

THE VIETNAM-CAMBODIA EMERGENCY, 1975

Part II—The Cambodia-Vietnam Debate

HEARINGS

BEFORE THE

COMMITTEE ON

INTERNATIONAL RELATIONS

AND ITS

SPECIAL SUBCOMMITTEE ON INVESTIGATIONS

HOUSE OF REPRESENTATIVES

NINETY-FOURTH CONGRESS

FIRST SESSION

MARCH 6, 11, 12, 13, AND APRIL 14, 1975

Printed for the use of the Committee on International Relations



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1976

	Page
Memorandum on price of rice in Cambodia.....	270
Table showing fiscal year 1975 economic and Public Law 480 assistance requirements.....	271
Tables showing fiscal year 1975 Khmer Republic obligations as of March 4, 1975, and material assets remaining as of March 5, 1975.....	272
U.S. support as a percentage of total Khmer requirements and sources of GKR national budget.....	275
The Cabinet of the Royal Government of National Union (GRUNK).....	282
Excerpt from President Lon Nol's statement to congressional delegations, March 1, 1975.....	283
Statement by Khmer Prime Minister on alleged offer by President Lon Nol to resign.....	284
Text of telegram from Department of State sent to congressional delegation visiting Vietnam and Cambodia.....	330
Texts of draft provisions of subcommittee and Representative Pierre S. du Pont to amend Foreign Assistance Act.....	341
Tables showing proposed aid to Cambodia.....	344
Draft provision VI—revised.....	375
Text of diplomatic note on Vietnam.....	453
Statement on alleged effort by Thieu to transfer \$75 million in gold bullion outside of Vietnam.....	463
Statement by Secretary General on Humanitarian Assistance to Indochina.....	464
Text of draft bills submitted on administration.....	465
Economic aid to Indochina.....	467
Statement by Department of Defense on military assistance to Vietnam.....	471
Statement on estimated value of equipment and military supplies lost or abandoned during withdrawal of South Vietnamese forces.....	472
Fact sheet on South Vietnam losses.....	472
Military assistance, South Vietnamese forces—justification of estimates for fiscal year 1975, submitted to Congress by Department of Defense, April 1975.....	473
Statement on activities of International Committee of the Red Cross in North Vietnam.....	479
Statements on transfers and reallocations for South Vietnam.....	488

APPENDIX

1. Biographies of witnesses:	
Lt. Gen. Howard M. Fish, U.S. Air Force.....	489
Arthur Z. Gardiner, Jr.....	490
Hon. Philip C. Habib.....	490
Hon. Robert S. Ingersoll.....	490
Garnett A. Zimberly.....	491
2. Copy of letter to Senator John J. Sparkman from Comptroller General on controls and procedures used by executive branch agencies to insure that the legislative dollar ceiling for Cambodia is not exceeded.....	492
3. Exchange of letters between Hon. Lee H. Hamilton and Department of Defense concerning Defense Department report relating to overcharge in Cambodia account.....	497
4. Fact sheet on orphans and refugee relief in Indochina.....	500
5. Memoranda for correspondents concerning cargo airlift for Cambodia.....	507
6. Memorandum on Communist military and economic aid to North Vietnam, 1970-74.....	510
7. Statement of George McTurnan Kahin before Senate Foreign Relations Subcommittee on Foreign Assistance and Economic Policy.....	513
8. Statement of Olive Tiller to House Foreign Affairs Committee regarding the supplemental aid to Cambodia bill.....	518
9. Memorandum and articles submitted by Coalition to Stop Funding the War and Statement of Tom Hayden on "Cambodia: What does the Other Side Want," report of an interview with a Sihanouk representative.....	520
10. Letter to House Foreign Affairs Committee on Cambodia and Vietnam.....	526
11. "The War Goes on in Vietnam," by Don Luce, from War/Peace Report, June 1974.....	528

THE CAMBODIA-VIETNAM DEBATE

THURSDAY, MARCH 6, 1975

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

The subcommittee met at 10 a.m. in room 2172, Rayburn House Office Building, Hon. Lee H. Hamilton (chairman of the subcommittee) presiding.

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

Today the Special Subcommittee on Investigations commences its 1975 hearings with an inquiry into U.S. policies toward and involvement in Indochina. In this hearing and others which may follow, the subcommittee will grapple with several of the large questions surrounding our continuing involvement in Southeast Asia and the current supplemental aid requests for Cambodia and Vietnam for fiscal year 1975.

With the drama of the 5-year civil war in Cambodia being played out closer and closer to the capital, Phnom Penh, each day, it is clear that the wounds and trials of the Cambodian people will not end soon or quickly regardless of how the fighting develops.

In Vietnam there has been decreasing evidence that the Paris accords, signed 2 years ago, can offer more than a temporary respite. Since the accords were signed there have been between 200,000 and 300,000 official casualties and the prospects for more serious conflict in 1975 appear a certainty.

Behind these depressing signs of more conflict in Indochina stands a continuing American policy of military and economic support for two particular governments in Cambodia and Vietnam and for a specific approach to peace in that area—an approach that is yet to produce peace.

We want today to concentrate on the situation in Cambodia in particular but current supplemental aid requests for Cambodia and Vietnam must be viewed within the broader context of what we seek to accomplish in Indochina in the next several years, how we expect to achieve our goals, what are our interests there, what commitments we have and what benefits we are getting in return for the continued massive amounts of aid the executive branch is expecting Congress to authorize and appropriate. No matter what happens to present and future aid requests before Congress, it can never be said that we abandoned Indochina, not after the taking of over 50,000 American lives there and the expenditure of over \$150 billion Vietnam alone. Our commitment of nearly \$2 billion to Cambodia since 1970 is also no small figure.

We are fortunate to have with us today Philip C. Habib, Assistant Secretary of State for East Asian and Pacific Affairs. Mr. Habib has been closely involved with Vietnam policy matters for several years. Our witness from the Department of Defense is Lt. Gen. Howard M. Fish, U.S. Air Force, Director, Defense Security Assistance Agency.

Gentlemen, we welcome you before the subcommittee. Mr. Habib, you have a prepared statement and you may proceed. We prefer to save as much time as possible for questions by members of the subcommittee. We are delighted to have you and you may proceed as you wish.

STATEMENT OF HON. PHILIP C. HABIB, ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. HABIB. Thank you, Mr. Chairman.

Gentlemen, we are pleased to be here. We have submitted a statement for the record which we will leave. In accordance with your express interest that we pay particular attention to Cambodia this morning, I would like to introduce a few preliminary remarks directly relevant to that question before we proceed with the questions with your permission.

Mr. HAMILTON. Your statement, Mr. Habib, will be entered in full in the record.

Mr. HABIB. Thank you, sir.

Mr. Chairman, gentlemen, I welcome the opportunity to appear before you today. The House Foreign Affairs Committee has been a thoughtful and constructive participant in the evolution of U.S. policy toward East Asia, and it is appropriate that early consideration of the new and difficult situations in Vietnam and Cambodia should take place here.

PARIS AGREEMENT

Two years ago in Paris we concluded an agreement which we hoped would end the war in Vietnam and pave the way for settlements of the conflicts in Laos and Cambodia. The war has not ended in Indochina and peace has not been restored.

The Paris agreement contained provisions relating to Laos and Cambodia. The signatories were enjoined to respect the sovereignty and territorial integrity of those countries and to refrain from using their territory for military purposes. South Vietnam and the United States have abided by these strictures.

North Vietnam continues to use the territory of Cambodia to support its military operations in South Vietnam and in addition gives material assistance and advice in the military operations of Cambodian Communist forces. We do not contend that Hanoi is the sole motive force for the Cambodian insurgency; however, in its support and encouragement of that conflict, as well as in its own flagrant abuse of Cambodian territory, Hanoi bears a large measure of responsibility for the continuation of the fighting there. That fighting has recently intensified. Since January 1 Communist forces have stepped up their attacks in the area near Phnom Penh. At the same time they have increased their pressure along the Mekong River between Phnom Penh and the South Vietnamese border, the capital's main supply route.

CAMBODIAN SITUATION

Cambodian forces have fought well but they are stretched thin in attempting to combat this two-pronged offensive, and despite stringent economies their supplies of ammunition and fuel are dangerously low. The intensified Communist attacks have taken a heavy human toll, evident in even a short visit to that country. Casualties are running at more than 1,000 a day for both sides—killed, wounded, and missing—and the stricken economic life of Cambodia is further weakened. At least 60,000 new refugees have been created, posing additional strain on the resources and the administrative capacity of the government.

The Cambodian Government does not seek an end to the conflict through conclusive military victory; nor, however, does it wish it to end in military victory by Communist forces. The only logical and fair solution is one involving negotiations and a compromise settlement. To this end we welcomed the resolution, sponsored by Cambodia's neighbors and adopted by the last U.N. General Assembly, calling for early negotiations. The Cambodian Government has repeatedly expressed its readiness to negotiate, without preconditions and with any interlocutor the other side may choose. We fully support that position and have pledged to do our utmost to facilitate such talks.

EFFORTS FOR A NEGOTIATED SETTLEMENT

As you are aware, we have recently documented the efforts the United States has already made to promote a negotiated settlement in Cambodia—in 1973-74 and as recently as February of this year. These efforts, which included attempts to establish direct contact with the Communists and Sihanouk, have thus far been futile. The Cambodian Communists have been adamantly opposed to a negotiated settlement, and we believe their attitude is unlikely to change unless and until they conclude that military victory is not possible. The first imperative, therefore, and the aim of our military assistance program in Cambodia is to maintain a military balance and thereby to promote negotiations.

Restrictions on our military and economic aid, contained in the Foreign Assistance Act of 1974, make it impossible to accomplish that goal. Both the \$200 million ceiling on military assistance and the \$75 million drawdown authorized from DOD stocks have been largely exhausted as a result of significantly intensified Communist offensive actions. In addition, Cambodia also faces a serious impending food shortage. Therefore, to meet the minimum requirements for the survival of the Khmer Republic, the President has asked the Congress to provide on an urgent basis an additional \$222 million in military aid for Cambodia and to eliminate the \$200 million ceiling. He has also asked that the \$377 million ceiling on overall assistance be removed or at least that Public Law 480 food be exempted from the ceiling.

THE BROADER PICTURE

Mr. Chairman and gentlemen, in previous testimony before the committees of Congress on behalf of the assistance for Indochina, I and other administration witnesses have attempted to relate our policies and our programs there to the broader purposes of the United States

in the world. For despite the agony of this Nation's experience in Indochina and the substantial reappraisal which has taken place concerning our proper role there, Indochina remains relevant to those broader foreign policy concerns. We no longer see the security of the United States as directly, immediately at issue. Nonetheless, it remains true that failure to sustain our purposes in Indochina would have a corrosive effect on our ability to conduct effective diplomacy worldwide.

Our readiness to see through to an orderly conclusion the obligations we undertook in Indochina cannot fail to influence other nations' estimates of our stamina and our determination. Thus, we cannot isolate the situation in Indochina from our other and broader interests in this increasingly interdependent world. To now weaken in our resolve would have consequences inimical to those interests.

I do not believe that we can walk away. Measured against the sacrifices which we and the people of Indochina have already offered, the amounts which are now being requested are not large nor, even in this time of economic constraint, are they beyond our ability to provide. They are, however, vital to the restoration of conditions which can lead to lasting peace in Indochina.

Thank you, Mr. Chairman.

[The prepared statement of Hon. Philip C. Habib follows:]

PREPARED STATEMENT OF HON. PHILIP C. HABIB, ASSISTANT SECRETARY OF STATE
FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. Chairman, gentlemen, I welcome the opportunity to appear before you today. The House Foreign Affairs Committee has been a thoughtful and constructive participant in the evolution of United States policy toward East Asia, and it is appropriate that early consideration of the new and difficult situations in Viet-Nam and Cambodia should take place here. In the interim since this hearing was originally scheduled, I visited Indochina briefly, accompanying a Congressional delegation. I found the experience illuminating, as I believe did your colleagues, and I will draw on my observations there in my testimony today. My opening remarks will be relatively brief, so that most of our time can be devoted to your questions.

Two years ago in Paris we concluded an agreement which we hoped would end the war in Viet-Nam and pave the way for settlements of the conflicts in Laos and Cambodia. We felt the Paris Agreement was fair to both sides. From the standpoint of the United States, the Agreement in large measure met what had been our purpose throughout the long period of our involvement in Viet-Nam. It established a formula through which the people of South Viet-Nam could determine their political future, without outside interference. United States forces were withdrawn and our prisoners released. The Government of South Viet-Nam was left intact, and the Agreement permitted the provision of necessary military and economic assistance to that government.

The war has not ended in Indochina, peace has not been restored. Only in Laos have the contending parties moved from military confrontation toward a political solution. In Cambodia, the conflict is unabated. In Viet-Nam, after a brief period of relative quiescence, warfare is again intensive and the structure established by the Paris Agreement for working toward a political settlement is not functioning. This is deeply disappointing, but it is not surprising. The Paris Agreement contained no automatic self-enforcing mechanisms. Although instruments were established which could have been effective in restricting subsequent military action, the viability of those instruments—and if the Agreement itself—depended ultimately on the voluntary adherence of the signatories. Such adherence has been conspicuously lacking in Hanoi's approach.

The Communist record in the last two years, in sharp contrast to that of the GVN and the United States, is one of massive and systematic violations of the Agreement's most fundamental provisions. Hanoi has sent nearly 200,000 additional troops into South Viet-Nam, although the introduction of any new forces

was expressly prohibited by the Agreement. Amply supplied by the Soviet Union and the People's Republic of China, Hanoi has tripled the strength of its armor in the South, sending in more than 400 new armored vehicles, and has greatly increased its artillery and anti-aircraft weaponry. The Agreement, of course, permitted only a one-for-one replacement of weapons and material. Hanoi has improved and expanded its logistic system in the South and, drawing on Soviet and Chinese support, has built up its armament stockpiles—within the borders of South Viet-Nam—to levels exceeding even those which existed just prior to the Easter offensive of 1972. Hanoi has employed a rich variety of tactics to undermine the mechanisms established by the Agreement for the purpose of monitoring the ceasefire. It has, for example, refused to deploy the jointly-manned military teams which were to oversee the ceasefire. It has also refused to pay its share of the support costs for the International Commission of Control and Supervision, has not allowed the ICCS to station teams in areas its forces control, and has prevented, by delay and obfuscation, any effective investigation of ceasefire violations.

Hanoi has been similarly obstructive on the political front, breaking off all political (and military) negotiations with the GVN, which were a cornerstone of the Agreement. The South Vietnamese Government has repeatedly called for negotiations to be resumed. Hanoi's response—reminiscent of its position prior to the fall of 1972—has been to demand the overthrow of President Thieu as a precondition to any talks. As you all know, Hanoi has also failed to cooperate with us and the GVN in helping to resolve the status of American and other personnel who are missing in action.

Finally, Hanoi has applied gradually increasing military pressure, seizing territory clearly held by the GVN when the Agreement was signed. More recently, beginning last December 5, Hanoi embarked on a major new offensive. Since that date it has overrun six district towns and one provincial capital, and now threatens additional administrative and population centers.

Through its massive infiltration of men and equipment since the ceasefire was signed, Hanoi obviously has the ability to conduct even more widespread and intensive actions. Through its systematic sabotage of the mechanisms set up by the Agreement to monitor violations of the ceasefire, and the evidence of the past two months, it is also clear that Hanoi *intends* to step up its attacks. The aim of this new offensive, clearly, is to force additional political concessions from the GVN and to dictate a political solution on Hanoi's terms, or—if South Viet-Nam proves unable to resist—to achieve outright military victory. In either case, the Paris Agreement—and the progress toward peace which it represented—is gravely threatened.

The South Vietnamese have fought well, indeed valiantly, against difficult odds. The GVN still controls most of the territory it held in January 1973—which of course includes the vast majority of the South Vietnamese people—and it has done this without direct U.S. military involvement, and despite sharply declining levels of U.S. assistance. But the current North Vietnamese offensive poses new dangers.

Present levels of United States military aid to South Viet-Nam are clearly inadequate to meet them. We are unable to replace, on the one-for-one basis permitted by the Agreement, the consumables essential for South Viet-Nam's defense effort—ammunition, fuel, spare parts and medical supplies. We are unable to provide *any* replacement of major equipment losses—tanks, trucks, planes or artillery pieces. Thus, South Viet-Nam's stockpiles are being drawn down at a dangerous rate, and its ability to successfully withstand further large-scale North Vietnamese attacks is being eroded. South Viet-Nam is even now faced with a harsh choice: to husband its diminishing resources and face additional battlefield losses, or to use supplies at a rate sufficient to stem the tide—and risk running out at an early date. It is for these reasons that the President has requested urgent Congressional approval of a \$300 million supplemental appropriation for military assistance for Viet-Nam. This additional amount is the absolute minimum required, and it is needed now.

The Paris Agreement also contained provisions relating to Laos and Cambodia. The signatories were enjoined to respect the sovereignty and territorial integrity of those countries, and to refrain from using their territory for military purposes. South Viet-Nam and the United States have abided by these strictures. Hanoi has not. North Viet-Nam continues to use the territory of Laos to send forces and war material to South Viet-Nam, and continues to station troops in remote areas of that country. Nevertheless, the contending Laotian parties were able to establish a ceasefire—which is only infrequently broken—and to form a

Provisional Government of National Union. As a result of these encouraging developments, our military presence in Laos has been withdrawn (except of course for the normal Defense Attaché Office as part of our diplomatic establishment) and we have been able to reduce our military assistance to an enormous degree. For example, during the last fiscal year of widespread combat, FY-1973, U.S. military aid amounted to \$360 million. For FY-1975, the figure is \$30 million.

Unfortunately, a similar evolution has not occurred in Cambodia. North Viet-Nam continues to use the territory of Cambodia to support its military operations in South Viet-Nam, and in addition gives material assistance and advice in the military operations of Cambodian communist forces. We do not contend that Hanoi is the sole motive force for the Cambodian insurgency. However, in its support and encouragement of that conflict, as well as in its own flagrant abuse of Cambodian territory, Hanoi bears a large measure of responsibility for the continuation of the fighting there. That fighting has recently intensified. Since January 1, communist forces have stepped up their attacks in the area near Phnom Penh. At the same time they have increased their pressure along the Mekong River between Phnom Penh and the South Vietnamese border, the capital's main supply route. Cambodian forces have fought well, but they are stretched thin in attempting to combat this two-pronged offensive. And despite stringent economies their supplies of ammunition and fuel are dangerously low. The intensified communist attacks have taken a heavy human toll, evident in even a short visit to that country. Casualties are running at more than 1,000 a day for both sides—killed, wounded and missing—and the stricken economic life of Cambodia is further weakened. At least 60,000 new refugees have been created, posing additional strain on the resources and the administrative capacity of the government.

The Cambodian Government does not seek an end to the conflict through conclusive military victory. Nor, however, does it wish it to end in military victory by communist forces. The only logical and fair solution is one involving negotiations and a compromise settlement. To this end we welcomed the resolution, sponsored by Cambodia's neighbors and adopted by the last UN General Assembly, calling for early negotiations. The Cambodian Government has repeatedly expressed its readiness to negotiate, without preconditions and with any interlocutor the other may choose. We fully support that position, and have pledged to do our utmost to facilitate such talks.

As you are aware, we have recently documented the efforts the United States has already made to promote a negotiated settlement in Cambodia—in 1973-74 and as recently as February of this year. Those efforts, which included attempts to establish direct contact with the communists and Sihanouk, have thus far been futile. The Cambodian communists have been adamantly opposed to a negotiated settlement, and we believe their attitude is unlikely to change unless and until they conclude that military victory is not possible. The first imperative, therefore, and the aim of our military assistance program in Cambodia is to maintain a military balance and thereby to promote negotiations.

Restrictions on our military and economic aid, contained in the Foreign Assistance Act of 1974, make it impossible to accomplish that goal. Both the \$200 million ceiling on military assistance and the \$75 million drawdown authorized from DOD stocks have been largely exhausted, as a result of significantly intensified communist offensive actions. In addition, Cambodia also faces a serious impending food shortage. Therefore, to meet the minimum requirements for the survival of the Khmer Republic, the President has asked the Congress to provide on an urgent basis an additional \$222 million in military aid for Cambodia, and to eliminate the \$200 million ceiling. He has also asked that the \$377 million ceiling on overall assistance be removed, or at least that PL-480 food be exempted from the ceiling.

Mr. Chairman, gentlemen, in Viet-Nam we seek to restore the rough military balance, now threatened, by North Vietnamese action, which permitted the progress toward peace represented by the Paris Agreement, and without which further progress toward a lasting political solution is unlikely to be found. Despite Hanoi's flagrant violation of the Paris Agreement, we believe it remains a potentially workable framework for an overall settlement, and it must be preserved. By redressing the deteriorating military situation in South Viet-Nam our hope is that the momentum can once again be shifted from warfare toward negotiations among the Vietnamese parties. In Cambodia also, only by maintaining the defensive capability of government forces can conditions be established which will permit negotiations to take place.

For neither Viet-Nam nor Cambodia is the provision of additional aid the harbinger of a new and open-ended commitment for the United States. Our record in Indochina supports rather than contradicts that assertion. We worked successfully with the South Vietnamese in reducing and eventually eliminating our own direct military role, and subsequently with both the South Vietnamese and Cambodian Governments in achieving maximum economies and maximum impact from our aid. Those efforts will continue.

In previous testimony before this and other committees of the Congress in behalf of assistance for Indochina, I and other Administration witnesses have attempted to relate our policies and our programs there to the broader purposes of the United States in the world. For despite the agony of this nation's experience in Indochina, and the substantial reappraisal which has taken place concerning our proper role there, Indochina remains relevant to those broader foreign policy concerns. We no longer see the security of the United States as directly, immediately at issue. Nonetheless, it remains true that failure to sustain our purposes in Indochina would have a corrosive effect on our ability to conduct effective diplomacy worldwide. Our readiness to see through to an orderly conclusion the obligations we undertook in Indochina cannot fail to influence other nations' estimates of our stamina and our determination. Thus, we cannot isolate the situation in Indochina from our other and broader interests in this increasingly interdependent world. To now weaken in our resolve would have consequences inimical to those interests.

Finally, we cannot ignore another aspect of our policy toward Indochina. In entering into the Paris Agreement, we in effect told South Viet-Nam that we would no longer defend that country with U.S. forces, but that we would give it the means to defend itself. The South Vietnamese have carried on impressively, as have our friends in Cambodia, in the face of extreme difficulty. I do not believe that we can walk away. Measured against the sacrifices which we, and the people of Indochina, have already offered, the amounts which are now being requested are not large. Nor, even in this time of economic constraint, are they beyond our ability to provide. They are, however, vital to the restoration of conditions which can lead to lasting peace in Indochina.

Mr. HAMILTON. Thank you, Mr. Habib.

Are there any other statements by the gentlemen?

Mr. HABIB. There are not, sir.

NEGOTIATION EFFORTS

Mr. HAMILTON. Mr. Habib, I want to begin our questions with the summary of negotiating efforts on Cambodia. I have a statement which I think was prepared by the Department and was submitted to certain Members of the Congress just within the last few days. Do you have a copy of that statement?

Mr. HABIB. Yes, sir, it was made public yesterday.

[The following information was submitted:]

SUMMARY OF NEGOTIATING EFFORTS ON CAMBODIA

We have made continual and numerous private attempts, in addition to our numerous public declarations, to demonstrate in concrete and specific ways our readiness to see an early compromise settlement in Cambodia.

Throughout the negotiations that led to the Paris Agreement on Viet-Nam in January 1973, the United States repeatedly indicated its desire to see a ceasefire and political settlement in Cambodia, as well as in Viet-Nam and Laos. In later discussions concerning the implementation of the Paris Agreement, the United States conveyed its ideas and its desire to promote a negotiated settlement between the Cambodian parties.

On many other occasions in 1971 and 1972 we made clear our interest in seeing an independent and neutral Cambodia established through negotiations and not through a battlefield victory.

A number of major efforts toward negotiation were made in 1973, efforts which were thwarted by the forced bombing halt in August of that year.

In October 1974, we broached the idea of an international conference on Cambodia with two countries having relations with the side headed by Prince Sihanouk

(GRUNK). We also discussed the elements of a peaceful settlement. We received no substantive response to these overtures.

In November 1974, we again indicated with specificity our readiness to see a compromise settlement in Cambodia in which all elements could play a role to a government with relations with the GRUNK. Our interlocutors showed no interest in pursuing the subject.

In December 1974, we tried to facilitate a channel to representatives of the Khmer Communists through a neutralist country with relations with the GRUNK. Nothing came of this initiative.

In December 1974 and early January 1975, we concurred in an initiative to open a dialogue with Sihanouk in Peking. Sihanouk at first agreed to receive an emissary, but later refused.

In February 1975, we tried to establish a direct contact with Sihanouk ourselves. We received no response.

Also in February 1975, we appraised certain friendly governments with clear interests and concerns in the region, and with access to governments supporting the GRUNK, of our efforts to move the conflict toward a negotiated solution and of the degree of flexibility in our approach. They could offer no help.

Unfortunately, none of these attempts have had any result. The reactions we have gotten so far suggest that negotiating prospects will be dim as long as the Cambodian Government's military position remains precarious.

We are continuing to pursue our long-stated objective of an early compromise settlement in Cambodia. In this process we are, and have been, guided by the following principles:

1. The United States will support any negotiations that the parties themselves are prepared to support.
2. The United States will accept any outcome from the negotiations that the parties themselves will accept.
3. As far as the United States is concerned, the personalities involved will not, themselves, constitute obstacles of any kind to a settlement.

Mr. HAMILTON. Yes; I direct your attention to the third paragraph of the summary where we begin to talk about the number of occasions that we made our interests in a neutral and independent Cambodia clear. I would like to ask you to be as specific as you can with regard to the assertions in that statement. To begin with, you say in the statement that on many other occasions in 1971 and 1972 we made clear our interests in seeing an independent and neutral Cambodia. On what occasions, to whom did we make it clear, who made the efforts and so forth?

It is my intention, Mr. Habib, to kind of run down through this to get a complete picture of the negotiating.

Mr. HABIB. Mr. Chairman, I think you are reading from an earlier draft but that does not make any difference because it is just as accurate; the reference you make is encompassed in the final paragraph, if you will.

Mr. HAMILTON. All right.

1971 AND 1972 EFFORTS

Mr. HABIB. If you will recall, sir, in that period that you particularly speak of, 1971 and 1972, we were in the process of negotiating in Paris with the North Vietnamese and the Vietcong. At that time we were also in contact with other powers with a particular interest in the area.

Both in the negotiations in Paris and in other contexts the question of Cambodia arose because as you know we did not approach the problem of peace in Indochina on an isolated basis. In fact, the final agreement that came out of those negotiations in Paris included reference to Cambodia as it did to Laos, and the expectation was that those ref-

erences and the principles that lay behind them would ultimately produce equivalent political and peaceful settlements in both Laos and Cambodia. They did in Laos. They did not in Cambodia. So that is what it implied in that particular reference.

Mr. HAMILTON. That reference then refers to the discussions at the Paris Conference?

Mr. HABIB. In part but there are also, as you know, constant efforts through other means. There are other discussions that take place relevant to the problem. I would not call them negotiations in the same sense that the Paris negotiations were formal negotiations sitting across the table.

1973 EFFORTS

Mr. HAMILTON. Let's move to the next paragraph which in my copy says, "A number of major efforts toward negotiation were made in 1973, efforts which were thwarted by the forced bombing halt in August of that year." Could you describe to us what efforts were made in 1973, in what form, who made them, where were they made?

Mr. HABIB. Mr. Chairman, there is a certain amount of limitation on describing details, individuals and negotiations that still have a bearing with nations and individuals that might still play a role, but let me say this: That beginning in early 1973 there were a series of contacts and discussions dealing with the subject of a peaceful settlement in Cambodia.

Mr. HAMILTON. By our Government to what government?

Mr. HABIB. By our Government. As I said earlier, I think we will have to establish in open session right now, Mr. Chairman, that it would not be appropriate for me to discuss the details of negotiations to the extent that you obviously are seeking to pursue the matter. I did take this period in detail and describe it date by date, action by action and person by person to the chairman of your committee and to the ranking Republican member. I would suggest, therefore, that that be a matter that you either take up with them or that we could handle with their approval in some other way. I do not think it is appropriate to do so in this forum.

Mr. HAMILTON. Was that done orally to the chairman of this committee or in writing?

BOMBING HALT AND NEGOTIATIONS

Mr. HABIB. Orally. In any event, let me set the stage for you so you know what lies behind it. As I said, there was a series of contacts and discussions that appeared to be extremely promising, and, just as they were approaching a serious stage, they were broken off by the other side and that was at the time of the legislating of the bombing halt. That is just a specific fact.

Mr. HAMILTON. Do you now favor a resumption of the bombing to get negotiations started?

Mr. HABIB. Of course not, sir.

Mr. HAMILTON. You do not?

Mr. HABIB. Of course not.

Mr. HAMILTON. Why do you blame the Congress, Mr. Habib, for thwarting the negotiations?

Mr. HABIB. Mr. Chairman, I do not blame the Congress. The statement that was issued by the Department yesterday was a statement of a series of events and facts dealing with the negotiations or attempts at negotiations to achieve a peaceful settlement in Cambodia.

NEW YORK TIMES ARTICLE

Mr. HAMILTON. Mr. Habib, in the morning Times there is a headline that says, "Habib Charges Congress Thwarted Cambodian 1973 Peace Effort."

Mr. HABIB. That is what the New York Times said, Mr. Chairman; that is not what I said. I do not charge the Congress with anything. The statement issued by the Department yesterday and which I then went on into a press conference to answer any questions from the press.

[The article from the New York Times follows:]

[From the New York Times, Mar. 6, 1975]

HABIB CHARGES CONGRESS THWARTED CAMBODIAN 1973 PEACE EFFORT

(By Leslie H. Gelb)

WASHINGTON.—The Ford Administration revived today a charge made by President Richard M. Nixon that Congress had thwarted promising efforts toward peace in Cambodia by requiring an end of the American bombing in 1973.

The Administration has yet to document this charge. The only public discussion of this matter was in the fall of 1974, when the outgoing American ambassador in Phnom Penh described the efforts as no more than "normal diplomatic contacts."

Asked whether the Administration had presented the evidence to Congress, Mr. Habib replied it had been given to senior legislators.

One of them was Senator John J. Sparkman, Chairman of the Senate Foreign Relations Committee, whose account of what was presented to him appears to be at variance with Mr. Habib's account.

SPARKMAN DOESN'T RECALL

Mr. Sparkman said he did not remember "Mr. Habib's saying anything" that was not contained in a three-page statement given by the State Department official to the press today.

Asked about the substance of the charge relating to the bombing halt, the Senator said:

"I had never connected the two together and I suppose we had never known at that time about the negotiations so we couldn't connect the two together."

Mr. Habib said it was simply a fact that once the bombings stopped, the Communist-led insurgents had little incentive to pursue negotiations.

Mr. Habib's prepared statement listed the principles of the American negotiating efforts. They were, in effect, that the United States would support and accept any outcome agreed to by the parties themselves, including the resignation of President Lon Nol.

These principles, which Mr. Habib said were still American policy, differed from statements made by American officials in Phnom Penh to visiting members of Congress.

The officials said that, the hopeless situation of the Phnom Penh Government, the United States should now be seeking a "controlled solution or settlement" for Cambodia.

According to Congressional sources, "controlled solution or settlement" was defined as handing over power to the Cambodia insurgent's in an orderly fashion.

A State Department official, who was questioned about this, said that the Congressional visitors had misunderstood the explanation of a "controlled solution" as opposed to "an uncontrolled solution." He said a "controlled solution" meant simply "an arrangement for a peaceful settlement by some form of negotiations."

Mr. Habib's statement contained one-paragraph descriptions of seven

negotiating efforts made by Washington since the spring of 1973, and characterized them as "concerted, sustained and continual."

But Mr. Habib's own summary shows a gap of over one year between "extremely promising" talks in the summer of 1973 and the next effort, which was made in October, 1974, when the military situation began to deteriorate.

Questioned about this gap, Mr. Habib said the subject had also come up in discussions in between. He declined to identify the dates, places, circumstances, or intermediaries in these efforts, saying that he did not want to close out channels for the future.

Six of the seven efforts took place in the last five months. Every one failed because of the intransigence of the Cambodian insurgents, Mr. Habib said.

The only efforts described as serious was in the summer of 1973. In June of that year, Congress voted to stop the bombing in Cambodia, despite warnings by President Nixon that this would destroy the chances for peace. The halt went into effect on Aug. 15.

The parties involved in the effort were then reported to be the Soviet Union, China and North Vietnam.

In September, 1974, Emory C. Swank, the outgoing American ambassador in Cambodia, was asked about these contacts. He responded they were "normal diplomatic contacts," which he would not describe as negotiations.

Mr. Habib said today that "what I'm saying is not inconsistent with what Mr. Swank said." He then went on to say that the American efforts in the summer of 1973 were "to a certain degree" bearing fruit.

Mr. HAMILTON. Were you in favor of the bombing halt, Mr. Habib?

Mr. HABIB. I was not at that time involved.

Mr. HAMILTON. It was the policy of the administration to be against the ban on the bombing at the time?

Mr. HABIB. At the time of the bombing halt legislation—and I am now speaking from the record, not from personal involvement; at that time I was not in Washington—

Mr. HAMILTON. And it is now the policy of the administration to support the ban on bombing, is that correct?

Mr. HABIB. The administration has made it clear that it does not propose and has not proposed any military action involving American forces in Indochina. In addition, as you know, Mr. Chairman, that is a prerogative of the Congress in the final analysis. The administration has made clear and we have been pursuing the policy that no actions of such a nature would be taken without the approval of the Congress.

NEWSPAPER QUOTE

Mr. HAMILTON. Mr. Habib, let me read your statement that appeared in the newspaper this morning. It says:

Philip C. Habib, Assistant Secretary of State, said at a news conference that just as negotiating efforts "appeared to be approaching a serious stage they were thwarted by the forced bombing halt in August that was legislated by the Congress."

Mr. HABIB. Mr. Chairman, that was something that was in the statement issued by the Department of State. Obviously that was what the correspondent was referring to.

Mr. HAMILTON. Are you denying the statement?

Mr. HABIB. No, sir, on the contrary. I am telling you that what I am trying to say to you is that that is a statement of fact.

Mr. HAMILTON. It just appears to me, Mr. Habib, that you are blaming the Congress for stopping the negotiations at the same time that you are supporting a ban on the resumption of the bombing and I don't think you can have it both ways either.

Mr. HABIB. Let's take the simple circumstances.

Mr. HAMILTON. Sir?

1973 SITUATION

Mr. HABIB. Let's take 1973 and take the question that you are posing to me now. If we just get the facts on the record, I will address the facts.

Beginning in early 1973 and going through mid-1973 there was a series of contacts and discussions which we characterized as extremely promising and, just as they appeared to be approaching a serious stage, there is no doubt about that, that was when the bombing halt was legislated. At that point the other side broke off those discussions and contacts. I was not involved with that, but I am reading from the record. At the time the administration made clear in public statements—both at the time prior to the passage of the bill, when the bill was passed and vetoed and after the veto was overridden—that the passage of that legislation would interfere with the negotiation of the peaceful settlement in Cambodia. Now that is a fact.

EFFECT OF BOMBING HALT

Mr. HAMILTON. Is the ban on bombing now in existence a hindrance to the beginning of negotiations?

Mr. HABIB. The circumstances are not the same at this moment and the comparison that you are seeking to make strikes me as being apart from the circumstances that presently affect the question of negotiations or no negotiation. If you will note in the statement—

Mr. HAMILTON. The ban on the bombing that is now legislation, is the law of the land, is it or is it not a hindrance to the beginning of negotiations?

Mr. HABIB. At the present time?

Mr. HAMILTON. At the present time.

Mr. HABIB. No, sir.

Mr. HAMILTON. It is not?

Mr. HABIB. No, sir. That is not what the statement says.

Mr. HAMILTON. I know it does not say that. I am asking you the question. It is not a hindrance at the present time to the beginning of negotiations?

Mr. HABIB. Not in my opinion; no.

Mr. HAMILTON. And as I understand your testimony it is not the intent of the administration to become involved directly militarily in any way through the introduction of American combat troops or air activity of any kind?

Mr. HABIB. There is no such proposal on the part of the administration and I would refer you again to the fact that that would require the permission of Congress.

WHY GAP BETWEEN 1973 AND OCTOBER 1974?

Mr. HAMILTON. Yes.

Now why was there no negotiating or diplomatic effort between these activities in 1973 mentioned in your statement and the next statement which is October of 1974? It is a lapse probably of about a year with no diplomatic activity.

Mr. HABIB. That is a statement that is not quite in accordance with how I responded to the press yesterday, but they nevertheless wrote it that way.

The answer is that what this outline was supposed to present was a summary of the negotiating efforts. It does not mean that in intervening periods nothing else was done, that one operated in a vacuum. It is just that in the intervening period the normal contacts that went on and the constant attempt to try to find some solution of that sort does not appear in this outline, because this outline deals with the significant efforts.

CONGRESS NEEDS SPECIFICITY

Mr. HAMILTON. The thing that disturbs me, Mr. Habib, with regard to this statement is its lack of specificity.

Mr. HABIB. I can understand that.

Mr. HAMILTON. We are not talking about who in the American Government, we are not talking about what our position was, we are not talking about to whom we were speaking, at what time, in what forum. We have a statement here saying that you have been engaged in the course of negotiations and, really, the number of specifics in that statement are very few.

Mr. HABIB. Mr. Chairman, if I could say two things about that. The origin of the statement lies in the fact that there have been a number of comments, and in effect one could call them accusations, that the administration has been singularly lacking in seeking a peaceful settlement of the war in Cambodia. In the face of those types of accusations and comments it was considered desirable to set forth to the extent possible on the public record the importance which we have attached to the achievement of a peaceful settlement. The only way to do that and to do it in such a manner that would not either jeopardize the channels that are used and which undoubtedly will continue to be sought to be used, not to divulge the activities of others in a manner in which they would not wish them to be divulged, it was deemed desirable therefore, to put it in these rather general terms. Now nothing that is said in this outline is inconsistent with the facts, they are all directly related to the facts.

CONGRESS DOESN'T KNOW FACTS

Mr. HAMILTON. I am not suggesting, Mr. Habib, that they are; I just don't know what the facts are.

Mr. HABIB. Well, the facts are as set forth there. But as to the detail that you ask for, it would not be appropriate in this forum to discuss those details.

Mr. HAMILTON. At some point I think the members of the subcommittee and the committee ought to be informed because as I think you recognize this is an important matter of interest to the Congress, the history of negotiations here.

Mr. HABIB. That is why, of course, the administration did go through the usual and normal process of seeing to it that the chairman and the ranking minority member were both informed in the kind of detail with the specificity as to individuals, countries, times, dates and what was proposed and what was not proposed that you have asked for.

Mr. HAMILTON. Mr. du Pont.

WHAT IS U.S. POLICY?

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

Mr. Secretary, I followed the history of our involvement in Cambodia and Indochina generally over the past 4 or 5 years with the feeling that our policy is being enacted perhaps in a dream—if not in a dream at least in a dense fog. It is very unclear to me what we are trying to accomplish and specifically how we are trying to accomplish it and I would set as our objective, or the objective of this subcommittee in these hearings, an effort to lift that fog and get a clear view of where we are going and how we are going to get there. I should say at the start that I remain extremely skeptical of the value of any increased aid for Cambodia or for South Vietnam.

Now I would like to learn just what it is that the administration would like to do and how your request for an additional \$220 million in aid is going to help achieve that objective.

Mr. HABIB. Yes, sir.

U.S. OBJECTIVES

Mr. DU PONT. Now, specifically, maybe we can address ourselves to two questions. First could we define what the maximum U.S. objective is? Is it a stalemate? Is it a military victory? Is it a negotiated settlement? Or is it something else?

As far as the \$220 million is concerned, that would be the second question. If we agreed to authorize that money, how much good will it do? How long will it last? And when it has expired, what is the next step? Will you be back again a year hence for another \$400 million?

Maybe we could begin with the statement that you make on page 11 of your opening remarks this morning, and I quote:

The Cambodian Communists have been adamantly opposed to a negotiated settlement, and we believe their attitude is unlikely to change unless and until they conclude that military victory is not possible.

If I were on the other side, I would have a long reach to come to that conclusion. It looks to me like military victory is very possible and perhaps we could start with our overall objective in the context of that statement.

WE SEEK NO MILITARY VICTORY

Mr. HABIB. Yes, sir. I think that sets a very good outline for discussion of the subject. I will try to respond in the precise order that you posed the questions.

In terms of our objective, we do not seek the military victory. In the first place we are not involved militarily nor does the Khmer Government, the government in Phnom Penh, seek a military victory. We believe that the Cambodian conflict should be settled by a negotiation involving all the elements and in such a manner as to bring about an orderly solution to a situation which serves no purpose for anyone.

Our long stated objective is an early compromise settlement in Cambodia and I would like to note in that regard that we are and have been guided by the principles that we set forth in the paper that we issued yesterday. The United States will support any negotiations that the parties themselves are prepared to support. The United States will

accept any outcome from the negotiations that the parties themselves will accept, and as far as the United States is concerned the personalities involved will not themselves constitute obstacles of any kind to a settlement.

Now with respect to the request for supplementary assistance and its relationship to that objective—

COMPROMISED SETTLEMENT

MR. DU PONT. Mr. Secretary, may I interrupt a moment here? If our objective is a compromised settlement, is it your view that a military stalemate is an essential step to reaching that settlement?

MR. HABIB. If you characterize as a military stalemate the acceptance of the other side that they cannot win a military victory and the acceptance by the Phnom Penh side that they do not seek a military victory, the answer is yes. So I would say yes. As a matter of fact, I was about in a way to address that in the next statement I was going to make.

The provision of supplementary assistance that is sought is not to permit the government of Phnom Penh to take the offensive and sweep the Khmer Rouge out of the countryside and restore their authority over the entire country. On the contrary both with respect to their statements—that is, the government of Phnom Penh and the position we have taken—the purpose would be to permit the reestablishment of that kind of military equilibrium that is necessary in order to get a political settlement.

The other side has made it very clear both to the people in Phnom Penh and to us, I might say, that they are not interested in a negotiated settlement either at this time or at other times when it looks as if something might develop, and in each case the indications are quite clear that it is the military course that is being pursued. For the moment that seems to attract them as a way to in effect take it over and be able to restructure the situation within their own image and objectives.

SUPPLEMENTARY AID

The supplementary assistance that is being sought will prevent the present situation from deteriorating to the point to where military victory does in fact take place as far as the other side is concerned. One can say this with some precision: That unless supplementary assistance is provided to the government in Cambodia, they will not be able to resist the military onslaught that they are presently facing.

I would go further and say that I cannot promise you and no one can assure you that the provision of military assistance will lead to a political settlement, but I can say with a degree of certainty that the failure to provide supplementary military assistance will assure that you don't get a political settlement. I am trying to be quite clear on that point. I don't think any of us should mislead the committee. If you provide the supplementary assistance, I cannot say to you with any degree of assurance that that will guarantee a political settlement, but I can guarantee you that there will be no political settlement unless the people in Phnom Penh have the capacity to resist what they are up against.

FUTURE UNCERTAIN

You asked how long and will we be back again? The answer to that depends upon the other side in many respects. If in effect the provision of assistance permits the government in Phnom Penh to maintain its perimeter, as we are told by our people that we will be able to do, to retain its hold over the two-thirds of the population that now look to it for support, to reestablish some kind of equilibrium, will the other side then be prepared to deal in a reasonable manner within the very flexible terms that have been set forth by the government in Phnom Penh and by anybody who is seeking a peaceful settlement? I don't know the answer to that. That is, circumstances will prove it.

Will we be back again? The answer is we are already back again. There is a fiscal 1976 budget and there is, of course, provision in that budget for the continuation of military assistance. If the war ends—and the day the war ends the requirement ends—if it ends with a cease-fire and an accommodation and the kind of compromise settlement that we have spoken of, then obviously the provision of military assistance will no longer be necessary.

MR. DU PONT. So, Mr. Secretary, in other words this \$200 million does not represent the light at the end of the tunnel?

MR. HABIB. I would never use that point.

JUST MORE AID

MR. DU PONT. This is one more request in a series of requests that you expect to be making to continue our support of the government of Cambodia?

MR. HABIB. I would be very careful not to use phrases like light at the end of the tunnel, they have never been favorite phrases of mine. I have had too much experience in this area.

MR. DU PONT. But it is a continuing process. This is not the last payment at which time the mortgage will be lifted?

MR. HABIB. Unless there is a peaceful settlement. If there is a peaceful settlement, then I would consider it if not the last at least it is the end of the road as far as military assistance is concerned.

MR. DU PONT. Of course.

Thank you, Mr. Secretary.

MR. HAMILTON. Mr. Fountain.

MR. HABIB. I wanted to answer your last question if I could. You asked the question which I think can be answered in one sentence. You say is military victory possible? The answer is for our side, or for the side we have been supporting if I can put it that way—they don't seek it and I don't think it is possible. They don't seek it so it does not make any difference. That is not their course, but for the other side that is what they seek and it is possible if the government in Phnom Penh does not have the resources to resist.

MR. HAMILTON. Mr. Fountain.

PARTIES IN CAMBODIA

Mr. FOUNTAIN. Thank you, Mr. Chairman.

Mr. HABIB, who are the parties involved in the conflict in Cambodia right now? Who are we supporting and who are we opposing?

Mr. HABIB. At the present time, the principal parties to the conflict, of course, are the government of Phnom Penh which has, in effect, been the inheritor of previous governments in that area. Their opponents can be characterized as a mixture. They call themselves different things. There is an exile government in Peking headed by Prince Sihanouk, which calls itself the Unified National Royal Khmer Government. That is the best translation I can put in English.

They also have a force at work called the Unified National Khmer Force which generally is characterized as the Khmer Rouge or the Red Khmer or the Khmer Communists. These are the combatant forces in the field. Their leadership are not all known, but those who are identified are Cambodians, some of whom—the principal leaders—were in fact exiled at one time by Prince Sihanouk when he was in Phnom Penh. They spent many years in Hanoi and were reinserted, you might say, into the situation following the downfall of Sihanouk.

UNITY OF OPPOSITION NOT CLEAR

The degree of unity that exists or does not exist, and who has the power and who does not have the power on that side, is a subject of considerable debate and analysis. It is quite clear that the Khmer Rouge or the Khmer Communists are not simply an arm of a unified government with Sihanouk sitting in Peking. They have a presence, a life, and a leadership of their own, and it is a hard line. The evidence is quite clear that they take their inspiration and orders from Hanoi.

Now, as far as other elements involved, there are some North Vietnamese forces in Cambodia at the present time. To the best of our knowledge at the present time, they are not principally involved in the major combat activities. These are Khmer forces, Cambodians, but the North Vietnamese do provide advisers, they do provide training, they do provide the logistical tail that supports and sustains the Khmer Rouge. They also exist in the border areas in terms of base areas directed toward South Vietnam, but that has nothing to do directly with the struggle in Cambodia itself.

COMMUNIST SUPPLIES

Mr. FOUNTAIN. Can you give us any information as to the type and amount of military supplies which the Communist forces are getting and from where they are getting them?

Mr. HABIB. We have practically no estimate with respect to Cambodia as to the amount. What we know is the nature, the origin, and the manner in which those supplies get there. The Khmer Rouge forces are armed as light infantry forces with a full range of modern light infantry weapons from the AK-47 recoilless rifles, 107-millimeter rockets, the usual range of mortars, the full range of what we

would call infantry weapons plus a few howitzers that have been captured, and this force is maneuverable and, as I say, very effectively armed with that range of weapons. They receive these weapons via Hanoi through a system that comes down from Hanoi through the Laos corridor and then into Cambodia along various routes, road and river. The ultimate origin of the weapons would be Russian and Chinese, with a very heavy element of Chinese in regard to these.

GETTING U.S.S.R. AND CHINA INVOLVED

Mr. FOUNTAIN. That leads to my next question, and that is why I asked the basic question. Are we supposed to be engaged in improved relations with China and Russia when we refer to so-called détente? Are we undertaking any negotiations or talks to get Communist Russia and Communist China into this picture to try to bring about a negotiated settlement and to bring an end to the fighting in Cambodia?

Mr. HABIB. Over a long period of time we have made it very clear that that is exactly what we would hope to see, but there has been no substantial, positive response in that regard.

Mr. FOUNTAIN. My time has already been taken up in your response to my question, but I wanted a detailed analysis.

Mr. HABIB. I am sorry. It is very complicated.

Mr. FOUNTAIN. We don't know precisely who is fighting, who we are supporting and who is involved.

Mr. HABIB. If there is any question about that, I think I have laid it pretty clearly on the line.

Mr. FOUNTAIN. I think you have. It seems to me that at a time when we are concentrating on détente with Russia and we are trying to improve relations with China, that we ought not to just continue to base our decisions upon some refusal they may have made some time back. Rather, we ought to be endeavoring daily to get them involved in some settlement. It seems to me that we might be involved in Cambodia in what could be an analogous situation to the North-South Vietnam situation. Would you agree that ought to be true, even though we agree we are not going to become involved militarily?

Mr. HABIB. To a certain extent, yes, sir, and I would say in response to your first remark that we are engaged in a continuing effort to do just that.

Mr. FOUNTAIN. Let me ask this one question, Mr. Chairman.

Mr. HAMILTON. Yes.

Mr. HABIB. It is not a one-time affair.

HELP OF OTHER COUNTRIES

Mr. FOUNTAIN. Is any other country in the world—any country other than America—trying to bring about a negotiated settlement there?

Mr. HABIB. Yes, sir.

Mr. FOUNTAIN. Who?

Mr. HABIB. Now, there you go. You see, you are putting me on the spot again. If I were to identify, then it would be inappropriate for me—

Mr. FOUNTAIN. Are there leaders of other countries who are now engaged in the process of trying to bring about an end to this civil war?

Mr. HABIB. I would refer you to the statement we made yesterday which deals precisely with that question, Mr. Congressman. We have apprised certain friendly governments with clear interests and concerns in the region and with access to governments supporting the GRUNK—the GRUNK being that thing I defined for you awhile ago—of our efforts to move the conflict to a negotiated solution, and to the degree of flexibility in our approach. They could offer no help. That is not to say they would not wish to, that they didn't try to, but they could offer no help. They run up against the same thing that we run up against, and that is that when the other fellow is determined to pursue a military course, he is not about at the moment prepared to talk.

Mr. FOUNTAIN. Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Winn.

WHERE DO WE GO FROM HERE?

Mr. WINN. Thank you, Mr. Chairman.

Mr. Secretary, on page 10 you say the only logical and fair solution is one involving negotiations and a compromise settlement. You just say the other side won't talk. What is the next alternative? I think that is what—

Mr. HABIB. The alternative is to create a situation in which they may see it in their interest to talk. There have been such situations in the past, but each time they have been sort of set aside in their strategy in favor of the military course. This is not unusual. We face the same thing at times in Vietnam. What they seem to have done, and we know this, at various times they have made choices. We know this very definitely in the case of Cambodia, that at a number of stages the leadership of the insurgents carefully considered two options—should we negotiate, should we seek a military victory?

The assumption that they were making each time was that, if we do not negotiate, we can still always come back to that after we have tried the military course, because they have one advantage, you might say, in such a confrontation. They know that the Khmer Republic, the people in Phnom Penh and we who support them, favor a negotiated settlement. So you are always in the position where the other guy feels free to use the military option when he wants to, knowing that he can come back to the negotiating option because basically he is dealing with people who don't want to see a continuation of the military conflict.

OVERTURES OF OTHER SIDE

Mr. WINN. Have they made any overtures to negotiate a compromise settlement?

Mr. HABIB. There were at times indications that they were prepared to consider that seriously, but they never followed through, they never came to any final fruition.

Mr. WINN. Did they make the overtures?

Mr. HABIB. I think it is a question of interchange, exchange.

Mr. WINN. Are we talking directly to those people involved?
Mr. HABIB. There are various ways of communicating directly and indirectly.

Mr. WINN. I realize that.

Mr. HABIB. Either way is equally effective, I might say. Intermediaries are a very useful thing in the exploration of positions, and I would say that there have been very definite attempts at developing the modalities of a settlement so that the other side has a very clear idea of what could be, if they wished to abandon the military side and pursue instead a negotiated solution.

THE 1973 COMMITMENTS

Mr. WINN. I am a little vague in my mind on the extent of the 1973 commitments which I believe you said were made in Paris.

Mr. HABIB. I think that to be something worth reading into the record, sir.

Could I have the Paris agreement, please. It is a very brief thing, but I think it is worth reading.

Mr. WINN. If it is brief.

Mr. HABIB. The committee should have the precise language.

Mr. WINN. I am talking about as far as Cambodia is concerned.

Mr. HABIB. I am talking about what was signed, yes, sir.

Mr. WINN. All right.

Mr. HABIB. And then was endorsed by the 12-party conference which included the Soviet Union and China.

It is chapter 7, article XX A-B of the agreement.

The parties participating in the Paris Conference on Vietnam undertake to refrain from using the territory of Cambodia and the territory of Laos to encroach on the sovereignty and security of one another. Foreign countries shall put an end to all military activities in Cambodia and Laos, totally withdraw and refrain from reintroducing into these countries troops, military advisers, military personnel, armaments and munitions and war material.

Now what happened?

Mr. WINN. The North Vietnamese did not agree to this?

Mr. HABIB. Yes, sir, they agreed to it but they didn't implement it, like so many of the articles in the Paris agreement.

BLOODBATH THEORY

Mr. WINN. One final question, Mr. Chairman.

Mr. Secretary, we read constantly in the press about the possible bloodbath if the Cambodian Government would fall. Could you tell the committee your personal opinion and why—well, tell us your personal opinion first.

Mr. HABIB. I accompanied the delegation that went to Cambodia from the Congress last week.

Mr. WINN. Yes.

Mr. HABIB. In the course of that visit, that day the delegation was briefed it met with various people, it also in its own way spread out over the area, visited refugee camps, visited the troops, visited the perimeter, visited the hospitals—

Mr. WINN. I think we are familiar with all that.

PEOPLE HAVE FEARS

MR. HABIB. That is an important element in terms of the conclusion that one draws, both from the opinion of people on the ground, the experience that the Cambodian people have already had in those areas in which the Khmer Communists have taken over, and the evidence of the testimony of the people talked to in those camps and in those centers.

Do I believe that the Khmer Communists would in effect engage in a bloodbath if they swept across, won a military victory? All the evidence is that is precisely what has happened in those areas where they have swept across and taken cities and villages, and it is certainly what the Khmer fear and it is what the testimony attested to.

I mean one can go through a horrible description of some of the things that were said—the executions of leadership, the manner in which these things were done, the manner in which people were treated and are treated in areas taken over by the Communists.

FEELING OF REVENGE

MR. WINN. Is there a deep feeling of revenge? Do you see that?

MR. HABIB. If it were only a question of—

MR. WINN. If they won a military victory, would that military victory go on past that into a deep feeling of revenge against the people of Cambodia?

MR. HABIB. It goes beyond the feeling of revenge. That is one of the problems in a circumstance like this. You are dealing with a ruthless organized system which intends to impose a thorough system on a society which has rejected that system previously, and whose general cultural values normally reject that system. When the Communists move into these areas, it is not just simply a question of moving through and you put a mayor in the city hall, that is not the way they work. Their intent—and we have had some study in this regard—is in effect restructuring the society.

EXAMPLE

I will give you an example that was given to us by Cambodians. For example, the Cambodian people are Buddhists, and their Buddhism is very much a part of the national ethic. Certain things have been historically true in Cambodia. A man grows up and he spends a certain amount of time frequently in contemplation. Pagodas abound. When you drive into Phnom Penh, no matter in which direction you look you see pagodas. Buddhism is a part of life and the Khmer Communists don't like that. They consider it to be unproductive, they don't allow the monks to function. They don't use the pagodas in the manner for which they were obviously built. The Cambodians resent very deeply the attempt to dereligionize them, if you want to call it that.

Take the question of the Cambodian attachment to land. Cambodia is basically a country of small peasant holdings with great attachment to the land. The question of extended family relationships to the land, the Communists don't permit that to be sustained and the Cambodians know this. The Cambodians resent being put into communal agriculture, they resent the impositions the Communists put on them.

Mr. WINN. So in answer to my question you are saying that if there is a military takeover by the Communists, then you feel that there automatically, because of all the background material you just gave us, would be a bloodbath much deeper than just strictly a military victory?

Mr. HABIB. That is a widely held belief to which I subscribe.

Mr. WINN. Thank you, Mr. Secretary.

Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Yatron.

CONTROLLED SITUATION NEEDED

Mr. YATRON. Thank you, Mr. Chairman.

Mr. Secretary, the U.S. Ambassador to Cambodia has indicated the objective of the United States in that country is to seek a controlled situation as opposed to an uncontrolled situation which might result in the United States failing to provide further military aid. Is this indeed U.S. policy as you understand it?

Mr. HABIB. It is not inconsistent. Let me define what that means because I think there is something of an imprecise definition in the press.

What that means very simply is a controlled solution, one that is negotiated. It is one in which the results are understood, agreed to and put into effect in some rational way; it is a rational solution. An uncontrolled solution—what is meant by that is simply where they sweep down across and wipe out their opposition and take over. That is an uncontrolled solution. It is not some sort of fancy verbiage. It is the difference between an agreed, negotiated, rational settlement and an irrational settlement by complete use of force.

COALITION GOVERNMENT

Mr. YATRON. Would it necessarily involve, as an example, a coalition government?

Mr. HABIB. It could involve anything that the parties concerned would determine is suitable to the circumstances. Now you know, the idea that one can cite and immediately define precisely what that settlement would be is hard to do at this distance, but what we have made very clear is that whatever settlement is arrived at in this rational way that I spoke of a while ago would be acceptable. It is not a question of whether it is acceptable to us, it is a question of whether it is acceptable to the people on the ground. They are the ones in the final analysis that have to accept it, and the government in Phnom Penh has made very clear that that is precisely what it seeks, that is, some kind of a compromise settlement in which all the elements could play a role.

Now one can characterize that in any way one wishes. They have said they are prepared to talk about that without any preconditions whatsoever. The leadership has gone so far as to say that they would be no obstacle in the way of any such kind of a peaceful settlement.

ROLE OF SIHANOUK

Mr. YATRON. What if Prince Sihanouk were invited to take over the reins of government with the sole stipulation that all Cambodians who wished to leave the country would be allowed to go unmolested? Would this be a considered a controlled situation?

Mr. HABIB. Well, it would depend on how that would come about. Is that the result of the negotiations or the discussions that we envisaged a while ago? If that was an agreed solution that came out of that kind of discussions, then it would be of course a controlled solution.

Mr. YATRON. Mr. Secretary, it is said that the Lon Nol government no longer has enough respect to be able to mobilize Cambodian society in an all out effort to defend that country. Now is this true and what are the political alternatives to the Lon Nol government in your opinion?

LON NOL GOVERNMENT NOT EFFECTIVE

Mr. HABIB. Mr. Congressman, the Lon Nol government is not the most effective government in the world. It is quite clear that they face great problems and they have faced them, but to characterize them as being unable to organize society is a little bit beyond the reality. After all, there is considerable organization in the resistance that is presently going on in Cambodia. I would remind you that in 1970 when that government came to power, Cambodia was a country that had an army of less than 35,000, or basically a rag-tag constabulary.

The buildup, the organization of the resistance to the onslaught which they have faced, does not simply characterize them as being unable to organize. I would not want to mislead you that they have got everybody sort of in the trenches and ready to go, and that this is an efficient, highly structured system in which all the institutions function—it is not. Nor is it, I might point out, very repressive. It is not a system under which people are dealt with in some sort of irrational manner. They face, however, a different kind of an opponent and that is one of the reasons that so many of the Cambodians come over when the Communists move into an area, the people come out and come back to the government areas because they don't want to be structured or organized.

In the very inefficiencies of the government in some ways lies its attractions to the Cambodian people, if you want to call it that. It is a fact of life that they are not as encadred and as structured as the people that they are facing.

DOMINO THEORY

Mr. YATRON. One final question. One of the reasons cited often for continued assistance to Cambodia is that if it falls it will have a domino effect on its neighbors, yet Thailand—a potential domino if Cambodia becomes Communist—has shown little inclination to participate in any direct way in the fight against the Khmer Communists. What is more, they recently asked that all U.S. troops be removed within 18 months. The Thai do not seem concerned that their country may become a domino. Now my question is, why not?

Mr. HABIB. I don't think that is quite the situation, Mr. Congressman. In the first place one can argue about a domino theory, it has become a word that people are automatically either for or reject. The Thai, who are the closest domino, if you want to consider them that, have expressed their concern in very real terms. As a matter of fact, just last week their Ambassador here made a statement about it—I don't have it with me, I take it.

Am I right, or do I? Do you have it?

CONCERNS EXPRESSED

Their government has indicated their concern. They have also for quite some time provided considerable facilities for the support of the Cambodian Government. The airlift that flies, flies off Thai territory. The facilitation of the passage of goods is from Thai territory. They have also provided facilities for the training of Cambodian forces in Thailand.

Now as to their statement about U.S. forces withdrawing in 18 months, as you know we have made it quite clear for some time that the presence of U.S. forces in Thailand was not a necessarily perpetual operation. We have already reduced our forces in Thailand substantially, and we have a regular ongoing discussion with the Thai with regard to the continual drawdown of U.S. forces in Thailand. Now whether they set the 18 months period that was in a statement, it is not yet a formal proposition that has been put to us, I might point out, but whether or not they set it at that for one reason or another, it reflects at least their recognition of some ongoing requirement for that base structure to be maintained.

I would not agree that the Thai are not concerned. On the contrary, we have every indication from the Thai themselves that they are quite concerned.

Mr. YATRON. Thank you, Mr. Secretary.

Mr. HAMILTON. Mr. Bonker.

SITUATION ALL TOO FAMILIAR

Mr. BONKER. Mr. Secretary, I would like to read just a brief paragraph from a news weekly recently.

To Americans it all seems so singularly familiar. They thought they had made their separate peace in Indochina 2 years ago. The Paris Peace Agreement was signed, the troops came home, the Nobel Prizes were handed out and the United States tried mightily to bury the decade long nightmare. Suddenly there was the war all over again back on the front pages, back on the television screens, back in the fears of Americans. President Ford became the fifth American President to call on his countrymen to try to save the foundering Southeast Asian land.

HOW MUCH LONGER WILL \$222 MILLION HELP US?

We are faced again, Mr. Secretary, with the same questions and the same moral dilemma. I would like to ask the question that was already asked earlier about how much longer we are going to be engaged in a military effort in Southeast Asia, how much more bloodshed and what the ultimate cost will be to the American people. More specifically, I would like to know in your opinion how much longer will the \$222 million appropriation carry us?

Mr. HABIB. Mr. Congressman, we are not ourselves engaged and I think that is one of the consequences of the Paris agreement with which we can be satisfied. We are engaged in terms of the provision of resources to the people in the area, just as the other side that opposes them receives resources from their patrons. One of the few continuing consequences of the Paris agreement that one can look to with some satisfaction is the fact that we are not engaged, we withdrew our forces and we did not reintroduce them.

Now I don't know, as I said earlier, how long we are going to have to provide the resources. I would hope we would not have to in the wake of a negotiated settlement. That is what the Paris agreement was supposed to do. The Paris agreement very carefully provided that there would not even be the introduction of military goods, material into the area except on a 1 to 1 basis; that is to say, if they were used up. We have not even met that 1 to 1 basis of replacement, whereas on the other side they have not only met it but they have exceeded it in terms of complete violation of the provisions of the agreement in that respect.

PURPOSE OF \$222 MILLION

Now what will the \$222 million, or what will the present supplemental assistance that we are seeking, provide? What it will provide is the capacity for the Cambodian Government to continue its resistance to the forcible military takeover that the other side is attempting to inflict upon them. It will not, as I said earlier, provide them the means to military victory which they do not seek. The hope therefore—and not one which I can say with any absolute assurance will occur—is that, if you reestablish a military equilibrium, the other side will see the value and the desirability of reverting to a political settlement, one in which all of the elements could be involved, in which they would have a role and a role which has not been denied them or rejected by the present government in Phnom Penh. Now, beyond that to try to make any promises to you, I don't know what else I can say. If I were to go beyond that, I think I would be misleading the committee.

HOW LONG WILL AID LAST?

Mr. BONKER. If no settlement is achieved, then how long will the supplemental appropriation sustain the Cambodian army?

Mr. HABIB. The supplemental appropriation that we are seeking is within the fiscal year 1975 budget. There is, of course, fiscal year 1976. The Congress, as you know, will determine what level of support will be provided in 1976. The amounts that are being requested now are both on the economic and the military side, although we have concentrated on the military assistance. There is also an equally important requirement for the economic side which is mainly in the form of Public Law 480 food commodities; if those amounts are provided, then we can see with some assurance a food supply that takes us through the fall, and a military level of military supply that will get them through the present dry season campaign period.

By that time you will be into fiscal year 1976 and the presumption will be, if there is a continuing need and if there is no political settlement and if there is a continuing need, then it will be funded from fiscal year 1976 funds.

Have I answered your question?

Mr. BONKER. You have.

Mr. HAMILTON. Mr. Broomfield.

TIME FOR CONGRESSIONAL ACTION

Mr. BROOMFIELD. Thank you, Mr. Chairman.

Mr. Secretary, how much time is there left for Congress to act before this situation is beyond the point of hope?

Mr. HABIB. Mr. Congressman, I would characterize the request before Congress as an urgent request. I would hesitate to put any date or cutoff date beyond which, you know—things don't happen that way. The pipeline exists within the obligational authority that the Congress has presently authorized the administration.

EXTENT OF THE PIPELINE

Mr. BROOMFIELD. When does that pipeline run out?

Mr. HABIB. You can't tell when the pipeline is going to run out unless you can tell what the level of consumption is going to be. Now, for example—if you could tell me at what level the conflict is going to go, we can tell you at what level the supplies will be used up. It is cyclical; 1 week up, 1 week down. Then you will run at 600 tons per day 1 week and 300 or 400 tons per day another week. The same thing is, of course, not true in terms of food.

First you have the straight line requirement, and in that regard there is enough food in the pipeline now—it is in the pipeline now—to actually feed them through say the end of this fiscal year, but as you know on Public Law 480 commodities you have to have a lead time: you have to buy them, you have to ship them, you have to get them in. So unless we get the authority to contract for Public Law 480 commodities now for shipment after the end of the fiscal year, you won't have any food coming in. You will get a bubble in the food pipeline which of course will mean they will run out of food. So the answer to your question is that it is urgent. It is immediate in terms of decision and that is why the administration has put the problem as an urgent one to the Congress for congressional decision.

AMMUNITION SUPPLY

Mr. BROOMFIELD. It was my understanding that the ammunition would be running out within a few weeks; is that true, at the current levels?

Mr. HABIB. I don't like to put a date on it. I would say that the end would be visible within a few weeks, depending upon the rate of usage. I just don't want to commit myself to a date and then someone will say to me, you lied to the Congress; they ended up with so many tons still in stock. What I would say is that unless the decision is made and the obligational authority is provided to maintain the flow of munitions—and it is mostly ammunition, about 80 percent ammunition that is in the request—then you will reach a point where the effectiveness of supply is ended. Now it may not be when you have got the last round or the last bullet fired, but it may be shorter than that. I can assure you that on the basis of my own observation of it, and discussion with the people on the ground, that the urgency of the request to Congress is real.

RESULTS OF REDUCED AID

Mr. BROOMFIELD. All right. The other question that I have, the executive branch has requested \$222 million. What if this is scaled down to say somewhere around \$120 million, \$125 million, what happens then?

Mr. HABIB. That affects the rate. That would be immediately related to the rate of usage. This not something that people put in the bank. If the rate of usage was such that it would fit within that limit, then there would not be any problem. You could get through the dry season. If there were a requirement for more and it was not there, then presumably the Cambodians would suffer militarily. You would be at a disadvantage.

CAN AMMUNITION BE DELIVERED?

Mr. BROOMFIELD. In view of the deteriorating situation that prevails there from day-to-day, is it possible that you can get ammunition in there?

Mr. HABIB. Well, it is being gotten in and in quantities sufficient to maintain present usage rates. It is being air-lifted in as you know. Now when one talks about the deteriorating situation, as of the time we were there the perimeter was being held fairly well. Now the Khmer Rouge have been attacking that perimeter, as you know from reading the newspapers. So far it appears they are being held substantially, and I was assured and the delegation that went out there was assured by what one can only assume are competent authorities, including our own military authorities, that, if the assistance were provided, the Cambodian forces would be able to hold the perimeter. Now that was said to us by our own military people and by the Cambodians.

Mr. BROOMFIELD. Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Zablocki.

POSSIBLE AID MIXES

Mr. ZABLOCKI. Thank you, Mr. Chairman.

I am very pleased to be here as a guest. As you know, Mr. Chairman, for some 14 years it has been my prime interest area as the chairman of the Far East Subcommittee. Therefore, I appreciate the opportunity to ask one or two questions and of course to express my appreciation to the Secretary for his testimony. His replies as always are succinct and responsive to the questions.

As to the economic and military aid to Cambodia, Mr. Secretary, we have those who say economic aid, yes, at least to some degree; military aid, none at all. I realize that on page 11 you touch upon this matter as to the need of a mix of economic and military aid. However, there are others who say no aid at all, period. They claim the Lon Nol government is corrupt and that the United States aid does not reach the poor, the needy, and the starving. The public wants the truth known. If there are shortcomings can they be corrected? If we are going to give aid, we want the aid to be effective; we want the aid to be available to the people for whom it is intended.

Now I would like to ask, your assessment of the mix of economic and minimal military assistance, versus no military aid, only economic aid.

MILITARY AND ECONOMIC AID NEEDED

Mr. HABIB. Mr. Congressman, I think that the administration is correct in stating its requirement for both military and economic aid if it is going to be effective; they are indivisible in a circumstance like

this. If you don't have forces available to protect the population that is within Phnom Penh and the other major cities, how are you going to be able to get your economic aid to them? I mean if the place is overrun, then it is not only military aid that will not be able to get in, but I doubt whether economic aid will be able to get in either. Certainly you can't perceive of any way in which economic aid can be disseminated to those who need it if you do not have at least that degree of military equilibrium that enables them to maintain the integrity of their positions.

Now economic aid basically consists of, for the most part, food and certain essentials—medicines, supplementals, petroleum to move things around in a civilian economy. Now as to the charge that economic aid does not reach the poor, I promised the chairman of another committee that I was appearing before that one of the first things I would do when I got to Phnom Penh was to look into this question of whether or not the food is getting to the people that need it, because we had read these articles that there were people in Phnom Penh who were not able to get food when they needed it. I did look into it.

DISTRIBUTION PROBLEMS

There is a problem sometimes in the distribution system, but basically the evidence is that where malnutrition is most serious is with those who have come into the refugee camps; in other words, they come in in a state which is difficult to overcome. I had some statistics given me the other day showing the shift in the physical measurements of people in refugee areas from month to month over the last several months, as the war has gotten bad, and it demonstrates quite clearly that what happens is that you are getting a progressive deterioration of the population. What we were told was that the ones who were in the worst shape are the ones who came into the refugee camps.

What we did on Monday, the day I returned, was that I requested the administration to authorize title II Public Law 480 commodities. Up until this point there had not been any title II going in. Title II enables you to put that through the voluntary agencies at work and get it quickly right down into the refugee camps and the people that need it the most. On Monday morning when we returned we requested that, and by noon Monday we authorized 20,000 tons of rice to be distributed in that fashion. We think that is going to be quite helpful.

Where is that table on food?

Mr. ZABLOCKI. Mr. Chairman, at this point may I inquire whether it would not be helpful to have these statistics made a part of the record?

Mr. HABIB. I will put something into the record if I can.

Mr. HAMILTON. Without objection, any further response will be put into the record. (See p. 271.)

RICE SENT TO CAMBODIA

Mr. HABIB. We intend to fly rice into Phnom Penh at the rate of about 700 tons per day as rapidly as we can raise the amount from 550 tons. The 700 tons per day is distributed as follows: Refugees and

needy people get 150 tons out of it in title II grants. Now that is something new, we only started title II on Monday as a result of our trip out there. What happened was that Senator Humphrey said, when I was appearing before him: Why don't you get the food down to the people?

Mr. ZABLOCKI. I might ask at this point, why did it take so long to make the decision to utilize title II?

Mr. HABIB. I will tell you the truth of the matter. It was a bureaucratic thing—you don't need title II, get title I. After all, it is the same amount of food. There was an objection on the part of certain agencies in the executive to using title II, partly, I suppose, because of the concern that they have over reactions when you use title II because as you know title II is grant, title I is loan, and there is a general intention I think of the Congress to move out of title II, if I am correct.

Am I correct?

Mr. ZABLOCKI. But in effect there is very little difference between them.

Mr. HABIB. That is correct also, and that is what I said also when I came back. I said: For God's sake, what difference does it make; let's get it in.

Mr. ZABLOCKI. Good for you.

DISTRIBUTING FOOD

Mr. HABIB. It took a little shouting and a little visit out there to overcome what I characterize as unnecessary bureaucratic redtape.

At any rate, 150 tons out of 700 tons a day will go to title II grant; 200 tons of it goes to the military and their dependents. Now there is a system of distribution there in which the military get rice and their dependents get rice. You remember this is not an army like our army. You don't have an allotment for the family back home while the fellow is off to the war. You know, when I was in World War II my wife used to get an allotment. They don't have the system there. What they have, generally speaking, is the families are along with the soldiers. Generally speaking, what happens is that they get a distribution of food. That way the soldier knows that his family is being fed. So some of this rice is for the military and their dependents. The children and women are right along with them.

Then you allot some to the civil servants and their dependents, 70 tons.

We are now down with the residual of 280 tons out of the 700 tons that go in, and that goes to the rest of the civilian population through the commercial channels and it is sold for anywhere, I was told, from 4 cents a pound when I was there, which is about as cheap a rice I think as there is in the world.

Others told me it was 6 cents a pound. I never could find out exactly what was the truth.

Zim, do you know? Was it 4 or 6 cents? I don't want to mislead the committee.

STATEMENT OF GARNETT A. ZIMMERLY, ACTING ASSISTANT ADMINISTRATOR, EAST ASIAN BUREAU, AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. ZIMMERLY. It is about 12 cents a pound.

Mr. HABIB. But some get it for 4 cents a pound.

Mr. ZIMMERLY. Yes; on a subsidy basis.

SUBSIDIES

Mr. HABIB. It is subsidized to some people at 4 cents a pound, and sold to others at 12 cents a pound, which is still a very reasonable price.

In any event, that is the way the 700 tons are being distributed. The distribution of the 150 tons will provide an allocation of up to 500 grams per day for each refugee and needy person, which is sufficient. We will continue to monitor the remainder of the situation.

Now all of this is distributed through the voluntary agencies—CARE, Catholic Welfare, World Vision and a number of others that are there. We are encouraging the voluntary agencies to expand their program within this system so as to get more food out to the people that need it. You know, we are limited to a certain extent in our ability to supervise this whole distribution—that is, we the Government—in the fact that we are limited by the number of people we can have in Phnom Penh. We have a ceiling of 200 official Americans by law in Phnom Penh and that does not leave us quite enough to run around and watch each bag of rice, but we will do our best. It is our intent to see to it that we will move the amount of rice that is necessary into Cambodia on a priority basis and get it to the people that need it.

[The following information was supplied:]

PRICE OF RICE IN CAMBODIA

The price of rice in Cambodia varies depending on the source and the method of transportation from the point of production to the point of consumption. Domestically-produced Cambodian rice is now selling in Phnom Penh for the equivalent of roughly 10 cents per pound. For PL 480 Title I rice, the Cambodia Government pays 19 cents per pound, exclusive of transportation costs, but subsidizes such rice and sells it to the public at the equivalent of 5 cents per pound. In addition, some PL 480 Title I rice is sold on the open market at unsubsidized prices. At the current exchange rate, the price of such rice equates to roughly 9 cents per pound. PL 480 Title II rice is, of course, free.

Mr. ZABLOCKI. That is a very—

Mr. HABIB. It is a long and I hope not too boring answer.

IMPRESSION NEEDED TO BE CORRECTED

Mr. ZABLOCKI. No; it needed to be said because it would be erroneous to leave the impression that categorically the military get the food and the poor and the refugees get none. Nevertheless, it is unfortunate that in the past only 15 tons went to the refugees and as of Monday 150 tons.

Mr. HABIB. Well, what was happening was the voluntary agencies—it was a complicated and ridiculous procedure—the voluntary agencies

were being given money through the AID system. They would then take the money and go buy title I rice. You know, it made no sense to do it that way.

Mr. ZABLOCKI. Thank you, Mr. Chairman.

Thank you, Mr. Secretary.

Mr. HABIB. We have improved it to that extent.

Mr. ZABLOCKI. Very good.

AID FUNDS

Mr. HAMILTON. Mr. Secretary, I would like for you to give us some rather specific information now, please. I wonder if you could furnish for the subcommittee a list of all military, economic and Public Law 480 funds available for Cambodia in fiscal year 1975, which funds have been obligated and spent and what is still in the pipeline and unobligated.

Mr. HABIB. We will submit that for the record. We could give you some kind of a summary for discussion purposes if you want it now, but we will submit it for the record.

Mr. HAMILTON. All right. May I say that the subcommittee as you know is working under a good bit of time pressure so we are anxious to get that as soon as possible.

Mr. HABIB. We will have it to you by this afternoon.

[The following information was submitted:]

SUMMARY—FISCAL YEAR 1975 ECONOMIC AND PUBLIC LAW 480 ASSISTANCE REQUIREMENTS

Category	Requirements		Obligations	
	Tons	Amount	Tons	Amount
A. Economic (IPR):				
1. Commodity import program.....		\$64.9		\$52.8
(a) General licensing.....		(8.0)		(8.0)
(b) POL.....		(21.0)		(17.5)
(c) Fertilizer freight.....		(1.0)		(1.0)
(d) Public Law 480 freight.....		(29.4)		(20.8)
(e) Internal transportation.....		(5.5)		(5.5)
2. Exchange support fund.....		13.1		10.1
3. Humanitarian assistance.....		20.0		18.5
4. Technical support.....		2.0		1.6
Subtotal.....		100.0		83.0
B. Food:				
1. Title I rice.....	294,000	124.5		80.0
2. Title I wheat.....	34,000	6.0		3.0
3. USDA-financed freight (title I and II).....		10.0		
4. Title II:				
Rice.....	20,000	8.5		8.5
Other.....		1.0		1.0
Subtotal.....		150.0		92.5
C. Total, economic and food.....		250.0		175.5
D. Shortfall (\$250 requirement minus \$177 ceiling).....		73.0		11.5

¹ Unobligated balance as of Mar. 1, 1975, of which \$900,000 reserved for humanitarian assistance and \$500,000 to be used for MOB and technical support.

FISCAL YEAR 1975 AID FIGURES

Mr. HAMILTON. Am I right for fiscal year 1975 we have in the budget about \$100 million under the Indochina postwar reconstruction category for Cambodia? We have \$275 million military aid which includes \$75 million drawdown authority and we have \$77 million in Public Law 480. Are those figures approximately correct?

Mr. HABIB. Those are correct, sir.

Mr. HAMILTON. Could you tell us to what extent those funds have already been expended?

Mr. HABIB. Yes; on the military side I will ask General Fish to give you the figures.

**STATEMENT OF LT. GEN. HOWARD M. FISH, U.S. AIR FORCE,
DIRECTOR, DEFENSE SECURITY ASSISTANCE AGENCY**

General FISH. Yes, sir.

The entire \$275 million of total authority, including the drawdown, has been obligated. The position we find ourselves in now is that to continue the airlift which of course has been necessitated by the closing of the Mekong, we have to deobligate—in other words, cancel orders of ammunition, return it to get the moneys to continue the transportation.

[The following information was supplied:]

FISCAL YEAR 1975 KHMER REPUBLIC OBLIGATIONS AS OF MAR. 4, 1975

[In thousands of dollars]

	MAP funded	MAP unfunded ¹	Sec. 506 drawdown	Total
Aircraft (including spares).....	645	1,210	1,262	3,117
Ships (including spares).....	1,474		947	2,421
Vehicles and weapons (including spares).....	3,308	606	787	4,701
Ammunition.....	110,196	12,755	50,578	173,529
Missiles (including spares).....				
Communication equipment (including spares).....	420	54	211	685
Other equipment and supplies.....	15,291	191	1,238	16,720
Construction.....	343			343
Repair and rehabilitation of equipment.....	4,911		3,363	8,274
Training.....	4,351		2	4,353
Technical assistance and special services.....	1,064		221	1,285
Supply operations.....	38,764		16,391	55,155
Administration and support.....		4,092		4,092
Total.....	180,767	18,908	75,000	274,675

¹ Includes redistributable MAP materiel, overseas excess defense articles, MEDTC administrative costs (including military pay), and USAF maintenance/support costs (including military pay) for U.S. aircraft used under the Bird Air Co. contract. These costs are charged to the Cambodia ceiling but not to MAP funds.

Note: Final obligation made Feb. 28, 1975.

CAMBODIA MAP MATERIEL ASSETS REMAINING AS OF MAR. 5, 1975

[Dollar amounts in millions]

Status	Ammunition		POL	Other	Total
	Short tons	Amount			
In-country.....	12,043	\$28.3	\$0.5	\$1.0	\$29.8
Pipeline.....	7,532	17.7	5.0	23.3	46.0
Total.....	19,575	46.0	5.5	24.3	75.8

¹ At consumption of 600 tons per day, Cambodian forces will run out completely of ammunition by Apr. 7. However, additional funds must be available by Mar. 20 to avoid a disruption in the supply pipeline

AIRLIFT COSTS

Mr. HAMILTON. Is the cost of the airlift in these figures?

General FISH. Yes, sir. My point is we have obligated everything but that is not to say that at this moment in order to eke out a few

more days as we proceed that we can't adjust those obligations for ammunition, for instance, to provide the essential airlift. There would not be any point in having stuff in the pipeline.

Mr. HAMILTON. I understand.

What is the cost of the airlift on a daily basis, do you know?

General FISH. I have that figure here, sir.

Mr. HAMILTON. While you look for it let me ask some of these other questions.

Mr. HABIB. Could we answer your question on the economic side?

Mr. HAMILTON. That is my next question.

Mr. HABIB. Mr. Zimmerly, could you tell us on the economic side?

ECONOMIC AID

Mr. ZIMMERLY. On the economic side, against the \$100 million authorized we have obligated funds in the amount of \$83 million. Against the Public Law 480 program of \$77 million we have obligated and committed ourselves to a program there of \$92.5. The total of those two is \$175.5 million. We have \$1.5 million that we have been using for negotiations to add funds to voluntary agency programs and for operating expenses.

Mr. HAMILTON. Now at present rates of expenditures, when will all of this money be gone?

Mr. HABIB. You mean gone in terms of—

Mr. HAMILTON. Used up.

Mr. HABIB. Well, it is all used up now in the sense that it has been obligated. It is used up. That is what it means. When we obligate it, there is not any more funds to obligate and it is used up.

Mr. HAMILTON. So it is totally obligated now?

Mr. HABIB. Yes; except for the \$1.5 million which Mr. Zimmerly mentioned.

PUBLIC LAW 480 FIGURES

Mr. HAMILTON. Did you give me a figure above \$77 million on Public Law 480?

Mr. ZIMMERLY. Yes.

Mr. HAMILTON. \$92.5 million.

Mr. HABIB. We used some of the \$100 million.

Mr. HAMILTON. I see.

Mr. ZIMMERLY. We had the flexibility, as we understood it, within the \$177 million to adjust as we felt necessary and we gave a higher priority to food under Public Law 480.

Mr. HAMILTON. What is the cost of the airlift?

General FISH. Five and a half million through February for airlift in Cambodia and we expect that to double between now and the end of the year. In other words, we will get up to about \$10.5 million by the end of the fiscal year. This is through June.

Mr. HAMILTON. Is that each day?

General FISH. No, sir. That is the total for through the 28th of February and then the second figure I gave of \$10.5 million would be through the end of June. I can work it out for you on a daily basis.

AMMUNITION USE

Mr. HAMILTON. That is satisfactory, General.

How much is Cambodia spending each day for ammunition? It had been reported \$1.3 million.

General FISH. Would you repeat the question, sir?

Mr. HAMILTON. How much is Cambodia spending each day on ammunition?

General FISH. Our calculations on a daily basis would be calculating at a rate of about 600 tons a day which would be about \$1.4 million. Let me check that for you.

It is about \$1.4 million a day.

Mr. HAMILTON. At that rate how long can their supplies last?

General FISH. Sir, if you—

Mr. HAMILTON. I am talking now about supplies that are available with funds earmarked for Cambodia.

AMMUNITION UNTIL APRIL

General FISH. Of course with all the qualifications that Secretary Habib made that we are now assuming a rate of say 600 tons a day, because that is the figure, we would expect them to run out early in April.

Mr. HAMILTON. Are there any supplies of ammunition in Cambodia today?

General FISH. Yes, sir.

Mr. HAMILTON. You are including those supplies in your calculations, of course?

General FISH. Yes.

Mr. HAMILTON. Ammunition is being flown in on a daily basis?

General FISH. That is correct.

Mr. HAMILTON. Is it used the same day it is flown in?

