Saigon government budget.

Two years ago we pledged that our advisors "to all para-military organizations and the police force" would be withdrawn. (Article 5) They are still there.

Two years ago we pledged "the dismantlement of all U.S. military bases in South Vietnam." (Article 6) The military bases are still there, but turned over to the Vietnamese.

Two years ago we pledged that we would "not impose any political tendency or personality on the South Vietnamese people." (Article 9) We do so every day.

Two years ago the South Vietnamese parties pledged to "ensure the democratic liberties of the people: personal freedom, freedom of speech, freedom of the press, freedom of meeting, freedom of organization, freedom of political activities, freedom of residence, freedom of work..." (Article 11) The Thieu regime, which we support, denies those freedoms consistently and as a matter of policy. The regime could not survive without our help.

Two years ago we pledged to "put an end to all military activities in Cambodia," and to allow that country to settle its internal affairs "without foreign interference." (Article 20) We have not put an end to such activity; our foreign interference continues.

Two years ago we pledged to "contribute to healing the wounds of war and to postwar reconstruction of the democratic republic of Vietnam and throughout Indochina." (Article 21) We lacerate those wounds and continue the destruction of Indochina, while withholding real aid for reconstruction. The blood that ceaselessly flows there is on our hands. Even in the face of that crimson rebuke, we do "not know how to blush."

It is not only in Vietnam that we frustrate the will to peace. What we do there openly we do elsewhere almost as openly. Vietnam, rather than being an exception to our foreign policy, has become an example of it. We intervene elsewhere, we give financial support to military dictatorships elsewhere, we bribe reactionary government officials elsewhere, we provide planes and bombs to despotic regimes elsewhere, whether the place be Spain or Korea or Chile. Other nations look at such actions with mounting cynicism and distrust. Why should they trust us? Our deeds belie our words.

Having spoken before, we must speak again. We call the nation to action once again. We therefore summon the members of the religious communities of our Nation to a national assembly to save the peace agreement, in Washington, D.C. from January 25 to January 27, 1975, the second anniversary of the signing of the agreement in Paris. We must communicate to our leaders an urgent demand that this Nation live up to its pledged word at Paris both by implementing its unkept promises and by ceasing current actions, such as massive military aid to the oppressive Thieu regime, a living denial of that pledged word.

In the two years since the signing of the peace agreement we have witnessed significant movement in Congress toward the goal of finally ending U.S. intervention in Indochina. In August of 1973 Congress ended U.S. bombing of Cambodia. Congress acknowledged the existence and inhumane treatment of thousands of political prisoners in South Vietnam and voted to prohibit use of U.S. funds for the police and prison system. In spring 1974 Congress refused to support a request for supplemental military aid to Saigon and this summer restricted military aid to less than half the amount requested by the administra-

tion. Persistent and increasing public pressure made these achievements possible. Now is the time to continue pressing for peace.

We must say to our Congress: Seldom if ever has a Congress had such opportunity to give our Nation new direction. You are in office in response to an electoral repudiation of the policies of domestic deception. Seize the opportunity, therefore, to repudiate the politics of international deception as well. Do not cry any longer, "peace, peace, when there is no peace." Insist upon the implementation of the Paris peace accords, so that we can create a peace not an "abomination."

The times are to precarious to speak less pleadingly.

We must also say to our Congress: We intend to hold you accountable in this matter. We call on you to render true the peace our past words promised and our present deeds deny.

We must say to our President: Provide the leadership that can acknowledge that peace has not come in southeast Asia, and will not come until we honor our past agreements, reverse our present policies, and re-think our future military and financial aid to dictatorial regimes. Save yourself, and us, and most of all the Vietnamese people, from further prolongation of the war.

And finally, we must say to ourselves: Our past caution and inaction were factors in the escalation of the war in southeast Asia. We confess this grievous fault and ask forgiveness—forgiveness from God, and also from His children, victimized by our timidity. We dare not, by perpetuating a feeble witness, perpetuate a ruthless war, and so, as we approach this national assembly, we pray for a new insight and fresh courage, so to speak, and so to act that peace may truly come. (End letter.)

Signers

- Dr. Ralph Abernathy, president, S.C.L.C.
- Bishop James Armstrong, Bishop of the Dakotas, United Methodist Church.
- Rev. David W. Augsburg, Northern Baptist Theological Seminary.
- Lloyd Bailey, Chairman, Friends General Conference.
- Howard Bartram, General Secretary, Friends General Conference.
- Dr. Eugene Carson Blake.
- Thomas R. Bodine, presiding clerk, Friends United Meeting.
- Rabbi Balfour Brickner, Union of American Hebrew Congregations.
- Dr. Robert McAfee Brown, professor of religious studies, Stanford University.
- Bishop John H. Burt, Episcopal Diocese of Ohio.
- Rev. William Sloane Coffin, Sr., Chaplain, Yale University.
- Wallace Collett, chairman of the board, American Friends Service Committee.
- The Rt. Rev. William Davidson, Episcopal Diocese of W. Kansas.
- The Rt. Rev. Roger Dewitt, the Episcopal Church Publishing Company.
- Sister Dorothy Donnelly, president, National Coalition of American Nuns.
- Rev. Richard R. Fernandez, United Church of Christ.
- N. Lanar Gible, Peace and Interfaith Affairs, Representative for Europe and Mideast, Church of the Brethren.
- Sister Ann Gillen, National Interreligious Task Force on Soviet Jewry.
- Bishop Thomas Gumbleton, Archdiocese of Detroit.
- Joyce Hablin, United Methodist Women.
- Dr. Walter Harrelson, dean Divinity School, Vanderbilt University.
- Lorton Heusel, general secretary, Friends United Meeting.
- Rev. William Holman, Yale Divinity School.
- Bernard Lee, S.C.L.C.
- Bishop James K. Mathews, United Methodist Church.
- Rabbi David A. Mirsky, New York Federation of Reformed Synagogues.
- Rt. Rev. Paul Moore, Episcopal Diocese of New York.
- Dr. Robert Moss, United Church of Christ.
- Rev. Richard Neuhaus, pastor, St. John's Evangelist Church.
- Dr. Claire Randall, general secretary, National Council of Churches.
- Dr. Alexander M. Schindler, president, Union of Hebrew Congregations.
- Rev. Joel Thompson, Church of the Brethren.
- Sister Mary Luke Tobin, Church Women United.
- Sister Margaret Ellen Traxler, director, Institute of Women Today.
- Dr. George Webber, chairman, Clergy and Laity Concerned.
- Dr. Colin Williams, dean, Yale Divinity School. End Text.

Ambassador MARTIN. The point is you are quite right. The executive branch did have enormous resources. I think it's a part of what ought to be examined in an orderly appraisal of the Vietnamese experiences. Perhaps, what we should not do in the future is something that should be cranked into such an appraisal.

DICH VAN

On the propaganda part of it, Mr. Chairman, the North Vietnamese I believe, have a technique they term "dich van," a technique used both internally and externally. It had been brought to a high level of perfection.

Mr. Douglas Pike, who had been a member of the mission in Vietnam, who is now a member of the Policy Planning Staff of the Department of State, had prepared in Saigon an outline of these kinds of activities.

I think the working title given was "Anatomy of Deceit." It's an extraordinary outline. It's only an outline but even so it's about that thick [indicating].

I said understanding this Vietnamese technique, and its use, is important under any such future campaigns. I do not think foreign policy should really be made from these kinds of pressure campaigns.

I think the only way you can avoid it is to have absolutely certain knowledge of how it's organized, how it was applied, and what activities took place.

I would hope that at some point that this committee might see fit to undertake such an examination.

RESOURCES TO SWAY THE NATION

Mr. HAMILTON. You impressed me with the great compliment you pay these people, they have the resources to sway the whole country, 220 million Americans and the U.S. Congress.

Ambassador MARTIN. There were, of course, other factors at work during a protracted war, a very long war by the nature of the limitations. A war covered by the bringing into American homes for the first time the battle zone, the battle front, the evacuation of the wounded. You simply cannot support a protracted war with a draft army.

But it was not, of course, this small group, wholly alone, but I would fully concur with your statement that I am paying these people an enormous compliment. I mean it to be that. They deserve it.

THE U.S. CONGRESS

Mr. HAMILTON. I am not sure you are paying the U.S. Congress a very high compliment.

Ambassador MARTIN. No; I don't think that is quite—

Mr. HAMILTON. You suggest almost we reduced the battle—

Ambassador MARTIN. This beautifully orchestrated campaign had gone on for a very long time, for a very long time. When Mr. Branfman came out for a visit to Hanoi, I think in the fall of 1974, and told some of our friends in both Vientiane and Bangkok that he now had

a person in each of the 500 congressional offices, that was bragging a little bit.

But I think he probably was correct in that they had worked very hard among the newer congressional staffs to get at least one person in each office on the Hill who was favorable to them, who would receive their material, who would try to see that it got to the member, et cetera.

This is an enormously effective organization and I do think that they deserve the compliment that I have paid them.

I do think, and I seriously recommend that it become a matter of investigation because I do not think policy can safely be made this way in the future.

Mr. HAMILTON. Mr. Ambassador, we will give you a little recess because of the vote that is now occurring on the floor of the House. The subcommittee stands in recess, and we will take it up as soon as the members return.

[A recess was taken from 3:05 p.m. to 3:25 p.m.]

BLOODBATH IN VIETNAM

Mr. HAMILTON. The subcommittee will come to order, please.

Mr. Ambassador, you are among several other observers and supporters of continued assistance and support for South Vietnam who argued on occasion before the Congress and in other public forums that if the United States withdrew support and left Vietnam and Vietnam then fell that there would likely be a bloodbath as the North Vietnamese came to power.

Why is it that no bloodbath occurred, in your view?

Ambassador MARTIN. I don't think you will find that I said that, Mr. Chairman. The argument has been made. I have seen it, it had been said by others—

Mr. HAMILTON. It was certainly put forward very frequently and forcibly by the executive branch before the Congress.

Ambassador MARTIN. That is right. The North Vietnamese are much more astute than their more rural friends in Cambodia, should we put it. The kind of brutal evacuation of Phnom Penh, with two-thirds of a city of 3 million moved without warning, without caring what happened to the people on the way, would not be a North Vietnamese method of operation.

They have been much more skillful. They simply withdraw certain people for "reeducation" and these people never reappear.

REEDUCATION DEMONSTRATIONS

Now, when you get to the point where you have, as I understand has happened, public demonstrations in Saigon by the wives of the reeducated asking where their members of the family are, one can conclude that the dimensions are rather great.

I have not followed with any precision the bits and pieces that come out. The ones that I have seen and the people who have come, for example, to Bangkok or to other cities and have been interviewed, indicate that personnel are now controlled block by block. The block, I don't know what you call it exactly, block meetings, I think, where you

have the block self-criticism meetings and then people are denounced, then people disappear for reeducation, some come back, most do not. It is all done with the utmost quiet.

A CONTINUING BLOODBATH?

Mr. HAMILTON. Are you suggesting that there might be going on now or in the future some kind of a bloodbath?

Ambassador MARTIN. It depends on what you call a bloodbath.

Mr. HAMILTON. Mass slaughter of people.

Ambassador MARTIN. How much is a mass slaughter? I am sorry, I am not trying in any sense to evade. If we don't have a common definition we are talking apples and oranges. I don't know the extent of it. I think its highly unlikely that any westerner will truly know.

I would think, given the tightness of internal control of any regime like North Vietnam, we will not probably know with precision, as we did in the free and open societies elsewhere.

WERE THE WARNINGS CORRECT?

Mr. HAMILTON. Do you think the executive branch was incorrect in arguing before the Congress that a bloodbath would take place?

Ambassador MARTIN. No; because I think—

Mr. HAMILTON. You did not yourself agree with it?

Ambassador MARTIN. I did not say I disagreed with it. I said I don't think I used it as an argument, the blood—

Mr. HAMILTON. Did you agree with it?

Ambassador MARTIN. I knew there were going to be considerable numbers of people who would be taken away and would never be seen again.

Now, whether that is a bloodbath or not depends again on your definition.

I do know from eye witnesses when Danang was taken that the intelligence officers, for example, of the Vietnamese Air Force were taken out, lined up, and shot.

Other things happened in Danang. I would have been very surprised, given the world publicity about the massacres of Hue during Tet—the Tet uprising—that the North Vietnamese would have been stupid enough to do anything like that again in that kind of open way. They are much too subtle for this. But to say there had been no elimination, progressive elimination of any possible opposition leadership, goes against everything that they did themselves in North Vietnam in 1954 and against everything which they themselves have said they would do.

BLOODBATH AND SURPRISE

Mr. HAMILTON. I take it you do not know whether or not a bloodbath or massive executions have occurred but you wouldn't be surprised if they had.

Ambassador MARTIN. I would be vastly surprised if they had not. I chose my words carefully. Thousands of people who would be potential opponents, even some of the so-called third force are not any longer around and we will not hear from them again.

TIME TO EVACUATE

Mr. HAMILTON. At what point did you conclude, Mr. Ambassador, that evacuation was necessary by the remaining Americans?

Ambassador MARTIN. By the remaining Americans?

Mr. HAMILTON. Yes; we had to get out. You said on page 14 of your statement that you concluded the game was up. This was in January after a propaganda extravaganza.

Did you mean at that time that you felt it was time at that point for Americans to get out of South Vietnam?

Ambassador MARTIN. No; because you didn't know quite how the evaluation would go. No one could. Would there be a negotiation?

Did the other side really mean that they wanted a "third force in power"? I never thought they did. As it turned out obviously they didn't. There was still the possibility.

THE GAME WAS UP

Mr. HAMILTON. What do you mean by the phrase "the game was up"?

Ambassador MARTIN. The game was up in the sense that South Vietnam as an independent regime, as it was constituted under its constitutional forms, could not really survive in 1975, without massive external aid, which to some degree at least approached that being given the other side and used against it.

That aid was not going to be forthcoming—from this Congress—from the United States. I thought the time was too short. Although it was not wholly impossible, it was probably too short to arrange for such military aid elsewhere.

So, I concluded then it was highly unlikely that leaving Vietnam as I thought we should leave it and could have left it, that is, leaving it an economically viable country, militarily capable of defending itself with its own manpower against outside aggression, and free to chose its own institutions as its own people might determine, was now possible.

I mean that was not going to be the case. It would be something short of that.

Mr. HAMILTON. Mr. du Pont.

A SERIES OF REVERSES

Mr. DU PONT. Thank you, Mr. Chairman.

Mr. Ambassador, on pages 8 and 9 of your testimony you outline for us how South Vietnam went from a very strong position in July of 1974 to a very weak one in April of 1975. You blame this on a series of reverses, and you mentioned two money items, the decline in U.S. aid and the tremendous increase in the price of petroleum products.

Ambassador MARTIN. Yes, sir.

Mr. DU PONT. Surely there must be more reasons than that?

There must be some reasons within the South Vietnamese governmental structure or military structure that contributed to this reversal, as well as two money items.

Ambassador MARTIN. I would like to be able to say that, Mr. du Pont, because it would obviously be a comfort to our conscience if we could determine that we did what we could have done, but from causes that were inherent within the fabric of Vietnamese society, the end was inevitable.

I cannot in good conscience say that. It's not, in my opinion, true. I can only sit here and tell you the facts as they actually are.

I did mention the fact that our Communist friends on the International Commission for Control and Supervision had reached the same conclusion I reported to this committee in July of 1974, that there was no way that North Vietnam was going to make its will felt, and that they would be far better advised to knock it off for another day.

A "LESS-FIRE" ARRANGEMENT

I was hoping even at that time that North Vietnam would agree. I did have discussions with the Vietnamese to try to arrange a sort of de facto "less-fire"—North Vietnamese could stay in the highlands, but they had to cease the pressure in the lowlands. That was unfair to the South Vietnamese any way you want to look at it, but it would have been to their advantage to go along with that. The South Vietnamese saw that and agreed to do that.

That was in the process of being worked out in July of 1974. At that point, if we could have even given them what I had recommended, a one-time over and out kind of support, they could have made it. If we could have said we will give you enough money for military supplies over 3 years and enough money economically to permit the kind of takeoff which was clearly in the making, then you make it or you don't, I believe they would have made it.

They would have had then the opportunity to have faced up to it; they would have known and could have planned, could have worked, could have made another arrangement.

A LACK OF BULLETS

Mr. DU PONT. But you really believe then that the overriding factor in the fall of South Vietnam was lack of bullets?

Ambassador MARTIN. Yes, sir.

Mr. DU PONT. Mr. Ambassador, I find that certainly one of the factors, but you find no problem within the Saigon Government or no problem within—

Ambassador MARTIN. There are always problems.

Mr. DU PONT. Military planning or military execution other than a shortage of bullets?

Ambassador MARTIN. Not at that time. They were fighting aggressively. I think every military expert, which I am not, that you want to consult on that would concur with that.

Now, it depended on whether eight North Vietnamese divisions came barreling down. That is another dimension.

Mr. DU PONT. That is the other side of the coin.

Ambassador MARTIN. Given the situation as it existed and the force committed in July 1974, the American, the Polish, the Hungarian appraisals all were that South Vietnam clearly had the military initiative.

Now, when you suddenly reduce ammunition to the point where, if you are attacked by artillery fire, you can only send back two shells before going back to get permission from a higher headquarters, because of the shortage, you then begin drastically to change the total military balance.

When on top of that totally unexpected reductions of that magnitude in military aid and appraisal of the will and the conditions within the United States by the Soviet Union, the temptation to take advantage of these facts becomes irresistible. If this were going to be the case, the Soviets concluded they might as well take the credit for it, with whatever advantage in the long run of a much-improved position in Southeast Asia, perhaps Cam Ranh Bay for the Soviet Navy. If this was going to be what the United States was going to do, the Soviets thought they might as well take maximum advantage by firmer establishing the fact that they assisted the North Vietnamese at the end. They did that. There is no doubt about that.

SOUTH VIETNAMESE MILITARY SITUATION

Mr. DU PONT. We had continuing reports over the time from, let's say, mid-October of 1974 until the beginning of March of 1975, that there were problems within the South Vietnamese fighting structure, and there in fact was a great deal of military material available, including petroleum products and bullets, sufficient to allow the country to fight on at acceptable rates of fire until the end of the fiscal year.

Ambassador MARTIN. What are acceptable rates of fire? This is the problem. You can make an assumption that can fit any sort of preconceived end and say that sufficient munitions exist. You are quite right. I am well aware that some of our people here, I think from the Pentagon, did give you this kind of thing.

Mr. DU PONT. You disagree with that?

Ambassador MARTIN. Yes; I have been out there. I disagreed with it because I knew what the facts were, and this is a fact.

When a Vietnamese division, under intense pressure, has one-tenth of the ammunition to expend which an American division would have had for a similar unit on an inactive front, it's very difficult to maintain morale and the initiative which existed before.

U.S. ESTIMATES

Mr. DU PONT. In short, your estimate of the military situation there, then, was different, and you would disagree with the estimates that we were getting from the military briefings we were receiving?

Ambassador MARTIN. I really don't know what you were getting, so I can't answer that.

Mr. DU PONT. We were getting reports there was ample ammunition to fight an effective war until the end of the fiscal year.

Ambassador MARTIN. Well—

Mr. DU PONT. That is obviously a summary of a great many reports that were received over a long period of time.

CONGRESSMAN MCCLOSKEY

Ambassador MARTIN. It depends on how much is sufficient. We know what happened, and it obviously wasn't enough. It really was not.

Congressman McCloskey, I think, is an objective man, a Marine, a professional, and when he visited an old unit with whom he had served and saw how they were fighting, he came back and said these people are superb. That is the other side of the coin.

Now, I don't know to this day why the \$300 million was taken away at the end of 1974 and suddenly put over into 1975, which had then been terrifically reduced. I have been told that it was because of some of the shortfalls of the equipment that we sent abroad during the Arab-Israeli war. I don't know what the reasons were. But a rationalization process sometimes takes place to allow us to justify actions we feel we must take.

We have all seen it. And if someone doesn't want to admit real facts, they come up with a rationalization which fits the preconceived conclusion. As for me, I can only tell you what the situation was in South Vietnam.

At that point Major General Murray, who was the Defense Attaché, again I don't want to quote him, he made one graphic reference to the fiscal whores in the Pentagon. That may be too unfair, but I somehow doubt it.

I really don't know what the facts were back here, why \$300 million was taken away. I know it was disastrous out there.

THE EVACUATION

Mr. DU PONT. I would like to shift my focus, if I might, to the evacuation.

You were very critical of some of the criticism you received, but before getting to that perhaps you could focus for a moment on how an operation like that works, who has the authority to make the decision, whether you had the authority, whether the President had to make the decision or whether the Secretary of State, the Secretary of Defense, or whoever?

For example, on page 22 of your testimony you talk about a lack of authority, you talk about the Vietnamese getting their immigration machinery in gear before Washington could get its in gear. Who was in charge?

Ambassador MARTIN. It wasn't getting it in gear, it was just simply closing their eyes to certain things which were illegal, were against the law, and which were against policy.

I mean to permit Vietnamese to leave the country. We did manage to solve that in various ways.

We are talking about the authority to move out Vietnamese nationals. We had only the most restrictive authority until the 24th of April, 5 days before the end.

EVACUATION AUTHORITY

Mr. DU PONT. You did not have any authority?

Ambassador MARTIN. No. There was no legal place for them to go. Now, we were even getting critical cables from the Department of State in early April about Vietnamese we were flying out on the airlift which was bringing in, in an expedited way, military equipment in the \$700 million pipeline. Some of our people out at DAO were send-

ing out some of the Vietnamese on those planes back to Clark. I had a great sympathy for them.

Mr. DU PONT. You did have the authority?

Ambassador MARTIN. No.

Mr. DU PONT. Who did?

Ambassador MARTIN. The only two ways an alien can come in is for visas to be issued, under very strict conditions, or for the Attorney General of the United States, after consultation with the Congress, to choose to use the parole authority, as he did in the case of the Cubans, as he did in the case of the Hungarians. That was finally done on April 25.

Now, I said before, I am not being critical of that. It was a difficult decision in many ways. I am simply recording the fact that parole authority did not arrive in Saigon until the 25th of April and we had no authority to move any Vietnamese, except the few related to Americans, to the United States before that date.

If you couldn't move them to the United States where did they go?

To the Philippines. At first we were told to send them back to Vietnam because the Philippine Government was raising unalloyed hell. We were told in early April by the Department of State to cut off the use of this reverse airlift.

Mr. DU PONT. My time has unfortunately expired and I hope perhaps on the second round we can explore that.

Ambassador MARTIN. I would be very glad to.

AN INVESTIGATION

Mr. HAMILTON. Mr. Harrington.

Mr. HARRINGTON. Mr. Ambassador, one brief question, then I would like to get into something somewhat more broadly constructed.

Do I understand that, in response to the rhetorical question you pose to yourself, you are suggesting that if an effort had been undertaken on the part of the Congress or the Government of this country to intensify our involvement in the Vietnamese war—

Ambassador MARTIN. My comment was more narrowly focused, Mr. Harrington. I myself would have no objection. My comment on that would be, I would think, Vietnam has been divisive long enough, its behind us.

Now whether or not the kind of investigation I suggest would carry that divisiveness forward or not I don't know. You would have a far better feel than I. The historians will do this of course.

Now, whether the Congress should do this or not is a question that I leave to the Congress in its own wisdom to decide.

INFLUENCES ON FOREIGN POLICY

My suggestion was that since the foreign policy of the United States must be daily updated, since it is an ongoing thing, today, tomorrow, the next day, then, perhaps we ought to look to at the influences which at times are brought to bear on its formulation—on the perceptions of what actually is true and how that is done.

Now, we have done this in many other cases. We talk about the new efforts to control lobbyists on the domestic scene—to know who they

are, as well as what they do. Sometimes they are criticized, sometimes they are praised as operating for good.

I myself have for years and years fought for certain things, as an individual trying to influence the Congress. That is part of our constitutional system.

The right to petition the Congress is one of our basic rights and should be cherished.

But I do think sometimes, we ought to know more about those organizations and their leaders. In other fields, you have to register, for example, if you are representing a foreign government. I think we ought to look with some precision at organizations and their origins, their background and their affiliations, who are trying to influence American foreign policy.

CONGRESS AND FOREIGN POLICY

Mr. HARRINGTON. Let me go to the broader question which underlies, I think, my disagreement with the substance of your testimony.

It really isn't in the form of a question. Given, in mid-June of 1973, what you know of the duplicity of the executive branch in dealing with both the Congress and the American public over prolonged periods of time—concerning our involvement in Cambodia, to take a concrete example—do you feel that the role that the Congress should play in the conduct of foreign policy should be one of deferring to those who know, to those who are in position to make judgments?

When juxtaposed against the events we were becoming aware of in the late sixties and seventies, of how we arrived and what we did as far as the conduct of policy, it is very difficult for me to reconcile the thrust of your testimony as to why should there have been a deference to the Secretary and the President, with what in general a society such as ours, one that claims to be more open in the conduct of foreign policy, should do.

MUTUAL RESPECT

Ambassador MARTIN. I would think we ought to get back, Mr. Harrington, to perhaps the kind of relationship I alluded to at the beginning of my statement.

Mr. HARRINGTON. Characterized by the civility of the poor that existed.

Ambassador MARTIN. By the mutual respect, by the common search for courses of action that are in the best interests of the country, a desire which all of us have.

Now, if you interpret the thrust of my testimony that we should have yielded to someone who knew better I didn't intend it that way.

I have always, as I believe I testified in July of 1974, regarded this committee and its publications through the years as my sort of post-graduate university in the field of foreign affairs.

This committee has an enormous and distinguished record of innovative action. It was Christian Herter, and a subcommittee of this committee, which really laid the ground work for the Marshall plan.

The executive branch got the credit for that but the initiative was clearly, I think, in the House Foreign Affairs Committee.

Now, these are the kinds of interchanges which I think ought to take place.

TESTIMONY BEFORE CONGRESS

Now, regarding deception, I just find myself in total agreement with you. I get in trouble every time I come on the Hill from the executive branch because I refuse to be less than totally candid.

My opening statement, for example, has not been seen or cleared by anybody in the Department of State.

Mr. RYAN. That is a formidable comment all by itself.

Ambassador MARTIN. I didn't want to get into any silly arguments. I have to say what I have to say and I think you are entitled to have my unvarnished opinion. I have also gotten into trouble with some of my colleagues in the Department who take the view that when the policy is totally decided, they must never deviate from it in testimony before Congress.

THE NEED FOR CANDOR

I have a slightly different view. I cannot understand why on the military side, before the Armed Services Committees, we have the long standing tradition that, when asked, a military officer can give his professional advice, voice his professional concerns, set out his feelings of what the situation is. If he doesn't come out with a wild attack or something of the sort, the Defense Department didn't seem to mind.

But in this kind of interchange, for the good of the country, I think candor must be the rule.

I have always been saved from trouble by my father's advice, who told me that I was too lazy to lie. He said, if you tell the truth you never have to remember what you said. So what I have told you has always conformed to that advice. I don't have to look over my shoulder to make what I say conform to something I said before to fit the facts or any policy. I tell it to you as best I know it.

I think if we had more of that—I will tell you quite frankly, sir, that I would hope that the kind of statements which you have just made about the record of deceit, et cetera, however true they may or may not be, could be again one of those things that, like Vietnam, we put behind us. I would hope that in the future there could be an approach from members of this and other committees of the Congress that would take in good faith, until proven to the contrary, statements from most of the witnesses of the executive branch who, I think, in most cases are doing their absolute best to give you whatever expertise they may have about questions you may have.

THE MEDIUM OF TELEVISION

I think too often, if I may say so—you opened the question, if you will permit me to go perhaps beyond—I think we are too concerned with this new medium of television.

Now, I am not running for anything at all. I seek no further position or posting. I never have. If the President and Secretary want me to do something and I think it's interesting enough—I may or may not do it—44 years is a long time to serve the people of the United States.

But I am not looking for anything. I don't think anyone owes me anything at all. So all I have to say here is not for headlines or attention or anything, it's simply an attempt to make a contribution to how we might approach what I think is going to be a most perilous decade ahead of us.

BURDEN IS ON EXECUTIVE BRANCH

Mr. HARRINGTON. Let me rejoin briefly, because I am presuming on other members' time.

I would like very much to accept the advice you give that we put the prerogative language mutually behind us. But I find that after 6 years here attempting to adjust, the burden is on you to accommodate to what you referred to as a period of accommodation and civility. I think the task of reconciliation rests far more heavily with the administration, and far more heavily with the people who share your role and title and profession in the foreign services.

I have enough direct experience—involving another country in this hemisphere—with the conduct of people in the executive branch to really disagree with you when you state that we have seen or learned the lessons of what that kind of duplicity, that deliberate effort at deceiving the Congress, can do to poison the atmosphere between branches and increase the divisiveness that exists in the country.

I think if there is a need for candor comparatively it rests far more heavily with the executive branch than it does with Congress.

Mr. HAMILTON. Mr. Winn.

ROLE IN AID REQUEST

Mr. WINN. Thank you, Mr. Chairman.

Mr. Ambassador, I just wondered what role you played in President Ford's January 1975 recommendation to Congress for the \$300 million in supplemental military aid to South Vietnam.

Ambassador MARTIN. None other than to strongly recommend it, sir. The \$300 million was a restoration of an amount which had previously been authorized by the Congress. That authorization bill had passed for a \$1 billion appropriation.

Now, when it came before the Appropriation Committee it was out. The Appropriations Committee recommended the bill go to the floor with \$1 billion. It was cut on the floor to \$700 million, and that action was sustained by the Senate.

Now, what I had supported was going back, not for the original \$1.6 billion request, which I thought we should have done, but simply for the restoration of that amount which had already been authorized by the Congress.

POSTPONEMENT OF \$300 MILLION IN AID

Mr. WINN. Have you ever asked or inquired of anyone in the administration why the \$300 million was moved to 1975 from 1974?

Ambassador MARTIN. Yes, sir.

Mr. WINN. What was their response? Were you satisfied with their response?

Ambassador MARTIN. A great and deafening silence to this day.

Mr. WINN. It fell on deaf ears.

Ambassador MARTIN. To this day I do not know.

CHIPPING AWAY

Mr. WINN. I don't usually agree or always agree with my colleague from Massachusetts, Mr. Harrington, but isn't this the type of thing

that a public servant of 44 years should keep chipping away at until we get some answers?

Ambassador MARTIN. I have kept chipping away at it so much, sir, that I have exhausted the patience with a lot of my colleagues in the executive branch.

There is, in my opinion, utterly no excuse why the defense attaché's office and myself should not have been informed of whatever the reasons were. I never was and, to this day, I do not know the precise reasons.

MILITARY REGION ABANDONMENTS

Mr. WINN. Did you in January warn the administration that unless South Vietnam received additional aid it would have to give up the northern provinces of military regions No. 1 and 2?

Ambassador MARTIN. I was not aware of the consideration by the South Vietnamese of that plan. I can understand why we were not aware, but my recommendation was that, my statement was that, going the way we were going, with the limited amount of military ammunition, it would be impossible for South Vietnam to continue to adequately defend itself.

I don't think it occurred to me that, politically, the Vietnamese could have made the decision to abandon the military regions No. 1 and 2. I certainly have no recollection of either being aware of it, or having this as a part of my consideration of any recommendations that I made in January.

LOSS OF U.S. CREDIBILITY

Mr. WINN. I would like to change the subject matter just a little bit, which concerns me, because I have just returned from a six-country, seven-stop, 12-day tour to the Middle East and met with heads of the most of the Middle Eastern countries and our loss of credibility is unbelievable.

South Vietnam in that situation I think was sort of the start of it. Watergate, of course, played a big part in it. But now the price of all that they don't understand and the Shah of Iran, for instance, told us he did not understand this washing our dirty linens in public with our CIA and FBI investigations. He doesn't understand that type of an operation, and he thinks that that is adding to our loss of credibility all around the world, and I would say that he has always been known to be a pretty objective man. This was not just the Shah, it is practically every leader we talk to.

I wonder if you would care to comment on that, how far are we going? The people of the Middle East, basically conservative, are quite sure, feel we have gone too far right now.

THE MOST RELIABLE ALLY

Ambassador MARTIN. It is rather difficult for me to comment on other than the effects of Vietnam. It was quite clear that if we were to, for whatever the reasons, without warning, remove the capability of the Vietnamese to defend themselves, that others would draw a comparative conclusion. Having observed the Egyptian army defeated three times running and hearing all of the criticisms of the lack of efficiency or military ability, and yet having those supplies completely re-

furnished by their ally, the Soviet Union, the question arises who is the most reliable ally, the Soviets or the United States.

Now, thank God, we do not have the Soviet system. Our decisions are more difficult to arrive at. But when one considers the problem of a current visitor, and his own problems in his parliament, it is difficult to see that their current perceptions of the constancy of the American commitment would not have a seriously restrictive effect on whatever negotiating tactics might lead to a Middle East solution.

Mr. WINN. They have a hard time understanding why we can't make a commitment for more than 1 year at a time.

Ambassador MARTIN. Yes; they do, sir.

Mr. WINN. It is kind of hard to explain sometimes?

Ambassador MARTIN. It is very difficult to explain.

AID TO ANGOLA

Mr. WINN. As far as the loss of credibility, I don't know that this would exactly fall in the same category. A little while ago when we went over to vote, the House voted about 3 to 1 not to give any aid, financial or certainly military or soldiers or anything else, to Angola.

I just wonder how far down the line, as Ambassador for many, many year, how many more times are we going to be faced with this, would you guess?

Ambassador MARTIN. I don't know, sir.

OTHER WEAK SPOTS

Mr. WINN. Looking at a map can you see some other weak spots that will be coming up next week or next month or next year?

Ambassador MARTIN. I have been rather fully preoccupied for the last 2 years, sir, with the problems in Southeast Asia and I would hesitate, without having had the opportunity to know with more precision the evolving situation elsewhere, to comment on that.

I do thoroughly agree with the thrust of your comment that one of the enormous strengths in the past has been a faith in the constancy of the American commitment, and my concern in Vietnam was, however we left Vietnam, it not be in a way which would destroy or seriously degrade the effectiveness of that trust in American commitments, which is essential to the attempts to form a structure of peace in the world.

Mr. WINN. Just one last question, Mr. Chairman.

THE EVACUATION TRIGGER

Mr. Ambassador, in your opinion, in your estimation, what kind of situation was required to trigger the evacuation plans in South Vietnam?

Ambassador MARTIN. You mean the final evacuation?

Mr. WINN. Yes.

Ambassador MARTIN. The inability to be able to foresee that the situation would not degrade into the kind of panic that we saw in Danang and Nha Trang and that the safety of the Americans demanded that we delay no longer. That was my primary concern on

the morning of the 29th when I notified the President that we should immediately proceed with the rapid evacuation of the remaining Americans.

TIMING

Mr. WINN. You think that request or that recommendation should have been made earlier?

Ambassador MARTIN. No, because to the best of my judgment, to have been made earlier risked a panic situation which could have resulted in the death of a great many Americans. It could have resulted in the most ghastly of all ends, that is, the requirement to introduce so much American force that we would be fighting the South Vietnamese on the way out.

Now, we managed that, I think, in a way in which we kept that delicate balance all the way through bringing out a combination of Americans and Vietnamese. We had other problems about getting the Americans out which was the unwillingness of some to go.

Our primary problem was about a thousand former defense contractor employees who had acquired Vietnamese dependants, who had no intention of leaving unless those dependants could come. We had no authority until the last few days in Vietnam, I mean to move those dependants. As a matter of fact, I moved a great many of them without authority.

THE SOUTH VIETNAMESE ARMY

Mr. WINN. Mr. du Pont said in the question part many of us felt we could hold on for about a year from January, February or whatever the time was, clear on through June. Then he brought up the part about the shortage of bullets. You said that was the basic reason.

Many television shows, we were led to believe, and it may have been this propaganda machine that you referred to, I don't know that, saying that the Vietnamese soldiers were taking weekend vacations and that they were not up in the front, they would leave one or two men manning the guns, admittedly there were shortages of bullets, but the rest of them would go home.

Ambassador MARTIN. The Vietnamese have a habit, most Southeast Asian armies do, of their dependants basically accompanying them not to the battlefield but to the camps where they are, and when you talk about them going home, they were going there. Otherwise you would have some draftees who would take off on weekends but it was not that much of a serious problem, I mean as of July of 1974. It did not become one in that sense.

Now, the difficulty I think—I didn't make it clear perhaps in answer to Mr. du Pont's question—part of the assumptions that I think you were getting was an assumption that the North Vietnamese pressures would be constant. They would be no more than they had been in the past.

Now, when it became evident to them that the American will was eroding here, that pressure was enormously increased. We have evidence of enormous shipments of whole truck convoys of division level numbers of people moving down what was the old Ho Chi Minh Trail which had been converted really into a dual lane superhighway.

That was a change in the whole military equation that the South Vietnamese were facing.

Mr. WINN. Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Ambassador, I want to ask you a number of specific questions with regard to the evacuation. Before I do that, I want to welcome to the subcommittee two members of the full committee, whom we are delighted to have join us this afternoon, Mr. Ryan and Mr. Solarz, and I will turn to them for questions.

MR. RYAN'S TRIP TO VIETNAM

Mr. RYAN. Thank you, Mr. Chairman.

I would like to preface the remarks I make by saying publicly that Ambassador Martin was very kind and very cooperative in my own trip there. I think you may remember, it was a year ago this month as a matter of fact.

Ambassador MARTIN. I was very worried about you.

Mr. RYAN. I am not sure what you mean by that.

Ambassador MARTIN. I was very worried about your health, sir.

Mr. RYAN. Oh, I do recall that [laughter] I insisted on going to some areas that were perhaps more touchy than they should have been. The shrapnel was splashing in the water in front of me and there was concern expressed about me. I saw what I came to see and I formed no conclusion from it. If I do get back there sometime and can obtain the kind of rapprochement with them regarding your personal effects, I would be very happy to do so.

Ambassador MARTIN. My wife and I will be extremely grateful.

NORTH VIETNAMESE PROPAGANDA

Mr. RYAN. Having said that, I want to question you rather closely on a couple of matters. You say on page 14 of your testimony that there was no effective way to counter the propaganda extravaganza in January.

Are you saying then the propaganda effort by Hanoi had a significant effect on the decision regarding the \$300 million in aid?

Ambassador MARTIN. Well, on the \$300 million, even more than that. I said also in my testimony, sir, that it was the opinion when the former Foreign Minister who in the last stages, was the President of the Senate of Vietnam, whom I think you met when you were there, came back here and was not received on the Hill, although the critics of Vietnam were flooding the Hill, he came back to Saigon with the appraisal that the temper of the Congress was it was not going to get the \$300 million and would, probably, not get any further appropriations for the next fiscal year for military assistance. There might be some humanitarian assistance but no military assistance at all. That was his appraisal and I am inclined to share it. The temper of the Congress was extraordinarily opposed to reason a year ago.

I do think that that great gathering of people from all over the country in response to the pastoral letter that had been issued by a number of clergymen, was very effective. (The chairman suggested that I put that and my comments on it in the record, which I shall be glad to do.) Yes, I do think it had an effect.

EFFECT OF PRESSURE ON CONGRESS

Mr. RYAN. You say you think it had an effect directly on the Congress or indirectly through popular pressure on the Congress?

Ambassador MARTIN. Both, sir. As I recall, after the meetings they visited in an organized way their own Representatives in Congress and Congressman in districts in which they come from other parts of the country. They went back home and, again I know this, started in again on the letter writing campaign and the rest of it.

You see, Mr. Ryan, as I have testified before, in four decades of public life, I have been very intimately connected with many of what people now term liberal causes. I don't like the pegs liberal or conservative. I believe in the things I believe in and stand for. But in the 1967-69 period I was Special Assistant to the Secretary for Refugee and Migration Affairs and dealt with the great American community of voluntary agencies. Many of them knew me very well, and I had many friends who were totally opposed to the United States being in Vietnam but who were, nevertheless, confident enough of my own integrity, distressed enough on what was going on, to keep me rather fully informed of what was going on within those circles. It is on the basis of such reports that I became much more concerned. What does concern me now is the question that was raised by the chairman whether small groups like this can be effective. Such question tends to sort of push this effort under the rug.

ENORMOUSLY EFFECTIVE

I, myself, think it was enormously effective. I recall, though I do not have a copy of it, that there was a question and answer, as the Evening Star in Washington runs from time to time, on an interview with Mr. Branfman. At that time, I think that he clearly indicated that the next target would be Korea. That is his right to do that. But I think it ought to be sort of clearly understood, perhaps better than it is, I mean the effect that this does have.

I said that if I knew no more than the normal member, perhaps not of this committee which has a reason to delve much more deeply into these problems, but just a normal member with interest in Agriculture or the Mining or Interstate Commerce Committees, and all I got was the pressure that I got from my district from these groups, I would be inclined to vote against.

The greatest duty of a statesman is to be reelected. If all the pressure in my district is against, if I had no great feelings about it, I would be inclined to vote against. I think this is important and Mr. Branfman, I understand, is now sort of on a leave of absence from his duties. He is assisting Mr. Thomas Hayden in defeating that great conservative Senator from your State, Mr. Tunney, but I imagine when that job is done one way or another he will be back. I have enormous respect for the capabilities of Mr. Branfman and Mr. Luce.

TOO LITTLE INFORMATION

Mr. RYAN. The reason I asked the question, Mr. Chairman, if you will indulge me a chance to make a comment of my own in response to some of the things that the Ambassador said—if it is true, and it may

be true that the congressional decision to withhold the additional funds was a direct cause and effect which caused the reversal that led to the defeat and destruction of the South Vietnamese Government. I think it is important to point out in behalf of some Members of Congress, not the least of whom is myself, that if we deal with information which is too sparse to make decisions, such as the decision made this afternoon regarding whether or not we should be involved in Angola, there is a direct cause and effect relationship that goes back to 1954, or to 1964, where we lost the respect and the amicable feeling that existed with the Congress and the Executive because we lost the capacity here on the Hill to believe the experts who were out there in the field and the quality of the information they gave us. I think that is exactly what happened here. And the relationship has got to be one of mutual respect, as Mr. Harrington pointed out, going in both directions.

Ambassador MARTIN. I couldn't agree with you more.

SUFFERANCE OF CONGRESS

Mr. RYAN. There was and is a notable kind of sufferance, perhaps is the best word, on the part of the executive branch toward this House.

If, when the administration made the decision to keep the Angola matter discrete and told me as a member of the Oversight Subcommittee last July, if they had told the entire Congress and come over here and explained their reasons, I am certain that the vote that was cast today would have been different in its total results. The members would have voted on the basis of more and better information. Policy is still made in this House and the body at the other end of the hall, and I think some of the comments you make here indicate we made the wrong decision.

Ambassador MARTIN. Mr. Ryan—

DISAPPOINTMENT AND DISILLUSIONMENT

Mr. RYAN. There is an inability on the part of the Executive and your people and General Westmoreland, to understanding the disappointment and later disillusionment of not seeing the light at the end of the tunnel that was supposed to have been there in 1964.