General FISH. No, sir. I don't think we would have a distribution system that could tolerate that sort of thing. There is a depot there, there are some supplies. Of course some of the supplies are moved directly from the landing area to units because it is that close a situation. Some move into the depot and then are distributed, some are repackaged and flown to enclaves other than in the capital city and then are airlifted into these other areas.

Mr. HAMILTON. What percentage of the \$222 million request is for ammunition?

General FISH. \$171 million.

BREAKDOWN OF \$222 MILLION REQUEST

Mr. HAMILTON. How do you break down the balance?

General FISH. All right, sir. I have that right here. Give me one moment.

We have \$171.3 million for ammunition; spares for the aircraft and the river boats total \$5.5 million; spares for their vehicles, \$10 million; communications equipment, \$1.6 million—these are the radios that

keep their units in touch with each other. These are all items that are expended as part of the operation, in no way are they to expand the force. These are consumables as you call them. Everything I mentioned here are consumables. Then we have some miscellaneous things that total, including other supplies, some \$8 million and finally supply operations, \$25 million.

Now I would like to make the point, sir, that within the rules of the Congress provided in the current fiscal year there are certain things that we must charge against the ceiling such as the salaries of the U.S. delivery team that is in that country. Any of the costs that we have associated with Cambodia are chargeable against this ceiling, so that is also a part that we have to ask the Congress to give us the obligation authority to proceed through the year, because the efficient delivery of these supplies would not exist without that.

DEPENDENCE OF LON NOL ON U.S.

Mr. HAMILTON. What percentage of the Lon Nol government resources does the United States provide?

Mr. HABIB. Let's see if we can get you some kind of an estimate. My guess would be a very high percentage.

Mr. HAMILTON. Give me a round-house figure now.

Mr. HABIB. I cannot give you a round-house figure.

Mr. HAMILTON. Over 90 percent?

Mr. HABIB. No, no, not as high as 90.

Well, my expert won't even give me an estimate which I might or might not be prepared to use. We will give you an estimate this afternoon but it would be a very high percentage.

Mr. HAMILTON. Would you also get the percent that is internally generated?

Mr. HABIB. Yes, sir.

[The following information was supplied:]

U.S. SUPPORT AS A PERCENTAGE OF TOTAL KHMER REQUIREMENTS

RICE

The United States currently supplies 80% to 85% of the total rice consumed in the GKR-controlled areas.

FOREIGN EXCHANGE

The United States supplies about 90 percent of the GKR's nonmilitary requirements for foreign exchange through AID and Public Law 480 programs. The balance is provided through other donations to the exchange support fund and by Khmer export earnings.

BUDGET

The United States in 1974 provided about a third of the GKR's national domestic budget. GKR revenues provided somewhat less than one-third of total budget expenditures, and deficit spending provided slightly over one-third of budget requirements (see table I). In addition, the U.S. provided most of Khmer extrabudgetary expenditures for U.S. voluntary agencies, international organizations, and the Resettlement and Development Foundation.

IMPORTED MILITARY EQUIPMENT REQUIREMENTS

Essentially 100 percent.

SOURCES OF GKR NATIONAL BUDGET

[In millions of riels]

	1973	1974
Ordinary GKR revenues.....	12,500	23,100
Counterpart from U.S. aid.....	20,100	28,000
Deficit spending.....	15,900	32,900
Total.....	48,500	84,000

¹ In addition, extra budgetary expenditures, consisting primarily of U.S. counterpart releases to voluntary agencies and the Resettlement and Development Foundation for refugee support, totaled 15.5 billion riels in 1974 and are projected at 56.2 billion riels for 1975.

KHMER ROUGE CONTROL OF COUNTRY

Mr. HAMILTON. What percent of Cambodia does the Khmer Rouge now control?

Mr. HABIB. In terms of population, about one-third.

Mr. HAMILTON. How about in terms of geography?

Mr. HABIB. In terms of geography about 80 percent.

General FISH. Well, there is 80 percent I would say—

Mr. HABIB. Do you want to get into this argument about what is control?

General FISH. Yes.

Mr. HABIB. It is the old argument about control. If you go across something, is it control? Or if you cannot go across it, can you control it? The answer is that in terms of actual within-perimeter territory the government in Phnom Penh has about 20 percent of the territory; the rest of it is either Khmer Rouge or it is no man's land where nobody is, but for all practical purposes the Khmer Rouge have access to it and the government does not seek access or does not attempt to get access to it.

Mr. HAMILTON. In terms of population?

Mr. HABIB. About two-thirds of the population is within the perimeters and control of the government of Phnom Penh and one-third within the control of the Khmer Rouge. The number of refugees has been of course very large, and that is what accounts for that figure.

AIRLIFT TROUBLES

Mr. HAMILTON. Mr. Secretary, there are reports in the paper today that the airlift has been interrupted. I think the Secretary of Defense is quoted as saying that we are going to have to reassess our airlift. Could you comment on the danger, the risk of interruption? Now that is the only source of supply as I understand it to the country now.

Mr. HABIB. Basically at the moment it is the principal source of supply.

Mr. HAMILTON. And the rockets—

SITUATION OF AIRFIELD

Mr. HABIB. I just want to describe that from firsthand experience if I could; it is one of the few things we experienced there. The airfield, as you can see, is a few miles from the center of town and the Khmer Rouge are able to stand off and lob these 107-millimeter rockets toward the airfield. They are not a very accurate weapon. In the first place they don't mount them on very stable platforms. The mounting is on a bamboo mat, so the government forces cannot zero in on them. They are an erratic weapon; they land sometimes in the city, sometimes on the outskirts of the airfield.

There were also some reports yesterday that they brought some 105-millimeter howitzers within shelling range of the airfield which are more accurate, and even possibly some mortars. Now they hit close to one of the airlift planes yesterday and some shrapnel got into the plane. Nobody was hurt and the plane went on back to Saigon. There was a temporary interruption in the airlift, but we understand it has resumed.

POSSIBLE FUTURE INTERRUPTIONS

Mr. HAMILTON. You are not worried then, or are you worried, about the possibility of further interruptions in the airlift?

Mr. HABIB. Oh, that is always possible. Of course what the government forces attempt to do is to clean out the areas from which they are being shelled. Well, while we were there, the day we took off there were, if I remember right, 26 107's which came in—3 of them came in just within a few minutes of the time that the congressional party left the airfield, but they were on the other side of the field.

Mr. HAMILTON. Is it correct that the U.S. Embassy has ordered all nonessential personnel evacuated from the city?

Mr. HABIB. All nonessential personnel have left Phnom Penh some time ago, not as of today.

Mr. HAMILTON. I see.

Mr. HABIB. No wives, there are no—

Mr. HAMILTON. Are there any further evacuations of American personnel to occur within the next few days?

Mr. HABIB. Not at the moment that are planned.

Mr. HAMILTON. Mr. du Pont.

Mr. HABIB. We will try to keep the number of Americans in Phnom Penh at the minimum level.

POSSIBLE FURTHER EVACUATIONS

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

Mr. Secretary, yesterday the planes were fired upon. We have a Reuter's report currently off the wire that some further evacuations are contemplated tomorrow of American personnel.

If Phnom Penh fell, I take it that the need for this aid would have passed.

Mr. HABIB. Yes, sir. There is no question of that.

OUTSIDE PHNOM PENH

MR. DU PONT. There is no other viable portion of the Lon Nol government elsewhere in Cambodia that is functioning?

MR. HABIB. There are government held enclaves in some of the other major centers and cities, but Phnom Penh is the heart of the matter; both sides know it and that is why that is the point of greatest import and it always has been.

I might say, I don't want to be misleading, in terms of evacuation of personnel we constantly seek to reduce the number of Americans in the country to the minimum level possible. That includes, I might say, nonofficial Americans. Official Americans are limited; there are 200 of them and they are not being evacuated. There are voluntary agency people. Believe it or not, there are visitors to Phnom Penh—I mean there are newspaper people, there are some businessmen. Generally speaking, we have been trying to get them to leave and some of them will continue to go out.

IS MILITARY EQUILIBRIUM POSSIBLE?

MR. DU PONT. Mr. Secretary, you said in your initial statement and in response to my initial round of questioning that before settlement was possible that we had to establish military equilibrium. Now if the Mekong is closed, if the airport is being closed in Phnom Penh and conditions are deteriorating, would you say that \$220 million mostly in military aid is going to reestablish that?

MR. HABIB. Let's take the hopeful view instead of the pessimistic. It is very easy to take a pessimistic one because the situation is very hairy, there is no doubt about that. This is the peak period of the dry season, the river is at its absolutely lowest point, the area around Phnom Penh is completely dry so that the maneuverability of the Khmer Rouge is there, they can move around. When it starts to rain in May and June, first of all the area around Phnom Penh becomes a lake, it is covered with water. The river begins to rise. When the river rises, it widens.

The expectation is that one would hope that with the holding of the line around the perimeter around Phnom Penh through the dry season, then the Khmer Rouge would have to withdraw, they could not sustain their attacks on Phnom Penh in the wet season; they have not been able to and they will not be able to. Also, the river would be more easily reopened.

Now they have had some convoys up last month, the small ones, but they took a terrible beating because coming up the narrow channel there are a couple of points on that river where the river narrows to less than a few hundred yards, 500 yards maybe, and then in addition the Khmer Rouge for the first time mined the river and this took a toll. They brought the mines down and we know where they brought them down from—they came from Hanoi, from China via Hanoi. They mined the river and they effectively closed it.

NEED TO REOPEN RIVER

MR. DU PONT. Would you say that reopening the river is necessary to maintain military equilibrium?

Mr. HABIB. Sustained, yes. No question about that. The presumption would be it would be fairly easy to do in the rainy season.

Mr. DU PONT. But there is nothing specific in your aid request that regards reopening the river?

Mr. HABIB. No. What is in the aid request is the wherewithal to do it. We cannot do it except with plain firepower.

Mr. DU PONT. You mean all the equipment necessary, the hardware, to reopen the river is there in Cambodia and all you have to do is provide the ammunition?

Mr. HABIB. Most of it is there. What has happened, they have lost a lot of naval craft, they have lost a number of aircraft. They also continue to supply one of their points down the river at Neak Luong, a key base on the river supplied by air and by rivercraft. Every once in a while they close the route from Phnom Penh to there. Of course we have the old problem of spare parts and additional equipment, and the money that is being requested would be usable and used in part for the reopening of the river.

IS \$222 MILLION ENOUGH?

Mr. DU PONT. And you think \$220 million is enough money between now and June 30 to re-establish military equilibrium?

Mr. HABIB. That is the military judgment and of course we concur in it. That is the judgment, yes, sir. Yes, sir, that is enough.

Mr. DU PONT. Mr. Secretary, from the situation you describe it does not sound to me like \$200 million is going to be enough.

Mr. HABIB. If you figure it out on a tonnage-per-day basis—

Mr. DU PONT. The arithmetic is all right.

Mr. HABIB. The arithmetic is all right. As a matter of fact, the peak periods of conflict have run not much more than 700 tons per day. Peak periods.

WHAT TYPE OF SETTLEMENT IS POSSIBLE?

Mr. DU PONT. All right. Mr. Secretary, moving on to one more question, the purpose as you stated of furnishing the additional military aid is to attain the military equilibrium. The purpose of obtaining military equilibrium is so there can then be the kind of situation that will lead to a compromise settlement. From where we stand today, what kind of a compromise settlement is at all practical? What is going to induce the opposing side when they have cut off the river, when they have got the noose around the neck of Phnom Penh to negotiate on anything? If in your judgment they are liable to negotiate and come forward with a program—which we don't think they are, but assuming they are—what do you suppose it would be?

Mr. HABIB. Let's face it. They are not sitting there getting a free ride. If they do not succeed in the military campaign this year—and that must be the presumption that we operate on—if they do not succeed, then they have the problem. Do you wait until the next dry season and try it all over again?

They don't have an unlimited supply of manpower. We know, for example, from the congressional delegation that was there last week, we saw captured Khmer Rouge troops who were 14 years old. We

know that they have taken very heavy losses. Now that is the choice they will then have to maintain. You will recall a while ago I said at various periods they have had this basic choice. Do you try to get your way by military force or do you accept the negotiation in which all elements can take a part and you move your competition to a different arena? Now that obviously is available to them.

GETTING TO THE DRY SEASON

Mr. DU PONT. At the end of each dry season they can make this choice.

Mr. HABIB. They must make that determination.

Mr. DU PONT. And at the end they have made the choice to come back and fight again in the next dry season.

Mr. HABIB. At particular moments they seem to have made a choice that maybe they should try to get a negotiated settlement, and then they back away from it. Now the most recent experience we have had with them which is described in that outline is the December 1974, January-February 1975 period. There was some indication that they seriously considered or at least some elements of them seriously considered an arranged settlement and then they backed away from it again. The only reason that we can attribute to that backing away, the only way we can account for it is to take a look at what they are doing, what they say, because they usually say quite a bit on how they behave in the field as well as internationally. On the basis of our reading, they determined that they would try the military course for two reasons: No. 1, to see what they would do on the ground; and No. 2, they are quite well aware of the pipeline problem and they are quite well aware that if you turn off the faucet, the Government of Phnom Penh is finished.

WHAT COMPROMISE IS POSSIBLE?

Mr. DU PONT. Coming back to the original premise of the question, what do you suppose they would offer to negotiate? What is a viable package? Do you think they are liable to offer a coalition similar to Laos?

Mr. HABIB. I think if I could define it only in broad terms, because I don't want to appear to be determining a settlement, I would say in broad terms it is an arrangement whereby all the elements would participate in the government or at least in the decisions that go on from there.

Mr. DU PONT. Do you think from our point of view that that is a reasonable—

Mr. HABIB. It is a reasonable point of view. It is not unreasonable from our point of view or from the point of view of the government in Phnom Penh. They have not said that they want a complete military victory. They have offered to negotiate without any preconceived ideas.

Mr. DU PONT. If that could be successfully concluded, we would not need the military aid.

Mr. HABIB. Certainly not. I think we probably wish to provide some economic assistance, however. I think that would be in the normal tra-

dition to the American approach to those kinds of things, I would hope that we would continue to maintain that tradition.

Mr. DU PONT. Thank you, Mr. Secretary.

Mr. HAMILTON. Mr. Fountain.

IMPACT IF GOVERNMENT FELL

Mr. FOUNTAIN. Mr. Secretary—maybe General Fish would also like to respond—what in your opinion would be the impact within Cambodia and possibly upon South Vietnam if the present Cambodian Government were to fall?

Mr. HABIB. Well, if the present government falls, I think the impact within Cambodia, as we said earlier, would be an unbelievable transformation of that society against the wishes of its general population and through the use of great force. I think that there certainly would be what people freely call the bloodbath, but in any event great cruelty.

As far as the effect on Vietnam is concerned, I would characterize that as more psychological than material or physical. After all, the North Vietnamese already have and use any part of Cambodia that they wish as far as their campaign against South Vietnam is concerned. Their bases and their routes of communication on the border area of Cambodia are well known. If the fall came about by virtue of the lack of assistance, you would have one psychological effect. In other words, if we did not supply the resources and they fell by virtue of the lack of resources, that would be one possibility which would have quite a significant psychological effect, but if we provided the assistance and it fell, it would have a different psychological effect. In terms of the actual war in Vietnam, I don't think it will make much difference on the ground.

WHY DID MOVEMENT GROW SO FAST?

Mr. FOUNTAIN. Do you have an explanation as to why the Khmer Communist movement grew so rapidly during the 1970's and now has reached a point where for some months, as I understand it, no North Vietnamese troops have been involved directly in the Cambodian fighting? What is your explanation for that?

Mr. HABIB. Well, the explanation goes something about like this, I would say. In 1970 when the Lon Nol government took over and Sihanouk was deposed with the small forces that existed at that time in Cambodia, they had really no capacity to defend themselves, but what happened there of course was a great national outpouring of anti-Vietnamese feeling, I might say. You remember the pictures of the students marching down the streets and heading for the outlying areas and what have you. At that point the North Vietnamese forces—these are the regular North Vietnamese troops—took over certain areas of Cambodia completely. They attacked the outlying areas, they consolidated their hold over the northern end of Cambodia.

ROLE OF HANOI

From that point on, down came those Cambodians who had been trained in Hanoi for some time, and who provide the leadership group of what we call the Khmer Rouge. They began organizing within the territory and within the populace as it became available to them, first

within that area which was protected for them by the North Vietnamese troops, and then as they began to gain a capacity themselves through the supply of arms, training and the organization of their own forces. They began to get an independent military capability— independent to the extent that it only depends upon the North Vietnamese for its supplies, and there is a certain amount of advice.

We figure there are several thousand North Vietnamese troops, soldiers, still serving with the Cambodian Red forces, but they are not the combat forces, they are advisory and logistical support personnel; they probably helped them a little bit with training and how to fire rockets and how to maintain their equipment. That sort of thing undoubtedly has some North Vietnamese import. That is the way it happened over a period of 5 years.

MAJOR FIGURES IN KHMER ROUGE

Mr. FOUNTAIN. Who in your opinion are the major figures now in control of the Khmer Rouge rebels?

Mr. HABIB. Well, the on-the-ground leader is a man whose name is fairly well known, his name is Khieu Shamphan. He was at one time, as a matter of fact, in the sixties or the fifties, a minister of the Sihanouk government. He was the Minister of Commerce at one time in the sixties. He was a member of the National Assembly and actually at one time was the Minister of Commerce in the Sihanouk regime. He was a Sihanouk exile. At one point, as a matter of fact, it was alleged that Sihanouk had him killed, but the guy got away and he went to Hanoi. A number of others of that Communist leadership group left the country and went to Hanoi. Khieu Shamphan is Minister of Defense and Deputy Premier in the government in exile.

There are others like him who perform various functions in the Khmer Rouge forces and in their control system. We don't know all their names. We can supply the formal breakdown to the committee for its information.

[The following information was supplied:]

Prince Norodom Sihanouk, Chief of State of the Kingdom of Cambodia and Chairman of the National United Front of Kampuchea (FUNK).

THE CABINET OF THE ROYAL GOVERNMENT OF NATIONAL UNION (GRUNK)

Prime Minister : Penn Nouth
 Deputy Prime Minister ; Minister of National Defense : Khieu Shamphan
 Minister of Interior, Security, Cooperatives and Communal Reforms : Hou Yuon
 Minister of Information and Propaganda : Hu Nim
 Minister of Foreign Affairs : Sarin Chhak
 Minister of Justice and Judicial Reforms : Norodom Phurissara
 Minister of Public Health : Thiounn Thoeunn
 Minister of Public Works, Telecommunications and Reconstruction : Toch Phoeun
 Minister of Religious and Social Affairs : Chou Chet
 Minister of Popular Education and Youth : Khieu Thirith
 Minister of National Economy and Finance : Koy Thouon
 Minister of Military Equipment and Armament : Men San
 Deputy Minister of Security : Sok Thuok
 Deputy Minister of National Defense : Kong Sophal
 Deputy Minister of Information and Propaganda : Tiv Ol
 Deputy Minister of Foreign Affairs : Ros Chet Thor
 Deputy Minister of Foreign Affairs : Van Piny

Mr. FOUNTAIN. What I was leading to is how many parties or how many groups would have to be represented in negotiations to bring an end to this conflict?

Mr. HABIB. Basically I would say three if you want to look at it this way, or two if you wish to look at it a different way. Three if you would look at it as the present government of Phnom Penh, the Khmer Rouge leadership and whatever Sihanouk represents. Two if you would argue that, well, it is basically the present government and everybody who are opposed to them who are organized in some sort of loose fashion under the nominal authority of Sihanouk. That is all it would take.

WILL LON NOL STEP DOWN?

Mr. FOUNTAIN. Just one more question, Mr. Chairman.

I understand you were with the congressional delegation that made the recent visit there, and there are some news stories which indicated that Lon Nol had stated that if it would help bring about a settlement he might be willing to step down as President. There seems to be some confusion on that point. Now you were present on that occasion. What is your understanding of what was said?

Mr. HABIB. There was a meeting between the group and President Lon Nol in his office.

Do we have that record?

What I would like to do is provide the exact sentence that has been the subject of that speculation for the record, but I will tell you what was said more or less. I will provide you the precise wording.

Mr. HAMILTON. Without objection.

[The following information was supplied:]

EXCERPT FROM PRESIDENT LON NOL'S STATEMENT TO A CONGRESSIONAL
DELEGATION ON MARCH 1 IN PHNOM PENH

Our people are endowed with a constitution and many institutions, democratic institutions. We are just defending the constitution and the institutions. I was brought to this high office by the institutionalized organization, but for the peace of my country and for the welfare of my country I would do whatever is possible and necessary so that peace and the welfare of my people can be achieved.

Mr. HABIB. There is some question of interpretation of what is involved. He had just spoken of the fact that they had a constitution and so on, and what he in effect said was that although he was in office by an institutionalized system, he would not wish to be an obstacle to peace in Cambodia. He did not consider himself, or he was prepared not to be, an obstacle—some phrase like that which I will provide formally for the record. That is to the best of my recollection. From that the delegation drew the conclusion, and the press have so reported, that what he was saying in effect was that he didn't want to stand in the way of a peaceful settlement.

Mr. FOUNTAIN. Was it your opinion or the opinion of the State Department and our military as to what would be accomplished if he actually stepped down?

LONG BORET STATEMENT

Mr. HABIB. Well, do you mean prior to his settlement or—I think that is a decision frankly that Mr. Lon Nol would have to make. His

Prime Minister, Long Boret, yesterday in an interview in Phnom Penh made a statement along the lines of—and we will provide that precisely for the record also—that his government did not wish to be an obstacle to peace, but he did not say anything as to stepping down unless there were negotiations. We will provide that precise statement for the record also. Again, a further indication that what they are seeking is some kind of rational accommodation rather than simply retaining power.

[The following information was submitted:]

STATEMENT BY KHMER PRIME MINISTER ON ALLEGED OFFER BY
PRESIDENT LON NOL TO RESIGN

Cambodian Prime Minister Long Boret said today President Lon Nol and his government would do anything to bring peace to this war-torn country except resign.

The Prime Minister, speaking to newsmen mainly in French, said that, despite numerous assertions by communist-lead insurgents that they would not negotiate with the Lon Nol government, there would be no government resignation until negotiations began.

"We are willing to make any sacrifices so long as we are sure it will lead to peace," he said.

Mr. FOUNTAIN. Thank you, Mr. Habib.

Mr. HAMILTON. Mr. Gilman.

MIA MATTER

Mr. GILMAN. Thank you, Mr. Chairman.

Mr. Ambassador, when our congressional delegation was in South-east Asia recently they raised the issue once again of the MIA's. There are over 1,000 MIA's still listed. There are some journalists, there are over a dozen missionaries who have been captured and we have no information about them. Approximately a year ago some 80 files of our missing men were turned over by Secretary Kissinger to the Vietnamese, to Le Duc Thu, and a request was made for some information concerning those MIA's. Do you have any current information concerning our MIA's?

Mr. HABIB. No, sir, the North Vietnamese refuse to abide by the terms of the Paris agreement with regard to assisting and facilitating the U.S. search for information or remains of the Missing In Action. This has been one of the gross violations of the Paris agreement. It was the subject which the visiting delegation took up directly with the North Vietnamese representative in Saigon who was legally charged within the terms of the agreement, to assist in the process of determining just what is the status of our MIA's. And he, I must say, treated them in a very cavalier fashion which aroused, as you can imagine, bitter reaction on the part of our representatives.

WHAT IS STATE DOING?

Mr. GILMAN. What has the State Department done of recent date to pursue the request for information on these 80 MIA folders? I have been informed that in those 80 folders there was some information concerning the capture of these men and photographs and information indicating that they had been seen alive following their being taken prisoner.

Mr. HABIB. There are a number of people about whom we have some question. We can get no information whatsoever no matter how many times we ask. We have asked for a reconvening of the four-power group in Saigon to consider these questions. The North Vietnamese and the Viet Cong refuse to have anything to do with the subject. They won't talk about it as the congressional delegation found out. You can ask them, you can demand and they don't give you an answer. They give you a political diatribe.

POSSIBLE TASK FORCE

Mr. GILMAN. There is presently a proposal before the Congress to create a presidential task force on the MIA's. Would you care to comment on that proposal?

Mr. HABIB. I would think anything that focuses attention on this problem, on the uncertainty that so many families have been left in, anything that focuses attention on that problem and makes and gives any promise of progress, I would support. This is a subject I feel rather strongly about; it is something I had a lot to do with many years ago.

Mr. GILMAN. I appreciate your comment.

Mr. Ambassador, we are presently airlifting most of the food, I guess, and supplies into Cambodia. I understand that we are airlifting that supply and ammunition by way of Bird Aircraft. Is there some arrangement we have made, some legal arrangement with Bird Aircraft Co?

BIRD AIRWAYS

Mr. HABIB. Bird Aircraft is a contractor. If the committee wishes, we will provide the contract to the committee. We will provide the full contract to the committee so you can look at it yourself.

Mr. GILMAN. What does it cost?

Mr. HABIB. We have already provided that to the Committee on Foreign Relations in the Senate and we will certainly provide it to this committee.

Mr. GILMAN. What is the cost of the airlift?

Mr. HABIB. We introduced those figures just a moment ago on the military side. I also think we can introduce them on the economic side.

I will ask Mr. Zimmerly to respond.

Mr. ZIMMERLY. At the present rate of daily consumption, consumption being the airlifted amount that we move in, it is running about \$5 to \$6 million for a 30-day period. If we have to increase the daily airlift for food, the cost will go up a bit.

Mr. GILMAN. The \$5 million is for Bird Aircraft Co.'s cost?

Mr. ZIMMERLY. No, sir, it is a combination of Bird Air and—the airlift at the present time is Bird Air plus several other contracted commercial flights—World Airways, Airlift International, and Flying Tiger. There are two or three commercial airlines that operate the area that are providing aircraft in addition to Bird Air.

AIRLIFT COSTS

Mr. GILMAN. What portion of the \$200 million is applied to the cost of the airlift?

General FISH. The military side, sir, the Bird Aircraft contract for the fiscal year 1975 we estimate of \$2.9 million. In addition, there is about \$6.3 million of U.S. Air Force costs because the arrangements with Bird is that they fly U.S. Air Force aircraft that are furnished to them for this purpose. And then the commercial airlift of \$1.3 million for a total of about \$10.5 million for the year.

Mr. GILMAN. Thank you, General.

Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Bonker.

ATTACKS ON PLANES

Mr. BONKER. Yes; Mr. Chairman. I would like to continue the questioning on the airlift.

In recent days there have been attacks on planes that have arrived in Phnom Penh. Are we taking any precautionary steps to protect those planes and U.S. personnel involved?

Mr. HABIB. Are we taking precautionary steps? No, that is a matter for the Cambodian forces to provide. They provide the security.

Mr. BONKER. Have they given you assurances that they are going to protect our aircraft?

Mr. HABIB. They do the best they can. What they have been doing is in the particular area where the 107-millimeter rockets have been coming from, at the airfield, they mounted a campaign to try to push the Khmer Rouge forces back in that area. They succeeded for a while. The aircraft were parked all the way over on what they call the military side of the field. That is where the Khmer Air Force also is, which happens to be on the side opposite to the direction from which the rockets come, so there had not been any rockets in that area.

Mr. BONKER. Are there any Asian countries or governments involved in the airlift program that we use?

Mr. HABIB. No.

Mr. BONKER. So it is a U.S. exclusive?

Mr. HABIB. Yes.

Mr. BONKER. What about the liability on the planes?

Mr. HABIB. I suppose it is written into the contract. I am afraid I am not up to that.

General FISH. Well, for the commercial airlines, there is a provision of war risk insurance.

Mr. BONKER. Thank you. That is all.

U.S. COMMITMENT

Mr. HAMILTON. Mr. Secretary, I was interested in the final page of your statement this morning in which you talked about our commitment. You say this:

In entering into the Paris Agreement, we in effect told South Vietnam that we would no longer defend that country with U.S. forces, but that we would give it the means to defend itself. The South Vietnamese have carried on impressively,

as have our friends in Cambodia, in the face of extreme difficulty. I do not believe we can walk away.

Now Cambodia is not included in your statement there and I want simply to remind you that when President Nixon on April 30, 1970, addressed the Nation concerning the Cambodian strike he said that our purpose there was limited and he also said, and I quote him :

We take this action not for the purpose of expanding the war into Cambodia but for the purpose of ending the war in Vietnam and winning the just peace we all desire.

That is the end of the quote.

SCHLESINGER STATEMENT

Now Secretary of Defense Schlesinger before one of the committees last week said that the loss of Cambodia would be a foreign policy disaster for the United States. So in the course of a few years we have gone from a limited incursion for the purpose of protecting American troops and for the purpose of ending the war in Vietnam to a situation where if, as you put it, we do not provide this aid and we will have a foreign policy disaster in the United States—or rather the Secretary of Defense so put it—and it has been done really without any action by the Congress other than appropriations for aid. And it is this escalation of commitment from the point of a limited incursion, to the point of disaster for American foreign policy that disturbs so many of us in the Congress. I would therefore like to conclude the hearings by giving you an opportunity to comment, if you would, on the nature of the commitment to Cambodia as you see it at the present time.

NO LEGAL OBLIGATION

Mr. HABIB. Thank you, Mr. Chairman. I will not comment on what other people say. I am going to take your opportunity. I have certain things which I will say as I believe them.

There is no legal obligation on the part of the United States to provide assistance to Cambodia. There is no treaty obligation, there is nothing in writing unless one wants to take the fact that Cambodia was part of the Paris agreement. There was a certain sort of implicit recognition of the relationship to what we had done and what we were doing. There was that, it is implicit.

IMPLICIT RELATIONSHIP

Certainly as you point out yourself, and I consider this an important factor, the Government and the Congress by virtue of its having appropriated assistance from 1 year to the next year with this review of the requirements each year, again built up an implicit relationship—not so implicit in terms of relationship but certainly implicit in terms of responsibility and continuing responsibility. I would say to you that from my point of view it seems, having brought them along to that stage and having each year reviewed our relationship and agreed to provide the resources for whatever reasons they were provided year by year, we built up a historical relationship and a historical dependency.

When I say, and this is what I believe, that we cannot walk away, I cannot see the United States, after having done that, then simply saying that is all, turn off the water and it is all over when there is some hope, and only a hope that there is something other than complete disaster for those people who are intimately concerned and directly concerned. Now if we are not prepared to provide the resources to people who wish to defend themselves, we should have made that decision 3 or 4 years ago, but once we embark on the decision to provide the resources to a people who are prepared to defend themselves they feel that we have an obligation, they feel that we have agreed to do this and in fact they feel that we have sustained them in their policy.

CONGRESS CAN END IT

Now if you want to end it, that is in the wisdom of Congress to write the end. The administration has come to the Congress and people like myself have come up here to answer any questions, to present the facts as best we can. I didn't come to make any sweeping generalities whether it is a disaster or it isn't a disaster.

I think I have answered your question the way I would answer it; somebody else would answer it differently. Each person looks upon this obligation differently. I don't consider it a legal obligation; I do consider it a general responsibility, however, given the history of the development of the situation. Now the Congress has the right to end that responsibility if it wishes—I hope it does not, not in the way that it would end if you were to reject the request of the administration for supplementary assistance.

MANY QUESTIONS RAISED

Mr. HAMILTON. Well, Mr. Secretary, I want to say to you and your colleagues who have testified this morning that you have had a difficult task and you have discharged it well. You have been very forthcoming with the answers to the questions that have been asked by the members. I know you know that this is a highly controversial matter within the Congress.

We have appreciated your posture this morning and your statement with regard to commitment here at the close which raises a number of questions in my mind that I don't think I will try to pursue with you at this particular point. I would urge you to supply the various items that we have requested just as promptly as possible.

Mr. HABIB. You will have them this afternoon, Mr. Chairman.

Mr. HAMILTON. So we may have them for as extended a period as we can before we make any decisions on this next week.

Are there any further questions?

If not, the subcommittee stands adjourned.

Mr. HABIB. Thank you, Mr. Chairman.

[Whereupon, at 12:15 p.m., the subcommittee adjourned.]

THE CAMBODIA-VIETNAM DEBATE

TUESDAY, MARCH 11, 1975

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

The subcommittee met at 9:40 a.m. in room 2172, Rayburn House Office Building, Hon. Lee H. Hamilton (chairman of the subcommittee), presiding.

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

Today the Special Subcommittee on Investigations continues its inquiry into the situation in Cambodia and the supplemental aid requests for that country.

These supplemental aid requests seek to raise the level of economic and military assistance for Cambodia to some \$749 million for fiscal year 1975 and there are indications that a request of well over \$400 million in military aid alone for fiscal year 1976 is pending in the executive branch. These are no small amounts of money for a country of under 8 million people. Since 1970 we have put close to \$2 billion into this small country when a civil war is about to be lost by the side we have supported.

These aid requests should not be judged solely on the money amounts involved. We should also examine them in light of what our interest is, how we can best bring peace to the Cambodian people, what our Asian friends would like to see happen and how the situation on the ground is developing. On this last point, the subcommittee has heard many pessimistic predictions over the last several days.

We are happy to hear this morning from our colleagues who have recently visited Indochina. While we are interested in their overall impression of the situation in Indochina, we would like to focus more specifically on Cambodia this morning.

The chairman of that group is Mr. John Flynt of Georgia. I believe you have a few introductory comments, Mr. Flynt, and you may proceed.

STATEMENT OF HON. JOHN J. FLYNT, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

Mr. FLYNT. Mr. Chairman and members of the subcommittee, as you know, seven of us from the House accompanied by Senator Bartlett of Oklahoma went to Southeast Asia during the last week in February and the first week in March. I will supply for the record the names of each of us who made this trip.

While we were there, one of the things that we had determined in advance that we wanted to do was personally to visit Cambodia. The fact is that all eight of us wanted to go to Cambodia. Mr. Fraser and myself had also made some earlier plans and I had some appointments with people who have been active in both the civil and military side of the government in Vietnam over a period of 15 or more years. I felt that the value of my entire trip would have been lessened if I had not seen at least two of these people with whom I had firm and definite appointments on the day that the group went to Cambodia.

Therefore, along with Mr. Fraser, I asked to be excused from the Cambodian trip. Accordingly, anything that I might say would be what in the practice of law we used to call secondary evidence. Most of what I found out about Cambodia I found out from my colleagues who went there.

FAIR AGREEMENT ON CONCLUSION

I concur in a great deal of the conclusions which they have reached about Cambodia. I will not, however, attempt to speak for them because they can do it in a more articulate manner and can do it from firsthand observation where if I did it would simply recount to you statements and experiences which were related to me by my colleagues.

However, I have listened with intense interest to what they have had to say immediately upon their return from Phnom Penh during the days which remained while we were in Southeast Asia and on the way back to the United States. I will not try to preempt anything that they will say because I think they can say it far better than I can. However, as I have done on nearly every single occasion since we have been back, I will remain here during their testimony. If any member of the committee feels after hearing them that they have any questions that I might answer, I will be available and I will be glad to respond.

Mr. HAMILTON. Thank you very much, Mr. Flynt. I know the members of this subcommittee are grateful to you and your colleagues for the difficult journey you undertook and we look forward to receiving your impressions. We appreciate very much your being here this morning and your willingness to remain while your colleagues testify.

My understanding is that at least two of our colleagues have other engagements this morning and they have asked to speak first. Therefore, we will move to Congressman Fraser and then to Congresswoman Abzug for their observations because I think they have other meetings to attend.

Congressman Fraser.

STATEMENT OF HON. DONALD M. FRASER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

Mr. FRASER. Thank you, Mr. Chairman and members of the subcommittee.

As our colleague Jack Flynt has already indicated, I did not go to Phnom Penh but I had the opportunity to participate in the briefing that we received at CINCPAC Hawaii and have also had the pleasure of listening to the report of our colleagues who did go to Phnom Penh. Let me say that I don't have any disagreement with any of the factual descriptions that they brought back with them from Phnom Penh on

the difficulties facing the Lon Nol government or their analysis of the military forces on both sides. The only reason that I am presumptuous enough to speak is because I am concerned about the political side of this matter. I will be very brief.

U.S. STILL SEEKS NEGOTIATED SETTLEMENT

Throughout the trip, both on the way over and while we were there, and on the way back, as well as in the testimony of Assistant Secretary Habib the other day before this subcommittee, the Department of State made very clear its position that it has sought and still seeks to obtain a negotiated settlement of the war in Cambodia. The problem with that position is that it seeks to achieve what has been beyond the reach of either the United States or the Lon Nol government for the past several years. By negotiated settlement I understand the Department of State to be looking for some kind of a shared power, some kind of coalition, some way of preserving participation in a government of those who are presently in control of Phnom Penh.

I think that the Assistant Secretary of State was correct when he said that you can't negotiate for those purposes without some kind of a military stalemate. There has not been a military stalemate and there is not one today. There will not be one if you vote the additional money. In my judgment, based on everything I have heard, the war in Cambodia is lost. What remains is the humanitarian concern which I think the United States should evidence to bring this war to an orderly end with as little bloodshed as possible.

BANKRUPT POLICY SHOULD NOT BE SUPPORTED

That has not been the position of the Department of State. If you appropriate the money they are requesting, you will be endorsing a bankrupt policy. You will be endorsing the policy of the Department of State which will lead nowhere, which will cause not only an expenditure of money for no good end but will lead to the increased loss of life. It is possible, I suspect, that, with additional money and ammunition, Phnom Penh may not fall before the rainy season becomes sufficiently significant so that military operations will be substantially diminished, but that is not going to reverse the trend of the war and you will be left then with the same dilemma that we are faced with today. Until the Department of State changes its objectives we have no way to bring this matter to an end.

I might add—and I don't mean to be unduly critical of the Department of State—it is reasonably common knowledge that when the Ambassador from Cambodia was in Washington a while back he had great difficulties getting the attention of the Secretary. The impression one gets is that we are prepared to continue financing this war to the last Cambodian. I think it is tragic that, for whatever reason, there has not been a more concrete focus on the realities in Cambodia and the need to end the war.

NEED FRENCH INVOLVEMENT

I recommended before and would renew it today that the United States seek the good offices of the French Government or perhaps

Secretary General Waldheim to appoint someone who could be in contact with the other side to see the terms that they might suggest for winding the war up, as well as consulting with the Lon Nol government. This is the only way out in my judgment.

Now, no matter what you do, no matter what you recommend, you are going to have an impact on U.S. policy in Cambodia. If you don't recommend any money, I think you will find that the Secretary of State will be critical about the fact that you have left people without the means to defend themselves and that, in effect, you are asserting yourself in U.S. foreign policy, and I would agree with that assessment but I would say that if you don't vote the money it will be a response to the failure of the State Department to enunciate a realistic policy.

MEET WITH INGERSOLL

What would be most preferable in my judgment is that the subcommittee meet with the Acting Secretary, Mr. Ingersoll, as well as with the Assistant Secretary and try to nail down precisely what it is that they seek to achieve; and if they can convince the subcommittee that what they seek to achieve is realistic, then I would be prepared to support whatever recommendation the subcommittee makes, including the appropriation of money, if necessary, in order to achieve that objective. But if they should come before the subcommittee and advise you that their objective remains the same as in the past, then you ought not to vote any money because you will be voting in support of a policy which will not work.

Thank you very much, Mr. Chairman.

Mr. HAMILTON. Thank you, Mr. Fraser.

Now the Chair is in a little bit of a dilemma here. I understand that you have to leave, Mr. Fraser, for another subcommittee which you are conducting.

Mr. FRASER. Yes.

Mr. HAMILTON. I know that Congresswoman Abzug has to leave also so we will not have the opportunity to ask questions to Mr. Fraser unless we do it at this point.

Are there questions from members of the committee for Mr. Fraser?

Mr. WINN. I have some.

Mr. HAMILTON. Mr. Winn.

WAS U.N. OR FRANCE APPROACHED?

Mr. WINN. Thank you, Mr. Chairman.

I just have one question for Mr. Fraser. You mentioned that we should possibly have the French Government help us to negotiate some type of a settlement. Do you know that the State Department has not asked the French Government or Mr. Waldheim? I am really trying to get deeper into your alternatives.

Mr. FRASER. I only make those as illustrative suggestions. The Department of State has prepared a memorandum which they released to the press—I don't have it with me—in which they identify the kinds of efforts that have been made, and the inference that one draws from reading it is that when they have referred to third parties they have sought probably to work through China. What is interesting about the

efforts to negotiate is that the most recent ones appear to have been targeted or directed toward Mr. Sihanouk. What undoubtedly is true is that Mr. Sihanouk no longer speaks for the insurgents but the insurgents, as I understand it, are not mysterious people—they are known, the personalities are known, As I understand, they have a representative in Paris.

I suggest the French Government only because at one time they administered Cambodia as a part of Indochina. They probably have some seasoned diplomats who could go to Indochina and just play that third-party role which is sometimes very helpful.

NEGOTIATIONS HAVE BEEN TRIED

Mr. WINN. It was my understanding that Habib said the other day that they tried to reach a negotiated viewpoint through several outside sources.

Mr. FRASER. My point would not be, however, the modality; it is the objective that is involved. I think they have been seeking to get a negotiated settlement which involves a sharing of political power, and I think that is beyond the reach of either the Lon Nol government or the United States.

Mr. WINN. But you did not go to Cambodia yourself.

Mr. FRASER. No; and I accept the facts that you will get from my colleagues here.

Mr. WINN. Thank you.

Mr. HAMILTON. Are there other questions within the committee for Mr. Fraser?

Mr. Harrington.

WHY SHOULD INGERSOLL BE APPROACHED?

Mr. HARRINGTON. Mr. Fraser, in view of the bareness of the statement about the initiative to date that you describe, what would you suggest at this point dealing with what Mr. Ingersoll might produce by way of a change or variation on this that has not been able to be forthcoming either from meetings last week or the initiatives taken to get people like yourself into Southeast Asia? What purpose has been served at this point in thinking of the policy you have described to be altered or changed or could be?

Mr. FRASER. Well, the difficulty of course is that if we don't vote any money, and that is the position I am taking, the Cambodian forces may run out of ammunition in April. The war will come to an end in what is commonly referred to as an unstructured way. That is not my preference. It ought to be a negotiated end—you might call it a negotiated surrender, if you will, but an orderly transfer of power.

Now if the State Department indicated that that is what its objective was, but if they were to indicate that this would take more than the few weeks during which the Cambodian forces remain able to fight, I would not have any difficulty in voting additional money in support of that political objective, to keep the Cambodian forces at least able to fight, provided the Department of State had changed its negotiation objective. I want to be realistic about it. I don't want to have a negotiation going on and then have the battle scene crumble right under,

in effect, the feet or in front of negotiators. But the Department of State must change its objectives, and that is why I would think meeting with the Acting Secretary of State would be essential.

CONDITIONAL AID

Mr. HAMILTON. Mr. Fraser, you indicated in your responses your position is one of no assistance to Cambodia but you have also expressed an interest in an option that is before this subcommittee which would be to provide some military assistance as well as economic conditional upon a diplomatic initiative toward the other side to achieve an orderly transfer of power. Do I understand you correctly?

Mr. FRASER. Yes; although the difficulty of writing that would lead me to prefer getting a commitment from the Department of State that that is what they intended to do rather than try to write it into law.

Mr. HAMILTON. Mr. du Pont.

ORDERLY TRANSFER OF POWER

Mr. DU PONT. Mr. Fraser, I did not hear your prepared remarks and I apologize but I would like to follow up on the discussion initiated by Mr. Harrington.

You keep talking about an orderly transfer of power. In law, in morality, and politics, what basis is there for any U.S. involvement unless asked by both sides for involvement in helping an orderly transfer of power?

Mr. FRASER. Well, we are deeply involved. As I understand it, the Ambassador is very deeply involved in the way the war is run. In any event, we are the principal supplier of Cambodia. We could simply cut off our aid and that would bring the Lon Nol government to its knees immediately and so in a sense that would be a change in the present status of things.

My view, you see, is that what we would tell the Lon Nol government is that we are unable or unwilling to continue to furnish assistance to carry on the war; that if they were not in agreement with our view that an orderly transfer of power should take place, that would be their choice but then our choice would be to terminate aid. I am talking now about military aid. I have no problem with food aid or medical supplies.

UNUSUAL REQUEST OF PHNOM PENH

Mr. DU PONT. Well, I think probably what we are going to do is terminate aid—I guess that is what the committee will do—but I find it kind of an unusual role for the United States to be going to another power, albeit one we have supported militarily, and saying, "We are going to volunteer to help dismember your government and we want you to help us help you." Isn't that an unusual exercise of American foreign policy initiatives?

Mr. FRASER. I think it would be wiser to talk with them than just to suddenly cut the aid. My interest here is purely that of concern for the lives of the people involved. There ought to be an opportunity for Cambodians to get out of Cambodia who may otherwise lose their lives when the takeover occurs and it seems to me that we have some

humanitarian concerns. Those concerns are not well served by just suddenly cutting aid, they are not well served by continuing to provide aid in support of unachievable objectives, so one is left only with the other choice of trying to work it out with the Lon Nol government. If they feel they can keep on, more power to them, but I would suspect that it will be without U.S. aid.

Mr. HAMILTON. Are there other questions for Mr. Fraser?
Mr. Bonker.

ECONOMIC AID

Mr. BONKER. Mr. Fraser, you commented just a few moments ago that you would like to see a termination to military aid, but continuation of economic and food aid, is that correct?

Mr. FRASER. Well, I have no difficulty with that. The question of how much food aid they need may be open to question, as may the question of the amount of medical supplies they need. I am only saying, if the subcommittee concludes that that is needed, I would have no problem supporting it.

Mr. BONKER. Secretary Habib before this committee earlier said that without military aid there was no purpose to having food or economic aid, that they come hand in hand. Do you agree with that?

STRESS ON HUMANITARIAN ROLE

Mr. FRASER. Well, the theory, of course, is that if the Lon Nol government comes to an abrupt halt there is nothing left to support with food aid or medical aid, and I think there is probably some merit to that although if there is a peaceful transition I would hope that the United States would continue its humanitarian aid during the transitional period because we are now thinking about people, we are not thinking about governments. We are thinking about people and the need to try to reduce the loss of life and to alleviate starvation and disease which my colleagues tell me is evident in Phnom Penh and perhaps in other places in the country. So I would like to see us shift to the humanitarian role.

Mr. BONKER. This is after the transition?

Mr. FRASER. During and for a period after until the new government is able to make other arrangements.

Mr. BONKER. Thank you.

Mr. HAMILTON. The Chair would like to hear the other witnesses because I know some of them have appointments.

Are there other questions?

Mr. Solarz.

WAR OR DISORDERLY TRANSFER

Mr. SOLARZ. Just one question, Mr. Chairman.

Congressman Fraser, I would like to explore, if I may, your preference for what you characterize, as it were, the war rather than a disorderly transfer of power. Of course, based on rather nebulous information, it is difficult to know precisely how many people are being killed each day or each week in Cambodia. It does seem safe to suggest, however, based on whatever evidence is available, that somewhere in the vicinity of 10,000 Cambodians are being killed at the current rate each month if this conflict continues.

Now, in view of that fact and of your concern about preserving life, I am not at all sure what the advantages are to a so-called orderly transfer of power when the price for that transfer, assuming, in fact, that it could be brought about, is the loss of 10,000 more Cambodians a month. You suggest that this might give us time to evacuate those who fear their lives would be in danger in the event of collapse of the Lon Nol government. It seems to me that such an evacuation could commence immediately and that, given the fact that the government has enough ammunition to last until April 15, a substantial number of Cambodians could be given an opportunity to leave prior to that time. Consequently, I am somewhat at a loss to understand what the concrete advantages are of a continuation of this conflict 1 day longer that would otherwise be the case with our support.

POSSIBLE SCENARIO

Mr. FRASER. Well, I don't know what kind of a scenario one would write here but let's assume, for example, that the top government officials decided to depart Phnom Penh because they clearly would be among those whose lives may be endangered. What you may have is a total disintegration of orderly government. You may have rioting, you may have looting, you may have elements of the military just going off on their own. You would have just a disintegration and I don't understand why we would want that.

Now I don't know if the State Department decided to wind this war up that in fact they would need more ammunition. I don't know. I would hope not. I would think 4 weeks ought to be long enough. One of the first things they ought to be working for would be a cease-fire. All I am saying is that once the Department of State was clearly embarked on that course I would do whatever was necessary to make it possible in an orderly fashion.

I am not interested in continuing the war and the killing but I do not favor forcing the wrapup into such a tight time frame that it cannot take place in a sensible way. That is my only point. I think the people ought to be able to get out in a peaceful way, not flying out from an airport under siege. I think it ought to involve guarantees of safety for people to take their time, collect their possessions and move out in an orderly way, not in the middle of a war.

WHO WOULD LEAVE?

Mr. SOLARZ. Do you have any estimates as to how many people would leave Cambodia if they were given the opportunity to do so under an American sponsored evacuation?

Mr. FRASER. I would guess my colleagues may have a better impression. It would probably depend a lot on where they could go. Now there are, I think, about three-quarters of a million Cambodians in the delta region of Vietnam and it may be that some would like to go there. I don't think that a very large number would want to fly to some country some distance away. They would not have the resources or even the willingness to undertake that kind of a departure.

I just don't know, but it seems to me that is a choice I would leave up to the Cambodians to make for themselves who may feel for one reason or another they don't want to stay.

MR. HAMILTON. Mr. Fraser, thank you very much for your contribution to the subcommittee deliberations.

The next witness will be Congresswoman Abzug.

**STATEMENT OF HON. BELLA S. ABZUG, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK**

MS. ABZUG. Thank you, Mr. Chairman.

I have a statement which I would like to have made a part of the record.

MR. HAMILTON. Without objection, your statement will be inserted in the record.

MS. ABZUG. As many of you know, I have consistently opposed our involvement in Cambodia. The Congress is not responsible for this involvement. War in Cambodia, as we all know, was brought there by executive decision in 1970—first with our troops, then with our bombs and then with our dollars. We wanted a beachhead in our Vietnam fight and we have succeeded very sadly in practically devastating that whole country.

MEETING IN CAMBODIA

I went to Cambodia last week expecting to see a continuing war, expecting to see a weak government unable to rally the forces to conduct any meaningful fight against the other side. I saw exactly that, and I found out a great deal by talking with the general who I understand is in the process of being removed or leaving—General Fernandez—by talking directly with the Prime Minister and questioning even Lon Nol about the corruption in his own army and his own government. The officials do not deny this corruption, but they claim they are making some effort to do something about it.

However, I was not prepared for the degree of devastation which has been visited upon those people essentially by our giving the military aid which allows that devastation to continue. We have all heard of the many refugees in that land but never did I fully realize that the refugees were at least half of the Cambodian population. Never did I realize, until I saw it, the degree of misery that we have brought to those people—the starvation, the despair, the uprooting.

I went to the Hotel Cambodiana which is right near the center of Phnom Penh and there were thousands of huddled masses with nothing to look to and nothing to do and nothing to expect except the hope of getting a little bit of rice. I was almost unable to speak at the picture of devastation.

REFUGEE CAMP

I then went to another refugee camp on Route 4 on my way to an artillery unit at the front. The same thing. The only difference was that they had outdoors a little bit of surrounding atmosphere to make it appear that there was some chance for life.

At the front I talked to an artillery unit about a half a mile away from the firing. There I found that there was not the morale for continuing the kind of war that we are talking about. The soldiers told me that when fighting began, the troops deserted. In their own unit where

there had not yet been significant fighting, soldiers remained only until others began to flee.

There is a great deal of demoralization at the center. In Phnom Penh itself it is difficult to determine that the nation is at war. We were not there as the people were bombed, so of course we did not see that. But otherwise in Phnom Penh there appears to be normal activity. People are just proceeding in their usual routines and not being mobilized to conduct any kind of significant defense of their area.

Mr. McCloskey will go into the details in terms of the forces and so on, I won't take the time now.

BLOODBATH THERE TODAY

I merely wish to point this out. It is argued that we must give military aid because if we do not there will be a bloodbath. One thing we did discover, there is no greater bloodbath than that which is taking place presently and can only take place with our military assistance. The casualty figures are a minimum of 5,000 per month on the Khmer side and maybe double that on the Khmer Rouge side let alone the number of civilian casualties which have been estimated to be anywhere from 7,000 and up per month.

So by all estimates one can calculate casualties at 15,000 per month or, as some more objective observers have indicated from time to time in various newspapers and other places, up to 25,000 per month. I ask you whether 3 more months of military assistance is not the creation by this body of the bloodbath that people talk about. That means roughly 75,000 more persons.

SUFFERING GREAT

What the people in Cambodia are suffering from is military activity which is dislocating them from their homes, which is preventing them from finding the ways to live and grow any food, creating starvation among the masses of the people. I find it very ironic that anyone of the group that visited Cambodia—and I sympathize with the tortures that we have all been through—could suggest that the way in which we can help is to give military assistance which would cause further destruction in that country. I ask you, as I have asked a number of other people in this Congress, suppose we were asked to address either 75,000 or 100,000 of those Cambodians who may very well lose their lives or be maimed by our military assistance for the next 3-month period. If you got these Cambodian men, women and children together in front of the Capitol and they said to you, "Why do I have to die?" or "Why do I have to be wounded?" or "Why should my dreams be shattered?" or "Why should my body be mangled?"—What would you tell them? That we are doing it in order to avoid a bloodbath?

OUTCOME CERTAIN

When we first came back it was suggested that there was very little hope in the war itself, that the Khmer Rouge undoubtedly were going to be victorious and that military aid should be given to permit time for negotiations. Well, that hope—if it ever was real—has long since gone. The U.S. Ambassador Dean now admits there is no chance of

saving the Lon Nol regime although he had not quite said that when we saw him. Secretary Kissinger, who is reputed to be unenthusiastic about the negotiation situations, is unwilling to get involved, not even in the question of negotiating the transfer of power. He still talks in terms of military strength.

You had your own testimony here from CIA Director William Colby, Assistant Secretary of State Philip Habib, and others, all of whom made it clear, I think, that the guarantee of any appropriations would not produce any kind of settlement. Even Hugh Scott seems to question whether or not there has to be some change in the top of the Government before anything can be done. Lon Nol, even though his remarks I think have been misinterpreted, has made it clear that he does not intend to resign although his own party members are urging him to step down.

WHY BLOODBATH WOULD BE

What is the bloodbath that we are talking about? I think that Lon Nol and his supporters who are considered collaborationists by the Khmer Rouge are in jeopardy and I think that efforts have to be made to fly them to safety. If this is done, there may be much less of a bloodbath. But you have to remember that this is a civil war in which brother fights brother, largely at the instigation of the United States. Therefore, what we have to do is to find the way to utilize our involvement there to arrange for an orderly transfer of power.

MORAL OBLIGATION

I think we do have a moral obligation, Mr. du Pont; we conducted that war; it is our war. We have influence there and we have a responsibility. If the concern that we have is to limit as much as we can any kind of bloody aftermath, then we have to make provisions to bring Prince Sihanouk and other concerned parties who can negotiate a peaceful transition of power instead of continuing the war which is destroying the Cambodian people.

I think that it is foolish and naive to suggest that we should not now interfere in a political and a diplomatic way. We have already interfered in a military way. What do you think the military aid has been but direction and support of a government that has represented only a small clique?

When we unsettled Cambodia's Government, when we participated in unseating Mr. Sihanouk, we interfered. You may not have, I may not have, but the executive branch of this Government interfered. By sustaining an unpopular and corrupt Government, we have interfered.

ROLE OF CONGRESS IMPORTANT

I think the Congress could bring a breath of fresh air to the American public, overwhelmingly opposed to this kind of interference, if we showed the capacity to say: This is a terrible situation; we are sorry for what we have done there. We now recognize our responsibility to help those people live, to stop raining death on them, to bring peace there, to stop the killing. We are going to try to see to it that the people who are winning that war will share power and

not kill off their adversaries. We are going to make an appeal to them and involve other nations with us in making that appeal, so that Sihanouk or whoever else might be helpful will be consulted.

It is silly to pretend that the opposition forces have no representatives. There are many leaders in that national front that can indeed represent varied interests. We should try not only to provide for the safety of those who are presently in government but also to provide a way in which those who wish to leave Cambodia can do so.

FOOD AND MEDICAL SUPPLIES NEEDED

It is important that we have a distribution of food and medical supplies for those people. The survival of human beings is very much our responsibility regardless of how the transfer of power takes place, because we have devastated the Cambodian society. We have destroyed their capacity to build a country or to grow their own food. I think we should deliver food and medicine through international organizations. It has to be done in a such a way that the food reaches civilians and refugees, not just the soldiers as before. To continue to talk about military aid is ridiculous, I think it is callous. I think it is absolutely obscene at this stage in the history of Cambodia.

I have never been more moved by human misery and suffering and I would not give one more penny to impose another day's suffering upon those people. Food and medical supplies, I think we must find the way to deliver to them. Military aid has to be cut off immediately and we have to restore some order to the chaos that we have created there.

[The prepared statement of Congresswoman Abzug follows:]

PREPARED STATEMENT OF HON. BELLA S. ABZUG, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Chairman, I appreciate the opportunity to come before you this morning to comment briefly on an Administration request to remove the ceiling on U.S. aid to Cambodia and specifically to appropriate \$222 million more in military aid.

This is incorporated in H.R. 2704, introduced February 4 by Mr. Morgan of Pennsylvania and Mr. Broomfield of Michigan at the request of the Administration. That bill was referred to the Foreign Affairs Committee, where it is now pending.

This bill would remove the ceiling that Congress has set on aid to Cambodia. That ceiling, incidently, was not some afterthought. Indeed, the Foreign Aid Authorization bill came to the House floor in December without any Cambodia ceiling in it. It was only added after Mr. Conte took leadership in offering the amendment and then beat back two efforts to weaken it on the floor.

In conference, the total amount of military aid approved was \$275 million for Cambodia for fiscal year 1975—\$200 million under the ceiling and a special \$75 million available under the draw down authority. Now, only a few weeks later the Administration is requesting another \$222 million—an 80 percent increase!

Mr. Chairman, as you know, I had the opportunity two weeks ago, along with several of my colleagues, to visit Cambodia and South Vietnam. I made no secret of the fact that I went to South Vietnam and Cambodia opposed to any further military aid there. I expected to find a continuing war to which I have been opposed since its inception. I was not prepared, however, for what I was to find on this visit. The degree of human misery, corruption, and political repression caused by American support of the Thieu and Lon Nol governments, quite frankly, exceeded anything I had seen on a brief visit to South Vietnam two years ago. I have come back with the deepened conviction that we must extricate ourselves from that quagmire immediately. We are not doing the

Cambodians any favor by continuing to pour in arms and perpetuating the carnage.

But, people ask me, what about our commitments? Won't we be breaking our word and creating distrust of U.S. intentions?

The record shows that the Congress has never made a commitment to the survival of any government in Cambodia. The Administration may have made a unilateral commitment, but this Congress never joined in. Under close questioning by members of the Foreign Affairs Committee in November, 1970, when the first request for U.S. military aid to Cambodia was made, then Secretary of State Rogers repeatedly said that U.S. military assistance to Cambodia was not related to any SEATO commitment. It was, in fact, not related to any treaty commitment. It was tied to the withdrawal of U.S. troops in Vietnam and the success of the Vietnamization program, both of which have now been completed. For example, Mr. Kazen asked: "Mr. Secretary, just exactly what is our commitment to Cambodia at this time?" Secretary Rogers replied: "Really, we have no commitment. We have no treaty obligations with Cambodia."

We don't have a legal commitment to Cambodia. Certainly the Congress has no commitment to a war that was started illegally by the Nixon administration and continued without regard for the will of Congress or the American people. What we have, basically, is a month to month lease. The Administration asks us for money, we appropriate it, or we cut it, or we refuse it. Any time Congress wants to terminate the arrangement it can. Last December we in Congress said we would pay \$275 million for military aid to Cambodia for the fiscal year ending June 30th. Now, the Administration is back, asking for that 80 percent increase. But we don't have to agree to it. There is no commitment. If they can convince us on the merits, fine. But not by speciously arguing some sort of commitment.

Well, we're told, maybe you don't have a commitment, but you have a "moral obligation." I'm not quite sure what that means. To whom do we owe our moral obligation? Is it to General Lon Nol and the narrow group of people around him who hold power and run a corrupt regime? What morality binds us to that small group of men?

If we are told that we have a moral commitment to the Cambodian people to continue the war, they may wish we hadn't cared so much. Since 1970, the United States has dominated Cambodia, first with our troops, then with our bombs, then with our dollars. During that period, more than half of all Cambodians have become refugees with 60,000 new refugees in January of this year. By official count, civilian casualties in Cambodia during 1974 averaged 7,000 per month for a total of 84,000 (Kennedy Subcommittee, January 27, 1975 report). Will sending more arms to be used by both sides carry out some sort of "moral obligation" or will this just inflict more pain and suffering?

But, others argue, think of the terrible bloodbath that will occur if we stop sending arms to Cambodia. We must prevent that from happening. I know we are all concerned about bloodshed, and are aware of the possibilities of violence in a rapid change of government in a wartime situation. But let's look at the record. When our delegation was in Cambodia, we were told by U.S. officials that FANK claimed 4,260 Cambodian armed forces personnel had been killed in the first 50 days of this year—just about the same number who were recruited in the same period. Some 15,000 people were wounded in the countryside in January and February. According to estimates of our embassy, about 30,000 people were killed or wounded in two months. Other more dispassionate observers report killed and wounded on both sides, including civilians, total about 25,000 a month. In the bill now before you, the Administration proposes to fund that war until June 30. Based on the experience so far this year, 100,000 people who are alive today in Cambodia will be dead or wounded by July 1. Is this not a bloodbath? And this carnage has been going on in Cambodia since 1970.

Just imagine yourself addressing a crowd of those 100,000 Cambodian men, women and children in front of the Capitol and someone shouts up the question: "Why do we have to die or be wounded, with our hopes and dreams shattered, our bodies mangled?" What can you tell them? That you are doing it so you can avoid a bloodbath? This argument defies reality and common sense.

For awhile we were told that this new military aid was to "stimulate negotiations." That hope—if it was ever real—is long since gone. Even the U.S. Ambassador, John Gunther Dean, admits that there is no chance of saving the Lon Nol regime. Secretary of State Kissinger, unenthusiastic about the negotiation situation, is unwilling to even get involved in negotiating the transfer of political power which is inevitable. He still talks in terms of military strength. Yesterday,

CIA director William Colby told House members that he was pessimistic about the ability of the Cambodian government to survive even if it receives more U.S. military aid. Assistant Secretary of State, Philip Habib, has said that he could not guarantee that the \$222 million would produce a negotiated settlement. Even Senate Minority Leader, Hugh Scott (R-Pa.), feels that the United States should get the refugees out which would "lead to some change of leadership at the top, some sort of transition government." Lon Nol, although his remarks were originally misinterpreted, has made it clear that he does not intend to resign. Members of his own party are urging him to step down, but he will not do so. In this situation, what can the United States do?

The best solution, it seems to me, is to fly to safety Lon Nol and his supporters who are considered "collaborationists" by the Khmer Rouge. If this is done, there will be no occasion for a "bloodbath" such as the Administration predicts. We must remember that this is a civil war in which brother fights brother, largely at the original instigation of a foreign power—the United States. So let us rescue those to whom we feel a commitment, and leave the others to settle their affairs in peace. Sooner or later, this must happen in any case, and 100,000 lives may be saved by having it happen now.

The very weapons and ammunition that we airlift to Lon Nol are being captured and used by the Khmer Rouge against those we are supposed to help. Thus, in effect, we are arming both sides to continue the killing.

Negotiations for surrender and replacement of the Lon Nol regime are now the only possible kind of negotiations. Secretary Kissinger should turn his talents to this area. Friendly and neutral countries should be asked to help open negotiating channels for a cease fire.

Then, I urge orderly distribution of the food and medical supplies that we all agree are needed. This must be done through international organizations, because Lon Nol is diverting from the people to the army, the food we are sending him. I cannot express the shock I felt upon seeing starving mothers and children, and then learning that they did not get the food we supposedly sent to them. This must not be allowed to happen.

Given a hopeless situation, let us not respond blindly or stubbornly. Let us not force Asians to continue killing each other to maintain our false pride. We have not "lost" Cambodia—we never had Cambodia. Let us help its tormented people to rebuild their shattered lives.

Mr. HAMILTON. Thank you very much, Congresswoman Abzug.

Mr. Flynt, I am going to look to you as the chairman of the delegation for the next witness. The next witness, as you are indicating, will be Congressman Murtha from Pennsylvania.

STATEMENT OF HON. JOHN P. MURTHA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF PENNSYLVANIA

Mr. MURTHA. Thank you very much, Mr. Chairman.

I want to very briefly outline the military situation because Pete McCloskey and I dealt almost solely with the military situation.

As you may know, I was in South Vietnam on the ground with the Marines for a year, so the military situation is the only thing that I looked at. Now we were only in Cambodia for 7½ to 8 hours and certainly I am no expert on Cambodia and the political implications and problems. You are much more of an expert than I am.

Bill Chappell and I went down to the division commander and he briefed us entirely on the situation as he saw it. We then went down to a brigade commander who had fought against the North Vietnamese in South Vietnam. He told us that he didn't feel that the military situation was as bad as it had been pictured by the news media and that he had fought against the North Vietnamese; the North Vietnamese were much more well trained, better integrated, better organized, and the Khmer Rouge were entirely a different type of enemy.

SITUATION ON MEKONG RIVER

Now of course there is no question that the Mekong Delta has been choked off in two points, the airfield was under fire. As a matter of fact, a half hour after we landed, two rockets landed on the airfield. While I was inspecting the air services themselves, two rockets fell between 200 and 300 yards from the position where I was standing. So if the airfield were choked off as the Mekong River is from a military standpoint, I don't see how Cambodia could survive.

An interesting point. I questioned one of the newspaper reporters on my way over to Cambodia and I asked him his assessment of the military situation. He said, "I told the world that they were going to fall 2 weeks after we quit the bombing, and they are going to fall." Now of course it has been 2 years since we quit the bombing but some of the reporting I think may have been distorted.

TALKING TO TROOPS

I went down to a firing battery and I talked to the troops that were at this firing battery. They seemed to have high morale. They are certainly not the well-disciplined troops I have seen in the American forces or any other forces but they do have a high morale. Rep. McCloskey will go into some detail about the advantages and disadvantages and what he thinks might happen there. In my opinion the situation has been stabilized but if we were to cut off aid there is no question in my mind what would happen—they would run out of ammunition very shortly. There is from 5 to 15 days of supply on the ground and they would consequently be overrun.

During the briefings they pointed out that there were serious atrocities every time the Khmer Rouge who were trained in Hanoi came into the area, and of course we saw evidence. They showed us the Chinese and the North Vietnamese weapons that were being used in the war and there was no question where the support was coming from. They showed us in detail what happened in the atrocities that had been perpetrated in the areas that were overrun by the Khmer Rouge. It is a very vicious, barbaric war and I think impressed all of us with the tremendous barbarity and the viciousness of the two sides.

QUESTION OF FUTURE

Whether they could hold out or not, I certainly am not able to tell you. Whether they could continue the fighting, I cannot tell you. I can only say that in the situation as we saw it there was higher morale than I would anticipate. For instance, the children were standing around the firing battery—and this is a very interesting situation. I have never seen happier kids. I think even American kids in the United States would not be as friendly as these children were. It was a very disconcerting thing to me that here was a city beleaguered, under siege, and yet the people seem to be of a much higher morale than has been reported.

It reminds me of a story a marine was telling me when he was in Khesan in 1968. He was reading a report to the other fellows in the area. Khesan was surrounded and reporters were comparing it to

Dien Bien Phu. This marine was telling the other men, "I am glad I wasn't there," and of course he was on the ground.

So there has been, I think, some distortion of the facts about what is going on. There is no question there is not enough food but there is a will to carry on the battle. They have a discipline and they were fairly well trained, all the troops that I saw. The artillery battery, in comparing them with our forces, I certainly say they had an adequate training and they had morale to the point where if they were given the ammunition they could carry on.

SOME DETERMINATION EXISTS

In the short time I was there my impression was, in talking to the firing battery, brigade commander and division commander and watching the troops in action, that they had the determination if they were given the aid to carry on. There is no question in my mind that if we cut off the aid they would run out of ammunition between 15 to 30 days, that they would be overrun and that there would be substantial atrocities.

Mr. HAMILTON. Thank you very much, Congressman Murtha.

I might say to my colleagues it is my intention to complete the testimony of the other witnesses before we turn to questions by the members of the subcommittee and members of the full committee.

Mr. Flynt, who is our next witness?

Mr. FLYNT. Mr. McCloskey.

Mr. HAMILTON. Congressman McCloskey, we are glad to have you with us today and we look forward to hearing your remarks.

STATEMENT OF HON. PAUL N. McCLOSKEY, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. McCLOSKEY. Mr. Chairman, I am in general agreement with what Congressman Fraser said to this subcommittee and I would have to concur first in Congressman Murtha's comment that none of us became experts on Cambodia in the 7 hours that we were privileged to spend there.

I would like to break my testimony into essentially four areas: First, the description of the history of the situation as we understood it from the Embassy there; second, the military confrontation, the statistics, the basis for the administration's demands; third, the refugee situation and our recommendations there which I believe to be unanimous on the part of all eight of us; and finally, some specific observation of facts that we observed or specific things that were related to us that might guide the subcommittee.

ANY COMMITMENT HAS GUILT FACTOR

First of all, any sense of commitment that we feel might be characterized I think more as a guilt factor. As the committee knows in 1969 when President Nixon took office, Cambodia—a nation of 7 million people—had preserved its neutrality with respect to the Vietnam conflict although the five easterly provinces of Cambodia, which were thinly populated, were being used as the terminus of the Ho Chi Minh

Trail coming down from North Vietnam and Laos and were used as a means of building up a support base and pressure against the delta and the third military region around Saigon in South Vietnam. In addition, the Cambodian seaport south of Phnom Penh was used as the basis for supplies brought in by ship to support the North Vietnamese and Vietcong fighting in the southerly part of South Vietnam.

Shortly after President Nixon took office he commenced the secret bombing—we believe this occurred in either late January or February of 1969—of Cambodia in particularly these five provinces which were being used for support and supply. Then in March of 1970 the Sihanouk government fell apparently, the best we can determine, with no push from the CIA or any other U.S. suggestion. In any event the Lon Nol government was formed in March of 1970 and we chose on April 30, to invade those five easterly provinces.

CONSEQUENCES OF 1970 INVASION

What we did by that invasion was to push the North Vietnamese out into Cambodia proper and the more populated areas of Cambodia and then we took a number of Cambodians into South Vietnam and trained them to fight against the North Vietnamese which were using this part of Cambodia as a base and supply route. Now apparently the North Vietnamese also took between 5,000 and 6,000 Cambodians north to Hanoi and trained them and upon their return they have been the nucleus of the Khmer Rouge.

At the present time the situation was described to us as follows: Of the 7 million people in Cambodia, roughly 10 percent have been killed and roughly somewhere over half have become refugees. That is, 700,000 dead and of the remaining people about two-thirds of the population have fled or retreated into various government enclaves which are population centers around Cambodia with over 2 million people situated within the Phnom Penh perimeter.

The military situation is that the Khmer Rouge are estimated by our people to range between 50,000 and 88,000 people maximum of whom perhaps 50,000 maximum could be characterized as combat troops. On the friendly side the Cambodian Government is estimated to have roughly 195,000 people capable of waging military resistance but in the Phnom Penh perimeter the statistics are that there are an estimated 30,000 troops maximum surrounding Phnom Penh and perhaps 25,000 Cambodian government troops in the perimeter defending it.

STAYING POWER EXISTS

I would concur with what Congressman Murtha said that the two units that I visited, which were separate from the two units that he did, indicated a staying power and a capacity that was perhaps higher than we were led to expect of the Cambodian military. Bearing in mind the numbers in that perimeter facing each other—30,000 enemy, perhaps 25,000 friendly—there were more young men of military age walking around the streets of Phnom Penh than there are serving in the armed services. It is an almost unreal atmosphere of this civilian quiet in the city, both government and the population, and the really

vicious war that is going on around the perimeter. Let me cite the casualty figures to you as indicative of the nature of this fighting.

The Cambodians have estimated that in the 2 months since the dry season started January and February, that they have had 2,000 killed in action and 8,000 wounded in action and of those wounded in action a pretty good rule of thumb is that half have returned to duty within a very short time and about half are disabled for a considerable length of time and 674 missing in action.

SUBSTANTIAL CASUALTIES

So out of a force of 10,000—2,000 killed, 8,000 wounded and 674 missing—those are fairly substantial casualties. At the rate of the ammunition expenditure, which is almost incredible for the number of people engaged, they have been using roughly 450 tons of ammunition a day in Cambodia and that is with roughly 50,000 combat troops on both sides while in South Vietnam they are using only 600 tons a month with 3,000 troops engaged head to head in a war that is a very serious war.

So around Phnom Penh then with the casualties roughly a third of the forces that are engaged on the friendly side and an estimate on the opposing side of double the killed and wounded, you have had in the first 2 months of the dry season offensive at least a third of both sides becoming casualties. This is why if the rainy season starts June 1 and the Mekong floods by July 15 or August 1 that combat has to run down, no fighting force can sustain those kinds of casualties permanently and still remain a fighting force.

AMMUNITION

On the ammunition expenditures—and I want to move to this point because this is the basis for the administration's request. There is a difference of opinion perhaps in the delegation as to what would be appropriate to preserve that perimeter. We were given figures by the American military team there that they recommended commencing January 1 that the Cambodians use roughly 289 tons per day of ammunition to defend against the Khmer Rouge attack and that was broken down to 233 tons of ground ammunition and 56 tons of air ammunition. That is a total of 289 tons per day.

The figures the Embassy provided us, however, is that they are using an average of 450 tons per day and the administration request for \$222 million in supplemental military assistance through June 30 was based on the administration's feeling that they should be entitled to have 600 tons a day for the balance of the dry season.

MILITARY NEEDS

The discussions that Congressman Chappell and I had with the Defense Department led us to the conclusion—and I use these figures as my personal view—that if we provided for 75 days 450 tons of ammunition a day, this is their current consumption rate, that it would cost roughly \$84 million worth of ammunition in the mix that they are using. The Defense Department would estimate an additional \$19.6 million for handling and transportation and that is based on the airlift.

With the airlift you can get all \$84 million worth of ammunition in there at the present time. If, as the Mekong widens out, they try to sail it up the Mekong, the transportation charges will be less but they can anticipate losing considerable amounts of it, so these figures are based on the continued airlift. That is \$84 million in ammunition and \$19.6 million in handling and transportation charges.

Their figures for medical assistance for the military was \$750,000 but in the situations that were observed they are obviously short of both military and civilian medical supplies. They used the figure to us of \$3.2 million for medical assistance. We doubled that to \$6.4 million and the military asked for \$6.7 million in spare parts.

RECOMMENDATION

The total that I was prepared to recommend along the lines of Don Fraser's is that if military assistance were deemed appropriate to accompany the raising of the Public Law 480 ceiling that the figure would be \$116.7 million, not the \$222 million that the administration had requested. It would be a little over half, and that is based on 75 days at the use of 450 tons a day that has been the use of the last 2 months and in my judgment would have to go down as these combat forces are suffering attrition.

Finally, on the food situation, all of us found out and, I think, saw some refugees or talked to some individuals. The people that I met personally were in two small villages alongside the road as we returned from the front and in a refugee camp that people have been coming into in the last 60 days. In all cases it was clear there was insufficient food, insufficient nutrition for the children and the people. There are over 2 million people in that perimeter, over half of whom were refugees from Phnom Penh.

I think it is the unanimous recommendation of the eight of us there that the committee raise the ceiling of Public Law 480 as requested by the administration, but that if we lift that ceiling, we would recommend that at least 12 additional AID personnel be assigned to the area to insure that one man—one bag of rice. We were not satisfied that the Cambodian Army or the Cambodian Government is going to be charitable at all to the civilians or the refugees of the population.

As I understand it, if you should enact the raising of the Public Law 480 ceiling it would require the personnel ceiling to be raised as well, to add an additional 12 people. I think the ceiling now is 200.

GENERAL OBSERVATIONS

Now some personal observations that might be of some interest. When I went over there dedicated not to vote one nickel for further aid to Cambodia, the two things that changed my mind were these. One, when we visited the Cambodian Army, apparently they are taking no prisoners. Congressman Murtha and I had gone around and visited various units in Vietnam and it was common to find that if they suffered 200 killed in action and had 800 wounded that they had killed twice the number of enemy and they had taken perhaps 20 or 30 prisoners, that kind of a ratio.

The same is true of killed and wounded in Cambodia but we could find no prisoners—at least there were none taken by the unit that I

saw which leads me to the conclusion that if they have run out of ammunition on April 15 as provided and the Khmer Rouge comes in and they treat the Cambodian Army in the same manner that the Cambodian Army has treated the Khmer Rouge, there are going to be considerable casualties suffered by the vengeance of the people that have been living first under our B-52's and then engaged in this very vicious war over the last 5 years.

ONE PRISONER

The second factor was that the refugees that I talked to, and that would include one prisoner that we were able to interview back in the rear and three people who had rallied—and rallied means voluntarily coming over to the Cambodian Government side—the prisoner who was fortunate enough to be alive and the only one I could find was 16 years of age. Three weeks earlier he had been living in a village 15 miles outside the perimeter when the Khmer Rouge had come into his village. They had given him an American rifle and 500 cartridges. They had trained him in the use of the rifle as he was walking down to fight in the perimeter. They told him he was fighting against Americans so he had gone along. He had fired two clips of that AR-15 rifle and then had been captured.

Apparently the Khmer Rouge is impressing this on the troops on their side, people of this age with no military training at all but who indicate a willingness to participate to some extent in the fighting. Of the two ralliers and the refugees with whom I talked—and I would say from 12 to 15 people, because while various people interjected themselves into the conversation it could not be any more exact than that—in every case the refugees described that when their village had been taken over by the Khmer Rouge, when the Khmer Rouge walked into town, they have taken, 2, 10, 30 people out and executed them either by shooting or in some villages beating them to death or driving a bamboo stake into those people. I was impressed with the aura of fear that pervaded these refugees as to what would happen to them if the Khmer Rouge should take over.

COMMUNIST INTENTIONS

As you know, I have opposed the war in Vietnam but I would not be under any illusions as to the intentions of the Communists. They trained people in Hanoi who returned and killed the civil service employees, the school teachers, the monks, the leaders and the like. It is for that reason it seemed to me appropriate that we continue the limited military aid to get the Cambodian Government into the wet season.

The further recommendation that I would make personally is that this committee ought to take careful testimony from the State Department. There seems to be a reluctance on the part of the State Department to want to urge the Lon Nol government to step down even though it is recognized that the Khmer Rouge will not negotiate; there is no chance to negotiate with Lon Nol and the seven or eight men around him.

The Lon Nol government had condemned the Khmer Rouge leaders to death and it appears that the sentiment is returned in kind. The

Khmer Rouge attitude is: Why should we negotiate; we are going to win in 1 month to 3 months to 9 months so why negotiate under any circumstances with Lon Nol and the people closely around him.

OPENNESS IN GOVERNMENT

There is a further reluctance, it appears to me, from the conversations that I have had with the State Department people. I might say that in every respect it is a refreshing change in the Ford administration to find a complete candor and a complete openness in the discussion of both the facts and the issues by the State Department, the Department of Defense and the CIA people with whom we have discussed the matter.

There seems to be in the State Department a continuing belief that it is the prestige of the American Government and the credibility of the American commitment based on other State Department programs and problems around the world that forces the State Department to continue to support the Lon Nol government and to continue to urge the Congress that we have a commitment. There is a difference in the State Department's feeling of commitment and I think certain of us on this delegation who, if we feel any commitment to assist at all, is based on the guilt of what we have imposed on this country as a basis for getting our troops out of Vietnam somewhat earlier than we might have had we not invaded and bombed, and supported the Lon Nol government to serve our purposes up until 1973.

I would point out that when we raised this issue with Secretary Kissinger that we expressed the hope of a State Department initiative. Secretary Kissinger's response was that he had been within a few days of settling the Cambodian question when the Congress cut off the bombing by that vote in June of 1973 and that by our vote we had interfered and hindered his ability to engage a Cambodian peace. I just got the impression that the Secretary was a little reluctant to proceed with any new diplomatic initiatives in this state of affairs when obviously there is no condition of strength from which to deal.

I think that sums up my testimony, Mr. Chairman.

Mr. HAMILTON. Thank you very much, Congressman McCloskey.
Mr. Chappell.

We welcome you before the committee.

STATEMENT OF HON. BILL CHAPPELL, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. CHAPPELL. Thank you, Mr. Chairman.

I think Pete has done a tremendous job in summarizing what is pretty much my position except as to degree. We varied a little bit in degree on what the recommendations to the committee would be.

NO EASY SOLUTION

First of all, let me say that there is no easy solution in Cambodia. To decide to vote aid for Cambodia insofar as I am concerned has been one of the toughest decisions in my entire political career. So,

if we are looking for an easy solution or easy answer we are not going to find it with respect to Cambodia. I think, as Pete says, it is going to lie very keenly in the conscience of every one of us to try to help people who are in this very beleaguered condition.

Let me first address myself to what the moneys would do if they are voted. First of all, they would assure food and medicine to these besieged people; second, they would buy time for negotiations; and third, they would lessen the chance for the tremendous bloodbath that we all must expect.

Sometimes I think we are a little bit too reluctant to understand truly the nature of the Communist world and we are a little bit reluctant to understand exactly what the atrocities are and what is happening over in that area of the world. I would like to go back to a little bit of the history on the Communists—and this is nothing new, you know it, but I would just like to summarize briefly.

CHINA HISTORY

When Mao started his proceedings in China he issued instructions that violence was to be employed against 2 percent of the farm families, no more and no less. There were about 34 million farm families in the old "liberated areas" and 68 million in the new "liberated areas." These percentages suggest that there were over 1 million people actually killed systematically by plan in order for the Communists to control. As all of us know, they control the population by terror.

The statistics which I am reciting to you come from my request to our own State Department updated to 2 days ago. Let's look at the situation in which we find Cambodia with reference to what might happen in the event of a breakthrough.

According to our State Department, the Khmer Communists have already indicated in their statements and their actions that they intend to retaliate against those who have supported the Lon Nol government and perhaps more importantly anyone who could serve as potential opposition to a Communist regime. Given their minority position, it is a prudent step in controlling political competition.

Here are the actual circumstances we find right now within this perimeter. The Cambodians, particularly the urban elite, very early in the war committed themselves to the Government position by regularly and publicly subscribing to petitions, fund raising, elections and the like which has facilitated the Communist job of preparing lists of potential targets.

WHAT COMMUNISTS ARE DOING

In the countryside where the Communist apparatus has been established, the Communists have already imprisoned or killed buddhist monks, lay leaders, village elders, teachers, and civil servants. The international press has already been replete with stories of villagers slaughtered who refused to accede to collectivization plans and who attempted to escape from Communist zones.

In combat, the Communists have long practiced the execution of all captured officers and noncommissioned officers. As the current military offensive gathers momentum, the Communists will attempt to kidnap and murder selective government officials and members of

parliament to further intimidate the government leadership. Intelligence sources have already confirmed that the Communists ordered the murder of two government ministers last June who were being held by students protesting economic conditions.

Prince Sihanouk has already noted that the Communists will probably dump him if given the opportunity. He has referred to himself as the potential Jan Masaryk of Cambodia. Most recently he has said he will spend little time in Cambodia if the Communists win because he does not wish to risk being "put on trial" at some future date.

CONSEQUENCES OF FALL OF CAMBODIA

So there is no question in my mind and no question I think in the minds of most that if Phnom Penh is permitted to fall and the situation there becomes totally uncontrolled, there is going to be slaughter by the millions.

Let's look at the situation described by Mr. McCloskey. We have roughly a million refugees. Now these refugees have also voted already against the Communist forces with their feet and they have come by their own choice into the refugee camps in Phnom Penh. Unquestionably there will be thousands and thousands of those who are going to suffer the same plight.

Let me turn to the question of food and medicine without military aid. To my mind it would be totally foolhardy to send in food and medicine without sending military assistance in to insure that the food and medicine gets to the right place. If we don't send in the military assistance—that is to say, moneys—there is no need in sending the food and medicine. So I hope that whatever we do, if we should choose to vote, we won't provide food and medicine without the military assistance to go with it.

WILL TO WIN STILL THERE

Now, as I view the situation, none of us want to send money into a totally helpless cause where the people have no will to win. It has been indicated by Mr. Murtha and Mr. McCloskey that the will to win is pretty high. We have information from our own State Department based upon actual history of these units—that is to say the fighting units—and the will to win has been displayed at a very high level. Now, they have been able to hold man to man in almost every instance where they have been engaged.

We tend to look at the fighting going on in this area of the world pretty much on our own standard when actually it is not on our standard. We expect Phnom Penh to fall at any time. We expect it to be quick and rapid. In my opinion unless we default, insofar as our obligation is concerned, and it is a moral one, I think these people have the capacity to withstand for a substantial period of time, maybe indefinitely.

In comparing the two forces of people, looking at the personnel first of all, both sides are going in with their foot soldiers fighting in sandals with very meager clothes—maybe a pair of shorts, shirt, usually without a helmet. That is the picture of the personnel on the two sides. They are essentially equally clothed, they are essentially equally fed. In my opinion the Government forces certainly have at least

equally the will to win as on the other side and this comes from our talking to the people from the generals down through the foot soldiers. We find that the desertion rate has lessened rather than increased as the siege of the city has worsened.

So I personally feel that these people have the will to win, they have demonstrated it, and I think if we give them this help it will carry them at least through to the wet season and then maybe the Lord will give a little help with the water down there and other things might happen.

NEED 105-DAY SUPPLY

Let me explain my difference with Mr. McCloskey on the amount, and it is again degree. He has told you that the computation on the part of the Defense Department has meant the expenditure rate of 450 short tons a day. Mr. McCloskey bases his computation on 75 days and I base mine on 105. The State Department and the Defense Department pled with us to provide for not less than 105 days, so at the expenditure of 450 tons per day this would bring us over the 105 days to a total of \$137.7 million rather than the \$116.7 million which Mr. McCloskey has suggested.

So I recommend that if we are going to do anything at all, we should provide enough help to do some good. I think our pattern, in trying to help other nations, has been to help too little too late in so many instances. We don't really get the job done so we want to get the food and medicine in there. If we want to buy time for negotiation, to lessen the chance for the bloodbath, then I think we should vote not less than \$137.7 million.

NEGOTIATION PROSPECTS

Mr. Chairman, there is one other point that I want to mention about negotiation. I think we are prone to underrate the activity of our own State Department in attempted negotiations. All of us know when we enter into a circumstance like that it is difficult to negotiate. We have to do most of it through third parties and this is not always easy but I have assurances from the State Department that they have done everything possible to try to improve the negotiations. They tell us, however, that as long as the other side feels that beyond question it is going to have a military victory they are not willing to negotiate on any kind of a basis.

So we need to pour a little strength into the situation if we are going to give them an opportunity to negotiate, and that is the reason I think the military assistance is so vital. The indications are that the other side is about to exhaust its ammunition and its resources in this area. The indication is that they are going all out during this period of time to win. If they fail in that win, it is very likely that they may fail to win particularly if we provide for the 105 days that I am suggesting and the Departments of Defense and State are suggesting. I believe this can pour enough strength into the situation to give our negotiators at least an opportunity to do a little bit more from at least an improved position of strength.

So I recommend, Mr. Chairman, that we do provide this money. This has not been an easy decision for me. As some of you know, I don't like to spend money as well as some and this is a hard choice for me to make.

Thank you, Mr. Chairman.

Mr. HAMILTON. Thank you, Mr. Chappell.

I think our final witness from the panel is Congresswoman Fenwick. We look forward to hearing from you.

STATEMENT OF HON. MILLICENT FENWICK, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mrs. FENWICK. Thank you, Mr. Chairman.

I am against any more military aid for Cambodia unless by some extraordinary chance we can believe that negotiations are starting right now, yesterday, last night or tonight.

In my opinion the Lon Nol government, as it now is constituted, is a basket that is falling apart. If we put any heavy stones into it, in the way of aid of any kind or any effort to prop it up or any effort to continue it in office, those stones are going to fall right through the bottom of the basket and hit a lot of people on the way down. I heard on the radio this morning that General Fernandez who is head of the armed forces has been removed and in his place has been put a general who was Prince Sihanouk's armed forces head.

GOVERNMENT FALLING APART

The Lon Nol government is falling apart. The greatest service that we could do to the people of this country—the United States—and to the people of that poor country in view of our moral responsibility there—we have no legal responsibility—would be to move at once to see what arrangements can be made that would stop the shipping of arms from China into that area. That is the reality of the situation.

The basic reality of that country is: To whom will China ship arms? If China continues to ship arms against Lon Nol or against Prince Sihanouk—if he should be in power—there is going to continue to be fighting there. It is not a country, apparently, that China is prepared to leave to us. If we ship arms to one side, China is going to continue to ship arms to the other. The more we pour in, the more they will pour in. And the reality of the situation is that.

If I could be sure that our State Department was operating on any basis other than that of negotiations which include Lon Nol, I would feel less desperate about the situation than I do. I urge this committee and anybody with any authority to speak in this area to find out, if possible, on what basis the State Department is operating.

We got a list of what the State Department had done. They all referred to past, complicated methods of trying to communicate through third parties. I now find that there has been, all this time, a regular representative of Prince Sihanouk in Paris available to all countries. I now find that Prince Sihanouk has cabled to Senator Mansfield, and is in direct contact with Senator Mansfield. Surely this must be known to the State Department.

KHMER ROUGE HAVE REPRESENTATIVES

I now find that there has been in fact, a representative of the Khmer Rouge, the dominant guerrilla group, touring Asia and Africa to drum up support. Surely we could have had contact with him. How is it that our State Department seems to be moving exclusively to involve Lon Nol in the negotiations? I think that has been the sticking point.

What has happened? The Lon Nol government has lost 80 percent of the country, of the area. About half the people have crowded into the cities because the atrocities have been terrible. What we have got to do now, in my opinion, is to work out some arrangement for the orderly transfer of power to some person, whether Sihanouk or anybody else who will take over the responsibility for the lives and safety of those people, the refugees and the people who are manning the voluntary agencies which are doing such heroic work in handing out the food that we send.

We cannot continue to pour military aid to the Lon Nol government without any suggestion that this is going to be replaced by something that the Cambodian people will accept and support and that China is prepared to accept so they will stop sending bullets into the area. It really boils down to something as fundamental as that.

LOOK AT AMERICAN INTERESTS

I would like to stop my testimony. I hope you will have questions concerning American interests. What are they? The Defense Department has testified and Mr. Schlesinger has told us privately and publicly that the security of the United States is not threatened by Indochina. There is no security or U.S. interest involved there. If Lon Nol's were a strong government, supported by its people and not corrupt and inept, that would be a different thing if we wanted to send them help, although I think that would still be unwise.

We must also consider what our people are prepared to support. What are the people of the United States prepared to do? Are they prepared to match year after year after year military appropriations for nations far away with no conceivable Defense suggestion that it is necessary for our security? I don't think they are.

So what are we doing? We pour money that we need at home into other countries, into a government that has proven itself incapable of holding more than 20 percent of the country. It is not viable. There is where our prestige suffers. We have been too quick to move into areas far away, without considering what the net result would be: Encouraging Cambodians to fight Cambodians. Why? If one sees the refugee villages and the hospitals with these poor malnourished children and people suffering with terrible diseases, one hesitates to think about what the American responsibility might be.

Thank you, Mr. Chairman.

Mr. HAMILTON. Thank you, Congresswoman Fenwick.

Congressman Flynt, do you have any further comments you would like to make?

CAMBODIA NEUTRAL UNTIL 1970

Mr. FLYNT. Mr. Chairman, I think that the presentation has been very thorough. I would, however, like to summarize with one state-

ment which has not been made. I think it should be pointed out that until about 1970 Cambodia through its then recognized government maintained a scrupulous neutrality. As a matter of fact, when the United States offered aid in one form or another the Cambodian Government under Prince Sihanouk irrevocably rejected firmly any form of U.S. aid. He stated very clearly that he did not want any and that he did not want to be involved in the military operations that were going on in Southeast Asia. He further stated that if he became the recipient of aid, military or economic, that he would soon find himself involved on one side or the other of the military in Southeast Asia.

In 1970, if my recollection is correct as to date, the neutral situation had deteriorated to the point where the North Vietnamese were using Cambodian geography upon which to staff both supply bases and personnel regroupment and replacement bases from which they could begin to and continue to make flanking attacks on the forces of South Vietnam and the forces of the United States from Cambodian bases. When that took place the U.S. Government undertook to believing that Sihanouk was violating his promise of neutrality, undertook to and successfully removed Prince Sihanouk from power in Cambodia.

Following that the bombing began as well as an invasion by U.S. ground forces into Cambodia. So in a way you might say that the United States backed into a feeling and a position of responsibility in what has taken place since.

NEGOTIATIONS NEED TO BEGIN

By way of conclusion, the only statement that I would have to make or add to that of my colleagues—and as you can see, while the seven of us who went there are by no means totally unanimous, there is a general consensus among all seven that the difference is in degree and how to proceed to do it. I would state this conclusion that I think is shared by many. It is urgent that some form of negotiations begin—under whose auspices may have to yet be determined—but I think all of us would like to see some sort of negotiations terminate the fighting in this tragic civil war torn state.

Second, if the United States continues to provide economic and/or military assistance between now and the beginning of the rainy season, which will be sometime in June, I think if we can use mathematical figures we might say that there is about a 50-50 chance of effecting these negotiations. On the other hand, if the plug is pulled and if the government goes down the drain between now and June, there will be little chance of either a negotiated settlement or an orderly transfer of power from one side to the other.

LEADERSHIP QUESTION REMAINS

Who would be in a position to be the interim head of government and head of state among the government forces of Cambodia? I confess I don't know, I don't know that anybody knows. However, I do think it is very clear that as long as the present Chief of State, Lon Nol, is in power and stays as head of that government and chief of state that there is little or no chance of any negotiation whatsoever.

I think that at most we would be buying time and very little of that without any help at all.

The estimates are that the Cambodian Government forces could hold out until some time between April 15 and May 1. With some assistance that time might be extended until the rainy season begins sometime between the 15th and the latter part of June. I wish that we had the answer. We have done our best to give you the picture as we have seen it.

TESTIMONY APPRECIATED

Mr. HAMILTON. Mr. Flynt, may I say to you and your colleagues that the subcommittee is deeply impressed with your testimony this morning and the anguish that each of you have felt as you have surveyed this difficult scene, the style with which you have carried out your responsibilities. We appreciate very much the contributions you have made to the thinking of the Congress, not just the subcommittee, on this extraordinarily difficult problem.

Now if you will excuse us just a moment, the subcommittee has an item of housekeeping to attend to. Under the rules of the subcommittee we should take a vote on whether or not to close the afternoon session at which time we will discuss the various options before the subcommittee, and for that purpose I recognize the gentleman from Delaware for a motion.

MOVE TO CLOSE MEETING

Mr. DU PONT. Mr. Chairman, in light of the fact that the subcommittee at 2 o'clock this afternoon will be considering what action to take and in effect marking up our recommendation for the full committee, I move that this afternoon's meeting be closed.

Mr. HAMILTON. Mr. Harrington.

Mr. HARRINGTON. Just a point of parliamentary inquiry, if it is appropriate at this juncture.

In reading the notice given to the membership of two separate meetings and noting that the entire membership of the subcommittee is not present, would it be appropriate to vote now on the matter of the afternoon meeting?

Mr. HAMILTON. I think the vote on this matter has to be taken in a public session, Mr. Harrington, which this is and the meeting this afternoon would not be.

Mr. HARRINGTON. Well, the procedure that has been somewhat ritualistically followed when the Secretary of State appears before us is to have that session begin publicly and then have that motion made. I am just puzzled whether the other members of the subcommittee would want to be heard or want to be able to vote where it was not before us, as I say, for this morning's agenda.

Mr. HAMILTON. Well, we do have five of the seven members of the subcommittee present which is certainly a sufficient number for us to act under our rules.

Mr. FOUNTAIN. I second the motion.

Mr. DU PONT. I move the question.

Mr. HAMILTON. The clerk will call the role.

Mr. VAN DUSEN. Chairman Hamilton.

Mr. HAMILTON. Aye.

Mr. VAN DUSEN. Congressman Fountain.

Mr. FOUNTAIN. Aye.

Mr. VAN DUSEN. Congressman Yatron.

[No response.]

Mr. VAN DUSEN. Congressman Harrington.

Mr. HARRINGTON. No.

Mr. VAN DUSEN. Congressman Bonker.

Mr. BONKER. Aye.

Mr. VAN DUSEN. Congressman du Pont.

Mr. DU PONT. Aye.

Mr. VAN DUSEN. Congressman Winn.

[No response.]

Mr. VAN DUSEN. Four ayes, one nay.

Mr. HAMILTON. The motion is carried and the session this afternoon will be closed.

Excuse our interruption here.

We will turn now to the members of the panel for questions.

Mr. du Pont.

WRONG IMPRESSION SHOULD NOT BE GIVEN

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

I have a whole list of questions here I have compiled as we have gone along. Let me state a couple of things at the beginning that I think are important to put some of these questions into perspective.

First of all, I believe this afternoon that this committee should vote not to extend further military aid to Cambodia but I disagree very strongly with the premise that Ms. Abzug put forward in her testimony and to some extent what Mrs. Fenwick just said also.

Ms. Abzug would have us believe that if we vote to discontinue military aid that the killing is going to stop, that the skies are going to clear, that there is going to be no more violence and we are all going to live happily ever after. That is nonsense.

Now I don't believe for a minute that the killing is going to stop. I believe there is going to be an enormous bloodbath. I believe there is going to be retribution. I think there is going to be killings on an unparalleled scale. Thousands of people are going to die. I must say that in casting the vote that I am going to have to cast this afternoon that it weighs very heavily on my conscience to know that that vote is going to condemn thousands of people to die. I think that is something to worry about.

DISAGREEMENT VOICED

I also disagree very strongly with Ms. Abzug's thought that somehow the U.S. Government ought to change its hats now and take off our black hats and put on our white hats and go in and restructure the Cambodian Government and pick someone acceptable to the people and solve the whole problem. This is where I begin to have trouble with your thought, Mrs. Fenwick.

You know, we have been solving problems in this world for a long time, and how quickly we forget. Ms. Abzug used the phrase "we need to help people live." Isn't that why Diem was shot in South Vietnam?

Is that not why Poland was partitioned? Is that not why Czechoslovakia was given away? It does not matter what color hat you are wearing, you should not be deciding other people's fate for them.

I concur that we ought to cut off aid, but not that we should find a suitable representative and start negotiating with him and pull it all together and hopefully right all the wrongs of the world.

That brings me to your suggestion, Mrs. Fenwick. I wonder that you are not suggesting that by contacting Sihanouk or setting up somebody else that we just don't get rid of Lon Nol, that that is the easiest way to proceed? Isn't really the best thing to do is to stop the aid and let it play itself out? Of course if we are asked to mediate by both sides, let's do so, but let's not thrust ourselves into it.

SHOULD NOT IMPOSE CERTAIN DECISIONS

Mrs. FENWICK. I don't think we ought to take decisions as to who rules. But what you say is so terrible because, like you, I know that if we just stop aid, the perimeter is going to fall and chaos and horrors will be in that city. We ought not to pick who is going to be there. I could not agree with you more. All I am urging is something that Ambassador Dean—and may I say Ambassador John Gunther Dean is somebody whom I more and more begin to value among those who represent us abroad—pleaded for some kind of a controlled situation. He kept saying, "we have got to have a controlled situation."

I am not suggesting that we should impose or decide but I am just saying that when we are told that there is no way of getting in touch with the others to arrange some kind of a controlled situation, there have been ways. Now if there are, the only responsibility we have is that we are there; we are sending arms. We are propping up this government.

I would strongly like to see the United Nations brought into this, if possible. I would strongly like to see them moving forward. I would like to see us prepared to do whatever can be conceived as right. That is all I mean. Some controlled situation is so needed here. We cannot allow the perimeter to collapse.

NEED CONTROLLED SITUATION

I should talk a little longer perhaps although I always feel I talk too much, so I try to cut down. If something like that could be arranged with the United Nations, if the U.N. came to us and said, "Look, we will have to hold the perimeter with another \$100,000 worth of bullets or \$5 million worth of bullets," I would even be prepared for that, anything that would offer some hope of a controlled situation for the transfer of power to whomever—

Mr. DU PONT. But aren't we past that? Mr. Flynt made the comment that in his judgment there was a 50-50 chance of negotiations. I must add that you are the first person that I have heard in any of these hearings that has suggested that there is more than a 10 percent chance of negotiation. Aren't we past the point of a controlled situation?

Mrs. FENWICK. You are so right, if you are talking about using Lon Nol as part of the negotiations. You are absolutely right. That is not what I am talking about.

Mr. DU PONT. With anybody. Why do you negotiate when you have got Phnom Penh in the noose? When the whole situation is about to collapse, who is going to negotiate?

Mrs. FENWICK. I will tell you how I see it. There is a guerrilla group, right? And there is a leader who is one of them going around the world collecting allies and help and sympathy. So somebody exists.

Now, what do they want? They want to get rid of Lon Nol. That is their business, not ours. But if Lon Nol, as he indicated to us very clearly, is prepared to step down—he is a sick man with one paralyzed hand and he walks with a stick—if he is prepared to go to Switzerland to a clinic and wants help to get out, I think we ought to provide it.

Mr. DU PONT. I concur in that.

Mrs. FENWICK. See what I mean?

Mr. DU PONT. Yes.

ROLE OF LON NOL

Mrs. FENWICK. The question I have that sticks in my mind is that we may have said we could not negotiate because we kept insisting that Lon Nol be part of the negotiations. That is just a hunch I have. I think that Lon Nol would be happy to disappear. I think that the controlled situation that the Ambassador was pleading for over and over is the best hope. We must have a controlled situation—they are terrified of the armies just pouring in.

But suppose that Lon Nol wants to go to a Swiss clinic and suppose that the Ambassador of the Khmer Rouge is happy to come in and take charge of the armies. In fact, as I say, the man at the head of the armies now—and this is Lon Nol's armies—is Sihanouk's man. Does this not mean perhaps that those troops would suddenly turn around and say "Up for Prince Sihanouk" and not hurt people, because they would be controlled?

Mr. DU PONT. I wish I believed it.

OUR ONLY HOPE

Mrs. FENWICK. Well, I tell you, it is the only hope we have got. It is the only hope we have got. We cannot pour money into the Lon Nol basket because it is going to collapse and one aim we must have is protecting these people. I was learning toward short term military aid but I am beginning to learn more and more.

Yes; the rainy season starts in late May or June or mid-June, but the river does not rise until September. So not until September will we get the broad protecting moat that would enable the city to somehow be evacuated, some of these people that are going to be killed. Not until September.

In other words, the need for talk is urgent. Whoever is in charge of these guerrillas ought to be talked to. If China wants Sihanouk—just last night I happened to meet the representative of China at dinner and I was told in no uncertain terms that they would be very happy to see Prince Sihanouk there. If that means no more bullets coming down to the guerrilla armies—it is the best hope we have.

Mr. DU PONT. All right. Your faith is a little stronger than mine maybe.

50-50 ASSESSMENT

Mr. FLYNT. May I give you some idea how I arrived at that 50-50 chance of negotiations? I don't know if it is 90-10 or whether my figure 50-50 may be right, but the 50-50 possibility that I have arrived at in my own mind is based on the fact that both sides may be near collapse. The morale on the side which appears to be winning seems to be diminishing while, strange as it may seem, the morale on the side that seems to be about to be surrounded and pinched in and be enclosed by that noose of which you spoke seems to be increasing if we can judge by the number of deserters and defectors on both sides. Both sides are suffering devastating casualties, both sides are war weary. It may be that both sides want to bring it to a peaceful solution.

ARE KHMER ROUGE WELL SUPPLIED?

Mr. DU PONT. Let me ask one followup question to that. Virtually all the prior testimony that we have had suggests quite the opposite in regard to the Khmer Rouge—that they are well supplied, that they are well armed, that their morale is high, that they are in fairly good shape, and that there is no sign of a crack in the wall.

Mr. FLYNT. All I can say to that is that it seems to be a question on which reasonable men can disagree.

THEORY OF AID TO RAINY SEASON

Mr. DU PONT. All right.

Mr. Chairman, I have way overrun my time, but if I might, let me ask one more question of Mr. McCloskey.

Mr. McCloskey, I follow your testimony, I follow the theory of what you are saying all the way down the line, and then I come to the bottom line and I come up with something that I don't understand. Your final statement is, "Let's give them the additional military aid to help them to hold the perimeter to get them to the rainy season."

Now my question is, if we get them to the rainy season, who is going to get them through the rainy season and through the next dry season? They have been fighting there for 2,000 dry seasons now. The United States has not been involved all those years. Aren't you really saying if you take that point of view that not only do we have to help to the rainy season but we have to help after that?

NO AID AFTER JUNE 30

Mr. McCloskey. No; I am saying just the opposite. I don't think this Congress should vote a nickel for military assistance after June 30. Economic assistance should be based on whoever governs the country because it ought to be for people, not for governments. That is the distinction that I have perceived between our State Department attitude and what I think is the attitude of the majority of the Congress and of that delegation, including Ms. Abzug who supports economic assistance by reason of the human suffering which exists over there and which we essentially have caused.

The only purpose that I have in suggesting the additional 75 days of military assistance to get them into the rainy season is that it seems to me if during the rainy season or the next dry season there is a transfer of control from the Lon Nol government and the enclaves

to the Khmer Rouge which appears to me to be the ultimate result, negotiations or not, that fewer people will be killed if the passions that now exist and the practices that I mentioned in both the Cambodian Army side and the Khmer Rouge—if they have run out of ammunition and there is a military takeover.

FUTURE PROSPECTS

The conditions that have existed in these last 2 months—and I cannot stress enough and I think Chairman Flynt alluded to the casualty rates that have been suffered by the respective forces—that certainly indicates a continuing will to fight on the part of the Khmer Rouge. While I would differ from Congressman Chappell, the will to fight on the part of the regiments defending Phnom Penh I think is satisfactory; it is a question of whether the people of Cambodia support their government in that military effort that bothers me.

The whole purpose of that bottom line comment on my part is the feeling that if the rainy season comes and some people are allowed to get out and be evacuated and if the passions cool somewhat, fewer people will be killed. It is solely on that basis, and I could well be wrong. I don't think that any of us who have spent the 7 hours there have any confidence that we are making better than an educated guess or basing our testimony to you on limited exposure.

We put \$1,800,000 into that country to try to prop up that government for the last 5 years for our purposes and this is the reason why another \$116 million, if it will cause fewer Cambodians to be killed, is justified in my opinion. I really can't give you any expectancy or hope that we might be right. That perimeter might fall whatever we may do. People may be killed whatever we do.

I would like to say in conclusion I hope this committee will take a very careful look at the South Vietnamese situation because in my considered judgment in 3 years it will be precisely the circumstances of Cambodia today.

Mr. du Pont.

Thank you.

Mr. HAMILTON, Mr. Fountain.

DIFFICULT DECISION

Mr. FOUNTAIN. Thank you, Mr. Chairman.

I want to thank all of the members of the panel for their contributions to this subcommittee. I must confess that I don't have any answers and I have not heard any. I think all of us recognize that whatever we do, whatever choice we make, is a choice of evils. I wish somehow the Almighty would give us the answer, I don't think human beings can. I think we are going to make a mistake whatever we do. **Whatever we do is going to be a mistake. It is a question of which will be the more serious.**

I don't think the American people are in the mood to continue this sort of thing. I think the question is how we get out and how do we do it in such a way that it would be in the best interest of all of the people. As far as I am concerned, I simply have no regard or respect for a thoroughbred Communist wherever he is because I think they are ruthless, they will be ruthless, and I think there will be a bloodbath because that is the way they feel they can control things.

OBSERVATION

I can ask my questions by making an observation and I am not bothered by it. Some time back some of us visited the Far East and we talked to the Foreign Minister of Singapore who spoke beautiful English—much more beautiful than we do. We were talking about the war in South Vietnam and I remember he said :

You should not have gotten in it to the extent that you did ; you became over involved and you ought to get out. But when you get out, recognize the fact that the United States of America is looked upon as the last bastion of freedom in the world and every nation, whether they like you or dislike you, know that if you are not there willing, able, and ready under appropriate circumstances to come to the assistance of other people and other countries, then there is no question but that the Communists will some day take over the world. I would suggest that when you get out, get out under circumstances which will not be construed as defeat for America for a variety of reasons. Get out under circumstances which will not be construed as surrender. Get out with honor.

Well, we are supposed to have gotten out of South Vietnam with honor which leads me to this question. I think, Mr. McCloskey, you have mentioned it. Our leader at that time, whether we supported him or not, got us into Cambodia. I don't like the accusation that those who vote to terminate aid are voting to deliver the people of Cambodia into the hands of the Communists. That is what bothers me.

U.S. INVOLVEMENT

We became involved, we started bombing whether we agreed to it or not. There were secret bombings for a long time before we did it openly and condoned it. The questions which concern me and the questions which I have not yet answered for, and I don't know what I am going to do yet, are the questions of our own image in the world, the question of credibility, the question of moral obligations. There is no legal obligation according to those who testified to us from the State Department.

How much further should we go and how can we do it under circumstances which may prevent us from doing what the Foreign Minister in Singapore suggested that the last bastion of freedom in the world should not do ?

Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Harrington.

BLOODBATH ISSUE

Mr. HARRINGTON. Thank you, Mr. Chairman.

I would like to go back to a theme that seems to have run through some of yesterday's testimony from Mr. Colby and which has been the subject of some testimony this morning.

I am referring to this whole bloodbath theory. The Colby testimony yesterday—for those of you who were not there—was the usual solid CIA performance, giving a factual evaluation of the Cambodian situation, but I found it somewhat more politicized than usual. The choice of language suggested that certain hypothetical events attending the fall of that government were somehow inevitable.

That theme was hard to shake when we tried to get at the facts. The gentleman identified as the CIA expert on foreign affairs, when pressed on the question of how many deaths occurred as a result of

the North Vietnamese takeover of Hue, finally was reduced to saying that their best estimate was around 5,000 and he couched that in some uncertainty.

CIA OBSERVATION

Mr. Colby then indicated that these deaths apparently occurred more out of aimlessness and lack of direction than out of any kind of systematic or wanton effort to eliminate the South Vietnamese. I think it is interesting, therefore, that the CIA on balance has helped to put to rest this "bloodbath" notion which is so prevalent in the Congress. I think this tends to discount Mr. Chappell's invocation of the Chinese experience over a generation ago when he suggests that the inevitable consequence of what happens is going to be a massive human destruction.

I suppose that I might comment as an aside on the irony of our warning now about a "possible bloodbath" at the hands of the Communists after having bombed heavily and indiscriminately in that part of the world for 3 or 4 years ourselves, causing unbelievable levels of destruction and human misery. One wonders what the difference is if the end result is the same.

Mrs. Fenwick.

BOTH SIDES GUILTY

Mrs. FENWICK. There is a difference. I don't know. We ought to be able to admit that we have bombed and hurt people freely and fully because we have, but there is no use denying on the other hand what is true also. I spent most of the day with the Catholic Relief Services and also partly with World Vision and heard from refugees through an interpreter that we brought with us. The priest spoke both Cambodian and of course English coming as he did from New York or Boston, I forget which.

There is something more terrible and cruel when people go after you and kill you by driving nails in your head one by one instead of just a bomb that falls like lightning from the sky. People are more terrified.

There is no use in recounting the kinds of things that happen. Mr. Harrington. The gory details we don't need to go into but they are very real. I don't think that when we speak of them we are in any way denying that it is terrible to be killed by bombs, too, and that we never should have done it. You see, we always seem to get into a polarization. If you mention atrocities, then you are considered to have supported the bombing. The truth is that none of this should be supported and both are true.

IN THE NATURE OF CIVIL WARS

Mr. HARRINGTON. My only point, Mrs. Fenwick, was to respond to your observation, I have never seen a civil war that was not attended by cruelty, because of the nature of the war itself, and I don't think that the war in Asia is any different.

Mrs. FENWICK. The journalists there will tell you that nobody has accused the North Vietnamese of tortures or of the cruel kinds of atrocities which I could tell you about privately, that we have seen in Cambodia. There is something different here. Nobody has accused

North Vietnam or South Vietnam of this particular type of atrocity and nobody knows why the Cambodian people, the most peaceful and gentle of all of Indochina up to now—

REFUTING EXECUTIVE BRANCH

Mr. HARRINGTON. My only point in really raising it, and I am sure it won't be resolved in this exchange, was to try to refute the notion offered by the executive branch spokesman of an inevitable loss of life on a systematic basis and on a massive scale.

Mr. CHAPPELL. I was reminded millions when I thought I said thousands and I shall hold to the thought that there will be thousands and thousands of deaths based upon what the Ambassador told us. I don't see how anyone could estimate anything less than roughly a quarter of a million people if the Communists achieve military victory. I think it is going to be well into the tens of thousands. I cannot imagine it being any less, particularly when you take into consideration the people who are bound to be literally starved to death among the refugees when the Communists take over. It should not happen in a controlled situation but if you forget about the theory or the talk of a bloodbath, the thing that Mr. Fountain brings up to me is really the vital circumstance of it.

We are into an ideological fight with communism all over the world and we are the last bastion of freedom in the world. If we depart the area in such a way that our allies around the world will say, "You better watch the United States, if you make an agreement with them they will not live up to it," or if they get the feeling they cannot depend on us in any way, then our cause throughout the world is going to be in real jeopardy. If you forget the bloodbath situation and assume you are going to have it either way on both sides, the fact still remains that the security of the United States is a more vital issue.

Mr. HARRINGTON. Thank you.

Mr. HAMILTON. Mr. Bonker.

TESTIMONY MOVING

Mr. BONKER. Thank you, Mr. Chairman.

I appreciate the testimony that has been presented to this committee this morning. I was to be part of the delegation to Vietnam and I can't say I really regret not going after listening to your comments this morning. It is obvious that you are deeply moved, if not troubled, by your experiences on that trip. I regret that Mr. McCloskey is not at the table at the moment because it has been my impression that he is the only one who has substantially altered his position and I wanted to query him further about his reasons for changing his mind on this particular request.

Before this committee we have heard Secretary Habib, who told us that the additional military appropriation could not guarantee a peaceful settlement in that area. Yesterday we heard a very pessimistic report from Mr. Colby and he felt that further aid would not bring a resolution to the problem there. Frankly, in all the testimony that we have heard before this committee, no one has really convinced us that the request that is before this committee and before the Congress is going to bring about resolution of the military and political problems in Cambodia.

NO GOOD ANSWERS GIVEN

No one really has given us any answers except the fact that this particular request is not necessarily an answer and it is because of this that when we meet this afternoon I am going to vote against the appropriation. It is a very difficult issue for all of us because it is not a clear-cut issue and because we have such profound humanitarian questions that are before us.

I appreciated the fact that Ms. Abzug focused on the moral question of our commitment, our posture, not only in Southeast Asia but around the world. Too frequently we talk about strategy and tactics and whether or not the rains are going to come and/or the river should be mined, and so forth, as opposed to the more perplexing question of our moral obligation and our moral involvement in these global pursuits.

I really don't have any questions, Mr. Chairman. I do appreciate the opportunity to hear from this distinguished panel.

Thank you.

Mr. HAMILTON, Mr. Lagomarsino.

MORE PESSIMISTIC TESTIMONY HEARD

Mr. LAGOMARSINO. Thank you, Mr. Chairman.

I am not a member of the subcommittee but I have sat in on many of the meetings. I must say that many of the witnesses we have heard have been much more pessimistic than some of you on the panel. Mr. Colby and others yesterday painted a very dismal picture and everybody who proposed giving additional aid, whether it was the administration's \$222 million or some lesser amount, talked about opening of the Mekong River.

Then it comes to my mind, well, what happens when you open the Mekong River? That does not do any good unless someone is going to supply further aid at that point and there is no one but the United States. I doubt that the Congress will continue aid past this fiscal year. I think that just goes almost without saying. So what we are talking about obviously is how do we make the best of a very, very bad situation.

I would like your reaction to one thing that has occurred to me. We have talked about what will happen in the way of a bloodbath. Some people think there won't be one, some think there will. I agree with Congressman Chappell. I think there will be a large bloodbath. The fact that there are 1 million refugees in that city who have already fled from the Communists and who have stated by that action that they are not in agreement with them is going to be noted and taken into consideration when they take over.

TYPES OF BLOODBATH

There are two kinds of bloodbath: One is executions and the other is atrocities. Of course, a more simple method is merely by not supplying those people with food, whether we send the food in or not. We can send them food but if the Khmer Rouge are in command and they say—and it would be understandable recognizing their philosophy and the way they think—"We will take care of our own people first," it will be a simple matter of neglect and I think there would be

some very fearsome statistics. On the other hand, one could argue that if we prolong the military aid, then when—as it appears to me—the inevitable takeover by the Khmer Rouge does occur, it might not make it worse.

I would like your reaction to that. In other words, passions are very high now; will they be made higher by continued fighting along the perimeter; I don't know. I would like your thoughts on that.

PROLONGING AGONY

Mrs. FENWICK. I think it would be. If we just leave things as they are and give military aid, we will simply be prolonging the agony until the river rises. As I say, it does not really form a moat until September. Refugees will probably continue to filter into the city and swell the problem, that already exists there, of disease and starvation.

I really think that we ought to pay some attention to the letter of Prince Sihanouk which apparently appeared while we were away or in any case I have not been able to read it in the paper. He has stated that with the exception of six or eight people at the very top of the government level, including the general who has now been dismissed by Marshall Lon Nol, he would not exercise retribution against anybody, that he is anxious to open friendly relations with the United States, that he is prepared to forget the 5 years that have elapsed.

I think, to keep just to the question you have raised, yes, it would just prolong the agony and I would not vote for military aid under any circumstances unless it were part of an orderly structured solution for the protection of those people. The only thing that is in my mind is the feeding of those refugees by these wonderful voluntary agencies. We have to protect the people who are doing that marvelous work. We ought to try to think of evacuating those people who are in fear and terror. We ought to involve the United Nations and the refugee association world refugee groups and perhaps the International Red Cross.

REFUGEE ELEMENT

Mr. LAGOMARSINO. Obviously, if those people have fled from other villages and cities in Cambodia already, which they have, many of them plus many of the native population of Phnom Penh itself who are already there, aren't we talking about probably in excess of 2 million people?

Mrs. FENWICK. Yes, we are.

Mr. LAGOMARSINO. Who would like to get out of there.

Mrs. FENWICK. One million, three.

Mr. LAGOMARSINO. That is just the refugees?

Mrs. FENWICK. That is just the refugees.

Mr. LAGOMARSINO. There are a lot of other people who would be refugees if they had a place to go.

Mrs. FENWICK. Yes, a lot of people. I think that if some controlled situation, in other words, can be devised by the United Nations or by anybody that would take responsibility for the safety of those people and for the planes that would have to deliver food, we would have less suffering. It is the only way we can mitigate the terrible situation that exists, and the dangers that might incur from a complete collapse with Lon Nol still sitting there and the refugees still in their villages. It is a nightmare.

CONSEQUENCES OF LON NOL DEPARTURE

Mr. LAGOMARSINO. What would happen if Lon Nol got on the night plane to Switzerland tonight and just left? Is there anyone who could step in and take his place?

Mrs. FENWICK. Well, I wonder if this general who is Prince Sihanouk's general, is perhaps being prepared by Lon Nol for that very role. You see, these are the only faint straws of hope that we have to offer. We have only our opinions. In my opinion anyway, I just would like to say the only victory here is peace.

As far as the U.S. Government is concerned, for me its prestige and its status and all that rests in a sincere concern for human beings and sensible actions that express that concern. That is the way I regard the responsibilities of a great nation and not in military might. I think the atom bomb has almost rendered this ultimate recourse to force impossible. We have got to have some moral status. That is where prestige lies. I think the greatness of England—

NEED TO HELP PEOPLE

Mr. LAGOMARSINO. Of course, there is more than status here to some people and I would share in this. I see no alternative at this point but I think it is somewhat immoral having put these people in that position, these 2 million at least—

Mrs. FENWICK. To abandon them, I agree.

Mr. LAGOMARSINO. To abandon them.

Mrs. FENWICK. Yes.

Mr. LAGOMARSINO. Not only to the danger of physical violence and starvation which is certainly very real but also to the idea of their having to give up their religion. Many of them have already lost their property. They must give up their religion and the whole thing.

Mrs. FENWICK. Well, Sihanouk is a Buddhist. I don't think he would start suddenly—

Mr. LAGOMARSINO. In all candor, wouldn't Sihanouk merely be a figurehead for the Khmer Rouge?

Mrs. FENWICK. God knows. He is Cambodian and that is their business.

Mr. LAGOMARSINO. All right.

WILL BE BAD SITUATION

Mr. CHAPPELL. I think the feelings are just about as high as feelings can get and I doubt that there is going to be any great increase of that regardless of what happens. I think the procedures which the Communists employ have been very well defined. I don't think they are going to change those procedures; they are going to do whatever is necessary when they take over and that usually means the death of many leaders and those who could possibly be in opposition to them. I think the death toll is going to be real high.

The thing that really concerns me, I suppose, is the fact that as we in the Congress take on more and more responsibility in the making of foreign policy we are going to find it more and more difficult to negotiate anywhere in the world because the Congress is the finest barometer for what we are going to do in the future. The only way you can conduct meaningful negotiations is from a unified position of strength.

The thing that bothers me is that we are saying to all the rest of the world, to the Communists—even if we do anything—we are not going to go past the wet season. Somehow I had hoped that we could conclude our consideration without any talk beyond the fiscal year and talk only about this fiscal year and let there be the decision later as to what we would say to the world regarding our position beyond that point.

PROBLEM WITH NEGOTIATIONS

The thing that bothers me right now is the fact that while we want negotiations and while our State Department tells us they certainly have a zero opportunity for negotiation under the present situation, they tell us that we do have some opportunity. I am inclined to agree with Mr. Flynt on somewhere between zero and 50 percent that we would have some opportunity for negotiation if we approve this request.

I feel we would have a lot more opportunity if we were not in a position of having to say what we are going to do beyond this point because we telegraph to the Communist world exactly what we are going to do. This is what really bothers me as we approach the problems in Vietnam and the rest of Southeast Asia. I think the Thais have already indicated that we are not really going to live up to our commitment. We have already telegraphed what we are going to do in that area of the world and they have indicated to us that they are going to accommodate toward the Communists because they know what we are going to do.

BETTER COMMUNICATION NEEDED

So as we in the Congress assume our greater role in the making of foreign policy, I think we are going to be faced with some real problems in establishing the proper communication between our Department of State and the 535 Members of Congress in such detail that we in the Congress can truly understand what is going on and obtain a better understanding of real world diplomacy. This situation has been a real eye opener to me.

In response to what Mr. Bonker, I believe, said, I had really gone to this area of the world saying that I would not vote any more money for Cambodia but I have come to the conclusion that for this fiscal year—and we ought to limit our talks and everything to this fiscal year—if we are going to be helpful in negotiations then we can do nothing less than provide the requested assistance. Of course, I am more optimistic about the strength of these people to defend themselves than some because I think we have to look at the enemy as well as the government forces to see the real possibilities of a stalemate.

Mr. HAMILTON. Mr. Solarz.

WHY IS GOVERNMENT LOSING?

Mr. SOLARZ. Mr. Chappell, during the testimony you said that, in comparison to the Khmer Communists, the government troops were equally clothed, equally fed, equally motivated, and we all know they are better armed. If, in fact, that is the case, how do you account for the

fact that the government seems to be losing and the Khmer Communists seem to be winning?

Mr. CHAPPELL. I think that is somewhat of a delusion at the present moment according to the reports we are receiving. Although the city is besieged, this is not a difficult situation as I understand the makeup of the country. In every attempt to move inside the perimeter the government troops have held and thrown them back. For example, Route 4 to the north was completely cut and taken over by the Khmer Rouge. The government forces have gone back in and opened that route according to the information of March 2 unless they have lost it again.

My point is they have been able to hold their position as long as they have had the wherewithal to do so, and I am talking about the materials of war. Now, of course, this is a besieged city but remember this: There is at least one town in Cambodia that has been under siege for 8 months already and everybody said they would last only a few days. They are still holding, a besieged city beside Phnom Penh. You don't hear much about it. They are dropping supplies in there daily which indicates a tremendous will on the part of these people to live under a free society of some sort rather than under communism.

WHY ARE COMMUNISTS ADVANCING?

Mr. SOLARZ. How do you account for the fact, sir, that if they are equally clothed, equally fed, equally motivated, and better armed than the Khmer Rouge seems to have gotten control of 80 percent of the countryside?

Mr. CHAPPELL. I didn't say they were better armed, I said they were essentially armed and I think those are the facts that come from my talking with men who had been captured, a little 16-year-old girl who had been captured, from talking to a Communist who had been captured, and from talking to the soldiers on the government side. They are all going into battle essentially as I have described it.

The control of land mass does not mean a whole lot in an area like Cambodia as it might in this country, but in an area like Cambodia one of the things that is vital to either side is the ability to produce food. Now as those peasants leave the farm and the farming areas they become nonproductive. They are certainly nonproductive to the Khmer Rouge as well as to the government forces. The control of land mass is not so important as the control of the people, if the people themselves are motivated to do something about it.

Unquestionably, if the area is overrun, these people in the camps are going to be put at forced labor to produce in the fields. I am not trying to defend the fact that they have lost land. Certainly they have lost land but it is not as vital as it would be in a more sophisticated country.

CONSEQUENCES OF COLLAPSE

Mr. SOLARZ. I would like, if I may, to ask Mr. McCloskey and Mrs. Fenwick a question about the consequences of a collapse of the present government. Both of you have spoken of your great concern over the possible loss of life which could well ensue in the event of a Khmer Rouge victory in Cambodia. I think that everybody of any moral

sensitivity shares the concern over the possible murder and execution of people who have been sympathizers of the present government. The real question, I think, is how we can minimize the killing. The real alternative, it seems to me, is whether by providing the present regime with the wherewithal to continue the war we are, in fact, minimizing the loss of life that would otherwise occur.

Speaking from the perspective of someone who shares that concern, I don't view the Khmer Rouge as a group of agrarian reformers whose triumph would necessarily be in the best interests of the people of Cambodia or Southeast Asia. I am convinced that a perpetuation of the war is in no one's interest. I think this is the point that Congresswoman Abzug was making with such great force.

RATE OF DEATHS

Given the rate at which people are getting killed in Cambodia, the estimates vary. Let us say a conservative estimate at the present moment is 10,000 a month; some say it is as high as 30,000. If we give them the ammunition to survive into the rainy season, we are talking easily about another 150,000 to 200,000 deaths. Other than Congressman Chappell, I don't know that anybody who has spoken to us about the possible bloodbath that might ensue in the wake of a Khmer Rouge victory has projected executions anywhere in that vicinity.

I would like to know from your point of view what the justification is for enabling them to continue for several more months when the probabilities are that, by virtue of that kind of continuation of the war, substantially more Cambodians will be killed and maimed than if we were to cut them off and the war were to end because they ran out of ammunition sometime around the beginning or the middle of April.

Mr. McCLOSKEY. Mr. Solarz, I think in response to your question I would like to offer to the committee at this point in the record a telegram from the Department of State that was sent to the delegation in response to our inquiries along those lines. I think if this can be duplicated and returned to me that we would all benefit.

[The text of the telegram follows:]

[Telegram]

DEPARTMENT OF STATE,
WASHINGTON, D.C., March 2, 1975.

1. The Indochina CODEL requested certain information which embassy promised to provide prior to their takeoff from Saigon later today. This covered ammunition consumption rates, recruiting, casualty figure for FANK, and program expenditures for medical supplies in MAP and in the AID programs.
2. Recruits. FANK has received 4,871 new recruits between Jan. 1 and Feb. 28.
3. Casualty figures. Here a word of caution is needed. The system for casualty reporting within FANK is notoriously poor and incomplete, and sizable discrepancies often appear between different sources. While the Defense attaché's office does its best to reconcile these figures, we are often in the position of arriving at our own estimate, which in some cases is based on actual observations of particular units affected.
4. According to the operations section (J-3) of FANK headquarters, total casualties for January/February were: 2,037 killed in action (1,158 for January, 879 for February); 8,025 wounded in action (3,948 for January, 4,077 for February), and 674 missing in action (111 for January, 563 for February). As a check against these figures, the total number of wounded brought into the military hospital reception (triage) center was 10,070 for the 2-month period.

Not only is this some 2,000 higher than the FANK J-3 figures but the latter are supposed to be for the entire country, not just Phnom Penh area. (Defense attaché would expect countryside wounded to reach some 15,000 for the 2 months.) This is cited just to recommend a certain skepticism regarding the FANK figures, which in our opinion are considerably lower than the true figure. We estimate that between 1 January and 20 February 4,260 FANK personnel were killed in action.

5. The CODEL asked for casualty figures by units. Here are some sample figures for major units: (January 1–February 28)

First division: 60 killed in action, 170 wounded.

Second division: 14 killed, 1,030 hospitalized. (Would include previously wounded and sick); 9 missing in action.

Third division: 170 killed, 955 wounded, no reported missing.

Seventh division: 1,800 killed and wounded; 500 plus missing.

Ninth division: (for February only): 45 killed; 194 wounded; 258 missing.

Airborne (para) brigade (of strength of about 1,200): 81 killed; 345 wounded.

23rd brigade (of about 1,100): 28 killed; 148 wounded.

13th brigade (of about 800): 20 killed; 148 wounded.

5th brigade (of about 800): 300 killed and wounded; 100 missing.

Khmer navy (includes both naval marines and boat crews): 308 killed; 649 wounded; 117 missing in action.

6. Ammunition consumption: the following are daily, repeat, daily, average consumption rates for the weeks ending on the respective dates: 3 January–344; 10 January–570; 17 January–571; 24 January–555; 31 January–704; 7 February–503; 14 February–342; 21 February–347; 28 February–364. On March 1, reflecting slightly increased stocks as a result of the recent airlift, daily issue rose to 542 tons, a figure which indicates the likely continuing consumption rate for the near future, at least.

7. Medical supplies and pharmaceuticals—military.

\$2 million has been programmed for this purpose out of the fiscal year 1975 MAP program, of which all funds have already been obligated, out of the \$222 million supplemental request, \$750,000 has been programmed for medical supplies.

8. Medical supplies and pharmaceuticals—civilian.

The AID-supported exchange support fund, which finances licensed imports, financed \$4.8 million of pharmaceuticals in calendar 1973 and \$3.2 million in calendar year 1974 (this fund operates by the calendar year). The fund also financed chemicals (other than pesticides and fertilizers) of \$955,000 and \$1.6 million for calendar 1973 and 1974, respectively. It may be assumed that about 50 percent of these chemical imports were raw materials for pharmaceutical manufacturing establishments in Phnom Penh.

9. Some of the voluntary agencies which are largely financed by AID buy their own medical supplies with some of the AID-furnished funds. Thus, world vision averages \$25,000 a month, and Catholic relief services averages \$55,000 a month, for purchase of medical supplies. Lutheran World similarly purchases \$100,000 per year.

This would bring total expenditures for medical supplies by the voluntary agencies to more than \$1 million a year. Two international organizations, the International Committee for the Red Cross and UNICEF, also bring in medical supplies, and of course the United States contributes to their funds through the parent organizations. UNICEF brings in \$350,000 and ICRC brings in \$660,000 a year of medical supplies. Accordingly, medical supply imports by humanitarian assistance agencies total about \$2 million a year.

10. The voluntary agencies supported by AID tell us they expect their pharmaceutical needs for the coming year to rise about 40 percent. This increase will be funded through AID grants made to the voluntary agencies.

11. Examples of the will to resist. A member of the CODEL asked for some specific examples of military action by this side which are indicative of a will to resist. Here are a few examples:

A. Kompong Seila, which had been cut off and surrounded by the enemy since May 1974 (and still is), withstood intensive enemy shelling, rising to as much as 1,000 rounds per night, and ground attacks throughout the past 8 months. A Khmer special forces team was airlifted into the camp on January 12. It found that there were 8,800 civilians, some 800 military effectives, and that there had been over 500 killed in action, some 400 wounded and another 300 sick. Yet these people had held their isolated enclave for 8 months. They continue to do so. Their morale was surprisingly high. Meanwhile supplies continue to be parachuted in to them, as has been the case for the past 8 months.

B. At Siem Reap, FANK forces were depleted by the withdrawal of the 11th brigade (a combat intervention unit) to reinforce Phnom Penh. On January 15 the Khmer Communists cut Route 4, the city's only link with the rest of the country northwest of the city. The remaining military region forces, although they were still required to man a large defensive perimeter around the city to protect the population, began clearing operations immediately and by February 6 had succeeded in opening the road against strong enemy resistance. 229 enemy were killed in these operations.

C. On January 16 an all-day battle between the Khmer Communists (KC) and the 3rd division, took a decisive turn in the afternoon when the KC, already beaten and retreating, were hit in the flank by the division's squadron of light armored personnel carriers. In the ensuing hand-to-hand combat, 66 KC were killed by the FANK forces.

D. During the initial stages of the KC dry season campaign in January, the enemy was able to mass overwhelming forces along the lower Mekong River. Near the east bank town of Neak Luong, the 19th battalion was performing security operations along highway one on the west bank when the KC attack began. The battalion gave ground slowly against this superior force. On January 14 the battalion counterattacked the KC in a surprise move and killed 118 of the enemy. The KC struck back the next day, but lost 47 more killed as the 19th battalion continued to exact a heavy toll from the attacking force.

E. The FANK 7th division has borne the brunt of the fighting in the northwest sector of Phnom Penh since new year's day. The KC have rotated fresh units into the line on a regular basis. For the 7th division there has been no relief. Despite being frequently cut off and constantly under heavy bombardment by KC artillery, the division has held the line to the limits of its physical ability, though suffering casualties which, by American standards, would have rendered the unit combat ineffective.

F. The Khmer navy (MNK) has been under severe pressure since January 1. During this period it is estimated that up to 60 percent of its experienced boat crews have been put out of action as a direct result of combat operations. The wear and tear on the naval craft has been every bit as severe as the strain on human resources. Yet MNK continues to run nightly shipping convoys to isolated garrisons throughout the riverine region, almost every voyage of which receives heavy enemy fire from fixed emplacements on the banks, and to carry out other combat operations on a daily basis.

H. The airborne brigade, called the Paras, distinguished itself throughout the period by its aggressiveness and fortitude. As January opened, the Paras, already exhausted from heavy fighting in the Bassac River corridor in December, were inserted on the east bank of the Mekong opposite the capital where the KC had driven a salient all the way to river's edge. With very little assistance from other combat forces and a low priority in air and artillery support, the Paras succeeded in pushing the KC out of the area, largely by dint of their own superior will and spirit.

12. This message can be declassified and given to the CODEL.

ASSESSING FACTS

Mr. McCloskey. Let me just itemize the factual points on which I based my opinion with the confession that my opinion might well be incorrect. I think, Mr. Fountain's concept that we are all playing God either way here is the problem that devils us all.

In the first 2 months of this dry season offensive against Phnom Penh with approximately 30,000 troops on the outside and 25,000 inside, the estimate of casualties by our Defense Department which differs from the Cambodian army in some respect was as follows: 2,037 killed in action; 8,025 wounded in action and 674 missing. Now that under anybody's concept of combat wipes out a third of the defending forces, and their estimate by reason of the artillery we are using. I might say we are far better armed in artillery but in this kind of war the rockets and infantry makes them better.

The most conservative estimates are double the amount of enemy killed and wounded. So in the first 2 months of the war if you had,

say, 5,000 killed and 10,000 disabled by wounds on the inside, you had 10,000 killed and 20,000 disabled by wounds on the outside. Any mathematician would indicate there is the full 30,000 of the enemy troops that are engaged so the war has to wind down merely by the attrition of units engaged in that perimeter. That is buttressed, I think, in some respects by the artillery ammunition expenditures in the first 8 weeks.

These figures were furnished as part of this telegram and I think they give the best example of what happened.

The following are daily, repeat, daily, average consumption rates for the weeks ending on the respective dates: January 3—344; January 10—570; January 17—571; January 24—555; January 31—704; February 7—503; February 14—342; February 21—347; February 28—364. On March 1, reflecting slightly increased stocks as a result of the recent airlift, daily issue rose to 542 tons, a figure which indicates the likely continuing consumption rate for the near future, at least.

BOTH SIDES SUFFERING

So essentially you are seeing a winding down of the ability of both sides to incur casualties. None of us can predict what will happen between now and the rainy season, but if those casualty figures are correct—and I am told that 16-year-olds are being pressed into service on the other side and we are doing the same on our side—you would have a lesser rate of combat between now and the rainy season.

My own estimate based on these figures and the limited intelligence would be that you would be talking about a maximum of 30,000 people killed between now and the rainy season and you are making a judgment choice as to whether or not there may not be five or six times as many killed should that perimeter break and the Khmer Rouge come in. But you have a second judgment decision and that is whether in the rainy season or in the next dry season the transfer of authority takes place if the same people will not be executed as well.

So, you have got a double decision facing the Congress of the United States in which we admittedly are playing God when we try to answer either one of them and I don't think any of us would put our reputation or our judgments beyond that.

ENCOUNTER WITH NEWSMEN

When Senator Bartlett and I passed through Hong Kong one of the ABC newsmen came to us who had been 7 years in the Far East, 5½ years in Cambodia and had a tremendous affection for Cambodians. He said he did not envy us in our job because when we went over there we were going to have to make a decision only God could make.

We said: "Fine, we are only Members of the Congress of the United States. What would you do?"

He said, "I probably would reluctantly vote the \$222 million."

I think all of us are in the position of only giving our best judgment and hoping.

Mr. HAMILTON. Mr. Fraser, do you have any questions?

Mr. FRASER. No.

Mr. HAMILTON. Mr. Fountain, did you have a further question?

RURAL PEOPLE

Mr. FOUNTAIN. One question.

Did any of you find that in addition to going where they felt they were more secure, or where there was greater safety by going to Phnom Penh, to what extent did you find that any of the so-called rural population were moving into the city because of atrocities being committed out in the countryside?

Mrs. FENWICK. I had evidence of that from some of the refugees that I spoke to, but not all. One of them merely mentioned that her husband was going to be taken into the army and she said that they made her do very hard work that she didn't like, so they both ran away and came to Phnom Penh.

Others that I spoke to differed. One woman told me graphically of her husband's death before her very eyes. I think I must have spoken to about five refugees in all, and the priest told me also that this is what terrifies them. The war terrifies them, but it is also what they hear and what they see happening to people who refuse to go into the army. One woman lost four men in her family—her father and two brothers and a husband. She is alone with an old mother and the last one of her children that had not died. The situation is tragic.

WAR IS LOST

I don't want to get dramatic about it but in my opinion the war is lost. I am not an army expert but it strikes me that way. I think this government is through. I am not a political expert on Cambodia but it strikes me that way. So the question that we really have before us is how do we act most responsibly. How do we best act as responsible human beings.

I know what you mean about the effect in the world but somehow we have got to stop this, and it seems to me that the moment is now. I would not vote another bullet into that area unless somebody could convince me that the perimeter had to be held and that a viable negotiation was being undertaken, whether by us or the Cambodians themselves or the United Nations to hold the situation until somebody in charge of the army says to them, "No, you don't go into the city, you stay right where you are, because we are feeding people in the city and we don't want to interfere with the voluntary agencies." Something like that might persuade me to vote; otherwise, we cannot continue to do it.

IN REFUGEE CAMPS

Mr. CHAPPELL. Mr. Fountain, I found the same thing in a different refugee camp from the one that she visited. Congressman Murtha and I made it a point to personally talk with about 25 people. Now keep in mind you could not get into a whale of a lot of detail in this short period of time. We talked to these people and then we gathered about us probably another 150 and through the interpreter heard what these folks had said and asked whether or not they agreed with us. Presumably they were being honest in their answers. They all agreed with the statements which had been made.

So as a cursory type of report beyond the 25, we could say there is another 150 or so that made the same comment. They were personally

involved with atrocities; most of them had seen them in one way or another and some of them had heard of atrocities.

Just a bird's eye view from a young Communist who was in Phnom Penh. He was a student taken in by a professor who sold him on the idea of communism. He went to Hanoi and studied there, was indoctrinated. He came back after some period of time and became a rather high ranking official in the province.

This was a bright young man. I asked him why he left the other side and came to Phnom Penh to the government side and he said, well, the truth of the matter was that he had seen all the killing, all the murders, all of the atrocities that he could stand.

I said, "Are you talking about five or six or a dozen?"

He said, "No, sir; I would count them by the hundreds."

Now there is no question but what it is going on, there is no question but what these people know it.

CIVIL WAR SITUATION

Ms. ABZUG. Mr. Chairman, we were there, as you know, a short time. We tried to cover as much as we could. It appears, from what has been said by a good number of people, that this has been a very difficult and very violent war—no prisoners taken on either side.

I am sure that there are some very serious problems in the way that warfare is conducted. I am sure that there are serious problems that are going to confront those that are in the governing ruling classes there.

We are confronting a very simple question. We are involved there in a war among the people of Cambodia. We cannot change what has taken place there at this point. I regret that we were not involved much sooner in these kinds of deliberations frankly in which we would have forced a political and defensive position on the part of our State Department instead of continuing to give aid. I regret where we find ourselves at this point.

I met with members among the students and teachers. The students of course are not drafted so one might say that they don't have a good point of view. In any case they do feel very strongly that the Lon Nol government is not helpful to the Cambodian people. Many students and the teachers are very much opposed to our continuing the aid.

CHANGING POLICY

The question we confront is having had a policy which has certainly been an incorrect one and certainly has not helped the Cambodian people. Are we going to continue that incorrect policy? Most of all, are we going to continue to help to kill them?

This is really the issue we confront. We have to recognize that it was not for us to lose Cambodia, we never had Cambodia. It does not belong to us and what we have to recognize is that we have to end this thing now and that we certainly will take and should take whatever steps we can to prevent any future shedding of blood that may come about through the violent transfer of power.

I think the violent transfer of power will take place as we allow this battle to continue. Even as we speak there are heavier and heavier battles erupting. There is where the bloodshed and violence is. Now we say, "Let's give them more money to continue that bloodshed." It

seems to me quite evident that this is the issue that we must confront, that we take whatever steps we can to utilize whatever influence we have to try to see to it that we bring in some of these other forces to try to make this an end which they want and they assure us of the safety and security of as many people as possible, that they would be taken out to where they can be taken out and be escorted to other neighboring countries if they can and so on.

To continue on, I think, indicates that we are not willing to give up the policy which has really created this problem or intensified it in any case. We did not create the civil war, we accelerated it.

Mr. HAMILTON. Our witnesses have been at it a long time.

We will conclude with this question.

Mr. Solarz.

WHO WANTS TO LEAVE?

Mr. SOLARZ. Thank you very much, Mr. Chairman.

Do any of the members of the panel have any estimate as to the number of Cambodians who, if they were given an opportunity to leave Cambodia in the course of the next several weeks through, say, an American airlift or through some other means, would avail themselves of that opportunity? In other words, are we talking about 5,000, 50,000, 10,000?

Mr. McCLOSKEY. The answer from my standpoint is that I have no idea. The two countries that might provide sanctuary are Thailand and South Vietnam, both on either side. We found no Cambodians who like either the Thais or Vietnamese, North or South. There is a mutual hostility between Cambodians and their neighbors. The last war in that area I think was fought between the Thais and Cambodians and the South Vietnamese. Perhaps the initiation of this vicious kind of war that has evolved occurred when the South Vietnamese got into Cambodia.

I have no way, and I don't know that any of us have, of determining how many of the 2 million refugees or people inside that perimeter would really, if given the ultimate choice of living under the Khmer Rouge, choose to leave the country. I just have no idea.

MAYBE 600

Mrs. FENWICK. The only estimate we were given by the Ambassador was a figure of 600 for the evacuation of the officials and foreigners and mostly in Phnom Penh itself. Mention was made of the fact that journalists and professors and people who had declared in favor of the government or in any prominent position would also be in danger. I imagine there would be at least 2,000 or 3,000 but I cannot imagine something like 50,000.

I don't know exactly where they could go. The only intimation we had was this woman I told you about that she and her husband ran away because of the hard work and the danger of being in the army. They did go to South Vietnam. There is a refugee village in South Vietnam right now for refugees coming out of Cambodia but as to figures we really have nothing to offer.

Mr. HAMILTON. Ms. Abzug, Mrs. Fenwick, Mr. McCloskey, Mr. Chappell and the other members of the panel, we express our deep appreciation to you for your very fine testimony this morning.

The subcommittee stands adjourned.

[Whereupon, at 12:10 p.m. the subcommittee adjourned.]

AFTERNOON SESSION

Mr. HAMILTON. The meeting will come to order. In the middle of the hearing this morning I asked Mike Van Dusen to put together for us, for purposes of discussion, the various options that we might face.

OPTIONS AVAILABLE

I don't know that these are exclusive, you may be able to think of other options, but I think these are probably the four major ones and there may be variations on each one.

So, it is not intended to be an exclusive list of options by any means. It is intended to help focus our thinking.

The first option is to reject the entire supplemental aid request.

The second option is to provide additional food aid with no additional military assistance.

The third option is to provide both food and military aid, but make it conditional upon initiatives to end the war.

The fourth option is to provide the executive branch with all or a substantial part of the funds requested without conditions.

I think the way we ought to proceed is just to give the members an opportunity to discuss their views and their reactions to the hearings that we have had and see how we line up with regard to these several options.

Mr. DU PONT. Mr. Chairman, could I ask a procedural question?

Mr. HAMILTON. Yes.

SUBCOMMITTEE INTENTION

Mr. DU PONT. Is it your intention after discussion to mark up Dr. Morgan's bill or to try to report out a new draft bill today or what is the procedure?

Mr. HAMILTON. We will go as far as we can. Dr. Morgan has requested that we come before the committee tomorrow morning—

Mr. VAN DUSEN. Mr. Chairman, that meeting has been postponed until Thursday because of the Democratic caucus tomorrow.

Mr. HAMILTON. That gives us an additional day.

Mr. WINN. The Democratic caucus is more important than Cambodia?

Mr. HAMILTON. The caucus is on Cambodia.

Mr. HARRINGTON. Depending on what point of view.

Mr. WINN. Why don't we just go sit and wait for the results?

Mr. HAMILTON. No one is bound by the caucus.

We will meet Thursday then, the full committee, to consider our recommendations. I would like to go as far as we can. If we can agree first of all on an option, fine.

Second, if we agree upon an option then we can agree upon the specific language that we want to embody in that option I think it would be well and good.

So the floor is open for discussion.

CLARIFICATION WANTED

Mr. WINN. Point of order, Mr. Chairman.

Mr. HAMILTON. Point of order?

Mr. WINN. Just one little clarification on what the chairman of the full committee expects this committee to do or, second, thinking out loud, what would a motion to table do so that seven or eight of us are not particularly lassoed with a decision that is going to fall to the entire full committee Thursday anyway?

Mr. HAMILTON. Well, I think Chairman Morgan wants us to come before the full committee with a recommendation as to what we ought to do on the supplemental aid request to the administration.

Second, if there is a motion to table and it carries, then the subcommittee has in effect made a decision not to support the supplemental aid request.

Mr. WINN. Well, may I continue without making a point of order? It seems to be fairly informal here.

Mr. HAMILTON. Yes.

Mr. WINN. I got the idea this morning, and I may be wrong, that a few members, including some of those testifying, would like to lay the blame on the State Department. I may be wrong, but I don't think that that is going to accomplish a great deal and at the same time it is my understanding that the Senate Foreign Relations Committee is waiting for a decision from this subcommittee.

I would like to figure that out of our discussions here—and I believe Pete du Pont has an amendment or a change in wording—that we could arrive at something that would not try to zero in on State, that would not try to reflect on the executive branch and something that we could all live with and that they can all live with.

I think from an international standpoint maybe it would look better if we could arrive at that type of a decision.

That is all I have to say.

VIEW OF CHAIRMAN

Mr. HAMILTON. We will do our best. It won't be easy.

I would like to concentrate on the options that are before us and see if we can get some idea of how the members feel.

Now, I suppose I should begin by indicating to you the direction of my own thought, and I must say that when I launched upon these hearings, I was pretty strongly opposed to the President's supplemental aid request and as a result of the hearings I have not been moved entirely off that position, but I am at the place in my own mind where I consider option 1 or option 3 as the ones which I might support and option 3 only if we can get language that is tight and would in fact lead us in the direction of a peace settlement.

I recognize that may not be the position of all on the subcommittee and it is a matter that is controversial and I suspect it is probably that we will not all be able to agree, but I would like to have some reaction from the members.

OPTION 3

Mr. WINN. I had marked option 3 but I have double underlined the part above where it says, "upon initiatives to end the war."

Now, that leaves a question mark in my own mind. What are we talking about? That sort of follows along the line that Don Fraser talked about this morning but he really was not very clear.

Mr. DU PONT. Would the gentleman yield?

Mr. WINN. I would be glad to yield.

POSSIBLE CONDITIONS

Mr. DU PONT. Let me make one suggestion that maybe will clarify things a little. I took the draft provision that I saw earlier today and the question of initiatives to end the war is a most difficult one. I don't think you can key it to peace negotiations or anything else.

I have provided some rough language here that we can work with. Suppose we keyed it to assurance by the government of the Khmer Rouge that all prisoners taken and all Cambodian citizens would be treated in accordance with the Geneva Convention? Now, that might solve the bloodbath problem. We would provide aid in this limited form until that time as soon as they certified that that was the case and presumably there would have to be some inspection of course and then we would cease aid at that point.

Mr. HAMILTON. All right.

Now, for purposes of discussion I take it, Pete, that you are interested in option 3 as a possibility for the subcommittee action.

CONGRESSMAN DU PONT'S PREFERENCE

Mr. DU PONT. I would say option 4 is not acceptable. That is just a personal point of view. Option 2, I would like to be realistic, but it really is not so that we are faced with option 1 unless we can define a package along those lines.

Mr. HAMILTON. All right.

Now, are there other subcommittee members that would want to address themselves to the options?

Mr. HARRINGTON. Let me clarify what Pete has just raised.

You are suggesting, Pete, that it would be language to provide both economic or humanitarian aid as distinguished from military aid on an incremental basis until there was some broad response of the kind that dealt with the question of being more than that afterward?

Mr. DU PONT. Yes; and at that point you would terminate the military and presumably continue the humanitarian.

Mr. HARRINGTON. What is the incentive that you think this may have to provide an alteration of the pattern that exists right now?

Mr. DU PONT. Hopefully it will do two things.

First of all, it will give some protection to all those thousands of civilians that may well be killed if we simply let ammunition run out.

Second, it may bring the Khmer Rouge into a negotiating position because after all as soon as they make that certification our military supplies stop and the situation presumably is stable.

GETTING OTHERS INVOLVED

Mr. HARRINGTON. I am puzzled. If I could go back and forth like this, if it is agreeable to the chairman. To agree that we have any

credibility to exercise initiative that might not be taken in accordance with what Don Fraser said this morning—the French or something like a facet of the United Nations dealing with the problem as the place to which leverage could exist rather than have it appear that it is us doing it.

Mr. DU PONT. I certainly would be willing to explore that.

Mr. HARRINGTON. I don't know how practical that would be.

Mr. DU PONT. I have no insistence that it be the United States, but it seems to me that ought to be a cutoff point. What I am trying to do in effect is say:

Look, Cambodia, we are going to help; we don't want a bloodbath to occur and we will help until the other side certifies that respect of the Geneva Convention rules.

At that point you have gotten into the rules and are respected and you are on your own. We will continue to supply rice and medical supplies.

WORLD IS WATCHING UNITED STATES

Mr. WINN. Would the gentleman yield?

I agree with Mike. I don't think there is much incentive really if what they said this morning and yesterday and what we read in the paper over the weekend is true, and I don't have any doubt about that.

At the same time I think the entire world is watching what the United States does. If in your warning somewhere, Pete, you would mention the French or any other outside countries, it might be helpful, but it might mean we walk out of here or whenever the report of this committee is presented to the full committee, certainly on Thursday, why that is what is going to be the policy of the United States.

Mr. HAMILTON. Let me just comment. Do we have a copy of cutoff language?

My understanding is, this is a closed session, State Department people are not to be here.

Go ahead and proceed.

Miss Folger is with the State Department, and I think it would be inappropriate for her to be present during the committee session.

CUTTING AID IMMEDIATELY

Mr. DU PONT. Well, maybe we ought to try to start from the beginning.

One thing we could do is simply vote to cut off all the aid right now. I am of a mind to do that, unless I can see some language that might help with the aftermath problem.

The fact is that if you do cut out some, the last bullet is going to be fired and then all hell is going to break loose.

Now, is there some way that we can give a small amount of aid such as the amounts suggested in the original draft and still condition the giving of that just as a product to bringing an end to that war.

DRAFT LANGUAGE

Now, my draft language, particularly subsection (iii) thereof, is designed so.

Mr. HARRINGTON. Would you yield for a question?

What was the figure suggested by the staff and what did it involve?

Mr. VAN DUSEN. An explanation is on page 3 of that draft in front of you, Mr. Harrington.

Mr. HARRINGTON. Entitled "Draft Provision"?

Mr. VAN DUSEN. Yes.

Mr. HAMILTON. For purposes of identification, we have passed out a series of an amendment entitled "Draft Provision" and I might say that this was drafted by the staff—by Mr. Sullivan, I believe—at my direction, and it was handed to me this morning during the course of our hearings.

Then Mr. du Pont has taken that draft provision and worked on it just within the last hour or two.

So, we will identify that as the du Pont draft and I think that has been passed out to you. So we will refer to the subcommittee's draft provision and the du Pont draft.

[The subcommittee's and Representative du Pont's draft provisions follow:]

SUBCOMMITTEE DRAFT PROVISION

Section 655 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection:

"(h) An amount equal to 10% of any ceiling provided for in this section may be provided which shall be in addition to the amount authorized under such ceiling in each successive thirty day period beginning on the date of enactment of this subsection, subsequent to a report by the President to the Congress during such thirty day period which states—

(i) That United States is seeking an immediate end to the conflict without requiring the participation of the present government in any subsequent government of the Khmer Republic;

(ii) That the Government of the Khmer Republic is pursuing a similar objective; and

(iii) That initiatives have been taken toward the other side in the conflict to achieve a peaceful conclusion under which Cambodians who wish to do so may be permitted a reasonable time to leave the country.

And which provides specific details of such activities; *unless* the Congress, within 10 calendar days after receiving any report under this subsection adopts a concurrent resolution stating in substance that it does not favor the provisions of the report."

REPRESENTATIVE DU PONT DRAFT PROVISION

Section 655 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection:

"(h) Any ceiling provided for in this section may be exceeded by 10 percent of such amount in each successive thirty day period beginning on the date of enactment of this subsection, subsequent to a report by the President to the Congress during such thirty day period which states—

(1) that it is recognized that the only objective of any further aid is to relieve human suffering by ceasing military action.

(2) that the Government of the Khmer Republic is pursuing a similar objective; and

(3) that to this end, military supplies are being provided only until such time that our government is assured by the Government of the Khmer Rouge that non-combatants and prisoners will be treated in accord with the provisions of the (Geneva) Convention.

(4) that initiatives have been taken toward the other side in the conflict looking to a controlled solution, and which provides specific details of such initiatives; *unless* the Congress, within 10 calendar days after receiving any report under this subsection adopts a concurrent resolution stating in substance that it does not favor the provisions of the report."

Mr. HARRINGTON. What is the draft provision you had originally intended to do?

PURPOSE OF DRAFT

Mr. HAMILTON. Well, it basically, Mike, is intended to pursue option 3 which is to provide the military aid conditional upon initiatives to end the war.

Mr. DU PONT. Let me ask the question. Is there broad sympathy within the subcommittee for that?

Mr. HARRINGTON. No; speaking for one member of the subcommittee.

Mr. DU PONT. Some kind of a condition.

Mr. BONKER. Mr. Chairman, I just place my position on the record. I see only two options and that is the first and the fourth. The second is not an option simply because without military aid, food and economic aid are meaningless. I just don't see the assurances and the commitment on the other side to find an area of conditional assistance. It is a hard question to face but I just don't see the middle ground; I don't see the opportunity for compromise.

We are going to have to face this question ultimately, if not today, a few weeks from now or a few months from now. I am going to be sticking with the first option.

Mr. HAMILTON. Your preference is option No. 1, Don't you?

Mr. BONKER. Yes.

Mr. HAMILTON. All right. Mr. Fountain.

Have you had a chance to look at it very carefully?

MR. FOUNTAIN'S VIEW

Mr. FOUNTAIN. No; not enough to form an opinion about it. As I said this morning, I hope there is some way we bring this thing to an end and at least give the Cambodian Government assurances that they would get some help for a limited period of time, but in the meantime be expected to negotiate or handle it in the best way they can.

I am not in the mood for voting for the full amount recommended by the administration. I have not made up my mind really, and whatever I do here today I reserve the right to change my mind when we formalize what actually we will have to vote upon either in the full committee or on the floor of the House. I don't think the State Department has made out a good case for anything other than temporary assistance to enable them to carry on negotiations which apparently they have had time to carry on, but just have not been able to do much about.

How much time or emphasis they have given to the negotiations I have not been able to tell from the testimony that we have had. They seem to say there is nobody to negotiate with, but I find my people increasingly concerned about all expenditures abroad.

I find that most of them talk in terms of fiscal responsibility; that we should be looking at the issues confronting us at home.

I do feel, as I have said in the statement this morning, that we are in some sense responsible for the plight they are in by having made these commitments and having bombed Cambodia, yet I am not willing to continue to provide aid as we did in Vietnam for an indefinite period of time.

Yet I think the President has, to some extent, indicated that he would not recommend aid for a longer period of time than 3 years. So he, himself, has tied our hands in terms of aid; that is, military aid. And whether 3 years or 1 year or 6 months is now the period of time that would be most appropriate, I don't know.

PURPOSE OF DU PONT DRAFT

Mr. DU PONT. Mr. Chairman, just to clarify my proposed draft here, I would not intend to offer that if it is in the intention of the committee to vote up or down on cutting off aid but if the chairman is going to introduce the original draft I think my version is a substantial improvement and ask that we substitute it.

I say that because I see your company store there, which is all going to be, and I just want you to know if you are not going to introduce your amendment I have no intention to offer mine. I am prepared to vote up or down on the matter.

Mr. WINN. What do you refer to as the amendment?

Mr. HAMILTON. What I declared myself interested in is option 3 and the draft provision which I have not endorsed is an effort to carry out option 3.

Now, like the rest of you, I have not had an opportunity to study that carefully at all. So, Pete, I don't know whether I will actually introduce that specific language or not. It may be that your language is better. I have only seen yours for a few minutes.

ROLE ON VIETNAM AID

Mr. HARRINGTON. Mr. Chairman, may I first ask a question of you and then let you make an observation on Pete's proposal?

Are we going to deal with Vietnam this afternoon, too, or are you just going to deal with Cambodia in view of the testimony of the last couple of days? What is the purpose of the hearing that is scheduled later in the week? Is it the whole package?

Mr. SULLIVAN. We don't have a Vietnam request, Mr. Harrington. The \$300 million that was requested for Vietnam is simply an appropriation, the authorization is already there. It was authorized for this fiscal year by the Armed Services Committee.

Mr. HARRINGTON. That is right; it goes to the —

Mr. SULLIVAN. It is only Cambodia that the committee is concerned with.

Mr. HARRINGTON. The other part of it is to provide some incentives for a reasonably civilized end result.

AID TO NORTH

What about the Kissinger approach which has been the subject, I guess, of information given us on the aftermath of the Vietnam negotiations? Was it not suggested to the North Vietnamese that there would be an effort to seek from the Congress economic assistance, restructuring and rebuilding?

Can there be some public basis which might contribute to the same kind of approach—perhaps the Geneva accords?

Mr. HAMILTON. Mike, I am not sure how to respond. I think probably that would be a matter that would have to rest with the Executive.

Mr. HARRINGTON. They have used it as an approach in Vietnam and I am wondering why it could not be somewhat more easily available in Cambodia, whatever the government was.

Mr. FOUNTAIN. Ten percent, what are they saying here?

Mr. HAMILTON. On the third sheet in front of you, it spells out the figures: Military aid \$60 million; drawdown, \$22.5 million; and Public Law 480, \$53.1 million. That is over a 90-day period.

[The information referred to follows:]

AMOUNTS TO CAMBODIA

Under the proposed draft provision, Cambodia could be provided with the following amounts:

[In millions of dollars]

Time period	Military aid	Drawdown	Public Law 480
1st 30 days.....	20	7.5	17.7
2d 30 days.....	20	7.5	17.7
3d 30 days.....	20	7.5	17.7
Total.....	60	22.5	53.1

Note: Total military assistance, \$82,500,000; total economic/food aid, \$53,100,000.

Option: If one went to 15% of the ceilings per month, rather than 10% as provided in the draft, the totals would be:

[In millions of dollars]

Time period	Military aid	Drawdown	Public Law 480
1st 30 days.....	30	11.25	26.55
2d 30 days.....	30	11.25	26.55
3d 30 days.....	30	11.25	26.55
Total.....	90	33.75	79.65

Note: Total military assistance, \$123.75; total economic/food aid, \$79.65.

CONGRESSMAN WINN

Mr. WINN. Mr. Chairman, if we could—I would like very much to try to work something out of option 3.

In the first place, it looks to me in the staff breakdown there are less disadvantages to that than anything else and some of the other Members may not agree.

I really believe that that is probably about the only one that we are going to be able to arrive at any agreement at all on, but I still don't have the clarification in my own mind on the top line where it says "Conditional upon initiatives to end the war."

Mr. HAMILTON. Well, if it is all right, let us take the subcommittee draft provision which is the basic provision or basic bill and this one which Pete I think worked up and go down through it line by line and see how you react to it and how you respond to it.

Mr. BONKER. Mr. Chairman, is this presented as a substitute to alternative 3 or is it another option that is before the committee?

Mr. HAMILTON. The draft provision? The subcommittee draft provision is presented as a legislative language carrying out the intent of option 3.

Mr. BONKER. All right.

LANGUAGE OF DRAFT

Mr. HAMILTON. And it is merely tentative language for the subcommittee to take a look at as a basis for discussion. The clerk will read.

Mr. VAN DUSEN. Section 655 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection:

(h) An amount equal to 10 percent of any ceiling provided for in this section may be provided which shall be in addition to the amount authorized under such ceiling in each successive 30-day period beginning on the date of enactment of this subsection, subsequent to a report by the President to the Congress during such 30-day period which states—

(i) That United States is seeking an immediate end to the conflict without requiring the participation of the present government in any subsequent government of the Khmer Republic;

(ii) That the Government of the Khmer Republic is pursuing a similar objective; and

(iii) That initiatives have been taken toward the other side in the conflict to achieve a peaceful conclusion under which Cambodians who wish to do so may be permitted a reasonable time to leave the country.

Mr. HAMILTON. Now, Jack Sullivan or Mike Van Dusen, one of you might tell us in your own words what we have said in this draft.

Jack, you are the author of the language.

EXPLANATION OF DRAFT

Mr. SULLIVAN. Well, this draft that you have is the original language as amended by Mr. Fraser. At any rate what this says is that at the beginning of a 30-month period, immediately upon the enactment of the act, the President would be required to make a report in which he would state certain things and provide details. At that point a 10-day period would begin to run during which Congress could say that the report was not satisfactory. If the Congress did nothing at the end of the 10-day period, an amount equal to 10 percent of the ceiling—there are actually three ceilings in the section 655—would become available. Those amounts are there on the third page.

There is a \$200 million ceiling for military assistance in the Act so that—

Mr. FOUNTAIN. That is in the act at the present time.

Mr. SULLIVAN. Yes. On the drawdown authority, there is a ceiling of \$75 million out of \$150 million for drawdown authority so that \$7.5 million would become available from drawdown.

The total ceiling is \$377 million. So if you subtract the \$200 million, it gives you the \$177 million figure. So in effect \$17.5 million would become available for Public Law 480.

TIME FEATURE

Mr. HAMILTON. Let's get that timing in mind. The periods begin to run when it becomes law.

Mr. SULLIVAN. Correct.

Mr. HAMILTON. Then you have a 10-day period.

Mr. SULLIVAN. The President would presumably report the same day because of the emergency nature of the situation.

Mr. HAMILTON. And he would report then on items (i), (ii), and (iii) as listed here that "The United States is seeking an immediate end" et cetera, and then after that 10-day period—

Mr. SULLIVAN. If Congress did nothing in the 10 days subsequent to that report's being submitted to the Congress, the money would become available to him automatically.

Mr. HAMILTON. And if the Congress disapproved—

Mr. SULLIVAN. Then the money is not there.

INSTALLMENTS

Mr. BONKER. Those are in three installments.

Mr. SULLIVAN. Yes. He has to come back three separate times and make the statement.

Mr. BONKER. Does the President have to come back three separate times or is that automatic?

Mr. SULLIVAN. He has to come back three separate times.

Mr. BONKER. But you say if the Congress does not act—

Mr. SULLIVAN. The next 30-day period would then begin from the enactment of the act. Let's say the enactment came on April 1; then he could come back on May 1 and the same procedure would then—

Mr. VAN DUSEN. Come back on April 20.

Mr. SULLIVAN. No; come back on May 1. The 30-day periods run successively so that it would run into the end of the fiscal year. There really are only three 30-day periods in which he could act.

Mr. DU PONT. Does not subparagraph (iii) of that language mean that if the other side refuses to negotiate there is no aid?

Mr. SULLIVAN. It simply says that initiatives have been taken toward the other side. That provision doesn't give them the veto power. I think that has to be something that you are careful in writing in there, to make sure you aren't letting the other side have a veto.

Mr. du Pont, the President has to certify to the Congress initiatives have been taken toward the other side.

Mr. DU PONT. I am sorry. I am reading that "by the other side."

ORIGIN OF DRAFT

Mr. HARRINGTON. Jack, what is the origin of this particular draft? You made some reference in response to the question.

Mr. SULLIVAN. The chairman asked that we work on a draft that would in some way embody the conditional solution under option 3 and also do other things.

The way this is written, for example, you would not need any appropriation legislation; you wouldn't have to go through that process. It could be done—

Mr. VAN DUSEN. And there are no new funds involved.

Mr. HARRINGTON. So this is a committee initiative, it is not the executive branch.

Mr. HAMILTON. No; it certainly is not.

Mr. SULLIVAN. No.

STATE DRAFT

Mr. VAN DUSEN. There is a compromise out of the State Department that involves \$150 million.

Mr. HAMILTON. The State Department's position the last time I talked to them was basically a removal of all ceilings which calls for no new authorizations but would permit them to I think get the money they want through transfer authority and the like.

Mr. VAN DUSEN. But the State proposal would involve an increase of the amount of money available in the drawdown authority.

Mr. HAMILTON. Increase the amount of money on the drawdown and increase the amount of money under the other categories as well. It removes all of the ceilings; right?

Mr. BIERMAN. Right.

Mr. SULLIVAN. I might point out one problem. It is not clear whether there will be enough money left in worldwide military assistance after the appropriations bill is passed. There were some cuts to allow them to reprogram as much as would be required here, \$60 million, but there is—

MAP PROGRAM

Mr. VAN DUSEN. You are right, there is \$400 million, I believe is the figure, of MAP funds coming out of the Appropriations Committee; \$200 million of that I guess has already been spent in Cambodia.

Mr. SULLIVAN. That is right.

Mr. VAN DUSEN. That leaves \$200 million for the rest of the world. Some countries like Turkey might not be getting military aid this year, but there are about eight or nine other countries that receive MAP funds.

Mr. FOUNTAIN. So this \$60 million would come out of that \$200 million?

Mr. VAN DUSEN. That is right.

Mr. SULLIVAN. They expect in the Senate there may be some increases in that figure.

WHAT DRAFT DOES

Mr. HAMILTON. Now, does everybody think they understand it? It is a fairly complicated provision, I understand, but it does permit the Congress to keep very close tabs on aid; it does force the State Department and the administration to proceed toward a resolution of the matter. It puts great pressure on them to modify their present position.

It avoids the problem of option No. 1, it seems to me, which is the situation where you just run out of ammunition at some point in time.

Mr. HARRINGTON. For them to do something for themselves is incentive?

Mr. HAMILTON. Well, it is incentive but it puts them at an extraordinarily disadvantageous position, it seems to me, if they don't have any ammunition with which to respond. It puts them in a position to be run over.

Mr. BONKER. Mr. Chairman, I could not be really convinced, but I could be encouraged if I had some evidence that there would be a response or reciprocal action in Cambodia, and everything that we have heard so far has been to the contrary. It has been that we have been very pessimistic. I just ask once again if we aren't prolonging a decision that we have to make where it continues agonizingly over an amount.

Now, we have dropped it down and I would ask the staff if this amount of money is enough to do what is required to protect the Government forces there?

QUESTION OF INCENTIVE

Mr. HAMILTON. Well, first of all, the question of incentive on the part of the opposing side, it seems to me there is every reason for them to be interested in this kind of a proposal.

What you are really doing here is bringing an end to the war under terms that certainly are in no way onerous to them. They have said they are ready to negotiate, their only precondition to negotiations is that they won't want to negotiate with Lon Nol.

So if you take the opposing side at their word, which we may not want to do, but if you do then I would think there would be every reason for them to negotiate a settlement.

Mr. BONKER. Why would they really want to negotiate if they are just so close to victory? If we continue to support them another 30- or 90-day period it would only prolong what the ultimate conclusion is going to be which is in their favor.

Mr. HAMILTON. The reason they would want to negotiate is that they would achieve power then under what has been termed a controlled situation.

After all, assuming they control power, they are going to have to govern the country and they want to minimize their problems.

Those problems are going to be minimized if they take control under a controlled situation as opposed to a situation where you have excessive violence and killing and bloodshed.

So, I would think there would be very great incentive for the opposite side to look at this seriously and to enter into it.

CONTROL ON VIOLENCE

Mr. HARRINGTON. Why can't they control over that kind of activity you said that would be absent if they would agree to this? They are the ones that control the action and the force. Why is there going to be violence and bloodshed if they can determine that themselves?

Mr. HAMILTON. I think the pattern of conduct up to this time from all the evidence we have had indicates that they are very ruthless and if you put them in a position where the Lon Nol government simply runs out of ammunition with no negotiated settlement of any kind, then I think the possibilities are very strong for a violent takeover.

On the other hand, if you permit a situation which requires negotiations and a controlled takeover, I think you have minimized the chances for violence occurring in the transfer of power.