Ambassador MARTIN. I do understand it and I think, based on your own experience when you were there, you will agree there was no question that you asked on which I did not try to be as totally forthcoming as I conceivably could.

Mr. RYAN. I can't quarrel with that.

Ambassador MARTIN. I think the members of this committee have a right to that kind of information, I think that you should never be ignored. I think sometimes even things you don't want to hear, that are really relevant to the situation, ought to be displayed and laid out on the table because they are important to all of the people of the United States. I couldn't agree with you more.

IN THE NATIONAL INTEREST

Mr. HAMILTON. Mr. Solarz.

Mr. SOLARZ. Thank you, Mr. Chairman.

Mr. Ambassador, I want to express my own appreciation for your willingness to take the time to share with us this afternoon your own impressions of what happened in the final days of the war.

At the outset let me just make one disclaimer, and I have a feeling perhaps we might best switch jobs because I have a rather different view of the obligations of members of this House than I think you do. It seems to me when we are dealing particularly with matters of fundamental importance to the national interest that we have an obligation to decide not on the basis of what momentarily the majority of our constituents may want but on the basis of what we generally believe to be in the national interest of our own Nation. This is only my first term in office and God knows there are enough people around here who are motivated by essentially political consideration. But my very strong impression, looking back on the events of last year, particularly with respect to termination of our involvement in Vietnam, was that the vast majority of the members of this House held the conviction that it was in the national interest of the country for us to end that involvement at the time we did rather than to continue it. I don't think it was an example of a situation where members consciously acquiesced against their better judgment simply because of the pressures that had been mobilized on the issue and that constituency.

EVACUATION OF AMERICANS

In any case, could you tell us how many Americans were evacuated from Vietnam in the closing days of the war? You indicated in your testimony 140,000 Vietnamese nationals had been taken out. You didn't say, I think, how many Americans.

Ambassador MARTIN. I don't happen to have those precise statistics with me but they were around, I think, 8,000 or 9,000 Americans along early in the spring.

We began to exert pressure on those who did not have specific reason to be there that, perhaps, it would be wise to go. As I said before, one of our very great considerations was not to so conduct ourselves that we created a panic situation that would make more difficult the extrication at the end, if the end came. I think there is one point which has not been sufficiently made, there was no way of knowing on the part of anyone that I know, what the final determination of Hanoi would be in terms of leaving the South Vietnamese Government ostensibly independent even if it were a government which was clearly under the rule of Hanoi.

In that case the question arose as to whether or not we should have a continuing American mission, although obviously enormously smaller.

I can tell you that that decision was not made until 2 days before we left, when the decision was made that we would evacuate all of the remaining Americans. Up until that point it was an open question as to whether under the transition that was being worked out between President Huong, who was President for a week, and General Minh, who became President on next to the last day, as to whether or not Minh would be successful in forming a government, whether the North Vietnamese would tolerate it, and whether we would wish to keep a small mission there to deal with him. That decision was finally made, as I say, 2 days before the end.

ADEQUACY OF EVACUATION OF SOUTH VIETNAMESE

Mr. SOLARZ. You indicated that we evacuated about 140,000 Vietnamese nationals, which was approximately three times as many as we

had presumably the legal authority to evacuate. Was that as many as you would have liked to have evacuated if time constraints hadn't been a problem?

Ambassador MARTIN. That is a difficult question. I would have preferred to have insured the departure of all those, for example, who were current employees of the U.S. Government and their families if they wanted to go. Many did not want to go. The family ties were too strong. They would take their chances there.

Mr. SOLARZ. Do you have any estimate of the total number of Vietnamese nationals who wanted to leave but were unable to due to the pressures of the battle and of the time constraints involved?

Ambassador MARTIN. It seemed to me, sir, at the end, half of the people in Vietnam were camping on our doorstep one way or another desperately trying to get out. We had seen in Danang and Nha Trang the panic which totally immobilized the airfield which made it impossible to load a ship at the docks, which caused the crowding of the barges—where one capsized and sank. The total sort of panic to get out, to get away from the approaching North Vietnamese armies.

There is no doubt in my mind if we could have, which we clearly could not, brought out all Vietnamese who wanted to come, it would have been well over a million—well over a million. That was never a possibility.

UNABLE TO GET OUT

Mr. SOLARZ. Were there a substantial number who wanted to get out but were not able to, who, by virtue of some kind of official association with our own efforts in Vietnam, were at the time supposedly in some kind of danger if they had remained?

Ambassador MARTIN. I am sure there are some. We tried to bring from the consulates in Danang and Nha Trang all of our official family down there. There were others who for their support of the Americans or of the South Vietnamese Government were afraid of what would happen to them. There were many who would have wanted to come who were not able to come.

"HIGH-RISK" NATIONALS

Mr. SOLARZ. You estimated probably over a million Vietnamese would have liked to have gotten out if they could have. Of that number, could you give us roughly any idea how many of them had that kind of association with our own effort in Vietnam which might in their own eyes mark them for punishment after the war ended?

Ambassador MARTIN. Well—

Mr. SOLARZ. As distinguished from those who simply wanted to get out.

Ambassador MARTIN. Including our employees and their families, we calculated that, I think, on the basis of a rough extrapolation of about eight members per family, there would have been about 150,000. All of those did not want to come. There were others in the Government, there were others in the senior offices in the military forces, others who had worked closely with us.

The total planning figure which we decided on, and that decision also came very late in Washington, was about 200,000, I am trying to remember what they call it, WSAG, Washington Special Action Group. Of the principal agencies that met, on July 26, I was informed, there was almost no support for getting any further Vietnamese out. I was determined to get out those to whom we had made commitments and we did, we brought out over 80,000 in the last days.

EXECUTIONS SINCE THE WAR

Mr. SOLARZ. Do you have any indication since the end of the war as to whether or not there have been executions in Vietnam by the Communists?

Ambassador MARTIN. I have seen in the news reports, I think I am right, that Senator McGovern says he was told that some enemies of the regime had been executed although the number was "small."

Before you came in, I said there were people who were sent away for "reeducation," who never reappeared. There is no way that I know of, since no neutral objective observers are permitted to see, that any precise figure could be gotten.

FEARS OF A BLOODBATH

Mr. SOLARZ. The reason I asked is that at the time the war was winding down there were many reports here in Washington that some kind of a bloodbath would ensue in the wake of the Communist victory. This was one of the justification offered for our continued commitment to the South Vietnamese, to prevent that from taking place. It would seem to me in retrospect almost a year later that at least so far that these fears have not turned out to be justified.

Ambassador MARTIN. I would say, as I said before, sir, that the fact that you could have, in a Communist, totally controlled situation, public riots of the members of families of those who had been sent away for reeducation and who had not reappeared, was an indication that the numbers are large although they are handling it much more astutely.

The North Vietnamese can read, too. They are very astute and whatever they did would be done in a way which would try to totally minimize any public attention to it in this country.

EXTENT OF REEDUCATION

Mr. SOLARZ. Do you have any idea how many were sent away for reeducation?

Ambassador MARTIN. No, I don't.

Mr. SOLARZ. It might have been hundreds or would it be more likely to be thousands?

Ambassador MARTIN. Well, a few thousand people were, I think, demonstrating. I think the number "sent away" would have been considerably larger than you indicate, but I don't have any precise information. I frankly have not followed any of the subsequent reporting from the peripheral capitols where some of the refugees come out and were interviewed. These perceptions are slowly gathered.

BETTER OFF AT PEACE

Mr. SOLARZ. I would like to ask one final question, if I might.

I gather it was your feeling, Mr. Ambassador, if in those final days we had, contrary to everyone's expectations, voted to provide the kind of continuing funds which would have made it possible to resupply the South Vietnamese Armed Forces, that it would have been possible for them to establish some kind of effective defense perimeter around Saigon in which they could have continued fighting.

If in fact the situation had somewhat stabilized militarily, looking back on it now almost a year later, can you say in any way that the people of South Vietnam would have been better off with the war continuing with all that would have implied for the continued loss of life and destruction of their country? Or are the people better off in the situation in which they now find themselves under the control of the Communist regime but, nonetheless, in a country at peace?

THEIR DECISION

Ambassador MARTIN. I think, sir, that that is a decision no American could or should make. I think the people who want to defend themselves have a right to do so if they so choose, if that is important to them. If they think it would be better than, then that is their decision and we should respect it.

I think that up until March, if they could have been assured of that aid that they probably could have made it.

At the time it became apparent there would be no vote on the 19th, I don't know. Perhaps, it would have permitted them to have held and to have negotiated at least an interim government which would have been independent. How long it would have stayed independent is a matter of conjecture.

But a South Vietnam, even a truncated South Vietnam under its previous constitutional forms and leadership, no, I don't think voting military aid in late April could have changed the situation.

Mr. SOLARZ. Thank you, Mr. Chairman.

A FINAL CONTINGENCY PLAN

Mr. HAMILTON. Mr. Ambassador, I would like to ask you some questions with regard to the evacuation. Did you have a final contingency plan for the evacuation of South Vietnam ready in early 1975?

Ambassador MARTIN. We had a combination of two plans, as I described, Mr. Chairman. The "Talon Vise" plan which is the use of military assets was divided into four basic options. One included use of fixed-wing airlift and introduction of sufficient American force to insure their ability to carry it out.

I, myself, thought that the introduction of military force would be a great mistake, if it could be at all avoided, because if you put yourself, sir, in the position of the South Vietnamese—

VIETNAMESE AS WELL AS AMERICANS

Mr. HAMILTON. I understand that point, Mr. Ambassador, you have made that several times. Did the plans cover Vietnamese as well as Americans?

Ambassador MARTIN. They did not initially cover the number of Vietnamese that were actually evacuated because we had no authority to move them into the United States nor had we negotiated any arrangements with neighboring countries to take them.

THIRD COUNTRY NATIONALS

Mr. HAMILTON. Did your plans include the evacuation of third country nationals working for the United States?

Ambassador MARTIN. Yes, those under contract and regarded as our specific employees.

Mr. HAMILTON. You had authority to remove them, evacuate them?

Ambassador MARTIN. No; but we would have done so. The question of whether they would have been admitted to the United States was not the question for this group. They could have gone back to their own countries. The problem of Vietnamese was that they really had no legal right to go anywhere else. The third-country nationals did.

EVALUATION PLAN FORMULATION

Mr. HAMILTON. When was your evacuation plan formulated and finalized?

Ambassador MARTIN. The evacuation plans have always been there; they are constantly updated. We had one in the Embassy that would have been adequate under a more orderly kind of evacuation.

Both plans contemplated the contingencies of the use of military assets if you required them at the end.

Every Embassy in the world has a current plan of that kind.

Mr. HAMILTON. So you are suggesting that, early in 1975, you had evacuation plans worked out in considerable detail, which called for situations when you might need force and situations when you did not need it?

Ambassador MARTIN. That is correct.

WHO WAS IN CHARGE?

Mr. HAMILTON. Who was in charge of formulating that plan? Were you as Ambassador?

Ambassador MARTIN. Yes, sir, everything in Vietnam was under my responsibility, sir.

Mr. HAMILTON. You likewise—

Ambassador MARTIN. The actual responsibility was exercised in the case of the largest single component, that is, the defense component, including the defense civilians and employees of the defense contractors, by the Defense attaché which was the successor of the old MACV office. They had plans, of course, current and ongoing from the time, I suppose, their first considerable presence existed in Vietnam.

Mr. HAMILTON. Were those plans subject to your approval? The Defense attaché's evacuation plans?

Ambassador MARTIN. Yes; not only to my approval but to the approval of the appropriate authorities in Washington.

THE DECISION TO WITHDRAW

Mr. HAMILTON. Who made the final decision to withdraw?
Ambassador MARTIN. I made the final decision to go to the option 4, which was the last option on the helicopter liftout on the last day. We had hoped and planned, and all the assets were in place, to have fixed wing operations for as long as we could do that.

Mr. HAMILTON. When was your plan, decision, made to go to option 4?

Ambassador MARTIN. On the morning of the day that the final evacuation began.

Mr. HAMILTON. That is April 29?

Ambassador MARTIN. Yes.

WASHINGTON'S ROLE

Mr. HAMILTON. That decision did not come from Washington?

Ambassador MARTIN. It had to come from Washington confirmed, I suppose, although I have the authority to call forth and to use whatever assets were in place in the country at any time, as we did in the case of Danang and Nha Trang.

Mr. HAMILTON. I don't understand. Did you make the decision and then ask Washington for approval and get Washington's reply back, or did you make the decision and then carry it out?

Ambassador MARTIN. I made the decision, but I have no power, I never had any power, to command military forces which were outside of Vietnam, which were essential to the evacuation.

I, therefore, called the White House. The President approved. As I understand it, the execution orders were issued through the Joint Chiefs of Staff to the commander in chief, Pacific, to the subordinates command in the 7th Fleet and in the Air Force.

A PRESIDENTIAL ORDER

Mr. HAMILTON. So that order was actually a Presidential order that put in effect the final evacuation?

Ambassador MARTIN. That is my understanding, but based on my recommendation.

Mr. HAMILTON. That was made on the 29th, was it?

Ambassador MARTIN. On the 29th; yes, sir.

Mr. HAMILTON. Now—

Ambassador MARTIN. I didn't finish the answer to that question. I mean, I think you asked about the circumstances.

We received a very severe rocketing attack on Saigon in the early morning of the 29th which so disrupted the facilities at Tan Son Nhut Air Force Base that the fixed-wing lift planned for that day would have been either impossible or enormously risky. It was still the hope of all who were concerned that we could have that day, and perhaps another day, of fixed lift operation which would have gotten out each day approximately 10,000 or perhaps a little better.

Mr. HAMILTON. Mr. Ambassador—

Ambassador MARTIN. The other thing is, you could continue with a fixed-wing airlift. Once we went to the rotary-wing operation, we were through. That was one time, 1 day, as long as you could do it and you

DISMISSAL OF GENERAL BAUGHN

Mr. HAMILTON. Mr. Ambassador, there are a number of observers who were critical of the U.S. mission in Vietnam on the grounds that it did not move quickly enough in April to evacuate personnel and that this led to tensions among various government agencies represented in Saigon.

Let me ask you to comment on some of these reports.

One is that Admiral Gaylor sent a representative to Saigon to plan for Defense Department evacuation in early April and that Defense efforts to move ahead with withdrawal plans led to the dismissal from Saigon of Air Force Gen. Richard Baughn. Is that true?

Ambassador MARTIN. No; it is not true, to the best of my knowledge.

The request to replace General Baughn was made by his immediate superior, General Smith. I made no objection to it.

Mr. HAMILTON. Why was that recommendation made?

Ambassador MARTIN. Well, he was under great pressure from some circles in the Pentagon in Washington to replace General Baughn with General Svenson. I think the feeling in Washington was that General Svenson would be better able to cope under the circumstances that were obviously developing. There was aspect—

GENERAL BAUGHN'S PERFORMANCE

Mr. HAMILTON. Does that suggest there was dissatisfaction with the performance of General Baughn?

Ambassador MARTIN. Well, the better witnesses for that would come from those in the Defense Department who were urging this action on General Smith.

Mr. HAMILTON. Did you have any dissatisfaction with General Baughn's performance?

Ambassador MARTIN. I wasn't that much aware of his direct performance. I depended on the man in charge, in this case General Smith. As long as he chose to retain General Baughn, it was all right with me, because Smith was responsible for the whole operation.

Mr. HAMILTON. There was—

Ambassador MARTIN. It was his decision to remove.

I might add some light to this, if you want me to.

AIRLIFT TO THE PHILIPPINES

Mr. HAMILTON. Mr. Ambassador, I do not want to cut you off on important facts. On the other hand, I have a lot of questions I want to ask about this evacuation.

Ambassador MARTIN. My only point was it was alleged that General Baughn—I don't know whether this was true or not and I certainly would have great sympathy for him were it true—noticing the reverse empty lift going back to Clark began to put, or some of the people did put the Air Force Vietnamese employees on those planes going back. As I say, I had great sympathy with that. But we received—

Mr. HAMILTON. They didn't have authority to do that?

Ambassador MARTIN. We had no authority to take them in the Philippines and the Philippine Government complained about that. We were instructed from Washington to totally stop it. This was early April.

BREAKDOWN IN COMMUNICATIONS

Mr. HAMILTON. Mr. Ambassador, there is another report that during the last few weeks there was a breakdown in communications between the State Department and the Embassy station chief. Is there anything to that report?

Ambassador MARTIN. Not a thing. Mr. Polgar, I think, saw me an average of four or five times a day every day.

[The following was subsequently submitted for the record:]

I am aware of complaints that some elements of the State Department felt there was a breakdown in communications with the Embassy. Their real complaint was not with me or the Embassy but with their superiors in Washington who, apparently, tightly restricted distribution of our messages to Washington. No one ever asked me to try to coordinate Washington from Saigon, a task which, on its face, is impossible.

STATE DEPARTMENT DELAY

Mr. HAMILTON. Another report that in mid-April you had a situation where the Defense Department was getting everything it could out of the country, including records, but the State Department was not acting or moving.

Ambassador MARTIN. There were different positions. The Defense activities were out at Ton Son Nhut Air Force Base, some were at the Bien Hoa Air Force Base. It was much easier with ongoing flights, emergency shipments that were coming in, in those weeks to quickly load out. This was done with my full approval. I mean to get as much out as we could possibly get out. Obviously with the Embassy in the middle of town, it was a much more delicate situation and again we were walking that very careful tightrope on anything that would cause panic.

Mr. HAMILTON. The action of the Department of Defense in moving out had your approval?

Ambassador MARTIN. Yes, completely.

USIA PLANS

Mr. HAMILTON. Another report that USIA representatives were upset that you did not proceed faster with withdrawal plans and they started to draw up their own plans for evacuation; is that correct?

Ambassador MARTIN. Well, if it was, it would have been an enormous assistance to some of the USIA locals who didn't get out if they had done so.

I think the difficulty arose in the fact that there was a desire of one senior official that he be allowed to completely brief, for example, the business community, and the local American press.

Now, the proposal to do this in a group meeting of some sort was impossible. This was done individually by officers going to the heads of each of the American business concerns there, et cetera.

As I have said, it was impossible to keep everyone, including the press, totally informed of all aspects of the ongoing operations because, had we done so, there would have been stories about them which would have cut off the completely "black" operations which were sending out many Vietnamese without the authority of the Vietnamese Government.

USIA CONCERN

Mr. HAMILTON. You were not aware that the USIA representatives were upset with the rate of withdrawal?

Ambassador MARTIN. One of the most senior USIA officers had been chronically "upset" since his initial arrival in Saigon. I think there was some unhappiness which was not all that clear, evidently to me, although maybe to some of my principal subordinates, that he was not given complete independence to do as he saw fit. I was at that time more fully occupied with the transition between the three governments, with the other things that were in motion. As I said in my statement, one of the difficulties was exemplified in the request of Mr. Brian Ellis who was handling the evacuation of all the press local employees that the senior officer of USIA be completely kept unaware of that operation because he simply could not be depended upon to be discreet about it. We had that problem. And if there had been the sort of total cooperation that one would normally expect, some of the difficulties in the end with USIA employees who were left would not have occurred.

UNUSED SHIPS IN SAIGON

Mr. HAMILTON. There was also a report, Mr. Ambassador, that two U.S. Navy ships were in the Saigon Harbor throughout the early weeks of April ready to take people out and that the Embassy did not allow the ships to take people and leave.

Ambassador MARTIN. That is quite true.

Mr. HAMILTON. And you did not have the authority?

Ambassador MARTIN. No; I had the authority. We did not have the authority to move out Vietnamese, but I would have used the ships without that authority, had I not been primarily concerned with the element which I have mentioned over and over again, the element of panic.

Now, we saw what happened in Danang and Nha Trang. Now, Saigon is a river city. The great majority of the 3 million people in Saigon have never been on Tan Son Nhut Air Base. For the last decade or decade and a half it has been a closed military installation. What happened out there in the way of fixed wing airlift which was taking out almost 10,000 a day was something which would not contribute to panic in the city. Had we attempted to load those ships there was universal agreement, from those who understood Saigon, that we would have had an immediate panic situation.

LAST SHIP WAS USED

Now, on the final day, when the decision had been made for total evacuation, I did authorize the use of the last ship that was there and indeed we did have that panic situation.

Now, I have no apology whatever to make for that. I would not under any circumstances have risked the American lives that would have been risked by an attempt to use those boats before that date.

Mr. HAMILTON. You used one boat on the last day?

Ambassador MARTIN. Yes.

Mr. HAMILTON. You filled that with whom. Americans?

Ambassador MARTIN. Almost all Vietnamese.

Mr. HAMILTON. Did they have any trouble getting out?

Ambassador MARTIN. They had trouble getting away from the dock, when attempt was made again to mob it. That would have happened at any time in the preceding 2 weeks and the panic would have spread again throughout the city and you could have had a disintegration and the chaos that you had in Danang and Nha Trang.

SEPARATE COMMUNICATION

Mr. HAMILTON. During the last weeks in Saigon did you have a separate and private channel of communication with the President and Secretary of State?

Ambassador MARTIN. I have always had such a channel.

Mr. HAMILTON. That is not normal for an ambassador, is it?

Ambassador MARTIN. I am not aware of what other ambassadors have. I have always thought it was normal. As Ambassador I represent the President of the United States. I have always insisted that I have direct access to him. I have always insisted that I represent—

Mr. HAMILTON. Not through the Secretary of State?

Ambassador MARTIN. Through the Secretary of State, in most instances, but I do not presume to dictate to the President of the United States how he will conduct foreign affairs.