In other words, it seems to me that the great advantage of option 3 is that you increase the possibility of a peaceful transfer of power.

Nobody can assure you that it will happen, but I think you have increased the possibility.

QUESTIONS ON DRAFT

Mr. DU PONT. Mr. Chairman, may I ask a couple of questions about this thing?

Don't subparagraphs (i) and (ii) taken together require the current government to negotiate against itself?

Now, you are saying that particularly in paragraph (ii) that the current government is to negotiate a treaty to the thing that does not involve the current government.

Mr. SULLIVAN. That was not in my original draft and it was added in. It does seem to me that you have a point.

Mr. VAN DUSEN. Well, there is no mention of the present government in the second paragraph, that government whatever it may be.

The reference in the first paragraph without requiring the participation of present government is to get around language talking about controlled transfer of power or controlled solution or something that smacks directly of automatic surrender. This tries to avoid that kind of language.

MEANING OF GOVERNMENT

Mr. DU PONT. Are you distinguishing between present government in the paragraph (i) and the government in paragraph (ii) as being something different?

Mr. VAN DUSEN. It could be, not necessarily. I think that it could be the same and it could be different, and if it is the same you do have a problem.

You are asking the Government of Cambodia to take actions that might not necessarily have been in the interests of the preservation of itself.

Mr. DU PONT. Subparagraph (ii) as just dropped out?

Mr. SULLIVAN. I would not have any trouble with it. It would cease the ambiguity that exists.

Mr. VAN DUSEN. The Government of the Khmer Republic is a party to the conflict.

Mr. DU PONT. That is the present Khmer government?

Mr. VAN DUSEN. Yes.

BEING CAREFUL ABOUT INVOLVEMENT

Mr. FOUNTAIN. Just strike it out and say government.

Mr. Chairman, I think we ought to be careful that we do not adopt any language which puts us in a position of becoming more involved. What I mean is, I notice the United States is seeking an immediate end to the conflict without requiring this of the present government and of the subsequent government of the Khmer Republic. We don't have a situation similar to what we had in Vietnam. There we were fighting. We had troops there. Here we are just giving aid—military and economic aid.

I think we ought to be very careful that we don't inject ourselves in such a way, either by negotiation or otherwise that we become more involved than we are now so that we become the victims of whatever the outcome may be.

In other words, I don't think we ought to have any language that could be construed as taking action which is designed to or could in effect have the U.S. Government, this country, delivering the Cambodians into the hands of Communists even if the outcome of what we do may have that effect.

I mean, I just think we have got to be very careful that we have no language that could be so construed.

ARTICLE 21 OF PARIS ACCORDS

Mr. HARRINGTON. Mr. Chairman, may I ask the staff if they have a specific memory of what the references were to the Kissinger agreements with the North Vietnamese with respect to level of economic aid or conditions?

Mr. SULLIVAN. That is article 21 of the Paris Accords. Article 21 states that:

The United States anticipates that this agreement will usher in an era of reconciliation with the Democratic Republic of Vietnam as of all the peoples of Indochina. In pursuance of its traditional policy, the United States will contribute to healing the wounds of war and to postwar reconstruction of the Democratic Republic of Vietnam and throughout Indochina.

Mr. HAMILTON. Mr. Fountain has raised a question about the phrase "without requiring the participation of the present government." It does not seem to me that that is a necessary phrase. We could use the language that the U.S. policy is directed toward achieving an immediate end to the conflict, period, and not include the phrase "without requiring the participation of the present government in any subsequent government of the Khmer Republic."

Mr. FOUNTAIN. That language could be conceived—

Mr. DU PONT. I might add if that language were taken out that subparagraph (i) would then be appropriate.

Mr. FOUNTAIN. Yes.

Mr. VAN DUSEN. It does not necessarily have to be this government. It could be another one.

DIRECTION OF POLICY

Mr. HAMILTON. It would become a little simpler. I am suggesting "that the U.S. policy is directed toward achieving an immediate end to the conflict."

Does that strike you as being better?

Mr. FOUNTAIN. It does, yes.

Mr. BONKER. Could you go over the language?

Mr. HAMILTON. "That the U.S. policy is directed toward achieving an immediate end to the conflict."

That language was in the original proposal that Mr. Sullivan made.

Mr. WINN. Are you leaving out the rest of it?

Mr. HAMILTON. Yes. You would leave out the phrase—well, you would leave out everything really after "United States." It would still include paragraph (ii).

Mr. WINN. It would?

Mr. HAMILTON. Well, I am proposing that, yes. "That the government of the Khmer government is pursuing a similar objective."

LANGUAGE CHANGES

Mr. DU PONT. I would suggest to the chairman that you might put in the word "actively" in front of "pursuing."

Mr. HAMILTON. "Is actively pursuing." Is that all right?

Mr. DU PONT. I suppose it is cosmetic.

Mr. HAMILTON. And (iii) "that initiatives have been taken toward the other side in the conflict to achieve a peaceful conclusion under which Cambodians who wish to do so may be permitted a reasonable time to leave the country."

Mr. DU PONT. Mr. Chairman—

Mr. HAMILTON. Let me just get the other language before us.

Mr. Sullivan, in an earlier version of the draft provision phrased number (iii) this way: "That initiatives have been taken toward the other side in the conflict looking to a control solution."

Mr. WINN. I liked "peaceful conclusion" better.

Mr. HAMILTON. The reason I had some hesitation about that phrase "control solution" is because it has become kind of a catch word in all of this discussion meaning different things to different people and we thought it might be better to try to spell out a little more specifically what we meant by "control solution."

SUBPARAGRAPH III

Mr. DU PONT. Mr. Chairman, I wonder if we might insert there in the first line after the word "taken" the phrase "by the United States and the Khmer Republic" so that it would read "that initiatives have been taken by the United States and the Khmer Republic against the other side in the conflict."

Now, I do worry a little bit about Mr. Fountain's problem. Again maybe that is injecting us—

Mr. FOUNTAIN. In other words, would giving the Cambodians time to leave the country be construed as laying the ground work for surrender?

Mr. WINN. It could be construed that way. Also it could be construed that we are speaking for the present Cambodian Government.

Mr. HAMILTON. Well, why do you need the phrase "under which"? Why not just say: "Initiatives have been taken by the United States toward the other side in the conflict to achieve a peaceful conclusion."

That surely includes letting those Cambodians who want to leave the country do so and it also includes a lot of other things. It says in fact that we want this end to come about peacefully. We want those Cambodians who choose to live in Cambodia to do so peacefully as well as those who want to leave.

Mr. VAN DUSEN. "Peaceful conclusion to the conflict," period.

Mr. HAMILTON. "Peaceful conclusion to the conflict," period.

Mr. DU PONT. Have you eliminated the Khmer Republic in the first part?

Mr. HAMILTON. I skipped over it, Pete. I didn't mean to intentionally omit it. Maybe it ought to be included that initiatives have been taken by the United States and it would have to be consistent with (ii), the Government of the Khmer Republic. Should we include that phrase or not?

Mr. DU PONT. It is almost more that the government take the initiative than it is that we take the initiative.

INITIATIVES UNREALISTIC

Mr. BONKER. I just can't see that it is realistic that the Khmer Republic is going to be taking initiatives on the other side, it is unrealistic.

Mr. WINN. They might at the last minute.

Mr. BONKER. The Communists refuse to negotiate or even talk with them. I can't see how they can take initiatives.

Mr. WINN. Well, we think out loud that, if Lon Nol and his crew get out of there on the next airplane, which is always a possibility.

Mr. HAMILTON. Why would it be unrealistic? It seems to me that if Lon Nol and his government were confronted with the possibility that the United States is pressing now toward the solution and that all of our assistance is going to be cut off, his choice then at that point is either to continue the struggle with no assistance from the United States or to have a peaceful conclusion. The first choice is not choice at all.

Mr. BONKER. My point was the Communists have a response or lack of response to the initiative.

Mr. HAMILTON. I understand. I am sorry. I misunderstood.

CHANGES IN KHMER GOVERNMENT

Mr. FOUNTAIN. Not that it is especially relevant, but I notice today's paper says:

President Lon Nol is to replace the Commander in Chief of Cambodia's Armed Forces tomorrow as the first step in a shakeup of top military and civilian officials, diplomats and sources at the presidential palace reported today.

The shakeup is backed by the U.S. Embassy, the sources said.

Mr. HAMILTON. Probably dictated by.

Mr. FOUNTAIN [continues reading].

They reported that Gen. Sosthene Fernandez, commander in chief since 1972, will be replaced by Gen. Sak Sut Sakhn, a defense minister when Prince Norodom Sihanouk was Chief of State and recently a roving Ambassador.

There is no indication, however, that a shakeup will satisfy increasing demands for the resignation of the 62 year old semi-paralyzed president who overthrew Sihanouk in 1970.

Close associates of Lon Nol's brother, 41-year-old Gen. Lon Non, said he tried to organize a palace putsch last week, but U.S. Ambassador John Gunther Dean got word to him and his associates that Washington would not support a coup.

Then it goes on—

Dean was opposed because he felt a coup would threaten future U.S. aid and Congress would think the Cambodians "were not serious about government," an American diplomat said.

He said the best the Phnom Penh regime could do is to put together a government acceptable to the Cambodian Communists to minimize the chances of a bloodbath after they take over.

The Khmer Rouge kept up their heavy rocket and artillery attacks," and so forth. The rest of it deals with the battle.

Senate Democratic Leader Mike Mansfield renewed his appeal for the return of Sihanouk who now lives in Peking.

White House Press Secretary Ronald Nessen said later that the U.S. Government believes the Cambodians must decide for themselves whether to keep Lon Nol in office.

AMENDING LANGUAGE

Mr. HAMILTON. All right.

Now, we worked our way down through (i), (ii), and (iii).

I think the last point under discussion was whether or not to include the Government of the Khmer Republic in that the initiatives have been taken by the United States.

Then I think Pete's proposal.

Mr. DU PONT. First, Mr. Chairman, we ought to specify where we say initiatives have been taken who we are talking about. I am not convinced, the more I have heard the discussion, that the Khmer Republic Government ought to be in there but it is not clear the way it is written in any case who you are referring to.

If you don't put the Khmer Republic in there, what you are saying is that the United States is going to negotiate and solve the whole problem.

UTILITY OF AMBIGUITY

Mr. VAN DUSEN. Mr. du Pont. Don't you think there might be some usefulness in leaving it ambiguous?

Mr. WINN. It ought to be reversed and not have us take the lead.

Mr. DU PONT. I don't think you ought to leave it ambiguous because that just leaves it open to Members of Congress.

Mr. VAN DUSEN. Paragraphs (i) and (ii) suggest what the U.S. policy should be directed toward. I think that means that we will be undertaking the initiatives.

Paragraph (ii) says "The Khmer Republican Government is actively pursuing a similar objective."

I think that also says something about what it will be doing.

Mr. DU PONT. If you leave it ambiguous, either one can satisfy the syntax.

Mr. VAN DUSEN. That is right.

Mr. HAMILTON. Suppose the initiatives were taken by France at our request? That would not qualify then if you specified "By the United States."

Mr. DU PONT. I think we can leave that out.

GETTING THROUGH FISCAL YEAR

Mr. VAN DUSEN. Mr. Bonker, a minute ago, asked whether this amount of money for military aid would get them through the end of the fiscal year.

Reports indicate that ammunition is spent at the rate of between \$800,000 and \$1½ million a day and Jack Sullivan says it is closer to \$1 million a day, which would mean that the aid made available here could cover close to a 90-day period, if not more.

Mr. HAMILTON. It would include about two-thirds. You are talking about the military aid would be \$60 million.

Mr. VAN DUSEN. Yes; plus the drawdown authority of \$22.5 million.

ANOTHER AMENDMENT

Mr. DU PONT. Mr. Chairman, maybe I should seek the advice of the staff. I would propose to further amend the language either at the conclusion of subparagraph (iii) though I think maybe it best comes in the final main paragraph by adding subsection (iii) of my draft provision which says, "provided, that military supplies are to be

provided only until such time that our Government is assured of the Khmer Rouge"—my syntax is terrible, it needs a little work.

Mr. HAMILTON. What you are seeking to do is to put paragraph (iii) in, is that it?

Mr. DU PONT. Yes. In other words, this would further limit military aid and in fact if the government of the Khmer Rouge, however that is, were to certify tomorrow morning that the Geneva Convention would be abided by, there would be no military aid.

Mr. WINN. That is the biggest "if" I have heard all day, but it is worth a try.

Mr. DU PONT. That would achieve a major objective which is the bloodbath problem.

The next question is who you are directing that to.

Mr. SULLIVAN. I think that under the circumstances there is indeed a government. It is called the GRUNK and is headquartered in China. But there is some question about that government's standing.

It might be the most advisable to use the term "the other side" as a way of getting around what might become a sticky diplomatic problem.

Mr. DU PONT. Only at the time that our government is assured by the other side.

QUESTIONS ABOUT LANGUAGE

Mr. HAMILTON. I have some questions about this language, Pete, as I look at it. It seems to me what you are doing, military supplies are going to be provided only until such time that the insurgents say that noncombatants and prisoners are going to be treated within the provisions of the Geneva Convention.

There I would think there might be a question of incentive. If they don't make that assurance, military supplies are going to be cut off. That almost encourages them not to make that assurance.

Mr. DU PONT. No; if they do make that assurance military supplies are cut off.

GENEVA CONVENTION REFERENCE

Mr. SULLIVAN. If I might raise another point. The Geneva Convention only applies to wars between States so that the Geneva Convention does not apply in a civil war.

The problem with the Geneva Convention is that the provisions call for monitoring by the International Red Cross. The International Red Cross will not monitor an agreement like this in a civil war situation.

To give you an example, now that the Paris Peace Accords have been signed, the International Red Cross has no responsibility vis-a-vis the prisoners which may be captured in South Vietnam during the current warfare.

The Red Cross has no official position at this time so that it would be impossible—

Mr. DU PONT. Well, I am not trying to invoke the Geneva Convention. I am trying to use a standard that everybody understands.

INTERNATIONAL RED CROSS

Mr. SULLIVAN. But the provisions do call for monitoring by the International Red Cross. I suspect that if all parties invite the International Red Cross to look at the situation they will come in, but that is not automatic.

MR. DU PONT. Well, I wonder that that is not a good thing. If the Khmer Rouge is not willing to first make the guarantees of personal safety of these people and then is not willing to have somebody check up on them, why should we not continue the military aid?

MR. VAN DUSEN. Do we know who speaks for the other side?

MR. DU PONT. We refer to them as the other side.

MR. VAN DUSEN. No. 1 and No. 2, should this not be attached to initiatives to end the conflict, to be put in this kind of language as part of the initiatives? More direct.

MR. DU PONT. Yes; I think perhaps it fits. Well, are you questioning where it fits?

MR. VAN DUSEN. No. I understand it would be subparagraph (iv) but talking about observing such conventions within the context of initiatives to end the conflict rather than dangling.

POSSIBLE LANGUAGE

MR. SULLIVAN. You could say those initiatives should include assurances by the other side that noncombatants and prisoners will be treated in accord with provisions of the Geneva Convention.

MR. DU PONT. All right.

MR. HAMILTON. You are suggesting that that hook on to (iii)?

MR. SULLIVAN. You do it to number (iv).

MR. HAMILTON. Let's have the language.

MR. SULLIVAN. No. 3 says under the present reading, "That initiatives have been taken toward the other side to achieve a peaceful conclusion to the conflict" and (iv) "That such initiatives include assurances by the other side that noncombatants and prisoners will be treated in accord with the provisions of the Geneva Convention."

MR. HAMILTON. Assurances by the other side that noncombatants and prisoners will be treated in accord with the provisions of the Geneva Convention. It should be Geneva Convention on prisoners of war.

MR. DU PONT. Is that the correct title?

MR. SULLIVAN. I will get the correct title.

MR. HAMILTON. Okay. And that such initiatives include assurance by the other side that noncombatants and prisoners will be treated in accordance with the Geneva Convention on prisoners of war.

REFINING LANGUAGE

MR. DU PONT. Should it not say that such initiatives include seeking?

MR. VAN DUSEN. Or need the assurance.

MR. SULLIVAN. Correct that for me, please.

MR. VAN DUSEN. Include seeking assurances. "Such initiatives include seeking assurances by the other side that noncombatants and prisoners" —

MR. DU PONT. Now, of course, we have changed the character a little bit here. We have not cut off the military aid if we get such assurances which is what the original subparagraph was.

MR. SULLIVAN. But what is in effect making that assurance a minimum requirement so that if you got that assurance and nothing else then you would be willing to cut off the military supplies.

It does not envision other things that might be involved in a peaceful solution which might include a cease-fire before they tried to take the city, or possibly retaining international agencies to feed the refugees during the transition period and after.

There might be a number of other objectives involved in a peaceful solution that you would want to do beyond simply those assurances.

Mr. HAMILTON. OK.

Are there any other corrections or suggestions?

RELIEVING HUMAN SUFFERING

Mr. WINN. I am going back to the Du Pont draft provision. I don't know where it would fit in now but I think that you would want to say something about to relieve human suffering by ceasing military action. I think you have missed that point.

Mr. VAN DUSEN. Subparagraph (i) is directed toward achieving an immediate end to the conflict and relieving human suffering.

Mr. WINN. And relieving?

Mr. HAMILTON. Is that all right, put it in at that point?

Mr. VAN DUSEN. But then it should not just be the United States it is directed toward.

Mr. DU PONT. Except that subparagraph (i) directs itself to only one point and that is that never mind all the negotiations, the only reason we are giving aid is for this one specific purpose.

Mr. VAN DUSEN. Your subparagraph (i).

Mr. DU PONT. So maybe it ought to stand by itself as subparagraph (ii) (a).

Mr. VAN DUSEN. Or just (ii).

Mr. DU PONT. No, it can't come between (i) and (ii).

NATURE OF INITIATIVES

Mr. HAMILTON. Well, could you put it on as an including phrase after (iii) that initiatives have been taken toward the other side to achieve a peaceful settlement including reducing human suffering by taking military action?

Mr. VAN DUSEN. Is that inconsistent with the provision of more military aid?

Mr. SULLIVAN. You could say under subsection (i) "The U.S. policy is directed toward achieving an immediate end of the conflict in order to relieve human suffering," period.

Mr. WINN. And leave out "military action."

Mr. HAMILTON. So it will read that the U.S. policy is directed toward achieving an immediate end to the conflict in order to relieve human suffering.

Mr. FOUNTAIN. That is paragraph (i).

Mr. HAMILTON. That is paragraph (i).

Any other suggestions for the draft?

TIME CERTAIN

Mr. BONKER. Mr. Chairman, is it possible under this third provision after "peaceful conclusion" to indicate a time certain?

Mr. HAMILTON. Are you suggesting specific language now, Don?

Mr. BONKER. I would like to suggest a date because it is still open ended and the successive 30-day period begins on the date of the enactment of the subsection. Then we are looking at the end of May; is that correct?

So maybe June 1, 1975.

Mr. VAN DUSEN. It ought to be close to April, but if it is a 90-day period it would probably be July 1.

Mr. SULLIVAN. Are you talking about a time certain?

Mr. BONKER. To end the conflict.

Mr. HAMILTON. Suppose you put a phrase "as soon as possible" in; would that satisfy you?

Mr. BONKER. It is still open ended. You know, the terms "immediate conclusion" and "as soon as possible" really have no meaning.

Mr. WINN. But does not your paragraph 8 spell that out, based on each successive 30-day period?

Mr. BONKER. Well, that bothers me, too, because you say that an amount equal to 10 percent of the ceiling provided for in this section and then you say each successive 30 days but there is no indication there will be a cutoff after 90 days.

Mr. SULLIVAN. It cuts off at the end of the fiscal year. We have a maximum of 90 days. The ceilings are only in force for fiscal 1975.

Mr. BONKER. Does this particular section address itself to this fiscal year?

Mr. SULLIVAN. Right. It refers back to the act, and under the law without a ceiling there can be no funds given to Cambodia.

Mr. BONKER. All right.

Mr. WINN. Of course, if you wanted to, you could spell it out.

CEILING AND DEADLINE THERE

Mr. HAMILTON. You have a ceiling in effect. You have a deadline in effect.

Mr. SULLIVAN. Yes, you have a deadline, it is the end of the fiscal year. This procedure cannot go any longer than three 30-day periods.

Mr. FOUNTAIN. Without further action of the Congress.

Mr. SULLIVAN. Without further action of the Congress.

Mr. HAMILTON. All right. Is that all right, Don? Does that answer the question you are concerned with?

Mr. BONKER. Yes.

Mr. HAMILTON. Anything further?

Mr. FOUNTAIN. How does paragraph (iii) read now?

Mr. HAMILTON. "That initiatives have been taken toward the other side to achieve a peaceful conclusion to the conflict."

Mr. WINN. May I ask the staff a technical question?

If you went back in and typed these things up—do we have a duplicating machine in that room or do we have to go outside this room?

Mr. SULLIVAN. Yes, sir, we have to go outside.

Mr. VAN DUSEN. We can have it typed up and have somebody Xerox it and bring it back to the room.

Mr. WINN. I don't know about the other members, but mine is scrambled.

Mr. HAMILTON. Have it typed and in the meantime perhaps we can discuss procedure for immediately after leaving this room.

Mr. SULLIVAN. I have a preliminary matter.

Legal counsel will not be here this afternoon, but he will be able to look at this tomorrow, the attorney from the legislative counsel's office.

Mr. BONKER. Are we talking about that for a 30-day period?

Mr. SULLIVAN. Yes, sir.

TOTAL AID

Mr. BONKER. And the total of \$135.6 million for the whole 90-day period?

Mr. SULLIVAN. Yes, sir.

Mr. WINN. Let me ask another question. I doubt that we have any authority out in the hall that could give us anything but a personal opinion, but I just wonder before we walk out of here with the final version that we would want the State Department to have any input into this thing or tell us anything. They might want to tell us to get the whole thing, you know.

REPORT TO CHAIRMAN

Mr. HAMILTON. I think we can assume that they will not approve of it because their position is very different from what we have directed.

So far as I am personally concerned, I feel that my obligation is first to report to Chairman Morgan when I leave here and I will do that immediately.

My personal intention is not to speak to the press about this in any way, but to report to the committee tomorrow or Thursday when we meet.

I don't control obviously what each of you do. You can do what you choose, but I thought I would let you know what my intention is.

Mr. FOUNTAIN. We propose to recommend for the consideration of the full committee a good piece of legislation.

Mr. HAMILTON. When we get the draft back in a moment we will, if necessary, take a vote on it and we can vote for or against it, and if it is approved then that will be what we will recommend to the committee and tell them what happened here. If it is not approved, then we start over.

CONCERN EXPRESSED

Mr. DU PONT. Mr. Chairman, I am very concerned. We have worked here for a couple of hours and drafted something and I am not sure what the hell it is and I am frankly scared to vote for it until we really decide what we have done.

Mr. HAMILTON. If the subcommittee would like to reflect on it this evening and meet again tomorrow, I am perfectly willing to do that.

Mr. DU PONT. The problem with that of course is that I would hate to enact legislation under the shadow of tomorrow morning's caucus.

If your caucus is going to come with a complete instruction as to what the policy is to be, as it well may, I would hate to either appear to be ratifying that or perhaps, for your sake, appear to be flying in the face of it.

Mr. HAMILTON. I am not. Some of my Democratic colleagues may have to correct me but as subcommittee chairman I will support the language we have drafted here. I don't know what the caucus will do tomorrow.

Mr. WINN. Well, I think the problem is theirs, not ours. I know that, personally, I will support this basic thing as compared to (i), (ii) and (iv)—(iii) to me seems to be about the only thing that is going to be clouted, maybe it is a majority.

MORE MILITARY AID

Mr. DU PONT. I am still very much bothered by the fact that what we appear to be doing in the compromise that we have drafted is giving millions more in military aid, for what, I am not sure.

Mr. SULLIVAN. You are not giving more military assistance. You are allocating more military assistance to Cambodia, but you are not authorizing any more military assistance.

MAP PROGRAM

Mr. VAN DUSEN. That is going to be extremely difficult. That is going to be the provision that may cause the most ripples uptown because there may be only \$400 million for MAP funds and \$200 million of it has already been spent in Cambodia and this leaves only a little for the rest of the world in such countries as Turkey, the Philippines, Ethiopia.

What are some of the others? Thailand, Korea.

Mr. FOUNTAIN. I don't know. As you suggested, it may be, Pete, that you can talk to somebody in the State Department in strict confidence. It may be that they would come out and give you good reasons why they would have a complete rejection, if that should happen to be, than to have all of this stuff spelled out. I don't know.

I would have an objection to that kind of inquiry made myself.

Mr. HARRINGTON. What does the 1976—

Mr. VAN DUSEN. Cambodia. The DOD has recommended some \$421 million. The State Department has not put it into any congressional presentation yet.

Mr. HAMILTON. Mike, you are suggesting in actuality that the figures that we have on the back page here may be high, given the global situation?

NOT MUCH LEFT

Mr. VAN DUSEN. I am suggesting that \$60 million out of MAP funds may be totally unrealistic in the sense that they may not have \$60 million left, unobligated.

Mr. HAMILTON. They may have only \$200 million for the whole rest of the world?

Mr. VAN DUSEN. That is my understanding, given what the Appropriations Committee did yesterday. Now, the Senate may come up with a higher figure.

Mr. SULLIVAN. I think they expect that amount to be increased.

Mr. FOUNTAIN. Is that in the total military aid?

Mr. SULLIVAN. Total worldwide MAP by which Cambodia's funds was rather severely cut by the committee.

Mr. WINN. Is that part of the foreign aid bill?

Mr. SULLIVAN. Yes.

Mr. VAN DUSEN. Korea, Thailand, Indonesia, Jordan, Laos, Turkey, the Philippines, and Ethiopia are the other countries receiving MAP funds?

Mr. WINN. Let me ask another question. Is it possible that the State Department or the Department of Defense can dippy-doodle other funds over into this that would augment what we are doing here?

Mr. VAN DUSEN. They would. They have in the past.

Mr. WINN. I know they have. We are not stopping them.

Mr. SULLIVAN. Under the ceiling they cannot do it.

Mr. HAMILTON. That is what provokes the whole problem.

FUNDS MAY ALREADY EXIST

Mr. SULLIVAN. On the plane back from Cambodia, Jack Brady and I were told that there is sufficient money to take the costs out of the hide of the MAP program.

Now, this is before we knew how much Mr. Passman was going to be appropriating but at that point he felt that there were sufficient funds.

Mr. DU PONT. Take all \$222 million?

Mr. SULLIVAN. To take even the \$222 million out.

Mr. BONKER. Did you check this out since you have drafted this?

Mr. SULLIVAN. I have not checked it out with anyone.

Mr. BONKER. Don't you believe it would be wise to do so before you adopt it? If we come back and they don't have the money, we would look foolish appropriating money that is not there.

Mr. SULLIVAN. In any case, even if the money has been obligated to other countries, as long as it has not been expended, it can be used. They will tell us that it has been obligated. But what the DOD can do and often does, if it has money that is obligated and not expended it can always reprogram. I can get some figures.

Mr. FOUNTAIN. Can it be technically obligated without the country knowing about it?

Mr. SULLIVAN. No, the other country that is being denied the funds will know about it.

Let me see if I can get some figures.

Mr. WINN. I would like to ask another question.

Is there any obligation to carrying this over until tomorrow, get a chance to sleep on it and to also openly instruct staff to talk to the State Department?

TALKING TO THE PRESS

Mr. FOUNTAIN. And tell the State Department not to talk to the press. They always tell us that.

Mr. WINN. I am not worried so much about the State Department as I am the Members of Congress.

Mr. FOUNTAIN. They don't have a full committee.

Mr. WINN. It is pretty hard to duck those guys.

Mr. HARRINGTON. I raise the question again. Why do you want to duck them?

Mr. HAMILTON. I will tell you why I duck them. I feel my responsibility is to report to the chairman of the committee. If I am a member of the full committee, I appreciate hearing it first and not reading it in the Washington Post.

Now, that is a personal reaction. There is no restriction of any kind on members, members can say what they want to the press as they choose. I simply am saying my sense of obligation is to report to the committee first, not to the Washington Post or the New York Times.

Mr. WINN. I have always made it a policy in the past 8 years to refer any inquiries like when you walk out of here on the District of Columbia Committee, refer to the chairman of the committee whatever he wanted to say. I just bypass them and say "talk to the chairman."

NO REASON TO BE SECRETIVE

Mr. HARRINGTON. I don't want to get this thing that pointed but, institutional sensitivities aside, you have an issue here which has divided this country.

There is no particular mystery to what is going on here—no information jeopardizing the national security, by whatever definition you want to give it.

What purpose is served at this point in not allowing the public to share in this process?

Mr. FOUNTAIN. One of the things I think the chairman may have in mind is that we are just about seven Members of a total membership of 37 and I don't think anything ought to be said or done prematurely that lets the message go out that what we will do here will necessarily be the action by the full committee or by the Congress. The full committee may very well do this.

Mr. DU PONT. They are smarter than we are.

Mr. WINN. There may be other guys that are working on other phases of it but that is what I meant when I started right off the bat. I would hope we would not reflect on the full committee whatever our decision might be and we would not reflect on the State Department because of the international situation with everybody watching the U.S. policy.

Mr. FOUNTAIN. I think the nature of the matter is such as you would not put it out that the subcommittee is—

Mr. HAMILTON. I think each member is going to handle it as he chooses to handle it and I don't know that there is very much we can or should do about that.

I merely stated that my sense of the propriety of the situation was and I am not critical of other members who take a different attitude on it.

MAP PROGRAM

Mr. VAN DUSEN. I think the figure was \$475 million in the MAP program and \$200 million has been obligated and spent in Cambodia. Some of the rest of that has been obligated, very little has been spent.

Mr. DU PONT. So at least \$275 million.

Mr. VAN DUSEN. For example, for the purposes of this amendment.

Mr. DU PONT. Provided you don't want a MAP program anywhere else in the world.

Mr. VAN DUSEN. Providing you don't give grant aid to Turkey.

Mr. HARRINGTON. Were you realistically going to get this dumped into the flow of the other rule?

Mr. HAMILTON. No; we were not.

Mr. HARRINGTON. That is putting this in the context of seven of us instead of the committee itself. We might not have been here at all to take care of the thing.

Mr. DU PONT. I am sorry we did not have another week's notice to have gone on the Cambodian trip. That would have been the most useful thing in the world.

CLEAN DRAFT

Mr. HAMILTON. Let's take a look and see if we have done here what we thought we had.

Section 655 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection:

(h) An amount equal to 10 percent of any ceiling provided for in this section may be provided which shall be in addition to the amount authorized under such ceiling in each successive 30-day period beginning on the date of enactment of this subsection, subsequent to a report by the President to the Congress during such 30-day period which states—

(i) That United States is directed toward achieving an immediate end to the conflict in order to relieve human suffering;

(ii) That the Government of the Khmer Republic is actively pursuing a similar objective; and

(iii) That initiatives have been taken toward the other side to achieve a peaceful conclusion to the conflict; and

(iv) That such initiatives include seeking assurances by the other side that non-combatants and prisoners will be treated in accordance with the provisions of the Geneva Convention on Prisoners of War, and which provides specific details of such initiatives; unless the Congress, within 10 calendar days after receiving any report under this subsection adopts a concurrent resolution stating in substance that it does not favor the provisions of the report.

Now, I think the question before us is—that is what we agreed upon, is it not?

MINOR WORD CHANGE

Mr. VAN DUSEN. Ev Bierman suggested—and I think it may be a good suggestion—that that should read "(i) that the U.S. policy is directed toward achieving."

Mr. WINN. That was in my scribbles.

Mr. HAMILTON. It was in my scribbles, too. I suppose the "and" after the second numbered paragraph should be taken out, should it not?

Mr. SULLIVAN. Yes.

Mr. WINN. At the end of paragraph 2.

Mr. HAMILTON. Yes. Should it be semicolon after "prisoners of war"?

Mr. SULLIVAN. Probably a comma at that point.

Mr. HAMILTON. The only addition then is the word "policy" after the words "United States" in paragraph 1.

Mr. DU PONT. Mr. Chairman—

Mr. HAMILTON. All right.

Now, do you want to take a vote on it now or is it the wish of the subcommittee just to reflect on it and meet tomorrow?

WHAT HAVE WE DONE?

Mr. DU PONT. Mr. Chairman, I don't know what the hell we have done here. We have said that if the President comes forward and says that our policy is peace and that the Cambodians' policy is peace and that Kissinger called the French Ambassador and said, "Get ahold of the Khmer Rouge" and while he is talking he said, "Make sure they treat all the people okay," then military aid continues.

Mr. VAN DUSEN. We can give you an opportunity to vote on it up to 30 days.

Mr. BONKER. Will the gentleman yield?

If you are uncertain then we are going to be totally confused because this is mostly your draft that we have. If you can't rationalize and justify that draft, I sure would hate to go outside and try to do it.

Mr. FOUNTAIN. Jack, as it is now written, how about summarizing to us what you actually think it says and does.

SUMMARY OF DRAFT

Mr. SULLIVAN. The bill calls upon the U.S. Government to do something different than what its policy has been to a slight degree, and that is to achieve an immediate end to the conflict. I think the policy has been that the U.S. should attempt to continue the conflict into a military stalemate so that negotiations may be forthcoming leading to a Laos-type coalition government.

This bill says something different than that position so that policy stated here is somewhat less than what has been the negotiating position.

Second, the bill says that the Khmer Republic is actively pursuing a similar objective.

Third, that initiatives are being taken, including this one initiative, and that details of the initiative have to be provided to Congress.

And that if the President does this and if this seems to meet the view of the Congress as to what ought to be done, if there is a deliberate effort being made to bring peace, then a 30-day increment of money becomes available.

If the Congress feels the President's report does not meet its feelings about what ought to be done, by a passage of a concurrent resolution, it can stop the money from flowing within a 10-day period.

BILL BEFORE SUBCOMMITTEE

Mr. HARRINGTON. Mr. Chairman, would you just explain to me what is before us? Is the amendment of Mr. du Pont's before us? Is the original legislation before us? What are we dealing with right now?

Mr. FOUNTAIN. We are discussing the draft.

Mr. HARRINGTON. What do we have before us for action this afternoon, this bill? Have we modified or amended that formally yet or is that to be done at this juncture?

Mr. HAMILTON. I think I stated earlier that what was before us was this draft which we have now gone over. So what is officially before us is the draft provision that you have in your hand and not H.R. 2704.

Mr. BONKER. That is really substitute language for this.

MR. VAN DUSEN. That bill, H.R. 2704, was never referred to the subcommittee.

MR. BONKER. It was not?

MR. VAN DUSEN. No, it was just there because of its relevance from discussion.

MR. HARRINGTON. What is the vehicle then? What do we do? Make a report only? We don't offer legislation?

RECOMMENDATION ONLY

MR. VAN DUSEN. We make a recommendation.

MR. HAMILTON. We are amending the Foreign Assistance Act.

MR. VAN DUSEN. We are making a recommendation to amend the Foreign Assistance Act.

MR. HAMILTON. My understanding is that if this passes that this is a draft bill that we will recommend to the full committee.

MR. BONKER. But it is not a resolution?

MR. DU PONT. Yes. It would become House resolution something or other and this is an amendment to the Foreign Assistance Act.

MR. HARRINGTON. It would be in lieu of this?

MR. SULLIVAN. Amendment in lieu of a substitute. You could table that in the full committee and take this up, you could do it as an amendment. There are a number of ways.

MR. HARRINGTON. What can we do this afternoon?

MR. VAN DUSEN. Vote on recommending that this bill be taken up by the committee as a substitute for the one printed in front of you.

MR. HARRINGTON. For consideration.

MR. DU PONT. If the gentleman will yield, what is the parliamentary situation if this draft provision is defeated?

MOTION TO TABLE

MR. HARRINGTON. Well, I would like to make a motion to defeat or to table or to shelve this nondocument that we have before us, whatever you want to call it.

I am trying to find a way to offer that, we take no action at all or recommend no action. Could the staff or the chairman help in terms of how that might be accomplished?

MR. HAMILTON. I think your motion then is to table the consideration of the draft provision by the subcommittee and if you to substitute in its place something else that would be part of your motion also—in other words, some specific language.

If you just want to table this, that is an appropriate motion also.

MR. DU PONT. Parliamentary inquiry, Mr. Chairman. If the gentleman from Massachusetts offers a table motion and the table motion succeeds, what then is your report to the chairman of the committee?

MR. HAMILTON. Well, I would not consider our work complete at that point. I would think we start over.

COMPLETING WORK OF SUBCOMMITTEE

MR. HARRINGTON. How do we make your work complete, Mr. Chairman?

Mr. HAMILTON. To make it complete would be to make a motion to offer to table the draft and then couple with that motion language incorporating what you want to achieve.

Mr. HARRINGTON. Thank you.

Mr. DU PONT. Would that not be just guessing at what the gentleman's motive might be? Would that not be language saying that no additional assistance to Cambodia be authorized?

Mr. HARRINGTON. I am recommending that we reject the provisions of H.R. 2704.

Mr. HAMILTON. You could suggest, Mr. Harrington, that we reject the draft provision before us and that the subcommittee report to the full committee that we take no action.

Now, in effect, that is option 1, isn't it?

Mr. WINN. Yes.

TAKING NO ACTION

Mr. SULLIVAN. We will take no action on the President's requests? That is the way you would state it?

Mr. HAMILTON. In other words, the Congress of the United States, we don't do anything.

Mr. HARRINGTON. Would that be appropriate to offer at this point or is there something preceding that?

Mr. DU PONT. Would the gentleman yield?

Mr. HARRINGTON. Yes.

Mr. DU PONT. Maybe that is the right course, but it certainly does not sound like the right course. I don't think the subcommittee should be in the position of reporting taking no action. I think the subcommittee ought to take some action.

Mr. FOUNTAIN. Pass or do not pass.

Mr. DU PONT. Because we would like this to be a viable subcommittee and if you decide to take it and not do anything with it—

H.R. 2704 BE REJECTED

Mr. HARRINGTON. I suggest the committee recommend that the provisions of 2704 be rejected. I am not seeking to have it appear that we fulfill Congressman Collins' thesis, described in the Washington Post. I am just looking at a way to get something before us which would effectively and unambiguously accomplish that result.

Mr. VAN DUSEN. I would have to check with the Chief of Staff. I don't know if we can take any action on that bill. We can recommend option 1 to the committee, but I do not think we can take action on H.R. 2704.

Mr. HAMILTON. Your motion, Mike, as I understand it, would be simply to reject the entire supplemental aid request as the recommendation of this subcommittee?

Mr. HARRINGTON. That is correct and that is what I would like to offer. I would like to know how I can offer it.

Mr. SULLIVAN. Put it in the positive form by saying that no further economic or military assistance be provided to the Khmer Republic during fiscal year 1975.

Mr. HARRINGTON. All right. If it is acceptable to the Chairman in that fashion and timely.

Mr. HAMILTON. That would then cut off existing—

Mr. SULLIVAN. All right. No additional assistance.

Mr. HARRINGTON. I thought he said further.

Mr. SULLIVAN. I said further or no additional.

RECOMMENDING OPTION 1

Mr. HAMILTON. May I make this suggestion, just to get over a procedural problem?

I think we all understand what Mike is trying to do. He is urging that we adopt option 1 as spelled out here, and if we understand that then I think we can vote on it, can we not?

Mr. HARRINGTON. That is what I am trying to get. We will put it in the right form for the committee if your motion prevails.

Mr. HARRINGTON. The question is, Is that something that precedes the chance to vote on the du Pont amendment or does that fall—

Mr. HAMILTON. I think not because we were proceeding on the basis that this was the working draft for the committee. Am I correct in that?

Mr. VAN DUSEN. The working draft of the chairman.

Mr. HAMILTON. Of the subcommittee.

Mr. DU PONT. My amendment now disappeared and is swallowed up in this.

Mr. HARRINGTON. I would like to get a definition from the chairman what would be in order at this point.

Mr. HAMILTON. To simplify things why don't you just make a motion that we, the subcommittee, reject the draft provision before us and then if that motion is carried you can make a second appropriate motion.

Mr. BONKER. Mr. Chairman, should he not proceed with making a motion on options 1, 2, 3, or 4 and if that is defeated then proceed with the other draft because these options were before us initially.

Mr. HAMILTON. Well—

Mr. WINN. They don't hold any validity, though.

Mr. VAN DUSEN. Just a staff paper.

DRAFT PROVISION IS BEFORE US

Mr. HAMILTON. The point I think is that we had made a decision to proceed with the drafting or modification or reading of the draft provision that is before us. We worked our way through that, we now have it as we revised it.

Mr. HARRINGTON. That just went to one of the sections, the main issue being the bill or the legislation.

Mr. HAMILTON. This is the bill at the moment of the subcommittee. It is the working bill. To follow orderly procedure it seems to me we ought to accept now or to reject. I am talking about the draft provision which is before us.

Having once made the decision to proceed to modify and correct the draft provision, it seems to me that now we ought to follow on that.

Mr. HARRINGTON. If you would yield.

We only make it as it affects one draft provision. Why would we not have them all before us as if they were not amended?

Mr. HAMILTON. We have only one draft provision before us at the moment. The others have been incorporated into it.

Mr. HARRINGTON. In any fashion which will accomplish the chance to say that I would like to have the committee in effect reject beyond the aid already available. I would like to do it and—

TABLING DRAFT PROVISION

Mr. VAN DUSEN. You would like to table the provision drafted today?

Mr. HARRINGTON. Whatever.

Mr. HAMILTON. All right.

Your motion then is to reject the draft provision that is before the committee?

Mr. HARRINGTON. What happens if that is successful?

Mr. HAMILTON. Then it is open to a motion by any member of the subcommittee, any further motion.

Mr. FOUNTAIN. Or make further amendments to this.

Mr. HARRINGTON. And you are suggesting that one cannot go to the heart of this and offer a motion?

Mr. HAMILTON. No. I am not suggesting that you cannot do that. You control your motion. If you want to make a motion now rejecting this and adopting option No. 1, you can do that.

Mr. HARRINGTON. That is what I would like to do, to make sure the significance of the motion is understood.

Mr. HAMILTON. All right. You make the motion.

MR. HARRINGTON'S MOTION

Mr. HARRINGTON. I would move then that we reject a document entitled "Draft Provision" as it would modify option 3, and further, that we accept the provision of option 1 as outlined in the staff memorandum earlier this afternoon, option 1 being a rejection of the entire supplemental aid request as it applies to jurisdiction of this committee.

Mr. DU PONT. Mr. Chairman.

Mr. HAMILTON. Mr. du Pont.

Mr. DU PONT. I would like to state for the record that in spite of the fact that I have worked hard to perfect the document entitled "Draft Provision" before us I am going to support the Harrington motion because I think the resolution that we have come up with is weak and it is unclear and it appears to me to continue to extend the military aid to Cambodia with very little limitation and it in fact has no hope of achieving that military equilibrium that Ambassador Habib began.

Mr. WINN. Mr. Chairman.

Mr. HAMILTON. Mr. Winn.

TABLING MR. HARRINGTON'S MOTION

Mr. WINN. I feel the other way, that we might be able to come out of here with something that is acceptable or negotiable. Just a flat out and out rejection of option 1 I think would reflect upon us and I would like to move that we table Mr. Harrington's motion.

Mr. HAMILTON. Motion to table.

Is there debate on that, gentlemen?

Mr. HARRINGTON. No.

- Mr. HAMILTON. No debate.
 The clerk will call the roll on the motion by Mr. Winn to table.
 The motion to table Mr. Harrington's motion.
 The chairman votes aye.
 Mr. VAN DUSEN. Congressman Fountain.
 Mr. FOUNTAIN. Pass for the moment.
 Mr. VAN DUSEN. Congressman Yatron.
 [No response.]
 Mr. VAN DUSEN. Mr. Harrington.
 Mr. HARRINGTON. No.
 Mr. VAN DUSEN. Congressman Bonker.
 Mr. BONKER. No.
 Mr. VAN DUSEN. Congressman du Pont.
 Mr. DU PONT. No.
 Mr. FOUNTAIN. I am sorry. I was trying to decide what we were voting on was the reason I passed.
 Aye.
 Mr. VAN DUSEN. Congressman Winn.
 Mr. WINN. Aye.
 Mr. VAN DUSEN. Three ayes; three noes.
 The motion by Congressman Winn to table the motion by Congressman Harrington is defeated.
 Mr. HAMILTON. It is not agreed to.

MOVE THE PREVIOUS QUESTION

- Mr. HARRINGTON. Question on the motion.
 I move the previous question in my original motion.
 Mr. VAN DUSEN. Now we will vote on the motion by Congressman Harrington to table the draft provision and recommend option 1 that no supplemental assistance be provided to Cambodia.
 Mr. DU PONT. Parliamentary inquiry, Mr. Chairman.
 When the report comes out, I assume it will not refer to option 1. That is not a part of the motion; am I correct?
 Mr. HARRINGTON. One clarification. Option 1 was referred to as a reject of the entire supplemental aid request, at least as the staff prepared the option.
 Mr. HAMILTON. The vote occurs on the Harrington motion.
 Mr. VAN DUSEN. Chairman Hamilton.
 Mr. HAMILTON. No.
 Mr. VAN DUSEN. Congressman Fountain.
 Mr. FOUNTAIN. No.
 Mr. VAN DUSEN. Congressman Harrington.
 Mr. HARRINGTON. Aye.
 Mr. VAN DUSEN. Congressman Bonker.
 Mr. BONKER. Yes.
 Mr. VAN DUSEN. Congressman du Pont.
 Mr. DU PONT. Aye.
 Mr. VAN DUSEN. Congressman Winn.
 Mr. WINN. No.
 Mr. VAN DUSEN. Three noes; three ayes.
 Mr. WINN. Yatron better leave town.

Mr. VAN DUSEN. The motion of Congressman Harrington to table the draft provision and recommend to the full committee that no supplemental assistance be provided to Cambodia is defeated.

Mr. HAMILTON. Reject both options.

Mr. FOUNTAIN. This indicates that we are not quite decided individually or collectively as to what we want to do.

SUGGESTIONS WANTED

Mr. HAMILTON. The Chair is open for suggestions as to how to proceed.

Mr. HARRINGTON. That we rework section 21 of the Paris Treaty of 1973 on top of that in the full amount of \$222 million.

Mr. BONKER. I would be interested in what Mr. du Pont would have to submit as an option.

The issue seems to be clearly divided and Mr. du Pont is closer to reconciliation than anyone else. I would like to hear some of his views why he rejected this particular draft and what he would like to see in a draft.

DRAFT NOT VOTED ON

Mr. VAN DUSEN. This draft has not been voted on yet.

Mr. SULLIVAN. It still would be open for amendment.

Mr. VAN DUSEN. We have not voted on the draft provision. We have voted on two motions to table.

Mr. FOUNTAIN. Suppose you were to adopt the Draft Provision down to the word "subsection" before the words "subsequent to a report by the President." What would be the effect of that?

Mr. WINN. In paragraph (h) ?

Mr. FOUNTAIN. Accept the paragraph through the word "subsection." Would that have the effect of saying that they can take this total amount of money out of what they now have on hand and can use it whenever they want?

Mr. SULLIVAN. Yes, sir. There would be no restrictions at all on it.

Mr. FOUNTAIN. But they would be using funds already—

Mr. SULLIVAN. Already authorized; yes, sir.

Mr. FOUNTAIN. And not appropriated?

Mr. SULLIVAN. In terms of Public Law 480 as a kind of preappropriation.

Mr. DU PONT. Mr. Chairman, I am sorry.

Mr. FOUNTAIN. I am through. I just asked a question.

GOAL ONLY TO PREVENT CHAOS

Mr. DU PONT. Mr. Chairman, I approach this question quite frankly with an intention to vote against any continuation of aid. It seems to me from the testimony we took that there is only one reason to continue aid and that was somehow to prevent a situation on the day the bullets ran out from developing into chaos. We came in here this afternoon and quite frankly tried to draft an amendment that would do that and I just don't think we did it.

This is very vague, it is very loose, and I am not convinced that the draft came up saying anything.

WHAT DRAFT TRIED TO DO

Mr. HAMILTON. Well, let me respond to that. What you have said in this amendment is that you have told the State Department to change its policy completely.

The policy of the State Department now is to seek a military equilibrium in Cambodia, a stalemate situation, and on the basis of a military stalemate to gain a negotiated solution.

We are saying in this amendment that we reject that course. We are saying to the State Department, "You have got to achieve an immediate end to the conflict." And the aid is conditional upon the State Department changing its policy.

We are also saying that we want this conflict achieved in a way that is peaceful to the maximum extent possible.

Now, it is a major shift in direction from the State Department policy today.

Admittedly it is hard to say this in the draft. Admittedly there are points in it that are not precise but it does try to avoid the defect of a straight cutoff of aid which is what you suggest.

Now, my impression is that we have done a reasonably good job in a terribly difficult drafting situation, and it can be improved upon, I am sure.

I am sure the committee may make some improvements and some suggestions to it but it does seem to me that you cannot say that we have not achieved anything.

If this amendment becomes law, the State Department and the President are going to have to change their policy 180 degrees.

Mr. DU PONT. If the gentleman will yield, we are giving them 90 days to do it.

STATE IS GIVEN 90 DAYS

Mr. HAMILTON. Ninety days to do it. You have got to get this thing done in 90 days' time. We are going to give you the military aid, we are going to give you the food, you are going to have to get it done in 90 days' time.

What you are seeking is a control situation, a peaceful situation. Nobody can give you any assurances that what you are doing is going to be achieved. But you are doing the best you can to achieve it and you avoid the great problem of option No. 1 which is the ammunition simply running out since the panic developing in Phnom Penh overrun by the Communist forces was the type of activity that you have had in every village that they have taken to date which move in and slaughter a lot of people by uncontradicted testimony. You avoid the possibility then of mass killings—probably you would at least increase the possibility of avoiding.

Mr. HARRINGTON. Would the chairman yield? I don't want to really quarrel, but that is an overly optimistic assessment.

DRAFT CHANGES POLICY

Mr. HAMILTON. I think I have to concede it is optimistic.

The point I wanted to make was that this amendment as proposed changes American policy in a major way in Cambodia.

Mr. HARRINGTON. Civility may overcome my continued reluctance to accede to that. The time it would take to get this bill through the

process might bring about in Phnom Penh a more profound change in the State Department's Lon Nol policy than what we had been engaged in. We continue with the familiar congressional exercise of saying we are going to deal with the problem and then not dealing with it.

That is the general practice that I have seen during 5 years in this place—the illusion of drawing the line.

ANOTHER OPTIMISTIC ASSESSMENT

Mr. HAMILTON. The gentleman is putting the most optimistic prospect on his own viewpoint which he is entitled to do.

I think all of us want to avoid violence and I think what the American's option 3 is that you give our Government and the government of Lon Nol, if you wish, the means by which they can reduce the likelihood of violence that would exist should you simply let the ammunition run out. It seems to me you increase the possibility of violence in that situation, even the problems of the transfer of power.

The draft provision clearly calls for a transfer of power within 90 days from the Lon Nol government to the insurgent forces.

Mr. VAN DUSEN. Mr. Chairman, it is not so clear on that.

Mr. HAMILTON. But that is what will happen.

Mr. HARRINGTON. I would not acquiesce in that being anything more than a preliminary round. Something we will face again in June.

WHY IS POLICY CHANGED?

Mr. DU PONT. If the chairman would yield.

Why does he feel it is a major change in American policy? Ambassador Habib referred a number of times—and we all I think agree—that there are some kind of negotiations underway, that there are some things happening, an effort is being made, perhaps a weak one, to solve the thing through negotiation, and doesn't this simply continue that project?

Mr. HAMILTON. I don't think so. First of all, the words are very different it seems to me. Mr. Habib is saying we are seeking a military equilibrium. From a military equilibrium we are seeking a negotiated settlement. That language is not in here at all.

We are telling the Department of State we want an immediate end to this thing, that you have to take initiatives which you have to spell out to us in a very specific way to achieve that conclusion.

TRYING TO AVOID COMMITTEE

Mr. HARRINGTON. Mr. Chairman, could I go back to something that is more than of passing significance?

Until last Wednesday the Department of State and a portion of this Congress were fighting against the practice of deliberate avoidance of this body altogether.

I wonder what it is that calls for any kind of response on our part, having this dumped on us, to provide ex post facto rationalization for a course which was designed to avoid the proper committee.

We should make a fairly strong response to that kind of conduct and not simply give them what they want and call it something else.

Mr. HAMILTON. I don't think you can say you are giving them what they want. They are going to object to this very strongly.

Mr. HARRINGTON. I never saw an executive department coming in and getting all of what they wanted. They are getting a good part of it.

SHOULD NOT DICTATE SURRENDER

Mr. FOUNTAIN. I did not place the same construction on this that you did. I can see how that could be the result, but in voting for this draft I was not voting to say that the State Department bear on the existing situation to transfer power to the enemy. That is probably what the result is going to be but I don't think we want to put ourselves in that position.

Mr. HAMILTON. We are not saying that.

Mr. FOUNTAIN. Then we would be saying the U.S. Congress rather than the formal process of the battle—this war could continue in some form even if they have to use shovels. I don't want to put us in the position of saying we have delivered our friends into the hands of the enemy by forcing them to yield and turn over the ruins to somebody else. Now, that is probably what would happen.

Mr. HAMILTON. You are correct in your observation that it does not say that in the resolution of course.

Mr. FOUNTAIN. It was my intention to say that—although I can realize that as a possibility—but I would hate for it to be interpreted as being intended to force the State Department to so change its policy that it now will support the Lon Nol government or whatever government is there for a period of 90 days or thereabouts, but thereafter we do everything we can to put in another government or to turn them over to the enemy, so to speak.

NOT GIVING THEM WHAT THEY WANT

Mr. WINN. It was not my intention when I worked against Mr. Harrington—my motion to table was not to give them everything they wanted. I did not intend to stay here for 2 hours and not try to arrive at something that might be acceptable to the various governments including the United States, the State Department, the executive branch, and mainly the members of the full committee.

I am willing to work on this further but I do not intend to give them everything they want, but I don't intend to cut them all off and just say "Too bad boys."

Mr. FOUNTAIN. But this is a reversal of policy in that we are saying to them after this money is used up, so far as our contribution to the Cambodian Government is concerned, that comes to an end.

Mr. VAN DUSEN. There is another fiscal year and there is a whole new battle in Congress over that.

WE ALL WANT TO AVOID VIOLENCE

Mr. HARRINGTON. Could I ask the chairman a question?

A lot of what seems to be going on is predicated on a desire everyone shares to avoid violence which ends up in slaughter or chaotic conditions.

But the information I have indicates that the Cambodians themselves have not drafted the eligible people that are still available in

the capital; they are not, according to the testimony yesterday, joining effectively in ground combat to pursue their own self-defense.

Why should we be so solicitous when there is demonstrable evidence they are not doing everything they can to help themselves in dealing with what is described to us as a mortal struggle for their survival?

MINIMIZING BLOODSHED

Mr. HAMILTON. I don't know if there is anything there to commend them to our solicitude. My search here is for a procedure that will minimize bloodshed and I am not, I think, opposed to your objectives at all but it is how you bring it about.

Mr. WINN. I think the gentleman makes a good point, but these are the same arguments we heard on South Vietnam and we are right back where we are picking our own friends, instead of trying to find out any weaknesses in our so-called enemies.

Mr. HARRINGTON. I could ask the gentleman how does picking our friends suggest a desperate fight for survival?

Mr. WINN. I don't understand how you can say "Let's let it go down the drain," and nowhere in your discussion have I heard how you are trying to defend against any bloodbath nor do you deny there will be one.

ILLUSION WE ARE GOING THROUGH

Mr. HARRINGTON. I raised some questions this morning with Congressman Chappell based on the CIA's estimates yesterday of the bloodbath in the past, but my other point—and I offer it more seriously—I would think the incentive for the enemy to do something civilized here may be offering them \$222 million, if they avoid what we are expressing concern about. I think that is a better investment than the illusion we are going through now. Perhaps we should provide that money, give the executive branch what they want, but give it to them on the condition they make that available only if the same formula Kissinger applied in the Paris setting is available to use as an incentive.

That would be a specific suggestion. Rather than say here are a limited number of additional weapons, maybe it will work, maybe it won't, but this is all we are going to do for you.

Mr. WINN. I do not disagree with that philosophy but that is the first time we heard of it since 2 o'clock.

Mr. HARRINGTON. I thought I offered it a few times, maybe not as specific. I would try to draft article 21 or whatever it is.

OPTIONS AVAILABLE

Mr. HAMILTON. We have been at it almost 2½ hours and it is very clear that there is not agreement within the subcommittee as to what we ought to do and perhaps we won't be able to reach it this afternoon.

We have two options. We can meet tomorrow morning for further discussion or we can merely report to the chairman of the committee that we are evenly divided on the question and see what action, then, the chairman wants to take so far as the full committee is concerned.

Mr. HARRINGTON. Frankly, I think if you want direct response, that is what should have been done to start with. I think the entire committee should have faced that issue and not put the burden on us in this fashion.

Mr. HAMILTON. One of the things the chairman sought to do, and we will have done this for him, is to clarify the options through the subcommittee work and we can do that by presenting something similar to the option list that we have here.

So I do not think the work of the subcommittee has been done in vain even if we are not able to agree. It will help focus the discussion of the full committee, but we really do not have any choice about the matter at the moment. We have to make some kind of report to Chairman Morgan on it.

Mr. WINN. If we are going to look into all the options there may be additional options including the one Mr. Harrington just talked about.

IMMEDIATE QUESTION

Mr. HAMILTON. The immediate question then is do you want to meet tomorrow to go over this further or do you want to simply report to the chairman that we are deadlocked.

Mr. VAN DUSEN. Or vote on the draft provision.

Mr. BONKER. Maybe we should just report to the chairman.

Mr. WINN. I wonder if we could meet with the chairman or suggest the chairman meet with us.

Mr. FOUNTAIN. You could informally report to the chairman and then call a meeting of the subcommittee thereafter and find out which procedure he would prefer.

We have some pretty strong-minded members of the Foreign Affairs Committee. And it may be that we are better off not to go back and say, "This is what you take." I don't know. It would be nice if we could agree on something.

REPORT TO CHAIRMAN

Mr. HAMILTON. Suppose I report to the chairman the results of today's deliberations and then that we meet tomorrow afternoon. We will set aside a time to meet and I will report on the chairman's reactions and at that time we can decide what action we should take, if any.

Mr. DU PONT. And you will report to the gentleman outside there that—

Mr. HAMILTON. I will report nothing to them.

Mr. DU PONT. You might report to them that deliberations are going to be continued. We are still meeting.

Mr. HAMILTON. I will say that deliberations are continuing.

Mr. WINN. May I make another suggestion?

After you meet with the chairman that, either at the same meeting or at a subsequent meeting to—

Mr. HAMILTON. Any member of the subcommittee that would like to go with me to see Dr. Morgan is entitled to do so.

Mr. WINN. I am saying at the same meeting with Dr. Morgan or a subsequent meeting could we include Mr. Broomfield?

Mr. HAMILTON. Certainly. I think that is a good suggestion. I think we should invite Mr. Broomfield right now.

Mr. DU PONT. I have talked to Mr. Broomfield on a number of occasions—

Mr. HAMILTON. Thank you very much, gentlemen.

The subcommittee stands adjourned.

[Whereupon, at 3:15 p.m., the subcommittee was adjourned.]

THE CAMBODIA-VIETNAM DEBATE

WEDNESDAY, MARCH 12, 1975

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

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

Mr. HAMILTON. The subcommittee will come to order.

This session is a continuation of our session yesterday.

Mr. HARRINGTON. Would it be appropriate to request a procedure to raise the question of whether to open or close the hearing? You said yesterday you would vote on whether to consider yesterday's decision binding on today.

REVISED DRAFT

Mr. HAMILTON. I do consider it binding. Since it is a continuation of that session, it is binding.

The draft before the subcommittee is the draft that has been passed out and was under discussion at the time the subcommittee recessed yesterday.

It has been altered as a result of a session this morning between Mr. du Pont and myself. I will give each member an opportunity to read it and I will ask Mr. Van Dusen to explain the contents of it.

Then we will open it up for questions and as I understand it Mr. Harrington has a substitute which he would like to offer at the appropriate place and there may be other members who likewise have drafts that they want to submit.

[The revised draft provision follows:]

REVISED DRAFT PROVISION

Section 655 of the Foreign Assistance Act of 1961 is amended by adding the following new subsection:

"(h) The Congress directs that United States policy shall be to achieve an end to the conflict in Cambodia no later than June 30, 1975. To achieve that objective, an amount equal to 10% of any ceiling provided for in this section may be provided which shall be in addition to the amount authorized under such ceiling in each successive thirty day period beginning on the date of enactment of this subsection, subsequent to a report by the President to the Congress during such thirty day period which states—

"(i) That the United States is undertaking specific steps to achieve an end to the conflict in Cambodia no later than June 30, 1975, in order to relieve human suffering and end all United States military assistance to Cambodia by such date;

"(ii) That the Khmer Republic is actively pursuing specific measures to reach a political and military accommodation with the other side in the conflict;

"(iii) That initiatives have been taken toward the other side to achieve a peaceful and orderly conclusion to the conflict, including safe passage out of Cambodia for those persons who desire to leave the country, appropriate care and help for the refugees and victims of the conflict, and assurances that combatants and prisoners will be treated in accordance with the provisions of the Geneva Convention on Prisoners of War;

"And which provides specific details of such initiatives; *unless* the Congress, within 10 calendar days after receiving any report under this subsection adopts a concurrent resolution stating in substance that it does not favor the provisions of the report."

Mr. HARRINGTON. Could I ask, with the reference you made to the proposal that was before us yesterday at the adjournment being altered, I assume you propose to offer the language you developed this morning as an alteration to that.

Mr. HAMILTON. Yes.

Mr. HARRINGTON. I would assume we are dealing with that in the present form as the matter before us.

NEW DRAFT IS AMENDMENT

Mr. HAMILTON. It is the suggestion of the Chair we are dealing with the draft before you, amendment to H.R. blank, offered by Mr. Hamilton. We will fill in my name for purpose of identification.

Mr. HARRINGTON. Is this yesterday's or is this a new draft?

Mr. HAMILTON. This is an alteration of the draft we had yesterday.

Mr. HARRINGTON. Parliamentary inquiry. Can you do that in the sense of having preexisting business in a continued session without it being offered as an amendment?

Mr. HAMILTON. I am offering it as an amendment.

Mr. HARRINGTON. I just wanted to clarify the procedure. It will have to be voted on.

Mr. HAMILTON. It will have to be voted on. This has not been voted on.

Mr. VAN DUSEN. That was not voted on yesterday or today.

Mr. HAMILTON. Go ahead, Mr. Van Dusen.

EXPLANATION OF DRAFT

Mr. VAN DUSEN. Let me comment on changes made. On page 1, we cite the amounts that will be available for each month. This was done on the advice of legislative counsel because yesterday's draft, as written, indicated that the amount that was available for each month could be used entirely for military aid.

To insure that the portions available for Public Law 480 be available for Public Law 480 we had to put in the money amounts.

The first three of four subparagraphs are essentially those that existed yesterday with some important changes.

I guess the most important change is in the first where a date certain is inserted and the United States is directed to undertake specific steps.

Those steps would have to be reported to Congress three times in the next 3 months and Congress would have an opportunity to vote against further aid three times.

The purpose of setting a date certain is to end all U.S. military assistance to Cambodia by the end of the fiscal year.

The second subparagraph is essentially the same as it was only it indicates that what the Khmer Republic should be undertaking is to reach political and military accommodation with the other side. That language is new.

The third subparagraph gives an indication of the kinds of initiatives that we believe should be undertaken, the kinds of things we would expect the State Department to be reporting on three times in the next 3 months.

Some of the kinds of things are: Safe passage out of Cambodia for those persons desiring to leave; care and help for refugees and victims of the war; and assurances that combatants and prisoners will be treated in accordance with the provisions of the Geneva Convention on POW's.

NEW ELEMENT

The fourth subparagraph enters a new element to the draft. It is written pursuant to a resolution passed at the last United Nations General Assembly, on Cambodia. The resolution requests in one of the subparagraphs that the Secretary General, after due consultation, lend assistance to help the two sides reach accommodation in Cambodia. We rephrased that to achieve peaceful, orderly conclusion to the conflict and to introduce the element of the use of peace-keeping forces either to monitor the end of the conflict perhaps or to help with the distribution of rice and food.

The most basic change of the new draft is what it directs U.S. policy to do—and that is the very first sentence—"Congress directs the U.S. policy shall be to end the conflict in Cambodia not later than the end of the fiscal year."

Those are the main changes from yesterday.

Mr. HAMILTON. All right.

That draft then is open for discussion by members of the subcommittee and other members of the committee.

We welcome their participation but not their vote.

SIGNIFICANT DECISIONS BEING MADE

Mr. RYAN. May I put something in there?

I think any kind of draft that comes from this subcommittee or the full committee ought to include some specific mention of the necessity for the International Relations Committee to make further recommendation in deliberate speed and good time regarding the effect that that particular change in policy has on our military and economic and agricultural aid programs throughout the world.

For the first time in 25 years we are abandoning belligerent, partisan, anti-communist as the basis of our foreign policy. This has been the basis of our foreign policy ever since June of 1950. There are many other nations around the world that would now like to have some better idea of what the Congress' mind is in regard to our troops on Taiwan, of whether and what kind of military commitment we have to Taiwan, to Japan, to South Korea, to the Philippines, to Thailand, to Germany, to France, to England and to many other countries of the world.

I have no doubt that this decision will make some specific changes, one way or the other, as time goes on.

I would like to see this committee ready with some suggestions as to where we go from here. I cannot think of any better subcommittee from which to originate such suggestions than this particular subcommittee.

SUBCOMMITTEE WILL ADDRESS BROAD ISSUES

Mr. HAMILTON. We appreciate that remark, Mr. Ryan.

I think it is the intent of the subcommittee to get into those questions. As a matter of fact, it was our intent to get into those questions first but this was suddenly thrust upon us through the events that have occurred and with which we are all familiar.

I think your remarks are well taken and it is the intent of the subcommittee chairman to get into those matters.

Mr. HARRINGTON. Mr. Chairman, I would like not to let the generalization made by Mr. Ryan go without some qualification. I think there is a basic distinction to be drawn when it comes to a role I think we should play—and I agree with the chairman and Mr. Ryan about the questions of our addressing ourselves to the decision taken to effect relations in general with a number of other countries in the world, our world perception of our role.

DISTINCTIONS NECESSARY

But when one begins to compare situations existing in Germany and Britain with situations existing in Southeast Asia or in Cambodia in particular, as to the origins of governments, as to the legitimacy of those governments and the conduct of those governments, I think there is a basic distinction to be drawn as it applies to my perception of our role.

I find nothing redeeming, nothing in the image of what we hold ourselves out to be as people in the present manifestation of the Cambodian Government.

To narrow my example, as contrasted with what the British or Germans or a number of other countries with political traditions that have been arrived at in an entirely different fashion may necessarily have as they would relate to our role in helping them.

And I think that while it is useful to suggest that this committee, having had the duty visited on it in a very peculiar fashion in my opinion—it is one that ought to be looked at by both the interpreters of this Congress and by the committee itself.

I would like to draw the distinction between the generalization made about certain countries which have shared traditions, different interests, and the countries of the kind that we talked about using Cambodia, Vietnam, Philippines, and South Korea as an example.

SOME SPECIFIC CASES

Mr. RYAN. Will the gentleman yield.

I presume then you would not find it amiss to discuss within the criteria you just used the present government in South Korea or Taiwan or perhaps the Philippines.

Mr. HARRINGTON. I thought I suggested the Philippines were among the countries where I would like to see some distinction.

Mr. RYAN. There is implicit in what the gentleman said that policy toward a foreign country should be based on whether or not the Congress approves of the internal policies of the particular government in charge at any given time, and I do not think that is quite enough on which to base a decision to continue or terminate aid to a particular country.

On that basis you might wonder about whether we should get into the fight now going on in Portugal, for example. In other words, I think—

NEED TO ADDRESS AMENDMENT

Mr. HAMILTON. Gentlemen, if I may intercede, you have a useful discussion underway which is an important one, but the subcommittee is under a good bit of pressure here to act on the business at hand, so I would like to direct our attention if I may to the specific amendment pending.

Now, first, I presume it is in order—are there any questions just with regard to clarification of what the language means?

Mr. FOUNTAIN. Item 1 of the amendment is authorized to carry out chapter 2(a) of this act, "not more than \$20 million."

What does that involve—\$20 million for what?

Mr. SULLIVAN. That means that not more than \$20 million may be provided out of worldwide military assistance in that 30-day period, granting that the President makes the report, and so forth.

Mr. FOUNTAIN. Your next item under section 506 for fiscal year 1975.

Mr. SULLIVAN. Section 506 is the drawdown from Defense Department stocks. The provision would make available 10 percent of what has been given over the previous year during that 30-day period. The material would come out of DOD stocks.

Mr. FOUNTAIN. Item 3 is Public Law 480?

Mr. SULLIVAN. Yes, sir.

Mr. VAN DUSEN. There are no authorizations or appropriations.

NO NEW AUTHORIZATIONS

Mr. HAMILTON. There are no new authorizations in this bill. The effect of this language is to make available during the 90-day period the total sum of \$135.6 million to be done in three installments, one-third each.

Mr. FOUNTAIN. As I understand it, after each one, the President has to make a report to the Congress.

Mr. HAMILTON. That is correct. The money is not made available until the President reports. Is that correct?

Mr. SULLIVAN. That is correct.

Mr. HAMILTON. And presumably as Mr. Sullivan said yesterday, the President would make the report immediately and then you have a 10-day period within which the Congress could turn it down if they wanted to by concurrent resolution. If Congress did nothing, the money would be available.

Mr. HARRINGTON. Does concurrent mean both branches would have to act separately but collectively to achieve the end result of denying it?

Mr. HAMILTON. That is correct. The concurrent resolution would have to be passed by both Houses. It is subject to the vicissitudes of the parliamentary process.

SUPPORT EXPRESSED

Mr. DU PONT. I would like to say a word on behalf of the resolution, on one point particularly.

All of us want to stop the aid. I think every member of the subcommittee has at one time or another taken a position against further aid to Cambodia. Of course, our resolution does that on the 30th of June. But the most important thing to my way of thinking is that it does a great deal more.

It starts the peace negotiation procedure and it starts it on four different fronts. It starts it by directing the State Department to change its position and get involved. It does it by directing the Cambodian Government to get involved. It does it by directing the President to take initiatives to help the refugees and see that the Geneva Convention applies. Finally, it does it by getting the U.N. involved through the U.N. resolution passed last December.

So, I think it is a question of accomplishing our goal and a great deal more and trying to end the conflict as well as trying to end U.S. involvement in the conflict. I think both of those goals are equally important to the United States at this time.

POSITION OF ADMINISTRATION

Mr. HARRINGTON. Would the gentleman yield for a question.

Mr. du Pont, as the ranking minority member of the committee, in the reference you made to the general intent of the Congress to end the conflict by the end of the fiscal year, or to see it come to a close with the maximum limit by the end of the fiscal year? Are you in a position to indicate whether or not the administration, in view of its pending request for Cambodia, which I guess is in excess of \$400 million, prepared to accept—

Mr. VAN DUSEN. For next fiscal year.

Mr. HARRINGTON [continuing]. Prepared to accept that statement with its implications at that point.

Mr. DU PONT. I have informed the administration—and I use the word “informed” in contrast to “discussed with”—I have informed the administration of my interest in this resolution before us.

I cannot say to the gentleman that they will not pursue their request for \$400 million. But I can say to the gentleman I will use my best effort, both in committee and on the floor, if required, to oppose every penny of that military aid in the fiscal 1976 budget.

This is the understanding and I so informed the administration that there will be no support out of my corner for any additional military aid in fiscal year 1976.

NO AID IN FISCAL YEAR 1976

Mr. HAMILTON. I might say I have agreed with Mr. du Pont, that if this is adopted I likewise would oppose any further military assistance of any kind in the coming fiscal year, fiscal year 1976.

Mr. HARRINGTON. Has the chairman had a similar conversation with representatives in the executive branch?

Mr. HAMILTON. No; I have had no conversation with members of the executive branch with regard to this amendment before us. I do not know how they feel about it.

Mr. Broomfield, I think, has been informed of it. Chairman Morgan has been informed of it. Some other members of the committee have been informed of it by me but I have had no reaction from the administration.

Mr. Bonker, did you have a comment?

CONGRESSMAN BONKER'S VIEW

Mr. BONKER. I would like to commend the chairman for finding an area of compromise or agreement on this draft. I don't believe I am going to vote for it, so I would not want to see it revised to meet my objections.

I see that you have a date certain in the draft which I called for yesterday. I am wondering if the commitment is strong enough from you and Mr. du Pont whether that first section could not be stronger. I am not convinced that "The Congress directs that the United States policy shall be to achieve an end." That to me seems to be rather loose.

I wonder if we could not see language that would say to the effect that "The United States shall disengage from further military assistance to Cambodia by no later than June 30, 1975."

TOUGH LANGUAGE NEEDED

Mr. DU PONT. If the gentleman will yield.

It does say that in section 1 on page 2. Frankly, in drafting the first sentence of this resolution we aimed not so much at ending U.S. involvement as ending the conflict, but I would say to the gentleman, as one who had a large part in the drafting of that first sentence, that we toughened it enormously and I personally would welcome some way to toughen it further.

I would also say to the gentleman that if the choice is between this resolution, with all these peacemaking apparatus that we have set up, and between a resolution that simply cuts off aid and does nothing about solving the conflict, would urge him to search his soul and see if he cannot support something that has some peace negotiation efforts in it, and that this may be the only chance we get to do that.

Could the gentleman state again what he wanted to do with the first sentence?

Mr. BONKER. My suggestion is to make more explicit in the language by stating that "The United States policy shall be to disengage from further military assistance to Cambodia by"——

TOUGHER LANGUAGE

MR. DU PONT. Would the gentleman accept an amendment that adds on after the date June 30, 1975, "the Congress directs the U.S. policy shall be to achieve an end to the conflict in Cambodia no later than June 30, 1975, to end all U.S. involvement by June 30."

I think it important that we both try to end U.S. involvement and try to end the conflict, which are different, and to end the U.S. involvement.

MR. VAN DUSEN. Involvement is not a precise word. You might say "all U.S. military assistance." Is that what you mean?

MR. SULLIVAN. By that date.

MR. HAMILTON. "And to end all United States military assistance by such date." Are you proposing that as an amendment, Mr. Bonker?

MR. BONKER. Yes, sir, but I want it to be clear, Mr. Chairman, that my suggestion is to improve and strengthen the language. I am not looking for an area to make the draft more palatable for my vote. I want to make that clear. I still feel strongly about further military assistance and I probably will oppose any draft that would include such a provision.

My suggestion is only to improve the language and to strengthen the intent of the draft.

OBJECTION EXPRESSED

MR. WINN. I have respect for my colleague from Washington but it is hard for me to sit here and hear him say he probably won't vote for the final draft anyway, and then to sit here and strip the limbs from the tree and then say how beautiful it is. It is not beautiful anyway.

MR. BONKER. Yesterday Mr. du Pont submitted a resolution for our consideration and voted against it and I respect him for that. I respect his candor and his honesty.

MR. WINN. I respect him, too, but I couldn't understand that either.

MR. DU PONT. If the gentleman will yield, as long as my name has been mentioned, the reason I felt it so important to oppose the amendment that I helped to perfect yesterday is that we might come up with something better, which I believe we did today, and if the gentleman from Washington is uneasy about proposing that as an amendment I will be glad to propose the additional sentence.

NO SUBSTANTIVE CHANGE INVOLVED

MR. HAMILTON. My own judgment is that it does not really change the thrust or the meaning of the amendment in any way. But it may add some specificity and strength and it may be helpful.

MR. FOUNTAIN. What was the language again?

MR. HAMILTON. "And to end all U.S. military assistance by such date." There would be a comma after 1975 and you would add the words "and to end all U.S. military assistance by such date."

DRAFT AN IMPROVEMENT

Mr. FOUNTAIN. This is the first time I have had a chance to read this. The chairman briefly told me a new draft, but I think this is an improvement over what we had yesterday. A vast improvement. I think it does something. I think it very clearly is intended to avoid completely pulling the rug out from under either our Government or those whom we are helping. I think it will to some extent salvage credibility of our country. Call it face saving if you want to, but I think it also will enable all efforts, not just on our part but through anyone else, be it Russia or China or anybody else to go forward and our Government is directed to do whatever it can to bring an end to the conflict.

We are appropriating no new funds. We are saying whatever you use you must use from funds already authorized. And we are limiting those funds and so I was just wondering—I would support that kind of language—but I am wondering if we want to be that specific because of the credibility aspect.

I think the debate will clearly show what the intention is, that we intend to furnish this assistance and the Congress has given the authority with each report of the President to disapprove even that, if it wants to.

But we are saying that we are providing enough time to enable the people who are in the government, whether we agree with them or their philosophy or not, to proceed.

We are giving them adequate time to get people out, to make such arrangements as they want to make. We are providing economic assistance in the meantime. And we are calling upon the United Nations again, for whatever that may be worth—I don't think it is worth very much—but it shows that our concern is such that we want to call upon all others to feel that they have a responsibility in bringing about a termination of this conflict.

JUNE 30 THE END

But so far as we are concerned I think it very clearly says that as of June 30, we are washing our hands of Cambodia insofar as military assistance is concerned.

And, of course, should the Congress, upon the filing of these reports, decide to even cut it off more it would do so.

So, while personally I would like to cut off all aid, I am concerned about the implications and the impact and the psychological effect of such action both here at home and in Cambodia.

I am concerned about what the rest of the world may feel, if we do not make some provision to enable the masses of people there who the government is protecting, to continue at least for a limited time, to defend themselves. In the meantime, who knows, maybe the Almighty will step in and there will be some kind of coalition government better than a complete takeover.

Maybe Lon Nol will resign if that is necessary and they can form some kind of coalition or lay the foundation for it. But nonetheless the language, it seems to me, is well written to achieve these purposes.

ALTERNATIVE A COMPLETE CUTOFF

Now, the only other alternative I can see to this is completely cut it off and say we are not going to give you anything. When the ammunition runs out that is it. You suffer the consequences.

In the meantime we will continue to do what we have been doing, but there is no change in the direction of policy. The administration can go ahead and pursue this thing as it wants to but we are saying, we who represent the people of this country—all of whom are elected directly—the U.S. policy shall be, from this point on, to achieve an end to this conflict in Cambodia no later than June 30.

Now, that does not mean we can bring it to an end but it means so far as the U.S. Government is concerned and our people it would be brought to an end.

There is no way we can prevent those people from continuing to fight with whatever they have, sticks or brooms or handles or plowshares or whatever. That's their right.

THIS SOUNDS AMERICAN

But I do think this opens the door of opportunity and I think it sounds American. I just feel like this—and I would vote to cut off completely if I had no alternative—but it seems to me America, as I mentioned the other day, has been looked upon as their last bastion of freedom in the world, to all nations everywhere, even if they have not been called on.

Of course, we have helped all over the world. But for us to just suddenly cut off without making some provision or some suggestions that something ought to be done—and incidentally it is all unilateral; we are not forcing the enemy, we cannot, to do anything, but we are committing the good faith of the Congress and of the country to try to bring this thing to an amicable conclusion with the least expenditure of life and money as possible but with the adding of no supplemental appropriation.

So I am inclined to support this resolution.

CONGRESSMAN WINN CONCURS

Mr. WINN. Mr. Chairman, I would like to agree with Mr. Fountain. I do think it sounds American. I think it is more of an orderly or a smoother transition rather than just slamming the door in their face and saying, "Lump it. From here on you are on your own."

It does give them, and maybe some other countries we are involved with, some direction of the feeling of Congress in the future.

Now, I am thinking out loud. I am thinking about South Vietnam, although I do not look at it as exactly the same category, it is similar, very similar. I think we talk about getting the Lon Nol government to step aside. I think Senator McGovern and Senator Humphrey said that might be the answer to sitting down to negotiations, if Lon Nol and his six or seven top aides stepped aside and got out of there and that the other side said that we are the ones they were after.

I don't know how many people believe that but I do not believe that. I don't believe they will stop at Lon Nol or six or seven other people. That has not been the history of their actions.

I think they will go much further down. Anyone that looks like a potential risk or problem for him I think has to go in one way or the other. Whatever method they use.

But I do think this is a smoother transition and I think it is worth a try and I will support it.

ADMINISTRATION POSITION DIFFERS

Mr. FOUNTAIN. Will the gentleman yield?

I think I said it but let us not forget that this is not what the administration wants. The administration wants more funds to continue this thing and the President went so far as to commit himself for 3 years, and also committed himself at the end of 3 years to make no further request.

Instead of continuing to seek funds, we are directing the President to do just the reverse. To use what we are willing to give you within this legislation, but from this date on no more. But from now on instead of using American funds and American ammunition to kill, between now and then use all of your efforts to bring about peace in the world through whatever means you can, our Government, through other governments, the United Nations, and this seems to me to be, as I've said, the responsible American way of doing things.

I just think that we ought to make every effort to terminate this thing, or at least to terminate our participation in it in such a way that the rest of the world won't say that America—the last bastion of freedom—got these people in all this trouble; that America started bombing over there; and that America used them as a means of fighting South Vietnam and now we've suddenly decided the heck with them.

Thank you.

SUBCOMMITTEE ACCOMPLISHMENT

Mr. DU PONT. If the gentleman would yield.

The gentleman makes an interesting point. We telescoped an administration's desire for 3 years of continued military aid into a trickle of aid for 3 months. And a date certain at the end of that period and I think that in itself is a substantial achievement.

Mr. HARRINGTON. Mr. Chairman, could I ask Mr. Sullivan some questions that may be useful?

Mr. HAMILTON. Certainly.

AMMUNITION AVAILABLE

Mr. HARRINGTON. You indicated in the course of the briefing before the committee on Monday of this week a variety of impressions as far as the visit you and Mr. Brady made recently.

Would you again, for the sake of some appreciation for where we are at militarily, give some indication of the extent of ammunition of all kinds that are available and the possible minimal and maximum time they may be usefully applied by the Cambodians and whether there are any other funds that have been allocated unexpended, but already committed to accomplish that purpose.

Mr. SULLIVAN. Yes, sir. I think that you are talking about whether this is sufficient funding.

Mr. HARRINGTON. I am talking about the present situation.

Mr. SULLIVAN. The present situation is that there is enough ammunition to last, depending on the rate of consumption, until sometime between April 1 and April 15.

Mr. HARRINGTON. And the basis for that observation is?

STOCKS AND CONSUMPTION RATE

Mr. SULLIVAN. Is existing stocks and the consumption rate—this really is Dr. Brady's area—but it is my understanding that the consumption rate has been running an average of 400 metric tons a day for the past 30 weeks, as an average.

Now, I can give you some statistics.

Mr. HARRINGTON. No; I just wanted a general answer.

Mr. VAN DUSEN. This is not only stocks in country, but if they can get it in what will be delivered in the pipeline in the next few weeks.

THAILAND'S ROLE

Mr. SULLIVAN. The ammunition is sitting in Thailand. It is bought. It is charged to the Cambodian MAP program or to the drawdown. The funds have all been expended and the process now is to get the C-180 aircraft from U Tapao, Thailand, to Phnom Penh. Planes are delivering the ammo at about 600 metric tons a day in attempts to build up stocks. We have not been building up stocks inside the country. There is about 15 to 20 days supply incountry because the main arsenal sits beyond the airport to the west of the city. It seems to be a sitting duck in terms of being blown up.

So we have not been willing to put a great deal of ammunition incountry.

But because Thailand is so close, because it is a safe haven and because it is safe to put a great deal of ammunition on Utapao base, it works out well.

Mr. HARRINGTON. Are there any other countries that are giving this kind of assistance to Cambodia besides ourselves?

Mr. SULLIVAN. Yes, sir; the Thais are providing a minimum amount of assistance amounting to less than \$1 million, basically in training in their own country and some uniforms which I gather are given to these trainees when they come to Thailand, but it is a minimum amount.

Mr. DU PONT. I trust the thrust of the gentleman's question is to discover whether it is possible under this resolution for an end run to take place.

LOOKING AT LEVEL OF NEED

Mr. HARRINGTON. No; whether or not some of the provisions aside from the ones which I think are mandatory dealing with the initiatives that deflect from war, whether the need is there for a level of military assistance suggested as part of it.

Mr. DU PONT. It is my understanding that under previous foreign aid restrictions passed by the Congress it would not be possible for the administration to assign ammunition to Thailand and have Thailand reassign it to Cambodia.

Mr. HARRINGTON. I was not suggesting anything as devious as that, just whether there had been an overly narrow estimate given as to how long the Cambodians could hold with the present stocks or whether there were not other sources available.

Mr. SULLIVAN. No, sir; we have been told there are no such stocks and the amount of ammunition incountry is small. The one factor that cannot be determined is how many individual units may have ammunition squirreled away for a rainy day. Our discussions with our military people indicated that when they go into the areas to look they have found very little cached ammunition.

NOT PRIMARY EVIDENCE

Mr. HARRINGTON. The basis then for your statement—they are not primary as far as you are estimating?

Mr. SULLIVAN. No; we did not go into any unit areas to look at their stocks on hand. Unfortunately our stay in Cambodia was short. We did do that in Vietnam.