Mr. HAMILTON. My question relates to did you have direct access to the President of the United States?

Ambassador MARTIN. Yes.

Mr. HAMILTON. Not through the Secretary of State?

Ambassador MARTIN. Well, the Secretary of State was at that time also the President's National Security Adviser.

SUPPORT AT THE HIGHEST LEVELS

Mr. HAMILTON. To your knowledge, was every major decision made in the last weeks in Saigon given support at the highest levels in the State Department and White House?

Ambassador MARTIN. Yes. I have absolutely no question of that, whatever. I have the utmost gratitude for the support that I continually received from the Secretary of State and from the President of the United States. They were understanding, they understood the situation thoroughly, they completely supported the actions that I recommended and put into effect.

Mr. HAMILTON. Mr. Ambassador, it has been reported that by mid-April—

Ambassador MARTIN. I didn't finish the answer, sir. You also said the Department of State. Now, that would not have been wholly true about the Department of State. Again, my other comment is relevant. If the President of the United States decides to conduct part of his responsibility for foreign affairs through agencies other than the Department of State, I still insist that in the particular country such activities come under my supervision, but that does not necessarily mean that I would go back through the Department of State in every single instance.

TOTAL MILITARY VICTORY

Mr. HAMILTON. Mr. Ambassador, it was reported that by mid-April the CIA had received detailed information direct from the Communist Central Office for South Vietnam that the North Vietnamese had firmly decided at the end of March to push for a total military victory rather than a political settlement. It has been reported Thomas Polgar, the CIA station chief, had frequent discussions with the Hungarian delegation over the possibility of a political settlement and orderly withdrawal.

Do you believe that the CIA gave you an accurate evaluation of North Vietnam's course of action?

Ambassador MARTIN. That is two questions. Maybe we could divide them.

Mr. HAMILTON. You answer them separately then.

Ambassador MARTIN. On the first, on the information that we had, and on the perceptions of it, we did have information from a long-range penetration of the so-called COSVN, the Central Communist Unit in South Vietnam. It is true, that information did come which indicated that, regardless of all of the other byplay, the North Vietnamese were now determined to press a strict military solution.

Now, I hesitate to say this, but it is true that was not in retrospect, you know, you can go back and say a lot of things. At that time that report was not given that much credibility by the CIA station chief. It was not sent back by the CIA station chief in the normal reporting channels.

It was not until he was pressed by the officer who was in direct contact with this particular penetration to do so, that this man was allowed to send it back through operational channels.

CREDIBILITY OF THE REPORT

Mr. HAMILTON. The mid-April assessments concerning the North Vietnamese decision to push for total victory, did I understand you to say you saw that?

Ambassador MARTIN. Yes.

Mr. HAMILTON. You did not accept it as being accurate, is that a fair assessment?

Ambassador MARTIN. It is not a question of its being accurate. It is a question of how much credibility you put on any individual piece of intelligence.

Mr. HAMILTON. I am trying to get at how much credibility you put on that.

Ambassador MARTIN. I put considerably more credibility on it than the station chief did, as a matter of fact.

I had myself thought that the North Vietnamese, as the situation was developing and if their perceptions were the same as mine, could not resist making a short circuit off a much longer scenario which would have led to an interim government under General Minh, the bringing in of some members of the third force—all to be eventually absorbed as it was in Laos when it suited their purposes to do so.

NO WAY OF KNOWING

We had no way of knowing whether this represented the actual facts. We were receiving at the same time reports from the representatives of the South Vietnamese Communists in Europe, I think one from Stockholm, another from Paris, which clearly indicated that they wanted a political solution. Now, I think this to be true. I think that the so-called PRG did. I think they did. Because they, I think, were fully aware that if the North Vietnamese took over, the southerners would never have any chance to have even a Communist South Vietnam which would not be totally absorbed into the North Vietnamese regime.

Nevertheless, you could not rule out at that stage the sensible unfolding of a scenario which, in many ways, would have been to the North Vietnamese advantage, certainly in getting aid from the international community and elsewhere.

But the political response to whichever course seemed more probable was a decision which I determined that you had to leave to the South Vietnamese. They were also aware of both of these facts and both of these reports.

Mr. SOLARZ. Would you yield?

Mr. HAMILTON. Yes.

NO PLAN TO OBSTRUCT

Mr. SOLARZ. Mr. Ambassador, did the Communists make any active effort to obstruct the process of evacuation of Vietnamese nationals during the period of time in which it was taking place, and do you have any intelligence about how they viewed this process in terms of whether or not they were willing to permit it?

Ambassador MARTIN. You have asked the \$64 question. The answer is, "yes." I was one of the few people—I was the only person in Saigon who knew that the North Vietnamese had undertaken, around the 22d of April, that they would not militarily interfere with our evacuation.

NO OBJECTION TO EVACUATION

Mr. SOLARZ. Let me add, if I may, an interesting and historical footnote to that. Almost precisely at that time I was in Paris en route back to Washington from having attended an international conference in Geneva on humane conduct of war—which is something of a contradiction in terms.

While in Paris I arranged to see Pham Van Ba, who at the time was representative of the Provisional Revolutionary Government to France. We spoke for about an hour, and I spoke with him at some length on his view of the process of evacuation.

It was quite clear at that point that it was all over but the shouting. The only question was how many people we were going to be able to get out. And at the time the legislation was working its way through our committee for potential use of American troops to provide for and protect such an evacuation, there was some question in the Congress as to whether or not we ought to engage in that effort. And during the course of our conversation I was struck by the fact that he explicitly stated that while they felt there was no need for people to

leave South Vietnam, while they hoped they would remain so they could be reintegrated into the new society, that if in fact people really did want to leave, they had no objection to it.

And I came back to Washington the next day and reported on my discussion with Ambassador Habib. I don't know whether any report of it ever reached you. But based on that conversation, I think I came to the same conclusion you apparently did from Saigon; that in fact the Communists would permit it. And I gather what happened in retrospect, there was a period during which you were getting out 10,000 a day when there was, more or less, a brief lull in the fighting.

And it occurred to me that unbindered evacuation might possibly be related to a decision on their part to let what they might have considered undesirables out before snatching the final prize.

WORD THROUGH THE U.S.S.R.

Ambassador MARTIN. Well, I think they would have preferred the Vietnamese not to leave. But they had a great stake in not interfering with our evacuation. They could not be certain, given what they termed the unpredictability of American actions in the past, that we would not have reverted to the use of military force if there had been. They could not be certain as to the extent of the use of that military force.

I wanted to minimize to the absolute minimal degree the necessity or the requirement for any use of more than just the bare minimum of American force. That was again a matter of debate. I do not know whether this same information I had on the North Vietnamese undertaking was held by the Joint Chiefs of Staff or not. I assume that it was.

But they were looking on capabilities and I had to weigh intentions as well.

Now, I have observed the North Vietnamese for a very long time, and if you spend some 60 hours across the table from Le Duc Tho and his group, as I did in May and June of 1973, one comes to certain conclusions about their conduct and their perceptions and reactions.

In this case, as I say, I was the only one in Vietnam who did have, because it had to be very tightly held, the undertaking transmitted to us through the Soviet Union from the North Vietnamese that they would not militarily interfere with our evacuation.

Mr. HAMILTON. Mr. Ambassador, one theory about the reason—

Ambassador MARTIN. I want to add one thing, again to make it explicit. That had nothing to do with the panic situation which might otherwise develop and would be just disastrous in the end as North Vietnamese military action.

EXPECTATIONS OF A LULL

Mr. HAMILTON. Mr. Ambassador, one theory about the reason the U.S. evacuation did not proceed in a faster pace was that you had reasonable hopes, expectations, that there might be a lull in the fighting which would take place, and during that lull an orderly evacuation could occur.

Did you have such an expectation in the final days?

Ambassador MARTIN. The one I just gave you. One knew the North Vietnamese had undertaken not to militarily interfere with our evacuation. Again on the basis of everything I knew about them, this was a credible undertaking, not because you trust them in any way, because it was clearly in their self-interest for it to be so.

THREAT OF U.S. RETALIATION

Mr. HAMILTON. You think they took that action because they were fearful of the American response?

Ambassador MARTIN. Yes. I did everything I could to encourage, through the Poles and Hungarians, the idea that any interference with our action might be a very costly affair.

Mr. HAMILTON. They really did little to impede the evacuation except there was an attack on the airbase, wasn't there?

Ambassador MARTIN. That is right.

Mr. HAMILTON. At one point. That was the only major effort they made to impede the evacuation; is that right?

Ambassador MARTIN. That is true, and it is not certain that action was intended to impede the evacuation. Just at that moment we also had the question of how much of the military equipment that was left would it be feasible and practical to remove from Vietnam. A senior officer of the Department of Defense had to come to Saigon. He had my approval to move out as much stuff as possible from Bien Hoa that was unusable and unrepairable.

Not until the South Vietnamese themselves made the decision that military resistance was no longer in their own national interest were we to approach them on the removal of usable military equipment.

I had one further concern in mind which worked itself out on the next-to-last day when a considerable portion of the South Vietnamese air force was flown primarily to the Utapao base in Thailand. That was to remove the capability of dissident pilots in the air force, who were probably more bitter than any of the other services, in a moment of revenge, I mean, to interfere with our final evacuation.

PRIVY TO DELIBERATIONS

Mr. SOLARZ. To any initiated observer, it would appear the Communists were privy to the deliberations inside the Embassy. Apparently, it was at the point at which this matter came up for discussion and decision they attempted to shell the airfield.

Ambassador MARTIN. No; you are not quite right. My own perception of the reason for the rocketing on the morning of the 29th was, because the day before we had begun to move out elements of the Vietnamese Air Force, and I think it was designed to impede that operation, that the shelling took place. I do not think it was specifically designed to interfere with our evacuation.

HAD WE KEPT OUR COMMITMENT

Mr. HAMILTON. Mr. Ambassador, at a press conference on board the U.S.S. *Blue Ridge* after evacuation, you were quoted as saying if we had kept our commitment, we wouldn't have had to evacuate. What commitment were you talking about at that point?

Ambassador MARTIN. The implicit commitment which we made in January of 1973 that if they accepted the agreement, which was the only way we could get our prisoners back, that we would continue to give them military aid sufficient to resist the North Vietnamese.

Mr. HAMILTON. You used the word "implicit."

Ambassador MARTIN. I used the word "implicit" to be exactly accurate, because I am not, I think, totally aware of whatever private communications may have taken place between the President—then President of the United States—and the President of the Republic of Vietnam.

You will recall on the night that he resigned—I think the 21st of April—at the end of the ceremony, President Thieu did produce some letters from the President of the United States which clearly implied that.

Now, one can argue, I suppose, that that prejudged a congressional decision authorizing an appropriation process and, therefore, was not a commitment.

Mr. HAMILTON. It is your perception that the Vietnamese felt there was a firm commitment there, and you had no doubt about that?

Ambassador MARTIN. No doubt at all.

"HIGH-RISK" VIETNAMESE

Mr. HAMILTON. President Ford stated at a meeting of April 9 that some 175,000 to 200,000 South Vietnamese would be in danger of Communist retribution following a North Vietnamese victory. Did you make that estimate for the President?

Ambassador MARTIN. I didn't make that specific estimate. It may well have been drawn from the work of the staffs in Washington who were engaged at that time in producing several alternative scenarios on the numbers of Vietnamese who would be endangered.

Mr. HAMILTON. Do you know what categories of people made up the President's estimate?

Ambassador MARTIN. The primary category, I think, was the same as mine. Those Vietnamese who were direct employees of the element of the U.S. mission; others, members of the Government of Vietnam who were clearly endangered; other specific members of the Armed Forces who had already seen the executions in Da Nang after the takeover of the North Vietnamese. Others would have been, I suppose, special categories of people with whom the Central Intelligence Agency had been dealing.

INITIAL EVACUATION PERIOD

Mr. HAMILTON. I don't want to hold you to specific figures, Mr. Ambassador, but I am interested to get some idea of the extent of the evacuations before the final evacuation which began, I think, on April 28 or so.

Could you indicate how many Americans and South Vietnamese were taken out during the initial period of the evacuation? I mean by that the period prior to the final evacuation beginning April 28.

Ambassador MARTIN. That wasn't the really final part, but I am not sure that I have the precise figures. Roughly, there were about 55,000

Vietnamese who had been gotten out before the last day. There were roughly 5,500 or 6,000 Vietnamese on the last day and about 1,200 Americans, plus another 6,000 Vietnamese by boat from Saigon.

ON THE LAST DAY

Mr. HAMILTON. About how many Americans on the last day?

Ambassador MARTIN. Let me see if I can find that in my impossible filing system.

Mr. HAMILTON. Why don't you submit that for—

Ambassador MARTIN. I have here an approximation that prior to the last day, about 56,205. Now, on the last day, total passengers lifted were 8,795—6,416 from DAO compound and about 2,379 from the Embassy compound.

Of those, about 1,000 were the ground security force, the marines that had been brought in.

The final U.S. citizens, 395 lifted from DAO compound and 978 from the Embassy compound. Foreign nationals, 1,228 from the Embassy compound and 5,205. This includes Vietnamese, of course.

Mr. HAMILTON. I have some other questions relating to the numbers of people, but I think rather than burden you with those, I will just submit them to the Department for answer, and you can provide us with specifics to that, if you would.

[Responses to questions submitted by Mr. Hamilton to Ambassador Martin, follow:]

EVACUATION OF SOUTH VIETNAMESE NATIONALS

Question 1. Some Vietnamese employees of the U.S. government and American personnel reportedly were taken quietly out of South Vietnam before the final evacuation on April 28, 1975:

a. How many Americans and South Vietnamese were taken out during this initial period?

b. How many remained when the final evacuation began?

Answer. Included at this point are the airlift statistics for the period 1-30 April as recorded in the Defense Attache's final report (see following page).

It will be noted that, before the final day's evacuation, we had moved out 39,530 Vietnamese and 5,990 Americans through the DAO compound alone. These numbers do not include many more Vietnamese who had been put aboard the return flights to Clark before we had authority to do so. Nor do they include those Americans who had been moved out by commercial air or those Vietnamese who had been moved out by special black flights such as those for the 600 Vietnamese, and their families, employed by the American news media. Unfortunately, no precise statistics exist for these categories, but a reasonable estimate is that an additional seven or eight thousand were so moved. This table does not include the 6,000 Vietnamese we moved on the final day down the Saigon River by barge nor the 978 Americans and 1,228 foreign nationals, mostly Vietnamese, helo-lifted from the Embassy compound on April 29 and 30. When we add the total 14,196 moved out on the last day (3,196 by air plus 6,000 by barge), we come to a completely attested total of 59,116 and a more probable figure of 65,000, evacuated through April 30.

There were some American commentators, unfortunately including some American officials, who persisted in thinking that all that had to be done was to order up the necessary transport, fill it up, and keep the process going. Such comments blithely ignored the realities of the possibilities that were actually open to the U.S. Mission. The Mission was in fact operating under the dual restrictions of GVN refusal officially to permit the departure of its nationals and the lack, until 25 April, of United States agreement to receive them.

The Vietnamese were far more realistic and pragmatic. For more than two decades their experience with "evacuation" was not theoretical but explicit reality. Most were aware that transport from Saigon would be a chancy thing at

best. They were aware that if the Mission made one serious misstep either a panic would ensue with untold consequences or the GVN would be forced to call a halt to our operations. They much better understood what we were doing and why we were doing it the way we were. They also understood when they received the quiet word that, if they missed the evacuation process in Saigon, they should make their way to the American boats which would be waiting offshore at Vung Tau. An additional 65,000 apparently accepted the invitation.

AIRLIFT STATISTICS, APR. 1-30

| Day and type of aircraft | Daily evacuees | | | Cumulative evacuees | | |
|--------------------------|----------------|-------|-------|---------------------|--------|--------|
| | United States | Other | Total | United States | Other | Total |
| 1-C-141 | (1) | (1) | 0 | (1) | (1) | (1) |
| 2-C-141 | (1) | (1) | (1) | (1) | (1) | (1) |
| 3-C-141 | (1) | (1) | (1) | (1) | (1) | (1) |
| 4-C-141 | (1) | (1) | (1) | (1) | (1) | (1) |
| 5-C-141 | (1) | (1) | (1) | (1) | (1) | (1) |
| 6-C-141 | 258 | | 258 | 258 | | 258 |
| 7-C-141 | 245 | | 504 | 504 | | 504 |
| 8-C-141 | 81 | | 585 | 585 | | 585 |
| 9-C-141 | 141 | 372 | 513 | 726 | 372 | 1,098 |
| 10-C-141 | 138 | 666 | 804 | 864 | 1,038 | 1,902 |
| 11-C-141 | 194 | 647 | 841 | 1,058 | 1,685 | 2,743 |
| 12-C-141 | 84 | 100 | 184 | 1,142 | 1,785 | 2,927 |
| 13-C-141 | 143 | 52 | 195 | 1,285 | 1,837 | 3,122 |
| 14-C-141 | 94 | 50 | 144 | 1,379 | 1,887 | 3,266 |
| 15-C-141 | 86 | 348 | 434 | 1,465 | 2,235 | 3,700 |
| 16-C-141 | 86 | 61 | 147 | 1,551 | 2,296 | 3,847 |
| 17-C-141 | 74 | 106 | 180 | 1,625 | 2,402 | 4,027 |
| 18-C-141 | 612 | 374 | 986 | 2,237 | 2,776 | 5,013 |
| 19-C-141 | 300 | (2) | 300 | 2,537 | 2,776 | 5,313 |
| 20-C-141 | 147 | 43 | 190 | 2,684 | 2,819 | 5,503 |
| 21-C-141/C-130 | 249 | 334 | 583 | 2,933 | 3,153 | 6,086 |
| 22-C-141/C-130 | 550 | 2,781 | 3,331 | 3,483 | 5,934 | 9,417 |
| 23-C-141/C-130 | 488 | 3,824 | 4,312 | 3,971 | 9,758 | 13,729 |
| 24-C-141/C-130 | 190 | 5,574 | 5,764 | 4,161 | 15,332 | 19,493 |
| 25-C-141/C-130 | 501 | 4,354 | 4,855 | 4,662 | 19,686 | 24,348 |
| 26-C-141/C-130 | 381 | 6,376 | 6,757 | 5,043 | 26,062 | 31,105 |
| 27-C-141/C-130 | 219 | 7,359 | 7,578 | 5,262 | 33,421 | 38,683 |
| 28-C-130 | 128 | 6,109 | 6,237 | 5,390 | 39,530 | 44,920 |
| 29-C-130/Helo | | | | | | |
| 30-Helo | | | | | | |
| | 1,373 | 5,595 | 6,968 | 6,763 | 45,125 | 51,888 |

¹ Data not available.

² Unknown.

³ Includes 855 marines of the 9th Marine Amphibious Brigade.

c. Did it become necessary for the U.S. Embassy to bribe South Vietnamese officials, policemen, and others in order to keep this initial process going?

Answer. It must be recalled that in the last ten days Saigon was under a 24-hour curfew part of the time. The rest of the time the curfew ran from early evening to morning. During these times it was essential that we keep the cars and buses moving through the checkpoints which existed all over the city. Local police and military guards were given money to open the roadblocks and checkpoints. I know of no case where a high ranking Vietnamese official received money to keep the portals open or to otherwise facilitate the evacuation.

d. What other steps were necessary to continue this unannounced initial evacuation?

Answer. The most essential step was to pay a due deference to Vietnamese sovereignty and "face" by constantly working through the Interior Ministry to drastically curtail the amount of time necessary to secure formal exit permits. This was particularly true for the "extra-legal" dependents of non-official Americans. We were, therefore, not stopped as we moved out large numbers of Vietnamese quite illegally through the DAO compound. As authorized by Washington, we also took out the families of some senior Vietnamese officials whose "looking the other way" was crucial to our continuing movement. Most of the families so taken out we would have moved anyway under the "high risk" category.

Question 2. Before the beginning of the North Vietnamese offensive on March 10, did the Embassy have a contingency list of Americans, South Vietnamese and their dependents who were considered to be in a high risk category if there were a Communist victory? When after January 1975 was this list updated and when was a final list ever prepared?

Answer. The Embassy had complete records of all official Americans and their families as well as currently employed American contractors. Various elements of the Mission also kept close tabs on different sectors of the local non-official American community—businessmen, lawyers, missionaries, volunteer workers, journalists, etc. Moreover, the Embassy knew the names and addresses of all those American citizens who had taken the trouble to register with the Embassy Consular Section. However, in April, large numbers of American citizens still living in Saigon who had, often for very good reason, elected to avoid contact with the U.S. Mission, began to make their presence known. We had no roster of these former contractors, adventurers, deserters, and soldiers of fortune, nor is there any way we could have had one.

On the Vietnamese side, the Mission kept current lists of principal high-level political personalities, intelligence contacts, employees with sensitive responsibilities, and Vietnamese relatives of American citizens.

I was informed that the lists of both Americans and Vietnamese were updated continuously. In the final weeks of American presence in Vietnam, a flood of new names not previously registered, and Vietnamese relatives of U.S. citizens whose status had not previously been regularized or recorded, made precise accounting impossible, since the priority was on movement, not record keeping.

Question 3. In preparing the list of Vietnamese to be evacuated, did the Embassy know how many Vietnamese were employed by the U.S. agencies in South Vietnam?

Answer. The Mission had complete and accurate records of all Vietnamese currently on the payrolls of the half-dozen U.S. Agencies comprising the U.S. mission, in the various categories of direct hire, personal service contracts, and so on.

a. Was there a list of Vietnamese who were formerly employed by U.S. agencies?

Answer. No up-to-date listing of former employees was maintained, nor would it have been feasible to do so, given the large numbers involved particularly former employees of the United States military establishment in Vietnam from 1954 to 1976.

b. How many present and former employees and their dependents were actually evacuated?

Answer. I am apprised by those in the Department handling these matters that we have information 22,294 employees (as of April 30), including their families, were evacuated. We believe many former employees are certainly comprehended within the 130,000 total.

c. What percentage of the some 130,000 Vietnamese now in the United States were in high-risk categories, either employees of the U.S. or South Vietnamese Government officials?

Answer. I have reviewed the December 15, 1975 "Report to the Congress of the Interagency Task Force for Indochina Refugees". Its statistical abstracts do not enumerate refugees in specific categories based on the justification for their evacuation. Therefore, it does not seem possible to provide hard figures to this question. It would seem, however, that if we include relatives of U.S. citizens, intellectuals, former and current employees and their families, intelligence contacts, government personalities, and all others whose lives or physical safety might reasonably have been thought to have been endangered, almost all would be properly included in any commonly accepted definition of "high risk" categories. Certainly the criteria included in the Refugee Protocol, to which this nation has officially adhered, would seem to cover them all. One would, of course, except those caught up unwillingly in the flight of the Vietnamese Air Force. I understand that those in this group who wished to do so have been permitted to return to Vietnam.

Question 4. The State Department in mid-April reportedly tried to cable the Embassy in Saigon a list of South Vietnamese intellectuals who were vulnerable to Communist retaliation.

a. Did the Embassy receive this list?

b. If so, how many people were on it?

c. Did the Embassy act on it?

d. Of those on the list, how many were evacuated?

Answer. I believe that the document you refer to is a list of 24 "high risk" Vietnamese intellectuals and leaders associated with the Asia Foundation, which the State Department cabled to the Embassy on April 26, 1975. I can assure you that the names of the 24 individuals and their families were indeed added to our evacuation planning on that date. If they had not already been included earlier, as they probably would have been by virtue of their general prominence and

close connection with the U.S. To provide an exact accounting of how many of these people chose to avail themselves of our evacuation offer and how many remained behind voluntarily or otherwise is difficult if not impossible. I have, however, asked the Department of State to look into this question and, if necessary, refer it to the Department of Health, Education and Welfare, which is now responsible for the Indochina refugee program.

Question 5. It has been charged that Vietnamese employees of the Embassy sold spaces on petitions for evacuation for exorbitant sums. (Column by Jack Anderson, Washington Post, May 22, 1975)

a. Is this true?

Answer. No, to the best of my knowledge and belief, this is not true. I do not believe that any of our Vietnamese employees were so involved. I am certain in my own mind that no official Americans were. There is evidence that some non-official Americans were involved for a brief period until corrective action was taken at the DAO compound. One of our major problems in reducing the non-official American community was the refusal of many of them to leave without their "extra-legal" dependents. When authority finally came to move out these non-officials with their "extra-legal dependents", it occurred to some of our "black market" non-official Americans to cash in on a good thing. With their American passports they were permitted to take their "dependents" with them through the processing line being operated at the DAO compound. When they were ready to board the aircraft, the American sponsor would find an excuse to go back to the DAO building. Thence, he went back to town and started over again with a new crop of paying "dependents". This practice was quickly discovered and the American passports were endorsed so that they could not go through again with other "dependents". A garbled version of the above facts apparently came to Mr. Anderson's attention.

b. Were the Vietnamese employees allowed to handle much of the paperwork involved in the evacuation?

Answer. I am told by those actually supervising the details of the evacuation that very few of our Vietnamese employees were involved in the paperwork connected with the evacuation.

c. How many Vietnamese employees of the U.S. Government and their families who wanted to leave South Vietnam were unable to be evacuated?

Answer. Most of the Vietnamese employees of the United States Government in April of 1975 were laborers, custodians, and lower-grade clerical employees. Many were supporting large numbers of collateral relatives in addition to members of their immediate families. We could bring out only their parents, wives, and children. Most of the employees in these categories preferred to take their severance pay in dollars and take their chances in staying behind with their other relatives. It is impossible to be precise, but we believe the numbers left behind who actually wanted to come out was very small. One left behind, in my personal belief, was one too many.

Question 6. You state that because the authority was lacking, contingency evacuation plans did not contemplate the evacuation of large numbers of Vietnamese.

a. Could you explain why the Embassy did not anticipate a general breakdown of authority, always possible in any wartime situation, and therefore, draw up an emergency plan for the evacuation of large numbers of high-risk Vietnamese?

Answer. Neither an Embassy nor an Ambassador may operate far beyond the specific authority granted from Washington. Movements of large numbers of Vietnamese could obviously not be accomplished without use of massive military assets. From January on I had made it quite clear on my visits to Washington that we must be prepared in our evacuation planning to include a considerable number of Vietnamese. To move large numbers of Vietnamese, they must have some place to go. It was unrealistic to expect other Southeast Asians to take more than a handful, if any, so the only possible destination was the United States. But entry to the United States must be approved by the Attorney General, after the traditional consultation with the Congress. As you know, the Embassy in Saigon received this authority only on April 25, 1975. However, the DAO and USSAG, under CINCPAC supervision, were constantly engaged in updating their planning under the code name "Talon Vise". This planning provided for a range of options running up to 200,000. The final result establishes that they did a superb job.

b. When was a contingency plan for evacuating large numbers of Vietnamese potential Vietnamese refugees?

Answer. These plans were being constantly updated during the first five months of 1975.

c. How was the decision made as to whom to evacuate?

Answer. Each major element of the Embassy was responsible for recommending those Vietnamese with whom it had a special relationship. Obviously, when the evacuation actually began those immediately ready to go were moved first.

d. Did the USG ask any Southeast Asian countries to extend refuge to potential Vietnamese refugees?

Answer. The Embassy, of course, was no empowered to negotiate with other Southeast Asian nations. I am informed that the Department did begin such explorations on April 27, 1975. The results were, predictably, negative.

The Department has supplied the following additional statement:
"The Interagency Task Force on Vietnamese addressed this question in material it supplied to the Subcommittee to investigate problems connected with refugees and escapees of the Senate Committee on the Judiciary in connection with hearing on Indochinese refugee problems May 13, 1975.

"As part of bilateral United States efforts to seek international resettlement of Indochina refugees the Task Force sent instructions April 27 to some 100 U.S. Embassies, including posts in Southeast Asia, asking them to approach host governments at a high level to obtain their help in accepting Indochina refugees for resettlement. The text of that instruction was published in the record of the Subcommittee Hearings."

c. Why did Embassy Saigon wait until April 29 to evacuate large numbers of Vietnamese when it had the authority to do so on April 25? Was it your decision to wait?

Answer. The question implies that no substantial number of Vietnamese were moved until April 29th. Actually some 25,000 had been moved before April 25th. That is before the authority to do so had actually arrived. The following figures are quoted from the table supplied Part I, Question 1. As already noted, they are totals for evacuation from the DAO compound only. Another 1228 foreign nationals—mostly Vietnamese—were evacuated on the last two days from the Embassy compound.

On April 25th, 4,354 Vietnamese were moved out.

On April 26th, 6,376 Vietnamese were moved out.

On April 27th, 7,359 Vietnamese were moved out.

On April 28th, 8,109 Vietnamese were moved out.

On April 29th-30th, 11,595 Vietnamese were moved out (6,000 by barge).

It would not appear that there was any waiting. We were using our airlift capacity to the fullest. As I have already stated, no senior officer stationed in Saigon would recommend to me that we use the ships at New Port. The unanimous opinion, in view of the Dauang-Nha Trang experience, was that the risk to American lives in triggering a panic was simply unacceptable. I concurred in this view.

Question 7. You state that until April 14 the Embassy had parole authority only for the 2,000 Vietnamese orphans being airlifted to the United States.

a. When did Embassy Saigon obtain this authority?

b. Did the authority to grant parole authority derive from the USG? from RVN?

c. Was it your decision to initiate the request for this parole authority?

Question 8. On April 19 the Embassy received parole authority for alien relatives physically present in Vietnam of U.S. citizens who were physically present in Vietnam.

a. When was this authority requested?

b. Did the authority to grant parole authority derive from the USG? from RVN?

c. Was it your decision to initiate the request for this parole authority?

Question 9. On April 25, the Embassy received parole authority for additional categories of relatives and up to 50,000 high-risk Vietnamese.

a. When was this authority requested?

b. Did the authority to grant parole authority derive from the USG? from RVN?

c. Was it your decision to initiate the request for this parole authority?

Answer. These four questions imply some confusion as to what constitutes "parole authority". This phrase refers to the Authority of the Attorney General of the United States, granted by Section 212(d)(5) of the Immigration and Nationality Act of 1952, as amended, to waive legal restrictions on granting

entry to the United States. Neither the RVN nor any other country has any authority whatever to determine who is admitted to the United States. Although not legally required to do so, the Attorney General traditionally holds prior consultation with the Judiciary Committees of the House and Senate before granting parole. While visiting Washington in the winter of 1975 I had pointed out that we could not begin to move in Saigon without this authority. When I returned to Washington with the special Congressional group, I again brought it up, specifically during my last senior-level meeting in the Department before returning to Saigon with General Weyand on March 26th. References to the lack of this essential authority were repeated in my cables after my return to Saigon.

d. Who made the decision that Embassy Saigon was allowed to evacuate only 50,000 Vietnamese?

Answer. The decision was made in Washington by the Attorney General. I am not privy to the considerations that led to the decision on the specific figure of 50,000.

e. Did you consider the grand total of 50,000 sufficient to include all those high-risk Vietnamese who needed to be evacuated?

Answer. Obviously, if it meant only 50,000 individuals, the number was clearly insufficient. We had already moved out more than 25,000 by the time the authority arrived on April 25. If I determined the authorization meant heads of family only, as Vietnamese cultural usage would indicate, then perhaps we could stretch the number to cover our needs. Obviously the reality of the actual situation in Saigon on April 25th did not permit time for further bureaucratic consideration in Washington. Therefore, following the John Marshall "broad construction" theory of serious questions, I used my authority as the President's representative to determine that we would keep the evacuation going.

Ambassador MARTIN. I will be glad to do that.

The one final figure which is beyond the last day is that about 65,000 Vietnamese came out on their own and were picked up by the 7th Fleet. If we could have stayed longer, I don't know what the eventual number would have been; probably more than this country would have absorbed.

The Vietnamese are enormously resilient people, and they made their way down the river to Vung Tau, down the Saigon River and out, using every conceivable means of transportation to get out to be picked up by the 7th Fleet.

EVACUATION OF CAN THO

Mr. HAMILTON. It has been reported that the U.S. consul general at Can Tho in the Mekong Delta was not directed to begin evacuation until 11:30 a.m., April 29, 1975, despite repeated earlier requests from the consul that he be allowed to evacuate. Is that report correct?

Ambassador MARTIN. Only partly correct, in the sense that we were not certain until the last day of whether or not they would be a continuing government, whether or not the Vietnamese would decide to move to Can Tho, or whether or not we might be able to utilize the airfield at Can Tho.

Now, you cannot evacuate people unless you have somebody on the ground to direct the evacuation, an item which has been completely overlooked as you go along. Now, Mr. McNamara, the consul general in Can Tho had come up to see me. We had discussed this. He is a man of enormous ingenuity and force and reliability. He had decided to use a mike boat, which is a Navy kind of modified barge, for the evacuation down the river.

Part were evacuated by helicopter; the others went out on that boat.

WHAT INSTRUCTIONS WERE GIVEN?

Mr. HAMILTON. What instructions did you give to the consul general between April 20, say, and April 29 with regard to evacuation?

Ambassador MARTIN. They were in constant touch but not with me directly. He would have been in touch directly with Mr. Jacobson and Mr. Lehmann, and I am not aware of all of the communications back and forth. But the general instructions are, I am very sure, he was to use his own judgments; he was very certain of the arrangements that he had made with the Vietnamese Navy, for example, to get down the river. He was very certain of the arrangements he had made with the Vietnamese military commanders in the military region 4, that would allow the safe evacuation of his people, and he, therefore, undertook to use his own judgment as to when that should be done.

But he had freedom to evacuate whenever, in his opinion, it was necessary to do so to avoid endangering American lives.

Mr. HAMILTON. Did you at any point order the evacuation then, or did he make that decision on his own?

Ambassador MARTIN. No. I think we did in the end, because he would not have known what we were doing, you see. And when the final order was—when my final decision was communicated to the White House, we immediately notified him to use his own discretion as to how and when he left.

CAN THO EMPLOYEES

Mr. HAMILTON. It has been reported that because the consul general was not given orders to evacuate until quite late—April 29 by one report—only 42 of 573 Vietnamese employees and only 312 of their 3,000 dependents were evacuated. Are those figures approximately right?

Ambassador MARTIN. I do not think so. I would be very surprised if they were. I do not know. I will check and confirm for the record. Knowing Mr. McNamara's great concern, I mean for his Vietnamese employees, I am certain that boat was crammed with them on the way out.

[The following information was subsequently submitted for the record:]

ADDITIONAL STATEMENT SUBMITTED IN WRITING BY AMBASSADOR MARTIN

I have once again discussed the question of the evacuation from Can Tho with Mr. McNamara in order to have his comments on these figures. His reply follows: "The implication that we abandoned our Vietnamese employees is totally false. The number of Vietnamese who left Can Tho with me down the River in the final evacuation was, in fact, approximately 300. But many others had been sent to Saigon in advance of the final evacuation and were airlifted out from there. The truth is we in IV Corps had more time to execute our evacuation plans than did the Consulates General to the North. As a result, we were able to get out at least 85% of all those employees who wished to leave. Naturally, as elsewhere, many of those who knew no English or had very large extended families preferred to take their chances and remain behind. But all in all, the evacuation of Can Tho was a most successful operation, and I would be happy to testify or furnish any other information the Committee might require."

Mr. HAMILTON. Are you under the impression that there were a great number of Vietnamese employees and dependents who were left behind there?

Ambassador MARTIN. No; I am not under that impression.

FINAL EVACUATION EFFORT

Mr. HAMILTON. It was reported that once the evacuation was underway, you attempted to have the evacuation period extended in order to get out a greater number of people. Is that an accurate report?

Ambassador MARTIN. No. There was a certain question of timing, but not in the sense in which your question implies. At the beginning, there was no fixed time end to the evacuation. None, at least, known to me. During the course of it, one of the naval commanders, I imagine the commander of the task force, suggested that we suspend operations at midnight and resume at 0800 the following morning. We had the Embassy compound full of Vietnamese locals. Regarding the situation in Saigon, itself, since our operation had been underway for many hours, it was completely well known that we were leaving. The element of panic, again, was always present, and we had many hundreds of Vietnamese outside trying to get in the embassy.

I said, and there was concurrence from Washington, that we should proceed with the evacuation until it was completed.

I have the utmost respect and gratitude for the pilots of the Air Force and the Navy who flew hours far beyond any normal endurance in order to complete that evacuation. It simply would not have been safe or feasible to have suspended the evacuation at midnight and to have resumed it at 8:30 the next morning.

U.S. BOMBING REPORTS

Mr. HAMILTON. There were reports, Mr. Ambassador, I think denied by the administration, of a U.S. bombing raid in South Vietnam on the day of the American evacuation. Was there any such bombing raid?

Ambassador MARTIN. To the best of my knowledge, absolutely not. I think I would have known had it occurred, although not necessarily so.

THE \$12.5 MILLION

Mr. HAMILTON. On April 21, a few days before the collapse, you ordered that \$12½ million in U.S. currency be flown into Saigon to be used as severance pay for the Vietnamese employees of the U.S. Government.

Were you anticipating that all local national employees of the U.S. Government would be evacuated?

Ambassador MARTIN. That was my certain hope, that all who wanted to go would be evacuated; yes.

Mr. HAMILTON. Whatever became of that money?

Ambassador MARTIN. A great bit of it was disbursed to the local nationals. When you say I ordered it in, that is, I suppose, technically correct, because everything that happened was under my responsibility. I did approve the recommendation that severance pay be in dollars. However, I am not even aware of the transactions that followed. I had a most competent administrative staff. I think that the majority of this money came in at the request of the Defense attaché from the Department of Defense.

My understanding is, and this was a later understanding, because at the time I was not really aware of it. The administrative counselor had full authority to act in my name, and I accept full responsibility for any decisions that he made.

But I think that they went over and picked up, I recall, roughly about \$2 million from the Defense disbursing officer to use for severance pay for the locals. The idea was that we would clean the accounts as much as we could there, because it becomes an impossibility later on.

Second, they would have some resources if paid in dollars on evacuation, and to pay them in piastros on evacuation would have been a cruel deception.

Now, as much as could be done was done. The remainder of the money, in accordance with the existing Treasury Department regulations, was destroyed.

A FINAL ACCOUNTING

Mr. HAMILTON. Have we ever had a final accounting made of that \$12½ million? Have you seen such an accounting?

Ambassador MARTIN. I have not seen it, but it would not be normal that I would, since that would be in the sort of administrative channels of both the Department of Defense and Treasury. I have no personal knowledge of it. I have no reason to think that the accounting is not complete.

Mr. HAMILTON. There are reports, Mr. Ambassador, that U.S. bills that were said to have been destroyed at the Embassy's order are now surfacing in the United States.

Do you have any knowledge of that?

Ambassador MARTIN. I heard that rumor and asked that it be looked into, and the information that I got was that there was probably a mistake in the serial numbers, and that about 218 bills of \$20 denomination showed up at Fort Chafee—none elsewhere.

Mr. HAMILTON. Who made that check for you?

Ambassador MARTIN. The Office of the Assistant Secretary of State for Administration which handles the basic budgetary relationships with Treasury.

Mr. HAMILTON. Are you aware of any FBI investigation on that matter?

Ambassador MARTIN. No; I am not personally aware of it. Since I had no connection with it, it would not have been normal for them to come to me about it. I think you probably mean the Secret Service, not the FBI.

Mr. HAMILTON. I wonder if you could provide for the committee as complete a statement as is obtainable on what happened to that \$12½ million.

Ambassador MARTIN. I will ask the Assistant Secretary to prepare it and furnish it to you.

[Subsequently Ambassador Martin supplied the following responses to questions by Mr. Hamilton:]

RESPONSE TO QUESTIONS ON THE DISPOSAL OF THE \$12.5 MILLION SENT TO SAIGON

Question 1. On April 21, 1975, a few days before South Vietnam collapsed, you ordered that \$12.5 million in U.S. currency be flown into Saigon to be used as severance pay to Vietnamese employees of the U.S. Government.

Answer. The Deputy Chief of Mission, Mr. W. J. Lehmann reported to me in early April after my return to Saigon that the heads of the various agencies comprising the U.S. Mission in Saigon had recommended that final salary and allowance payments to local national personnel be made in dollars. His later formal statement includes this paragraph:

"In April 1975 it was apparent that the Mission would be reduced in size or closed. Because of the large number of local personnel and the need to minimize later confusion, it was decided to terminate all such personnel and to make their final salary payments (including severance pay, accrued annual leave, TET bonus, etc.) in U.S. dollars. Dollar payments were warranted because of the drastic depreciation in the value of the Vietnamese piaster. These employees, many of whom had long years of service with the U.S. Government, would have been poorly compensated if terminal payments had been made in piasters."

I approved the recommendation. I was not personally concerned with its further implementation, although, as Ambassador, the responsibility was mine.

Question 2. Who was to receive it if some or all of the employees were to be evacuated?

Answer. It was always clear that the preponderant number of our local employees—laborers, custodians, guards, etc. would not elect to leave Vietnam. The last two sentences in the paragraph quoted above provided the rationale for the payment in dollars to this group. Additionally, the thought was that those who elected to leave would not be entirely without resources as they started their new lives in the United States.

Question 3. Did you anticipate the possibility that this money, if confiscated later, could be used by a Communist government to improve its international financial standing?

Answer. Certainly, but in view of the pressures from some members of the Congress for economic aid to North Vietnam, this concern was outweighed by our concern for our employees.

Question 4. Would it not have been possible and preferable for evacuated former U.S. employees to receive their severance pay later on out of the country?

Answer. It would have been possible. However, in my opinion, it would not have been preferable given the inevitable bureaucratic delays that would have automatically ensued in getting the employees and the records together.

Question 5. Given that one of your main concerns about undertaking an evacuation was the threat of setting off a panic that the U.S. was abandoning Vietnam, how did you expect to distribute severance pay without the same result?

Answer. We were compelled to reduce drastically the staff in any case, even supposing a very small U.S. Mission had been ordered to remain to deal with the Minh Government. The danger of these payments contributing to a panic situation was clearly present. Every effort was made by a highly dedicated staff to minimize the possibility of panic. As we know, the end result establishes that these efforts were successful.

Question 6. Has a final accounting for the \$12.5 million been made?

Answer. I am informed that it has.

Question 7. Concerning the final disposition of the \$12.5 million, we have information the U.S. Embassy in Saigon reported that it handed over \$2 million of the total to an unidentified agent of an unidentified agency.

To what agency was the \$2 million given?

Who was the agency's agent in receiving the money?

What was the purpose of this transfer?

Answer. I am informed that the Budget and Fiscal Office of the Embassy on April 21 turned over to a finance officer of the CIA Station \$2 million in cash in exchange for a United States Treasury Check in the same amount. This was a normal financial transaction between two authorized U.S. Finance Officers.

Mr. HAMILTON. Thank you, sir.

HOW MANY COULD NOT LEAVE

How many Vietnamese employees of the U.S. Government and their families who wanted to leave South Vietnam were unable to be evacuated, in your judgment?