Mr. HARRINGTON. Do you find in view of the background surrounding the government, the penchant of the government to misuse funds, given the documentation of GAO sources of recent vintage, given that we have had a misuse of funds given them for military purposes—what I am saying is do you believe people who have a track record like this, that we should be asked to take it at face value, their estimates about the amount of ammunition still left to carry out this policy?

When you have had, I think, a very strong prima facie case that there is no reason to trust or to believe in or find credible the capacity of this Government to deal with this problem.

AMMUNITION FIRED QUICKLY

Mr. SULLIVAN. I think that that is a very difficult question to answer. The one thing that would occur to me, though, would be that if they have the ammunition their penchant has been to fire it. They fire it simply for harassment or to bolster their own morale.

So my feeling would be that if some ammunition has been going to the other side, and it is now coming back, a good bit of that has been captured. Whether some is going to the other side by other means would be extraordinarily difficult to find out.

Mr. HARRINGTON. Does any of this mean we have here in any way provided for payment to the troops that are supposed to be firing this ammunition?

Mr. SULLIVAN. No, sir. In the old days under Public Law 480 food counterpart, it could be used for military pay. Under the act as amended last year, that is no longer possible.

PAYING TROOPS

Mr. HARRINGTON. How are they being paid?

Mr. SULLIVAN. The Government prints money and pays them. It has a very large budget deficit. They are being paid simply by the central bank printing money.

Mr. HARRINGTON. I find it increasingly unpersuasive when it comes to the basis for this observation to believe where they are at and the straits they are in, if that is the basis of your observation.

Mr. SULLIVAN. I don't think I understand you.

Mr. HARRINGTON. You are suggesting to me the source of your estimate given this committee the other day was the Cambodian Army—

Mr. SULLIVAN. The U.S. military and its assessment of what was needed in the Cambodian Army. I suspect the Cambodian assessment would have been considerably higher.

CIA ESTIMATES

Mr. VAN DUSEN. I think there is—and I don't mean to counter the figures that the staff got—but the CIA did tell us the other day—and I do not have the notes from that meeting—that they have roughly—CIA estimates they have roughly a [security deletion] day supply of ammunition on hand incountry.

And if they are still delivering now it would indicate that they might be able to fight until after April [security deletion]. It might indicate that.

Mr. HARRINGTON. That was the general direction of my question, whether there is need for that kind of military assistance.

Mr. SULLIVAN. But even a [security deletion] day supply would only take them—it is not very much. There is a 15-day supply supposedly in the hands of the units. You do not count that as part of stock levels. The amounts in units presumably is being used on a regular basis. But there seems to be very little doubt that the Cambodians will run out.

Of course, you do not wait until your last bullet is fired. When you don't get any more ammunition from your central storage, regardless of what supply you have where you are, you may begin to find your morale dropping rather seriously.

BONKER AMENDMENT

Mr. HAMILTON. May I suggest to members of the committee the pending amendment as offered by Mr. Bonker and it reads, following the figure "1975," in subparagraph (h) "And to end all U.S. military assistance by such date."

Is the subcommittee ready to vote on that amendment?

All members in favor of the amendment say aye.

[Chorus of ayes.]

Mr. HAMILTON. Opposed.

[One no.]

Mr. HAMILTON. The ayes have it.

Mr. HARRINGTON. I have an amendment if it is an appropriate time to offer it.

Mr. HAMILTON. The amendment is adopted.

Mr. HARRINGTON.

Mr. HARRINGTON. The amendment has been distributed, I think.

Mr. HAMILTON. This is an amendment offered by Mr. Harrington.

Mr. HARRINGTON. The blank should be filled in by referring to the Hamilton amendment.

Mr. VAN DUSEN. Is this amendment offered in the nature of a substitute?

Mr. HARRINGTON. Yes, sir.

Mr. HAMILTON. What is the correct parliamentary procedure?

Mr. SULLIVAN. It would be an amendment.

Mr. HAMILTON. This is an amendment in the nature of a substitute. Would you read it.

HARRINGTON SUBSTITUTE

Mr. VAN DUSEN (reading):

The Hamilton amendment to Section 655 of the Foreign Assistance Act of 1961 is further amended by striking out all that follows "(h)" and inserting in lieu thereof the following:

"The Congress at this time rejects the administration's request for supplemental assistance for Cambodia. Instead, the Congress directs that it shall be the new policy of the United States to secure an immediate cease-fire in Cambodia and to facilitate whatever change in governmental arrangements is required to achieve and maintain that cease-fire. When the administration affirms to the Congress that a general cease-fire in Cambodia has been arranged, the Congress will, at that time, give full and expedited consideration to any administration request for humanitarian aid and assistance."

Mr. HAMILTON. Mr. Harrington is recognized in support of his amendment.

EXPLANATION OF AMENDMENT

Mr. HARRINGTON. This is sort of in furtherance of a very generalized suggestion yesterday, the suggestion of mine and some specific language offered by Congressman Riegle, a member of the committee, which I believe you have been acquainted with as has been Congressman du Pont, in the course of the last few hours at least, to the outline if not the specific language.

But what it attempts to do is to deal with what, after this morning, is increasingly a reality.

And I suggest that this morning is a clear indication by a vote of 188 to 50—4 voting present—that the votes are, in at least the House of Representatives, to deny further assistance to not only Cambodia but to Vietnam beyond that which is already appropriated and to further—building on what has been a policy of mixed success by this administration—use the resources that may be determined in the future to be available, rather than for the purpose of continuing any kind of hostility leading toward a conclusion in the next 3 months of the war, to offer it as an inducement to the parties in that country should the Congress be satisfied that certain things have occurred—in this instance the cessation of hostilities and general cease-fire.

REALITY REFLECTED BY CAUCUS VOTE

The language is not suggested as being a perfectly arrived at recitation of that aim and I am open to any suggestions toward improvement. But I think that it deals not only with the reality that is reflected by a vote of the Democratic Caucus, by whatever it is worth—and it think it is worth a great deal—but the view of the American public on this issue in general and I think it is a far more fundamentally useful application of this country's resources toward insuring what I expect is the general concern of this committee that steps be

taken to insure that we at least provide some inducement and help in arriving at an arrangement in Cambodia which may well avoid and minimize the prospect of the kinds of divisiveness and recrimination which the regular course would be expected to follow.

Much of this has been covered yesterday in the course of the general discussion and I see no reason, unless there are questions, to go beyond that.

Mr. HAMILTON. Any further discussion of the Harrington amendment?

DISAGREEMENT VOICED

Mr. WINN. I cannot believe that the American public would agree to the last sentence where it says:

When the administration affirms to the Congress that general cease-fire in Cambodia has been arranged, the Congress will, at that time, give full and expedited consideration to any administration request for humanitarian aid and assistance.

I can't believe the American people believe that. That is just saying when the Communists take over we will do anything we can to help the Communists take over and make it comfortable for them.

PEOPLE AGAINST AID

Mr. HARRINGTON. I meant in general to refer to the American public at this stage as being disinclined to support any further military aid, in any fashion it may be offered, to either Vietnam or Cambodia.

And I might suggest that the script that I am offering is one that I thought met general approbation and I stress "general" since reasons in the meantime intervened and it was never implemented. I refer to the Paris Treaty of January 1973, specifically article 21, which was the suggestion or inclusion of our then-and-now Secretary of State Kissinger designed to offer some inducement to the North Vietnamese to observe some of the other specifics of the resolution of that particular problem that then affected us directly.

You may be right and I am not going to offer anything beyond what I have said as a general view of it. But I think that I offer it only to try to deal with the question that appears to be of general concern and probably general interest to everyone here.

Finding a way to stop giving military assistance and finding some means that we have of at least making possible the use of the resources to accomplish the rebuilding of the country—whether it is controlled by the Communists or by any other combination of parties, which we have a singular responsibility I think for recognizing—is a departure or a different situation than the Vietnamese one.

That is really why it is offered and one that I think we could make a stronger indication for on the part of the American public given the events of the winter and spring of 1970.

MIGHT CREATE CHAOS

Mr. FOUNTAIN. I appreciate the purpose of the gentleman, but I am fearful that this would create pandemonium among civilian populations.

Of course, you are stating in the first few lines what your position is, and what I think of all our positions basically are. You say, "When the administration affirms to the Congress that the general cease-fire has been arranged"—but under this substitute the administration would have no way of using any influence.

It seems to me—notice already having been served—that you are not going to get any further help. I don't know what kind of cooperation we would get from any of these sources. But, the most frightening thing to me—one of the reasons why we have been so concerned about an immediate termination—is the so-called bloodbath.

BURDEN IMPOSSIBLE

You are placing on the administration an impossible burden, I think, without some tools with which to work, some flexibility, some discretion, some incentive that they can offer not only to the Cambodian Government but to all others who might be interested in bringing about a peaceful solution.

So I, too, think this would be a frightening sort of thing. You may be right. The American people want to become disassociated almost everywhere. I think basically you are right when you say they are opposed to further aid, but I am not so sure the American people have had time to think about this particular approach and as the winning speaker at the VFW banquet here in Washington said in effect last night: This is a great country. We are looked upon as a great country. We are respected and we can continue to be great and strong, but if we conduct ourselves in such a way that we may be looked upon as, "Well, after all they are becoming isolationists, you can no longer depend on them; we will go ahead and deal with the Communists, the Russians and Chinese," then we could be in serious trouble, I think.

I am frightened by that language in particular and I think the initial language is just simply a plain cutoff.

CUTOFF BETTER APPROACH

Mr. HARRINGTON. I think to the contrary, in terms of our feeling that the administration is deprived of any particular leverage in dealing with the problems of the end of our involvement and a general effort at cease-fire in the area, that when one looks at the history of what the insurgent or Communist group has had as its lot from this country and the prospect of a diminution but a continuation of it under the Hamilton-du Pont version that is before us, I see it—particularly coupled with the expressed intention to not support any form of aid beyond June 30—I think it is an open inducement for the Khmer Rouge forces to hold on for another 90 days and then to know that we basically are out of it without having any particular leverage at all.

I am suggesting the leverage may be the other way, offering at least the prospect of a Congress being willing to consider some help toward the reconstruction of that country.

ARTICLE 21 DID NOT WORK

Mr. WINN. I just wanted to point out, I think I understand what Mr. Harrington is trying to accomplish, and we did discuss it pretty thoroughly yesterday but the end results are article 21 and what happens just did not pan out. It did not work.

Mr. HARRINGTON. I did not try to maintain it did.

Mr. WINN. But I wanted to point out to the other members of the committee that history shows it was an inducement to settle the war between South Vietnam and North Vietnam, and it probably helped that.

But from then on all hell broke loose in this country about what are we going to do with our money. Why are we helping rebuild the Communist countries and things like that, so I do not think this is the answer to it at all and I will vote against it.

CONCERN ABOUT INTENTIONS OF MEASURE

Mr. HAMILTON. The Chair would speak in opposition to the amendment offered by Mr. Harrington. I have some concern about what it intends to do.

I also have concern about the specific language.

First of all, it calls for an immediate cease-fire. "Immediate," as Mr. Bonker pointed out yesterday, is an indefinite word and allows a lot of flexibility.

Second, the word "cease-fire" itself is a word of art as I understand it. There are all kinds of cease-fires. And we really are seeking more than that in the resolution of the Hamilton-du Pont amendment.

We are seeking an end to the conflict. Cease-fire, in my mind at least, is a temporary type of arrangement and what we are really seeking is an end to the conflict.

TIMING TROUBLING

The timing likewise bothers me. If this amendment were adopted by the committee and adopted by the Congress it would take a week or two perhaps for that to be achieved and at that point you are almost at the point of ammunition being out.

So you would have a cease-fire on one side only in all probability, and I would be concerned from that standpoint, but more basically my concern is the concern that I expressed yesterday about the rejection of the entire supplemental aid request.

One of the things we did not discuss yesterday which I think needs to be called to the attention of the committee is that we have a lot of people in Cambodia, Americans, volunteer workers and third country nationals working for us that we want to do all we can to assure their protection. How many people do we have there, Jack?

600 AMERICANS IN CAMBODIA

Mr. SULLIVAN. There are 600 people. Of that number 200 are in the embassy. There is another, roughly, 100 people in the voluntary agencies and there are another 200 to 250 who are third-country nationals who have been working with the United States, again in the voluntary

agency side, Red Cross, Catholic Relief, and then there are a number of newsmen, some businessmen, so that the Embassy estimates it has responsibility for 600 persons.

Mr. HAMILTON. That may not be a critical fact, but it is a fact that needs to be taken into consideration as we think about trying to bring the conflict to a conclusion.

Is the subcommittee ready to vote, or, Mr. Harrington, do you want to respond in some way?

LANGUAGE NOT INTENDED TO BE PRECISE

Mr. HARRINGTON. To the inevitable. Let me rejoin to the degree that the language was not intended to be a precise arrival at what is suggested. I thought in view of our mandate as described to me yesterday by the chairman our purpose was not to write legislation but to make a report to the full committee, that this would at least generally suffice for the purpose of—

Mr. HAMILTON. I think I should say Mr. Harrington is right on that. As a matter of fact, I happen to know this language was prepared very quickly by perhaps Mr. Harrington and Mr. Riegle so it might not be entirely appropriate to dig at the language real, real hard.

I think the members do know what you are seeking to achieve and I believe the subcommittee is ready for a vote.

VOTE ON HARRINGTON AMENDMENT

Unless there is further discussion, all those members in favor of the Harrington amendment respond by saying aye.

[Chorus of ayes.]

Mr. HAMILTON. Opposed.

[Chorus of noes.]

Mr. HAMILTON. The noes have it.

Mr. HARRINGTON. Could we have a rollcall?

Mr. HAMILTON. We will have a rollcall on that as soon as we return from answering the rollcall.

Mr. BONKER. We have 15 minutes.

Mr. HAMILTON. Go ahead.

The clerk will call the roll.

Mr. VAN DUSEN. Chairman Hamilton.

Mr. HAMILTON. No.

Mr. VAN DUSEN. Mr. Fountain.

Mr. FOUNTAIN. No.

Mr. VAN DUSEN. Mr. Yatron.

Mr. YATRON. Aye.

Mr. VAN DUSEN. Mr. Harrington.

Mr. HARRINGTON. Aye.

Mr. VAN DUSEN. Mr. Bonker.

Mr. BONKER. Aye.

Mr. VAN DUSEN. Mr. du Pont.

Mr. DU PONT. No.

Mr. VAN DUSEN. Mr. Winn.

Mr. WINN. No.

Mr. VAN DUSEN. Four noes and three ayes.

Mr. HAMILTON. The amendment is not agreed to.

VOTE ON HAMILTON-DU PONT AMENDMENT

The vote occurs on the Hamilton-du Pont amendment.

Any further discussion?

All those in favor will signify by saying aye when their name is called; those opposed no.

Mr. VAN DUSEN, Chairman Hamilton.

Mr. HAMILTON, Aye.

Mr. VAN DUSEN, Mr Fountain.

Mr. FOUNTAIN, Aye.

Mr. VAN DUSEN, Mr. Yatron.

Mr. YATRON, No.

Mr. VAN DUSEN, Mr. Harrington.

Mr. HARRINGTON, No.

Mr. VAN DUSEN, Mr. Bonker.

Mr. BONKER, No.

Mr. VAN DUSEN, Mr. du Pont.

Mr. DU PONT, Aye.

Mr. VAN DUSEN, Mr. Winn.

Mr. WINN, Aye.

Mr. VAN DUSEN, The ayes have it, 4 to 3.

Mr. HAMILTON, The amendment is adopted.

Any further business?

If not, the subcommittee stands adjourned.

We will see you tomorrow morning at 10 o'clock, full committee.

[Whereupon, at 3:30 p.m., the subcommittee was adjourned.]

THE CAMBODIA-VIETNAM DEBATE

THURSDAY, MARCH 13, 1975

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C.

The committee met at 10:15 a.m. in room 2172, Rayburn House Office Building, Hon. Thomas E. Morgan (chairman) presiding.

Chairman MORGAN. The committee will please come to order.

We meet this morning to consider legislation requested by the executive branch to authorize emergency supplemental assistance for Cambodia. I introduced the executive draft by request, on February 4, together with the ranking minority member, Mr. Broomfield. The number of the bill is H.R. 2704, and a copy is before each member.

Shortly after introducing the bill, I directed two members of the committee staff who had previous experience in investigating our programs in Indochina, to travel to Cambodia and South Vietnam in order to bring back an up-to-date assessment of the situation there.

The report of Dr. Brady and Dr. Sullivan has been printed as a confidential committee print. It is available to all members of the committee. I also asked the Special Subcommittee on Investigations, headed by Lee Hamilton, to review the situation carefully and report its findings to the full committee. Mr. Hamilton's subcommittee has done a very conscientious job in reviewing the situation in Cambodia.

The subcommittee held hearings with State Department and Defense Department witnesses. It also met with the Director of the CIA and with members of the Special Congressional Mission which traveled recently to Vietnam and Cambodia.

I will first call upon Mr. Hamilton to present his subcommittee findings and recommendations, and then I will call on the ranking minority member of that subcommittee, Mr. du Pont, to present his side.

After that I propose to call on the Acting Secretary of State, the Honorable Robert S. Ingersoll, who is present in the room, to restate the administration's position and to answer any questions that the committee may have. I should also like to mention at this point that the Assistant Secretary of State for East Asian and Pacific Affairs, the Honorable Philip C. Habib; Lt. Gen. Howard M. Fish, U.S. Air Force, Director, Defense Assistance Security Agency; and Mr. Erich F. Von Marbod, Principal Deputy Assistant Secretary of Defense (Comptroller), are also in the room and will be available to answer any questions.

We will begin with Mr. Hamilton.

Mr. HAMILTON. Thank you, Mr. Chairman.

Mr. Chairman and members of the committee, the Special Subcommittee on Investigations has held six meetings over the last week to review the situation in Cambodia and to discuss recommendations we want to make to the full committee concerning the fiscal year 1975 supplemental aid requests of \$222 million in military aid and \$75 million in Public Law 480 food.

During these hearings and briefings we have heard testimony from the State Department, Defense Department, the Central Intelligence Agency, the delegation of Members of the House of Representatives who recently visited Indochina and Jack Brady and Jack Sullivan of our committee staff who visited Vietnam, Thailand, and Cambodia about the time the delegation was in Indochina.

Several themes emerged from these sessions. Let me list five of them:

First, odds are substantial that Phnom Penh will fall in the next several weeks. If we do not provide additional military aid, the Khmer Republic will run out of ammunition sometime in late April and will be unable to fight until next fiscal year. In this case Phnom Penh will certainly fall. Even if we provide additional military aid, make ammunition available and are able to get the ammunition into Phnom Penh, there is no assurance that Phnom Penh will not fall, but there is a chance that the fighting will continue into the summer and into the wet season which begins sometime in June. But there is no assurance that the Khmer Republic will be able to improve its military position in the wet season or open up the lower Mekong River. The latter will depend on the effectiveness of Khmer Communist mines in the river.

Second, for the Khmer Republic, the critical problem now is ammunition, not food and medical supplies. If current airlifts of rice are able to continue, there will be, when existing fiscal year 1975 funds are exhausted, enough food in Khmer Republic-held portions of Cambodia to last until sometime in July. If we give the additional \$75 million requested in food aid, and it can be delivered, we will be able to provide enough food to last until sometime in November 1975. Problems, then, that exist with food and medical supplies in Cambodia have less to do with the supplies themselves and more to do with distribution. Some of the existing obstacles to getting enough food to those who need it most, especially the refugees, have been removed in recent days, we were told.

Third, it has been U.S. policy to try to create a military equilibrium or stalemate and thereby create a situation where negotiations for a coalition government in Cambodia might be successful. Some observers suggest that the situation in Cambodia may have progressed beyond the point where such goals were attainable. Regardless, it is becoming clear that as long as U.S. policy is directed toward achieving such a stalemate as the basis for trying to start talks and end the civil war in Cambodia, that war will continue provided both sides continue to receive military equipment and neither side gains a military victory. Some testimony before the subcommittee indicated that there was no chance that the Khmer Republic forces would be able to regain the military initiative in Cambodia. If this is the case, U.S. policy objectives are in need of urgent review and, in the opinion of the subcommittee, redirection.

Fourth, there is considerable political infighting now taking place both within the Lon Nol government in Phnom Penh and in the Khmer Communist or insurgent movement. It is unclear whether China or North Vietnam have greater influence over the rebels and it is also unclear what Prince Sihanouk's status within the rebel movement is today. It is equally ambiguous where present changes in the leadership of the Khmer Republic Government will take policy in Phnom Penh. Any efforts to end the conflict cannot hinge, it would appear, on the presence and performance of any particular individual.

Fifth, as I think all members of the committee know, the general situation in Phnom Penh is disastrous. Corruption among some high-ranking officials persists, morale is low, some of the nearly 2 million refugees there are on the borderline of starvation, the economy is in shambles and the army is facing a high rate of casualties, has structural deficiencies, and is unable or unwilling to protect perimeters. It would be too strong to suggest that all will to fight is lost. It should be added that there are also many indicators that the rebels have been weakened by months of hard fighting and that many units are not well trained for intensive fighting.

In light of these conclusions that seem to emerge from our inquiry, there appeared to be only four basic options available to the subcommittee to recommend to this body:

1. Rejection of the entire supplemental aid request;
2. Provide additional food aid, but no additional military assistance;
3. Provide additional food and military aid conditional upon initiatives to end the war;
4. Provide the executive branch with all or a substantial part of the funds requested.

The subcommittee's work concentrated on options 1 and 3. Members expressed opposition to options 2 and 4.

By a vote of four to three the subcommittee rejected a recommendation by Mr. Harrington to terminate all military aid to Cambodia and provide for efforts to reach a cease-fire after which economic aid would be considered.

Then by a vote of four to three the subcommittee approved the enclosed draft which Mr. du Pont and I wish to offer today as an amendment to H.R. 2704.

Mr. Chairman, this will conclude my initial report. I understand that others will likewise make a report and then subsequent to their reports I will offer formally the amendment on behalf of myself and Mr. du Pont.

Chairman MORGAN. Mr. du Pont.

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

And I would, first, like to compliment Mr. Hamilton on the job he has done in a very difficult day of trying to come to some kind of conclusion on this question.

I am very strongly opposed to the administration's request for \$222 million in additional military aid.

I reject the theory that we should get Cambodia through the wet season because after every wet season there comes a dry season just as there has for the last 2,000 years, and the fighting will go on.

I reject the administration's position that military equilibrium is essential to getting a conclusion to the conflict. I want to set a final and

definite and total end to U.S. military aid to Cambodia, but I also believe we can do better than that. I believe we have a responsibility not only to try to end U.S. assistance, but to try to end the conflict.

I think we ought to try to end the fighting and the killing and save as many lives as we can. And the amendment that Mr. Hamilton and I drafted tries to do both those things. It ends U.S. involvement in Cambodia either immediately or if peace negotiations get underway, on June 30th. But, more important, it tries as hard as we can try to end the killings, to end the starvation, to end the suffering as well as ending U.S. military assistance.

Our amendment does six things: First, it reverses U.S. policy. It directs—it does not ask the administration—it directs the administration to conduct a new U.S. policy. No longer will our policy be one of attaining military equilibrium; no longer will it be one of continued military aid. It directs it will be one of seeking an end to the conflict by June 30.

Second, it cuts off aid on June 30. And that means to me that there will be no aid in fiscal year 1976, that the \$400 million requested by the administration will not be granted by this committee, that it will not be considered favorably by myself and, hopefully, by other members of this committee.

It makes 3 months of incremental aid in the meantime contingent on peace negotiations and if those negotiations are going on, then I think sending humanitarian and a small amount of military aid while the negotiations are going on makes some sense.

Third, our resolution directs the United States to begin negotiations now. If we don't, there is no more aid.

Fourth, it directs Cambodia to begin military negotiations now. If Cambodia does not, there is no more aid.

Fifth, it directs the President to take immediate initiatives to help the refugees, and to apply the Geneva Convention to the prisoners of war and combatants that are in Cambodia. And, sixth, it involves the United Nations in a peacekeeping role under a U.N. resolution passed last December.

I think the last two items are most important. We are trying to protect human lives and human beings in Cambodia by keeping a peacekeeping force there, and by applying the Geneva Convention we hope to do that too.

Mr. Chairman, I think that our resolution goes a long way to protecting the people who are suffering in Cambodia and I hope it is going to pass the committee. But I would state, finally, that if it does not pass the committee, if it is voted unfavorably, I have asked the chairman to be recognized and I will move at that point to report unfavorably to the full House the administration's request for \$222 million in supplemental aid.

Thank you, Mr. Chairman.

Chairman MORGAN. Mr. Hays.

Mr. HAYS. Mr. Chairman, I would like to ask the gentleman a question. I do not have the benefit of the list of things that he is ordering done in his substitute, but I did hear him say that it orders the government in Phnom Penh to enter negotiations immediately.

Now did you order the Khmer Rouge to enter negotiations immediately and if you did not and the government in Phnom Penh

tries to enter them and they refuse to negotiate, where does that leave you?

You ought to order everybody to get into the act, it seems to me. You cannot have one side of negotiations.

Mr. DU PONT. Mr. Hays, the objective of this resolution is to achieve the beginning of some negotiations and it very clearly says that if those negotiations do not begin, there is no additional aid.

Mr. HAYS. What you are doing is setting up an opportunity for the Khmer Rouge to end the thing right now because you are saying if negotiations do not begin, aid ends. Now if I were the leader of the Khmer Rouge, I would say this is right down my alley. There won't be any negotiations so there won't be any aid.

You have to be dreaming if you think that is going to do anything.

Mr. DU PONT. The actual amendment Mr. Hays—and if I may quote from it—at the top of page 2 item 2 is that the Khmer Republic is actively pursuing specific measures to reach a political and military accommodation with the other side. To date the Khmer Republic is doing nothing to pursue anything in the way of a political or military accommodation and they have to begin.

Obviously we cannot guarantee success but we can require them to start.

Mr. HAYS. That is what you say, they are not doing anything, but that does not necessarily make it so. You keep evading my question. What happens if the other side says we are not going to negotiate? Or better still, says nothing?

Chairman MORGAN. The Chair would like to proceed in the regular order. This matter can be discussed when Mr. Hamilton offers his proposal. The question will be in order at that time.

Mr. HAYS. I hope I have better luck getting an answer then.

Chairman MORGAN. The Chair would like to ask Secretary Ingersoll to proceed with a short statement. Then I would like to proceed directly into markup, if there are no questions.

STATEMENT OF HON. ROBERT S. INGERSOLL, ACTING SECRETARY OF STATE

Mr. INGERSOLL. Thank you.

I am pleased to have this opportunity to appear before the House Foreign Affairs Committee to address the urgent matter of assistance to Cambodia.

Since January 28 when the President asked Congress to lift the ceiling on overall U.S. assistance to Cambodia and authorize a supplemental budget request of \$222 million for military assistance, many witnesses have been heard.

On Tuesday the Committee on Foreign Relations of the Senate voted a compromise which will be voted on in the full committee next Monday. Briefly, this would provide \$125 million more in drawdown authority for military aid to Cambodia, as well as an increase in the ceiling on economic assistance, which will allow an additional \$73 million for Public Law 480, and \$15.5 million for other economic aid.

Just yesterday this committee's Subcommittee on Investigations recommended an alternative compromise formula whereby the ceiling on military assistance would be increased to permit an additional \$20

million per month from available military assistance funds plus an additional \$7.5 million per month under the drawdown authority. This formula would also permit an increase of \$17.7 million per month in food aid under Public Law 480.

While the administration's request for the full \$222 million is based on our best estimate of the requirements of the situation, the administration is prepared to accept a compromise in view of the urgency of the situation. The Senate approach comes closer to meeting what we consider to be the necessary levels of economic and military assistance. Nevertheless, we hope both the Senate and the House will move expeditiously so that the necessary legislation can be enacted as quickly as possible.

I am appearing today as Acting Secretary of State to stress once more the absolute necessity for urgent congressional action.

The military situation in Cambodia has deteriorated since the President's January 28 request. For the first time in 5 years of war the Mekong River has been temporarily closed to shipping. Munitions, food, and petroleum supplies must now be brought into Cambodia by airlift.

Government forces, however, will be unable to continue their defense unless supplemental authority and funds are provided promptly for increased military assistance, 80 percent of which will be ammunition.

Unless the ceiling of total Cambodian aid is lifted, we shall be unable to continue the purchase and delivery of adequate foodstuffs to Cambodia. A delay on food aid means malnutrition and starvation for increasing numbers of Cambodians, particularly the very young and very old.

One of the most prevalent arguments against increased aid to Cambodia is that additional assistance may well prolong the killing and agony, but will not provide any guarantee of negotiation and a compromise settlement, policy objectives long sought by the Khmer Government and the United States.

I contend that it is not up to the United States unilaterally to make that judgment for another sovereign government. Neither we nor the Cambodian Government seek a military solution.

You will recall that last week the administration provided a summary of our efforts—in support of and complementary to the efforts of the Cambodian Government—to find the way to a compromise, a negotiated settlement to the Cambodian problem.

Let me repeat a point made previously by the President and other administration spokesmen: We honestly believe—and believe very strongly—that, with the provision of the additional assistance under discussion, there is a reasonable chance that the Khmer Government will survive the current crisis.

This will permit the Cambodians and their friends, including the United States, to pursue vigorously their efforts to find a compromise settlement. I want to stress this. Without the additional assistance there can be only one result to the situation in Cambodia: a military victory for the other side.

In addressing the President's request for aid to Cambodia I hope members of the committee will not look at the country as an isolated

area, but as part of a mosaic which includes Indochina, Southeast Asia, and the whole world.

We have no legal commitment to Cambodia. Nevertheless, we responded to Cambodia's request for help to defend itself and have continued this assistance for 5 years. Are we now simply to abandon a friend whose will is to continue defending itself, but whose ability to do so depends on us?

Our policy toward Cambodia is being watched with some concern by other nations, many of them our friends, as a possible indication of future U.S. policy. It will be so viewed, whether or not Congress intends this to be the case.

In conclusion, let me stress once more the compelling need for the supplementary military aid request for Cambodia and the urgent requirement for congressional approval to lift the ceiling on overall aid to that country.

Thank you.

Chairman MORGAN. Thank you, Mr. Secretary.

Does any member of the committee wish to direct any question to the Secretary or to any of the other executive branch witnesses sitting at the witness table?

Mr. Zablocki.

MR. ZABLOCKI. Mr. Secretary, the executive branch agrees to the compromise? Did I understand you correctly?

MR. INGERSOLL. Yes, sir.

MR. ZABLOCKI. Does the executive branch agree to setting a date of June 30, 1975?

MR. INGERSOLL. No, sir, we don't believe that would be correct, but we do agree to the compromise proposed by the Senate.

MR. HARRINGTON. Was it ever your intention to come before this committee at all until the administration-conceived plan involving the Senate or the House Subcommittee on Appropriations failed last Tuesday or Wednesday and forced you to deal with the authorization committee? Had you any plans at all to deal with this committee in any of the normal fashions prior to the failure of the Passman subcommittee to develop support for your proposal and bypass this committee?

MR. INGERSOLL. I think the committee would determine how they would wish to deal with the bill. I was available at any time and members of our staff have been testifying constantly on this subject.

MR. HARRINGTON. I am talking about the full committee itself and your involvement, at least indirectly, in the planning for the furtherance of the administration's request made in the latter part of January, which you referred to. Did the full committee, the Foreign Affairs Committee, ever come into the picture until last Tuesday afternoon as part of what you were going to have to deal with to get this pushed through Congress?

MR. INGERSOLL. I believe I have been scheduled to testify before this committee for some time.

MR. HARRINGTON. I don't think that's responsive, but I will adhere to the chairman's suggestion that we limit ourselves to one question.

Chairman MORGAN. Mr. Burke.

MR. BURKE. Mr. Secretary, in your statement you said with the provision of additional assistance under discussion there is a reason-

able chance that the Khmer Government will survive the current crisis. What do you determine a "reasonable chance"?

But, first, let me ask one other thing. It has been suggested there be a cutoff date in the latter part of June. That would be about 90 days from now. What then would you determine a "reasonable chance" to be?

Mr. INGERSOLL. I think if there were a cutoff determined, that there would be little chance—because they would see a terminal point as would the other side—there would be no chance of negotiation under those circumstances.

Mr. BURKE. What about the reasonable chance that you mentioned?

Mr. INGERSOLL. I think there is a reasonable chance if the Senate compromise proposal is passed by the Congress and if further aid is considered in the subsequent fiscal year.

Mr. BURKE. My question was: What do you consider a "reasonable chance," Mr. Secretary?

Mr. INGERSOLL. Well, as I pointed out, if the military aid is available, I think there is a reasonable chance that this government could survive through this dry season and into the wet season.

Mr. BURKE. Then it could no longer survive without further military assistance?

Mr. INGERSOLL. I don't believe there is any chance of survival if there is a cutoff. I think I mentioned that. I think they need to be assured of continuing aid so that a negotiation can be reasonable with the other side.

Chairman MORGAN. Mr. Hays.

Mr. HAYS. Mr. Ingersoll, I did not have the benefit of seeing this so-called compromise until 2 months ago. All I know about it is what I heard Mr. Hamilton and Mr. du Pont say. I thought I would vote for it, but it says in it this is only going to be given "after (A) the President reports in detail during such 30-day period to Congress that the United States is taking specific steps; (B) that the Khmer Republic is actively pursuing specific measures to reach a political and military accommodation with the other side in the conflict."

Now, I want to be realistic. You know, we passed a similar resolution about Greece and Turkey and a cutoff date, and so Makarios, who is not the stupidest guy on Earth, ordered negotiations to stop, and they just did not do anything until the cutoff date, and then the Turks got cut off, so everybody out there now has gotten frozen in concrete.

Joe Kraft's column this morning in the Post notwithstanding—because I don't think he knows very much about the situation—but how do we interpret this cutoff? Suppose the Khmer Republic is actively saying to these people, "Let's negotiate," and they are getting no action. Does that cut off aid, and if it does, then I don't want to vote for this or anything else.

If we are going to let the other side determine the cutoff date, we might as well determine it ourselves and do it now.

How do you react to that?

Mr. INGERSOLL. I think I mentioned to Mr. Burke that a cutoff date will certainly not encourage the other side to negotiate. And I think they would just sit tight to whatever that cutoff date is and then pursue the course they have already.

Mr. HAYS. What you are really saying is encourage them not to negotiate?

Mr. INGERSOLL. That's right.

Chairman MORGAN. Mr. Findley.

Mr. FINDLEY. Mr. Ingersoll, you mentioned other nations are watching to see what the United States will do in regard to further aid to Cambodia. Can you speculate as to why it is that almost no other nation has shown any interest in helping Cambodia either with humanitarian or military assistance?

Mr. INGERSOLL. I believe other nations have been supplying humanitarian assistance, too. Japan is a good example. Others have been supporting their economic stabilization fund, and there may be interest of other nations to supply some military support. They do not have—that is, some of those nations—do not have the financial muscle or strength that the United States does, and as long as the United States was continuing aid, they probably would not offer it. But I think there might be some forthcoming if there were continuing aid on the part of the United States.

Chairman MORGAN. Mr. Fraser.

Mr. FRASER. Mr. Secretary, my understanding from your statement is that you do not support the recommendation by the Hamilton subcommittee.

Mr. INGERSOLL. The cutoff feature of it, I think, would not give us any opportunity to pursue a negotiating course.

Mr. FRASER. Mr. Secretary, I want to tell you my view so you can respond to it. My belief is that, the United States, by continuing military aid to the Lon Nol government is pursuing a lost cause. While we cannot tell a sovereign nation what to do, we also have a responsibility to decide what we are going to do.

I am deeply distressed—and I can hardly overstate this—at what I perceive to be the failure of the Department of State to initiate talks directly or through third parties to close out this war. By that I do not mean trying to preserve some remnants of the Lon Nol regime or some coalition or some other sharing which appears to be the objective, but I mean closing out the war.

I was prepared to vote for the Hamilton recommendation today if I thought that the Department was willing to change course and actually to seek to close out the war in as orderly a way as possible in order to save the most lives, permit the Cambodians, who need to get out, to get out, to continue humanitarian aid under as peaceful conditions as possible.

But so long as you continue to pursue this war to the last Cambodian to achieve an unattainable stalemate, I am forced to vote "no" today, and I tell you this in the hope that there might be some indication that the Department was prepared to change course.

Mr. INGERSOLL. I am not sure what your indication of changing course would mean, Mr. Fraser, because the Department has been pursuing a constant effort to negotiate with the other side. I think the efforts were fully placed in the public record by Mr. Habib earlier. I would certainly welcome any suggestion that you might have on how we might pursue it in a different way, but we have continued and are continuing efforts.

Mr. FRASER. Mr. Secretary, the basis on which I would understand the requirements to be met would be the assumption that the war is lost, not that it either is or can be stalemated. If I am not speaking clearly enough, I will spell it out even more clearly.

Mr. INGERSOLL. You are asking for a surrender then, Mr. Fraser.

Mr. FRASER. Yes; under controlled circumstances to minimize the loss of life. If the Cambodian Government is not interested, that is their decision. But I remind you—as you don't need to be reminded—that we have to make our decisions as to whether we can justify continued taxpayers' support of a lost cause. If you are not prepared to move in that direction, then I am not prepared to vote any more money.

Mr. INGERSOLL. I think it is difficult for the U.S. Government to ask another sovereign government to seek surrender. I think that must be their decision.

Chairman MORGAN. Mr. Buchanan.

Mr. BUCHANAN. Mr. Secretary, until your response to the gentleman from Illinois a moment ago, it had been my understanding and assumption that if we cut off the aid to Cambodia, there would be no other place they could obtain the needed military and needed economic assistance, and it had been my further understanding, on the other hand, that the other side was being heavily supplied from both the People's Republic of China and North Vietnam.

Is that not the case?

Mr. INGERSOLL. I think that would be the pragmatic case, that whatever military aid that might come from any other source would be of such a minimal nature it would not enable them to sustain their position. Economic aid, I believe, is now forthcoming and would continue to be forthcoming from other nations.

Mr. BUCHANAN. Can you get that into the country or do you have to go by airlift? Without continued military assistance, can you continue to provide any protection for the aircraft and the airfields? Do you think such economic aid can get into the country while the conflict continues?

Mr. INGERSOLL. We are not providing any protection for the airlift—we are providing this airlift—nor are we providing any protection on the ground. But I doubt if any other nation would pursue an airlift other than the United States.

Mr. BUCHANAN. I meant, if Cambodian ability to protect the airfields and airlift were undermined. I understood they were running out of ammunition. Perhaps I don't understand the situation.

Mr. INGERSOLL. Not for—I think Mr. Hamilton said—say until the middle or end of April.

Chairman MORGAN. Mr. Wolff.

Mr. WOLFF. Thank you, Mr. Chairman.

Mr. Secretary, in the event that Congress turns down the administration's request, what other options or alternatives are open to you to get ammunition or equipment to the Cambodians?

Mr. INGERSOLL. There are no options.

Mr. WOLFF. I recall some time back that there were some transfers of ammunition from another nation. Is that option still open to you?

Mr. INGERSOLL. We borrowed, Mr. Wolff. We are limited by ceilings and the U.S. Government could not transfer from other governments.

Mr. WOLFF. But you could get another government to transfer ammunition, could you not, as you did before, and then replenish the supply of that ammunition?

Mr. INGERSOLL. I think that would be contrary to the spirit of the law and also of the intention of Congress.

Mr. WOLFF. But that was done before; was it not, Mr. Ingersoll?

Mr. INGERSOLL. I don't know.

Mr. WOLFF. If I might refresh your memory, it was done with Indonesia before; was it not?

Mr. INGERSOLL. General Fish will answer that.

**STATEMENT OF LT. GEN. HOWARD M. FISH, U.S. AIR FORCE,
DIRECTOR, DEFENSE SECURITY ASSISTANCE AGENCY**

General FISH. I think our conditions are quite different now. We have a precise ceiling clearly defined by law and we have examined all the options you suggest. There are none open other than coming back to the Congress and getting authority either to transfer like the Senate compromise proposes or additional obligation authority. We have looked into those possibilities.

Mr. WOLFF. So there would be no other avenues open to you?

General FISH. That is correct.

Chairman MORGAN. Mr. du Pont.

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

Mr. Secretary, I am not sure that you understand the choice that is before this committee today. In just a few minutes we are going to vote on some of these amendments and one of two things is going to happen between now and 12 o'clock. We are either going to adopt the Hamilton-du Pont amendment, or we are going to report your request for aid unfavorably to the House of Representatives.

Now which of those alternatives do you prefer?

Mr. INGERSOLL. I would like to suggest another choice.

Mr. DU PONT. You don't have another choice, Mr. Secretary.

Mr. INGERSOLL. You amend the Hamilton resolution so it does not have a cutoff.

Mr. DU PONT. Mr. Secretary, you just are not coming to grips with the problem and I don't know whether you don't want to see it or whether you have been instructed not to see it, but there is no other choice. There is going to be no aid or there is going to be some humanitarian help for the refugees, for the combatants, and we will try to wind the thing down with as little bloodshed as possible.

Mr. INGERSOLL. Mr. Chairman, is it not legal to amend the Hamilton resolution?

Mr. DU PONT. Mr. Secretary, we have worked for 4 days to put this together. There are going to be some amendments offered. I don't think they are going to pass. Maybe I am wrong. I am just giving you my judgment.

But one of two events is going to happen and your response is you would prefer a third course. Maybe you would prefer a third course, but you are not going to get that choice.

Mr. INGERSOLL. I believe the committee as a whole, in its wisdom, would determine that.

Mr. DU PONT. You betcha it will. Thank you, Mr. Secretary.

Chairman MORGAN. The Chair would like some guidance. I still have requests by Mr. Lagomarsino, Mr. Taylor, Mr. Riegle, and Mr.

Solarz to ask questions, Mr. Bingham, I would like to move along as rapidly as possible. It is now 5 minutes of 11. I know we have at least two amendments pending.

I would like to finish our consideration of this bill and act on it one way or the other by 12 o'clock.

Mr. RIEGLE. I have been waiting to ask a question. I would be willing to forego that question if the others would also, so we could move on.

Might I suggest that?

Chairman MORGAN. Mr. Lagomarsino wants to ask one question.

Mr. RIEGLE. We all want to ask one question.

Mr. ZABLOCKI. Would it not be in order to move that the questioning period ends at 11 o'clock?

Chairman MORGAN. Such a motion would be in order.

Mr. ZABLOCKI. I so move.

Chairman MORGAN. All in favor of the motion by Mr. Zablocki so indicate by saying aye.

[Chorus of ayes.]

Chairman MORGAN. All opposed?

[No response.]

Chairman MORGAN. The motion is adopted. We will start the markup at 11 o'clock. We have five minutes left for questioning. Each questioner will have a minute.

Mr. Lagomarsino first.

Mr. LAGOMARSINO. Mr. Secretary, I understand your concern—although I think it is unrealistic, about the cutoff date. Assuming that the cutoff date were removed from the bill, would you then agree to the bill with its change in policy for the U.S. Government.

Mr. INGERSOLL. We would certainly prefer the Senate proposal, but as I pointed out earlier, we would have to be bound by whatever Congress does.

Chairman MORGAN. Mr. Riegle.

Mr. RIEGLE. Mr. Ingersoll, on page 3 of your statement you referred to the government of Phnom Penh as a sovereign government. You have also used the phrase "sovereign" nation. I understand the use of the word "sovereign nation," but in this case sovereign government, what gives the government sovereignty to my knowledge, or I think in terms of the way most people in America feel—there have not been the kinds of free elections or any other broad expression of public will nationwide that would invest this government headed by Lon Nol with sovereignty as we would tend to think of it.

Now on what basis do you use the word that would have some relevance to the real values in the way we run our self-government system here?

Mr. INGERSOLL. There are many—

Mr. RIEGLE. And I object to the use of the term.

Mr. INGERSOLL. There are many governments in the world that do not possibly fall in the definition that you call sovereignty. This nation is recognized by the United Nations as the true government of Cambodia and has been so voted in the credentials challenges at the last two General Assembly sessions.

Chairman MORGAN. The time of the gentleman has expired.

Mr. Bingham.

MR. BINGHAM. Mr. Secretary, what reason do you have to suppose that the present agony that Cambodia is going through, the original cause of which was the Lon Nol overthrow of the Sihanouk government, is going to be ended by additional military aid?

MR. INGERSOLL. I don't believe there is any assurance, but there is an opportunity for a negotiated settlement in which the interested parties in the country can get together in a coalition government.

Chairman MORGAN. Mr. Taylor.

MR. TAYLOR. Mr. Secretary, my question is similar to Mr. Bingham's.

Since \$2 billion in American aid in 5 years has not ended this war, what hope do we have that less than one-tenth of that now would do the job?

MR. INGERSOLL. I think that the difficulties that the other side has could lead it to want to negotiate if they were unsuccessful during this dry season. They have not been without their troubles and they have many, as Mr. Hamilton pointed out, at the present time.

Chairman MORGAN. Mr. Solarz.

MR. SOLARZ. Mr. Secretary, I am deeply troubled by what appears in your testimony to be an open-ended invitation for a continuing American involvement in Cambodia and my question to you, sir, is this: Assuming that the Lon Nol government as a result of the additional assistance provided here today—assuming we do provide it—is able to survive until June, which is, I think, a somewhat questionable assumption, but assuming it is able to survive and assuming further that the Khmer Rouge, either because they sense the possibility of a military victory or for whatever reason, refuses to negotiate a cease-fire with the Khmer government, isn't it true that we will have to continue providing military assistance to the Lon Nol regime in order to enable it to survive after the ammunition which we would be giving to them now runs out in June?

MR. INGERSOLL. I think this has been true throughout the period. The unfortunate part of this past year is that we had announced to the other side we were limiting the amount of aid that we would give to Cambodia. Therefore, the Cambodian Government has had to husband its ammunition and has not been able to defend itself as well as it has in previous years.

Chairman MORGAN. The time of the gentleman from New York has expired.

All time has expired under the Zablocki motion.

The clerk will read.

MR. CZARNECKI [reading].

H.R. 2704, a bill to provide additional military assistance authorizations for Cambodia for the fiscal year 1975, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That section 504(a) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following sentence: "In addition, there is authorized to be appropriated to the President not to exceed \$222,000,000 for additional military assistance for Cambodia for the fiscal year."

SEC. 2. Section 655 of the Foreign Assistance Act of 1961 is amended by repealing subsection (a) and subsection (b) thereof.

SEC. 3. The value of orders of defense articles and services ordered under Section 506 of the Foreign Assistance Act of 1961 for military assistance for Cambodia shall not exceed \$75,000,000 in the fiscal year 1975.

Chairman MORGAN. Mr. Hamilton.

Mr. HAMILTON. Mr. Chairman, I have an amendment.

Chairman MORGAN. The clerk will read the Hamilton amendment.

Mr. CZARNECKI. Amendment to H.R. 2704, offered by Mr. Hamilton and Mr. du Pont:

Strike all after the enacting clause and insert in lieu thereof the following:

That section 655 of the Foreign Assistance Act of 1961 (21 U.S.C. 2415) is amended by adding at the end thereof the following new subsection:

"(h) The Congress directs that United States policy shall be to achieve an end to the conflict in Cambodia no later than June 30, 1975, and to end all U.S. military assistance by such date. To achieve the policy stated in the first sentence, notwithstanding any other provision of law, in addition to any amounts included in subsection (a)—

"(1) of the amounts authorized to carry out chapter 2 of part II of this Act, not more than \$20,000,000 may be provided for military assistance for Cambodia;

"(2) of the defense articles and services which may be ordered under section 506 of this Act for fiscal year 1975, not more than \$7,500,000 may be ordered for Cambodia; and

"(3) of the amounts authorized under the Agricultural Trade Development and Assistance Act of 1954, not more than \$17,700,000 may be provided for economic assistance for Cambodia,

for each of three successive thirty-day periods beginning on the date of enactment of this subsection, but only (A) after the President reports in detail during such thirty-day period to Congress that at the time of such report—

"(i) the United States is undertaking specific steps to achieve an end to the conflict in Cambodia not later than June 30, 1975, in order to relieve human suffering and to end all United States military assistance to Cambodia by such date;

"(ii) the Khmer Republic is actively pursuing specific measure to reach a political and military accommodation with the other side in the conflict;

"(iii) initiatives have been taken toward the other side to achieve a peaceful and orderly conclusion to the conflict, including safe passage out of Cambodia for those persons who desire to leave the country, appropriate care and help for the refugees and victims of the conflict, and assurances that combatants and prisoners will be treated in accordance with the provisions of the Geneva Convention on Prisoners of War; and

"(iv) the United States, pursuant to United Nations General Assembly resolution 3238, is requesting the Secretary-General, after due consultation, to lend assistance to achieve a peaceful and orderly conclusion to the conflict, including, if appropriate, the use of peacekeeping forces; and

"(B) if the Congress, within 10 calendar days after receiving such report, does not adopt a concurrent resolution stating in substance that it does not favor the provisions of such report."

Chairman MORGAN. The gentleman from Indiana is recognized for 5 minutes on behalf of his substitute.

Mr. HAMILTON. Thank you, Mr. Chairman.

The substitute, as indicated, is offered on behalf of the gentleman from Delaware, Mr. du Pont, and myself.

First of all, just a few comments about the content of the amendment and, then, what we are seeking to do.

The amendment calls for a change in American policy in Cambodia, and it directs that U.S. policy shall be to achieve an end to that conflict no later than June 30, 1975.

The Secretary has indicated that the administration does not support it. He did not exactly give the amendment a ringing endorsement.

The amendment does put us on record against any further U.S. military assistance to Cambodia after the end of this fiscal year—that is, June 30, 1975—and it makes available to the U.S. Government, in 3 monthly installments of about \$45.2 million each month, military and economic aid between now and June 30, 1975.

It is important that the members of the committee note it does not authorize any new funds. The funds made available from the military assistance program and the drawdown authority and the Public Law 480 must come from existing authorizations in monthly installments equivalent to 10 percent of what was available under ceilings on aid to Cambodia for this fiscal year 1975.

The amendment directs a change in U.S. policy in Cambodia and declares that specific steps have to be taken to bring the conflict to an orderly conclusion. What it really seeks to do is to insure an orderly end to the conflict, and I think it offers the best hope of avoiding an unorderly conclusion to hostilities and the possibility of panic and massive killings in Phnom Penh and other enclaves that are now in the control of the Khmer Republic Forces.

It seeks, in the words of the Ambassador—our Ambassador to Phnom Penh—a controlled situation as the fighting is brought to an end. It also seeks to involve the United Nations.

I think all of us who have looked at this problem know that there is no easy and no good solution to the agony of Cambodia. I think we have some responsibility in this Congress to try to bring the orderly end to that conflict. I do not think that the most responsible course is simply to cut off aid and walk away and turn the problem over to the executive branch.

I think it is incumbent on the Congress to do everything that we can do as a legislative body to assure that a controlled situation exists as that conflict is brought to an end. And that is the theory of this amendment. It may be too late.

This type of conditional aid may not prove useful. It may not avoid an unorderly and a painful period for the people of Cambodia in the months ahead, but I offer the amendment because I believe it represents our best chance to bring a peaceful conclusion, an orderly conclusion, a controlled conclusion to that conflict.

I yield to the gentleman from Delaware.

Mr. DU PONT. I thank the gentleman for yielding.

I don't believe I can put the case any better than he has. I will only offer a couple of comments.

First, I am deeply disappointed by the attitude of the administration. I think, as I said in my questions, that we have two choices, and I don't think there is a third choice, as much as some would like there to be a third choice. This is all there is. To borrow a term from the law, this is the "last clear chance" to help some refugees, some combatants, and a lot of others, who are going to be in very dire straits, very shortly. I think the Congress ought to take that last clear chance and try to help those human beings. But if it does not, if the committee votes no this morning, then, I think we have no other choice but to cut off all aid.

I would urge—

Chairman MORGAN. The time of the gentleman from Indiana has expired.

Mr. Whalen.

Mr. WHALEN. Mr. Chairman, I have a substitute amendment.

Chairman MORGAN. The clerk will read the substitute.

Mr. CZARNECKI. The substitute amendment offered by Mr. Whalen, Mr. Riegle, and Mr. Harrington, to the amendment offered by Mr. Hamilton:

Page 1, strike out line 3 and all that follows thereafter, and insert in lieu thereof the following:

"that (a) in rejecting the President's request for supplemental assistance for Cambodia for fiscal year 1975, the Congress directs that the policy of the United States shall be to secure an immediate cease-fire in Cambodia.

(b) Upon certification by the President to the Congress that a general cease-fire in Cambodia has been arranged, the Congress will give full and expeditious consideration to a request from the President for humanitarian aid and assistance to Cambodia.

Chairman MORGAN. The gentleman from Ohio is recognized for 5 minutes on behalf of his substitute to the Hamilton amendment.

Mr. WOLFF. Point of order.

We have a substitute pending now, do we not?

Chairman MORGAN. This is an amendment.

Mr. WOLFF. AS I understand it, the gentleman from Indiana offered an amendment.

Chairman MORGAN. If you have a copy of the Hamilton amendment in front of you, read the top line. It says, "Amendment."

The Chair recognizes the gentleman from Ohio.

Mr. WHALEN. I thank the chairman.

As you indicated, Mr. Chairman, I offer this amendment on behalf of myself, Congressman Riegle, and Congressman Harrington.

In discussing this amendment, I would like to touch on two points. First, What does the amendment propose? There are three provisions in this amendment. First of all, it denies the administration's request for supplemental assistance for fiscal year 1975.

Second, it redirects U.S. policy requiring that the administration secure an immediate cease-fire in Cambodia. Now, to this extent, Mr. Chairman, this does parallel one of the objectives in the Hamilton-du Pont amendment.

Third, once a cease-fire has been certified by the President, then, this amendment provides that the Congress give full and expeditious consideration of the President's request for humanitarian assistance.

Next, Mr. Chairman, I would like to list the four reasons why I feel the committee should support this amendment and why it should reject the Hamilton-du Pont amendment.

First, we have no legal commitment to provide military assistance to Cambodia. Secretary Rogers was before this committee in November of 1970, and I think made that point very clear. But let me quote, Mr. Chairman, from his testimony He responded to a question raised by Mr. Findley, and his answer is as follows:—referring to the request for military assistance to Cambodia—

* * * does not relate to any SEATO commitment. It relates to Vietnamization, withdrawal of our forces in South Vietnam.

Mr. FINDLEY. So, in supporting this authorization, no member can properly argue then an affirmative vote is a vote to enter into a commitment to defend the independence of Cambodia. Would that be a fair statement?

Secretary ROGERS. That is a fair statement.

Mr. Kazen raised a question and I quote:

In other words, your whole case for help to Cambodia in this form is based upon the saving of American lives in South Vietnam?

Secretary ROGERS. That is right, and the continuation of the Vietnamization program.

Now, a second argument, Mr. Chairman, is that we have no commitment to preserve the Lon Nol government, nor to fight off a Communist government. Let me make two quotes here.

In August of 1970, Mr. Ziegler, then the President's Press Secretary, said—I quote—

It would be better if the present government did not collapse, but it is not fatal if it does collapse.

Now, apparently that statement was operative, at least until November of that year, when Secretary Rogers appeared before the committee and responded to a question by Mr. Bingham.

Mr. Bingham raised this question:

Would it be fair to assume, from your statement about the purpose of the proposed aid to Cambodia, that it is not vital to the security of the United States that Cambodia not be taken over by a Communist government?

Secretary ROGERS. Well, as I have said, I think this request is vital to the success of the Vietnamization program and the continued withdrawal of American forces from South Vietnam.

Mr. Bingham said:

In other words, if the survival of the present government, of a non-Communist government in Cambodia, were vital to our interest, we would have to consider the type of operation that we have had in Vietnam, which you say we are not considering?

Secretary ROGERS. That is correct. We are not considering the type of operation that we considered in Vietnam.

My third point, Mr. Chairman, relates to the Hamilton-Du Pont substitute. It seems to me it contains two clearly incompatible objectives. I applaud the first one, that is, achieving the end of the war and a peaceful transition of authority. But second, it also provides \$82.5 million in additional military aid to Cambodia. Now, really, then, what this substitute says is "we want you to end the killing and we are going to give you \$82.5 million in arms to accomplish it."

It seems to me this will accelerate the killing, not end it.

My fourth point is addressed to the question, Do we have a moral commitment to help Cambodia? Mr. Chairman, just let me say that, I do not see how we can make a moral commitment out of an immoral action, which, I think, we took in 1970 when we involved Cambodia.

Chairman MORGAN. The time of the gentleman from Ohio has expired.

Mr. Hays.

Mr. HAYS. Mr. Chairman, if I did not pinch myself, I would not believe I was here.

This is like Alice In Wonderland. It gets curiouser and curiouser. It is a little bit like one stage in the book—and I suppose Mr. Whalen has read it—it has been a lot of years since I did—somebody said "Off with their heads."

You know, we have the trial and we have the verdict, and after we have taken off their heads, we have the trial.

I don't know whether any of the people that are offering this amendment—I suppose they have looked in Websters' Dictionary and looked at the word pragmatic and pragmatism, but you know, you direct that the policy of the United States shall be to secure an immediate cease-fire in Cambodia. That is great. It sounds good on television, and it reads well in the newspapers. But how do you do it if the other side does not want a cease-fire?

I mean, I think the objective is lovely, but I don't think the Khmer Rouge are going to talk to you, Mr. Whalen, or to Mr. Riegle, or to Mr. Harrington, or, probably not, to Mr. Ingersoll or anybody else.

I don't know whether the Hamilton-du Pont amendment will do any good or not, but it seems to me it is some kind of a halfway pragmatic approach to the thing, whereas, your's says, " * * * in rejecting the President's request * * * the Congress directs that the policy of the United States shall be to secure an immediate cease-fire in Cambodia." How do you do it if the other side does not want to? That is the \$64,000 question.

Mr. RIEGLE. Will the gentleman yield?

You have the same instructions in the Hamilton proposal, which you are saying you are prepared to support. That is, there is no way anybody can answer today exactly how that discussion could go forward.

The intent here is to say that is the primary goal.

Mr. HAYS. I don't want to yield further, Mr. Riegle.

What you are saying, in effect, we cut it off right now and somebody said surrender and then—sure, we will get a cease-fire that way, I suppose—but the Hamilton amendment at least proposes that we strike it out until there is some chance for some negotiations, if the other side wants negotiation, to negotiate.

My judgment is—and if I support the Hamilton amendment, it will be reluctantly, because I think Mr. Hamilton has done the best he can under the circumstances. But I do not think the other side is going to negotiate if you say you are going to cut off aid now, or if you are going to cut it off the 30th of June. They are going to wait you out.

Maybe what we ought to do is get out of there. I don't know. I am of the opinion we ought never to have gone in in the first place, and I said so at the time. But that is beside the point now. It is water over the dam. Somebody else made that decision.

Maybe the smart thing would be to do—just walk away and say to the Khmer Rouge, kill whoever you want to, assassinate whoever you want to, take the joint over, we don't want to hear any more about it.

And I think we probably would not hear any more about it, because I think the first thing they would do would be run all the television and newspaper correspondents out. That is history in most Communist takeovers. That is what Castro did all the time he was claiming he was not a Communist. Nobody remembers that any more, but I remember it. For 6 months, he said, "I am not a Communist. I abhor communism." And in that 6 months, he shot about 1,200 people, all of whom had enough brains to monitor a counteroffensive against him.

He used the Communist tactic. I made a little speech over on the floor pointing that out, and he sent me a telegram, Mr. Castro did, and said:

You don't know what you are talking about. Come to Cuba, and I will prove it to you. I am not a Communist.

I wired back and said:

A lot of people have called me a lot of things, but nobody said my mother raised any idiots. And I would not come to Cuba while you are running it. No way. Forget about it.

On the other side of the coin, we were giving aid to Trujillo in the Dominican Republic, \$600,000 a year, and I made a little speech about that and said that Mr. Trujillo was given his sum of \$600,000 a year and he was giving it to Zaza Gabor.

He, Trujillo, sent me a telegraph saying it was not the same \$600,000.

I just try to be pragmatic about this. I don't care whether it is a Communist government or Fascist dictatorship. I don't like either of them.

Chairman MORGAN. The time of the gentleman from Ohio has expired.

Mr. Winn.

Mr. WINN. Thank you, Mr. Chairman.

This new, old Whalen, Riegle, and Harrington amendment is exactly the same amendment that was defeated by the subcommittee yesterday, 4 to 3.

Mr. Whalen was not one of the cosponsors at that time. I would like to call attention to the last paragraph about where it says, "... Upon certification by the President to the Congress that a general cease-fire in Cambodia has been arranged, the Congress will give full and expeditious consideration to a request from the President for humanitarian aid and assistance to Cambodia." I would like to point out to the committee, in other words, this is saying, when the Cambodian Communists take over the government, then we are going to give them all the aid that we possibly can.

I would like to point out this is exactly what we did in North Vietnam. It did not work. It has been proven it does not work. Besides that, the American people raised all kinds of hell when they thought they were going to give aid to North Vietnam.

Mr. HAMILTON. Will the gentleman yield?

Mr. WINN. I will be glad to yield.

Mr. HAMILTON. The problem with the amendment presented by Mr. Whalen is it does not address the central and critical problem; that is, according to estimates now available, that Phnom Penh is going to run out of ammunition in the middle of April and you are going to have an uncontrolled and unordered situation when that happens. We have, today, around 600 or more Americans in Phnom Penh. There is plenty of evidence, today, that even those supporters of the Lon Nol government are beginning to turn on the Americans.

You are creating the possibility, with the Whalen amendment, of a lot of violence in that city and a lot of violence against the Americans, who are now there.

What we want is not a cease-fire. What we want in that situation is a peaceful and an orderly conclusion to the conflict, not a cease-fire.

You do not have incentives in this amendment for all sides. There is nothing that I can see in it that is attractive to the Khmer Communists. It does not put enough heat on the U.S. State Department and executive branch, in my judgment, to modify their policies. But let me say, again, the central and the critical problem is, what happens when the ammunition runs out in the middle of April.

Chairman MORGAN. The time of the gentleman from Kansas has expired.

Mr. Riegle.

Mr. RIEGLE. Mr. Chairman, let me respond to Mr. Hamilton's questions.

If the data he gives is right, there is enough ammunition there to carry government forces through the middle of next month, that gives us 30 days to implement what we are talking about here, and it is our feeling that, if the change in direction here is toward a total effort, toward a cease-fire, that that could be accomplished within the next 30 days. So the thing does not drag on longer than that.

I would like to say, with respect to the effort that the Hamilton committee has made to come up with their proposal, I think it was a good faith effort. I happen to disagree on the point as to whether any military assistance is justified.

I think it is not, but apart from that, I think the proposal that has come from the subcommittee is now trailing far behind events.

Yesterday, in the Democratic caucus, by a vote of 189 to 49, the Democratic caucus went on record as indicating they wanted a complete cutoff for the balance of this fiscal year. I think that vote understates—because there were some absentees—the absolute number of people in the House that feel that way. Also, the Gallup poll information we have as of the last week or so indicates 78 percent of the American people having thought about this and lived with this problem as we have, have also made a judgment there should be a cutoff of aid.

I am not suggesting that should be controlling in our judgment, but I think it does suggest that the American people have a very strong opinion about this.

But the third thing—and the key thing, based on the testimony today, from the administration witnesses—and I would say this particularly to Mr. Hamilton and to Mr. du Pont—I think, if your proposal were to pass today, it is doubtful you would get a good faith implementation of what you are driving for. And I just think your mind set, which your clearly stated, is one thing, and the mind set that the administration has is clearly something different. So, I really question whether, if this were to pass, we would get administration performance along the lines you envision.

I would like to say, further, I am convinced our strategic interests are not on the line in Cambodia. I think the geopolitics in Cambodia does not bear on security interests of the United States. I think the issue comes down here to whether or not we are prepared to spend up to another \$135 million over the next 90 days versus saying we are not going to spend another dime until we can accomplish a cease-fire, which is based on the one thing I think most people agree about now and that is trying to protect the lives of civilians that are caught in the crossfire there and to stop that fighting on whatever basis is required.

Now, I don't know that anybody can answer the question Mr. Hays raises as to what arrangement could be made if the single focus were a cease-fire. I think that is the only goal worth pursuing.

What I am saying is, whatever arrangements can be worked out—and some people have used the word surrender—we are not using that here, and there is no reason to believe that is necessarily the outcome—

I don't think we know the outcome until we go down that road. But I think that is the road we are on, and it is a question of whether we go down it today or 90 days from now, when more people have been killed, principally, because of some of this \$135 million we are being asked to authorize today. And I just think that is a mistake.

I know some people oppose any more money for Cambodia on this committee, but are prepared to send it to the House floor and let the floor decide. I would like to challenge that theory.

We are the Foreign Affairs Committee.¹ It is our job to make the difficult and complex judgments with respect to foreign policy recommendations. I think the time has come for this committee, using the best judgment it can muster, to make that judgment so we make a clear recommendation, yes or no, to the House.

Our substitute says a cease-fire and no more money at this time, and when that has been arranged, then we are prepared to give full consideration to humanitarian assistance, not to a new government, but to citizens. And it would be my intent—and I want to make it clear for legislative history—I think that there should be follow-on assistance, it should come through international organizations.

Chairman MORGAN. The time of the gentleman has expired.

Mr. Findley.

Mr. FINDLEY. Thank you, Mr. Chairman.

I have an amendment to the substitute.

Chairman MORGAN. The clerk will read the Findley Amendment.

Mr. CZARNECKI. Amendment to the substitute, offered by Mr. Findley:

Amend the substitute to read as follows:

"that the Congress at this time rejects the Administration's request for supplemental assistance for Cambodia but pledges expedited and sympathetic consideration to a request for humanitarian assistance if a general and sustained cease-fire occurs in Cambodia promptly."

Chairman MORGAN. Mr. Findley.

Mr. FINDLEY. Mr. Chairman, I am troubled by several aspects of both the Hamilton amendment and the amendment offered by Mr. Whalen.

I am impressed by the argument that the effect of the Hamilton amendment may well be to give the insurgent forces in Cambodia reason to hold out until the 3-month period is over. Why would they not do that?

Mr. Hamilton says that a bloodbath may occur in April if the Hamilton amendment does not occur. Well, if that is the case, then why would there not be the great likelihood of a similar bloodbath occurring in July, or whenever this new increment of aid runs out, and in the meantime, all-out killing would ensue?

I am troubled by the amendment offered by Mr. Whalen because it puts the U.S. Government right in the middle of trying to arrange a settlement of the conflict in Cambodia. And it is my feeling that my constituency and perhaps most of the people of the United States want nothing more than to be out of the whole proceedings. And indeed, I raise the question, who are we here in the United States to be telling the Lon Nol government to quit fighting for survival. Why should we sit in judgment over whether the Lon Nol govern-

¹The committee was renamed Committee on International Relations on Mar. 19, 1975.

ment has a right to continue its effort to sustain itself? All we can really properly do at this juncture is to help decide what the policy of the U.S. Government will be.

It is my feeling that, all things considered—and I certainly draw a distinction between any obligation we have to South Vietnam and any obligation that might be seen between our Government and that of Cambodia—I think that all we should do is attempt to set the policy of the U.S. Government as to aid. And I suggest we terminate military assistance.

But in the same amendment, I would suggest we show clearly our humanitarian concern for that region. Thus, I have, in effect, amended the Whalen language to eliminate the part which would seek to place the U.S. Government right in the center of a settlement of the Cambodian struggle. Instead, my amendment states we are rejecting the request for supplemental assistance, but if a general sustained cease-fire occurs in Cambodia promptly, then we would give prompt and sympathetic consideration to requests for humanitarian assistance.

In my view, this is as far as the U.S. Government should go at this juncture.

Mr. ZABLOCKI. Parliamentary inquiry?

Is my understanding correct, that, in the voting procedure, that the Hamilton-du Pont amendment, if amended, will precede the substitute and the amendment of the substitute?

Chairman MORGAN. That is correct.

Mr. ZABLOCKI. Therefore, Mr. Chairman, I offer an amendment to the amendment offered by Mr. Hamilton and Mr. du Pont.

Chairman MORGAN. The clerk will read the Zablocki amendment.

Mr. CZARNECKI. Amendment offered by Mr. Zablocki to the amendment offered by Mr. Hamilton and Mr. du Pont:

On line four, after the word Cambodia, strike the words "no later than June 30, 1975."

On line five, after the word, "assistance," strike out the words "by such date."

On line 21, after the word, "Cambodia," strike out the words, "not later than June 30, 1975."

On line 23, after the word, "Cambodia," strike out the words, "by such date."

Mr. ZABLOCKI. Mr. Chairman, thank you.

I am fully cognizant of the excellent work that Mr. Hamilton and the subcommittee had worked out by the amendment they proposed. Although, I have reservations to certain of the provisions, I am particularly troubled with the cutoff date.

I will not take too much time. There is no need to explain what my amendment would do. It would delete the cutoff date. I submit there will be no negotiations, there will be no cease-fire prior to that date and very unlikely after that date if we keep the date in the proposal of the amendment by Mr. Hamilton and Mr. du Pont.

I ask the previous question on my amendment.

Mr. BROOMFIELD. I second it.

Mr. FASCELL. Mr. Chairman, the Zablocki amendment finally puts the whole issue in focus as far as I am concerned. The issue is whether there should be a ceiling.

We have already adopted a policy in the U.S. Congress when the last ceiling was adopted in the Foreign Assistance Act of 1975 for

\$275 million. That has now run out. There is no pipeline. There are some deliveries which have not yet been made. That is about it.

So, what the Zablocki amendment does in clarifying the Hamilton amendment is to ask, are we going to have another ceiling?

Neither the amendment offered by way of a substitute and the amendment to the substitute, in my judgment, comes to grips with the issue. Their rhetoric completely ignores the reality of the situation.

We are either going to supply the money to give Cambodia an opportunity to achieve some objective—within a limited time frame—or we adopt the Zablocki amendment to the Hamilton substitute and state we are going to put on another ceiling, without reference to a time frame.

That seems to me to be the central issue that is involved here. Frankly I cannot go with the substitute or the amendment to the substitute. I don't think either one makes a bit of difference. So, I would grapple with the issues as presented by the Zablocki amendment on whether we really want a new ceiling. To say the Department and the U.S. Government has not exerted its best efforts with regard to this matter in the year in which we already had the ceiling seems to me rather unfair and not only begs the question, but does a great disservice to a great many people in the executive branch who have been working their hearts out to extricate the United States from an impossible situation.

The only vote, as I see it, today, is do we stick with the present policy which the U.S. Congress has already adopted, or do we place yet another ceiling.

Mr. BROOMFIELD. Would you inform the committee the parliamentary situation at the present time?

Chairman MORGAN. If there is no further discussion, the first vote will occur on the Zablocki amendment to the amendment. The second vote will occur upon the Findley amendment to the substitute. The third vote will occur on the substitute offered by Mr. Whalen and, of course, the fourth vote will occur on the Hamilton amendment.

Mr. BROOMFIELD. In view of the discussion this morning, I think the die is cast. I move the previous question on the amendments.

Chairman MORGAN. The first vote will occur on the Zablocki amendment to the Hamilton amendment.

Mr. BROOMFIELD. The previous question.

Mr. DERWINSKI. Further parliamentary inquiry. Should the sequence of votes produce a majority in favor of the substitute, would then the substitute be subject to further amendments?

Chairman MORGAN. That is correct.

Mr. FRASER. If the debate is going to be closed, I want to make a parliamentary inquiry. My question is, Mr. Chairman, if the committee should, in effect, reject all of these amendments and should then vote to disapprove the administration request, would it be in order nevertheless to hold the committee report until the first of the week in order that we might get some further response from the Department of State in the light of the discussion which they will have participated in today?

Chairman MORGAN. You mean refer it back—

Mr. FRASER. In other words, I would like to take a vote today that would indicate clearly where the committee stands and my view pres-

ently is to reject all amendments and then vote to disapprove the administration request.

Chairman MORGAN. All amendments to be rejected today—I think Mr. du Pont has an amendment that will be offered at the appropriate time.

Mr. FRASER. If his is adopted, would it still be possible to hold the bill here with that report rather than reporting it to the floor, hold it until the first of the week in order that there might be some further consideration of how to dispose of this problem?

Chairman MORGAN. If the committee does not adopt the du Pont amendment, nothing happens without some further action.

Mr. WOLFF. Parliamentary inquiry, Mr. Chairman.

Is it not true that when the bill is completed and our votes are taken on the bill that you have to request a vote from the committee to report the bill out and could not it be withheld at that time?

Chairman MORGAN. It could be withheld by the will of the committee.

The previous question has been demanded.

Mr. SOLARZ. Parliamentary inquiry.

Do I understand correctly in the event one of this potpourri of amendments is adopted by the committee, at that point another amendment would be in order?

Chairman MORGAN. That is correct.

Mr. SOLARZ. Thank you, Mr. Chairman.

Chairman MORGAN. The first vote, of course, is on the Zablocki amendment to the Hamilton amendment.

All in favor of the Zablocki amendment, do so by indicating the word aye.

[Chorus of ayes.]

Chairman MORGAN. All opposed.

[Chorus of noes.]

Chairman MORGAN. The noes have it. The Zablocki amendment is rejected.

The second vote now occurs upon the Findley amendment to the substitute.

All in favor, do so by indicating the word aye.

[Chorus of ayes.]

Chairman MORGAN. All opposed.

[Chorus of noes.]

Chairman MORGAN. The noes have it. The amendment to the substitute is not adopted.

The third vote now occurs on the substitute offered by Mr. Whalen.

Mr. RIEGLE. Might we have a record vote?

Chairman MORGAN. A record vote is demanded.

All in favor please indicate by show of hands.

[Showing of hands.]

Chairman MORGAN. Four is a sufficient number. The clerk will call the roll.

Mr. CZARNECKI. Chairman Morgan.

Chairman MORGAN. No.

Mr. CZARNECKI. Mr. Zablocki.

Mr. ZABLOCKI. No.

Mr. CZARNECKI. Mr. Hays.

Mr. HAYS. No.

- Mr. CZARNECKI. Mr. Fountain.
 Mr. FOUNTAIN. No.
 Mr. CZARNECKI. Mr. Fascell.
 Mr. FASCELL. No.
 Mr. CZARNECKI. Mr. Diggs.
 Mr. DIGGS. No.
 Mr. CZARNECKI. Mr. Nix.
 Mr. NIX. No.
 Mr. CZARNECKI. Mr. Fraser.
 Mr. FRASER. No.
 Mr. CZARNECKI. Mr. Rosenthal.
 Mr. ROSENTHAL. Aye.
 Mr. CZARNECKI. Mr. Hamilton.
 Mr. HAMILTON. No.
 Mr. CZARNECKI. Mr. Wolff.
 Mr. WOLFF. No.
 Mr. CZARNECKI. Mr. Bingham.
 Mr. BINGHAM. Aye.
 Mr. CZARNECKI. Mr. Yatron.
 Mr. YATRON. Aye.
 Mr. CZARNECKI. Mr. Taylor.
 Mr. TAYLOR. No.
 Mr. CZARNECKI. Mr. Harrington.
 Mr. HARRINGTON. Aye.
 Mr. CZARNECKI. Mr. Ryan.
 Mr. RYAN. No.
 Mr. CZARNECKI. Mr. Wilson.
 Mr. WILSON. No.
 Mr. CZARNECKI. Mr. Riegle.
 Mr. RIEGLE. Aye.
 Mr. CZARNECKI. Mrs. Collins.
 Mrs. COLLINS. No.
 Mr. CZARNECKI. Mr. Solarz.
 Mr. SOLARZ. Aye.
 Mr. CZARNECKI. Mrs. Meyner.
 Mrs. MEYNER. Aye.
 Mr. CZARNECKI. Mr. Bonker.
 Mr. BONKER. Aye.
 Mr. CZARNECKI. Mr. Broomfield.
 Mr. BROOMFIELD. No.
 Mr. CZARNECKI. Mr. Derwinski.
 Mr. DERWINSKI. No.
 Mr. CZARNECKI. Mr. Findley.
 Mr. FINDLEY. No.
 Mr. CZARNECKI. Mr. Buchanan.
 Mr. BUCHANAN. No.
 Mr. CZARNECKI. Mr. Burke.
 Mr. BURKE. No.
 Mr. CZARNECKI. Mr. du Pont.
 Mr. DU PONT. No.
 Mr. CZARNECKI. Mr. Whalen.
 Mr. WHALEN. Aye.

Mr. CZARNECKI. Mr. Biester.

Mr. BIESTER. No.

Mr. CZARNECKI. Mr. Winn.

Mr. WINN. No.

Mr. CZARNECKI. Mr. Gilman.

Mr. GILMAN. No.

Mr. CZARNECKI. Mr. Guyer.

[No response.]

Mr. CZARNECKI. Mr. Lagomarsino.

Mr. LAGOMARSINO. No.

Mr. CZARNECKI. On this vote by a rollcall there were 9 ayes and 24 noes.

Chairman MORGAN. The substitute offered by Mr. Whalen is defeated.

The vote now occurs on the amendment offered by Mr. Hamilton.

Mr. RIEGLE. I request the ayes and nays on that vote.

Chairman MORGAN. Those favoring ayes and nays on this vote indicate by a show of hands.

[Showing of hands.]

Chairman MORGAN. A sufficient number have so indicated. The clerk will call the roll.

Mr. CZARNECKI. Chairman Morgan.

Chairman MORGAN. Aye.

Mr. CZARNECKI. Mr. Zablocki.

Mr. ZABLOCKI. Aye.

Mr. CZARNECKI. Mr. Hays.

Mr. HAYS. Aye.

Mr. CZARNECKI. Mr. Fountain.

Mr. FOUNTAIN. Aye.

Mr. CZARNECKI. Mr. Fascell.

Mr. FASCELL. No.

Mr. CZARNECKI. Mr. Diggs.

Mr. DIGGS. No.

Mr. CZARNECKI. Mr. Nix.

Mr. NIX. No.

Mr. CZARNECKI. Mr. Fraser.

Mr. FRASER. No.

Mr. CZARNECKI. Mr. Rosenthal.

Mr. ROSENTHAL. No.

Mr. CZARNECKI. Mr. Hamilton.

Mr. HAMILTON. Aye.

Mr. CZARNECKI. Mr. Wolff.

Mr. WOLFF. No.

Mr. CZARNECKI. Mr. Bingham.

Mr. BINGHAM. No.

Mr. CZARNECKI. Mr. Yatron.

Mr. YATRON. No.

Mr. CZARNECKI. Mr. Harrington.

Mr. HARRINGTON. No.

Mr. CZARNECKI. Mr. Ryan.

Mr. RYAN. Aye.

Mr. CZARNECKI. Mr. Wilson.

Mr. WILSON. Aye.

Mr. CZARNECKI. Mr. Riegle.

Mr. RIEGLE. No.

Mr. CZARNECKI. Mrs. Collins.

Mrs. COLLINS. No.

Mr. CZARNECKI. Mr. Solarz.

Mr. SOLARZ. No.

Mr. CZARNECKI. Mrs. Meyner.

Mrs. MEYNER. No.

Mr. CZARNECKI. Mr. Bonker.

Mr. BONKER. No.

Mr. CZARNECKI. Mr. Broomfield.

Mr. BROOMFIELD. Aye.

Mr. CZARNECKI. Mr. Derwinski.

Mr. DERWINSKI. Aye.

Mr. CZARNECKI. Mr. Findley.

Mr. FINDLEY. No.

Mr. CZARNECKI. Mr. Buchanan.

Mr. BUCHANAN. Aye.

Mr. CZARNECKI. Mr. Burke.

Mr. BURKE. No.

Mr. CZARNECKI. Mr. du Pont.

Mr. DU PONT. Aye.

Mr. CZARNECKI. Mr. Whalen.

Mr. WHALEN. No.

Mr. CZARNECKI. Mr. Biester.

Mr. BIESTER. Aye.

Mr. CZARNECKI. Mr. Winn.

Mr. WINN. Aye.

Mr. CZARNECKI. Mr. Gilman.

Mr. GILMAN. Aye.

Mr. CZARNECKI. Mr. Guyer.

[No response.]

Mr. CZARNECKI. Mr. Lagomarsino.

Mr. LAGOMARSINO. Aye.

Mr. WHALEN. I have a proxy for Mr. Guyer in favor.

Mr. DU PONT. Point of order on that. Are proxies permissible?

Chairman MORGAN. Proxies are not in order on amendments under the rules of the committee.

Mr. CZARNECKI. On this rollcall vote, there were 15 ayes and 18 noes.

Chairman MORGAN. The amendment is defeated.

Mr. SOLARZ. I offer the following amendment.

Chairman MORGAN. The clerk will read the amendment.

Mr. CZARNECKI. The amendment offered by Mr. Solarz.

On page 2 immediately after line 4 insert the following new section:

EVACUATION OF CAMBODIAN REFUGEES

Sec. —. (a) (1) During the period beginning on the date of enactment of this section and ending on June 30, 1975, the President shall provide for the evacuation from Cambodia of any Cambodian citizen who requests such evacuation because he believes his life would be endangered if the Khmer Rouge assumes power in Cambodia, unless the President determines that evacuation of such Cambodian citizen is not feasible.

(2) (A) No military action may be taken by the United States in carrying out this subsection.

(B) To the maximum extent possible, the President shall not use members of the Armed Forces of the United States in carrying out this subsection.

(b) (1) Persons evacuated from Cambodia pursuant to subsection (a) shall be taken (A) to any country (other than the United States) which has agreed to accept persons evacuated from Cambodia, or (B) to the United States in the event that no other country is willing to accept such persons or that the number of such persons exceeds the number of such persons which other countries are willing to accept.

(2) Persons brought to the United States pursuant to paragraph (1) shall be paroled into the United States temporarily by the Attorney General under such conditions as he may prescribe. Parole of an alien into the United States pursuant to this subsection shall not be regarded as an admission of such alien for purposes of the Immigration and Nationality Act.

(c) The limitations in section 656 of the Foreign Assistance Act of 1961 on United States personnel and personnel assisted by the United States in Cambodia shall not apply with respect to any individual engaged solely in evacuating Cambodian citizens pursuant to this section.

(d) (1) Notwithstanding the limitation in section 655 of the Foreign Assistance Act of 1961 on appropriations with respect to Cambodia, there is authorized to be appropriated for fiscal year 1975 such sums as may be necessary for purposes of evacuating Cambodian citizens pursuant to this section.

(2) No funds made available under paragraph (1) may be transferred to, or consolidated with, funds made available under any other provision of law.

Mr. WHALEN. Mr. Chairman, parliamentary inquiry.

Mr. Chairman. I think this amendment probably was intended to amend the Hamilton-du Pont substitute. Since that has been defeated, it is appended, is it not, the H.R. 2704?

Chairman MORGAN. That is correct.

Mr. FRASER. Parliamentary inquiry.

Mr. Chairman, if this amendment is defeated, will there be any other amendments pending at that point?

Chairman MORGAN. None that I am aware of.

Mr. FRASER. Would a motion then to adjourn the committee be in order?

Mr. DU PONT. Will the gentleman yield?

Mr. FRASER. I know what the gentleman has in mind and I would like to hold it until early next week.

Chairman MORGAN. Mr. Solarz is recognized for 5 minutes to speak on behalf of his amendment.

Mr. FRASER, in the meantime, I suggest you and Mr. du Pont get together and work out some solution to your problem.

Mr. SOLARZ. In light of the vote on the Hamilton amendment, I rather doubt that the bill before us is likely to be approved by the committee. But in the unlikely event that it is able to muster a majority, I think it is important that this amendment be included in it. We have heard a good deal of talk over the course of the last week from the witnesses who have appeared before us with respect to the possibility of a bloodbath in Cambodia in the event of the success of the Khmer Rouge forces.

The other day in the newspaper Prince Sihanouk was quoted to the effect that they were only interested in hanging seven, if they came to power.

Others have estimated several thousands might be executed in the event that the Lon Nol government fell and the Khmer Rouge came to power. The fact of the matter is we do not know how many would be executed in whatever fashion in the event that the Lon Nol govern-

ment fell. But it seems to me that to the extent there is any possibility whatsoever that there may be mass executions in Cambodia, that we have a humanitarian obligation to afford those Cambodians who believe their lives would be in danger in the event the Khmer Rouge did come to power, to be given an opportunity to leave the country.

I might say, Mr. Chairman, that this amendment is consistent with the great humanitarian traditions of our country in that regard. In 1956 in the wake of the Hungarian Revolution we accepted 38,000 Hungarians into our country. In 1959 we accepted 250,000 Cubans. In 1954 we assisted over 1 million North Vietnamese who sought refuge, North Vietnamese who sought refuge in South Vietnam.

A few years ago we assisted in the evacuation of 46,000 Asians from Uganda after they were ordered out of that country by General Idi Amin. In 1968 we admitted somewhere in the vicinity of 10,000 Czechoslovakian refugees, following the Czechoslovakian revolution, into our country.

To the extent that we have a sincere and legitimate concern about what may happen to those Cambodians who have actively assisted the Lon Nol government, in the event that government should fall it seems to me this amendment, by providing them with an opportunity to leave Cambodia, is entirely consistent not only with our humanitarian traditions, but with our moral obligations.

I would point out the amendment specifically provides that any Cambodians who wish to leave should be given an opportunity to go to any third countries that are willing to accept them and in the event that no other countries are prepared to accept them, that they be given an opportunity to come to our country.

It is specifically provided that no military action may be taken in the effort to carry out the mandate of this amendment and, of course, the amendment provides that the evacuation would only be carried out to the extent that the President makes a judgment that it is feasible to do so.

I think it is quite clear that even if this bill passes, and we provide additional military assistance to the Lon Nol government, that that government could fall at any moment. And I think therefore that there undoubtedly would be a number of Cambodians who in anticipation of that eventuality would like to leave their country.

I urge the adoption of this amendment because I believe that it is a way of protecting our own moral credentials in that regard.

Chairman MORGAN. The time of the gentleman has expired.

Mr. Ryan.

Mr. RYAN. I would like to oppose this amendment, but to do so with commendations to my colleague, Mr. Solarz, for what I believe to be a very well-intentioned effort. One of the most overlooked but one of the most important elements in all the Southeast Asian and Indochinese problem that has existed for more than 25 years has been the condition of people themselves who live within that country.

Mr. Chairman, last December and January I spent a week in both South Vietnam and in South Korea. I did not go to Cambodia. Many people that I talked to during my trip oppose the government in power. They told me and pleaded with me not to abandon their country and to make a distinction between the people themselves and the govern-

ment in power. They believe that if the North Vietnamese—in the case of South Vietnam, and I am sure the case is the same with the Khmer Rouge and Cambodians—were to come to power many of them would lose their lives not with the benefit of trial or anything else. They would simply be shot.

I am inclined to believe that particular statement. To that extent this particular amendment has value. However, in the first section it says, "Any Cambodian citizen who requests such evacuation because he believes his life would be endangered if the Khmer Rouge assumes power in Cambodia." It seems to me the language there is so broad, notwithstanding the next few lines that place some limitation, depending on the President's determination, that this amendment would create a situation in Cambodia requiring an extremely large airlift, on the scale of the Berlin airlift of many years ago perhaps. Now if we add the refugees to the number of illegal aliens already in this country—tens of thousands of people totally dependent on our hospitality—an impossible burden would be placed on our economy. For these reasons, I oppose this amendment. I would also indicate to the members of this committee what I have said before, which is that this committee should take the time to educate itself on this matter as thoroughly as possible in the next few months.

This is a totally new Congress obviously with a will of its own and determined to go in a direction of its own. We are now taking up a matter which I believe to be as important, as far as foreign policy and military policy are concerned, as the decision in the early or the late forties and in 1950 when we decided to assist the nations in Europe in maintaining a posture against the possible Communist aggression in Europe and since Harry Truman ordered the troops into Korea to resist Communist belligerency in Asia.

This committee is now in the position of beginning to write a significant change in foreign policy which will have an effect on almost every single country in the world and I would plead with this committee to make a decision based upon knowledge and considered judgment, and to act only after having examined the various elements that are involved, and after having heard the views of those who are opposed and in favor of this particular idea.

I realize the American people today want to get out very badly. They very emotionally reject this entire situation which they find to be impossible. I cannot blame them for that, but the manner of our leaving—assuming we do get out this year—the manner of our leaving is the question before this committee this year and for the few months ahead of us until the next fiscal year. I would plead with the committee to find ways—perhaps better than this, but in this same direction—to resolve this question as far as the U.S. involvement and responsibility in Southeast Asia is concerned.

With that I reluctantly oppose the amendment.

Chairman MORGAN. Mr. Derwinski.

Mr. DERWINSKI. I think this amendment dramatizes the real issue before us. Those members, who for various reasons have long-standing precommitments that do not permit them to approach this subject objectively, are determined in this case to use this amendment in the classic historic example of Pontius Pilate and wash their hands of the bloodbath they know will occur.

You could cite the Hungarian uprising in 1956 and the number of refugees that came out of that compared to what will come out of this if the Khmer Rouge gets control over Cambodia. It will make Genghis Khan look like a Boy Scout. The Solarz amendment hopefully will permit millions of Cambodians to save their lives and I presume the Solarz amendment envisions they would be welcomed, subsidized, and reestablished to a great life here in the United States.

If this is the way those of you are trying to gut this proposal are going to salve your consciences, I think it is a clear picture.

Mr. LAGOMARSINO. I move the previous question.

Chairman MORGAN. The previous question has been moved. We will now vote on the Solarz amendment.

All those in favor of the amendment by the gentleman from New York will do so by saying aye.

[Chorus of ayes.]

Chairman MORGAN. Noes.

[Chorus of noes.]

Chairman MORGAN. In the Chair's opinion the noes have it. The amendment is defeated.

Mr. HAYS. Mr. Chairman, I move that the committee do now adjourn.

Chairman MORGAN. This is a preferential motion. The gentleman from Ohio has moved that the meeting be adjourned.

Mr. SOLARZ. Rollcall, Mr. Chairman.

Chairman MORGAN. Those in favor of a rollcall on the motion to adjourn will indicate by a show of hands.

[Showing of hands.]

Chairman MORGAN. A sufficient number. The clerk will call the roll.

Mr. CZARNECKI. Chairman Morgan.

Chairman MORGAN. Aye.

Mr. CZARNECKI. Mr. Zablocki.

Mr. ZABLOCKI. Aye.

Mr. CZARNECKI. Mr. Hays.

Mr. HAYS. Aye.

Mr. CZARNECKI. Mr. Fountain.

Mr. FOUNTAIN. Aye.

Mr. CZARNECKI. Mr. Fascell.

Mr. FASCELL. Aye.

Mr. CZARNECKI. Mr. Diggs.

Mr. DIGGS. Aye.

Mr. CZARNECKI. Mr. Nix.

Mr. NIX. Aye.

Mr. CZARNECKI. Mr. Fraser.

Mr. FRASER. Aye.

Mr. CZARNECKI. Mr. Rosenthal.

Mr. ROSENTHAL. No.

Mr. CZARNECKI. Mr. Hamilton.

Mr. HAMILTON. No.

Mr. CZARNECKI. Mr. Wolf.

Mr. WOLFE. No.

Mr. CZARNECKI. Mr. Bingham.

Mr. BINGHAM. Aye.

- Mr. CZARNECKI. Mr. Yatron.
 Mr. YATRON. Aye.
 Mr. CZARNECKI. Mr. Taylor.
 Mr. TAYLOR. Aye.
 Mr. CZARNECKI. Mr. Harrington.
 Mr. HARRINGTON. No.
 Mr. CZARNECKI. Mr. Ryan.
 Mr. RYAN. No.
 Mr. CZARNECKI. Mr. Wilson.
 Mr. WILSON. Aye.
 Mr. CZARNECKI. Mr. Riegle.
 Mr. RIEGLE. No.
 Mr. CZARNECKI. Mrs. Collins.
 Mrs. COLLINS. No.
 Mr. CZARNECKI. Mr. Solarz.
 Mr. SOLARZ. No.
 Mr. CZARNECKI. Mrs. Meyner.
 Mrs. MEYNER. Aye.
 Mr. CZARNECKI. Mr. Bonker.
 Mr. BONKER. Aye.
 Mr. CZARNECKI. Mr. Broomfield.
 Mr. BROOMFIELD. Aye.
 Mr. CZARNECKI. Mr. Derwinski.
 Mr. DERWINSKI. No.
 Mr. CZARNECKI. Mr. Findley.
 Mr. FINDLEY. No.
 Mr. CZARNECKI. Mr. Buchanan.
 Mr. BUCHANAN. Aye.
 Mr. CZARNECKI. Mr. Burke.
 Mr. BURKE. No.
 Mr. CZARNECKI. Mr. du Pont.
 Mr. DU PONT. No.
 Mr. CZARNECKI. Mr. Whalen.
 Mr. WHALEN. No.
 Mr. CZARNECKI. Mr. Biester.
 Mr. BIESTER. No.
 Mr. CZARNECKI. Mr. Winn.
 Mr. WINN. Aye.
 Mr. CZARNECKI. Mr. Gilman.
 Mr. GILMAN. No.
 Mr. CZARNECKI. Mr. Guyer.
 [No response.]
 Mr. CZARNECKI. Mr. Lagomarsino.
 Mr. LAGOMARSINO. Aye.
 Mr. CZARNECKI. On this vote by a rollcall there were 18 ayes, 15 noes.
 Chairman MORGAN. The motion of the gentleman from Ohio is adopted.

The committee stands adjourned until further notice.

[Whereupon, at 12:05 p.m. the committee adjourned, to reconvene at the call of the Chair.]

THE CAMBODIAN-VIETNAM DEBATE

MONDAY, APRIL 14, 1975

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

The subcommittee met at 2:06 p.m., in room 2172, Rayburn House Office Building, Hon. Lee H. Hamilton (chairman of the subcommittee) presiding.

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

This afternoon the Special Subcommittee on Investigations meets to discuss the situation in South Vietnam and the purpose, extent and intent of the emergency aid requests presented to Congress last week in the President's state of the world speech.

The subcommittee will focus today on two matters. First, we would like to know something about what happened in Vietnam in March, what are our political objectives in Vietnam today, and what we seek to achieve in the coming weeks and months.

Second, we would like to examine the supplemental emergency economic and humanitarian aid requests for Vietnam. In the fast developing and fluid situation in South Vietnam, it will be difficult to devise and implement relief programs. We want to examine this supplemental request carefully.

We are happy to have with us today Mr. Philip Habib, Assistant Secretary of State for East Asian and Pacific Affairs and Arthur Z. Gardiner, Jr., Assistant Administrator for East Asia, Agency for International Development.

Mr. Habib and Mr. Gardiner, I believe that you both would like to say something before we proceed with questions from members, and you may begin.

PURPOSE OF SESSION

Mr. HARRINGTON. Just for the benefit of enlightening myself and perhaps the audience, is this the House of Representatives response to a part of the request made by the President on Thursday evening? Are we dealing with those facets of the requests he made regarding Southeast Asia that we as a committee would have jurisdiction over? Or is this a continuation of what you announced earlier this year—an inquiry into the origins and development of our policy in Southeast Asia? Or is it a mix of the two? Just what are we doing beyond what your brief outline indicated this afternoon?

Mr. HAMILTON. Well, Mr. Harrington, we are meeting to bring ourselves up to date on the general situation in Vietnam as it exists today

and we are also meeting to get further information with regard to the President's request for emergency economic and humanitarian assistance.

Now, as I understand it, the leadership of the Congress has not fully resolved the question as to how the various components of the President's program are to be examined, but we have been requested to go ahead with this aspect of it so that we can get as much information before congressional committees as we can. We have time pressure.

Mr. HARRINGTON. Do we have legislation referred to either the full committee or the subcommittee that you chair that would be the basis of our discussion this afternoon?

NO SPECIFIC BILL YET

Mr. HAMILTON. I do not have a specific bill before me. Whether or not it was introduced in the session that just concluded, I do not know.

Mr. HARRINGTON. Has there been any outline given to you by the full committee indicating what the intentions are regarding either your subcommittee or other facets of the full committee to deal with component parts of this?

Mr. HAMILTON. The answer to that is no.

Mr. HARRINGTON. So as far as you are concerned, this is the initial but not necessarily the full response to what was outlined last week?

Mr. HAMILTON. That is correct.

Mr. HARRINGTON. And these witnesses were scheduled—

Mr. HAMILTON. Prior to the President's request of last week.

Mr. HARRINGTON. And this is the hearing we had on last Thursday afternoon rescheduled for this afternoon?

Mr. HAMILTON. Yes; it is.

Mr. HARRINGTON. Thank you.

Mr. HAMILTON. Any further questions?

Gentlemen, you may proceed.

STATEMENT OF HON. PHILIP C. HABIB, ASSISTANT SECRETARY
OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS

Mr. HABIB. Thank you, Mr. Chairman.

That was the understanding on which we were also preparing ourselves for this session.

My opening remarks will be brief and then I will ask Mr. Gardner to elaborate on one aspect of the program.

Mr. Chairman, the last several weeks in Indochina have been disheartening. In Cambodia, Communist forces have brought strong and incessant pressure on Phnom Penh and on many provincial areas controlled by the Cambodian Government.

After months of siege, and in the face of mounting danger to their lives, President Ford, last Friday, ordered the evacuation of all American personnel from Phnom Penh.

In announcing the evacuation, the President regretted that the United States had found itself unable to provide the assistance that country needed to sustain its defense and provide a basis for an equitable negotiated settlement.

However, despite the departure of the Americans, the United States will continue to do what it can to support the Cambodian Government and its people. A request remains before the Congress for additional military and economic aid to Cambodia.

VIETNAM SITUATION CHANGING FAST

Events have also moved swiftly in Vietnam, and in a direction profoundly disturbing to all Americans.

The Vietnamese decision to withdraw from areas in the highlands and the northern provinces—in the face of numerically superior and heavily armed North Vietnamese forces—led to confusion, disorganization, and panic.

Vast areas were taken over by the Communists, large amounts of weapons and materiel were lost, and the morale of the Army and the people of South Vietnam was dealt a severe blow.

An ominous situation now prevails. At the outset of the offensive, North Vietnam fielded a main-force army larger and better equipped than South Vietnam's. The tragic losses of the last several weeks have heightened that imbalance.

In addition to the serious military reverses South Vietnam has suffered, hundreds of thousands of Vietnamese civilians have sought to flee advancing North Vietnamese armies. Many are without adequate shelter, food, or medical attention. Their plight gives cause for deepest concern.

SEVERE TESTS AHEAD

Severe tests lie ahead. Militarily, the outcome will depend in the first instance on the ability of South Vietnam to reorganize its defenses, reform and reequip its units and, in so doing, restore the confidence and morale of its army and its people; but it will also depend heavily on the provision of timely and adequate military assistance from the United States.

Massive relief efforts are necessary to care for the refugees. The United States moved swiftly and effectively, in concert with other nations, to help alleviate the initial suffering of these unfortunate people.

More help is needed. The Government of Vietnam has acted energetically and to the limit of its resources, but it cannot bear this burden alone.

PRESIDENTIAL REQUEST

The President has asked that we respond generously, and quickly, to meet the needs of this difficult situation. Specifically, he has asked the Congress to do three things:

First, to appropriate \$722 million in additional military assistance to Vietnam in the current fiscal year. In the President's judgment only in this way can South Vietnam's defense plan succeed, and the military situation be stabilized.

Second, to appropriate an additional \$250 million in economic and humanitarian assistance for Vietnam, to alleviate the suffering of the civilian population, including those uprooted from their homes.

Third, to enact legislation which would clearly permit the use of U.S. Armed Forces to assist in and carry out humanitarian evacuation from Vietnam, should that become necessary.

As I understand it, draft legislation in each of these areas has been submitted.

Today, with the committee's approval, Mr. Chairman, we are prepared to go into some detail on the request for economic and humanitarian assistance.

With your permission, I will ask Mr Gardiner of the Agency for International Development to do just that.

Mr. HAMILTON. Thank you, Mr. Habib.

Mr. Gardiner.

STATEMENT OF ARTHUR Z. GARDINER, JR., ASSISTANT ADMINISTRATOR FOR EAST ASIA, AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. GARDINER. Mr. Chairman, I have just 10 minutes ago distributed to the subcommittee a statement and I think each of you have it in front of you.

I think what I would like to do is to move through it rapidly and that may be the best way to proceed.

In the past 3 weeks, the people of South Vietnam, a generation of whom have never known lasting tranquility, have again been faced with a disruptive cataclysm of enormous human proportions. These events are familiar to us all.

REFUGEE AID

Our first thoughts and our first actions were to assist those who sought refuge in the territory still controlled by the Government of South Vietnam.

We dispatched ships to augment the 40-odd craft made available for this purpose by the Government of South Vietnam and the several mercy vessels furnished by other nations.

Events moved too rapidly and we were only partially successful, but through these efforts about 150,000 people were brought to safety. Others, roughly estimated at 850,000—and I would like to emphasize that that is a very rough estimate at this time—moved and are still moving by their own efforts on rivers and by land to the refugee sites that are under ARVN control. To date nearly 500,000 refugees have been officially registered by the government.

This process of counting by registration invariably lags behind the reality of displaced human beings, both because of the time involved in assembling data and because the movement of persons still continues.

1 MILLION REFUGEES

Our best estimate today—and I need not tell you that today's numbers may well be wrong tomorrow—is that the Government of South Vietnam will shortly face the responsibility of caring for approximately 1 million new refugees.

To assist in that effort we have allotted almost all of the limited Foreign Assistance Act resources remaining available to us; in addition, we have made 100,000 tons of rice and an additional 13,500 tons of high protein food supplements available on a grant basis under

Public Law 480 to be distributed by both voluntary agencies and the South Vietnamese Government to those most desperately in need.

Let me note at this point that to the enormous problem of refugee relief must be added the weight of an already severe condition of unemployment in the urban areas—a condition created in large measure by the withdrawal of American forces and funds—that with certainty must worsen drastically as the disruption of war takes its toll on the productive economy.

Many will be without work. Any humanitarian effort must be no less concerned for those who suffer deprivation in the cities than for those displaced by the war. Suffering is made no less bearable for being once removed from its cause.

RELIEF EFFORT CAN BE HANDLED

We are confident that the Government of South Vietnam possesses the all-too-experienced human resources to undertake an orderly and reliable relief effort given some measure of assistance from the voluntary agencies, the international organizations, and AID personnel.

We are equally certain, however, that without new financial resources from outside donors, misery and starvation and sickness, unacceptable on any human basis, will inevitably ensue.

I am here today to approve the commitment by the United States of a large, but by no means all-inclusive, portion of those resources.

Specifically, I am asking you to authorize an additional \$73 million for that purpose, which taken together with the \$177 million previously authorized but not yet appropriated for assistance to Indochina, will make available \$250 million to lighten the burden and ease the suffering of the refugees, the war victims and the unemployed of South Vietnam. At the same time, I am asking you to waive previous allocations of Indochina postwar reconstruction funds which could impede the humanitarian effort.

NO LONG-TERM PROJECTS

Let me state at the outset that these funds are not going to be expended on long-term projects. Rather, our request reflects our best estimate of the initial relief costs for the refugees and of the ongoing and elemental requirement, for a period of 6 months, of the people whom I have mentioned—the refugees, the war victims, the urban unemployed. (This estimate also takes into account certain assumptions with respect to the levels of assistance which the GVN and third countries and organizations will be able, in the first case, and willing, in the second, to contribute.)

Let me describe briefly for you our projections on aggregate needs. And let me caution that these are our preliminary projections in a very fast changing situation, sir.

They are the best thinking over the past week of what is probably going to be required but I don't want the specific numbers mentioned here to be locked in concrete. They are illustrative of the type and character of the task that we think is going to be facing the Government of South Vietnam and for which we hope to contribute.

AID PROJECTIONS

First, with respect to the emergency transportation of refugees to the temporary sites within South Vietnam, we have an estimated requirement of about \$10 million.

Second, with respect to the care of refugees, there are four broad categories of expenditures. I will just mention these here without going into detail in the statement.

Temporary refugee sites must be developed and constructed. That costs substantial sums.

Then there must be provision made for refugee relief allowances and camp operation costs while the temporary camps are occupied by the refugees.

Third, as part of the stage when the refugees are in camps, there is a need for work programs to employ refugees in order to permit at least one family member to supplement the family's meager income.

Fourth, the next stage is as refugees move from relief camps into resettlement areas and there is need for funding of integrated relief and settlement support teams.

That covers the phases of the program dealing with refugee relief and resettlement of people who are in fact in relief camps.

URBAN UNEMPLOYED

Another element of this program is with respect to the rapidly growing needs of the urban unemployed. We would begin developing together with the Government of South Vietnam programs to provide assistance to the urban destitute and to provide work for the unemployed and the underemployed where feasible.

That, we believe, is realistically a ball park estimate for 6 months, which would be in the neighborhood of \$10 million.

Fourth, with respect to the refugees who are located on the island of Phu Quoc, we believe that circumstances permit the immediate initiation of settlement efforts. We should keep in mind that temporary camps to give only some relief to human misery. Resettlement permits people to move into tolerable and productive lives.

The Phu Quoc resettlement program, we believe, could and should move rapidly.

It is clear that the funds that we are seeking in this \$250 million request are but a fraction of the total costs which ultimately will be incurred by the Government of South Vietnam in bearing this new relief burden.

TOTAL REFUGEE NEEDS HIGH

Our best present estimate—and maybe it is better to call it a guess—because we still do not have a firm, fixed number of refugees in mind and the programs are still under development—would be that approximately \$750 million to \$1 billion will be needed.

Our \$250 million request is to begin the job as quickly as possible. We hope and expect that others will contribute to the effort.

American voluntary agencies with which AID has been working in both Cambodia and South Vietnam have assured us that they stand ready to respond to human need in any area where they are at liberty to operate.

They are prepared to undertake relief and rehabilitation as well as their ongoing programs. Although their U.S. personnel have been reduced, those remaining along with local staffs are assisting with the refugee problem. And they have highly experienced staff standing on call in nearby countries awaiting the opportunity to assist once the situation stabilizes.

Mr. Chairman, I think that is a summary of the statement.

[The prepared statement of Arthur Z. Gardiner, Jr., follows:]

PREPARED STATEMENT OF ARTHUR Z. GARDINER, JR., ASSISTANT ADMINISTRATOR,
BUREAU FOR EAST ASIA, AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. Chairman, I come to your committee today to ask for your assistance. We are urgently proposing and seeking your approval for a humanitarian undertaking—an undertaking which I believe does credit to the spirit of charity and sympathy—especially for those with whom we as a people have long been associated—that has in the past been a wellspring of our national character.

In the past three weeks, the people of South Vietnam, a generation of whom have never known lasting tranquility, have again been faced with a disruptive cataclysm of enormous human proportions. These events are familiar to us all. In the face of an assault by North Vietnamese divisions in direct violation of the Paris Peace Accords, millions, motivated by a mixture of conviction, allegiance and fear, fled the northern and central portions of South Vietnam. They left their villages and towns; they left their friends and sometimes their families; they left their belongings; and they left the soil from which they earned a living or the work in which they were otherwise employed. In this exodus, many died and not all—or even most—escaped.

The armies of the North rolled southward faster than those who sought to flee.

Our first thoughts and our first actions were to assist those who sought refuge in the territory still controlled by the GVN. We dispatched ships to augment the 40-odd craft made available for this purpose by the Government of South Vietnam and the several mercy vessels furnished by other nations. Events moved too rapidly, and we were only partially successful, but through these efforts about 150,000 people were brought to safety. Others, roughly estimated at 850,000 moved and are still moving by their own efforts on rivers and by land to the refugee sites that are under RVN control. To date nearly 500,000 refugees have been officially registered by the government.

This process of counting by registration invariably lags behind the reality of displaced human beings, both because of the time involved in assembling data and because the movement of persons still continues. Our best estimate today—and I need not tell you that today's numbers may well be wrong tomorrow—is that the Government of South Vietnam will shortly face the responsibility of caring for approximately 1,000,000 new refugees.

To assist in that effort we have allotted almost all of the limited Foreign Assistance Act resources remaining available to us; in addition, we have made 100,000 tons of rice and an additional 13,500 tons of high protein food supplements available on a grant basis under Public Law 480 to be distributed by both voluntary agencies and the South Vietnamese Government to those most desperately in need.

Let me note at this point that to the enormous problem of refugee relief must be added the weight of an already severe condition of unemployment in the urban areas—a condition created in large measure by the withdrawal of American forces and funds—that with certainty must worsen drastically as the disruption of war takes its toll on the productive economy. Many will be without work. Any humanitarian effort must be no less concerned for those who suffer deprivation in the cities than for those displaced by the war. Suffering is made no less bearable for being once removed from its cause.

We are confident that the Government of South Vietnam possesses the all-too-experienced human resources to undertake an orderly and reliable relief effort given some measure of assistance from the voluntary agencies, the international organizations and A.I.D. personnel. (To the subject of those agencies and organizations I would like to return shortly.)

We are equally certain, however, that without new financial resources from outside donors, misery and starvation and sickness, unacceptable on any human basis, will inevitably ensue.

I am here today to ask you approve the commitment by the United States of a large but by no means all inclusive portion of those resources. Specifically, I am asking you to authorize an additional \$73,000,000 for that purpose, which taken together with the \$177,000,000 previously authorized but not yet appropriated for assistance to Indochina, will make available \$250,000,000 to lighten the burden and ease the suffering of the refugees, the war victims and the unemployed of South Vietnam. At the same time I am asking you to waive previous allocations of Indochina funds which could impede the humanitarian effort.

Let me state at the outset that these funds are not going to be expended on long-term projects. Rather, our request reflects our best estimate of the initial relief costs for the refugees and of the ongoing and elemental requirement, for a period of six months, of the people whom I have mentioned—the refugees, the war victims, the urban unemployed. (This estimate also takes into account certain assumptions with respect to the levels of assistance which the GVN and third countries and organizations will be able, in the first case, and willing, in the second, to contribute.)

Let me describe briefly for you our projections of aggregate needs: First, with respect to the emergency transportation of refugees to the temporary sites within South Vietnam, we have an estimated requirement of about \$10 million.

Second, with respect to the care of refugees, there are four broad categories of expenditures.

Temporary Refugee Sites must be developed and constructed. At present, we foresee the need for nine sites on the mainland to accommodate about 100,000 people each, and one on the Island of Phu Quoc. The locations of the nine other sites have not been determined as yet, but we would expect them to be sited on good agricultural land in the Delta. A site must be cleared, roads and shelters constructed, drainage ditches dug, water supplies and sanitary facilities formed, medical, educational and administrative facilities provided. These items, and many other related to providing essential goods and services, are expected to cost roughly \$10 million per site or \$100 million in total.

Refugee Relief Allowances and Camp Operation Costs of roughly \$10 per person per month must be provided. This will enable the refugees to buy food with which it supplement their rice ration of 500 grams per day, charcoal with which to cook, and cloth with which to clothe themselves. Additionally, those funds would pay for food handling and storage, transport and related costs. The total cost for this for six months will be \$60 million.

Work Programs to employ the refugees must also be developed, in order to permit at least one family member to supplement the family's meager income. Our past experience tells us that we can expect that some 200,000 people would be so employed if given the opportunity at \$1 per day or \$30 million. These refugees will provide the bulk of non-skilled labor needed in the construction of refugee camp facilities. They will also provide the non-skilled labor required to maintain minimal standards for sanitary facilities in the camps and maintain in good repair drainage ditches, roads, fencing, water facilities and other camp infrastructure.

Integrated Relief and Resettlement Support Teams. The Voluntary Agencies are ready to assist in the refugee relief and resettlement program when the security situation stabilizes sufficiently to allow staff to operate with some degree of safety. Their contribution will be the provision of support and advisory teams that would include physicians, nurses, medical assistants and others. Their major responsibility will be to provide advisory and other support needed in the relief effort. A total of \$12 million is planned for these teams.

Third, with respect to the rapidly growing needs of the urban unemployed, we would begin developing, together with the GVN, programs to provide assistance to the urban destitute and to provide work for the unemployed and underemployed, wherever feasible. We propose a program costing \$10 million.

Fourth, with respect to the refugees located on the Island of Phu Quoc, we believe that circumstances permit the immediate initiation of resettlement efforts. We should keep in mind that temporary camps give only some relief to human misery. Resettlement permits people to move into tolerable and productive lives.

The Phu Quoc resettlement program should move rapidly. The refugees have been given access to 18,000 hectares of land on the Island. Clearing the land for agriculture use, grading for roadways and drainage ditches and providing water wells and other structures await the necessary funding. The onset of the rainy season in June and July of 1976 is the critical target period for gaining access to the land if a December 1976 harvest is to be realized. The Norwegian Govern-

ment has recently grant-financed a fishing project on Phu Quoc which will provide boats and fishing gear for 4,000 families (some 20,000 persons). Experts estimate this is the maximum size fishing enterprise that should be undertaken at this time. We have not yet received estimated GVN cost data. However, as we discuss details of these plans with them we expect to obtain this data. As a minimum, the GVN will provide teachers for the 250 classrooms planned for the Phu Quoc resettlement program as well as administrative and technical personnel for the refugee and resettlement site. We propose \$28 million for this resettlement program.

The foregoing is our current planning for an initial program of relief and limited resettlement. We should emphasize that it is illustrative. Planning here and in Saigon is still actively underway. Our ultimate objective is to help the Government of South Vietnam heal the human wounds of war by reuniting families, assisting them during a difficult transition period, resettling them in new homes and bringing them back into the productive economy. We seek the authority to contribute to programs designed to meet these objectives.

It is clear that the funds we seek are but a fraction of the total costs which will be incurred in South Vietnam. Our best present estimate is that approximately \$750 million to one billion dollars will be needed. We are requesting \$250 million now to begin the job as quickly as possible. We hope and expect that others will contribute to the effort.

American Voluntary Agencies with which AID has been working in both Cambodia and South Vietnam have assured us that they stand ready to respond to human need in any area where they are at liberty to operate. They are prepared to undertake relief and rehabilitation as well as their on-going programs. Although their U.S. personnel have been reduced, those remaining along with local staffs are assisting with the refugee problem. And they have highly experienced staff standing on call in nearby countries awaiting the opportunity to assist once the situation stabilizes.

Let me conclude, Mr. Chairman, by frankly admitting that I cannot tell you what will happen to South Vietnam in the coming weeks and months. We think it has a chance. But I can tell you what will happen to the people of South Vietnam, if we and others do not provide the needed humanitarian resources.

Hundreds of thousands will starve: they will have no shelter, no schools, no medical facilities. They will live—some of them will live, for a while anyway—in unmitigated human misery. We must act urgently, the rains come in less than two months; as much of the infrastructure for refugee life as possible must be in place by then. We believe that A.I.D.—through its long experience and working relationships with the vast machinery of the South Vietnamese government and with the voluntary agencies and organizations (which have performed a truly priceless service to the people of that embattled land)—is up to the task. I hope that we will have your quick support.

Attachment A

SUMMARY ESTIMATES FOR REFUGEE RELIEF AND RESETTLEMENT AND URBAN RELIEF PROGRAMS

	<i>Millions</i>
April 1975–Oct. 15, 1975:	
1. Emergency transport.....	\$10.0
2. Temporary emergency relief.....	202.0
3. Phu Quoc resettlement.....	28.0
4. Emergency urban relief.....	10.0
Subtotal.....	<u>250.0</u>
Oct. 15, 1975–Dec. 31, 1976:	
Remaining requirements for resettlement and urban relief:	
1. Construction and domiciling nine resettlement sites.....	
2. Rice and food allowances and household commodities.....	
3. Other camp cost for operations and overhead.....	
4. Resettlement village infrastructure, roads, classrooms.....	
5. Integrated relief and resettlement voluntary agency teams.....	
6. Urban relief.....	
Subtotal.....	500.0
Grand total.....	<u>750.0</u>

Attachment B

SUMMARY OF EMERGENCY REFUGEE REQUIREMENTS
(APRIL 1975-OCTOBER 1975)

	<i>Millions</i>
1. Emergency transport: Emergency transport and evacuation costs.....	\$10.0
2. Temporary emergency relief:	
A. Temporary relief allowances (computed at \$10/each per month less rice).....	60.0
B. Temporary refugee site development and camp construction (including Phu Quoc).....	100.0
C. Integrated relief and resettlement by voluntary agencies (estimate 10 teams, 1 for each 100,000 refugees at \$1.2 million/team).....	12.0
D. Refugee labor (nonskilled) for camp construction and maintenance (estimate 200,000 workers for 150 days at \$1/day).....	30.0
3. Phu Quoc resettlement:	
A. Phu Quoc resettlement (estimate 110,000 refugees at \$200/each to cover housing, land development, road allowance, tools, etc., thru resettlement).....	22.0
B. Phu Quoc resettlement village infrastructure (including classroom and education materials, markets, roads, water wells and other interhamlet infrastructure).....	6.0
4. Emergency urban relief: Emergency urban relief program.....	10.0
Total	250.0

Attachment C

ILLUSTRATIVE BREAKDOWN OF SUMMARY TABLE FOR PERIOD COVERING APRIL 1975-OCTOBER 1975

EMERGENCY RELIEF REQUIREMENTS FOR 6 MONTHS

Action:

	<i>Millions</i>
1. Emergency transport:	
Emergency transport and evacuation costs.....	\$10.0
Baby lift (2.0)	
Refugee (8.0)	
2. Temporary emergency relief.....	202.0
A. Temporary Relief Allowances and Operating cost.....	60.0
Assumes a family of five including one infant under 2 years old primarily in-kind.	
B. Temporary refugee site development and camp construction for ten camps, (including Phu Quoc). Skilled labor and heavy equipment contracts for clearing site, grading for housing, drainage and access roads.....	100.0
C. Integrated relief and resettlement voluntary agency teams for each refugee camp.....	12.0
Team Composition (Illustrative)	
4 physicians, 6 agriculturists	
6 nurses, 6 community dev. exp.	
3 medical assistants	
D. Refugee Labor (unskilled) 200,000 workers (one per family) for 150 works days at 1 per day per worker.....	30.0
3. Phu Quoc resettlement:	
A. Phu Quoc resettlement. Estimate cost of \$200/refugee for.....	22.0
Land Development 18,000 hectares.	
Housing 22,000 houses of 10 square meters each.	
Food Allowance.	
Tools and cooking utensils for household use and	
Blankets and mosquito netting	
B. Village infrastructure.....	6.0
Classrooms, markets, roads, public service buildings and water wells.	
4. Emergency urban relief.....	10
Emergency urban relief program. Unemployed and underemployed urban dwellers will be given employment in those cases where need is evident, and food and shelter as may be needed.	
Total	250.0

ATTACHMENT D

TOTAL COST ESTIMATE CARE AND RESETTLEMENT OF 1,000,000 REFUGEES PLUS
URBAN RELIEF SUPPORT

ASSUMPTIONS

a. Refugees will require temporary relief in refugee camps constructed to meet UN and AID standards for an average of 1 year.

b. Work on resettlement will begin in July 1975, with initiation of land clearing on Phu Quoc Island.

c. Actual relocation of families from camp to resettlement site will begin about Sept.-Oct. 1975, following initial land clearance/house construction activities.

d. Resettlement requirements will include further 12 mos. rice allowance beyond average 1 year in camp allowance. This allows for work case timing of refugees moving onto resettlement land just too late to plant a full crop in the year of resettlement, thus necessitating an entire year of food support. In actuality, rice allowance can be shifted either way between temporary in-camp requirements and resettlement requirement.

e. Rice allowance will, in general, be distributed in kind to refugees in camps and in cash to refugees upon resettlement.

f. Refugee camps and resettlement areas will be sufficiently secure from overt hostile action to permit employment of Voluntary Personnel on location, in direct support of GVN MSW and civil authorities responsible for relief and resettlement.

	<i>Millions</i>
A. Emergency transportation and evacuation costs-----	\$20.0
B. Temporary refugee site development and construction of 10 camps (average capacity 100,000) at an average cost of \$100/refugee (assumes UN/AID minimum standards). Excludes refugee labor costs -----	100.0
C. Temporary relief requirements (estimate \$10 month/refugee/other than rice allowance-----	120.0
D. Temporary relief (in-camp) rice allowances at 500g/refugee/day----	90.0
E. Resettlement costs and allowances less village/hamlet infrastructure at average cost of \$200/refugee-----	200.0
F. Resettlement village/hamlet infrastructure based on an average of \$1.5 million per 25,000 refugees resettled-----	60.0
G. Refugee labor daily hire costs based on 1 worker per family of 5 work- ing 300 days at \$1 per day-----	60.0
H. Urban relief-----	60.0
I. Voluntary agency relief and resettlement support teams (urban and refugee -----	40.0
	750.0

UNITED STATES POLICY TOWARD VIETNAM

Mr. HAMILTON. Thank you very much, gentlemen.

Mr. Habib, judging from your comments this afternoon, and from the remarks of Mr. Gardiner also, I take it that the U.S. policy toward South Vietnam remains what it has been in recent months and has not been changed to reflect the changes that have occurred there in recent weeks; is that correct?

Mr. HABIB. That would be a fair statement; yes, sir.

I would agree to that other than, of course, that our policy had previously been operating in earlier stages on the hope, if not the assumption, that the Paris agreement would have more meaning than it turned out to have to North Vietnam and, second, it was operating on the assumption that we would not see the all-out onslaught that has resulted in the entirely new set of circumstances.

Let's face it, the circumstances since the March attacks are somewhat different than the circumstances previous and policy cannot be—

U.S. POLITICAL OBJECTIVES TODAY

Mr. HAMILTON. Given those circumstances, Mr. Secretary, how then do you define our political objectives in South Vietnam today?

Mr. HABIB. I think I can't do any better than to define it more or less in terms that I think the President defined them and has defined them, and that is to allow the South Vietnamese people to determine for themselves how they wish to be governed. That is the political objective that you asked for.

Certainly in terms of an overall international and political objective we would hope for, in some way, a return to the basic terms of the Paris agreement as the framework within which the settlement of the war can be sustained.

The request that has been made of the Congress now does not basically alter our desire to see the terms of the Paris agreement carried out, implemented.

Now, whether they will or will not be implemented will depend in part upon the capacity of the South Vietnamese to defend themselves, because it is quite clear that in the present circumstance North Vietnam is determined to push the military solution without regard to other elements of the agreement.

IS SAIGON DOOMED WITHOUT AID?

Mr. HAMILTON. Is it a fair assessment of the situation to say that without the economic and military aid that the President has requested the Saigon government is doomed, and with it, it has only a slim chance of survival?

Mr. HABIB. I would not put it in precisely those words, Mr. Chairman. I think that what one would say is that the President has asked for the assistance because he believes that that is the amount that is necessary to give the South Vietnamese a chance to survive; therefore, without it, it is quite clear that they will not have that chance.

Mr. HAMILTON. And with it, what are their chances of survival?

Mr. HABIB. You know, that depends upon their will, capability. They have been demonstrating rather well in the last few days the will to fight. There have been some very substantial scraps going on, as you know.

STATE ASSESSMENT

Mr. HAMILTON. It must be your assessment that if the money that the President requested is provided that South Vietnam does have the will to carry on and to survive?

Mr. HABIB. That is correct, yes. I would add to that, however, one other thing, and that is something I have said to the committee before, and that is that what they seek is our assistance. Without it, they don't have the resources.

It is the Congress decision to make as to how much will be provided. The administration has made its recommendation on the basis of what it believes is needed.

Mr. HAMILTON. Now, let me understand, if I may, better the present status.

The Congress appropriated \$700 million in military aid for South Vietnam for fiscal year 1975. Has all of that \$700 million been obligated?

Mr. HABIB. It was my understanding that all of it was obligated except the final \$20 million which was going to be obligated this week.

Am I correct, Colonel?

Colonel ROPKA. That is correct.

Mr. HAMILTON. So there is only \$20 million that is unobligated?

Mr. HABIB. That is unobligated and that is intended to be obligated this week.

Mr. HAMILTON. So all of that \$700 million then will be obligated by the end of this week?

Mr. HABIB. That is what is intended, and therefore after whatever is left in the pipeline, there is nothing added on.

Mr. HAMILTON. Now, can you give us the amount that has actually been spent?

Mr. HABIB. By spent, do you mean—

Mr. HAMILTON. Paid out.

Mr. HABIB. I think the best figure to use is what has been committed and is there. I think that is spent and that figure is \$561 million.

Mr. HAMILTON. \$561 million.

Mr. HABIB. \$561 million.

Mr. HAMILTON. Do any of the fiscal year 1974 funds remain unobligated?

Mr. HABIB. This is Colonel Ropka of the Department of Defense, Comptroller's Office.

There is a small amount that is being researched. Less than \$30 million.

FISCAL YEAR 1975 FUNDS

Mr. HAMILTON. So the situation then is that the fiscal year 1975 funds, to all intents and purposes, have been used up?

Mr. HABIB. In terms of the magnitudes we are talking about, yes, sir, that is correct.

Mr. HAMILTON. Now, on the \$250 million in humanitarian aid, Mr. Gardiner, you indicate in your statement that you are requesting \$73 million?

Mr. GARDINER. Yes.

Mr. HAMILTON. Additional authorization?

Mr. GARDINER. Yes, sir.

AID FUNDS

Mr. HAMILTON. Can you also tell us where we stand with regard to the obligation and commitment of fiscal year 1975 funds for economic assistance?

Mr. GARDINER. Yes, sir, I can. As of March 31, for the Vietnam program we had obligated \$193,094,000. Of the amount appropriated we have allocated \$282 million for Vietnam.

The obligation figures do not reflect the full picture.

Of that \$282 million, we have obligated for the commodity import program a total of \$188 million—pardon me. I use that term not “obligated.” We have “allotted” that money to the mission. It is our estimate that this amount of money will run the commodity import program for several weeks into the next fiscal year.

Actully we are shaving a bit. Usually our rule of thumb is carrying in for 4, 5, or 6 or more weeks because of the paperwork that occurs at the time you get a continuing resolution.

So we have shaved there and that is our best judgment at this point of how much money is going to be required for the commodity import program for this year.

Then we do have certain fixed expenses that we can't get out of and they include operating expenses of \$17.7 million, an amount of \$4.1 million for the International Commission on Control and Supervision which we may be able to recover—I am not clear, but it is a small amount—and other projects that are underway of \$11 million.

\$61 MILLION FOR HUMANITARIAN AID

So what we get down to is a total of \$61.2 million, if my figures are right, that are now available for the humanitarian program.

At the same time we do have now bills on our desks in Washington for \$53 million for reimbursements for petroleum, oil and lubricants that under our understandings with the Government of Vietnam we were going to reimburse for this year. That is part of the commodity import program but our procedures are slightly different for POL.

The Government of Vietnam buys POL and then submits the bills to us. We check the bills and if we find them proper we pay them.

Now, we have not paid those bills; we are borrowing the cash that, therefore, has been made available to allot additional money to the mission for the relief effort that is underway now.

So if we are to proceed to pay those oil bills, we will have to obtain additional funds through an appropriation. What we will be doing is taking some of the money that we get from that appropriation to pay back the advance made so far for the humanitarian assistance accounts.

REQUESTS OF CONGRESS

Mr. HAMILTON. Now, just so I understand the various requests that are going to be made to the Congress, let me review with you, Mr. Secretary, the several requests that the President made.

No. 1 is a request for \$722 million for military assistance.

Mr. HABIB. Correct, sir.

Mr. HAMILTON. That has to be authorized and appropriated?

Mr. HABIB. Yes, sir. That is the defense budget.

Mr. HAMILTON. No. 2 is the \$250 million economic assistance?

Mr. HABIB. Yes, sir.

Mr. HAMILTON. And of that amount, \$73 million has to be authorized and \$250 million has to be appropriated?

Mr. HABIB. Yes.

Mr. GARDINER. As a technicality we do need to get some waivers of some of the ceilings that exist.

Mr. HAMILTON. That is my next point.

What waivers do we need?

Mr. GARDINER. Does anybody have a copy of the legislation?

They are in sections 36 and 38 of the Foreign Assistance Act of 1974?

Mr. HAMILTON. Are they only in the Foreign Assistance Act?

Mr. GARDINER. They are only in the Foreign Assistance Act of 1974. They are provisions that just apply for fiscal year 1975.

Mr. HAMILTON. There are no waivers required in other statutes?

Mr. GARDINER. No, sir; not to the best of my knowledge.

Mr. HAMILTON. None in the military procurement bills?

Mr. GARDINER. I would not be aware of the military procurement side of it.

EVACUATION BILL.

Mr. HAMILTON. What legislative changes are necessary with regard to our third objective, Mr. Secretary, relating to the evacuation of Americans?

As I recall your statement a few minutes ago, you were not precise with regard to South Vietnamese.

Mr. HABIB. That is correct, sir. I think what the President asked for was a clarification of the possibility of restrictions on the use of military forces in Southeast Asia for the limited purposes of protecting American lives and then by insuring their evacuation, and then, second, he asked for prompt revision of the law to cover those Vietnamese to whom we have a special obligation and whose lives may be endangered should the worst come to pass.

So there is a difference there, I think, in terms of the actual law or really it is laws that he was referring to in the second regard.

The bill calls for the clarification of the restrictions on the availability of funds for the use of U.S. Armed Forces in Indochina and for other purposes so that nothing contained in section—do you want me to read this into the record, sir?

Mr. HAMILTON. Is that the bill?

EVACUATION BILL SUBMITTED

Mr. HABIB. It is a bill that has been submitted to the Speaker and if you wish I will read it into the record.

Mr. HAMILTON. Yes.

Mr. HABIB. The whole bill?

Yes; this has been forwarded to the Speaker [reading]:

A BILL To clarify restrictions on the availability of funds for the use of United States Armed Forces in Indochina, and for other purposes

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That nothing contained in section 839 of Public Law 93-437, section 741 of Public Law 93-238, section 30 of Public Law 93-189, section 806 of Public Law 93-155, section 13 of Public Law 93-126, section 108 of Public Law 93-52, section 307 of Public Law 93-50, or any other comparable provision of law shall be construed as limiting the availability of funds for the use of the Armed Forces of the United States to aid, assist, and carry out humanitarian evacuation, if ordered by the President.

Mr. HAMILTON. Now, that covers both Americans and South Vietnamese as I understand.

Mr. HABIB. Yes, sir, that is what is meant.

WAIVERS

Mr. HAMILTON. And it also calls for a modification of the statutes other than just the foreign assistance bill?

Mr. GARDINER. Absolutely.

Mr. HAMILTON. Including military procurement authorization and aid appropriation and authorization bills.

Mr. HABIB. I think they are mostly Defense Department appropriations and the foreign aid bill.

Mr. HAMILTON. Yes.

Mr. HABIB. Now, Mr. Chairman, let me make very clear that the request with respect to the evacuation of Americans is for clarification.

As you know, there has been considerable opinion that the President has that constitutional authority and I think that Members of Congress have already expressed their views in that regard.

Mr. HAMILTON. Are you calling for any alteration of the War Powers Resolution?

Mr. HABIB. Not to my knowledge, sir.

Mr. HAMILTON. Mr. du Pont.

DELIVERIES TO VIETNAM

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

Let me just go back, if I might, Mr. Secretary, to the numbers that you and the chairman were discussing.

You gave us both foreign military and economic aid, the amount of money that had been authorized, obligated, and committed.

Have all the funds that have been committed been translated into material that has actually been delivered?

Mr. HABIB. No, sir. He asked me what had been spent and I thought that was the best figure for what had been spent.

If you want to talk in terms of expended, that is to say, material in hand plus the value of material and services extended and so forth, that figure is \$468.9 million. That is as of April 7.

Mr. DU PONT. Now, by expended you mean goods have been purchased, but are those goods sitting in San Francisco or are they actually in South Vietnam?

Mr. HABIB. They are all in Saigon. That figure is material in hand in Vietnam plus the value of material and services plus the value of services because, as you know, that includes such things as packing, handling, and transportation and it also includes the administrative costs that go with it.

MILITARY AID THERE

Mr. DU PONT. So of the military aid, \$468 million is actually on site?

Mr. HABIB. \$469 million.

Mr. DU PONT. \$469 million is onsite.

Mr. HABIB. Yes.

Mr. DU PONT. How about on the economic side?

Mr. GARDINER. On our side, Congressman du Pont, the situation is a little bit different.

As AID operates through contracts for services; it operates in the commodity import program by making funds available to the Central Bank of South Vietnam which are then available for licensing on ordinary commercial transactions.

Now, our figure as of March 31, 1975, is that we had obligated but unliquidated funds of \$19,527,000.

Now, while I don't have these figures in front of me, fundamentally what that will be is funds that have been made available to banks under letters of commitment to finance commodity imports, and funds obligated under contracts.

So if we are talking about the possibility of getting those funds back, it is a matter of either breaking a contract that you have made, or in the case of the commodity import program in which there is some significant leadtime, terminating commercial transactions already in process or ones that are about to begin.

Mr. DU PONT. But there is no reason this money won't be useful for the various purposes that you mention?

Mr. GARDNER. Not to the best of our knowledge, sir. It is a rapidly changing situation.

IS DELTA SECURE?

Mr. DU PONT. Now, let's go for a minute to the military aspects of the economic aid if we could.

You said in your opening statement that various camps had to be built for these hundreds of thousands of refugees and that you thought there would be eight or nine camps, one on the island of Phu Quoc and others in the mainland.

Is there any place in the delta secure from the other side?

Mr. HABIB. Without a threat from the North.

Mr. DU PONT. I am basing my question on the news report which even in the delta it is uncertain at best. If we appropriate the money and you go ahead and build the camps, I wonder if that is possible today?

Mr. HABIB. I understand the situation on the ground a little better.

The answer is "Yes, there certainly are in some of the urban centers." Everything is under threat. You can argue whether or not you can build a refugee camp on the outskirts of Saigon, but with the way the war has moved close down into III and IV Corps and the divisional power that the North Vietnamese are bringing to bear in those areas, I think it would be fair to say they are all under threat. But there are certain areas that are more defensible now that are cleaner, so to speak, from the standpoint of immediacy of the threat.

PHU QUOC ISLAND

Phu Quoc happens to be a natural. There are other islands that one could think of also.

Generally speaking, the prospect would be not simply to put them in encampment but to also begin to relocate them. The faster you can do that, the better.

So camps ought to be transit places and not permanent places.

Now, some of the camps are going to have to require longer transit than other camps, but the hope would be that. What normally happens in these cases is that people move out to families. The extended family system operates or there are things that they can do in various places, but they don't like to sit in the camp if they don't have to.

Our experience in the past has been that they move out very quickly as soon as you get anything like an opportunity to move out of camp.

DIFFICULT TO REALLOCATE

Mr. DU PONT. Surely there is not going to be much relocation of anybody anywhere the way things are right now.

Mr. HABIB. The way they are right now one could begin the process in certain places. If the military situation stabilizes, there could be substantial movement because there is no pressure of population on land in many of these places, even in some of the well settled places like the delta.

MAKING AREAS SECURE

Mr. DU PONT. Now, doesn't the existence and success of these camps depend not only on getting the wherewithal to build them and the people to operate them but also on some kind of a military security system to make them secure, for example?

I don't know anything about Phu Quoc Island, but if the rest of South Vietnam goes I would guess that Phu Quoc Island would be next.

I think that, tied in with your request for economic aid, there must surely be a military presence that provides security for the camps.

Mr. HABIB. There is no question but that security for the whole area is necessary. I mean, after all, if Saigon falls and then the North Vietnamese move down into the delta, the war is over, for all practical purposes, and all that is left then is a question of what one can do with the pieces that remain.

You are absolutely right, security is essential.

Mr. DU PONT. Now, the security forces funding does not appear, as I understand it, in the \$73 million that we need to authorize.

Mr. GARDINER. That is absolutely correct.

Mr. DU PONT. This appears in the military part of the budget.

Mr. GARDINER. Yes.

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

Mr. HAMILTON. Mr. Harrington.

EARLIER SUPPLEMENTAL REQUESTS SUPERSEDED

Mr. HARRINGTON. Mr. Habib, first let me go back because I really don't understand where the fiscal side of this stands at present.

There were a couple of requests made earlier this year, one which went to this committee and one which by our acquiescence went to the Armed Services Committee, of \$300 million-plus for Vietnam and \$200 million-plus for Cambodia.

Do I understand the President's message to have superseded those requests?

Mr. HABIB. Well, I would read it that way. It is commonsense. I don't think anybody has really thought of it. The \$722 million being asked now supersedes the \$300 million that you recall was only an appropriation request, because it had already been authorized.

This amount has not been authorized. If you recall, the \$300 million was in the authorization bill and the authorization bill was for \$1 billion.

There was actually appropriated \$700 million. The previous request was only for an appropriation of the \$300 million that had been previously authorized.

Mr. HARRINGTON. We are dealing now with the—

REQUESTS BEING MADE

Mr. HABIB. Now, you are dealing with both the request in terms of raising the authorization—that is what it amounts to.

I think maybe we ought to read that bill into the record, too.

See, the original military authorization was for a billion dollars. In order to reach the figure of \$722 million, you have to raise the authorization by \$422 million. So the bill that is before the House—

Would you like me to read it into the record, sir?

Mr. HAMILTON. Yes.

Mr. HABIB [reading]:

A BILL To authorize additional assistance for South Vietnam, and for other purposes

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 401 (a) and subsection (b) of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, are amended by striking out "\$1,000,000,000" each place it appears and inserting in lieu thereof "\$1,422,000,000".

That would then provide the authorization for reaching the appropriation level of \$722 million.

Is that clear, sir?

Mr. HARRINGTON. No.

Mr. HABIB. The chairman nodded and Mr. Harrington said no.

Could I clarify it, sir?

NATURE OF MILITARY REQUEST

Mr. HARRINGTON. Does the chairman want the floor? He is welcome to it.

I want to get straight what we did last year. I thought we placed a ceiling on the amount of money for military purposes in Vietnam, which was \$700 million.

Mr. HABIB. The Congress authorized a billion dollars, sir, so there could not have been a \$700 million ceiling. I mean a billion was authorized. A billion as authorized, \$700 million was appropriated. It is not my understanding there was a ceiling.

Mr. HARRINGTON. I will not further demonstrate my lack of specific knowledge, Mr. Habib.

Mr. HABIB. I think I know what the problem is, sir.

Mr. HARRINGTON. You have \$722 million—

Mr. HABIB. No, there was a ceiling on the Cambodian military assistance appropriation.

NO CEILINGS ON MILITARY AID

Mr. HAMILTON. Would the gentleman yield?

There are no ceilings with regard to military assistance. Is that correct?

Mr. HABIB. Yes, under this.

Mr. HAMILTON. I understand.

Mr. HABIB. This is the defense appropriation bill. This is the defense authorization bill that was referred to here.

Mr. HAMILTON. And we do have limitations with regard to how the economic assistance was to be spent in South Vietnam.

Mr. HABIB. Yes, sir; that is correct.

Mr. HAMILTON. Mr. Harrington.

Mr. HARRINGTON. So that the present situation is \$722 million, of which, your contention is, \$300 million has been authorized?

Mr. HABIB. Yes, sir.

Mr. HARRINGTON. Leaving an appropriation of \$300 million and an additional authorization of \$400 million.

Mr. HABIB. Appropriation?

Mr. HARRINGTON. Appropriation in the same amount.

Mr. HABIB. Yes.

NONMILITARY AID

Mr. HARRINGTON. And on the nonmilitary side \$250 million to be authorized and appropriated?

Mr. GARDINER. No, sir. It is the same there. There are \$617 million authorized. There were \$440 million appropriated. That leaves, I think, \$177 million as the difference between the authorized level and the appropriated level.

Now, we want to get that balance and then we also want to get up to \$250 million. We also want an authorization of an additional \$73 million. We need to raise it from \$449 million, which was in the authorization bill, up to \$522 million.

That is in section 36 and then we need to raise the ceiling on the amount of humanitarian assistance we can provide in South Vietnam from \$90 million to \$311 million.

Mr. HARRINGTON. And the legislation that Mr. Habib dealt with involving the changes of a number of different statutes, is that legislation being referred to the Speaker? Has it been referred to this committee? Are you familiar with that?

Mr. HABIB. I don't know, sir. Whatever the normal process of the House is would be followed. That is the House's business. I don't know what process is being followed.

AMERICANS IN VIETNAM

Mr. HARRINGTON. Can we go substantively to the President's request for not only the funding but congressional authorization for military capacity to engage in the removal of both Americans and, I presume, South Vietnamese from Southeast Asia?

Would you say that the figure of 5,000 to 6,000 Americans in South Vietnam is an accurate figure as of today, the 14th of April?

Mr. HABIB. Mr. Chairman, and Mr. Harrington, it is not that I want to duck it, but if we want to get into a discussion of figures—there are a lot of things thrown around in the press, whereas what I am prepared to give the committee in terms of evacuation would be our best judgment of the problem. I must say that it is the sort of thing I would rather not discuss in open session—not that I won't discuss it fully with the committee.

I have discussed it with the Judiciary Committee this morning and I will be prepared to discuss it with this committee, but from the standpoint of the protection of the people involved, the nature of the problems that are involved, the circumstances that one can envisage, I think it is better to allow me to discuss it in executive session.

As far as the gross figure is concerned, that is roughly about what there is in Vietnam in terms of Americans. I would rather not get into detailed breakdowns or plans or anything in open session with your permission, Mr. Chairman.

NEED FOR OPEN HEARINGS

Mr. HARRINGTON. Mr. Chairman, I don't see why this is not an appropriate subject to be brought up before this committee.

Mr. HABIB. The subject is appropriate.

Mr. HARRINGTON. I would like, if I could, just to finish this off.

As I indicated in the course of the Cambodian hearings a few weeks ago behind closed doors, it seemed not only ironic but really a misuse of the committee.

I see no purpose in having the doors closed, since this action might create the potential for this country's reinvolvement militarily. There should be broad public awareness of what the concerns are.

Mr. HABIB. I think there is broad public awareness and I think the President made the public aware of it in broad terms in his speech.

What I am suggesting is, if the committee would like to go into great detail on this subject that you permit me to do it in executive session. That is the decision which of course is the committee's to make.

Mr. HARRINGTON. Which court is the ball in? I am going to continue to ask questions in this area.

WILL PROCEED FOR NOW IN OPEN SESSION

Mr. HAMILTON. The reaction of the Chair is that we should proceed in open session to get as much information as we can about the other aspects of the program.

I don't think the Chair has the power to require the Secretary to respond to questions if he does not choose to do so.

When we have finished the other questions the subcommittee can consider the question of whether we want to go into executive session for the purposes of testimony from the Secretary on the evacuation problem.

Mr. HARRINGTON. So your feeling right now is, Mr. Chairman, that we should deal with those areas that the Secretary is most comfortable in answering publicly and defer other questions until we exhaust these areas?

Mr. HAMILTON. Mr. Harrington, you are entitled to ask any question you want to ask at this time and the Secretary is entitled to respond in any way that he chooses to respond.

Mr. HARRINGTON. Mr. Secretary, have you added in the last few days additional American personnel, either military or AID or others, that would fall under those categories needing an increase in money as indicated by the President's request?

Would an increase be necessary to carry out any of this program,

whether it be camp construction or humanitarian relief or whatever?
Mr. HABIB. We have sent some people in.

MEDICAL STAFF TO VIETNAM

Mr. GARDINER. There were 30 doctors, nurses, and others—well, 30 that left yesterday. The AMA is seeking to get permission to send 20 more. Pardon me. I should not say the AMA, that is the Flying Doctors Organization.

Mr. HARRINGTON. Is that the extent of it?

Mr. GARDINER. On the AID side we have people going in and out from time to time on surveys and things like that, but that is substantially the extent of it; yes, sir.

Mr. HABIB. There would be other people going in and out that I would not have the figures before me at this time. By and large what we have been trying to do is to only maintain those people that are essential to the operation.

There are many fewer Americans today than there were several weeks ago in Vietnam.

Mr. HARRINGTON. Is that process continuing on a day-to-day basis, to see that there are fewer rather than more?

Mr. HABIB. Yes, sir.

POSSIBLE STAFF INCREASE

Mr. HARRINGTON. Are there any plans that you are familiar with, Mr. Gardiner or Mr. Secretary, that would provide a substantial increment of nonmilitary personnel over and above what is already part of the effort?

Mr. HABIB. There are certain contingencies which I prefer to discuss in executive session.

Mr. HARRINGTON. Mr. Chairman, I will reserve whatever is left of my time on that.

Mr. HAMILTON. Mr. Winn.

CONFUSION EXISTS

Mr. WINN. Thank you, Mr. Chairman.

I wish truthfully that both of you had brought a breakdown of the differences between the defense appropriations and the foreign aid appropriations bill rather than to bring those big maps which have not been referred to.

Mr. HABIB. I didn't bring them, Mr. Chairman. I think the committee staff provides them. I never use them unless the committee—

Mr. WINN. I think that is one reason the members of the committee are being confused. I was being facetious but I am being serious that you are comparing two different types of bills, one the committee deals with directly and the other only in the entire Chamber of the House.

Mr. HABIB. I think Mr. Gardiner did provide his information.

CLARIFICATION OF PRESIDENT'S AUTHORITY

Mr. WINN. Yes, it is in there, but it is in paragraph form and it is a little hard to judge.

I can tell by the questions that the other committee members asked, unless there is something that I have not received.

In the last couple of days, and over the whole weekend, time and time again, we heard about the fact that the President, being the Commander in Chief, has the authority and does not have to come to Congress to ask for the funding involved or necessary for the evacuation of Americans.

I wonder, Mr. Secretary, do you have any clarification that would be helpful to us?

Mr. HABIB. That was the opinion and that is the generally held opinion, but that was one thing that the President asked the Congress to clarify, whether or not that interpretation is correct.

It has been the opinion that he has the constitutional authority to protect the safety of Americans, take all measures necessary for the protection of Americans, and he so exercised it, but I think that is one of the things that he asked the Congress to clarify.

SOME CONFUSION ON AUTHORITY

Mr. WINN. I understood that when I heard him speak, but at the same time, that was not the way part of the question came out in the news coverage afterward. I am not trying to be critical of the press necessarily but I think it was confusing because some people were confusing the rights and the authority of the Commander in Chief—in this case the President—and also his authority under the war powers.

Then Senator Mansfield came on very shortly and said that it was fuzzy and I think he was referring to the war powers.

Mr. HABIB. Yes, and I am not so sure he was not referring to some of the Indochina laws also.

In any event, both he and other Members of both Houses of Congress have indicated their general support for the interpretation put upon his authorities by the President with respect to the evacuation of American personnel.

Even there, I think what the President has in mind is to get a clearer statement of congressional views, and we, of course, would welcome that.

STATEMENT MIGHT BE USEFUL

Mr. WINN. I see. Well, I wanted to clarify that in my own mind and it might be wise for the President to issue a statement of what he wants to have Congress clear up. If the President is a little fuzzy on his authority, it seems obvious that Members of Congress don't exactly understand what he is asking of us.

Mr. HABIB. I don't think he is fuzzy on the question. There is nothing in the statutes that you referred to or that we have talked about which would have prevented the United States from introducing military forces into Indochina for any purpose, as long as they don't become involved in hostilities in the evacuation of Americans.

Now, the evacuation of Americans is considered to be a constitutional responsibility, because of the constitutional requirement that the President has in respect to the safety of Americans per se.

Now, what the bill that has been submitted does is that it sort of puts it all in one basket. What the bill does in its final sense is say for

the use of the Armed Forces of the United States to carry out humanitarian evacuation if ordered by the President. That allows him to do something with respect to non-Americans. The right to exercise his authority with respect to Americans we believe exists.

If you will notice, he was very careful when he made his request to Congress. He requested that you clarify one thing but he requested a law with respect to the other thing.

AUTHORITY TO EVACUATE VIETNAMESE

Mr. WINN. What he is trying to clarify then is what authority does he have as the Commander in Chief to use American military troops to evacuate, say, the South Vietnamese?

Mr. HABIB. No, sir. He is asking for revision of the law to cover the Vietnamese. He is asking the Congress to clarify the question of the use of military forces for the limited purposes of protecting American lives by insuring the evacuation. That is the distinction he made.

Mr. DU PONT. Would the gentleman yield on that point for a moment?

Mr. WINN. I am glad to yield.

NEED TO CONSULT

Mr. DU PONT. I served on the subcommittee that put the war powers bill together and I don't think the President need have any alarm. It is very, very clear from reading the statute that the first thing that the President ought to do if he has time is to consult with the Congress. That is easy; he has plenty of time to consult and as a matter of fact, it seems to me he is consulting.

Second, there is a duty to report whenever U.S. troops go into a situation either where hostilities are under way or there is an imminent possibility that they may become involved in the hostilities.

Mr. HABIB. The administration proved that under the War Powers Act but the others are the so-called Indochina Act.

Mr. DU PONT. I understand that distinction but there is no confusion. I hope, within the State Department as to what has to be done under the War Powers Resolution.

Mr. HABIB. There is none. We carried out that responsibility and we have actually reported in those cases where it is required by the law within the 48 hours that the law requires it. I am not an expert on the law but our legal people have been watching that very carefully.

Mr. DU PONT. Thank you.

VIETNAMESE TO BE EVACUATED

Mr. WINN. If there is no question on the authority of the President to bring out the Americans, I certainly am not one to question his authority to bring out American citizens, and neither am I one to question under what methods you do it.

If you do want to tell the committee, you can either tell us now or I am certainly willing to listen to you in executive session if you wish to tell us your plans for evacuation of American citizens.

Obviously, the plans in Cambodia worked out very well and we were very grateful that they did so. I can understand the gentleman not wanting to tell everybody how we are going to bring out American citizens but I would like to know who decides which Vietnamese we are obligated to bring out. That is fuzzy in my mind. The ones who helped us, the businessmen, those in the hospitals—who makes this decision?

Mr. HABIB. In general terms, it is those Vietnamese, in the President's words, to whom we have a special obligation and whose lives may be endangered should the worst come to pass.

Mr. WINN. Because of their cooperation with the Americans?

Mr. HABIB. That would be one way.

Mr. WINN. Or key figures in the South Vietnamese Government I suppose would fall into that category.

Mr. HABIB. There again I would be prepared to discuss the categories in some detail with the committee in executive session.

WHOSE DECISION?

Mr. WINN. I see. But you didn't say who makes the decision.

Mr. HABIB. I think that that is something we would like to talk with you about in executive session.

Mr. WINN. All right.

Mr. HABIB. In fact, sir, I would say these are matters in which we would welcome the views of the members of the committee. I mean, we don't have a monopoly on this kind of obligation or responsibility that we think we can impose and dispose.

I, for one, would be extremely interested in knowing what your views are on it and the views of the other members of the committee.

Mr. WINN. So you are open for suggestions from the members of the committee?

Mr. HABIB. Yes, certainly.

Mr. WINN. And from the community in general?

Mr. HABIB. Always open to suggestions.

COORDINATION OF REFUGEE EFFORTS

Mr. WINN. I noticed in the paper over the weekend there seemed to be a lot of individual fund drives started for refugees, for the orphans.

Possibly Mr. Gardiner could answer this question.

How do you coordinate with the individual operations that are now going on? Probably at least half of it would be from the emotional standpoint of American citizens wishing to help not only adopt the orphan children but to help the refugees with contributions.

How does the Government coordinate?

Mr. GARDINER. The central mechanism thus far has been through our very close relationships with the voluntary agencies in Vietnam who have played the central role in that adoption process.

There are seven American voluntary agencies who have worked in Vietnam for a long time on this problem of the adoption of orphaned Vietnamese children.

MANY AGENCIES INVOLVED

Mr. WINN. I understand that. These are new ones. There are two that I noticed in the paper over the weekend that are new agencies, that are not the ones that you always mentioned to this committee, that have just popped up. There may be more.

Mr. GARDINER. I frankly did not see the names of those in the paper. I do know that there is intense public interest in the country with respect to the adoption problem and generally to assist the voluntary agencies.

What we have been trying to do is to convey to the American public that the most effective way that they can help is through contributions to the voluntary agencies which are, in fact, operating in Vietnam.

Mr. WINN. But do you have any system to coordinate the new ones that might pop up?

Mr. GARDINER. We certainly have, sir. We have commandeered the facilities of the AID Disaster Operation Center. There is an enormous bank of telephones and we are attempting to be in touch with people who are interested in this problem and can help.

Mr. WINN. I would like to ask two other questions.

Mr. GARDINER. We are obviously in constant communication with agencies, that we are aware of, that are interested in this process.

STATUS OF PARIS ACCORDS

Mr. WINN. Mr. Secretary, you mentioned—and I believe my quotes will be pretty close—somehow we would hope for the Paris Accords and then you sort of drifted off or turned around, and I think you were saying that they might be honored or that we might be able to get back where they become an important part.

Obviously they have been lost. Is the U.S. Government doing anything? Is there any promotion? Are we promoting going in that direction again?

Mr. HABIB. We would certainly hope that it would be—

Mr. WINN. I am not talking about hoping. We are all hoping.

Mr. HABIB. We circularized the note to the members of the Paris Conference, in which we called upon them, in effect, to use their good influence and let us know. I don't have the text of the note in front of me, but we asked them to let us know what they thought could be done.

Mr. WINN. Will you put the text in the record?

Mr. HABIB. We made that note public.

The only reason we usually hold those back, from making them public, is that we like to have them delivered to the recipient before we make them public.

Mr. WINN. I understand that.

GETTING NORTH VIETNAM TO ABIDE

Mr. HABIB. We will make that one available for the record, but what it basically does, is it called upon them to try to persuade the North Vietnamese to abide by the terms of the agreement. We are

facing such a gross and flagrant violation that one has to restore the basic elements of the agreement if you are going to get any kind of a negotiated settlement in Vietnam.

I cannot think, sir, of a much better framework. The framework of the Paris agreement is something I had a little experience with. It is perfectly valid. There is nothing wrong with it. The only thing with it, is the implementation in terms of both their major elements, both the military elements and the political elements.

Now, quite obviously, it is almost inconceivable that you can manage to put into effect the political elements of the agreement if you don't put into effect the military agreement—they being hand in hand, they always have. The assumption had always been that with the military element operative, then you could have the time and ability to produce the kind of long-term solution that is required after all of these years of conflict.

[The text of the note referred to follows:]

DIPLOMATIC NOTE ON VIETNAM

The Department of State of the United States of America presents its compliments to [the Ministry of Foreign Affairs/Ministry of External Affairs of the Union of Soviet Socialist Republics, People's Republic of China, Great Britain, France, Hungary, Poland, Indonesia, Iran, and Secretary General of the UN Kurt Waldheim] and has the honor to refer to the Agreement on Ending the War and Restoring Peace in Vietnam signed at Paris January 27, 1973; to the Act of the International Conference on Vietnam signed at Paris March 2, 1973; and to the Department's Diplomatic Note of January 11, 1975, on the situation in Vietnam.

More than two years ago, the signatories of the Paris Agreement accepted a solemn obligation to end the fighting in Vietnam and to shift the conflict there from the battlefield to the negotiating table. All nations and peoples who love peace had the right to expect from that Agreement that the South Vietnamese people would be able to peacefully determine their own future and their own political institutions after the Paris Agreement was signed. The parties to the International Conference on Vietnam undertook a responsibility to support and uphold the settlement which the Agreement embodied.

The Democratic Republic of Vietnam has undertaken a massive, all-out offensive against South Vietnam in total contempt of the Paris Agreement. Their forces, which were built up over the past two years in violation of the Agreement, are more numerous and better equipped with modern weaponry than ever before during the course of the war. A human flight of historic proportions has taken place before the advancing North Vietnamese armies, and untold misery has been inflicted on the land which has already seen more than its share of misery.

We believe the suffering of the South Vietnamese people must be ended. It must be ended now. We therefore call upon the [addressee] to join the Government of the United States of America in calling upon Hanoi to cease its military operations immediately and to honor the terms of the Paris Agreement. The United States is requesting all the parties to the Act of the International Conference to meet their obligations to use their influence to halt the fighting and enforce the Paris Agreement.

The United States Government looks forward to prompt and constructive responses to this note from all parties.

COMMUNICATION WITH THIEU

MR. WINN. One more question, Mr. Chairman.

This may not be down your alley and your line of authority, but I just wondered, are we in touch with President Thieu now to find out if he has any other surprise military pull backs that we are not aware of?

Mr. HABIB. We are in constant touch with the President and with the Government of Vietnam, but there is no denying that we were, and we have so stated publicly I think—the President has stated in his own statement—that we were not informed of that order.

Mr. WINN. Thank you, Mr. Chairman.

NEED TO VOTE ON CLOSING SESSION

Mr. HAMILTON. The Chair is advised that some members of the subcommittee will have to be leaving soon and in order to confront the question raised by Mr. Harrington about questions on the evacuation of Americans and other nationals. The Chair will entertain, at this time, a motion so that the question is posed before the subcommittee of going into executive session and for that purpose. I recognize Mr. du Pont.

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

Mr. Chairman, in order that we may hear the details of the evacuation program, I move that at the conclusion of the public session the committee go into executive session for the purpose of hearing Secretary Habib and Mr. Gardiner on this question.

Mr. HAMILTON. Mr. Harrington.

POSSIBLE OTHER TESTIMONY

Mr. HARRINGTON. I have an inquiry based on the motion.

Is Mr. Habib, as you presently plan it, to be our only witness on this point or is he the beginning of other witnesses from different executive branch perspectives and approaches to this question?

Mr. HAMILTON. Mr. Harrington, I regret that I am not able to answer that question in full because I don't have complete direction from the committee chairman as to how he wants to proceed.

It is possible that the chairman of the committee will want to proceed with the hearings after today so I am not able to answer that question.

According to the rules of the committee we need a rollcall vote on this question.

The clerk will call the roll.

I am sorry, the motion has not been seconded.

Is there a second?

Mr. WINN. Second.

Mr. Chairman, I just would like for clarification to ask, are we going to do that at the end of the questioning by all the members of the committee?

Mr. HAMILTON. Yes. It is my understanding that we would not go into executive session until the end of the questioning by the members and that the executive session would be for purposes of discussing the evacuation problem only.

WHO VOTES?

Mr. WINN. And these are the members of the investigation subcommittee, not the rest of the members that are sitting in?

Mr. HAMILTON. Only members of the subcommittee.

Mr. WINN. Not that they are not welcome?

Mr. HAMILTON. Only members of the subcommittee can vote.

Are there further questions?

Mr. HARRINGTON. Is it your intention to preclude members of the full committee from sitting in?

Mr. HAMILTON. No. They certainly may sit in, and in addition to that they may ask questions during the executive session.

My response was with regard to the vote on the motion to close.

Any further discussion?

The clerk will call the role.

Mr. VAN DUSEN. Chairman Hamilton.

Mr. HAMILTON. Aye.

Mr. VAN DUSEN. Congressman Fountain.

Mr. FOUNTAIN. Aye.

Mr. VAN DUSEN. Congressman Yatron.

[No response.]

Mr. VAN DUSEN. Congressman Harrington.

Mr. HARRINGTON. No.

Mr. VAN DUSEN. Congressman Bonker.

Mr. BONKER. Aye.

Mr. VAN DUSEN. Congressman du Pont.

Mr. DU PONT. Aye.

Mr. VAN DUSEN. Congressman Winn.

Mr. WINN. Aye.

Mr. VAN DUSEN. The ayes have it, 5 to 1.

Mr. HAMILTON. The motion is carried.

Now, we will proceed with the questioning and I think that the next questioner is Mr. Fountain.

NATURE OF AID REQUEST

Mr. FOUNTAIN. Thank you, Mr. Chairman.

I am going to reserve several key questions for the executive session because I think we should be very careful that we do not say anything or do anything which might endanger the lives of the Americans in Vietnam by serving notice either to North Vietnam or anyone else. I think we do have to be awfully careful about evacuation plans and some of the other plans about which you have already spoken in some of the executive sessions that I have attended.

I do want to ask you two key questions which I think you have already in effect said. I just want to make it clear.

I understand the program that you are proposing, that you are requesting these additional funds for, is a limited program providing for assistance over a period of about 6 months.

Mr. GARDINER. On the humanitarian side, sir, yes. We have made an estimate of the requirements for approximately the next 6-month period.

Mr. FOUNTAIN. All you are requesting from us today are the funds for humanitarian purposes?

Mr. GARDINER. Yes, sir.

WHAT AID USES ARE CONTEMPLATED?

Mr. FOUNTAIN. You are talking about the building of a road and the building of camps and taking people to safety. You say 150,000 have already been brought to safety in South Vietnam. Is that all we contemplated within a 6-month period?

Mr. GARDINER. Sir, in my statement we do have broken out as an attachment, attachment B, the needs that we think will require financing over roughly this period of time.

In terms of emergency transportation, a very substantial amount of that money, sir, has been spent. That is a smaller amount. That is the cost we have incurred in the sealift and airlift from the northern region of South Vietnam down into the southern regions.

Then in the second item, what we are talking about is essentially the first phase of the refugee effort, which is the establishment of temporary camps in which the refugees that do come out of North Vietnamese-held territories will be placed pending their resettlement.

Now, that is obviously an urgent requirement to get that moving. I do not in any way want to say that we are absolutely confident all of this can be done. This is our appraisal of what ought to be done in the next period of time and we are in fact facing a period of some urgency right in the next 11½ months because we would like as much as possible to get the refugee relief camp operation well along before the rainy season starts, because once the rainy season starts people living out in the open air or in totally inadequate shelter are going to be in a very serious condition from the point of view of their health.

So this will undoubtedly be a very substantial task and I don't want to in any way indicate that it won't. Most of these funds, I ought to say, will be required for the obligation for contracts and other work that will be undertaken following the execution of those contracts.

So what is needed are funds immediately to contract for services and various things that have to be provided.

HUMANITARIAN AID AND MILITARY AID

Mr. FOUNTAIN. I don't think there is any question about the willingness of Congress to provide humanitarian assistance as you say in your opening statement.

I think that is the spirit of America, particularly in a situation like this in which we have been so tremendously involved.

You say if the military situation stabilizes these things can be done. Does that mean that in order to carry out this particular program for which you are seeking additional authorization today that the South Vietnamese will have to be prepared to militarily defend these areas?

Mr. HABIB. Yes, sir.

Mr. FOUNTAIN. Does it also mean that there would have to be military assistance funds in some form in the defense authorization appropriation?

Mr. HABIB. Yes, sir.

Mr. FOUNTAIN. Without that you would not be able to appropriately use these funds?

Mr. HABIB. Sir, without supplemental military assistance Vietnam as it is presently recognized will not be visible; it will not be organized; it will not be accessible in the terms that it is now.

WHO MAY DISTRIBUTE AID?

Mr. FOUNTAIN. Then if any refugee camps are established or if the people are cared for under circumstances where South Vietnam is unable to defend itself, and it appears pretty bleak now, such help as they get will have to come from the North Vietnamese Government, would it not, and such voluntary agencies as may still be willing to cooperate with whoever is in control?

Mr. HABIB. That is a possibility but I think under those circumstances the magnitude of the problem also changes dramatically.

I think the magnitude of the problem will increase manifold. If you get that kind of military collapse, there is going to be a shambles in Vietnam beyond anything we have seen as of now.

POSSIBLE SHAMBLES IN VIETNAM

Mr. FOUNTAIN. What do you mean when you say shambles?

Mr. HABIB. I think people will go in every direction. There will be more refugees. Certainly in order for that to be, there is going to be major fighting in heavy populated areas. When fighting comes to heavily populated areas, people flee it.

So whereas he is talking about something in the neighborhood of 1 million people in refugee status at an outside camp, you are now talking up into the—well, there is left something like maybe 14 million.

If you take 22 million as the total population, and about 75 percent of that would be still within the area that we are talking about—as South Vietnam under the present government in Saigon, you are talking about a figure of something like 14 million, 15 million people or more, but not all of them will be in refugee status. That is the population that you are dealing with.

The experience that we have had in the past is that when war comes to the cities, the villages, the province capitals, there is great destruction and people flee. They flee in every direction.

CAN SOUTH VIETNAM HOLD?

Mr. FOUNTAIN. But under your request you are anticipating and expecting that the South Vietnamese Government—

Mr. HABIB. Will hold.

Mr. FOUNTAIN. Assisted by all these voluntary agencies will be in a position to maintain and defend these refugee camps?

Mr. HABIB. Yes, sir.

Mr. FOUNTAIN. And you are saying without additional military assistance to South Vietnam that it would be inadvisable to appropriate these funds which you are requesting today?

Mr. HABIB. No, sir. I would say that there is an immediate problem and I would suggest that the Congress go ahead and deal with this humanitarian economic problem in its wisdom as quickly as possible.

Mr. FOUNTAIN. Food, medicine, and all the other things?

Mr. HABIB. Yes, sir. Shelter.

Mr. FOUNTAIN. Thank you, Mr. Chairman.

Mr. HAMILTON. Mr. Bonker.

ECONOMIC AID BUT NO MILITARY AID

Mr. BONKER. I would like to commend Mr. Fountain for raising what I think is a valid question concerning this request and other requests that are before the Congress.

Mr. Habib, when you appeared before this subcommittee several weeks ago in support of the appropriation request for military aid to Cambodia, at that time you told us that economic or humanitarian aid without a military appropriation was meaningless, that we needed one in order to fulfill the objectives of the other.

Now, you are before us on a similar request under certainly different circumstances but including two requests, one for humanitarian and economic, and the second for military.

I would like to get your answer in more clarity concerning the necessity and the meaning of economic and humanitarian aid without military aid because I think the sense of Congress is such that the military aid will not be forthcoming; and if that is the case, then is there any necessity to send the original installment plus requests later on for further humanitarian aid to Southeast Asia?

SITUATION VARIES

Mr. HABIB. Sir, I think that it depends on what problem you are looking at. If you are looking at the problem of pursuing the overall policy objectives that we spoke of a while ago, I would say the two go hand in hand and they are part of the overall process of sustaining something in Vietnam which coincides with those policy objectives.

Now, if you are talking about the simple problem of people and what happens to them, you can make a distinction.

It is a very difficult distinction to make in certain circumstances, but you can make it. We are facing that problem right now in Cambodia, and I can tell you what my recommendation was because it is being carried out.

For example, I said keep flying the rice and dropping it even if you cannot land at the airfield, and that is what we are doing. We are airdropping rice over Phnom Penh right now. I can tell you that, and we will continue to do so with funds available to us.

We have the rice which is there under appropriate authorization and we will continue to do so and we are doing it in the outlying enclaves also.

Now, when I was talking to the committee the last time and in my general discussion today I have been conceiving still of an American policy and the American policy objectives. That is what I am supposed to represent.

Now, what the committee decides on how it parcels it or breaks it up, there are logical and rational ways of doing that. But as far as the administration is concerned, the President has presented—as I understand it and as my instructions are—the President has presented a series of proposals to the Congress, and how the Congress acts upon them will be in the wisdom of the Congress.

COST CONTROL PROGRAM

Mr. BONKER. Mr. Habib, with this rather bizarre level and methods of expenditures, do you have any effective cost control program? We are talking about rather large amounts to be expended. Do we know that there is a colossal waste or a ripoff of the money that we are committing to that area?

Mr. HABIB. We have had a great deal of experience on this. I would like to ask Mr. Gardiner to answer it. We are much further along than we used to be in this regard.

Mr. GARDINER. Yes. I think that what I can say on the emergency relief side is that we do have a very well functioning Ministry of Social Welfare in the Government of South Vietnam and it has had a substantial amount of experience with this kind of a problem before.

We do maintain audit procedures to assure that funds are being spent in the ways we consider appropriate and we would plan to do that in this case.

There is, and has been for a long time, a lot of talk about the way in which funds may be misapplied. It is entirely possible that in some cases funds are diverted but I can tell you that we do have very vigorous procedures to attempt to assure that that does not occur.

PROCEDURES IN VIETNAM

Mr. BONKER. Those procedures are implemented by the Vietnamese Government?

Mr. GARDINER. Yes, sir, and we do have our auditors who also are involved in auditing the transactions to make sure that things are being handled properly.

Mr. HABIB. Also not only your own internal auditors but the Inspector General.

Mr. GARDINER. The General Accounting Office.

Mr. HABIB. And the General Accounting Office.

WORK PROGRAMS

Mr. BONKER. One last question.

In your statement, Mr. Gardiner, you said that you needed \$30 million for work programs to employ the refugees. It seems to me that if the country is in a state of war and that it is near destruction that unemployment programs should be furthest from concern.

It seemed to me that if people are able to work they should be involved in the war effort. I know that some of this money is for the refugee.

Mr. GARDINER. This would be the refugee primarily. This phase of it would be people who are living with their families in refugee camps.

Now, they are not necessarily the daddy who is out fighting, but it is somebody who is attempting to earn a minimal amount of funds in addition to the bare sustenance that is obtained in the refugee camps, working primarily on keeping the refugee camp a habitable place to live until you can move out into a resettlement area.

200,000 IN THIS CATEGORY

Mr. BONKER. And there are some 200,000 such people who are not prepared to—

Mr. GARDINER. Let me make very clear what these estimates are. This is a projection as of this point in a very fast moving situation.

I certainly can't tell you that there are identifiable 200,000 people now who would be engaged in this kind of program. What this is based upon is our experience in past refugee disasters such as the one in 1972 of the kind of program that does become implemented in order to meet a real problem.

I want to say again this is a very illustrative kind of presentation here and its implementation involves a great many steps cooperatively with the Government of South Vietnam, with other agencies who will be working in the field. This is based on past experience and the type of program and the type of requirements that we have experienced in the past.

WHAT HAPPENS IF LEADERSHIP CHANGES?

Mr. BONKER. One very quick question.

If there is a dramatic change in power restructuring of the political situation in Vietnam and this money has been appropriated, does it automatically terminate at that point?

Mr. HABIB. I don't know, you are the lawyer.

Mr. GARDINER. It is interesting how rapidly one loses a nonlegal perspective in a nonlegal job.

Under the Foreign Assistance Act there is a section that says that programs of assistance initiated under the act can be terminated at any time by the President or by concurrent resolution of the Congress.

Now, if there were a dramatic change of circumstances, obviously we would be reassessing the whole situation and would, in consultation with Congress, be determining what the appropriate next steps were.

Mr. HAMILTON. Mr. Wolff.

ARE ARVN DESERTERS REFUGEES?

Mr. WOLFF. Thank you, Mr. Chairman.

I appreciate the opportunity, since I am not a member of this subcommittee, to ask some questions.

I would like to preface my remarks by saying I have always had the highest regard for the Secretary who sits before us today. I know that he is from Brooklyn originally. In Brooklyn they have an expression that you can't tell the players without a scorecard, and I think that is part of the problem here today.

I would like to get some clarification on the question of refugees. Do you classify an ARVN deserter as a refugee?

Mr. HABIB. No, sir.

Mr. WOLFF. He is not included in these camps and he is not permitted to—

Mr. HABIB. A deserter from ARVN is not included in the camps because he is going to be taken right out of the camp and be taken away.