Ambassador MARTIN. I really do not know, because I have not seen the 80,000 or so who came out on their own, how many of those were our employees. Many did; many were completely aware of the difficulties of an operation of this magnitude and decided to make their own way down and out to sea.

But I will again try to get that for you and furnish it for the record.

ARBITRARY SELECTION

Mr. HAMILTON. Is it true that in the final minutes or hours of the evacuation that the selection of Vietnamese officials and employees and families that were to come out became quite arbitrary?

Ambassador MARTIN. No. To the best of my knowledge, that is absolutely untrue. We were taking out everyone who was there. I would have even—

Mr. HAMILTON. Everyone who—

Ambassador MARTIN. Physically present at either the DAO compound or the Embassy compound. I would have made no distinctions whatever, nor do I think any were made.

EVACUATION EXPECTED

Mr. HAMILTON. Did the Vietnamese employees of the U.S. Embassy there have the expectation that they would be evacuated?

Ambassador MARTIN. If they so chose, yes, they did. Although this was not the perception in Washington, it was certainly my perception and, as I told you, the WSAG meeting on the 26th, I was informed there was absolutely no support for my position.

Mr. HAMILTON. When you say it was not the perception in Washington, what do you mean—in the State Department that was not the perception?

Ambassador MARTIN. I don't know whether it was State Department, but the Washington Special Action Group is a high-level group, I understand, under the National Security Council that convenes on various items of crises with senior representatives from the interested agencies.

I was informed after that meeting on the 26th that there was absolutely no support for my position that we had a moral obligation to these employees which we should make every possible effort to meet.

I understand that attitude, I think, in the sense that when you are faced with a situation which could be a disaster, your primary concern focuses on the Americans.

Now, I thought we had an obligation to these people and I was insisting to the bitter end that we continue the lift until we got out all of the people that we had there that were ready to go.

Mr. HAMILTON. Did we have any kind of an understanding with the North Vietnamese that we would be allowed to complete the evacuation?

Ambassador MARTIN. Yes, as I have previously described it.

STEPS WHICH WERE NOT TAKEN

Mr. HAMILTON. You judge the evacuation successful, I take it. Can you think of any steps that should have been taken that were not taken?

Ambassador MARTIN. Given the circumstances, Mr. Hamilton, the answer is no, we were walking a constant tightrope in a very fluid situation which was evolving on the Vietnamese side almost by the hour. We had a transition to three governments. Anything could have gone wrong at basically any minute.

We successfully threaded our way through all that. We managed to avert any actions of our own that would trigger the kind of panic we had seen in Danang and Nha Trang and which I have seen elsewhere in the world under similar situations.

I would also like to say that the young officers of the embassy in those final days performed with utter magnificence. Most of them were Vietnamese speakers. They would go out into the town where we were informed that certain of our employees had congregated, bring them back. I had arranged with the Ambassador of France to have a door cut between our two compounds. We were using all sorts of devices to get them in.

I don't know whether you remember the old "Scarlet Pimpernel" stories during the French Revolution. I remembered at that moment the quatrain:

Is he in heaven,

Is he in hell,

That deemed

Elusive Pimpernel

My young Pimpernels did a magnificent job.

PRESIDENT THIEU'S RESIGNATION

Mr. HAMILTON. What role did you play, if any, in persuading President Thieu to resign?

Ambassador MARTIN. None.

Mr. HAMILTON. I was interested in your comments in your statement with regard to that.

Ambassador MARTIN. Other than that, none. There was no suggestion, no request either implicit or explicit. I thought and so said that in April 1975 we had long since passed the time where we had forfeited all rights to really make suggestions on what actions that they might think useful for the survival of their country and their nation or themselves.

I did attempt to lay before him as candidly and as accurately and objectively as I could, the situation as we perceived it.

Mr. HAMILTON. Did he at any point ask you whether you thought he should resign?

Ambassador MARTIN. Yes; he did.

Mr. HAMILTON. How did you respond?

Ambassador MARTIN. I told him that that was a decision that he would have to make, only he, in light of his own concern for the people of Saigon, for Vietnam as a whole, for everything that he had worked for, and in light of Vietnamese sensibilities and Vietnamese culture.

PRESIDENT THIEU AS A LEADER

Mr. HAMILTON. Would you give us your impressions of President Thieu as a leader?

Ambassador MARTIN. There have been, I think, enormous misconceptions of President Thieu. I was prepared to dislike him since I do not much care for generals who have become politicians. I found I was wrong. I was never very close to him, although I think he had already heard from some of his Thai colleagues that I was totally and utterly honest and candid. He told me once that he had been told that what I had to say was not always pleasant to hear but that it usually turned out to be right.

I tried, as I always have, to maintain that kind of degree of trust and relationship with him. My own perception of him as a leader was that he was basically, in the context of South Vietnamese culture and traditions, a very good leader. No one has bothered to take a hard look at the land reform program which, no matter what the distortions that were raised back here, was an overwhelming success.

I am not perhaps a good judge of an individual's ability as a politician. But again if I might, without his permission, quote Congressman McCloskey who, on the occasion of the congressional visit listened to President Thieu make an after-dinner speech and observed that it was one or two or three best political speeches he had ever heard in his life, a speech by a statesman.

I think that was perhaps an accurate perception.

Mr. HAMILTON. What kind of instructions did you receive from the State Department with regard to Thieu's resignation?

Ambassador MARTIN. None.

REPORTED EMBASSY PRESSURE

Mr. HAMILTON. It has been reported that the embassy put a great deal of pressure on President Thieu to resign; is that correct?

Ambassador MARTIN. No.

Mr. HAMILTON. In February of 1975?

Ambassador MARTIN. I might, I think in justice to the record, elaborate that just one bit. I have long thought that it is simply a great and usually catastrophic mistake for Americans to think that they can so easily, with our own values, no matter how much of a student we may be or whatever country it is in which we have an interest or which we are serving, understand all that thoroughly what really are the decisions that ought to be made. I have been very chary of doing that.

GREAT AND SMALL POWERS

I think this was best described perhaps in a speech by the Foreign Minister of Thailand some 12 years ago which I think is quoted in a Department of State bulletin about 1966 or 1967, when he said that the American role really showed that the relationships between a great power and a small power could be one of mutual respect for the sovereignty of the other, of total respect for the traditions of each other and that we might give from our abundance such technical aid and assistance that they might decide that they needed, but that our role was not that of an overseer or of determinant of what government or what people should govern but our role was one of friend, counselor if our advice were requested, and faithful ally.

I think it was a great mistake—I don't know the full story of this—to whatever extent that we participated in the overthrow of Diem.

I think that was a mistake. I think that should have been left to the Vietnamese because we destroyed legitimacy at that point and it took a great deal of time to get it returned.

OPPOSITION PRESS ARRESTS

Mr. HAMILTON. Just as a matter of curiosity, shortly after the President made his request for the \$300 million appropriation supplemental military aid, President Thieu closed five opposition newspapers and he arrested some 20 Saigon newspapermen and he called them Communists.

That incident did have an impact on the U.S. Congress.

Ambassador MARTIN. It did indeed.

Mr. HAMILTON. Did you advise, for example, President Thieu at that point, with the supplemental request pending, this kind of action was a very unfortunate action in terms of its impact on the U.S. Congress?

Ambassador MARTIN. I did make that comment. Unfortunately, it was after the fact.

In fact, it did happen. The fact that he was right was irrelevant to the fact that it was the wrong decision to have been made in terms of impact that it would have abroad and here.

Mr. HAMILTON. What do you mean he was right?

Ambassador MARTIN. He was right in the fact that these particular people were Communists.

Mr. HAMILTON. By our definition or his?

Ambassador MARTIN. I think by any definition. Whatever you want to call it, put it another way. These people beyond any particular question, those people, because I did look into it, were closely allied through a system of couriers, et cetera, with the Vietcong.

SURVIVAL WAS AT STAKE

We sometimes overlook the fact what we required of the Vietnamese in a war situation in which their very survival was at stake, was that they observe all the forms that we, ourselves, have found somewhat difficult to observe when we have been in similar difficulties.

I was almost court-martialed during the war when I gave as my impression, my firm conviction, rather, that the removal of the Japanese from the west coast was a shocking disgrace. Now, I thought that and still think that. We do make mistakes, under those kinds of pressures.

Now, in this particular case I don't think there is any doubt that a carefully built-up series of evidence on the arrest of the couriers who had been operating between these individuals and the Viet Cong was clearly established.

Now, that part of it was their decision. I didn't think it was up to us to intervene. I did say it was a most regrettable circumstance to have taken place when it did. Perhaps, as an ironic footnote, it might be noted that after these 5 newspapers were closed, 12 newspapers were left in Saigon. Now, there is only one.

EVIDENCE OF A POLITICAL SETTLEMENT

Mr. HAMILTON. Did we have any reason to think that North Vietnam would halt its offensive and agree to a political settlement if President Thieu resigned?

Ambassador MARTIN. Yes. Did you say credible evidence?

Mr. HAMILTON. Well, did we have any reasonable evidence to believe that, I think were the words I used.

Ambassador MARTIN. There was considerable evidence. There is a question whether or not one could have regarded it as reasonable.

I previously mentioned the fact, as Mr. Solarz did a moment ago about his discussions with Pham Van Ba in Paris, that this was the line being put out really all over the world. It was also the line that was being given by the chief of the Hungarian delegation to the chief of the CIA station, who found it attractive. There was a considerable attractiveness to the hope that that might be true.

Mr. HAMILTON. Did you believe that?

Ambassador MARTIN. No, I did not, but I didn't feel that it was sufficiently totally beyond the realm of the possible even if not probable that we should in any way interfere if this was the course that the Vietnamese elected to take.

NORTH VIETNAMESE INTENTIONS

I never thought that the North Vietnamese had the faintest intention of, in the end, not unifying the two Vietnams under a complete North Vietnamese rule if they could do so. The pretensions that the so-called third force, which basically had no support really within the country, except within the Vietnamese chapter of the worldwide community of alienated intellectuals, could ever really be able to play any effective role, was simply not credible.

Nevertheless, if the transition to General Minh could have been achieved and if it could bring a cessation of the war, that was something with which I thought we should not interfere.

THAILAND'S FUTURE

Mr. HAMILTON. Mr. Ambassador, you served in Thailand for 4 years from 1963 to 1967?

Ambassador MARTIN. Yes.

Mr. HAMILTON. What is your general view today of Thailand's future?

Ambassador MARTIN. Well, I think it would be highly undesirable after an absence of some 8 or 9 years to engage in speculation about something on which my current information is really not all that accurate.

Mr. HAMILTON. Do you favor—

Ambassador MARTIN. I might say I have an enormous respect and admiration for Thai survivability. Any nation which can survive the waves of Dutch, Portuguese, British, and French colonialism and give up a few of the outer provinces of the empire but maintain the center intact—such a nation has a great deal going for it. They do have one enormous advantage over most of the other countries in Southeast Asia, and that is a cultural identity as a nation and total respect for

institutions, principally in this case the institution of the monarchy, which are stabilizing factors.

U.S. AID TO THAILAND

Mr. HAMILTON. Do you believe the United States should aid Thailand?

Ambassador MARTIN. Yes.

Mr. HAMILTON. Assistance against any Communist insurgency?

Ambassador MARTIN. Yes, but not with American soldiers.

Mr. HAMILTON. Economic aid?

Ambassador MARTIN. Economic aid, military aid, but not soldiers. As a matter of fact, the Thais have never wanted American soldiers.

THE TRADE EMBARGO AGAINST VIETNAM

Mr. HAMILTON. Do you favor lifting off the trade embargo against Vietnam that exists today.

Ambassador MARTIN. I have no great feeling about that, Mr. Chairman. Our history as a nation has been that we do not maintain vendettas against people, that we consider the interest of the Nation as an ongoing thing and make decisions in the future which are in consonance with those interests.

I do not think that we have the slightest obligation to do so but I would, under no circumstances, put myself in the position of saying that we should forever refuse to contemplate economic aid. I would hope that in any such conversations someone might bring up the subject of my wife's possessions. [Laughter.]

THE LESSONS OF VIETNAM

Mr. HAMILTON. Mr. Ambassador, we have appreciated very much your appearance this afternoon. We have kept you here for a very extended time. I would like to give you an opportunity to sum up in any way you think appropriate about what you think we may have learned from Vietnam, about what you might have done differently as you look back over your experience there, a general question, in other words, for any comment you want to make for the record.

Ambassador MARTIN. There is much more that could be said, Mr. Chairman, but in summary one might list the principal tasks we had before us in the month of April 1975.

1. The overriding considerations were to conduct the American actions in Saigon in a way which would:

1. First, keep clear focus on the crucial priority which was to insure the safe evacuation of the American official family, of all other Americans who wished to go, and of those Vietnamese with whom we had a special relationship and who wished to go.

2. Second, insure our ability to discharge the first priority by taking all measures to avoid the chaos a panic situation would bring, as we had just seen so graphically in Danang and Nha Trang.

3. Third, buy time for the President and the Congress to consider and decide on General Weyand's recommendations.

4. Fourth, buy time for the Government of Vietnam to adjust to those decisions in such ways as might seem to them to be desirable or possible.

Fifth, avoid interference with such transitional governmental arrangements as the South Vietnamese might see fit to take, including negotiations with the other side.

As I said, Mr. Chairman, at the close of my opening statement, I believe future dispassionate historians will record that we did what we set out to do in April 1975.

I don't think I have anything else to add, Mr. Chairman, to what I have said. My statement and, certainly, the very exhaustive list of very pertinent questions that you have, had, I think, elicited most of my opinions.

MR. HAMILTON. Well, we have a number of other questions, Mr. Ambassador, which we are going to submit, and I hope you will cooperate with the committee in seeing that those questions are responded to in writing for our record.

Ambassador MARTIN. As I always have, I shall be happy to do so. I have the most enormous respect for this committee.

[Responses by Ambassador Martin to other questions submitted by Mr. Hamilton follow:]

AMBASSADOR MARTIN'S RESPONSES TO QUESTIONS SUBMITTED BY MR. HAMILTON

Question 1. Is it true that the South Vietnamese Government knew at least two months prior to March 1975 that it would have to withdraw from the northern provinces if the North Vietnamese attacked there?

Answer. The massive build-up of North Vietnamese forces, that had taken place uninterruptedly since the 1973 Paris Accords, reached dangerous proportions in early 1975. It then became increasingly apparent to the South Vietnamese that a withdrawal must take place unless the United States reversed its action of refusing to supply adequate military aid as it had undertaken to do if South Vietnam would sign the January 1973 Accords which permitted the return of American prisoners from North Vietnam. The South Vietnamese were still hoping in January 1975 ("Two months prior to March 1975") that the United States would keep its commitment.

Question 1 (a). Were there contingency plans for a withdrawal?

Answer. Yes.

Question 1 (b). Is the report (New York Times Magazine, May 25, 1975) correct that an Australian advisor who had drafted such a contingency plan urged the Government to undertake a withdrawal by February 15 before the Communists attacked?

Answer. I have not read the report referred to. However, it is my understanding that the event recorded in the question did take place. This advisor did not believe the United States would furnish adequate military aid. The South Vietnamese still believe, or still hoped, that the United States would keep its commitment.

Question 1 (c). Did the commanders of Military Regions I and II have contingency plans for a withdrawal? Did the U.S. Defense Attaché's Office have any role in developing such contingency plans?

Answer. I assume they did. The U.S. Defense Attaché Office had no role in developing these contingency plans.

Question 1 (d). How would you evaluate President Thieu's leadership in directing the withdrawal? Did Thieu direct the withdrawal?

Answer. I am not a military man. I have been told that the plans for the withdrawal were not coordinated and explained in sufficient depth to the Vietnamese staff. Although this was regrettable, I understand the security reasons for not doing so. The answer to the last sentence is that only the President of Vietnam had the authority to issue such a directive.

Question 1 (e). Did President Thieu notify the Embassy before he ordered this withdrawal?

Answer. I was in Washington at the time the order was given. President Thieu did not notify the Embassy before the order was given.

Question 2. Robert Shaplen reported in the April 21, 1975 issue of the New Yorker that in December 1974, following the visit to Hanoi of a high-level Soviet military mission, the Soviet Union pledged to increase military aid to North Vietnam fourfold in order to support Hanoi's planned offensive against South Vietnam.

a. Is this correct?

Answer. It is correct that Shaplen made both the assertion and the connection between the visit and the quadrupling of the military aid levels. I believe it to be true that Soviet aid had increased even beyond this level, and had done so before the December 1974 visit of the Soviet mission to Hanoi. Intelligence analysts, admitting the increase in aid, have stated that such an increase could not be directly correlated with the December visit.

Question 2 (b). Did the Embassy have knowledge of Soviet intentions following the Soviet military mission's visit?

Answer. The Embassy was aware in the early fall of 1974 that the Soviets had advised Hanoi to "go for broke" since support for keeping our commitment to the South Vietnamese had irretrievably eroded in the Congress.

Question 2 (c). If yes, from what source?

Answer. From a synthesis of various sensitive intelligence reporting, ranging in time both before and after the December 1974 Soviet Mission to Hanoi.

Question (d). If so, why was this not brought to the attention of Congress and the public when the Administration requested additional aid to South Vietnam?

Answer. Frankly, I have no idea. If it was not, it most certainly should have been.

Question 3. You stated in Congressional testimony in July 1974 that the South Vietnamese armed forces could handle the North Vietnamese, provided the United States continued to replace military supplies on the one-for-one basis permitted by the cease-fire agreement.

a. In your view, how well did the United States do this?

Answer. It is a matter of cold, hard statistical records that the United States did not replace military supplies on the one-for-one basis permitted by the January 1973 Paris accords in any category.

Question 3 (b). Was the United States obligated to do this?

Answer. In the euphoria following the 1973 Accords and the return of the American prisoners-of-war, there was no argument from any source I can recall that we did not have such an obligation.

Question 3 (c). What level of military aid would have allowed one-for-one replacement?

Answer. About \$1.8 billion in FY 1975 would have provided a barely satisfactory replacement, but not a one-for-one replacement.

Question 3 (d). Was Saigon's problem as much spare parts and maintenance as it was one-for-one replacement needs?

Answer. Saigon's essential needs were for items which would permit the RVN Armed Forces to "move, shoot, and communicate". Spare parts and maintenance were, as always in war, a problem, but not a fatal one. The lack of the essential elements was fatal.

Question 4. How would you assess the impact in South Vietnam of President Nixon's resignation in terms of the Vietnamese perception of the prospect for continued U.S. support?

Answer. The resignation of President Nixon had a serious impact, of course, but not nearly as serious as the reduction by four-fifths in the purchasing power of the FY 1975 appropriation.

Question 4 (a). Was President Nixon's exit from power perceived as a signal that the U.S. commitment would decline?

Answer. Coupled with the simultaneous catastrophe of the appropriation, it was certainly so perceived.

Question 5. Do you believe that the Thieu Government was wise in breaking off the political negotiations with the Vietcong's PRG in April 1974?

Answer. No, although I understood the seriousness of the provocation which caused that action.

Question 5 (a). Did President Thieu inform you before he acted?

Answer. No.

Question 5 (b). If so, what advice did you give him?

Answer. If asked, I would have most certainly advised against it.

Question 5 (c). In your opinion, would North Vietnam have decided on a 1975 military offensive if the talks had continued?

Answer. Yes.

Question 6. During the two years following the Paris cease-fire agreements, it was often charged that President Thieu was the chief obstacle to a negotiated political settlement with the Communists.

a. What is your view of this charge?

Answer. The charge is meaningless. Precisely the same charge would have been made against any strong leader. The proof is in the record of what did actually happen. If the North Vietnamese would not negotiate even with General Duong Van Minh, it would be hard for even the most credulous supporter of North Vietnam to argue that they would have negotiated seriously with any stronger leader of South Vietnam.

Question 6(b). How did you assess the political talks between the Thieu Government and the Provisional Revolutionary Government which were carried on intermittently in Paris?

Answer. The talks provided a most useful propaganda forum which was exploited to the fullest by the North Vietnamese. To them it provided the opportunity to successfully employ the oldest of the Communist tactics "talk, talk-fight, fight". The South Vietnamese, for whom the full implementation of the 1973 Paris Accords would have been very beneficial, were prepared to negotiate. The other side was not. If the talks could have been confined to only the southern elements of the so-called PRG and the RVN, perhaps, just perhaps, an agreement might have been reached. But, of course, the so-called PRG never had a real separate identity, as the world was clearly shown on May 1, 1975, when it, along with General Minh's government and the so-called "third force", were all swept into the dustbin of history as the North Vietnamese took over.

Question 7. By the first week in April 1975, North Vietnamese forces had occupied nearly two-thirds of South Vietnam. Six of South Vietnam's 13 combat divisions had disintegrated or had been destroyed.

Answer. The situation in the first week of April was not quite as the question poses it. About one-third of the military forces in Military Regions I and II had made their way to the South. They were being reformed into new units or incorporated into existing ones. As their incredible bravery showed at Xuan Loc, where they chewed up elements of two North Vietnamese divisions, the will to fight was still there. The munitions and the weapons were lacking. It was not until April 19, the date by which President Ford had asked the Congress to act, passed without affirmative action, that South Vietnamese morale began to fade.

Question 7(a). At that time were there any recommendations from the Embassy staff to you that evacuation should begin?

Answer. Before I left Washington in late March there had been agreement that we would, as quickly as possible, thin down the official American presence as much as we could without destroying the ability of the Mission to get out the rest of the American community.

There were no recommendations from any element of the U.S. Mission in the first week in April that we would "begin evacuation" in the sense of an immediate American pullout, which is what the word "evacuation" usually means. There was no disagreement that we accelerate our "thinning out" as rapidly as possible.

Question 7(b). What was your assessment at that time of the need to begin evacuation?

Answer. My assessment at that time (the first week in April) of the need to begin "evacuation" was conditioned by General Weyland's assessment of the ability of the South Vietnamese forces to continue a successful resistance if adequate military aid could be supplied in time. I certainly would not have presumed to question his military assessment that, if adequate military supplies could be immediately forthcoming, the South Vietnamese still had a chance to stabilize the vastly shortened military defense line. Nor would I have presumed in the first week in April to have preempted the President's decision on General Weyland's recommendations, or the Congress' reaction to whatever recommendation the President might make to the Congress. Additionally, I believe there would be general agreement that it would have been a final act of dishonor to have our precipitate actions foreclose whatever possibilities the South Vietnamese might envisage in the way of negotiations if they should elect to follow that course.

Question 7(c). Were any U.S. military officers in Vietnam recommending evacuation in the first week in April?

Question 7(d). What recommendations did you receive from the CIA?

Answer. As I have stated above, I can recall no recommendations from any senior officer in DAO or CIA that we should immediately begin "evacuation".

There was also no disagreement that we should accelerate the process of "thinning down" the official American presence as rapidly as possible.

Question 8. In April 1973, the Second Secretary of the Embassy in Saigon informed the Senate Subcommittee on Refugees that of some 22,000 civilian prisoners in South Vietnam, 12,000 were "communist-related detainees" and an estimated 500 to 1,000 were "noncommunist dissidents" who opposed the Thieu Government.

Answer. As I have previously reported to this Committee (page 21 of the hearings on July 31, 1974) the figure of 500 to 1,000 detainees classified as "non-Communist dissidents" was, as indeed your question clearly recognizes, an estimated figure for which there was no documented proof.

Question 8(a). Concerning the latter group, did the Embassy maintain a close watch over the conditions of their imprisonment?

Answer. It should be recalled that the Congress had eliminated the police and prison advisory functions of the U.S. Aid Mission in Vietnam, an action which foreclosed any ability to "maintain a close watch" over any prisoners or prison conditions except through intelligence channels. These were not really an effective substitute.

Question 8(b). Why did the Thieu Government hold many of these people for long periods without trial?

Answer. The RVN, in accordance with its "An Tri" procedures, did hold certain of its citizens in preventive detention. It should be noted that those provisions were remarkably similar to the preventive detention laws of the District of Columbia. The purpose of the RVN was to try to ensure its survival, a purpose which was not realized. I suppose it was the same purpose which led the United States to detain certain of its citizens of Japanese ancestry during World War II.

Question 8(c). Did you ever urge South Vietnamese officials to bring "non-communist dissidents" to trial in open, civilian courts?

Answer. Yes, repeatedly, as I also opposed the actions of the United States in World War II as referred to above. I happen to hold to standards which I am unable to apply selectively, which seems to be the current fashion. This may be hopelessly old-fashioned but I have no apology. During the course of these hearings I was asked if I opposed economic aid to a Vietnam which, of course, will soon be a unified Vietnam under Hanoi. I indicated that future decisions should, I thought, be determined in accordance with future appraisals of whether it would be in United States interests to do so. I said I certainly saw no obligation to do so. In reality, it seems to me that any present discussion of economic aid to Vietnam would be only an academic exercise unless this Committee intends to apply its concern for "human rights" selectively and not universally, a course I would not believe to be possible. There is, quite obviously, no way that Vietnam could presently qualify for economic aid under the criteria I understand some members of this Committee advocate linking the observance of elemental "human rights" to economic aid. I believe this Committee would share my belief that the denial of "human rights" by any regime, whether of the right, center, or left, is to be equally condemned. While one may question the usefulness of the "linkage" concept, anything other than an impartial, even-handed, non-selective application of such criteria would be a course of action I would not believe this Committee would ever take.

Question 9. Who made the decision to install General Duong Van Minh as President on April 27?

Answer. The decision to install General Duong Van Minh as President was made by President Huong, who had succeeded President Thieu, with the concurrence of both Houses of the Parliament of the Republic of Vietnam.

Question 9(a). What results were expected from Minh's assumption of power?

Answer. Presumably, the Vietnamese were hopeful that this action would permit negotiations leading to the preservation of an independent South Vietnam, neutralized and demilitarized, but still independent.

Question 9(b). Had the Embassy or State Department received any word from Hanoi that it would be willing to negotiate some sort of political arrangement with Minh?

Answer. To the best of my knowledge, the Department of State received no direct communication from Hanoi to this effect. The Embassy in Saigon, of course, had no direct communication with Hanoi at any time.

Question 9(c). During this period, what evaluation did the CIA give you concerning the chances of a cease-fire and a political arrangement that would have permitted an orderly evacuation?

Answer. The CIA station within the U.S. Mission in Saigon, based on its contacts with the Communist delegations to the ICCS, did indicate to me that such a possibility might exist.

Question 9(d). Did the USG at any time toward the end of April consider encouraging the Government of South Vietnam to arrange a political capitulation with the North Vietnamese?

Answer. That was a decision only the South Vietnamese could take. Under the circumstances, it seemed to me, and I suspect to any dispassionate and objective observer, that the United States had forfeited what rights it may have ever had to give advice to the South Vietnamese. Since leaving Saigon, I have had indications that such a course was broached to Washington by the CIA Station Chief. I have had no intimation that this suggestion was ever seriously considered in Washington.

Question 10. Did the U.S. Embassy contact Rev. Thanh's coalition of generals, politicians, and intellectuals in an attempt to have the coalition sponsor anti-Thieu demonstrations before Thieu's fall on April 21, 1975?

Answer. No. Such an action would have been despicable. It would have also been stupid, since Father Thanh's group was a joke. It had no influence with anyone in Saigon not comprehended within the limitless vanity of its own tiny congruent circle.

Question 10(a). Did the U.S. Embassy make other covert attempts to influence South Vietnamese individuals or groups to take actions against Thieu?

Answer. There is now some evidence that some low-level contacts were made by the CIA station. These were made without authorization from me or from Washington and were immediately discontinued. It was my belief that any such move would, as it had at the time of Diem's overthrow, destroy the slender thread of South Vietnamese legitimacy. Whether Thieu stayed or departed was a Vietnamese matter, as I had held since I came to Saigon. It was a matter to be decided by the Vietnamese in light of their own perception of what course might best serve Vietnam. It was a question in which Americans should intrude only if they were prepared, and able, to take appropriate responsibility for the outcome. In April 1975 it was very clear to me, at least, that the U.S. was not prepared to assume such responsibility.

Question 10(b). What were these actions?

Answer. See above.

Question 11. Secretary Kissinger stated on May 5, 1975, that the Soviet Union played "a moderately constructive role in enabling us to understand the possibilities for evacuation, both Americans and South Vietnamese, and for the possibilities that might exist for a political evolution."

a. What do you know about the Soviet role in the negotiations during the second half of April?

Answer. My knowledge was confined to that expressed earlier in this hearing, that is, the Soviets had informed the United States that Hanoi would not militarily interfere with our evacuation.

Question 11(b). Do you agree with Kissinger's evaluation?

Answer. Yes.

Question 12. During the period prior to Minh's assumption of power, did the French Embassy in Saigon advise you that if Minh replaced Thieu, the Communists would be willing to work out a political arrangement with Minh rather than seek a total military victory?

Answer. I think it might be more accurate to say that the sense of the question reflected the hope of the French that that was what would come to pass.

Question 12(a). If so, where did the French get this information?

Answer. Most Governments, including our own and that of France, are extremely chary about revealing their sources. The correct answer is that I did not know where the French got this information.

Question 13. Secretary Kissinger stated on May 5, 1975, that until April 27, the United States had "considerable hope" that North Vietnam would not seek a purely military solution but would agree to a "negotiated solution" with Duong Van Minh. What factors caused U.S. officials to have such expectations?

As the answer to this question may involve consideration of information not available to me in Saigon, I have asked the Department of State to supply this answer. It follows:

"The Secretary made this statement in the course of his press conference of April 29, immediately following the evacuation of Saigon.

"These expectations were based on a reading of messages and public statements from the Communist side and on actions by the Republic of Vietnam side in the weeks before the fall of Saigon.

"As the Secretary stated on April 29, we had dealt with Hanoi and the PRG through different intermediaries and had been in a position to put in our views and to receive responses from the other side. He noted in particular (in a May 5 interview) that the Soviet Union played during the final weeks 'a moderately constructive role in enabling us to understand the possibilities there were for evacuation, both of Americans and South Vietnamese, and for the possibilities that might exist for a political solution.'

"During the latter part of April the Republic of Vietnam moved rather rapidly to comply with Communist demands or conditions for a political settlement. During March and early April Hanoi had demanded the resignation of President Nguyen Van Thieu. This occurred on April 21. The Communists then asked for the removal of his successor, specifying that General Duong Van Minh would be acceptable and a person with whom they would be prepared to talk. This demand was met and General Minh was accordingly sworn in as President. In the meantime, Saigon complied as well with other demands, despite the fact that the demands escalated literally with every passing day.

"However, as the Secretary noted in his April 29 press conference, for reasons which were unclear the North Vietnamese changed their signals on the night of April 27 and appeared to shift suddenly to a military option. The possibility for a negotiated settlement was thus ruled out. On April 30 Communist forces occupied Saigon and General Minh was obliged to surrender the Government and its armed forces unconditionally."

Question 14. With regard to the efforts between April 19 and 27 to work out a political settlement with the Communists, involving changes in the Saigon government, what role did the Polish and Hungarian delegations to the International Commission for Supervision and Control play?

Answer. My impression was that the two delegations referred to were somewhat stunned by the pace of events between April 19 and 27. It was my further impression that their role, as much as was possible at that stage, was designed to be helpful.

Question 14(a). Did they transmit messages from the North Vietnamese to the Embassy?

Answer. They transmitted no direct messages, as such, of which I was aware.

Question 14(b). Did they provide the Embassy with any "interpretations" of Hanoi's policy toward a political arrangement?

Answer. Most certainly. Such "interpretations" by one of them were furnished almost on an hourly basis.

Question 14(c). If so, what did they tell the Embassy?

Answer. My impression was that one of them was simply hopelessly behind the curve of the events then unfolding or was trying to provide a deception center in its insistence that a "Minh" government would be acceptable to Hanoi and that a negotiated solution might still be possible. The other delegation was much more cautious, correct and professional.

Question 15. The U.S. government did not cancel the economic assistance commodity pipeline until after the final evacuation of U.S. personnel on April 30, although the commodities had stopped moving weeks before. As a result, significant unrecoverable costs were incurred, such as costs incurred by U.S. shippers, shipping costs for undelivered goods, losses on sales of vested commodities, etc. Why wasn't the economic assistance commodity pipeline (AID and PL 480) terminated or at least reduced at an earlier time?

Answer. I assume the decision to continue the "economic assistance commodity pipeline" was taken on the assumption that our provision of economic aid was to the people of a free Vietnam, rather than to a particular individual or a particular government of a free Vietnam. It would have been impossible to determine accurately in advance whether the government of President Huong would last, or whether the government of President Minh would be permitted to last. In either case, the continuation of economic aid would have been a humanitarian contribution. In question 13 above, Secretary Kissinger has been quoted as saying that until April 27th, the United States had considerable hope that North Vietnam would not seek a purely military solution but would agree to a negotiated solution with Duong Van Minh. I believe it was that hope that led to the decision not to cancel the economic assistance commodity pipeline. I think it was the

right decision under the circumstances. If the pipeline had been terminated or reduced at an earlier time, and then reinstated when the "considerable hope" had been realized, the costs would have probably been much greater.

Question 16. On April 28 U.S. AID officials were informed by the U.S. Embassy in Saigon that there would be ample time for consolidating and removing records. On the next day all U.S. personnel were evacuated and the records were left behind. As a result AID has since encountered serious problems in closing out Vietnam contracts, particularly host country contracts.

a. Why was it that AID and other U.S. agencies in South Vietnam were not instructed to phase-out their operations and get their records out sooner?

Answer. I think the considerations recorded in the immediately preceding answer are applicable here.

Question 16(b). Why couldn't the civilian agencies have gotten their records out in advance as did the military on its own?

Answer. It is not quite correct to say that the military got their records out on their own implying that this was a decision and action unknown to me. It must be recalled that we knew by April 20 that the President's request for the military aid recommended by General Weyand would almost certainly be negative. It was, therefore, apparent that even under a "negotiated solution with Duong Van Minh" continuance of military aid was no longer possible. Therefore the movement of military records by DAO to its next superior military echelon, USSAG, was accelerated. Now the situation was not at all that clear with respect to economic aid and the other functions of the U.S. Mission in Saigon. Until the 28th of April we were under instructions to be prepared to maintain an on-going U.S. Mission in Saigon, if Washington decided that U.S. interests would be served by maintaining relations with a Minh government. It should be borne in mind that, although Hanoi consistently opposed military aid, it just as consistently favored continuation of economic aid.

Question 17. During the evacuation the Communist forces, poised near the city to take Saigon, launched a rocket attack at Ton Son Nhut Airbase which prevented evacuation by transport planes, but reportedly did little else to impede the evacuation.

a. Why do you think they chose not to undertake other major action?

Answer. Because Hanoi could not have been certain that the United States response to "other major action" would not have been far more costly than any possible gain from seriously interfering with our orderly evacuation.

Question 17(b). How would U.S. military forces have had to respond in the event of a larger Communist action against the evacuation?

Answer. Since I am a non-military man, that question would best be answered by the Pentagon.

Question 17(c). Would not a greater Communist effort have created an untenable situation?

Answer. Yes, but Hanoi had undertaken not to do so and this was an undertaking which Hanoi would almost certainly perceive to be its advantage to keep. I was, therefore, rather certain they would do so.

Question 17(d). Did the withdrawal of records and material from Tan Son Nhut precipitate the North Vietnamese attack on the airbase?

Answer. The withdrawal of "records" and American personnel was not, in my opinion, influential one way or another. What was decisive, in my opinion, was the movement out of Tan Son Nhut of significant elements of the Vietnamese Air Force. The North Vietnamese, of course, had expected to absorb such material. The rocketing on the morning of April 29 of the airbase was designed to interdict any such movement. It did so. It also made impossible the fixed wing airlift we had planned for April 29.

Question 18. Can you tell us what advice you gave Deputy Assistant Secretary of Defense Erich von Marbod when he saw you on the morning of April 28 concerning the evacuation of U.S. military equipment from the Saigon area?

Answer. I repeated the request I had previously made to Mr. Von Marbod that we do nothing that would degrade the capacity of the South Vietnamese Armed Forces to resist as long as they had the will and capacity to do so. Obviously, no capability, actual or potential, remained on April 28th to defeat the North Vietnamese Forces. However, the South Vietnamese Armed Forces did provide a significant bargaining chip in any negotiation the Minh government might be able to undertake if, in fact, the North Vietnamese would permit meaningful negotiations. Mr. Von Marbod listened and indicated that he understood. Mr. Von Marbod had encountered considerable unhappiness that so much material

had been lost in MRs I and II. I later learned that after the bombing run on the airbase, he went to Air Marshall Ky and persuaded him to influence the Commander of the Vietnamese Air Force to fly out a considerable portion of serviceable planes that afternoon. The net result seems to have been a breakdown of discipline on the airbase. The severe rocketing of the airbase the next morning to forestall any further removals was also a consequence. It made impossible the planned fixed wing airlift on April 29th, at the close of which we expected to have totally evacuated the DAO, leaving a much smaller helicopter extraction for the few remaining Americans.

Question 19. What was your relationship with the Defense Attachés' Office and the CIA office in South Vietnam?

Answer. When serving as an Ambassador, I am not the representative of the Department of State, but of the President. All elements of the United States Mission, including State, USIA, DOD and CIA were equally under my authority as a means of ensuring that, within the country to which I was accredited, all elements conformed to the President's policy. Both the Defense Attaché and the CIA Station Chief understood this and the relationships were good.

Question 19(a). Did you review and approve messages sent by these agencies to Washington?

Answer. No. However, when an important policy question was involved in a message it was routine that it would be brought to me, not for approval, but to provide the opportunity for me to add simultaneously a differing appraisal, if I chose to do so.

Question 20. When you assumed the Ambassador's post in Saigon, were you aware of International Red Cross reports describing cases of brutality inflicted by South Vietnamese authorities against Communist POW's in the camps at Phuquoc Island and Quinhon?

a. Did you at any time discuss this situation with South Vietnamese officials?

b. Did you discuss the situation at any time with International Red Cross officials? When?

c. To your knowledge, did the situation at the camps improve?

Answer. Before going to Saigon, I had visited the Geneva Headquarters of the ICRC, an organization with which I had had a long and intimate relationship. I had been Chief of the U.S. Mission in Geneva, and had served as the Chief of the U.S. Government Delegation to the XXI World Conference of the Red Cross in Istanbul in 1969. I believe the reports in question are a very small number extracted from a large body of generally favorable ICRC reporting on POW's in South Vietnamese POW facilities and the treatment which prisoners received. Agreement and my arrival in Saigon.

As the Committee is aware, the Republic of Vietnam cooperated with the ICRC in permitting the inspection of its POW facilities. Prior to the signing of the Paris Agreement and the prisoner exchanges pursuant to it, there had been over 600 inspections of POW facilities in South Vietnam by some 40 different ICRC delegates and doctors over a seven-year period. In contrast, Hanoi declined ever to permit ICRC visits or inspections of its POW facilities.

The vast majority of these reports reviewed favorably the condition of the South Vietnamese POW facilities and the treatment which prisoners received. Criticisms or recommendations did not involve, as a rule, basic problems in the treatment or welfare of the prisoners. Observations and criticisms by the ICRC concerning conditions in the prisons were brought to South Vietnamese attention, and corrective action was immediately undertaken by the South Vietnamese and U.S. officials concerned.

It would not be surprising that over such a long period, involving numerous and very complete inspections, isolated incidents of improper treatment would appear. But I believe that all such incidents dealt with in ICRC reporting would have been acted upon and corrected at the time.

As the Committee is also aware, Article 8(a) and the related Protocol of the Paris Agreement called for the return of all captured military personnel of all sides within 60 days of the signing of the Agreement—that is, no later than March 29, 1973. The Republic of Vietnam complied with its obligations by March 25 of that year, releasing all 26,746 Communist military personnel it detained. By contrast, the Communists released only 5,246 South Vietnamese military personnel. They also refused to account for over 26,000 other South Vietnamese personnel whose names the Saigon side provided to Communist representatives. The fact that the Communist side kept a number of these per-

sonnet was evidenced by subsequent releases of South Vietnamese prisoners over the next several weeks (e.g., 23 near Kontum April 10; 12 in Quang Tin Province April 11; and another 29 in Kontum Province April 17).

With the signing of the Paris Agreement and the prisoner exchanges in the Spring of 1973, the ICRC discontinued its inspections of South Vietnamese POW facilities. My arrival in Saigon, of course, did not take place until July 1973.

Question 21. In February 1974, the State Department told the General Accounting Office that it would not be able to investigate the treatment of "political prisoners" in South Vietnam.

a. Did the Department ask your views on the GAO request?

Answer. Yes.

Question 21(b). If so, what did you recommend and why?

Answer. I recommended strongly against it. The request to the GAO was not a serious request but part of a transparent propaganda exercise. This fact was recognized and bitterly resented by GAO officials both in the field and in Washington, who regarded it as a prostitution of their legitimate functions. The investigation was in fact carried out, but wholly within United States channels. The whole question of political prisoners was the subject of an exhaustive survey which was reported to the Department of State in Saigon Embassy's Airgram #296 of December 26, 1973, a copy of which is included in the Senate Foreign Relations Committee's hearings of July 25, 1974, page 468.

Question 22. In April 1974, you wrote a letter to Dr. George Weber, President of the New York Theological Seminary, in which you stated that you had asked Weber to use his great "influence" in Hanoi to persuade North Vietnamese officials to cease the shelling and rocketing of South Vietnamese villages. What led you to believe that Dr. Weber had "great influence" with North Vietnamese officials?

Answer. Dr. Weber, as President of the New York Theological Seminary, is a well-known and respected American figure and "one of our leading Protestant theologians". This alone, I would have thought, would give him "great influence" in Hanoi. As the son of a clergyman myself, I would have thought Dr. Weber's position and reputation would give him "great influence" in any capital in the world. Dr. Weber was also, I understand, a close associate of Don Luce, whose frequent visits to Hanoi would indicate to most observers that he was well and favorably known there.

These two factors, in combination, did indeed convince me that it was logical to assume that Dr. Weber had "great influence" in Hanoi. It is still a matter of great personal regret that I could not convince Dr. Weber to at least make the effort to persuade North Vietnamese officials to cease the shelling and rocketing of South Vietnamese villages. Since Dr. Weber came to Saigon with a letter from the Chairman of another Subcommittee of this Committee, he was, as he himself has said, treated with great courtesy and respect. I reported to the Committee on February 18, 1974, the full details of my conversations with Dr. Weber (see pages 445-475 of the hearings of July 25, 1974, of the Senate Foreign Relations Committee on S. 3394.)

Question 23. On April 18, you apparently signed a \$1 million contract with Continental Airlines for a flying contract involving Cambodia. Yet, Phnom Penh had surrendered to the Communists on April 17. What was the purpose of this contract and why did you sign it?

Answer. For considerably more than a decade, air services essential to the operations of U.S. Missions in Southeast Asia had been provided by Air America, a proprietary company owned by the CIA. Under Congressional pressure for the CIA to divest itself of such proprietary companies, a decision had been made for the dissolution of Air America. The contract with Continental Air Services, Inc., a subsidiary of Continental Airlines, was entered into to provide services still essential after the departure of Air America. The contract included, during this long negotiating period, services which Continental Air Services had previously provided in Cambodia as well as those performed by Air America in Vietnam. This is the reason for the involvement of Cambodia in the contract. I did not sign the contract, although I was aware of it and had approved the selection of Continental. The details of the contract were determined by the appropriate administrative authorities in the United States Mission, one of whom actually signed the contract.