Mr. WOLFF. How did he get on these airplanes evacuating refugees from Cambodia?

Mr. HABIB. If he is identifiable—

Mr. WOLFF. Those seen on TV getting on the aircraft were in uniform.

Mr. HABIB. The figures that he is using in terms of refugees that we would care for do not include ARVN deserters or they will not, let's put it that way.

Mr. GARDINER. That is right.

Mr. HABIB. We are even going further.

Mr. WOLFF. We did see some of the movies of them being airlifted out.

Mr. HABIB. That was a panic situation in which a lot of things happened that people wish would not have happened.

POL BILLS

Mr. WOLFF. On the humanitarian assistance that you spoke about before, did I hear you correctly in saying that some \$90 million in that was prepaid, so to speak, for energy, for gasoline and fuel? Is that correct?

Mr. GARDINER. No, sir.

Mr. WOLFF. What was it?

Mr. GARDINER. What I was referring to then was the status of our existing program.

Mr. WOLFF. Where does that \$90 million fall?

Is that part of the request that you are making now?

Mr. GARDINER. What we do have are bills pending that we—

Mr. WOLFF. How are we going to pay them? Does this fall under the category of what you are making the request for?

Mr. GARDINER. No, sir; but I want to make clear what we are doing is not paying those bills and instead using the cash that thus becomes available for immediate needs on the—

Mr. WOLFF. Are you saying then you are diverting what you are calling humanitarian assistance?

Mr. GARDINER. I am doing exactly the opposite and diverting money to pay POL bills to instead meet the immediate humanitarian need.

Mr. WOLFF. And then you will be replacing that money?

Mr. GARDINER. We hope to be able to replace that.

AMERICANS IN VIETNAM

Mr. WOLFF. The type of Americans we are talking about now—who makes up these Americans who are in Vietnam now?

Mr. HABIB. When we go into executive session I thought I would give you the whole breakdown.

Mr. WOLFF. Can we get it just generally?

Mr. HABIB. Yes. There are the American Government officials, there are the American businessmen, there are press, there are transients.

Mr. WOLFF. Contract employees?

Mr. HABIB. There are contract employees of the Government or any one of its agencies, yes, sir.

Mr. WOLFF. Now, have we put any restrictions on passports going into Vietnam now for Americans?

Mr. HABIB. No, sir.

Mr. WOLFF. Isn't the reason for putting restrictions on passports to eliminate the need of the American Government having a responsibility for Americans going into an area?

Mr. HABIB. That is not why restrictions are put on passports in a general sense. What we usually do when you get an area that is dangerous is that the word is put out that we advise people that unless they feel that they must that they should not go there.

For example, we put out an order to all our people telling people not to go there.

TRAVELERS TO VIETNAM

Mr. WOLFF. How about American tourists?

Mr. HABIB. You cannot tell journalists—

Mr. WOLFF. Not journalists, tourists.

Mr. HABIB. You cannot tell an American not to go anywhere. For example, there are Americans in Phnom Penh who decided to stay even though they were offered the opportunity to be evacuated. That was their choice and they made it and of course it was honored.

Mr. WOLFF. If you look back into the law—you will find that the reason for the restrictions placed upon passports is because the United States could not provide the security.

Mr. HABIB. And the protective services.

Mr. WOLFF. It would seem to me if we are in danger of having to pull people out of an area, we would not permit them to freely travel into the area.

Mr. HABIB. That is an interesting suggestion, Mr. Congressman.

Mr. WOLFF. I have just one further question.

Mr. HABIB. Would you do the same thing for places like Cyprus and would you do the same thing for the Middle East? Would you do the same thing for Chad today? Would you do the same thing for all countries where it is dangerous to be? It is an interesting suggestion, because after all here we are trying to get the number of people down.

GOLD BULLION ISSUE

Mr. WOLFF. The President at the present time has not requested that we use military forces in order to bring people out of those other areas but he has requested the authority to pull them out of Vietnam.

One final question. I notice the transportation of some gold bullion out of Vietnam. Where does the expense for that come from?

Mr. HABIB. Let me just say this, that I don't know any more than you and I have read in the papers about it. But you can be darn sure I will be trying to find out and if I do I will sure let you know.

Mr. WOLFF. Thank you. I would verify. Then none of the funds requested will be used to transport gold as personal property?
[The following statement was submitted:]

STATEMENT ON ALLEGED EFFORT BY THIEU TO TRANSFER \$75 MILLION IN GOLD BULLION OUTSIDE OF VIETNAM

The gold in question is of course the property of the Government of Vietnam. In times of peril, governments have traditionally taken steps to safeguard their national reserves. It is possible that the Vietnamese Government is considering such steps. However, we note that the Vietnamese Embassy in Washington issued a formal denial on April 18 that the Vietnamese Government had negotiated with a Swiss airline to fly gold out of Vietnam.

CHANNELING AID INTERNATIONALLY

Mr. RIEGLE. Yes, sir.

Mr. Chairman, I appreciate the opportunity also to speak, not being a member of the subcommittee.

I just have one very brief question because I think it is important to get into the executive session.

Would you have any objection if the Congress were to decide to take the humanitarian aid moneys that it may decide to make available and specify that they be channeled through international relief organizations rather than what is left of the South Vietnamese Government?

Mr. HABIB. I think that what the President has requested is the program to permit us to provide the aid in the most expeditious and efficient manner we would deem conceivable.

Right now I can say to you if you are interested in getting that aid to the people, that the most expeditious and efficient way of doing it—

Mr. RIEGLE. I understand that but my question to you is a different question.

Would you withdraw the aid request if the Congress were to stipulate that it were to be made available only through international agencies?

Mr. HABIB. The President has made a request and he has made it very clear. Now, it is up to Congress to decide how it wants to act upon it.

WOULD STATE OBJECT?

Mr. RIEGLE. So, in other words, if the Congress were to decide that it would be channeled through international agencies you would not object to that?

Mr. HABIB. What I am here to defend is what the President requested. Now, if the Congress decides in its own wisdom how it wants to provide assistance, the administration will then presumably follow the law.

What I am suggesting, therefore, is that what we consider to be the most expeditious and efficient way to provide this assistance is the way we have asked for it.

Now, if the Congress does not consider that the most expeditious and efficient way to do it and instructs the appropriation authority to do it differently, then the law is the law.

I know of no one in the administration that is willing to break the law.

Mr. RIEGLE. Thank you, Mr. Chairman.

[The following information was supplied:]

STATEMENT BY SECRETARY GENERAL ON HUMANITARIAN ASSISTANCE TO INDOCHINA
AT PRESS BRIEFING AT HEADQUARTERS ON APRIL 17

On the occasion of the International Conference on Viet-Nam in Paris in February 1973, I emphasized that the United Nations stood ready to assume its responsibilities wherever and whenever it was called upon to offer useful and realistic assistance. At that time I also made it clear that "should the Governments of the area so desire, the United Nations and its family of organizations could play a significant role in receiving, coordinating and channeling international relief and rehabilitation assistance to the Governments and peoples of the area. Such aid would, of course, be provided without discrimination of any kind."

Ever since that time the United Nations system has been operating on this basis, providing humanitarian assistance without discrimination wherever and whenever requested. It has persevered successfully in this task despite the military situation which obviously makes it much more difficult to help the victims of this War.

On 31 March, I appealed to all concerned to do everything within their means to relieve the plight of innocent persons, including those who have been displaced. I also earnestly requested the governing authorities on all sides of the fighting to do their utmost to limit the suffering of innocent people.

In the following week, I met in Rome with the heads of all United Nations agencies and programmes who fully endorsed and supported the initiatives I had taken to mobilize increased humanitarian assistance throughout Indo-China. At this same time, I appointed Sir Robert Jackson, whose long and comprehensive experience in this field is well known, to co-ordinate at United Nations Headquarters all efforts of the United Nations system to respond to this humanitarian emergency. In particular, the United Nations Children's Fund (UNICEF) and the Office of the United Nations High Commissioner for Refugees (UNHCR), which have had continuing programmes of humanitarian assistance on both sides of the conflict in Indo-China, are intensifying their emergency operations in Indo-China.

The United Nations system has acted vigorously, positively and spontaneously to do all within its possibilities to be of assistance to the peoples of Indo-China. There has been no hesitation whatever, on my own part or on the part of any elements of the United Nations system, to take every possible initiative to provide the maximum assistance.

Although events in Indo-China during the past three weeks have evolved so rapidly that it has been virtually impossible to assess with precision emergency needs in specific areas, it is obvious that suffering is continuing and far greater humanitarian assistance is vitally and urgently needed. At this moment, personnel from the United Nations system are working, round the clock in the field and at Headquarters in order to ascertain what supplies are needed most urgently and to determine how supplies can best be transported to areas where it is possible to deliver them. As each day passes, we should get a clearer picture of just what is needed and where it is needed.

Various governments have asked me to state what I would consider, at this time, to be a reasonable target figure for essential needs in the foreseeable future. After careful consideration, I believe that in this immediate phase \$100 million is needed to meet essential, and I repeat essential, requirements excluding bulk food supply.

I therefore urgently renew my appeal to all who may be in a position to help to do everything within their means to relieve the plight of the millions who are suffering in Indo-China. I shall never cease in my own efforts, to ensure that the United Nations play its essential role in healing the wounds of those who have been the victims of war and disaster.

CLARIFYING BILLS BEFORE CONGRESS

Mr. HAMILTON. Gentlemen, I want to make sure I understand the bills that the administration is submitting to the Congress for enactment on the recommendations of the President.

[The texts of the draft bills follow:]

EVACUATION BILL

To clarify restrictions on the availability of funds for the use of the United States Armed Forces in Indochina, and for other purposes

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That nothing contained in section 839 of Public Law 93-437, section 741 of Public Law 93-238, section 30 of Public Law 93-189, section 806 of Public Law 93-155, section 13 of Public Law 93-126, section 108 of Public Law 93-52, section 307 of Public Law 93-50, or any other comparable provision of law shall be construed as limiting the availability of funds for the use of the Armed Forces of the United States to aid, assist, and carry out humanitarian evacuation, if ordered by the President.

MILITARY BILL

To authorize additional military assistance for South Vietnam, and for other purposes

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That paragraph (1) of section 401(a) and subsection (b) of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, are amended by striking out "\$1,000,000,000" each place it appears and inserting in lieu thereof "\$1,422,000,000".

ECONOMIC BILL

To authorize additional economic assistance for South Vietnam, and for other purposes

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That, in addition to amounts otherwise authorized for such purposes, there is authorized to be appropriated to the President not to exceed \$73,000,000 to carry out the purposes of part V of the Foreign Assistance Act of 1961, as amended, for South Vietnam for the fiscal year 1975. Funds made available for economic and humanitarian assistance for Indochina shall be available after the date of enactment of this Act for obligation without regard to the limitations contained in sections 36 and 38 of the Foreign Assistance Act of 1974, Public Law 93-559, approved December 30, 1974 (88 Stat. 1795).

DRAFT BILLS

Mr. HAMILTON. First of all, there is a bill to authorize additional military assistance for South Vietnam and basically the change that that makes is to strike the \$90 million figure and in lieu thereof put \$1.422 billion.

I am informed that that bill has been introduced today and was referred to the Armed Services Committee.

Second, there is a bill entitled "To clarify restrictions on the availability of funds for the use of U.S. Armed Forces in Indochina and for other purposes."

That bill provides that despite language in several public laws there shall be no limit on the availability of funds for the use of the Armed Forces to aid and assist in carrying out humanitarian evacuation if ordered by the President.

That bill would permit the evacuation of anyone and it in effect sets aside a number of provisions of law which in one form or another restrict combat activities by American Forces in Indochina.

There is a third bill relating—

Mr. HABIB. Could I ask a question? To which committee?

STATUS OF BILLS

Mr. HAMILTON. That bill has not been introduced yet and it has not been referred as of just a few minutes ago.

A third bill likewise has not been introduced and has not been referred.

In addition, another bill entitled "Economic assistance for South Vietnam and for other purposes."

That bill provides for the authorization of an additional \$73 million and it also removes the limitations in the present Foreign Assistance Act with regard to the distribution of economic assistance funds.

Mr. GARDINER. The Indochina postwar reconstruction funds.

Mr. HAMILTON. Yes, I stand corrected on that.

Now, those are three bills. Is that the total number of bills that are to be introduced?

Mr. HABIB. To my knowledge, yes, sir.

Mr. HAMILTON. Now, a few other questions before we go into executive session.

Mr. HABIB. Let me just check with all the experts here. I don't want to mislead the committee; that would be the last thing I would want.

That is what we now have.

Mr. HAMILTON. That is the package?

Mr. HABIB. That is the package as it now stands. I don't know what follows on thereafter because the administration always has the right to propose new bills, but those are the ones I understand are to be submitted or have been submitted to the Congress.

EXACT DATA ON CURRENT AID

Mr. HAMILTON. Now, I want to ask you to furnish for the committee, if you will, as quickly as you can because of the time pressure on us, with regard to both military and economic aid for fiscal year 1975 funds that have been obligated, committed, expended, delivered, and are in the pipeline, so that we can get all of that before us in a single paragraph or two, and likewise with regard to fiscal year 1974 funds. [The following information was supplied by Department of State, AID, and the Department of Defense:]

COMMODITIES PROVIDED TO SOUTH VIETNAM UNDER THE COMMODITY IMPORT PROGRAM THUS FAR IN FISCAL 1975

FISCAL YEAR 1975 THROUGH MARCH 22, 1975

Net licensing :

Infant dietary formula-----	\$1,552,509
Animal feed supplies-----	422,318
Live animals, gum and resins-----	(103,206)
Petroleum nonfuels (L/Com procedures)-----	(84,362)
Chemicals-----	21,315,209
Plastic raw materials-----	15,659,235
Rubber manufacturers-----	1,478,117
Yarns and fibers-----	15,047,108
Iron and steel-----	(6,122,769)
Miscellaneous metal manufacturers-----	473,996
Machinery-----	9,114,221
Electrical machinery-----	3,286,309
Transportation equipment-----	1,333,731
Paper and paperboard-----	(87,125)
Wood pulp-----	598,423
Machine spare parts-----	307,311
Other miscellaneous commodities-----	1,141,592
Engineering services-----	76,573
	<hr/>
	65,409,190

Fiscal year 1975 CIP summary :

Reimbursed POL-----	\$41.9
Fertilizer-----	90.1
General licensing-----	65.5
	<hr/>
	197.5
Obligated (unlicensed)-----	43.5

Total availability-----241.0

Carry-in of \$241.0: \$52.6.

Requirement: \$3 million per week or \$45 million requirement.

EAST ASIA BUREAU, INDOCHINA POSTWAR RECONSTRUCTION, COUNTRIES AND PROGRAMS, TOTAL FISCAL YEARS 1974 AND 1975 AVAILABILITIES, FROM ALL SOURCES

[In thousands of dollars]

Country and programs by allotments	Actual, fiscal year 1974	Estimated, fiscal year 1975
VIETNAM		
IPR funding:		
Commodity import program (CIP).....	282,552	188,403
Project program:		
Technical assistance.....	22,058	10,994
Capital assistance.....	288	
Humanitarian assistance.....	28,500	61,200
International Commission of Control and Supervision (ICCS).....		4,080
Subtotal, IPR.....	333,398	264,677
Non-IPR:		
Development loan (selected countries and organizations).....	50,000	
Population planning and health (title X).....	948	1,327
Narcotics control program.....	96	
Subtotal, non-IPR.....	51,044	1,327
Total, Vietnam.....	384,442	266,004
CAMBODIA		
IPR funding:		
Commodity import program (CIP).....	71,600	63,000
Exchange support fund (ESF).....	18,250	15,000
Project program.....	3,004	20,000
Total, Cambodia.....	92,854	98,000
LAOS		
IPF funding:		
Foreign Exchange Operations Fund (FEOF).....	15,400	11,100
Project program.....	17,587	14,500
Subtotal, IPR.....	32,987	25,600
Non-IPR:		
Population planning and health (title X).....	400	522
Population planning and health (nontitle X).....	200	
Narcotics control program.....	1,614	924
Subtotal, non-IPR.....	2,214	1,446
Total, Laos.....	35,201	27,046
EAST ASIA REGIONAL		
IPR funding: Grants: Project assistance.....	2,000	3,000
Non-IPR:		
Grants: Project assistance.....	4,790	4,539
Development loan (selected development problems).....	5,000	
Total non-IPR.....	9,790	4,539
Total, EA regional.....	11,790	7,539
Multilateral and specialized agencies:		
International Committee of the Red Cross (ICRC).....	1,650	2,000
United Nations Childrens Fund (UNICEF).....		3,000
United Nations High Commissioner for Refugees (UNHCR).....		2,000
Total IPR.....	1,650	7,000
AID support costs and operating expenses, IPR.....	38,660	43,100
Sec. 640(c) shipping differential payments, IPR.....		2,223
Grand total.....	564,597	450,912
Total, IPR.....	501,549	443,600
Total, non-IPR.....	63,048	7,312

¹ In addition to the appropriation by the Congress of \$440,000,000 for fiscal year 1975 a bridge of \$3,600,000 is included in the fiscal year 1975 estimates. This bridge item is made up from deobligations and reimbursements from prior years. The \$3,600,000 is distributed as follows: (1) \$377,000 included in the Vietnam total IPR; (2) \$1,000,000 in the AID support costs total; and (3) the total amount for sec. 640(c) shipping differential payments of \$2,223.

FISCAL YEAR 1975, INDOCHINA POSTWAR RECONSTRUCTION APPROPRIATION LEVELS

[In thousands of dollars]

IPR—Countries and programs, fiscal year 1975	Fiscal year 1975 programed levels	Allotments as of Mar. 31, 1975	Obligations as of Mar. 31, 1975	Allotted and unobligated as of Mar. 31, 1975
Vietnam, IPR.....	1 264, 300	206, 240	193, 094	13, 146
Humanitarian assistance.....			17, 290	
Agriculture assistance.....			101, 918	
Industrial development assistance.....			42, 283	
Miscellaneous assistance.....			31, 603	
International Commission of Controls and Supervision (ICCS).....		4, 080	4, 080	
Cambodia, IPR.....	1 98, 000	82, 611	82, 153	458
Humanitarian assistance.....	20, 000		9, 629	
Commodity import program.....	63, 000		62, 100	
Multilateral stabilization assistance.....	15, 000		10, 120	
Technical support and participating training.....			304	
Laos, IPR.....	1 25, 600	22, 505	22, 084	421
Humanitarian assistance.....	6, 500		6, 603	
Reconstruction and development assistance.....	8, 000		7, 431	
Stabilization assistance.....	11, 100		8, 050	
Technical support.....				
East Asia regional, IPR.....	3, 000	1, 555	1, 401	154
Multilateral and specialized agencies, IPR (ICRC, UNICEF and UNHCR).....	7, 000	6, 000	3, 500	2, 500
Aid support costs and operating expenses, IPR.....	42, 100	32, 100	31, 423	677
Sec. 640(c) shipping differential payments.....	(2, 223)	2, 223	2, 223	
Total IPR funds (NOA).....	440, 000	357, 414	339, 958	17, 356

¹ Excludes operating expenses input of \$17.7 from Vietnam, \$2.0 from Cambodia and \$6.4 from Laos.

INDOCHINA POSTWAR RECONSTRUCTION SUMMARY, PIPELINE ANALYSIS, MAR. 31, 1975

[In millions of dollars]

	Vietnam	Cambodia	Laos	East Asia regional	Multi-lateral agencies (ICRC, UNICEF and UNHCR)	Grand total
FAA appropriation funds:						
Prior year funds:						
Obligated (but unexpended):						
Exchange support fund (ESF).....						
Commodity import program.....	26.32	4.46				
Humanitarian assistance.....	3.92					
Project assistance.....	7.81	.59	5.78	.70		
Foreign exchange operations fund.....						
Total.....	38.05	5.05	5.78	.70		49.58
Current year funds:						
Unobligated:						
Exchange support fund (ESF).....		4.88				
Commodity import program.....	20.00	.90				
Humanitarian assistance.....	39.80				3.50	
Project assistance.....	2.25	10.07	.46	1.60		
Reserve.....	5.00					
Foreign exchange operations fund.....			3.05			
Total.....	67.05	15.85	3.51	1.60	3.50	91.51
Obligated (but unexpended):						
Exchange support fund.....						
ICCS.....	4.10					
Commodity import program.....	70.10	47.68				
Humanitarian assistance.....	15.55				3.50	
Project assistance.....	5.88	9.47	8.99	.72		
FEOF.....						
Total.....	95.63	57.15	8.99	.72	3.50	165.99
Total FAA funds.....	200.73	78.05	18.28	3.02	7.00	307.08

¹ Obligated funds are needed to liquidate existing contractual obligations of the U.S. Government.

² The \$20,000,000 recently allotted to the Vietnam CIP was obligated on Apr. 11. Funds remaining unlicensed for the CIP as of Apr. 11 totaled \$43,500,000. At current licensing rates, we expect these funds will be sufficient to sustain licensing through the 1st month of fiscal year 1976. In the past we have carried more substantial amounts into a new fiscal year because of the time required to process new funds at the beginning of a fiscal year. This calculation does not take into consideration \$58,100,000 of PDL reimbursements, \$54,000,000 of which are in bills which have been presented to AID by the GVN for payment already, which we have agreed to pay. We have deferred these payments in order to use our cash to pay for immediate emergency relief requirements.

³ Existing legislative rulings on Cambodia economic assistance prohibit further obligation of appropriated funds. Because of recent \$3,000,000 deobligation of ESF funds (which are treated as expended when obligated), \$18,850,000 will be carried as unobligated funds once bookkeeping transaction is completed.

⁴ As of Apr. 15, 1975, \$45,000,000 of these funds have been committed, i.e., either expended, or reserved in accounts to pay for airlift, seallift, ocean freight, etc., for which bills have not yet been tendered to AID.

PUBLIC LAW 480 ASSISTANCE FOR VIETNAM, LAOS AND CAMBODIA FISCAL YEAR 1974—FISCAL YEAR 1975

[In millions of dollars]

	Fiscal year—	
	Actual 1974	(Programed) 1975
Vietnam:		
Title I (cotton, wheat, tobacco, corn, and vegetable oil).....	\$234.4	\$54.0
Title II (nutritional food supplements).....	1.0	9.7
Title II (rice for refugees).....	0	41.0
Title I and II (freight) (estimate).....	15.0	11.2
Total Vietnam Public Law 480 support.....	250.4	115.9
Cambodia:		
Title I (rice, tobacco, wheat, vegetable oil, and cotton).....	168.4	88.5
Title I (freight) (estimate).....	30.0	3.0
Title II (nutritional foods).....	.2	(8.2)
Title II (freight).....	0	2.0
Total Cambodia Public Law 480 support.....	198.6	96.1
Laos Title II.....	3.7	.3

¹ The title II rice has been approved as a transfer from the title I allocation. Action is being taken to reduce the title I level by the appropriate amount chargeable to the title II fiscal year 1975 budget.

STATEMENT ON STATUS OF DEFENSE ASSISTANCE FOR SOUTH VIETNAM, SUBMITTED
BY DEPARTMENT OF DEFENSE

FY 1975 DAV Program—\$700.0 million.

Funds obligated as of 15 April—683.3 million.

Funds committed which cannot be reprogrammed— 571.3 million.

The majority of materiel provided with fourth quarter funds which were release on 31 March will be delivered in South Vietnam within the next few weeks. A review of known requirements for major consumables such as ammunition and fuel and commitments for services such as personnel salaries and shipping costs indicate that reprogramming flexibility is limited to less than \$25 million for the remainder of the year. Requirements for spare parts, medical supplies and other supplies far exceed that amount.

Military assistance provided to South Vietnam during the eight years prior to FY 1975 was funded under the Military Assistance Service Funded (MASF) program which included both South Vietnam and Laos. In FY 1974, \$1.126 billion was appropriated for both countries. Of that amount, \$1.010 was obligated for South Vietnam.

A recent review of funds obligated during FY 1974 and prior years for which deliveries have not yet been made indicates that materiel valued at \$30 million has not yet been delivered. This materiel is principally parts and equipment with long lead-time for procurement and items which were in short supply and not critically needed in South Vietnam until the recent North Vietnamese offensive.

NUMBER OF REFUGEES

Mr. HAMILTON. Several other questions, gentlemen.

How many refugees are there in South Vietnam today?

Mr. GARDINER. The total number that are registered with the Ministry of Social Welfare as of our situation report this morning, which incidentally is the same as the situation report yesterday, 481,649.

Now, that is not the total number in South Vietnam but that is the one place where we do have a benchmark, a census count. They are the people who are in camps and have been registered.

Mr. HAMILTON. Is your program that you have submitted to us based on about a million refugees?

Mr. GARDINER. Yes, sir. Absolutely. That is our best estimate.

Mr. HAMILTON. You think the number is substantially higher?

Mr. GARDINER. Yes, sir. We are giving you our best judgment at this point. We may be right and we may not be.

MINISTRY OF SOCIAL WELFARE

Mr. HAMILTON. Will the Ministry of Social Welfare in South Vietnam be able to administer effectively the increased funds for humanitarian assistance?

Mr. GARDINER. We think that one of the areas that we are going to certainly have to concentrate on is working to make sure that they do gear up and are capable of doing this.

We can say based on past experience that they have done a very good job in the past. There will be most certainly a role for the American voluntary agency to contribute and to play, we hope. We hope that there may be a role for other organizations to supplement the capacities of the Ministry of Social Welfare. We think that that is the core structure on which the effort has to be built.

THINNING OUT OF NUMBER OF AMERICANS

Mr. HAMILTON. Is there any thinning out of American Government officials in South Vietnam as of today?

Mr. HABIB. There has been.

Mr. HAMILTON. How much?

Mr. HABIB. We can go into those figures in executive session.

RECENT THIEU SPEECH

Mr. HAMILTON. All right.

Mr. Secretary, President Thieu in a recent speech said that we would be traitors if we did not provide help, and he went on to say that we did not even replace military supplies and equipment on a 1-for-1 basis as agreed in the Paris agreements.

My question to you is, Do you interpret article VII of the Paris agreements as giving U.S. commitment to a 1-to-1 replacement?

Mr. HABIB. No. Article VII of the Paris agreements permits replacements on a 1-to-1 basis. It does not obligate replacement on a 1-to-1 basis.

MATERIEL LOST

Mr. HAMILTON. The South Vietnamese Government is reported to have lost or abandoned upward of \$1 billion worth of military equipment. Is that your estimate?

Mr. HABIB. That is not my estimate. There have been figures like that used. The general estimate made by our military authorities would be somewhat lower than that, but it depends again on how you cost it and how you count it and what its status was. It was an awful lot, let's just put it that way.

Mr. HAMILTON. Can you furnish for the committee the best figures you have on that?

Mr. HABIB. Yes, sir, we can do that. I will ask our Defense colleagues to submit that to the committee.

[The Department of Defense supplied the following information:]

The total estimated value of equipment and military supplies lost or abandoned during the withdrawal of the South Vietnamese forces from the Northern Regions is \$779.2 million. This value was computed based on Tables of Organization and Equipment Strength and acquisition value of equipment not considering depreciation. The value of ammunition losses was computed at current replacement costs. The total value does not include basic loads of munitions, non-divisional support units or fixed facilities. Attached is a listing of equipment and supplies lost and estimated values.

Mr. HAMILTON. It has been suggested that we ask you for the acquisition cost. Mr. Habib, in that calculation.

Mr. HABIB. We will ask the Defense Department to supply those figures.

[The Department of Defense supplied the following information:]

FACT SHEET ON SOUTH VIETNAM LOSSES

Total estimated cost for RVNAF military supplies and equipment lost, destroyed or abandoned during the period 4 March-4 April 1974 is \$779.2 million. This is computed at acquisition value based on TO&E strength not counting depreciation. The following is a listing of major items of equipment and supplies lost.

	<i>Millions</i>
South Vietnamese Army :	
Ground munitions (depot stocks only)-----	\$129.0
Individual and crew served weapons-----	24.6
Artillery-----	16.0
Track vehicles-----	85.0
Wheel vehicles-----	77.0
Communications equipment-----	15.6
POL-----	6.3
Medical-----	7.9
Engineer-----	1.8
General supply stocks-----	110.5
Total-----	473.7
South Vietnamese Air Force :	
393 aircraft-----	176.3
Air munitions-----	52.8
Spare parts and support equipment-----	68.6
Total-----	279.2
South Vietnamese Navy :	
3 craft-----	2.4
Supplies and support equipment-----	5.4
Total-----	7.8

HOW \$722 MILLION WOULD BE SPENT

Mr. HAMILTON. Would you also furnish for the committee the breakdown as to how you expect the \$722 million to be spent?

Mr. HABIB. I think there is going to be testimony elsewhere. I suppose it is available to you in one way or another.

The bill is going to be taken up and there is going to be full testimony. I would presume all of that is available to this committee.

Mr. HAMILTON. We would like it to be furnished to this committee. Perhaps you can see we get a copy.

Mr. HABIB. We will get a copy of the testimony; yes, sir.

[The information supplied by Defense Department follows:]

OFFICE OF THE SECRETARY OF DEFENSE—JUSTIFICATION OF ESTIMATES FOR FISCAL YEAR 1975 SUBMITTED TO CONGRESS, APRIL 1975

MILITARY ASSISTANCE, SOUTH VIETNAMESE FORCES—APPROPRIATION LANGUAGE

For necessary expenses to support South Vietnamese military forces, to be obligated only by the issuance of orders by the Secretary of Defense, for such support \$1,422,000,000: *Provided*, That this appropriation shall be deemed obligated at the time the Secretary of Defense issues orders authorizing support of any kind for South Vietnamese military forces, which obligations shall in the case of non-excess materials and supplies to be furnished from the inventory of the Department of Defense be equal to the replacement costs thereof at the time such obligation is incurred and in the case of excess materials and supplies be equal at the actual value thereof at the time such obligation is incurred: *Provided further*, That none of the funds appropriated in this title shall be used for compensation or allowances of more than 2,850 citizens of the United States in South Vietnam who are members of the Armed Forces or employees of or under contract to the Armed Services or the Department of Defense or any department or agencies thereof. (Department of Defense Appropriation Act, 1975.)

PROGRAM AND FINANCING

(In thousands of dollars)

	Fiscal year 1975 presently available	Fiscal year 1975 revised estimate	Fiscal year 1975 proposed supplemental
Program by activities:			
Aircraft.....	37,300	82,200	44,900
Ships.....	1,350	1,350	
Tanks, other vehicles and weapons.....	4,410	268,732	264,322
Ammunition.....	265,930	517,744	251,814
Missiles.....	510	7,555	7,045
Electronic equipment.....	14,630	36,063	21,433
Military public works.....	1,160	1,160	
Offshore procurement.....	16,100	16,100	
Supply operations.....	74,000	167,700	93,700
Training.....	6,680	6,680	
Administration.....	39,220	39,220	
Other activities.....	238,710	277,496	38,786
Total obligations.....	700,000	1,422,000	722,000
Financing: Budget authority.....	700,000	1,422,000	722,000
Relation of obligations to outlays:			
Obligations, incurred, net.....	700,000	1,422,000	722,000
Obligated balance, start of year.....			
Obligated balance, end of year.....	-160,000	-322,000	-162,000
Outlays.....	540,000	1,100,000	560,000
Special personal services payments.....	26,550	26,550	
Benefits for former personnel.....	240	240	
Travel and transportation of persons.....	2,700	2,700	
Transportation of things.....	1,240	1,240	
Rent, communications, and utilities.....	1,790	1,790	
Printing and reproduction.....	50	50	
Other services.....	121,840	215,540	93,700
Supplies and materials.....	383,680	674,280	290,600
Equipment.....	161,910	499,610	337,700
Total obligations.....	700,000	1,422,000	722,000

Thousands

Fiscal year 1975 presently available.....	\$37,300
Fiscal year 1975 revised estimate.....	82,200
Fiscal year 1975 proposed supplemental.....	44,900

Budget Activity: Aircraft.

Justification of requirements.—This request for \$44,900,000 provides for two C-130A replacement aircraft, aircraft support equipment, ground equipment, engines and spare parts for VNAF aircraft in the RVN area of control. \$10,295,000 is for two aircraft, from current production, to replace the two C-130 aircraft provided by USAF. \$16,016,000 provides spares, ground equipment, and engines for reconstitution of four UH-1H helicopter squadrons relocated to southern South Vietnam. \$9.8 million provides for similar reconstitution of one F5E fighter-bomber squadron. \$5.222 million permits reconstitution of single squadrons of CH-47 helicopters, O-1 and U-17 aircraft. \$3,567 million is for spares and equipment to support A-37 attack aircraft operating at increased tempo.

EXHIBIT P-1 (MODIFIED)

Nomenclature	Unit cost	Quantity	Cost
C-130A aircraft.....	\$5,147,500	2	\$10,295,000

¹ As required by law, represents current replacement cost to USAF. Actual acquisition costs of C-130A aircraft was approximately \$2,750,000.

MILITARY ASSISTANCE, SOUTH VIETNAMESE FORCES

Thousands

Fiscal year 1975 presently available.....	\$4,410
Fiscal year 1975 revised estimate.....	268,732
Fiscal year 1975 proposed supplemental.....	264,322

Budget Activity : Tanks, Other Vehicles and Weapons.

Justification of requirements.—This budget activity request of \$264.322 million is urgently required to reconstitute four Infantry Divisions, convert 12 Ranger Groups to four Ranger Divisions and upgrade 27 Regional Force Groups into 27 Separate ARVN Infantry Regiments. The equipment is required to halt the present NVA invasion.

Principal elements of the request include \$42.7 million for tanks and track vehicles for the four Infantry divisions; \$33.9 million for tanks and track vehicles for the four Ranger Divisions; \$48.8 million for wheel vehicles for the four Infantry Divisions; \$45.0 million for wheel vehicles for the four Ranger Divisions; \$44.0 million for wheel vehicles for the 27 ARVN Infantry Regiments; \$19.2 million for weapons for the four Infantry Divisions; \$11.5 million for weapons for the four Ranger Divisions; \$15.9 million for weapons for the 27 ARVN Infantry Regiments; and \$3.4 million required for engineer equipment.

The above equipment is urgently required to reconstitute and upgrade ground combat units if South Vietnam is going to be given a chance to stabilize the military situation.

Item and nomenclature	Unit cost	Quantity	Cost
WEAPONS, MAJOR			
1—Rifle recoilless 106 mm	\$13,522	56	\$757,232
2—Mortar 4.2 in M30	14,310	20	286,200
3—Howitzer 105 mm M101	21,254	600	12,752,400
4—Howitzer 155 mm M114	30,618	144	4,408,992
Total			18,204,824
WEAPONS, MINOR			
1—Rifle M16	142	101,849	14,462,558
2—Pistol caliber .45	45	22,994	1,057,724
3—Machinegun 7.62 M60C	1,081	5,122	5,536,882
4—Launcher grenade, M79	222	11,664	2,589,408
5—Launcher rocket, XM202	1,100	822	904,200
6—Rifle recoilless 57 mm	2,586	483	1,249,038
7—Mortar 60mm	533	412	219,596
8—Mortar 81mm, M29A1	4,500	453	2,038,500
9—Circle aiming, M1	534	652	348,168
Total			28,406,074
Total all weapons			46,610,898
TANKS			
1—Tank, M48A3	280,043	114	31,924,902
OTHER TRACKED VEHICLES			
1—Carrier mortar, M125	92,927	48	4,460,496
2—APC M113	76,887	332	25,526,484
3—Carrier mortar, M106	84,194	32	2,694,208
4—Carrier command post, M577	89,481	24	2,147,544
5—Carrier cargo M548	93,848	24	2,252,352
6—Recovery vehicle, M578	185,074	16	2,961,184
7—Recovery vehicle, M58	169,410	4	677,644
8—Recovery vehicle, XM806	51,220	16	819,520
9—Car commando, XM706	52,875	48	2,538,000
10—Carrier flame thrower, M132	22,687	24	544,488
Total			44,621,916
OTHER VEHICLES			
1—Truck utility, 3/4 ton, M151	7,320	5,438	39,806,160
2—Truck cargo, 3/4 ton, M37WOW	4,498	2,189	9,846,122
3—Truck cargo, 2 1/2 ton, M35	17,731	4,128	73,193,568
4—Truck cargo, 5 ton, M543	8,753	336	2,941,008
5—Truck tanker, 2 1/2 ton, M49A1C	11,362	24	272,688
6—Truck tractor, 5 ton, M52	8,454	12	101,448
7—Truck dump, 5 ton, M51	8,764	96	841,344
8—Truck wrecker, 5 ton, M816WW	68,165	143	9,747,595
9—Trailer tank water, 1 1/2 ton, M149	2,318	336	778,848
10—Trailer cargo, 1 1/2 ton, M105	1,049	348	365,052
11—Trailer ammo, 1 1/2 ton, M332	1,254	240	300,960
12—Semitrailer stake, 12 ton, M127	8,635	16	138,160

Item and nomenclature	Unit cost	Quantity	Cost
OTHER VEHICLES—Continued			
13—Semitrailer, low bed, 25 ton, M172	\$9,375	12	\$112,500
14—Tractor, full tracked	37,275	28	1,043,700
15—Grader RD, MTZD 12 ft	12,613	16	201,808
16—Loader scoop	5,047	16	80,752
17—Crane, 20 ton	62,705	16	1,003,296
18—Crane, 10 ton	34,137	4	136,548
19—Roller, 10 ton	18,932	8	151,456
20—Tractor, 5 ton	8,454	12	101,448
Total			141,164,461

	<i>Thousands</i>
Fiscal Year 1975 presently available	\$265,930
Fiscal Year 1975 revised estimate	517,744
Fiscal Year 1975 proposed supplemental	251,814

Budget Activity: Ammunition.

Justification of requirements.—This request for \$251,814,000 is for essential ground and air munitions. It is designed to support intense combat for the remainder of FY 75. \$198 million is for 60 days of ground ammunition. This provides for approximately 50,000 short tons (ST) of ground ammunition consumption per month. \$21 million is requested for Air Force munitions to support consumption at 10,000 ST per month. \$33 million is for initial issue of basic load ground ammunition for reconstituted and converted ARVN combat forces.

Item and ammunition category	Cost
1—Small arms	\$26,040,748
2—Mortar	39,700,042
3—Artillery	136,872,820
4—Rockets	4,616,284
5—Grenades/signal	20,773,278
6—Mines	3,462,213
7—Explosives	230,814
8—CP bombs	19,240,389
9—Miscellaneous air	877,611
Total	251,814,199

	<i>Thousands</i>
Fiscal year 1975 presently available	\$510
Fiscal year 1975 revised estimate	7,555
Fiscal year 1975 proposed supplemental	7,045

Budget Activity: Missiles.

Justification of requirements.—This request for \$7,045,200 is for 114 TOW missile launchers. Thirty-six (36) of these are required to reconstitute four ARVN Infantry divisions; thirty-six (36) are necessary for equipping 12 Ranger groups as four Infantry divisions and 42 are required to convert regional force to regular force ARVN regiments. With the large NVA tank force threatening the SVN defensive perimeter, TOW missiles are essential to effective defense.

Item and nomenclature	Unit cost	Quantity	Cost
1—TOW missile launcher	\$61,800	114	\$7,045,200

	<i>Thousands</i>
Fiscal year 1975 presently available.....	\$14, 630
Fiscal year 1975 revised estimate.....	36, 063
Fiscal year 1975 proposed supplemental.....	21, 433

Budget Activity : Electronic Equipment.

Justification of requirements.—This request for \$21,432,514 is for radio and telephone communications equipment to be used in stabilizing the combat situation in South Vietnam. \$9,275,244 is requested for quantities of twenty-two various signal equipments to be used for reconstitution, in the defensive perimeter, of four South Vietnamese Army divisions. \$7,481,716 is requested for upgrade of 12 existing ranger groups to four full strength regular divisions. \$4,675,554 is requested for quantities of twelve various signal equipments for upgrade of 27 Regional Force groups to full strength regiments.

Equipments which are required include manpack and transportable radio equipment, which represent the largest money value, and field telephone sets which are the largest quantity items requested.

	<i>Thousands</i>
Fiscal year 1975 presently available.....	\$74, 000
Fiscal year 1975 revised estimate.....	167, 700
Fiscal year 1975 proposed supplemental.....	93, 700

Budget Activity : Supply Operations.

Justification of supplemental requirements.—This request for \$93.7 million would fund packing, crating, handling and transportation costs for materiel provided South Vietnam under the supplemental request. The request is based on recent cost experience and assumes that virtually all supplementally funded items would be received in Vietnam during FY 75. This is consistent with the nature of items requested and their urgency of need. The request considers that a higher ratio of air shipment than previously used will be required for these urgent needs.

	<i>Thousands</i>
Fiscal year 1975 presently available.....	\$238, 710
Fiscal year 1975 revised estimate.....	277, 496
Fiscal year 1975 proposed supplemental.....	38, 786

Budget Activity : Other Activities.

Justification of supplemental requirements.—This request for \$38.8 million reflects urgent requirements for stabilization and reconstitution of South Vietnamese Forces. This request is for petroleum, lubricants, general supplies, repair parts, medical supplies and mine detection equipment. \$21.0 million is requested for general supplies and repair parts. These include critical replacement parts for artillery, vehicles, tanks, communications equipment and naval craft. Also included are vitally needed batteries for communications equipment and vehicles, individual field equipment, and defensive supplies for building bunkers and revetments. \$10.4 million is a minimum request for POL products, including diesel fuel, gasoline, jet fuel and lubricants, to sustain combat operations at intense rates for the remaining months of the fiscal year.

\$7.0 million is requested for medical supplies needed for the current combat situation. \$0.4 million is requested for mine detectors for engineer companies of the reconstituted and upgraded infantry units.

In compliance with Section 844 of the Department of Defense Appropriation Act, FY 1975 (Public Law 93-437), no petroleum fuels furnished under the above request will be produced in the Continental United States.

NUCLEAR REACTOR

Mr. HAMILTON. I would like to ask about the nuclear research reactor at DaLoc. I understand ERDA officials went to Vietnam

during the withdrawals to remove the fuel rods and casings from that facility.

Mr. HABIB. That is correct.

Mr. HAMILTON. Was the mission carried out successfully?

Mr. HABIB. Yes, it was.

Mr. HAMILTON. Was the facility totally destroyed?

Mr. HABIB. I don't think it is totally destroyed, but it is not operable and it will not be.

VIABLE POLITICAL ALTERNATIVE

Mr. HAMILTON. Is it your view today that President Thieu is the only viable political alternative in South Vietnam?

I just thought I would slip that in.

Mr. HABIB. For the record, you want me to comment about the Government with which we have formal relations. Very respectfully, Mr. Chairman, I think you will permit me not to answer that question.

U.S. COMMITMENT

Mr. HAMILTON. All right, sir.

There has been a great deal of discussion—and with this I will conclude—about the nature of our commitment there.

Did the United States make any commitment, of any type, to Saigon in 1972 in order to get the Saigon Government to participate in the Paris peace talks, or in 1973 to get Saigon to agree to the accords?

Mr. HABIB. Mr. Chairman, the proper response to that question is for me to read into the record the statement of the White House on April 9, and I would like to do so.

Assurances to the Republic of Vietnam, as to both U.S. assistance and U.S. enforcement of the Paris Agreement, were stated clearly and publicly by President Nixon. The publicly stated policy and the intention of the U.S. Government to continue to provide adequate economic and military assistance and to react vigorously to major violations of the Paris Agreement reflected confidential exchanges between the Nixon administration and President Thieu at the time. In substance, the private exchanges do not differ from what was stated publicly. The law of 1973, of course, ruled out the possibility of American military reaction to violations of the agreement.

SYMINGTON-ROGERS EXCHANGE

Mr. HAMILTON. Mr. Secretary, in February of 1973 Senator Symington asked then Secretary of State Rogers, and I quote: "Have we given any commitment to the South Vietnamese regarding future levels of assistance?"

Now, the Secretary answered, "No."

Is that answer fully accurate?

Mr. HABIB. As far as I am aware the Secretary is an honorable man and would only respond accurately.

Mr. HAMILTON. And it is a fully accurate statement, in your judgment?

Mr. HABIB. Yes, sir.

Mr. HAMILTON. Any further questions?

Mr. Fountain.

Mr. FOUNTAIN. Mr. Chairman, this is more or less a qualifying question.

As I understand it, the humanitarian aid which you have requested of this committee today and the form it takes and how it will be used is dependent upon the Congress providing military assistance; otherwise it would have to take a different form and a different approach and the Congress would have to be—

Mr. HABIB. It would be very difficult to conceive of it in the terms we have been talking about it today, yes, sir.

Mr. FOUNTAIN. Thank you.

Mr. HAMILTON. Any further questions?

INTERNATIONAL RED CROSS

Mr. WINN. Mr. Chairman.

On the same line, the International Red Cross is not acceptable to the North Vietnamese; is that not true?

Mr. HABIB. Oh, they have fooled around with them at various times, but I don't know what the current status is at the moment.

Mr. GARDINER. They have in fact.

Mr. HABIB. They have in fact done a few things, but at various times it has changed and I don't know what the current status is. What I would like to do is submit it for the record and then we will give you a precise statement of what we are doing at this time.

Mr. WINN. I am trying to find out if we do not give military aid so that we can cover for our humanitarian aid and if we have seven outside agencies that are acceptable and are working in the humanitarian side and if the South Vietnamese Government collapses, if any of those seven agencies would be acceptable and would be able to continue their work under the North Vietnamese?

Mr. HABIB. It may be, but of course we are operating—

Mr. WINN. We are speculating.

Mr. HABIB. That it will not collapse.

Mr. WINN. I realize you are, but I am following up on Mr. Fountain's question.

[The following information was supplied:]

THE CURRENT STATUS OF ICRC ACTIVITIES VIS-A-VIS NORTH VIETNAM

We know of no ICRC activities in North Vietnam at the present time. In May, 1973 the Indochina Operations Group (IOG), which was established by the ICRC and the International League of Red Cross Societies, helped to arrange for the delivery of some prefabricated housing units donated by the Swedish Government to the North Vietnamese Red Cross. Recently the ICRC sent \$385,000 in cash donations to the Red Cross Society of the Provisional Revolutionary Government (PRG). This money was contributed by several European countries with the specific request that it be directed to the PRG.

The International Red Cross, consisting of the International Committee of the Red Cross (ICRC) and the League of Red Cross Societies (LICROSS), both based in Geneva, Switzerland, have had programs in Indochina for almost three years under the working title of Indochina Operations Group (IOG).

Begun in late 1972, the program in South Vietnam was to provide emergency assistance to refugees and other war victims. The International Red Cross delegates have cooperated closely with the Vietnamese Red Cross and channeled funds as well as large amounts of relief supplies through the VRC. In Cambodia as many as 30 international personnel, sometimes at great hazard, functioned in medico-relief teams, and at last report (April 14), 15 were still there. In Laos there is a small operation with one international delegate, mainly helping the Laotian Red Cross. The IOG provided prefabricated housing in North Vietnam. It has also provided medical supplies to the PRG but there are no International Red Cross personnel in either of the two latter locations.

Attached is the latest report received from Geneva disclosing in more detail the program in the three Indochina countries. Annex B of the report gives a summary of contributions received in cash, kinds and services.

Up to April 1, the Red Cross collected and committed some \$24 million for these programs of which the USG has provided \$3 million with a 4th million about to be paid in. IOG has been disbanded as such, but in a new relief effort designed to meet the emergency in Vietnam and Cambodia, the International Red Cross is campaigning for an additional \$35 million of which it states \$5 million is required for the three month period ending June 30, 1975. Mr. George Elsey, President of the American National Red Cross, wrote to Mr. Parker on April 10 urging a USG contribution to the \$35 million emergency appeal (copy of letter attached). We pledged an additional \$5 million on April 16 for use in territory controlled by the GVN.

Word from Geneva informs us that as of April 7, the ICRC had received pledges totaling \$5 million toward the new appeal. From this amount, ICRC has transferred 1.5 million Swiss francs to the Saigon Red Cross for local purchase of urgently needed relief supplies. The balance is being used for procurement in Europe of additional relief items.

(Circular No. 14)

INDOCHINA OPERATIONAL GROUP OF THE RED CROSS

1. *Introduction.*—This Circular is being published at a time when hostilities are escalating and giving cause for increasing concern. In the case of Cambodia, in particular, it may well have been overtaken by events by the time it is received.

2. The following pages give details of the various Red Cross activities on a country by country basis but the present situation may be summarized as follows. During recent months hostilities have increased in the *Republic of Vietnam (RVN)* particularly in Tay Ninh province and the relief programmes of the Red Cross of the Republic of Vietnam (CRVN) have been extended to cope with the particular needs of the families who have abandoned their homes to flee from the combat zones. The emergency housing programme in the *Democratic Republic of Vietnam (DRVN)* is now within sight of completion, the last shipments of family units having now arrived in Haiphong from Vladivostok. Final orders are now being placed for the remaining medical units for the 250 bed hospital for the *Provisional Revolutionary Government of the Republic of South Vietnam (PRG)*. In the *Kingdom of Laos (KL)* arrangements are proceeding for the return of many thousands of displaced persons to their original homes. A resettlement programme at Ban Kok Van is now well advanced as is the delivery of relief supplies to the area formerly controlled by the *Pathet Lao*. In the *Khmer Republic* fighting has been particularly intense in recent weeks around the capital Phnom Penh. The programmes of Assistance Internationale de la Croix-Rouge (AICR) have been expanded to care for the large number of families made homeless by the fighting. Additional medico-nutritional teams are being formed to give medical aid and high protein food to displaced persons, particularly the very young, in the camps in and around Phnom Penh and in the provinces.

COUNTRY BY COUNTRY

3. *Democratic Republic of Vietnam (DRVN).*—The emergency housing programme to provide nearly 4,000 family units is now in the final stages of completion. Considerable interest has been expressed in this project by various national Societies, Governments, and international organizations and a meeting of the Expert Group of the housing project was held in Geneva on 5th February 1975 to agree a procedure for the preparation of a comprehensive report which would

ensure that all aspects, technical, financial and administrative were fully covered and the views of all concerned were obtained. M. Teikmans, who has been coordinating the programme on behalf of the IOG, is visiting Hanoi to evaluate the current state of the programme and to seek the assistance of the Red Cross Society and the authorities of the DRVN in preparing this report.

THE REPUBLIC OF VIETNAM (RVN)

4. *General.*—Since the beginning of the year there has been a considerable increase in the level of hostilities in the RVN. Thousands of families were forced to flee their homes and the plight of these new war victims was considered sufficiently serious to warrant an appeal by the Government of the RVN to various international organizations for relief aid for these displaced persons.

5. The prison camp at Can-Tho has been visited by ICRC delegates in the later part of 1974, and they were able to distribute relief supplies to the prisoners. All these prisoners have been captured since the signature of the Paris Agreement of January 1973.

6. Mr. Dimitri Severi has been appointed by the League of Red Cross Societies as Liaison Officer to the CRVN and has arrived in Saigon to take up his new post. He will report to the Joint Directors of the Indochina Operational Group.

RELIEF OPERATIONS

7. The need for relief distributions and medical aid to the victims of the war remains as great as ever. The IOG continues to channel substantial aid to the CRVN, which for the last 8 months has been running at some \$115,000 per month, to assist with the relief programmes organised by the CRVN.

8. During the period August/December 1974 distributions of relief supplies by the CRVN were on the following scale.

	Number of			Total number of people
	Distributions	Provinces	Families	
1974:				
August.....	175	33	23,262	133,165
September.....	224	35	15,448	104,402
October.....	183	29	19,024	111,009
November.....	134	28	10,634	61,836
December.....	131	19	18,449	109,449
1975:				
January.....	245	38	22,975	127,38

TRACING

9. The Tracing Service, which is run by the CRVN, continues to send to the Central Agency in Geneva requests for enquiries concerning military and civilian personnel who are missing in Vietnam. In the last quarter of 1974 this service has sent to Geneva about 140 dossiers of missing persons to forward to the Red Cross of the Democratic Republic of Vietnam in Hanoi. These requests have, to date, remained unanswered.

PROVISIONAL REVOLUTIONARY GOVERNMENT OF THE REPUBLIC OF SOUTH VIETNAM (PRG)

10. *250 bed Hospital Project.*—Firm orders have now been placed for all the remaining medical units for the 250 bed hospital. The equipment, all of which should arrive at Haiphong before the end of the year, has been so arranged that it can function assembled together as a 250 bed hospital or, if necessary, operate as viable independent units. The total budget for the project now stands at Sw. Frs. 6.5 million.

KINGDOM OF LAOS

11. Within the framework of its plan for national reconstruction the Government of National Union has established a programme for the gradual return of displaced persons to their villages of origin. A very large number of families are involved and the movement and resettlement of such numbers of people will require a considerable amount of help from external sources. An airlift has been organised from Vientiane to the Plain of Jars where the transit of displaced persons from both zones will be processed. It is estimated that, out of a total popula-

tion of 3 million, there are nearly 1,000,000 DPs in Laos of whom no less than 300,000 came originally from the Plain of Jars.

RELIEF OPERATIONS

12. M. Ernest Koch the resident ICRC delegate, who also represents LORCS interests through the IOG, has recently visited the resettlement project at Ban Kok Van run by the Laotian Red Cross and financed by the IOG. The first stage of the programme has now been successfully concluded, with a large amount of self help from the villagers themselves, and funds have now been allocated for the completion of the project.

13. Other operations include the distribution of relief supplies in the provinces of Houa Phanb, Wapikhamthang and Banewapi to victims of disasters caused by fires and flood, and to the hospital in Seno where a quantity of medicaments has been supplied.

14. The delegation is also assisting the authorities by the provision of transport to complete the second phase of the anti-malarial project.

15. To help the war victims in the area controlled by the Pathet Lao large quantities of medicaments and also some clothing donated by national Societies has been delivered to the authorities concerned.

KHMER REPUBLIC

16. *General.*—Conditions for the civil population, particularly in the capital Phnom Penh, have deteriorated seriously in the last few weeks. Driven from their homes and even from some of the camps on the out-skirts of the city by the violent hostilities, many thousands of families seek sanctuary nearer the town centre wherever they can find a vacant spot to deposit their few remaining possessions. The situation has been further aggravated by the blockade of shipping on the Mekong and the suspension of most external airline services to Pochentong which is subject to frequent rocket attacks. This has had the effect of drastically reducing the quantities imported of much needed food and fuel which in turn has forced up the price of the limited stocks available. Signs of malnutrition among the DPs, particularly very young children, are increasing at an alarming rate; indeed, 60% of the sick children admitted to the Kantha Bopha paediatric hospital are found to be suffering from malnutrition to an extent which seriously lessens their resistance to infection and disease.

17. A series of visits are being carried out by Delegates to detention centres in Phnom Penh and the provinces. During these visits a doctor from the Delegation carries out medical examinations of the prisoners of war and, where necessary, relief supplies are distributed. In order to ensure suitable conditions for the housing of prisoners of war in Phnom Penh, the Delegation has been advising the authorities.

18. In their efforts to assist the war victims in all areas of Cambodia, the AICR delegation has recently made quantities of medicaments available to the Royal Government of National Union (GRUNK). Details of all AICR personnel in Cambodia are notified regularly to GRUNK through their representative in Paris.

MEDICAL

19. Although AICR surgical teams have been operating in the provinces for many months, none had as yet worked in Phnom Penh. The first team to do so, who were recruited at the end of 1974 by the British Red Cross, are now working alongside Khmer medical staff in the Preah Keth Mealea hospital. Their arrival at the hospital coincided, fortuitously, with the start of the present offensive around the capital thus they have been able to give considerable help in treating the many war-wounded brought to the hospital each day. During January alone it was estimated that there were over 6,000 wounded by the fighting, of whom approximately one third were civilians including many children.

20. At Kompong Chhnang the surgical team of the Swedish Red Cross have continued their work of caring for the war-wounded and the civilian population, including many thousands of DPs, in this provincial city. During the night of 20/21 February an attack near Kompong Chhnang set fire to some DP camps and caused extensive damage and numerous casualties among these unfortunate people. 30 people were killed and over 120 wounded. An AICR surgeon and three

nurses were sent the next day from Phnom Penh to assist the hard pressed hospital staff to cope with the treatment of the casualties.

21. The first of the medico-nutritional teams (forecast in Circular No. 13 para 6 2c) headed by a doctor from the Red Cross of the Federal Republic of Germany has been in action also in Kompong Chhnang caring for the DPs, particularly women and children, in camps in the city and also on the eastern bank of the Tonle Sap. A second team sponsored by the Danish Red Cross and recruited with the aid of the French Red Cross has recently arrived in Phnom Penh and is now at work.

22. In addition to those already mentioned above there are three AICR medical teams working in the DP camps in Phnom Penh where the Swiss Red Cross team from the Kantha Bopha hospital is also carrying out a vaccination programme in addition to their normal hospital duties of caring for sick children.

23. The size and importance of the AICR medical programmes in the Khmer Republic have now grown to such an extent that it has been found necessary to set up a separate Medical Department within the Delegation to organize and administer the teams. The Medical Adviser has just reported that the need for the type of help now being given by our mobile medico-nutritional teams is so great that, given the personnel and the money, he could deploy many more such teams.

24. While not wishing to be alarmist, it must be admitted that at present, AICR personnel are working under very difficult, often precarious conditions. This is illustrated by the following extract from the latest report from the AICR Medical Adviser in Phnom Penh. "Three of our camps have been struck by rockets, once when our team was in the camp. On one occasion 4 refugees were killed. The most vulnerable camps lie around Pochentong airport—which is the real target. The teams are in radio contact with the Delegation and try to return before dark, but to be honest there is nothing one can do to minimise the risk except not visit the camp."

25. At the moment there are some 24 Red Cross medical personnel working with the AICR teams in the Khmer Republic.

RELIEF OPERATIONS

26. The programmes of distribution of relief supplies to displaced persons carried out in collaboration with the Khmer Red Cross continue but it is becoming increasingly difficult to obtain adequate supplies of food and prices are rising at an alarming rate particularly in Phnom Penh. The following figures illustrate the numbers of families of displaced persons assisted during the latter part of 1974.

	Number of families	Total number of people	Number of provinces (including Phnom Penh)
1974:			
August.....	13,244	91,155	11
September.....	19,511	101,985	8
October.....	18,040	89,600	8
November.....	18,665	92,300	7
December.....	11,641	58,100	4

27. Up to now it has been possible to purchase within the country, often from Governments stocks, sufficient food for the AICR basic feeding programmes. However with the blockade of the principal supply routes to the capital from the food producing provinces the Delegation is having to resort to importing more high protein food from external sources. A consignment of 20 tons of powdered milk, a further gift of the Swiss Government, has been supplied through the good offices of the Swiss Red Cross, and the Danish Red Cross are sending 10 tons of sweetened milk powder for distribution by the medico-nutritional team they are sponsoring. The milk powder is used exclusively in feeding programmes for children along with vitamin tablets and high protein biscuits of which additional supplies have been ordered through the national Societies of Australia and New Zealand using funds generously contributed by the Governments of those countries.

28. At the small town of Neak Luong, which is strategically important as the ferry crossing on the lower Mekong, there are approximately 61,000 people in the besieged town of whom 31,000 are displaced persons who are living in terrible conditions and are running out of food. An AICR doctor and a delegate have been sent to Neak Luong to assess what can be done to relieve the plight of the victims and volunteers from the Khmer Red Cross have been distributing milk to children.

SHELTER PROGRAMME

29. Since its inception the AICR has been providing emergency shelter for the homeless, normally in the form of tarpaulin roofs on wooden frames. As the war dragged on however, it was decided to build rather more robust dwellings for those who had lost their homes. With the assistance and advice of the Khmer Red Cross a construction programme of the traditional long-hut or "pailote" type was initiated using local labour and low cost materials supplied by the AICR. At over a dozen sites throughout the country hundreds of families have been re-housed and only the shortage and expense of building materials prevents the project expanding further.

SUB-DELEGATION

30. The Delegation has recently opened a sub-delegation at Battambang one of whose first tasks was the establishment, in collaboration with the local committee of the KRC, of a rehabilitation and training centre for young war victims. This imaginative project has been financed by a donation from the Australian Red Cross with the active participation of its youth section, and will enable the AICR to provide a home and teaching facilities for young orphans and children temporarily separated from their families.

PERSONNEL

31. At present there is a total of 36 personnel serving with the AICR action in the Khmer Republic—details of whom are given at Annex A. Since the start of the AICR programmes in this country no fewer than 126 personnel, mainly medical, from 12 different countries have served in Cambodia. In the early days most of these personnel were recruited and supported by various national Societies but unfortunately, as the action has progressed, fewer and fewer of these Societies find themselves able to provide or finance such personnel. The IOG has now to rely more and more on recruiting and financing its own medical teams which constitutes a severe drain on our limited resources.

KHMER REPUBLIC

32. *Tracing.*—The Tracing Service in the Khmer Republic is now run entirely by the Khmer Red Cross though supported financially by the AICR.

There is a staff of eight in the central office in Phnom Penh assisted by colleagues working in nine provincial centres. Considering the confused military situation, non-existent postal services and few other channels of communication open, the service achieves commendable results.

33. The following figures for the month of November 1974 are illustrative of the level of work of the tracing service.

18,740 displaced persons were registered in the files, 125 enquiries were initiated into missing Khmer personnel (of which 65 positive results were obtained in December) and more than 30 persons located.

The transmission of family messages continues at a level of about 50 per month.

FINANCE

34. It hardly needs to be stressed that the scale of International Red Cross assistance to the victims of the war in Indochina is directly related to the size of funds made available by Governments and national Societies. Many have been extremely generous; although it is perhaps invidious to make comparisons it is nevertheless clear from the figures shown at Annex B that were it not for the outstanding generosity of the Japanese Government and Red

Cross Society, which between them have contributed no less than 38% of the total cash so far received by the IOG, the scale of assistance would have been very substantially lower than is the case. At the other end of the scale it is heartening to be able to report that the Lao Red Cross, recognising that some of their sister Societies in Indochina have greater needs than themselves, have voluntarily reduced their requests for support thereby, in effect, becoming a "donor" Society. It is this sort of unselfishness that makes the international Red Cross family more determined than ever to help them.

INFORMATION

35. Several radio interviews have been made by AICR delegates returning from the field. These have been broadcast by the Swiss Radio Services (French & German) and syndicated to other national radio stations.

36. A Television film team has been working in Cambodia on behalf of the IOG to record the suffering caused by the war to the civilian population and to show what the Red Cross and other voluntary agencies are doing to help the plight of the war victims. A T.V. clip has been syndicated to interested countries and a longer more detailed film is in course of preparation, copies of which will be available shortly.

G. D. GILL,
Head of Operations,
Indochina Operational Group.

KHMER REPUBLIC

ANNEX A

Name	Function	Source/ Sponsor	Nationality
Delegation:			
Mr. A. Pasquier	Chief delegate	ICRC	Swiss.
Mr. R. Duc	Deputy chief delegate	ICRC	Do.
Dr. P. Grellety	Medical adviser	IOG	French.
Mr. F. Zen Ruffinen	Delegate	ICRC	Swiss.
Mr. G. Streiffert	Relief and development	LORCS/IOG	Swedish.
Mrs. S. Pasquier	Controller finance and administration	ICRC	Swiss.
Mr. D. Dreiser	Administrator/logistics	IOG	F.R.G.
Mr. J. Cardebat	Assistant administrator/logistics	IOG	French.
Mr. P. Kunz	Radio operator	ICRC/IOG	Swiss.
Subdelegation: (Battambang) Mr. F. Deschâtres			
	Relief and development	IOG	French.
Medical personnel: Phnom Penh, Dr. J. F. Roper			
	Acting medical adviser	IOG	British.
DP Camps:			
Dr. Ly Por Say	Doctor	IOG	Khmer.
Miss I. Hug	Nurse	IOG	Swiss.
Miss S. Jolivet	do	IOG	French.
Miss A. Castera	do	IOG	Do.
Mr. J. B. Schaller	Hygiene and construction	IOG	Swiss.
Miss E. Plouy	Nurse	IOG	French.
Manta Bopha (Swiss Red Cross):			
Dr. B. Richner	Doctor	Swiss RC	Swiss.
Miss H. Steingruber	Nurse	do	Do.
Miss B. Baur	do	do	Do.
Miss B. Graf	do	do	Do.
Miss K. Grünig	do	do	Do.
Preah Keth Mealea surgical team II:			
Dr. M. Daly	Surgeon	IOG	British.
Dr. G. Carmichael	Anaesthetist	IOG	Do.
Miss P. Ash	Post-operative nurse	IOG	Do.
Miss H. Fraser	Theatre nurse	IOG	Do.
Mr. P. Scherpereel	Nurse	IOG	Belgian.
Medical nutritional team I:			
Miss A. Bocchia	do	IOG	French.
Miss M. J. Reynaert	do	IOG	Belgian.
Medical nutritional team II:			
Miss F. Le Monde	do	Danish RC	French.
Mr. J. P. Marchand	do	do	Do.
Kompong Chhnang: surgical team I (Swedish Red Cross):			
Dr. B. Zetterström	Surgeon	Swedish RC	Swedish.
Miss K. Högberg	Anaesthetist nurse	do	Do.
Miss U. Nyberg	Theatre nurse	do	Do.
Miss B. Eliasson	Post-operative nurse	do	Do.
Mr. A. Suard	Administrator	IOG	Swiss.

ANNEX B

SUMMARY OF CONTRIBUTIONS RECEIVED IN CASH, KINDS, AND SERVICES

Countries	Cash Swiss franc	Kinds Swiss franc	Services Swiss franc	Total by country
Australia	107,179	89,868	(1)	1,637,613
Government	1,440,566			
Austria:				2,008,632
Government	1,123,870			
Youth RC	434,455	222,860		
Other organizations	227,447			
Belgium			394,070	394,070
Canada	105,498		153,034	3,710,174
Government	3,386,535		165,107	
Denmark	1,671,822	2,310,876	176,000	4,211,805
Save the Children Fund	53,107			
Finland		488,512	31,666	1,408,031
Government	487,853	400,000		
France	38,906	233,240	68,650	958,796
Government		620,000		
Germany (Federal Republic)	657,115	3,984,123	1202,300	4,843,539
Germany (Democratic Republic)		431,613		
Great Britain	42,800		(1)	852,345
Government	809,445			
Greece	1,000			1,000
Iceland	7,000			16,700
Government	9,700			
India		30,500		30,500
Ireland	22,672			22,672
Italy	189,760			189,760
Government	110,487	3,070,720	189,254	
Japan	17,806,379			21,176,840
Government	9,318	6,736		
Korea	500			500
Lebanon	8,401			8,401
Liechtenstein	10,000			10,000
Luxemburg	500			500
Nepal	662,157	248,962	(2)	2,031,119
Netherlands	1,120,000			
Government	12,579			2,039,590
New Zealand	2,027,011			
Norway	50,000	240	162,918	3,988,162
Government	3,775,004			
Philippines	2,340			2,340
Poland		50,000		50,000
Portugal	61			61
South Africa	2,401			2,401
Soviet Union		390,000	663,000	1,053,000
Sweden	1,842,220	857,656	916,000	
Government	4,967,014			8,627,890
Switzerland	155,000	999,261	461,412	
Government		1,366,042	454,632	3,391,347
Thailand	1,572			1,572
Turkey	32,258			32,258
United States				6,657,878
Government	4,657,878			
ICRC	200,000	233,865	916,447	1,350,312
LORCS	3,788,968		190,000	3,978,968
UNICEF		30,714		30,714
Miscellaneous	95,566			95,566
Reimbursements	691,467			691,467
Typhoon	235,167		(3)	235,167
Total	55,079,078	16,065,788	5,044,490	76,189,33

¹ Value of gift parcels is not stated.

² Firm pledge. Medical Centre HOC MON.

³ Medical team provided; total value of contribution in services still unknown.

⁴ Further substantial contribution notified but precise amount not yet known.

⁵ Value of contribution in kind provided in typhoon stricken areas is not included.

Note: National Societies of Red Cross and governments are kindly asked to check the above mentioned figures and advise IOG of any discrepancy they could have found.

THE AMERICAN NATIONAL RED CROSS,
Washington, D.C., April 10, 1975.

HON. DANIEL PARKER,
Administrator, Agency for International Development

DEAR MR. PARKER: I am writing to you to urge the United States Government through the Agency for International Development to support the work of the International Red Cross in aiding the victims of the conflict in Southeast Asia by providing assistance in the form of a contribution.

The American National Red Cross, in transmitting this request to you, points out that the International Red Cross has issued an urgent appeal for \$35,000,000 to help meet immediate needs of millions of persons for all the basic essentials of life such as food, clothing, shelter, blankets and medical aid. In view of the very rapid developments in South Vietnam and Cambodia and the greatly increased number of persons to be assisted, intensive increased effort is imperative to expand and continue the work already begun by the International Red Cross in those countries. The International Red Cross is coordinating its efforts to send personnel, including medical and nutritional experts as well as supplies, and provide transportation facilities to meet the urgent human needs of refugees who are victims of a situation beyond their control.

I, therefore, seek your intercession with appropriate authorities of the United States Government to assist the humanitarian efforts of the International Red Cross to provide aid to relieve the suffering refugees of Southeast Asia. You may be certain that my Red Cross associates throughout the world would join me in a heartfelt expression of gratitude if it is possible for the United States Government to meet this request.

Sincerely,

GEORGE M. ELSEY.

Mr. HABIB. It may be. I could not answer the question precisely. It may be.

Mr. WINN. Some of those agencies, the religious ones or some of them, may be acceptable to the North Vietnamese?

Mr. HABIB. They may be, but under what circumstances and what conditions and whether or not they will be able to follow through and know what happens with it, I don't know.

Mr. RIEGLE. Would the gentleman yield?

Mr. WINN. Yes.

OFFICIAL RED CROSS APPROACH

Mr. RIEGLE. As I understand it, I think the gentleman in the second row is trying to give a response. As I understand it, I thought I had read published records to the effect that the North Vietnamese had officially approached International Red Cross organizations—I think specifically the one that is based in Geneva—and asked that they be involved. Is that not correct? I think one of you there knows that.

Mr. HABIB. That is correct, they have, but what I have offered to provide for the committee, if I could, is a factual statement of just what is going on.

Mr. RIEGLE. What I don't understand is that you were very imprecise in your response and he was just very precise in his. He said there was such a request made.

Now, is there or isn't there?

Mr. HABIB. To my knowledge, there was a request made but what I was trying to address was the question of what that is, compared to what is actually going on, what is being done, and I think we have some idea in that regard.

LACK OF NORTH VIETNAMESE COOPERATION

Mr. WINN. Along that same line I would have to point out that all during the war basically the North Vietnamese did not recognize the International Red Cross nor did they recognize inspection teams nor did they cooperate as far as MIA's are concerned.

Mr. HABIB. That is correct. We tried in those days to get the ICRC in and they were refused.

Mr. WINN. Thank you.

TRANSFERS AND REALLOCATIONS

Mr. HAMILTON. Gentlemen, I have one other request that you furnish the committee. I would like to have any transfers or reallocations of funds to South Vietnam from other sources that may have occurred in fiscal year 1974 and 1975 budgets.

Mr. GARDINER. From what other sources?

Mr. HAMILTON. That is for you to tell me. I am just aware of the facts that from time to time amounts of money popped up and we don't know where they have come from. You have done some transfers and reallocation. We want to know how much has gone into South Vietnam in fiscal 1974 and 1975.

[The following information was supplied:]

No funds were transferred to the South Vietnam MASF or DAV accounts during FY 1974 or FY 1975.

AID FUNDS ALLOCATED TO SOUTH VIETNAM IN FISCAL YEAR 1974 AND
FISCAL YEAR 1975

Of \$383,398,000 obligated in FY 1974 for the South Vietnam program under the Foreign Assistance Act of 1961, as amended, \$50,000,000 was from the Development Assistance appropriation. This sum was in the form of a Development Loan and was authorized in July 1973. There were no such allocations made in FY 1975. Obligations in FY 1975 for Vietnam totalled \$193,044,000 through March 31, 1975, all authorized and appropriated by the Congress within the Indochina Post-war Reconstruction category.

Mr. HAMILTON. Any further questions?

If not, the subcommittee will go into executive session.

We will have to ask your guests to leave at this point and only those who are witnesses, members of the subcommittee, staff of the International Relations Committee and those gentleman necessary to assist the witnesses should remain.

[Whereupon, at 3:58 p.m., the subcommittee proceeded in executive session.]

APPENDIX 1

BIOGRAPHIES OF WITNESSES

LT. GEN. HOWARD M. FISH, U.S. AIR FORCE

General Fish was born in Melrose, Minnesota, on 1 August 1923, and graduated from St. Cloud Cathedral High School, St. Cloud, Minnesota, in June 1941. He entered the Army Air Force in 1942 and served as an aerial gunner at Tyndall Field, Florida. He entered advanced navigator training at Monroe, Louisiana, in November 1943, and received his navigator rating and commission as a second lieutenant in the Army Air Corps in July 1944.

During World War II, from October 1944, he served as a navigator in the European Theater of Operations on a B-17 aircraft crew with the 419th Bombardment Squadron, 301st Bombardment Group in Italy. He was shot down over Vienna, Austria, in February 1945, and spent the remainder of the war as a prisoner of war in Germany.

In November 1945 he attended a student navigator refresher course at Ellington Field, Texas, and at Fairfield-Suisun Air Base, California. In February 1946 he was assigned as assistant statistical control officer, Chanute Field, Illinois, and in April 1946 he was transferred to Orlando, Florida, for statistical control indoctrination training.

General Fish returned to Germany in July 1946, serving first in Berlin, at Tempelhof Air Base, and later in Wiesbaden as a statistical control officer. He also flew in the Berlin Airlift.

He returned to the United States in July 1949, and trained as a navigator-bombardier at Mather Air Force Base, California. In April 1950 he was assigned to the 84th Bombardment Squadron at Langley Air Force Base, Virginia.

During the Korean War, in July 1950, he was transferred to the 162nd Tactical Reconnaissance Squadron, which was immediately sent to Korea where he flew 63 combat missions. General Fish later served as a navigator on the crew of the commanding general, Eighth Army in Korea. In March 1951 he was assigned as Chief, Program Analysis Section, 374th Troop Carrier Wing, Far Eastern Air Forces.

He returned to Langley Air Force Base in June 1951 to train replacement combat crews for B-26 aircraft units in Korea. Initially he served as a squadron navigator in the 4400th Combat Crew Training Group and later as a squadron executive officer and group director of operations and training.

In January 1954 General Fish attended the Air Command and Staff College, Maxwell Air Force Base, Alabama. He returned to Langley Air Force Base as executive officer for the 405th Fighter Bomber Wing.

In June 1956 he entered the University of Chicago and graduated in August 1957 with a master's degree in business administration. He became a member of the business scholarship fraternity, Beta Gamma Sigma.

He was transferred to Europe in October 1957, serving first as Wing Comptroller for the 60th Troop Carrier Wing at Drux Air Base, France, and then as Comptroller, 7310th Air Base Wing, Rhein-Main Air Base, Germany.

In July 1960 he entered the Armed Forces Staff College at Norfolk, Virginia, and in January 1961 he was assigned as Director of Data Automation, and later as Assistant Deputy Chief of Staff, Comptroller, Headquarters Eastern Transport Air Force, McGuire Air Force Base, New Jersey.

In August 1963 he entered the Air War College, Maxwell Air Force Base, Alabama, and while there, received a master's degree in international affairs from George Washington University. In July 1964 he was assigned as a plans and programs officer in the Directorate of Plans, Headquarters U.S. Air Force, Washington, D.C. He was named Assistant for Analysis to the Deputy Director of Plans for Force Development in December 1967.

In March 1969 he was named Director of Tactical Analysis, Seventh Air Force, Tan Son Nhut Airfield, Republic of Vietnam.

General Fish returned to Headquarters U.S. Air Force in July 1970 as the Deputy Director of Doctrine, Concepts and Objectives, Deputy Chief of Staff, Plans and Operations. He was appointed Deputy Director of the Budget, Office of the Comptroller, in February 1971 and became Director of the Budget in October 1973.

On 1 August 1974 General Fish assumed the dual-hatted title of Director, Defense Security Assistance Agency, and Deputy Assistant Secretary of Defense (International Security Affairs) for Security Assistance.

His military decorations and awards include the Legion of Merit with one oak leaf cluster, Distinguished Flying Cross with one oak leaf cluster, Air Medal with four oak leaf clusters, Air Force Commendation Medal, and the Purple Heart. He holds a master navigator rating.

General Fish is married to the former Jamie Katherine Tom of Corpus Christi, Texas. They have one son, Howard Math Fish.

He was promoted to the grade of lieutenant general effective 4 October 1974, with date of rank 3 October 1974.

ARTHUR Z. GARDINER, JR.

Present position: April 1975: Assistant Administrator, Bureau for East Asia, AID, Department of State.

Other experience:

1971-75: General Counsel, AID;

1967-71: Partner of Wilmer, Cutler & Pickering; General Washington practice with emphasis in communications, trade regulation, international financing, corporate and securities law;

1961-67: Associate of Wilmer, Cutler & Pickering; and

1960-61: Associate of Cox, Langford, Stoddard & Cutler.

Military duty: None.

Education:

1960: L.L.B., Harvard Law School, Harvard Law Review; and

1957: B.A., Yale College, History Major, Magna Cum Laude, Phi Beta Kappa.

Personal data:

Born August 1, 1935, New York, New York.

Married Letitia G. Gardiner; four children.

HON. PHILIP C. HABIB

Philip Charles Habib of California was sworn in September 27, 1974, as Assistant Secretary of State for East Asian and Pacific Affairs, succeeding Robert S. Ingersoll who is now Deputy Secretary of State. A career Foreign Service Officer, Mr. Habib had served since 1971 as Ambassador to Korea.

Mr. Habib was born on February 25, 1920 in Brooklyn, New York, and graduated in 1942 from the University of Idaho. In 1952 he received a Ph. D. degree from the University of California.

Mr. Habib served in the U.S. Army during World War II. He became a Teaching Research Assistant at the University of California in 1947. He was appointed a Foreign Service Officer in 1949 and assigned to the American Embassy at Ottawa as an Economic Officer. He served at the Embassy in Wellington, N.Z., from 1951 through 1954, and in the Department 1955-57. He subsequently served as Political Officer at Port of Spain, and in 1960-61 served as the Officer-in-Charge for Under-Developed Areas in the Office of the Under Secretary's Special Assistant for Communist Economic Affairs.

From 1962-65 he was Counselor for Political Affairs at Seoul. He was assigned to Saigon from 1965 to 1967, where he served as Political Officer with the personal rank of minister. He was Deputy Assistant Secretary for East Asian and Pacific Affairs from 1967 to 1969, and from 1968 to 1971 was Senior Advisor to the United States Delegation at the Paris meetings on Vietnam.

Mr. Habib is married to the former Marjorie W. Slightam. They have two daughters, Phyllis and Susan.

HON. ROBERT S. INGERSOLL

Robert Stephen Ingersoll, of Winnetka, Ill., was sworn in July 10, 1974, as Deputy Secretary of State. Mr. Ingersoll had served since January 8, 1974, as Assistant Secretary of State for East Asian and Pacific Affairs, and from April 3, 1972 until last January as U.S. Ambassador to Japan.

Born in Galesburg, Ill., on January 28, 1914. Mr. Ingersoll graduated from Phillips Academy and from the Sheffield Science School of Yale University, where he received a BS degree in 1937.

Before his service in Japan, Mr. Ingersoll had spent some 35 years in industry, the last 33 with the Borg-Warner Corp. in Chicago. He was chairman of the board and chief executive officer of Borg-Warner at the time of his appointment to Japan. Prior to joining Borg-Warner, Mr. Ingersoll served with Armco Steel Corp. from 1937 to 1939.

He was formerly a director of the First National Bank of Chicago, Atlantic Richfield, Burlington Northern, Marcor Corp., and a member of the board of directors of the U.S. Chamber of Commerce. He has also been a director of the Chicago Association of Commerce and Industry and a member of the Business Council; also an active member of several international business committees and councils, including the Advisory Council on Japan-U.S. Economic Relations, and the Emergency Committee for American Trade.

With a deep interest in education, Mr. Ingersoll holds trusteeships with the University of Chicago, the Aspen Institute for Humanistic Studies, and the California Institute of Technology. He was formerly President of the Board of Education of Winnetka, Ill.

Other associations involved him in civic activities such as board memberships with Evanston, (Ill.) Hospital, Chicago Symphony Orchestra, Leadership Council for Metropolitan Open Communities, and the Mayor's Committee for Arts and Culture (Chicago).

Mr. Ingersoll is married to the former Coralyn Eleanor Reid, and they have four daughters.

GARNETT A. ZIMMERLY

Name: Garnett A. Zimmerly.

Present position: Acting Assistant Administrator, East Asia Bureau, Agency for International Development.

Date and place of birth: December 21, 1928, Hope, Arkansas.

Marital status: Married to Carol Carpenter—1950; Children—four (ages: 23, 20, 18 and 12).

Education: Graduate BSA—University of Missouri—1952. Additional work: USDA Graduate School, George Washington University.

Military service: U.S. Navy—1946-48.

Employment history:

October 15, 1974—present: Acting Assistant Administrator, East Asia Bureau.

March 19, 1973—October 15, 1974: Deputy Assistant Administrator, Bureau for Supporting Assistance.

October 1972—March 18, 1973: Acting Deputy Assistant Administrator, Bureau for Supporting Assistance.

July 1972—September 1972: Director, Office of Vietnam Affairs.

January 1972—July 1972: Acting Deputy Director, Office of Vietnam Affairs.

September 1970—October 1971: Associate Director for Program, USAID/Saigon.

August 1969—June 1970: Member, Senior Seminar in Foreign Policy, State Department.

January 1968—July 1969: Program and Economic Affairs Officer, USAID/Laos.

February 1965—January 1968: Deputy Assistant Director, Program and Economic Policy, USAID/Korea.

January 1964—February 1965: Deputy Chief, Program Division, Office of Development Planning, East Asia Bureau—AID/W.

December 1962—January 1964: International Relations Officer, Office of Korean Affairs, East Asia Bureau—AID/W.

October 1958—December 1962: USOM/Korea—Assistant Program Officer and Program Officer Assignments.

January 1953—July 1958: Kansas State University Extension Service.

February 1952—January 1953: University of Missouri Extension Service.

Awards and honors:

—Who's Who in America.

—Who's Who in Government.

—Republic of Korea Award for Civil Service Merit awarded by President of Korea—March 1968.

—Agency for International Development Meritorious Award—1967.

APPENDIX 2

LETTER TO SENATOR JOHN J. SPARKMAN FROM COMPTROLLER GENERAL ON CONTROLS AND PROCEDURES USED FOR LEGISLATIVE DOLLAR CEILING IN CAMBODIA

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington, D.C., March 18, 1975.

HON. JOHN J. SPARKMAN,
*Chairman, Committee on Foreign Relations,
U.S. Senate*

DEAR MR. CHAIRMAN: This is in response to your request that we inquire into the controls and procedures used by executive branch agencies to insure that the legislative dollar ceiling for Cambodia is not exceeded. We were informed that the Committee was specifically interested in the pricing formulas used by the Department of Defense in providing additional articles from regular defense stocks.

As your staff requested, our review was limited so that the results could be conveyed to you as soon as possible. Therefore, we did not obtain written comments from the agencies involved. We did examine recorded costs at Defense and the Agency for International Development in Washington and made a limited inquiry into the accounting controls and pricing procedures used by the U.S. Army Armament Command. We did not verify actual deliveries from the forward depots to Cambodia. From our limited work, we believe that executive branch agencies are making a concerted effort, within the constraints of their accounting and reporting systems, to report all costs they consider subject to the ceiling. Enclosure I describes the procedures being followed and enclosures II and III show the recent status of the accounts.

It is important to note that ammunition in the pipeline, up to and including the forward depot stocks in Thailand, remains in the inventory accounts of the military services. A charge is not made against the ceiling until an order is issued authorizing the delivery team in-country to call the ammunition forward to Cambodia. Therefore, the ceiling does not preclude ammunition from being shipped to the forward depots to replace ammunition previously delivered to Cambodia. This could then be used if additional assistance were to be provided to Cambodia.

The Department of State advised us that although other U.S. agencies have activities in Cambodia, Defense and the Agency for International Development are the only U.S. agencies providing military or economic assistance.

Sincerely yours,

ELMER B. STATTS,
Comptroller General of the United States.

Enclosures—3.

Inclosure I

SUMMARY OF OBSERVATIONS ON COMPLIANCE WITH DOLLAR CEILING ON ASSISTANCE TO CAMBODIA

Section 39 of the Foreign Assistance Act of 1974 (Public Law 93-559, approved Dec. 30, 1974) amended section 655 of the Foreign Assistance Act of 1961 (22 U.S.C. 2415), and placed a ceiling of \$377 million on obligations in, to, for, or on behalf of Cambodia during the fiscal year 1975 by gift, donation, loan, lease, or otherwise. In addition to the ceiling on obligations, section 39 authorized Defense to order defense articles and services for Cambodia under section 506 (22 U.S.C. 2318) in an amount not to exceed \$75 million.

Section 39 further established the the following subceilings on obligations.

Category of assistance:	Amount (millions)
Military assistance.....	\$200
Humanitarian assistance.....	20
Commodity import program.....	63
Multilateral stabilization assistance.....	15
Technical support and training.....	2
Total	300

The remaining \$77 million under the ceiling was provided for assistance under the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480). This amount was not established as a subceiling, however, and any funds not used in the other categories were available for Public Law 480 programs.