Question 24. In your statement, you note that the greater part of Americans were in the employ of the Defense Attache Office. Who had the authority to order the evacuation of these DAO employees?

Answer. The DAO, as I have noted above, was an integral part of the United States Diplomatic Mission. I had the authority to order evacuation of DAO employees when there was an imminent danger to American lives.

Question 25. In early April of 1975 the State Department reportedly arranged with Pan American Airline for expanded air service from Saigon to evacuate people on a gradual basis by means of regular commercial flights. At the Department's request, Pan Am had an extra plane standing ready on Guam for the evacuation and used jumbo jets for some of its regular flights out of Saigon.

a. Did the U.S. Embassy in Saigon notify Pan Am on April 14 that the extra plane which the State Department had requested was not to be used? Is so, why?

b. Why were the regular Pan Am flights not filled to capacity to evacuate U.S. personnel and South Vietnamese nationals?

Answer. Although it has been pointed out before, the fact that the Government of Vietnam had refused to grant exit permits for Vietnamese nationals seems to have been totally forgotten. This was an element that seriously affected the ability of the Mission to move out Vietnamese nationals. Civilian airlines could take out only those permitted to board the aircraft through normal airport exit formalities. Only a handful of Vietnamese nationals, usually not those in whom we had a particular interest, were able to secure exit permits. By 15 April the DOD had in place a military airlift that was moving out several thousand each day—as many as we could move through a screening process operating at the DAO compound. Under the circumstances, Pan Am could really move out only Americans. We were moving out through the military airlift all the Americans who could leave. Therefore, the extra Pan Am flights were not needed and Pan Am was so notified.

Mr. HAMILTON. We do thank you for excellent testimony, and for an extended period. You have been very helpful.

The subcommittee stands adjourned.

[Whereupon, at 5:50 p.m., the subcommittee was adjourned, subject to the call of the Chair.]

APPENDIX I

BIOGRAPHY OF GRAHAM A. MARTIN

Graham Anderson Martin, of Thomasville, North Carolina, was sworn in on June 24, 1973 as United States Ambassador to the Republic of Vietnam. Mr. Martin who served as U.S. Ambassador to Italy from October 1969, succeeded Ambassador Ellsworth Bunker.

Born in Mars Hill, North Carolina, September 22, 1912, Mr. Martin is a graduate of Wake Forest College (1932). He served as a newspaper reporter in North Carolina and later as Washington correspondent for several Southern newspapers. In 1933, he joined the National Recovery Administration where he served as an Aide to then Deputy Administrator Averell Harriman. He later held executive posts with the Social Security Board and the Federal Security Agency. During World War II, he was a Colonel with the U.S. Army overseas.

Mr. Martin entered the Foreign Service in 1947 and has held such assignments as Assistant Chief of Mission in Paris; Faculty Advisor of the Air War College; Special Assistant to the Under Secretary for Economic Affairs; Special Assistant to the Under Secretary; U.S. Representative to the European Office of the UN and other International Organizations, with the personal rank of Ambassador; and U.S. Representative at the 16th Session to the Economic Commission for Europe, Economic and Social Council of the UN. During this assignment, he was also ex-officio member of the U.S. Delegations to the Laos Conference and the Disarmament Conference.

In 1963, Mr. Martin was promoted to the permanent rank of Career Minister, was appointed U.S. Ambassador to Thailand, and U.S. Council Representative to the Southeast Asia Treaty Organization and U.S. Permanent Representative on the UN Economic Commission for Asia and the Far East. He was Deputy to Secretary Rusk at the SEATO Council meetings in Manila, London, Canberra and Washington. In 1967, he won the Department's Distinguished Honor Award, and the same year became Special Assistant to the Secretary of State for Refugee and Migration Affairs. Ambassador Martin is married to the former Dorothy Wallace and they have two daughters (Janet Ann and Nancy Carol) and a son (David A. M.).

APPENDIX 2

LETTER AND REPORT ON "EVACUATION FROM SOUTH VIETNAM" BY
CONGRESSMAN NORMAN Y. MINETA AND HIS STAFF

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 11, 1976.

HON. LEE H. HAMILTON,
Chairman, Subcommittee on Investigations,
House International Relations Committee.

DEAR MR. CHAIRMAN: The attached section of our report on the evacuation of Americans and Indochinese refugees from South Vietnam is hereby presented for the use of you and your Subcommittee.

As you can see, our account of the events surrounding the evacuation efforts differs in some respects from the account of former Ambassador Graham Martin, in the testimony presented before your Subcommittee. Our account is based on information gathered by my staff and me, and is, to the best of our knowledge and limited ability to verify such data, an accurate portrayal of those events. I would be most willing, should you request it, to provide you and your Subcommittee with all the raw data on which we based our findings, and a list of names, addresses, and positions of our sources.

Your Subcommittee is free to make whatever use of this material it wishes.
Sincerely yours,

NORMAN Y. MINETA,
Member of Congress.

EVACUATION FROM SOUTH VIETNAM

(The following is a deleted section from the original October 1, 1975 report on the evacuation and resettlement program by Congressman Norman Y. Mineta, Leslie Francis, Patricia Giniger, Paul Schoellhamer, and Larry Low)

Many of the management difficulties being experienced in the refugee program can be traced back to the Administration's mismanagement, and an acute lack of leadership in the evacuation from Vietnam.

Throughout the last few weeks in March and the first few weeks in April, the State Department's Indochina Task Force and the Justice Department's Immigration and Naturalization Service (INS) operated on a "policy-by-crisis" basis in admitting the refugees into the United States. The Attorney General used his "parole authority" for evacuees from Indochina—including hundreds of Southeast Asian "orphans" and 1,200 Cambodians. As a result, planes of refugees often mysteriously appeared on Gnam or even in the U.S. without any forewarning or preparation.

This was the case with a planeload of 150 Vietnamese who suddenly appeared at the Los Gatos (California) Christian Church in early April. According to the INS Regional Office in San Francisco, neither that office nor the INS headquarters in Washington, D.C., had any idea where these refugees had come from, other than the obvious fact that they were from Southeast Asia. Neither office had received any advance warning; neither office knew if this was an isolated planeload, or the first of many; and finally, the regional office had received no directives from Washington regarding what should be done with this group or any other group that had arrived or that might be arriving.

During this period, there was no operative policy determining (1) how evacuations would be conducted, (2) who the U.S. should be evacuating or in what sort of priority, (3) what should be done to or for the refugees once out of Vietnam, and (4) what agency, if any, would, in fact, be responsible for the refugees once they arrived in the U.S. Decisions which should have been made

in compliance with a coherent policy were, in the absence of effective leadership, being made on an *ad hoc* basis. For example, the "orphans" sent out during this period turned out, in many cases, to have not been orphans at all, but rather the children of Vietnamese who had access to or influence at the U.S. air bases involved.

In an attempt to bring order to the efforts to evacuate and relocate an unknown number of refugees, President Ford on April 18 appointed former Ambassador L. Dean Brown to head the Interagency Task Force (IATF), a body created to coordinate our efforts in Southeast Asia, as they related to refugee problems. The IATF, composed of representatives of thirteen government agencies, was charged by the President with the responsibility of coordinating all U.S. Government activities concerning the evacuation and resettlement efforts.

However, two days after the establishment of the IATF, the military situation in South Vietnam rapidly deteriorated. To the limited extent that any Americans were in charge of events during that last week in April, one would have to assume they were in such agencies as the Military Airlift Command, the U.S. Embassy, the Defense Attaché Office, and the State Department. The Task Force never really influenced the evacuation from Vietnam.

During the final weeks of U.S. involvement in Vietnam, there were conflicting reports from the IATF, the INS, and the State Department as to how many refugees would be arriving on our shores. Some early estimates mentioned in the news media were as high as 600,000 to 1,000,000 persons. Because there was no operative policy for the evacuation, numerous companies began private evacuation efforts utilizing commercial and chartered airlines, completely apart from and uncontrolled by either the IATF or any other agency of the U.S. Government. The First National City Bank, the American Express Company, and World Airways were just a few of the many companies which transported Vietnamese to the U.S. during this period. Because of the failure of the State Department, INS, or the IATF to coordinate or even monitor these efforts, no accurate records were kept on the number of refugees actually arriving in U.S. territory, nor were there any accurate estimates of the number of potential evacuees.

The uncertainty surrounding the total number of refugees added to the difficulties of creating refugee camps and programs. This uncertainty was caused primarily by the fact that many Vietnamese—especially employees of the U.S. Government—did not leave until the last minute. I believe that the main cause of the slow departure can be attributed to one person—Ambassador Graham Martin. It was Martin who refused to recognize until the last days of April the imminent collapse of the South Vietnamese regime, thus guaranteeing that the final evacuation would be chaotic, lacking organized and rational planning.

Following the bombing of the Presidential Palace in Saigon on April 8, the State Department cabled Martin to inform him of the categories of Vietnamese nationals who would be eligible for parole into the U.S. These categories included those who were:

- (1) past or present employees of the U.S. and their families;
- (2) high ranking officials;
- (3) Vietnamese relatives of U.S. citizens;
- (4) any others with a "high risk" of being targets for reprisals by the Communists.

During these early stages of the battle of Xuan Loc, on or about April 9, the State Department cabled Martin requesting details of Thieu's plan for the military defense of Saigon. Urgent cables followed throughout early April from State to Martin requesting information concerning Martin's evacuation plan and concerning the situation on the battlefield.

Despite these cables, and the daily losses of territory, troops, material, and morale by the ARVN, the reaction of the Embassy, as depicted by several independent sources present at the time, was that the Thieu regime was not going to fall. According to an American who attended Embassy briefings in April, Deputy Chief Wolfgang Lehman represented Martin in explaining that the position of Martin and of the Embassy was that the territorial losses being sustained were good military maneuvers on the part of the Thieu regime, since "the highlands were not worth holding." These staff briefings tried to paint a picture of a viable Republic of Vietnam, composed of the remaining regions under ARVN control.

The Departments of State, Treasury, Justice, Defense, Labor, Interior, HEW, HUD, DOT, the Joint Chiefs of Staff, AID, the CIA, and OMB.

The effect of such ambassadorial intransigence was that procedures to evacuate Americans and Vietnamese employees of the U.S. and their families, were not implemented until the last week of the U.S. presence in Saigon. According to Alan Carter, who at the time was the Embassy's Public Information Officer in South Vietnam, and who now serves as Chief Civilian Coordinator at Indiantown Gap, several tentative plans for a gradual evacuation of Americans and Vietnamese had been drawn up in early April by Henry Boudreau, Martin's Administrative Counsel, by the military, by the CIA, and by other Embassy officials. The military and the seven principal Embassy administrators in Vietnam at the time were all informed that the plan which would finally be implemented would be put into operation at the "proper" time to prevent panic. Yet the logistics of the maneuver were never revealed. Nevertheless, these administrators, in turn, informed their local employees of the existence of evacuation plans, and told them to "hold tight."

Even when all of Military Regions I and II had been lost, by or about April 17, it appeared that Martin still failed to recognize the urgency of the situation, and had not yet approved a strategy for the evacuation of Americans and Vietnamese. In fact, it was at this time that Martin sent to the State Department a cable that was described by a highly-placed USIA officer as a rambling, philosophical diatribe setting forth Martin's long-range military and economic development plans for the South Vietnamese government.

To those in Washington, however, the handwriting was already on the wall. Early in April, the State Department concluded that the evacuation should be gradual and conducted over a relatively long period of time, in order to bring a maximum number of people out without sparking a panic. For this same reason, the State Department sought to use regularly-scheduled civilian flights to carry the bulk of the evacuees. Therefore, on April 5, Deputy Secretary of State Robert Ingersoll requested that Pan American Airlines, which was then providing two flights per week out of Saigon, increase its commercial service. Pan Am was willing to accommodate this request, but found itself in legal difficulties over its insurance for flights to war-risk areas. Over the next five days the State Department and the Department of Defense went to extreme lengths to clear these obstacles.² Washington obviously recognized the need for expeditious action if a successful evacuation were to take place.

On April 12 Pan Am had an extra Boeing 707 standing by on Guam, and informed the State Department that it was ready and able to provide the requested augmented service. All through the middle of April, however, Pan Am found itself in a situation where its scheduled two flights a week were leaving Saigon with many empty seats, at a time when thousands were clamoring to leave. The planes used for these flights were Boeing 747's with a standard capacity of 363 passengers. On April 8, the flight out of Saigon had been fully booked; however, only 191 booked passengers actually embarked. An additional 40 persons were added at the last minute—persons who just happened to be in the right place at the right time. Because of Washington's concern over the need for expanded service, Pan Am put a specially-modified 747 on the flight for April 10, with seating for 400. Advance bookings totalled 380, of which only 139 actually claimed their seats. With the addition of 34 "strays" from the terminal, this flight carried a load of 173 out of Saigon—less than half its capacity.

Under these circumstances, Pan Am's representative in Saigon attempted to ascertain the Embassy's intentions regarding evacuation and the need for additional flights. On April 14, the Embassy notified this representative that it did not intend to utilize the extra plane. Pan Am promptly called the State Department and informed them of the Embassy's position. The somewhat embarrassed response from State was that they would work on the problem, but they admitted they did not know when they would be in a position to utilize the additional services they had gone to such lengths to obtain. State further advised Pan Am to keep the 707 on Guam until further notice. But State never notified Pan Am, and the 707 on Guam was never utilized in the evacuation. Pan Am never did expand its service, and the actual evacuation was the opposite of that originally envisioned by the State Department. It was conducted largely by the military with military aircraft, and most people were hurriedly evacuated in a one-week period up to the closing of Tan Son Nhut Airport.

On April 17, the first action of the IATF (which would be officially created the next day) was to cable Martin in Saigon and request all information on the plans for the evacuation of Americans and of Vietnamese who were eligible

² For further information on the airline flights situation, refer to the hearings of the House Aviation Subcommittee on war-risk insurance, July 16, 1975.

for parole into the United States. Martin's response, in an April 18th cable, was that he did not intend to evacuate past or present Vietnamese employees or their families, and that he had no plans to do so. On or about April 20, the Embassy received a cable from the State Department in Washington, stating that such a response was unacceptable, and ordering that evacuation procedures for both Americans and Vietnamese nationals be instituted immediately.

The State Department's cable reflected the hard realities of the day on which it was sent. The weekend of April 19-20 saw the fall of Xuan Loc, the main position on the defense perimeter around Saigon. With the fall of Xuan Loc, the South Vietnamese government no longer represented a viable military force capable of an effective defense of Saigon. The military situation was in a shambles—the ARVN had one division hopelessly isolated at Tay Ninh City and a disorganized force totalling about three divisions in an arc just north of Saigon. The North Vietnamese had a minimum of 10 divisions facing Saigon, with reinforcements arriving daily. On April 21, Thieu resigned from his office and shortly thereafter fled the country. After April 21, the military situation had not so much deteriorated as it was already over. A pause in the fighting was initiated by the North, as it hoped to secure Saigon by treaty rather than by further military action. Subsequent evacuations, therefore, were largely made possible by the North's restraint, rather than by rational planning and effective organization by the U.S. Embassy.

On April 21, the Embassy requested \$4.2 million in U.S. currency from the Defense Attaché Office in Saigon. This was the first indication that the Embassy was actually anticipating a possible evacuation. The cash was to be used to make separation payments to Vietnamese employees of the U.S. Government. Separation payments were made through the two U.S. disbursing offices in Saigon: the U.S. Disbursing Officer in the Embassy (who handled all civilian disbursements) and the Navy Disbursing Officer in the Defense Attaché Office (who handled all military disbursements). Payments were to be in U.S. currency, rather than the usual checks or piasters, because of South Vietnam's crumbling economy. Vietnamese employees were to receive their last month's pay, one month's separation pay, unused leave, and Tet allowance.

Later the same day, the Defense Attaché Office in turn cabled the Secretary of Defense for \$12.5 million in U.S. currency for separation payments, which was then airlifted to Saigon. On April 23, the Embassy drew down its \$4.2 million in cash from the \$12.5 million, and immediately handed \$2 million of it to "an agent of another agency," the identity of which has never been revealed.

Also about April 21, U.S. flight activity at Tansonghut dramatically increased. Large numbers of military craft and unmarked craft crewed by Air Force personnel in civilian clothes began the final, massive evacuation airlift. At the same time, U.S. officials at Tansonghut stopped requiring South Vietnamese exit papers in order for Vietnamese to embark. As a consequence, the pattern of bribery shifted—formerly payments had been made to Vietnamese bureaucrats, now they were often made to any American who would say at the airport, "These are my relatives." During the last week, that was all it took to board an evacuation flight.

Beginning April 23, both the Defense Attaché Office and the Embassy proceeded with separation payments to Vietnamese employees. Many Embassy employees, however, once terminated and paid, were promptly rehired, because the Embassy still did not believe that it would have to shut down. Top Embassy officials viewed the separation payments as a "just-in-case" measure. The Ambassador continued to believe that a coalition government could be formed and that the U.S. presence in Saigon could be maintained indefinitely.

On April 28th Embassy drew down another \$3 million* in cash from the Defense Attaché Office for continued separation payments. On the same day, President Huong resigned and was replaced by Big Mihn, who gave a speech asking troops to "defend the territory which is left" so that he could attempt by negotiations to establish a coalition government. This was apparently taken as a signal by the Communist forces that Mihn and Martin would be no more cognizant of the military realities around Saigon than Huong and Martin had been, and that the South Vietnamese government would continue to confuse the proffered bloodless defeat-by-treaty with an opportunity to establish a permanent coalition government and to maintain a U.S. presence indefinitely. Accordingly, late

* The \$3 million figure is from the military's records, and represents the Embassy's total draw-down for April 28. State Department records refer to a \$2 million draft on April 28. The discrepancy may arise from there possibly having been a \$3 million draft and a \$1 million draft on April 28.

April 28 and early April 29, the Communists signalled the end of their patience by bombing and shelling Tan Son Nhut Airport, thus ending any possibility of continued fixed-wing evacuation flights. In a 6 a.m. meeting on April 29, Thomas Polgar, the CIA station chief in Saigon, and Henry Kissinger, who telephoned from Washington, both recommended "Option Four," the final evacuation by helicopter. Despite these recommendations, and despite the fact that North Vietnamese missile batteries off the ends of the runways were shooting down South Vietnamese aircraft attempting to use the airport, Martin refused to accept a final evacuation and the end of the U.S. role in Saigon. Not until 10:30 a.m. did Martin admit that the airport was unuseable, that "Option Four" was unavoidable, and that the U.S. Embassy would have to be abandoned.

Because the Embassy had so adamantly resisted an early and gradual evacuation, and had therefore delayed making separation payments, most of the cash was not disbursed. Instead it was burned by U.S. personnel on April 29 as part of the final evacuation. As the chart below indicates, of the \$12.5 million in cash requested for disbursement, about \$6.26 million was burned. The breakdown on the currency, as nearly as can be determined, is as follows:

[In millions of U.S. dollars]

| | Embassy | Defense Attaché Office |
|--------------------------------|---------|------------------------------|
| Currency requested..... | | |
| Disbursed..... | 7.2 | 5.2 |
| To another agency..... | 12.6 | 1.12 |
| Burned..... | 2.0 | |
| Returned to United States..... | 2.6 | 3.66 |
| Other..... | | .147 |
| | | .096 |

¹ This number is derived from others in the column. All others are quoted directly from agency personnel. Any discrepancies in totals are due either to rounding or to discrepancies in agency records.

The Embassy had originally decided that payments to Vietnamese employees should be in U.S. currency so that they would have "something of value" to aid them in their evacuation. However, it appears that a considerable portion of these employees never received their final payments and that a number of U.S. obligations were never met. It further seems logical that had not the evacuation been made into a last-minute and chaotic operation, it could have been arranged in such a way that large bribes in U.S. currency would not have been necessary to obtain exit for those designated by U.S. policy as eligible for evacuation.

Early in April the State Department had defined which Vietnamese should be evacuated. They were:

- (1) past or present employees of the U.S. and their families;
- (2) high-ranking officials;
- (3) Vietnamese relatives of U.S. personnel; and
- (4) any others with a "high risk" of being targets for reprisals by the Communists.

By far the largest of these four categories was the first, which the State Department estimated to represent about 90,000 people. It is indicative of the Embassy's inability to carry out policy decisions that only about 30% of this 90,000 were actually among the 130,000 refugees. A large portion of the 130,000 refugees were not among those originally targeted by State Department policy, but rather were simply those who had the wherewithal or connections or luck to obtain access to Tan Son Nhut during the last week. In other words, the selection of refugees was more often made by the confusion caused by delay than by rational policy. In addition, Ambassador Martin imposed his own priorities over those cabled to him by the State Department. He determined, for example, that it was very important to evacuate Vietnamese relatives of Americans, but that he had essentially no obligations to provide for the evacuation of Vietnamese employees of the U.S. This personal preference, in addition to the effects of his unreasonable delays, no doubt contributed to the result that such a low percentage of Vietnamese employees of the U.S. were among those evacuated.

Thus, right from its beginnings in Saigon, the refugee program has lacked both rational policy direction and proper implementation. Difficulties in Saigon were largely due to Ambassador Martin's unwillingness to accept the reality of the imminent fall of the South Vietnamese government. But even with Vietnam behind it, the refugee program's managerial problems were far from over.