Section 655(f) of the Foreign Assistance Act, as amended, requires that, within 30 days after the end of each quarter of the fiscal year, the President submit to the Congress a written report showing the total amount obligated in, for, or on behalf of Cambodia during the preceding quarter. On February 20, 1975, the Department of State submitted reports to the Congress showing that Defense and Agency for International Development obligations and other reportable expenditures cumulative through December 31, 1974, amounted to \$296 million. (See enc. II.)

By January 10, 1975, the \$200 million authorized for military assistance had been fully committed, and the President authorized the use of the additional \$75 million (drawdown authority). Defense records show that, as of February 7, 1975, the funds available under the drawdown authority had been fully committed. (See enc. III.) Defense advised us, however, that as of March 5, 1975, assets valued at \$75.8 million had not been delivered to Cambodia.

Defense reporting procedures

We made limited tests to determine whether Defense controls and procedures were adequate to insure that the reports submitted to the Congress were reasonably complete and accurate. We also made a limited evaluation of the criteria used in pricing the ammunition provided to Cambodia.

Grant aid and drawdown authority

Defense officials advised us that the guidelines and pricing criteria used for controlling and reporting the \$75 million drawdown authority were the same as those used for the \$200 million Military Assistance Program (MAP). We were advised that the only difference is that under MAP, the military departments are reimbursed from foreign assistance funds for goods and services provided whereas under the drawdown authority they are not reimbursed. Our tests of the controls and procedures for ammunition provided under both programs confirmed that the same criteria and controls were being applied to that line item.

Charges against the ceiling are made when an order is written by the Defense Security Assistance Agency on the military services to supply defense items or perform services. The Agency advised us that, for control purposes, the value of the order is charged against the ceiling when written, even though the order may be rescinded if the military services have not irrevocably committed funds.

Financing of ammunition pipeline

The procedure used for financing the ammunition pipeline for Cambodia differs from that normally used for MAP recipient countries and for other military items provided to Cambodia. In accordance with Secretary of Defense instructions, the military departmental appropriations finance the pipeline for the Cambodia program to the forward storage points—primarily depots located in Thailand. Ordinarily the control point is at the military department inventory control points and departmental appropriations are not used to finance the pipeline.

The MAP-Cambodia account is charged when constructive delivery occurs, which is the time the ammunition is issued from the forward depots for transfer to Cambodia. Costs associated with shipping the ammunition from the United States to the forward storage locations are also charged to the ceiling at that time.

Pricing of ammunition

The U.S. Army Armament Command has primary responsibility for computing the unit prices for ammunition delivered from U.S. Army inventories to Cambodia. We noted that the prices charged to MAP-Cambodia for ammunition were computed on the same basis as those charged to other MAP recipient countries of the program. Prices were generally inflated to estimate procurement costs at a future point in time. The Armament Command stated that this action was based on its interpretation of Army Regulations, which permit price modifications to allow for pending contract changes and other factors.

According to Armament Command officials, ammunition unit prices include a factor for transportation costs to the first destination in the United States. In October 1974 the price list included a 4.5-percent factor for these charges. Other packing, handling, and overseas transportation costs for ammunition are charged to the ceiling upon delivery to Cambodia.

Administrative support costs

Defense reported that \$27,117,000 had been committed for administrative support costs for the Cambodia program as of December 31, 1974. This included an amount for supply operations, administration, and U.S. military personnel costs. Although not all of these costs are reimbursed from MAP funds, they are charged to the ceiling amount.

Supply operations

Defense Security Assistance Agency officials advised us that the \$25.5 million reported under this category represented the best estimate available at that time, and included (1) the cost of the airlift and barge contracts, (2) U.S. Air Force maintenance cost, except for personnel costs, for the C-130 aircraft flown under contract by Birdair Company, and (3) an amount for packing, crating, handling, and overseas transportation costs. We were advised that the reported amount did not include a percentage factor to recover the U.S. Air Force investment in the C-130 aircraft or an amount for pay and allowances for U.S. Air Force personnel engaged in maintaining the aircraft. The officials told us that they may include an amount for military pay and allowances in subsequent reports.

Administration and military personnel

We were advised that the \$750,000 reported as administrative costs as of December 31, 1974, represented 50 percent of the fiscal year 1975 budget for operating the military equipment delivery team, Cambodia. Actual obligations under the team's operating budget may not correspond to this amount, but it appears that the amount reported is a reasonable estimate for half the fiscal year. The \$867,000 reported for military personnel costs is for those individuals assigned to the team.

We were told, however, that the reported amounts do not include personnel and administrative costs of the Cambodia program incurred by the Commander in Chief, Pacific, or by the Defense Security Assistance Agency in Washington.

Excess defense articles and MAP redistributable property

Defense reported that, as of December 31, 1974, excess defense articles valued at \$419,000 and MAP redistributable property valued at \$14.3 million were provided to Cambodia. Defense Security Assistance Agency officials advised us that the amounts reported represent the fair market value of the item, but not less than one-third of the acquisition cost. From our limited review, we are not satisfied that the procedures and controls are adequate to insure that all excess defense articles and MAP redistributable property delivered to Cambodia are included in the ceiling report or that the amounts reported are correct.

We noted that program lines are authorized for excess defense articles and MAP redistributable property, but the authorization does not fix a dollar limit on the amount which can be provided. Defense Security Assistance Agency officials stated that, although the authorized program lines do not establish a dollar limit, the ceiling will not be exceeded because the Commander in Chief, Pacific, controls the delivery of such material to Cambodia. The Agency, however, does not receive sufficient documentation to insure that all deliveries of excess defense articles and MAP redistributable property will be reported.

The delivery of a large quantity of ammunition from Laos to Cambodia provides an example of the inadequate controls with respect to excess defense articles and redistributable property. We were advised that a large amount of

ammunition owned by the Laos MAP was transferred to Cambodia. The December 31, 1974, ceiling report included \$12.7 million for ammunition obtained from other MAP countries, and we were told that about \$12.1 million of this amount came from the Laos program. However, no documentation was available at the Defense Security Assistance Agency to substantiate this transfer from Laos to Cambodia. We were told that a value for this ammunition transfer was reported on the basis of verbal instructions and that the amount reported represented only 50 percent of the acquisition value, although no information was available at the Agency concerning the condition of the ammunition.

Agency for International Development reporting procedures

The Agency reported that, as of December 31, 1974, \$35 million had been obligated for economic assistance under the Indochina Postwar Reconstruction program, and \$76.3 million for Public Law 480 programs. Except for \$8,000 provided from excess property, the amounts reported for economic assistance and Public Law 480, Title I programs represent country-to-country agreements signed with the Cambodian Government. The amounts reported for Public Law 480, Title II programs represent that portion of the Voluntary Agencies' estimated annual requirements that the Agency for International Development has approved. The amounts reported as obligations, however, do not represent the amount delivered to Cambodia.

Based on our limited review, it appears that the controls for those items reported are adequate. However, we noted that several categories of costs related to economic assistance to Cambodia were not included in the Agency for International Development's December 31, 1974, report.

—Cambodia Mission operating expenses estimated at \$440,000.

—Agency for International Development/Washington administrative costs related to economic assistance to Cambodia estimated at \$155,000.

—Ocean transportation costs of about \$368,000 paid by the Department of Agriculture for Public Law 480 Title I commodities.

—Transportation costs associated with the Public Law 480 Title II programs estimated at \$190,000.

In some cases the Agency has taken the position that the costs are not reportable under the ceiling; however, in other cases it has not reached a formal conclusion. At this time we have not determined whether the costs should be included under the ceiling and reported pursuant to section 655(f) of the Foreign Assistance Act.

Enclosure II

DEFENSE AND AGENCY FOR INTERNATIONAL DEVELOPMENT OBLIGATIONS AND OTHER REPORTABLE COSTS CUMULATIVE THROUGH DECEMBER 31, 1974

Defense:	<i>Amount (000 omitted)</i>
Grant aid:	
Aircraft and aircraft spare parts-----	\$795
Ships and ship spare parts-----	2,371
Vehicles and weapons-----	2,944
Ammunition-----	110,439
Communications equipment-----	468
Other equipment, supplies, and fuel-----	14,821
Construction-----	343
Repair and rehabilitation-----	4,905
Training-----	4,150
Other services-----	1,493
Total-----	142,729
Administrative support costs:	
Supply operations-----	25,500
Administrative costs-----	750
Military personnel costs-----	867
Total-----	27,117

DEFENSE AND AGENCY FOR INTERNATIONAL DEVELOPMENT OBLIGATIONS AND OTHER
REPORTABLE COSTS CUMULATIVE THROUGH DECEMBER 31, 1974—Continued

Defense—Continued:	<i>Amount (000 omitted)</i>
Excess defense articles:	
Aircraft	\$407
Bridges	12
Total	<u>419</u>
MAP redistributable property:	
Aircraft and aircraft engines	765
Vehicles and weapons	567
Ammunition	12,755
Communications equipment	47
Other equipment and supplies	171
Total	<u>14,305</u>
Excess deliveries—secondary items	92
Defense total	<u>184,662</u>
Agency for International Development:	
Economic assistance:	
Humanitarian assistance	365
Commodity import program	31,000
Multilateral stabilization assistance	3,120
Technical support and training	502
Excess property	8
Total	<u>34,995</u>
Public Law 480 assistance:	
Title I concessional sales	75,200
Title II Voluntary Agency programs	1,113
Total	<u>76,313</u>
Agency total	<u>111,308</u>
Total	<u>295,970</u>

Enclosure III

USE OF FUNDS AVAILABLE UNDER SECTION 506 DRAWDOWN AUTHORITY AS OF
FEBRUARY 7, 1975

Category:	<i>Amount (000 omitted)</i>
Aircraft spare parts	\$1,400
Ship spare parts	947
Howitzers	34
Recoilless rifles	95
Weapon spare parts	471
Automotive supplies and spares	232
Ammunition	50,578
Communications equipment and spares	211
Support equipment	507
Supplies	935
Repair and rehabilitation	3,363
Training aids	2
Technical assistance	221
Total defense articles and services	<u>58,996</u>
Supply operations	<u>16,004</u>
Total	<u>75,000</u>

APPENDIX 3

EXCHANGE OF LETTERS BETWEEN HON. LEE H. HAMILTON AND DEPARTMENT OF DEFENSE CONCERNING REPORT RELATING TO OVERCHARGE IN CAMBODIAN ACCOUNT

CONGRESS OF THE UNITED STATES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, D.C., April 28, 1975.

HON. JAMES R. SCHLESINGER,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: Enclosed is a copy of a letter from the General Accounting Office to Senator Pearson concerning a recent report by the Department of Defense relating to an overcharge in the Cambodian account of \$21.5 million for ammunition during fiscal year 1974.

I would appreciate receiving the comments of the Department of Defense on this report and I would intend to publish those comments along with this letter in the record of our hearings.

I would like your early attention to this inquiry so that the record of our hearings can be completed.

With best regards,

Sincerely yours,

LEE H. HAMILTON,
Chairman, Special Subcommittee on Investigations.

DEFENSE SECURITY ASSISTANT AGENCY,
DEPUTY ASSISTANT SECRETARY (SECURITY ASSISTANCE), OASD/ISA,
Washington, D.C., May 10, 1975.

HON. LEE H. HAMILTON,
Chairman, Special Subcommittee on Investigations,
Committee on International Relations,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This responds, on behalf of the Secretary of Defense, to your letter of 28 April 1975, in which you requested Defense's comments on the letter report of the GAO to Senator Pearson concerning an overcharge in the Cambodian account of \$21.5 million for ammunition during fiscal year 1974.

We believe you will find that the attached letter to the Chairman, Committee on International Relations, the Honorable Thomas E. Morgan, which addresses the question of Cambodian ammunition overcharge, is responsive to your requirement.

Please advise if we can be of further assistance.

Sincerely,

H. M. FISH,
Lieutenant General, USAF.

OFFICE OF THE DIRECTOR DEFENSE SECURITY ASSISTANCE AGENCY
AND DEPUTY ASSISTANT SECRETARY (SECURITY ASSISTANCE), OASD/ISA,
Washington, D.C., April 4, 1975.

HON. THOMAS E. MORGAN,
Chairman, Committee on International Relations,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: The Comptroller General's letter of March 28, 1975 to Senator Pearson concerning the handling by the Department of Defense of an overcharge in the pricing of ammunition for Cambodia during fiscal year 1974 concludes that it does not violate the technical requirements of section 655 of the Foreign Assistance Act of 1961, as amended, but does violate the spirit and intent of the Congress. In view of the latter contention, and inasmuch as the Department of Defense was not given an opportunity to comment on the Comptroller General's letter before it was issued, we think it appropriate to respond to the chief points in that letter at this time.

On page 2 of the letter, the Comptroller General states that he believes that charges to the MAP must be made on the basis of consistent accounting, billing, and pricing practices. We agree wholeheartedly. Indeed, as the Comptroller General's letter indicates, the reason for the overcharge is that the standard accounting, billing and pricing practices applicable to all MAP countries were not correctly applied in some cases. The basic purpose of the Defense audit report was to determine whether the standard practices had in fact been followed and to assure compliance with those practices. The recovery of the amount of the overcharge is a direct consequence of our insistence that the standard practices be followed. In this connection, the Comptroller General recommends at the end of his letter that the Congress direct that the pricing for MAP purposes be determined at the time material to be delivered is withdrawn from inventory. In fact, the applicable Department of Defense regulation, DOD Directive 7200.7 (December 16, 1964) expressly so provides (See sections VII.B.1. and VIII.B.2). In part, the overcharge resulted from not complying with that requirement.

With respect to the text of section 655, the Comptroller General, while conceding that section 655 speaks in terms of obligations, quotes extensively from the language of the 1971 report of the Committee on Foreign Relations which speaks in terms of a ceiling on expenditures. In the context of the Comptroller General's subsequent discussion of the underlying purpose of section 655, a casual reader could infer that, notwithstanding the literal language of section 655, the Congress was trying to control expenditures. Any such inference is, of course, clearly mistaken. As originally adopted by the Foreign Relations Committee and approved by the Senate, section 655 of the proposed Foreign Assistance Act of 1971 imposed a ceiling on both obligations and expenditures. However, in the conference between the House and the Senate, the reference to expenditures was deliberately deleted. Presumably, it was deleted for the reasons urged by the Executive Branch in its comments on that section to the Conference Committee. On this point, the Executive Branch had stated as follows (Conference Committee Print, November 19, 1971, comparing S. 2819 and S. 2820 with the House Amendments thereto, page 104) :

"The Laos ceiling was originally proposed in terms of 'funds obligated or expended', but was amended by the sponsor so that it was a ceiling on expenditures solely, at the request of the Executive Branch. The nature of the operations in Laos lends itself to fiscal control of expenditures, rather than of obligations. The contrary is true, however, of our assistance programs for Cambodia. The Military Assistance Program has always been controlled on a program basis whenever the Congress decided some type of control or restriction was appropriate. The Executive Branch requests that throughout proposed section 655 there be deleted the words 'or expended,' 'and expenditure,' 'or expenditure,' and that in subsection (f) the word 'obligated' be substituted in place of 'expended' wherever it appears."

See also in this connection the colloquy between Senators Symington and Stennis in the Congressional Record for October 29, 1971, S17171 (daily pagination). In the circumstances, notwithstanding the language of the committee reports, there is no basis for imputing to the Congress in 1971, when section 655

APPENDIX 4

FACT SHEET ON ORPHANS AND REFUGEE RELIEF IN INDOCHINA, APRIL 11, 1975

1. *What AID is doing*

AID Administrator Daniel Parker was appointed the President's Special Coordinator for International Disaster Assistance on March 29. In his dual role, Parker has called on the varied resources of AID, especially the Agency's office of Foreign Disaster Relief Coordination and other Federal agencies. He set up the Emergency Indochina Relief Committee, working out of AID's Office of Foreign Disaster Relief Coordination.

AID continues to be involved in humanitarian programs—resettlement, child care, health-care and city-to-farm projects. Efforts in these areas have been intensified as a result of recent hostilities. AID's immediate concern is meeting the basic needs of refugees: food, shelter and medical care. Working through—and in support of voluntary agencies, international institutions, and the Government of Vietnam, making relief supplies available, and transporting orphans in process of adoption to the United States.

2. *Refugees*

As of April 10, about 352,000 newly-registered refugees are at the following locations:

MR-III (ALL LOCATED IN THE VICINITY SURROUNDING SAIGON AND THE PORT CITY OF VUNG TAU)

Long Khanh-----	10, 100
Hau Nghia -----	18, 100
Binh Tuy-----	52, 000
Binh Duong-----	42, 000
Binh Hoa-----	20, 000
Vung Tau-----	29, 571
Phuoc Tuy-----	12, 200
Tay Ninh-----	42, 000
Long An-----	8, 100
Gia Dinh-----	2, 300

MR-IV (DELTA AREAS)

Vinh Binh-----	61, 433
Vinh Long-----	1, 941
Phu Quoc-----	12, 000
Total registered-----	351, 945
Phu Quoc (still off-loading)-----	27, 000

Emergency Supplies

AID has authorized 100,000 metric tons of Food for Peace rice for emergency food programs in Vietnam, enough to provide one million refugees with 500 grams each of rice per day for six months and 13,500 tons of blended fortified foods, used primarily for maternal and child care.

The United States with these additional allotments has committed more than 227,000 tons of food and other products under the Food for Peace program for fiscal year 1975. These commodities and transportation costs are estimated to be worth about \$116 million.

—The following emergency supplies have been or are being mobilized for support of the new refugees:

AID/Washington Procurements:

Commodity:	Volume
Title II rice, tons.....	100,000
Title II blended food, tons.....	13,500
Shelter material, rolls.....	4,000
Generators.....	2
Radio Transceivers.....	2
Vaccines, Doses.....	670,000
(Measles) (Doses).....	400,000
(Small Pox) (Doses).....	85,000
(Cholera) (Doses).....	100,000
(Typhoid) (Doses).....	85,000
Syringes and needles (Units).....	500,000

—The following items have been or are being moved from Saigon to the refugee areas:

REPUBLIC OF VIETNAM MINISTRY OF SOCIAL WELFARE

123 tons canned fish;
1,443 rolls plastic sheeting for shelter;
500 pounds clips for plastic sheeting;
450 pounds polyethylene fabric;
44,100 100-pound bags bulgar wheat;
66,000 150-pound bags wheat-soy blend;
3,000 empty 55-gallon drums for water containers;
120,000 pounds rice;
102,000 pounds rice (Australian donation); and
22,000 pounds canned fish (Canadian donation).

CATHOLIC RELIEF SERVICE

134,000 bags bulgar;
40,000 bags corn soy blend;
12,000 bags wheat soy blend;
300 cases cooking oil;
49,000 cans of meat;
8,500—1 gallon cans tomato sauce;
4,000 bales clothing; and
17,500 pounds rice.
—Over 850 tons of the above materials have arrived at refugee areas.

ASSISTANCE FROM OTHER NATIONS AND INTERNATIONAL ORGANIZATIONS

Donor	Type	Value
DELIVERIES		
West Germany.....	Two merchant vessels for refugee evacuation; 20 tons emergency supplies.	NA
Great Britain.....	One frigate for sea lift.....	NA
France.....	5-man medical team to reopen Grall Hospital.....	NA
Canada.....	450,000 cases canned fish.....	NA
Australia.....	212 in first airlift of orphans; 2d flight proposed using Australian A.F. via Bangkok.	NA
New Zealand.....	2 freighters for Phu Quoc resupply. 25 tons milk powder from Singapore for SVN. 25 tons dried milk to UNICEF for refugees in Communist held areas of SVN.	NA
Taiwan.....	4 LST's; 5 C-119 aircraft.....	NA
Korea.....	1 LST for refugees, 2 LST's with supplies, medical personnel.	NA
Philippines.....	1 LST for refugees.....	NA
UNICEF.....	Further relief supplies enroute to Saigon.....	\$1,000,000
World Vision Relief Organization.....	10,000 relief kits.....	NS
Catholic Relief Service.....	Food, general relief supplies.....	NA

See footnote at end of table.

ASSISTANCE FROM OTHER NATIONS AND INTERNATIONAL ORGANIZATIONS—Continued

Donor	Type	Value
COMMITMENTS		
UNHCR.....	Relief supplies stockpiled in Singapore for all Indochina...	\$3,500,000
International Red Cross.....	Cash payments and pledges.....	\$5,000,000
	Transferred to Saigon RC.....	\$1,500,000
	Transferred to PRG RC.....	\$1,000,000
West Germany.....	New pledge (includes DM 2,500,000 through ICRC and DM 5,000,000 through UNHCR.)	DM 14.9
Canada.....	New pledge to UNHCR, UNICEF.....	\$3,500,000
	Red Cross.....	\$10,740,000
Norway.....	New pledge to UNICEF.....	\$10,740,000
Sweden.....	Aid to PRG.....	\$3,000,000
	To all parties in SVN through UN.....	—\$2,500,000
	Through IRC.....	\$250,000
World Confederation.....	Receiving funds for distribution through emergency relief of VN Confed. of Lab.	NA

¹ In excess of \$1,000,000.

3. ORPHANS

A. Transportation

- As of April 10, 1,318 Vietnamese orphans have arrived in the continental United States. Of the 565 orphans airlifted from Saigon by AID-sponsored U.S. military aircraft, 64 are at Clark Air Force Base in the Philippines receiving the medical care necessary to prepare them for the long journey to the United States.
- AID has authorized the airlift of orphans from Cambodia. So far, 98 orphans have departed Phnom Penh for Clark Air Force Base. As is the case with the Vietnamese orphans, the Cambodian orphans on AID-sponsored flights will undergo medical examinations at Clark prior to proceeding to the U.S. mainland. All orphans leaving Cambodia must be identified as adoptable by adoption authorities in Phnom Penh and the Cambodian Government.
- Six Vietnamese orphans departed Clark AFB yesterday on an aircraft with medical staff and facilities. They were joined by 3 orphans at Hickham Air Force Base in Hawaii and have arrived at Travis Air Force Base in California.
- Aircraft remain available to transport additional orphans from Saigon and Phnom Penh as rapidly as the American agencies responsible for them have processed the children for departure. Since the first flight April 2, there have been 21 orphan flights from Indochina to date, both AID-sponsored and private. All orphans have prospective parents.

B. Adoption

These orphans are in the custody of licensed adoption agencies operating in Vietnam. The children were already in the process of adoption by American families. AID understands that all have been identified for placement with American families or are in the process of being placed with families on the waiting list of the agencies.

(During the recent military attacks, children from orphanages in the upper part of South Vietnam were transferred to Saigon, making for badly overcrowded conditions. Among the children there were an estimated 2,000 orphans in process—and thus eligible for inter-country adoptions under the sponsorship of voluntary agencies—for adoption in the United States.)

AID understands that any additional orphans brought to the United States under the auspices of adoption agencies will be eligible for adoption into families already on the waiting lists of those agencies.

Individuals with inquiries pertaining to inter-country adoption should contact by letter or mailgram the American Council of Voluntary Agencies for Foreign Service, 200 Park Avenue, South, New York, N.Y., for the addresses of specific agencies working in Vietnam. In addition, they should contact the nearest local government or private licensed adoption for information on state requirements.

A. WHAT THE U.S. CITIZEN CAN DO TO HELP

At present AID understands there are adequate numbers of voluntary agency personnel now in Vietnam. Those who had been working in the recently occupied areas have been evacuated and are being redeployed in the South.

Cash contribution to U.S. voluntary social service agencies working in Indochina is the most useful form of relief assistance one can offer under the present circumstances.

Monetary contributions earmarked for Indochina use may be made through the American National Red Cross as well as to such voluntary relief agencies as CARE, Inc., Catholic Relief Service, Church World Service, International Rescue Committee, Lutheran World Relief, and World Vision Relief Organization.

Many of the relief materials offered to AID and to voluntary agencies are already available in the Far East. There is no assurance that these materials, even if they are required, can be shipped to affected areas because of the prohibitive transportation costs.

If there is any change in the situation, the public will be so notified by their state foreign disaster assistance coordinators.

EMERGENCY INDOCHINA HUMANITARIAN RELIEF COMMITTEE SITUATION REPORT

No. 5, APRIL 7, 1975

To: Distribution.

VIETNAM

A. Orphans

1. *Operation Babylift*.—(a) Two MAC flights arrived at Travis AFB carrying a total of 128 orphans from Clark A.F.B. This was the first group of orphans to arrive CONUS on MAC flights. Two MAC flights departed Saigon for Clark AFB carrying a total of 178 orphans. Two additional MAC will have departed Saigon for Clark AFB carrying an estimated 207 remaining orphans. As of 0730 April 7, a total of 1,140 orphans has departed Saigon for either Clark AFB on MAC or either commercial aircraft. The scheduled departure of a DC-10 flight from Clark AFB to CONUS is now uncertain due to motor trouble. MAC has proposed that two C-141 replace this aircraft to continue the Clark/CONUS airlift without delay.

Orphans departed:

Saigon -----	1,349
Clark -----	128
CONUS -----	XXX

Orphans arrived:

Saigon -----	XXX
Clark -----	518
CONUS -----	959

2. Orphans: Health status.—Orphans in San Francisco

Status as of 0200 hr. (Washington, D.C., time), April 7, 1975:

At the Presidio -----	406
In San Francisco area hospitals -----	47

Total -----	453
-------------	-----

All hospitalized orphans are from the PanAm 747 flight. Possibly another 100 orphans from the PanAm flight may have to be hospitalized due to Diarrhea. So far no orphans arriving aboard MAC flights from Clark have needed hospitalization.

Orphans at Clark AFB Philippines

Per Sit Rep 10 (Cable): As of 070400Z Apr 75 (12 pm April 6—Washington Time)

Eighteen orphans hospitalized for treatment of following:

Skin lesions -----	7
Pneumonia -----	6
Dehydration/Malnutrition -----	1
Sepsis -----	2
Diarrhea -----	1
R.O. skull fracture -----	1

(None of these patients is on the VSI or SI List.)

A total of 23 orphans have received hospital treatment of less than 6 hours duration.

3. GVN POLICY

The Press reports today that the GVN will be issuing more exit visas for orphans; we are, at this time, verifying this news report.

4. REFUGEES IN SPECIFIC LOCATIONS

1. 310,374 total registered refugees remain as reported by Mission, 5 April 1975.

2. 60,000 refugees reported in vicinity of Ham Tan.

5. REFUGEES ON SHIPS/SEALIFT STATUS

1. 39,000 refugees estimated arrived and off-loading at Phu Quoc. Phu Quoc situation improving.

2. *Refugees on U.S. Ships.*—Cumulative 93,112. Lifted to April 7 (some 2 to 3 times):

USNS Miller 7500—discharging Phu Quoc—70 percent off.

Pioneer Commander—empty en route from Phu Quoc to Cat Lai.

Pioneer Contender—discharging Phu Quoc 9,000—number discharged to date and unknown.

Transcolorado—from Pham Rang discharging Vung Tau 3,700 from Durham.

American Challenger—discharging Phu Quoc 9,800—one-half done.

Greenville Victory—at Newport (Saigon) cleaning and provisioning.

Greenport—at Phu Quoc discharging 7,000.

USNS Kimbra (new)—ETA Vung Tau today.

LST Boo Heung Pioneer from Phan Rang—discharging Vung Tau 500.

MSC TUGS

Shitose Maru plus barge—at Vung Tau.

Asceola plus 2 barges—at Vung Tau.

Shibaura Maru plus 2 barges—at Vung Tau.

Asiatic Stamina plus barge—at Ham Thu.

Pawnee plus barge—at Phu Quoc.

Piute plus barge—at Phu Quoc.

3. *Relief supplies.*—Phu Quoc Supply (17 AC-130 & DC-6 flights). Replenishment ship *Vega* due Phu Quoc today with more provisions.

Shipped April 6:

Item:

Fish	79,000
WSB	6,000
Bulgar	3,800
Rice	170,000
Milk	25,500
Canned meat	5,000
Blankets	7,875
Sleeping mats	1,200
Plastic cups	3,800
Noodles	7,000
Bread	5,000
Total	314,675
Rice by sea	400,000
Total	714,675

Vung Tan Supply (4 flights) 334,675 lbs., including 20,000 lbs. medical supplies delivered today.

4. *MR-2. Evacuation.*—Seaborne evacuation of refugees from Cam Ranh ceased as of 5 April after Communist forces occupied area and rescue craft took rocket fire. Communist main forces now in Pham Rang area and few RVN defenders remain. Ham Tan is major refugee center south of Pham Rang.

CAMBODIA

Orphans

The situation regarding the availability of Cambodia orphans for adoption in the United States is still confused. The Mission advised (Bangkok 05777) that 105 orphans have now been identified and Dr. Mooneyham, President of World Vision, estimates that a total of only 20 orphans and attendants are identified for evacuation at this time.

The demands of the Cambodian Childrens Relief Organization are increasing as 221 homes have been identified.

The Mission requested (Bangkok 5779) authorization to use up to \$100,000 incurred in Thailand for Cambodia relief, including transportation of orphans, which has been approved by AID/W. We are also exploring the use of the MAG airlift for evacuation of orphans once they are identified.

Ref	Date	From	To	Subject	Summary	Remarks	Classification
12	05-14-77	WVC	WVC	05-14-77	WVC	05-14-77	WVC
13	05-15-77	WVC	WVC	05-15-77	WVC	05-15-77	WVC
14	05-16-77	WVC	WVC	05-16-77	WVC	05-16-77	WVC
15	05-17-77	WVC	WVC	05-17-77	WVC	05-17-77	WVC
16	05-18-77	WVC	WVC	05-18-77	WVC	05-18-77	WVC
17	05-19-77	WVC	WVC	05-19-77	WVC	05-19-77	WVC
18	05-20-77	WVC	WVC	05-20-77	WVC	05-20-77	WVC
19	05-21-77	WVC	WVC	05-21-77	WVC	05-21-77	WVC
20	05-22-77	WVC	WVC	05-22-77	WVC	05-22-77	WVC
21	05-23-77	WVC	WVC	05-23-77	WVC	05-23-77	WVC
22	05-24-77	WVC	WVC	05-24-77	WVC	05-24-77	WVC
23	05-25-77	WVC	WVC	05-25-77	WVC	05-25-77	WVC
24	05-26-77	WVC	WVC	05-26-77	WVC	05-26-77	WVC
25	05-27-77	WVC	WVC	05-27-77	WVC	05-27-77	WVC
26	05-28-77	WVC	WVC	05-28-77	WVC	05-28-77	WVC
27	05-29-77	WVC	WVC	05-29-77	WVC	05-29-77	WVC
28	05-30-77	WVC	WVC	05-30-77	WVC	05-30-77	WVC
29	05-31-77	WVC	WVC	05-31-77	WVC	05-31-77	WVC
30	06-01-77	WVC	WVC	06-01-77	WVC	06-01-77	WVC
31	06-02-77	WVC	WVC	06-02-77	WVC	06-02-77	WVC
32	06-03-77	WVC	WVC	06-03-77	WVC	06-03-77	WVC
33	06-04-77	WVC	WVC	06-04-77	WVC	06-04-77	WVC
34	06-05-77	WVC	WVC	06-05-77	WVC	06-05-77	WVC
35	06-06-77	WVC	WVC	06-06-77	WVC	06-06-77	WVC
36	06-07-77	WVC	WVC	06-07-77	WVC	06-07-77	WVC
37	06-08-77	WVC	WVC	06-08-77	WVC	06-08-77	WVC
38	06-09-77	WVC	WVC	06-09-77	WVC	06-09-77	WVC
39	06-10-77	WVC	WVC	06-10-77	WVC	06-10-77	WVC
40	06-11-77	WVC	WVC	06-11-77	WVC	06-11-77	WVC
41	06-12-77	WVC	WVC	06-12-77	WVC	06-12-77	WVC
42	06-13-77	WVC	WVC	06-13-77	WVC	06-13-77	WVC
43	06-14-77	WVC	WVC	06-14-77	WVC	06-14-77	WVC
44	06-15-77	WVC	WVC	06-15-77	WVC	06-15-77	WVC
45	06-16-77	WVC	WVC	06-16-77	WVC	06-16-77	WVC
46	06-17-77	WVC	WVC	06-17-77	WVC	06-17-77	WVC
47	06-18-77	WVC	WVC	06-18-77	WVC	06-18-77	WVC
48	06-19-77	WVC	WVC	06-19-77	WVC	06-19-77	WVC
49	06-20-77	WVC	WVC	06-20-77	WVC	06-20-77	WVC
50	06-21-77	WVC	WVC	06-21-77	WVC	06-21-77	WVC
51	06-22-77	WVC	WVC	06-22-77	WVC	06-22-77	WVC
52	06-23-77	WVC	WVC	06-23-77	WVC	06-23-77	WVC
53	06-24-77	WVC	WVC	06-24-77	WVC	06-24-77	WVC
54	06-25-77	WVC	WVC	06-25-77	WVC	06-25-77	WVC
55	06-26-77	WVC	WVC	06-26-77	WVC	06-26-77	WVC
56	06-27-77	WVC	WVC	06-27-77	WVC	06-27-77	WVC
57	06-28-77	WVC	WVC	06-28-77	WVC	06-28-77	WVC
58	06-29-77	WVC	WVC	06-29-77	WVC	06-29-77	WVC
59	06-30-77	WVC	WVC	06-30-77	WVC	06-30-77	WVC
60	07-01-77	WVC	WVC	07-01-77	WVC	07-01-77	WVC
61	07-02-77	WVC	WVC	07-02-77	WVC	07-02-77	WVC
62	07-03-77	WVC	WVC	07-03-77	WVC	07-03-77	WVC
63	07-04-77	WVC	WVC	07-04-77	WVC	07-04-77	WVC
64	07-05-77	WVC	WVC	07-05-77	WVC	07-05-77	WVC
65	07-06-77	WVC	WVC	07-06-77	WVC	07-06-77	WVC
66	07-07-77	WVC	WVC	07-07-77	WVC	07-07-77	WVC
67	07-08-77	WVC	WVC	07-08-77	WVC	07-08-77	WVC
68	07-09-77	WVC	WVC	07-09-77	WVC	07-09-77	WVC
69	07-10-77	WVC	WVC	07-10-77	WVC	07-10-77	WVC
70	07-11-77	WVC	WVC	07-11-77	WVC	07-11-77	WVC
71	07-12-77	WVC	WVC	07-12-77	WVC	07-12-77	WVC
72	07-13-77	WVC	WVC	07-13-77	WVC	07-13-77	WVC
73	07-14-77	WVC	WVC	07-14-77	WVC	07-14-77	WVC
74	07-15-77	WVC	WVC	07-15-77	WVC	07-15-77	WVC
75	07-16-77	WVC	WVC	07-16-77	WVC	07-16-77	WVC
76	07-17-77	WVC	WVC	07-17-77	WVC	07-17-77	WVC
77	07-18-77	WVC	WVC	07-18-77	WVC	07-18-77	WVC
78	07-19-77	WVC	WVC	07-19-77	WVC	07-19-77	WVC
79	07-20-77	WVC	WVC	07-20-77	WVC	07-20-77	WVC
80	07-21-77	WVC	WVC	07-21-77	WVC	07-21-77	WVC
81	07-22-77	WVC	WVC	07-22-77	WVC	07-22-77	WVC
82	07-23-77	WVC	WVC	07-23-77	WVC	07-23-77	WVC
83	07-24-77	WVC	WVC	07-24-77	WVC	07-24-77	WVC
84	07-25-77	WVC	WVC	07-25-77	WVC	07-25-77	WVC
85	07-26-77	WVC	WVC	07-26-77	WVC	07-26-77	WVC
86	07-27-77	WVC	WVC	07-27-77	WVC	07-27-77	WVC
87	07-28-77	WVC	WVC	07-28-77	WVC	07-28-77	WVC
88	07-29-77	WVC	WVC	07-29-77	WVC	07-29-77	WVC
89	07-30-77	WVC	WVC	07-30-77	WVC	07-30-77	WVC
90	07-31-77	WVC	WVC	07-31-77	WVC	07-31-77	WVC
91	08-01-77	WVC	WVC	08-01-77	WVC	08-01-77	WVC
92	08-02-77	WVC	WVC	08-02-77	WVC	08-02-77	WVC
93	08-03-77	WVC	WVC	08-03-77	WVC	08-03-77	WVC
94	08-04-77	WVC	WVC	08-04-77	WVC	08-04-77	WVC
95	08-05-77	WVC	WVC	08-05-77	WVC	08-05-77	WVC
96	08-06-77	WVC	WVC	08-06-77	WVC	08-06-77	WVC
97	08-07-77	WVC	WVC	08-07-77	WVC	08-07-77	WVC
98	08-08-77	WVC	WVC	08-08-77	WVC	08-08-77	WVC
99	08-09-77	WVC	WVC	08-09-77	WVC	08-09-77	WVC
100	08-10-77	WVC	WVC	08-10-77	WVC	08-10-77	WVC

APPENDIX 5

MEMORANDUM FOR CORRESPONDENTS CONCERNING CARGO AIRLIFT TO CAMBODIA

MEMORANDUM FOR CORRESPONDENTS DATED FEBRUARY 1975

Bird Air, the civilian contractor which has been operating U.S. Government furnished C-130s in support of the U.S. airlift requirement for Cambodia since October 1974, has agreed to a contract amendment expanding the existing contract. The added cost of 1.9 million will be charged to the military assistance program. Bird Air crews will be increased in number and additional C-130 aircraft will be furnished by the U.S. Government to meet the expanded airlift requirement. The temporary expansion of the airlift is at the request of the Khmer Government.

BIRD AIR CONTRACT AMENDMENT QUESTIONS AND ANSWERS

Question 1. How many U.S. Government aircraft must be furnished to Bird Air to support this expanded requirement?

Answer. Seven additional U.S. Government aircraft will be furnished Bird Air; five were furnished previously.

Question 2. How many more people are involved beyond Bird Air's original 40?

Answer. The amended contract calls for eight additional crews of six, in addition, Bird expects to employ approximately eight additional ground personnel at U-Tapao.

Question 3. How many flights a day to Phnom Penh will Bird Air make under the expanded airlift?

Answer. Up to 20.

Question 4. How many are they making now?

Answer. Up to 10.

Question 5. Is this a new contract or a modification of the existing contract?

Answer. A modification to the existing contract has been issued by the U.S. Air Force.

Question 6. Will funding for these extra flights come from the existing Cambodian MAP?

Answer. Yes.

Question 7. Does this mean that the Khmer Armed Forces will be shorted 1.9 million in MAP-furnished supplies?

Answer. Yes.

Question 8. Where are the new crews coming from?

Answer. Bird Air representatives are in the U.S. locating ex-U.S. Air Force crew members who are experienced in C-130 operations. Thai loadmasters will be hired.

Question 9. Will all the the new pilots be ex-USAF?

Answer. Not necessarily, but based on experience, the majority probably will be.

Question 10. Why couldn't the existing crews meet the requirements?

Answer. Bird Air could not be expected to double the number of sorties per day on a sustained basis without using additional crews.

Question 11. Who flight checks the Bird crews?

Answer. USAF C-130 crews.

Question 12. When will Bird Air be able to begin expanding its airlift to Cambodia?

Answer. In a matter of days, or just as soon as the first additional crew arrives and is checked out.

Question 13. Since this is only a temporary thing, why didn't you use USAF crews rather than civilians?

Answer. For the same reason the contract with Bird Air originally was negotiated: to keep the presence of U.S. military personnel in Cambodia to a minimum.

Question 14. Will additional crews also stage out of U-Tapao?

Answer. Yes.

Question 15. Will this expanded airlift violate the Congressional restriction on the number of U.S. Government personnel permitted to be in Cambodia?

Answer. No.

Question 16. Will these additional aircraft also be registered in Cambodia?

Answer. Tail numbers will be registered in Cambodia.

Question 17. Why are the Bird Air C-130s registered in Cambodia?

Answer. Their tail numbers are registered in Cambodia where the contractor—Bird Air—has an office; their mission is in support of Cambodia; and it is the government of Cambodia that handled the arrangement of permission for the planes to land in Thailand.

Question 18. Why are the C-130s unmarked except for tail numbers?

Answer. Because they are U.S. Government equipment. Such equipment does not normally carry U.S. military markings.

Question 19. Will the Khmer Air Force be able to provide SAR for this expanded effort?

Answer. Yes, to the same degree that they provide SAR support for their own crews.

Question 20. If the Khmer Air Force couldn't provide SAR for one of the Bird Air C-130s, would the U.S. Air Force?

Answer. U.S. actions will be addressed on a case-by-case basis depending on the circumstances and any requests for assistance at the time.

Question 21. Will these planes be used to haul civilian rice as well as military supplies?

Answer. Yes, if the situation dictates.

Question 22. Will most sorties be air land or air drop?

Answer. Air land.

Question 23. How long will this additional airlift go on?

Answer. We expect it may continue for at least 60 days.

Question 24. Does this mean that USAF crews will definitely not be reintroduced into Cambodian resupply?

Answer. We do not anticipate the need arising?

Question 25. Does this mean that you have given up attempts to resupply Phnom Penh by barges up the Mekong?

Answer. Absolutely not.

Question 26. Could Bird Air be used to evacuate people from Phnom Penh if the need should arise?

Answer. Certainly.

Question 27. Will this require a corresponding increase in the number of U.S. military support personnel in Thailand or Cambodia?

Answer. There will be additional ground support personnel in Thailand to assist in increased Bird Air effort. A few ground controllers may be added in Phnom Penh.

Question 28. Will additional precautions be taken at Pochentong to protect the planes landing there?

Answer. All possible security precautions already are in effect at Pochentong.

Question 29. Will Thai-Am be able to handle the additional maintenance requirements?

Answer. Yes.

Question 30. When will the expanded airlift begin?

Answer. As soon as additional crews are obtained by Bird Air and are checked out at U-Tapao. Two crews arrived at U-Tapao this week (13 Feb.).

MEMORANDUM FOR CORRESPONDENTS DATED FEBRUARY 12, 1975

The Secretary of Defense has approved measures to implement, on a temporary basis, supplemental commercial cargo airlift for Cambodia which will augment Bird Air efforts. The purpose of this supplemental, entirely commercial

airlift is to provide as an interim measure the most vitally needed supplies for Cambodia until the Bird Air expansion levels have been reached. The added cost of 1.2 million dollars for the commercial augmentation will be charged to the military assistance program and is within the prescribed MAP ceiling for Cambodia.

Further details will not be available until bids have been received for commercial carriers.

Question 1. Will these be U.S. flag aircraft?

Answer. Yes.

Question 2. How long will the supplemental commercial requirement be needed?

Answer. Approximately 10 days, with provisions for extension if necessary.

Question 3. What is the total cost?

Answer. 1.2 million has been granted; this includes ground handling support.

Question 4. Will these planes stage for Thailand?

Answer. Yes, for U-Tapao.

Question 5. What will they be carrying?

Answer. Ammunition.

Question 6. What is the requirement these commercial planes are to fulfill?

Answer. Up to an additional 300 tons per day.

Question 7. How much is Bird Air supposed to deliver under the original Sep. 74 contract and the Feb. 75 contract modification?

Answer. They are charged with delivering a sustaining daily total of nearly 240 tons per day.

Question 8. Why couldn't Bird Air handle this additional requirement?

Answer. Bird Air could not provide sufficient air crews rapidly enough to meet this immediate requirement.

Question 9. Who pays for this contract?

Answer. It will be charged to the military assistance program.

Question 10. What kind of aircraft will be used?

Answer. We won't know this until bids have been received from commercial carriers and a contract let.

Question 11. Who is handling the contract arrangements?

Answer. The U.S. Air Force.

APPENDIX 6

MEMORANDUM ON COMMUNIST MILITARY AND ECONOMIC AID TO NORTH VIETNAM, 1970-74

March 5, 1975.

Subject: Communist military and economic aid to North Vietnam, 1970-74.¹

1. The Intelligence Community has been requested to estimate the amounts of Communist aid delivered to North Vietnam in the years 1970-1974, using current U.S. dollar costs of the materiel and services provided (see Table I). It is important to recognize that the Intelligence Community's estimate on this subject is not equivalent to—and hence not comparable with—U.S. appropriations for military and economic aid to South Vietnam, for the following reasons:

(a) On the matter of accuracy, our information on North Vietnam has always been incomplete, although coverage on civilian imports is substantially better than for military aid. The drawdown of the U.S. presence in Southeast Asia has further limited intelligence collection capabilities in the area, so that current information on North Vietnam is less comprehensive than it was formerly. In particular, on the question of Communist military aid, our information base is very spotty. Hence we know we are seeing only part of the picture on military aid, and our estimates for the part we cannot see have a wide margin of error.

(b) Military aid to North Vietnam is focused on materiel required for the type of military action undertaken by the Communist forces in South Vietnam—i.e., selected attacks from redoubt areas at times and places of their choice. U.S. military aid to South Vietnam supports a different military mission—i.e., defense of scattered communities, large agricultural areas, and lines of communication, plus reaction and reinforcement of local forces after Communist attack. As the total forces for the different missions differ in size, so do their requirements for assistance. Throughout the war, South Vietnam's forces have been roughly twice the size of North Vietnam's forces in the South, primarily because the missions of South Vietnam's forces—protecting population and holding territory—have required a much larger and widely dispersed military structure.

(c) The GVN has therefore also required a combat air force and an ability to redeploy forces rapidly by ground and air transport. Thus, the types of equipment supplied to South Vietnam by the U.S. have been more sophisticated and therefore more expensive than those required by Hanoi. South Vietnam also requires considerably more logistic support.

(d) In addition, shipping, overhead, and other support costs of military aid to the GVN are substantially more than support costs of Communist aid to North Vietnam because of the greater distance involved and other factors. (See Table II at annex.)

2. Several conclusions may nonetheless be drawn with respect to levels of military and economic assistance to North Vietnam from 1970 through 1974:

(a) Total Communist military and economic aid to North Vietnam in 1974 was higher (in current dollars) than in any previous year.

(b) The suspension of U.S. air bombardment in North Vietnam at the beginning of 1973 brought about a large decrease in assistance for defense against such bombardment or to replace losses caused by it (e.g., air defense equipment, missiles, trucks, etc.).

¹ This memorandum has been prepared jointly by the Central Intelligence Agency and the Defense Intelligence Agency, and concurred in by the Bureau of Intelligence and Research, Department of State.

(c) The U.S. disengagement from combat and the reduction in the level of hostilities in South Vietnam in 1973 were reflected in a substantial decrease in the amount of ammunition and ground force equipment received by North Vietnam, compared with 1972.

(d) In 1974, the delivery of ammunition to Hanoi markedly increased over 1973 and reached a level as high as that of 1972,² although deliveries of ground force equipment continued at relatively low levels.

TABLE I.—ESTIMATED COMMUNIST MILITARY AND ECONOMIC ASSISTANCE TO NORTH VIETNAM

[Million current U.S. dollars ¹]

	1970	1971	1972	1973	1974 ²
Military.....	205	315	750	330	400
Military equipment and materiel.....	140	240	565	230	275
Air defense equipment.....	20	85	310	100	55
Ground forces equipment.....	45	80	110	40	45
Ammunition.....	70	60	130	85	170
Other.....	5	15	15	5	5
Military transportation equipment (trucks, helicopters, transports).....	20	15	30	35	25
Other military-related supports ⁴ (delivery and packaging costs, spare parts, POL for the military, technical assistance and training, medical supplies).....	45	60	155	65	100
Economic.....	735	755	465	670	1,295
Commodity shipments ⁵	635	645	360	540	1,145
Food.....	65	60	80	170	420
Fertilizer.....	10	15	5	5	25
Petroleum.....	10	10	5	15	55
Machinery, transport equipment, and metal products.....	240	175	125	165	345
Other.....	310	385	145	185	300
Technical assistance (includes cost of foreign technicians in NVN and NVN trainees abroad).....	100	110	105	130	150
Total of estimated Communist goods and services provided to North Vietnam.....	940	1,070	1,215	1,000	1,695
Less North Vietnamese exports to Communist countries ⁶	50	50	30	80	125
Total estimated Communist aid to North Vietnam.....	890	1,020	1,185	920	1,570

¹ Because of rounding, individual figures do not always add to the totals in this table.

² The data for 1974 are preliminary.

³ Although ammunition supplied to North Vietnam in 1974 constituted an estimated 40 percent of its military aid, our data regarding probable ammunition costs per ton are admittedly "soft." Therefore, if our price estimates are off by, say, 10 percent, the total value for ammunition alone could fluctuate by some U.S. \$17,000,000.

⁴ The lack of hard information on the items included under "Other military-related support" makes these estimates subject to a wider margin of error than exists for other categories of military assistance to North Vietnam.

⁵ For economic goods, the cost of transportation is included in the cost of the goods as shown in the table. (For military goods, delivery and packaging costs are included under "Other military-related support.")

⁶ Since North Vietnamese exports in these years paid for some of North Vietnam's imports, we have subtracted them to derive our estimates of Communist aid to North Vietnam.

² The dollar figure shown in the table for ammunition deliveries in 1974 is considerably higher than that for 1972, but tonnages were about the same. Inflation of ammunition prices explains the difference.

TABLE II.—COMPARISONS OF MAJOR CATEGORIES OF COMMUNIST MILITARY AID TO NORTH VIETNAM AND U.S. AID TO SOUTH VIETNAM¹

[Dollar amounts in millions of U.S. dollars]

	Communist military aid delivered to North Vietnam, calendar year 1974		U.S. military aid so far appropriated to South Vietnam, fiscal year 1975	
	Amount	Percent	Amount	Percent
Total military aid ²	\$400	100	\$700	100
Military equipment and materiel.....	275	69	268	38
Air defense equipment.....	55	14		Negl.
Ground Forces equipment.....	45	11		Negl.
Ammunition.....	170	43	268	38
Other.....	5	1		Negl.
Military transportation equipment.....	25	6		Negl.
Delivery costs.....	20	5	74	11
Other military-related support (including spare parts, POL for the military, technical assistance and training, medical supplies, and miscellaneous costs).....	80	20	\$358	51

¹ For reasons explained in the text, our figures on Communist aid to North Vietnam (some of which are soft estimates) are not readily comparable with U.S. aid appropriations for South Vietnam. Also, the data we have on Communist aid is kept on a calendar year basis while U.S. aid appropriations are keyed to a fiscal year cycle. The above table, however, gives a rough indication of the way the two aid packages break out in calendar year 1974 for Communist aid and fiscal year 1975 for U.S. aid.

² Figures may not add because of rounding.

³ One reason for the wide disparity is a charge against the U.S. aid account for administrative expenses for the DAO in South Vietnam which has no known counterpart on the Communist side. There are also other items for which no counterparts on the Communist side are available, such as offshore maintenance servicing of military equipment, and construction.

APPENDIX 7

STATEMENT OF GEORGE McTURNAN KAHIN ON BEHALF OF THE FRIENDS COMMITTEE ON NATIONAL LEGISLATION BEFORE THE SUBCOMMITTEE ON FOREIGN ASSISTANCE AND ECONOMIC POLICY OF THE SENATE COMMITTEE ON FOREIGN RELATIONS ON S. 663, SUPPLEMENTAL MILITARY AID TO CAMBODIA, MARCH 6, 1975

My name is George Kahin. I am professor of government and international relations at Cornell University, and was director of the Cornell Southeast Asia Program from 1960 to 1970. I have engaged in research in Southeast Asia since 1948 and have visited Indochina on numerous occasions. My most recent visit to Cambodia was in August 1971, at which time I talked with many of the leaders in General Lon Nol's administration. Today I am speaking on behalf of the Friends Committee on National Legislation, which is widely representative of Friends' groups around the nation, but which does not purport to speak for all Friends, who cherish their rights to individual opinions.

I appreciate the opportunity to appear before you today and to comment on S. 663 which would authorize an additional \$222 million in military aid for Cambodia in Fiscal Year 1975 and remove the ceilings on aid to Cambodia which were included in the foreign aid authorization bill passed by Congress last December.

We are opposed to any increase in military aid and we are opposed to any increase in the ceiling other than to permit necessary food and medical supplies to be distributed directly to needy individuals in Cambodia through international or non-governmental channels.

My own research makes very clear that responsibility for the outbreak of the tragic civil war in Cambodia lies with the very architects of foreign policy in the Executive Branch who now argue that the international prestige and credibility of the United States are inextricably tied to its insuring the survival of the present government in Phnom Penh through international or non-governmental channels.

Credibility and Honor

In Cambodia, United States officials assert that United States credibility and national honor are at stake. If this is so, it is imperative to distinguish between credibility for relief of human suffering as against credibility for a dogmatic perpetuation of past error. Let us also not fail to distinguish between the credibility and honor of the principal architects of our Cambodian policy—the CIA, the Pentagon, and Henry Kissinger—and that of the United States as a nation. And finally one should distinguish Lon Nol and Cambodia. He and his little entourage cannot be equated with that country, and their fall does not mean the fall of Cambodia.

If we are concerned with credibility and honor let us insist that the American supply lines to Cambodia be exclusively for food and medicine; that they be destined for the entire population of Cambodia, not for any particular regime; and that these humanitarian supplies will keep coming regardless of the political character of the elements that hold power in Phnom Penh.

Perspectives on the War

With American correspondents, TV cameras, and visiting Congressmen having a single angle of vision—from the inside of Cambodia's largest city looking out—it is understandable that they often project a very partial view of the war. In any war, if an outsider is suddenly set down within the camp of either side there is an understandable tendency to identify with those around him, and emphasize more fully with their problems and sufferings than with those outside or in the opposing camp that he cannot even see. Most of us have seen TV

coverage of the terrifying rocket attacks on Phnom Penh, but how many of us have witnessed the impact of the war on the areas outside of Phnom Penh where the vast majority of civilian casualties occur?

Cambodia is not just a capital besieged; it is a whole country in flames. The areas outside of Phnom Penh have produced 99% of the 700,000 civilian casualties and the nearly 3.5 million refugees that make up half the country's population. Moreover, the city limits of Phnom Penh constitute no ideological boundary, and the more than trebling of its population does not mean that those who have fled into the city have done so because they are supporters of Lon Nol. Regardless of their political views, people have streamed into Phnom Penh to escape death. They have fled there to get away from the cross fire, the bombing and the napalm—for outside of a few of the towns still held by Lon Nol's regime there has been no place in which to hide from aerial attack and artillery.

And it should be noted that both sides have formidable weapons. Indeed, some of the most powerful weapons in the arsenal of Lon Nol's opponents are captured U.S. heavy artillery. Probably the most important factor in creating Cambodia's three and a half million refugees was the long period of carpet bombing by American B-52's. When I was in Phnom Penh in mid-1971, Prime Minister Long Boret informed me that even then refugees from outside had swollen Phnom Penh's population from about 600,000 to 1.8 million, and by other Cambodians I was told repeatedly that bombing was the major cause of this influx.

No U.S. commitment

Since this Administration has hinged America's continuing role in Cambodia so conspicuously on the question of prestige and credibility, it is incumbent to try to gain a much fuller understanding of the nature of our involvement there than either the Ford or Nixon Administration has provided.

First of all, it must be emphasized that the United States has no treaty commitment to the Phnom Penh government, either directly or through SEATO.

Cambodia is not a member of SEATO, and any extension of its protection via that treaty's protocol can be considered by the United States and other signatory states only if the Cambodian government requests it. Under Sihanouk Cambodia made no such request (and indeed specifically renounced any protection by SEATO), nor has Lon Nol's government ever done so.

Nor is there anything in the 1973 Paris accords that calls for American support to any Cambodian government. Indeed, in those accords the United States pledges that "Foreign countries shall put an end to all military activities in Cambodia . . . , totally withdraw from and refrain from reintroducing troops, military advisers and military personnel, armaments, munitions and war material" and that "The internal affairs of Cambodia . . . shall be settled by the people [of Cambodia] without foreign interference."

Present United States involvement, insofar as it is legal, depends exclusively on annual foreign aid authorization or appropriation bills. Congress has made very clear that such funding should not be regarded as any American commitment to the Phnom Penh government.¹

Early U.S. efforts to destabilize Sihanouk government

The character and political legitimacy of the government in Phnom Penh should not be judged simply on the basis of its 90 per cent dependence upon the American taxpayer. Of more critical importance is the fact that its origins are tied closely to a covert and subversive U.S. intervention aimed at displacing Sihanouk's neutralist government by one willing to align itself with U.S. strategic objectives.

The key features in this Nixon-Kissinger policy can best be understood by reference to attempts under earlier American Administrations to destabilize Sihanouk's government. These go back at least to 1958 and centered about building up an oppositionist military force known as the Khmer Serei (Free Cambodians), armed and financed by the CIA, trained by it and U.S. Army Special Forces, and led by Son Ngoc Thanh, a bitter opponent of Sihanouk. Recruited primarily from South Vietnam's Cambodian minority (Khmer Krom) and operating from bases in Thailand and South Vietnam, these troops penetrated suffi-

¹ Section 7(b) of the Supplemental Foreign Assistance Authorization bill passed by Congress December 22, 1970 (P.L. 91-652) provides, "Military and economic assistance provided by the United States to Cambodia and authorized or appropriated pursuant to this or any other Act shall not be construed as a commitment by the United States to Cambodia for its defense."

ciently into Cambodia's border areas to tie up a substantial part of the small 30,000-man Royal Cambodian Army. These operations continued spasmodically well into the late 1960's and were generally regarded by the diplomatic community in Phnom Penh as calculated to keep a counter force available in case the United States might want to use it against Sihanouk, and more immediately to keep sufficient pressure on him to insure against his departing too far from an international posture acceptable to the United States. As is well known, this policy backfired, and was ultimately a major reason for Sihanouk's decision to break diplomatic relations with the United States, which he did in 1965.

An ephemeral rapprochement

During the last year of the Johnson Administration, the counter-productivity of this policy had become all too evident, and although the Khmer Serei were not disbanded, the U.S. undertook an effort at rapprochement with Sihanouk's government. Apparently because of his worry over his deteriorating relations with China during the Cultural Revolution and his desire to keep the mounting air and ground war in Vietnam away from his border areas, Sihanouk welcomed this initiative and ultimately on June 11, 1969, the resumption of diplomatic relations with Washington was announced.

Under continuing U.S. prodding during the last months of the Johnson and the first months of the Nixon Administration, Sihanouk began to undertake actions helpful to the U.S. military effort in Vietnam. Although not extensive, these involved public criticism of Communist Vietnamese occupation of border bases enclaves and measures calculated to reduce the flow of overseas supplies to them via Cambodian ports. While apparently acquiescing to American demands to carry out hot pursuit of Vietnamese Communists a short distance into Cambodia, it is unlikely as some American officials have alleged, that he ever approved B-52 carpet bombing of areas inside Cambodia's borders; and it is quite certain that he was never willing to acquiesce in anything like the all-out American-Saigon military invasion against the border bases of the NLF and North Vietnam subsequently agreed to by his successor, Lon Nol. In any case, the extent of Sihanouk's concessions were evidently not sufficient to satisfy the Nixon Administration.

U.S. involvement in ousting of Sihanouk

By the early fall of 1969 plans were set in train that led to the coup against Sihanouk. While there is no doubt that there was considerable dissatisfaction with Sihanouk's rule among much of Cambodia's urban elite, there is little reason to think that those who mounted the coup of March 18, 1970, would have dared move against him had they not been encouraged to do so by American agents, promised prompt U.S. recognition and backing, and had they not been provided with tangible means for carrying out the coup. Nor can any rational person easily believe that immediately after they had ousted Sihanouk the coup leaders would have carried out their provocations against the much more powerful Hanoi and PRG unless they had been assured in advance of U.S. military support should that prove necessary.

Whether or not U.S. funds and personnel were directly involved in the coup, U.S. mercenaries were. During the course of the previous year, under the aegis of General Lon Nol, there occurred a series of what were officially described as "rallyings" of some 2,000 of the CIA-supported Khmer Serei to the Royal Cambodian Army and police force. Infiltrated under Lon Nol's direction into a number of key army and police units, they were later to emerge as the main activists among the anti-Sihanouk forces that sacked the Hanoi and PRG embassies in Phnom Penh and applied pressures on the Cambodian deputies who were cowed into voting for Sihanouk's removal from power.

What is clear in retrospect but which was of course not appreciated at the time was that these CIA mercenaries were rallying not to Sihanouk, but to General Lon Nol, and on terms worked out between the latter and the head of Khmer Serei, Son Ngoc Thanh, in negotiations that probably began as early as September 1969 (soon after the unsuspecting Sihanouk had appointed Lon Nol as his prime minister). That these Khmer Serei "ralliers" have been termed the "Trojan Horse" that undermined Sihanouk is appropriate—a Trojan Horse, it should be noted, that was paid for by the United States and presumably directed by its agents. That there had been an understanding respecting further U.S. support should Lon Nol's group encounter difficulties after its seizure of power, is suggested by the promptness after the coup of March 18, 1970, with which the

United States sent him reinforcements of additional U.S.-trained and financed Khmer Krom—that is, members of South Vietnam's large Cambodian minority. Within a few weeks of the coup a total of approximately 4,800 of these men, seconded from either the Saigon army or directly from American-led Khmer Krom Mike Forces² were flown into Phnom Penh aboard U.S. planes.³ According to Son Ngoc Thanh, the Khmer Serei's leader, with whom I discussed this matter in mid-1971, the total American-trained and financed Khmer Krom (including Khmer Serei, Mike forces, and others) who had by then been infused into the Royal Cambodian army was in excess of 10,000.⁴

Consequences of the administration's Cambodia policy

It has been almost five years now since Richard Nixon and Henry Kissinger supported Lon Nol in a coup d'état against Sihanouk. That policy has proven so unacceptable to the Cambodian people that their country was plunged into a bloody civil war. So little popular support did the U.S. Administration's new protegee secure and so quickly did the tide of battle begin to flow against him that the invasion of Cambodia by American troops six weeks later, for which the coup had opened the way, was as much concerned with maintaining Lon Nol's regime in power as in attaining the original objective of rooting out Vietnamese Communist border sanctuaries. And of course the weakness of the military's rationale for that invasion as well as the quality of intelligence guiding U.S. army officers who pressed for it, was almost immediately exposed, as the Vietnamese opponents simply moved their base areas deeper into Cambodia, and the legendary COSVN headquarters for the NLF was never found. The state from which Prince Sihanouk had been ousted ceased to provide American and Saigon military forces with a neutralist flank flawed only by Vietnamese Communist border enclaves. Within the course of only a few months the country whose neutrality had helped contain the war in Vietnam was now engulfed by that war, while it was being torn apart by a civil war of its own that the American-backed coup had precipitated. And as is well known, within a very short period the border bases of the Vietnamese Communists were back in business and considerably more extensive than before.

The overthrow of Sihanouk and the American military invasion on its heels have shattered Cambodia's precarious neutrality and internal peace. The small military and urban elite that have been induced by U.S. economic leverage to maintain their backing of Lon Nol have not endowed his government with legitimacy and effective authority among Cambodians. From the outset it has been obliged to compensate for this absence by a degree of U.S. support that has been even more extensive and critical to its survival than that of any other U.S. client state—well over 90 percent of its present budget. For his part, the ousted Prince Sihanouk has been obliged to ally himself with the Cambodian Left, including—ironically—some of those very elements whom he harassed during the last years he was in power.

Character of the opposition

There has clearly been an effort on the part of the Ford Administration to employ a line similar to that once used in Vietnam with respect to the NLF and to persuade Congress and the public that the opposition to Lon Nol is "faceless," enrolling Cambodians of no real stature. The leadership of the opposition government of the National United Front of Cambodia is actually a rather impressive group. In addition to the well known Sihanouk, it includes as its present prime minister Penn Nouth, a respected former Prime Minister of Cambodia; Chau Seng, former Secretary of State for Agriculture; and Hout Sambath, former Ambassador to the United Nations. It also incorporates some of the best talent among Cambodia's younger generation, Khieu Samphan, Hu Nim, and Hou Yvon. Before he left his post in Sihanouk's government in 1967, Khieu Samphan, who holds a French degree in economics and who is currently Minister of Defense in

² This was an elite group of ethnically Cambodian South Vietnamese trained by U.S. Special Forces.

³ There is some reason to believe that the Khmer Krom involved in the March 8 riots against the NLF in the border province of Svey Rieng were Mike Force personnel sent in directly across the border from U.S. bases in South Vietnam.

⁴ A former South Vietnamese Congressman from Vinh Binh reports that from his province 7,000 Khmer Krom soldiers from the ARVN were dispatched to Phnom Jenh shortly after the anti-Sihanouk coup, including three lieutenant colonels who were then promoted to full colonels. If Mike Forces are included, he estimated in February 1975 that a total of 30,000 Khmer Krom soldiers from South Vietnam had thus far been sent to fight in Cambodia.

the government of the National Front, was Vice President of the Commission on Economic Affairs and Planning in the Cambodian National Assembly and served on its budget commission. Hu Nim and Hou Yuon were respectively president and vice president of the Commission on Finances in the National Assembly and also served on its budget commission. These people may be faceless to Americans, just as is the entourage of Lon Nol, but they are clearly men well known in Cambodia.

U.S. intervention in Cambodia's affairs has greatly increased the political polarization in that country, cutting out any middle ground, and thereby helping to push people of a variety of political convictions towards the standard of opposition provided by Prince Sihanouk and the National United Front. This was reflected as early as August 1971 in a talk I had with General In Tam, then Minister of Security and Internal Affairs in Lon Nol's government. He estimated the strength of the armed opposition at about 10,000 of whom he classified 3,000-4,000 as Khmer Rouge (or pro-Communist). For the other 6,000-7,000, the substantial majority, he used a term which he translated for me, a little sheepishly, as "Cambodians striving against being under American occupation."

Possibility of Negotiations?

If we wonder why the Front has refused to negotiate with Lon Nol, it should be kept in mind how lacking in legitimacy he is in his own country and how critically dependent he has always been upon the support of an outside power. Seeing Lon Nol as a dependent client of this outside power, it is perhaps understandable that the Front, if it is disposed to negotiate at all, will insist upon doing so directly with the United States. Even if Sihanouk himself no longer disposes of real power and is largely a figurehead, he probably provides the best available channel for conducting negotiations. In other words, if it is alleged that it is unrealistic to negotiate *with* Sihanouk, negotiations, if they are possible, can be carried out through him.

What Should the United States Do?

No one can tell how soon Phnom Penh will fall or whether negotiations, if possible, could bring a speedier end to the fighting. But certainly one action within the power of the United States that would alleviate the present suffering is to end its supply of war materiel to Cambodia and increase the flow of food and medicines—regardless of who is in power.

If the United States continues following the military road that has brought Cambodia such disaster, it may possibly stave off Lon Nol's fall for a few more months. But at what cost and to what end? As to civilians alone, assuming the rate matches that of last year, each month of fighting will bring another 7,000 casualties. Military casualties would probably triple this figure.

What right have we to assume the Cambodian people will willingly make this sacrifice of prolonged suffering to keep Lon Nol and his corrupt little coterie in power? If he falls, the reputations of those Americans who helped establish him in office may fall—but not the Cambodian nation. Indeed, who has the right to assume that if left to themselves the Cambodian people are not capable of working out a solution of their own better suited to their own interests than that which American officials have undertaken with such tragic results to force on them?

APPENDIX 8

STATEMENT OF OLIVE TILLER, REGARDING THE SUPPLEMENTAL AID TO CAMBODIA BILL—MARCH 10, 1975

I am Olive Tiller, a native of Minnesota and a resident of Maryland. I am a member of the Church World Service Committee, the Board of Managers of Church Women United, and an American Baptist. From February 17 through February 21, 1975, I was in Cambodia as a member of an international team of five persons under the sponsorship of the Fund for Reconstruction and Reconciliation in Indochina, an agency of the World Council of Churches. Simultaneous visits were made by other similar teams in the Republic of Vietnam, the Democratic Republic of Vietnam, and Laos. The visits were followed by a conference in Vientiane, Laos, with the purpose of seeking paths to reconciliation and reconstruction.

Others in the group that visited Cambodia were Rev. John Nakajima, general secretary of the National Christian Council of Japan; Pastor Hans-Otto Hahn, director of Brot fur die Welt, West Germany; Dr. Robert McAfee Brown, professor at Stanford University, USA; and Rev. Boyd Lowry, of the staff of Church World Services, USA.

Our purposes in visiting the Khmer Republic were to see and experience at first hand what is happening there, and thereby to express our concern for the suffering people; and also to explore possible avenues for bringing about reconciliation. Because we represented an organization which has contacts with all sides, the officials with whom we talked believed in us as trustworthy channels of communication.

During our five-day visit, we conferred with each of the following persons individually:

President Lon Nol.

Prime Minister Long Boret.

Cabinet Members: Minister of Foreign Affairs, Minister for Refugees and Community Development, Minister of Health, Minister of Finance, Minister of Planning, and Director of Intergovernmental Relations for External Aid.

Representative of Aid-Giving Agencies: Director of Catholic Relief Services, Director of Asian Christian Service, Director of World Vision, Director of Khmer Caritas, President of Khmer Red Cross, Leaders of Khmer Evangelical Church, and Leader of the Christian & Missionary Alliance work.

Ambassador from the United States, Mr. John Gunther Dean.

Many refugees.

Our conversations with these persons, and our interpretation of what we observed, led us to the following conclusions:

1. There is an overwhelming desire to bring the war to an end. Each day that it is prolonged brings additional suffering, greater numbers of dead, wounded, and homeless, and further destruction of land and property.

2. Continuation of U.S. military aid keeps the government forces trapped in a war they do not want to be in. There are published reports that even now there are scarcely enough troops available to make use of the ammunition that is being airlifted daily.

3. There is little chance for negotiation as long as the U.S. continues to send aid to the government forces.

4. A desperate effort to hang on until the rainy season will cost thousands more lives than it will save.

5. Some cabinet members expressed the belief that it is time to terminate all aid from outside and allow the Khmer people to settle their own internal affairs.

6. Everyone with whom we talked appealed for assistance in communicating with the other side. It is our feeling that all possible efforts should be made by the United States Department of State, through whatever channels are available to it, including the People's Republic of China, to encourage negotiations between the Khmers toward settlement of the conflict. It was made clear that no government official is indispensable, and that any of them is willing to step aside in the interest of peace.

7. The sending of munitions to Cambodia constitutes a violation of the Paris Agreements of January, 1973. While the Democratic Republic of Vietnam may also be sending in armaments, this is not sufficient reason for the United States to break the agreement.

8. There is some reason to believe that negotiation may be possible if the United States pulls out; or that a transition of power could be achieved with minimal bloodshed if the present government were to step aside. Continued prolongation of the fighting and of U.S. involvement, with a distorted emphasis on "American honor", obviates these possibilities.

In view of the above conclusions, I strongly oppose the authorization of any further military aid to Cambodia.

APPENDIX 9

MEMORANDUM AND ARTICLES SUBMITTED BY COALITION TO STOP FUNDING THE WAR AND STATEMENT OF TOM HAYDEN

MEMORANDUM TO MEMBERS OF CONGRESS ON CAMBODIA SUPPLEMENTAL

March 5, 1975.

As you consider the Administration's request for \$222 million additional military aid for Cambodia, as well as the various "compromise" proposals now emerging, we thought you might be interested in the extent of opposition which is being expressed across the country.¹

Additionally, we have prepared a short fact sheet on Cambodia as well as reprints of a Senate Foreign Relations Committee study on the current situation.

If we can provide you with any further information, please contact us.

ADMINISTRATION MYTHS AND CAMBODIA REALITIES

Myth No. 1

"Cambodia's battle against an externally supported insurgent movement has been intensified still further in recent weeks."—Mr. Philip Habib, Assistant Sect. of State, before House Govt. Ops. Subcommittee, Feb. 3, 1975.

The major "externally supported" party in Cambodia is the Lon Nol government. Official figures show that the United States provided 95.1% of the Lon Nol Administration's total resources in 1974, with third countries supplying another 2.7%. The Lon Nol government itself provided only 2.2% of its own resources from internally-generated revenue.

The Khmer Rouge, on the other hand, control 80-90% of Cambodia and virtually all its agricultural lands. As a result, they are able to grow most of their own food and supply many of their needs internally. Military analysts also agree that Soviet and Chinese arms aid to the Khmer Rouge is a small percentage of the \$260 million the U.S. has already supplied the Lon Nol government, perhaps only 10-20%.

Myth No. 2

"Cambodian government forces have fought remarkably well, in the face of difficult odds. In little more than four years, a small and largely ceremonial army has grown into a sizeable and increasingly effective fighting force."—Mr. Habib, *Ibid.*

The Cambodian army, beset by high-level corruption and mismanagement, has simply not fought "remarkably well." In the last few months it has proved unable to keep the Mekong River open for supplies; it has been unable to break the siege of Neak Luong; it has lost a good number of the few outposts it has remaining. H. D. S. Greenway reported in the Washington Post on Feb. 23, 1975: "In 1970 . . . I watched boys and young men flocking into the city to join the army . . . Five years later all that naive enthusiasm is gone, and today you can see trucks roaming the city trying to round up men for the army and old acquaintances will tell you now their sons are in hiding to avoid the draft . . ."

If anyone has fought against the "difficult odds", moreover, it is the Khmer Rouge. Vastly outgunned by the \$1.83 billion in military equipment supplied Lon Nol by the U.S., they lack an air force, navy, heavy artillery, armored personnel carriers, and U.S. aerial reconnaissance. They had to face 2½ years of massive American bombing, moreover. As the Washington Post reported on January 8, 1975: "Even before the offensive began, the Cambodian military was regularly

¹ A series of editorials and articles from around the country were submitted and retained in the committee files.

overspending its budget . . . The Khmer Rouge, by contrast, have achieved all their successes to date on a shoestring budget."

Myth No. 3

"The aim of our military assistance to the Cambodian government is to preserve a military balance and thereby to promote negotiations."—Mr. Habib, *Ibid.*

Two hundred and sixty million dollars provided Lon Nol so far this fiscal year has proven unable "to preserve a military balance." An additional \$222 million is more likely to do so. Given the admitted inability of Lon Nol forces to regain its lost land, there is no reason to believe Prince Sihanouk and the Khmer Rouge will feel moved to negotiate with Lon Nol and his top officials.

Sihanouk has, on the other hand, repeatedly offered to negotiate with all other members of the Lon Nol Administration. In this context, additional U.S. military aid is not designed to "promote negotiations", but rather keep a Lon Nol cabinet in power which makes any negotiations impossible.

PRESS CITATIONS ON CAMBODIAN SITUATIONS

"A 3-month-old infant, his body wasted by severe malnutrition, lies in a bamboo basket. . . . He dies the same day . . . 'Kids are dying who shouldn't die,' said Robert Beck, a World Vision doctor. . . . Yesterday the United States administration announced that beginning this week the airlift would begin bringing rice to Phnom Penh—but this is only to replenish stocks and maintain the status quo, The astronomical price of rice will not change, and the many Cambodians who are hungry now will continue hungry."—Sydney H. Schanberg, *New York Times*, February 26, 1975.

"The Americans may have to expand even further the airlift from Thailand that they began enlarging some days ago to try to keep the situation from becoming critical. The airlift is bringing in most ammunition. It does nothing toward providing crucial civilian needs of food and fuel."—*New York Times*, February 19, 1975.

"There is deep hunger in Neak Luong, too. The soldiers here are getting by, for American and Cambodian transport planes are dropping some food by parachute for them—but there is none for the civilians. . . ."—*New York Times*, January 16, 1975.

"All over the city the children of the poor are beginning to sicken and die as the price of rice and other food continues to rise . . . An American airlift is flying in more than 600 tons of ammunition a day, but so far the American planes have not brought any food."—*Washington Post*, February 21, 1975.

"We are just keeping people alive," conceded a United States aid official. "There is nothing we can do with the refugees because the land the government controls is so limited . . . Aid programs have expanded sharply in the last year but still are far from adequate, and the refugee population is suffering increasingly from disease, hunger and malnutrition."—*Baltimore Sun*, February 17, 1975.

"World Vision, another relief agency here, operates a clinic in the Cambodiana (hotel) where their medical team leader, Dr. Penelope Key, sees on an average 250 children a day. About 75 per cent of them nowadays are suffering from malnutrition, she said . . . Often the worst off, as far as malnutrition is concerned, are the wives and children of soldiers . . . The fighting men take priority as far as food is concerned and often there is not enough for the families."—*Washington Post*, February 15, 1975.

"The preliminary results of a survey supervised by CARE . . . show that while malnutrition was already a problem among poor families a year ago it has now become a 'severe' problem which is likely to get worse before it gets better . . . Before the war, food was plentiful, Cambodia had a surplus of rice to export. Now, after nearly five years of war, this is a country which depends to a great extent on American financed imports of rice."—*Christian Science Monitor*, February 19, 1975.

"Unlike U.S. Ambassador Graham Martin in Saigon, no one here is deceiving himself into thinking that the Lon Nol government can turn the corner or see the light at the end of the tunnel. Everyone admits that the Lon Nol regime will remain totally dependent on American support, and, at the present rate of inflation, it will cost an extra hundred million dollars every year just to maintain

the Cambodian armed forces at their present level of arms and ammunition."—Washington Post, February 23, 1975.

"This is a moral question that must be faced squarely."—President Ford, in his request for \$222 million supplemental military aid for Cambodia, New York Times, February 26, 1975.

SENATE FOREIGN RELATIONS COMMITTEE, REPORT ON THE FISCAL YEAR 1975
FOREIGN AID AUTHORIZATION ACT (9-3-74)

For Cambodia, the Committee established a ceiling of \$347 million. Within this ceiling, the Committee allocated \$70 million for economic assistance, which is specifically authorized in this bill; \$200 million in military assistance, also authorized in this bill; and \$77 million for P.L. 480 commodities, the amount programmed by the Executive Branch. . . .

As regards the \$200 million authorized for military aid, which represents a \$191.3 million reduction from the Executive Branch's \$391.3 million request, the Committee was influenced by its view that the war in Cambodia is more clearly than ever a civil war—and one in which the United States is, in significant measure, supplying the forces on both sides. American intelligence officials acknowledge that the North Vietnamese play little or no role in the fighting going on in Cambodia today, and that the insurgent Cambodian forces rely heavily on captured or diverted U.S. ammunition, particularly 105 mm. howitzer shells. As for the government side, all reports indicate grossly excessive use of ammunition, including massive amounts of "harassment and interdiction" fire. Of the proposed program, more than 300 million would have been used solely for ammunition.

The Committee believes that the \$200 million authorized should be ample for military aid if some measure of discipline is exercised by the government forces, which, the Committee noted, far outnumbered the insurgents. In the Committee's view, it will serve neither the American interest nor that of the local population for the United States to continue to sustain the wasteful practices of the government forces and to arm the insurgents.

CAMBODIA: WHAT DOES THE OTHER SIDE WANT?

(Report on an interview with a Sihanouk representative by Tom Hayden)

March 5, 1975.

As the fall of Phnom Penh nears, one question has taken on special urgency: what does the other side want?

The other side has a recognized governmental apparatus, the Royal Government of National Union of Cambodia (GRUNC), which is officially accepted as a member of the Conference of Non-Aligned Nations. Its head is Norodom Sihanouk. Its ministries are located inside Cambodia territory. Its policies are publicly available.

Besides the GRUNC, the Cambodian struggle against the Lon Nol regime is institutionalized in the National United Front of Cambodia (FUNK).

In Paris on Friday, March 28, I interviewed Ok Sakun, official representative of the GRUNC Mission in France. In the course of a five hour discussion, he clarified the GRUNC position. Not only does he speak officially, he is extremely well-informed (and was leaving for meetings with Sihanouk in Peking this week).

What follows is a summary of his views, in my own words, on the key questions. My notes of the conversation are attached:

1. They are determined to win a complete victory, overthrow the Lon Nol regime, and replace it with the GRUNC.

2. They are confident they can do so in the near future, perhaps in weeks and very likely before June. They claim that the Mekong will remain closed for the rest of the dry season, and that Pochentong Airport can be choked off as well. Then they expect uprisings inside Phnom Penh and the entrance of the GRUNC armed forces.

3. They also claim to be prepared to fight longer, through the coming year, in the eventuality that the U.S. escalates its military involvement to protect Phnom Penh.

4. It is my deduction that their military reserves are far greater than the Pentagon acknowledges, whereas Lon Nol has no reserve force at all. Contrary to the U.S. view of only two months ago, echoed widely in the press, that this would be "just another" Khmer Rouge dry season offensive, it appears that the balance of forces has qualitatively changed in favor of the GRUNC military.

5. They reject any negotiations with Lon Nol, or any political settlement which accords any status to Lon Nol or his circle. Just as Lon Nol has condemned Sihanouk in absentia to death, the GRUNC will hold responsible and probably kill Lon Nol, Sirik Matak, Son Ngoc Thanh, Cheng Heng, In Tam, Long Boret and Sosthene Fernandez—the top leaders of the Phnom Penh government. They view Lon Nol as a totally illegitimate usurper of power, a rebel against the legitimate Sihanouk government. They view the U.S. and Lon Nol as seeking to win recognition through negotiations. They distinguish Cambodia from Laos and South Vietnam where the US-supported right-wing (and neutralist) forces are recognized by the January 1973 Paris Agreement and September 1973 Laos Agreement. Lon Nol, they say, has no such base, either in popular support, economic class, or military strength. Therefore they reject any negotiations.

6. On the other hand, the GRUNC envisions an amnesty and reconciliation with all other elements which have served the Lon Nol regime in the past. This is a long-standing policy, and has been affirmed significantly in the Feb. 24–25 National Congress held in Cambodia. In the Congress' declaration, it is stated:

As to the functionaries, officers and soldiers, officers and agents of the police, self-defense units, members of military and para-military organizations, politicians and other personalities, members of various organisms of the puppet regime, the National Congress . . . declares that these compatriots can fully rally to the National United Front and the nation and people of Cambodia as soon as they cease all their activities in the service of the seven traitors and all collaboration with them.

In conclusion: it is impossible for the US to maintain the Lon Nol regime. Under present conditions, its defeat is very near. But it is possible to reduce bloodletting and arrange a peaceful transference of power in Phnom Penh. If the "seven traitors" go, there does not have to be a bloodbath at the end. All that is needed is for the US to notify Lon Nol that our support for him is ending, arrange his departure (and that of the others), and notify GRUNC to this effect.

Talks with the GRUNC, in my opinion, could begin immediately after the departure of the Lon Nol elements. Sihanouk will fly immediately to Phnom Penh as Head of State (though his functions will be largely in foreign affairs), ready to receive all guests including journalists, members of US Congress and US officials. Talks regarding a new relationship could begin at once.

This may not be pleasing to the State Department, but it is perhaps all that is left to do. The US will have to make a policy decision against maintaining Lon Nol or face the disintegration of that regime in a bloody and chaotic disaster. Once this policy decision is made, it is possible at least to save lives and create a new foundation of US-Cambodian relationships.

EXCERPTS FROM INTERVIEW WITH OK SAKUN, FEBRUARY 28, 1975

About the general situation: Cambodia includes 185,000 square kilometers of land, and 100,000 are under our control. The enemy zones are isolated islands, linked only by air. So the first point is that the Lon Nol regime, which is recognized by a majority of Western countries, has no land, no territory. They are the bandits, the rebels, artificially created. We are reducing their enclaves to zero.

The second point: the enemy has no economy. They produce nothing. They receive everything from the U.S. On our side, economically we depend entirely on our own resources. We can maintain a long war. . .

Third, the enemy has no popular support. We have five of seven million people in our zones. The people in Lon Nol's zones are hostile to him. Now we can say

all the conditions for a general uprising exist. For the urban people it is a question of life and death. In Phnom Penh there is nothing more to eat. People are forced to become soldiers. They have been hostile to Lon Nol for a long time but now they are prepared to fight.

On the political level, Lon Nol has no political power. It is the U.S. Embassy which is the power. On our side, people have power. There are committees of the NUF elected in every commune, district and province, dealing with education, health, defense, etc. It is very important to understand how Cambodians have changed in the last five years. We are not the same kind of people. We are actually witnessing a renaissance. Since the civilization of Angkor Wat the Khmer people have gone through a period of being asleep, and now they are awakening. This is what Washington has not understood. They foresaw everything but this. Now they're not able to believe this is happening.

It is important to understand all this in grasping our relationship towards Lon Nol. This is why we do not want to negotiate. The enemy wants to portray us as hard, inflexible. But we are realistic. You cannot compare our situation with that of other Indochinese countries. This is not a war between two political forces or tendencies. We are fighting a situation entirely created by the U.S. after the 1970 coup.

We consider the Lon Nol group as criminals and we will judge them. They are responsible. But the others, apart from these, if they cease their collaboration, we are ready to welcome them in our front. We are prepared to forget the past.

We will pursue a foreign policy of neutrality and non-alignment. This is not a tactical choice, but a fundamental choice, corresponding to our conditions, geography and the temperament of our people. We want friendly relations and aid from all countries, East and West, without conditions.

About the situation in Phnom Penh: the general objective of our January 1st offensive is to destroy the maximum of the enemy forces while protecting our own, to win over people, to create a new balance of forces. It is a liberation war like Vietnam and China. Winning new territory is not the important thing. If we win territory, it is good, but the essential thing is the balance of forces. This has been our constant position for five years.

Since January 1st, in the first months of the offensive we have destroyed near Phnom Penh about 400 large and small posts. The effect is to weaken the Phnom Penh defenses. The enemy has lost 15,000 men (our figures). The U.S. sources say ten thousand. And these are elite troops. According to the U.S., Lon Nol has about 20,000 elite troops, that's all. Also we destroyed posts all along the Mekong River, about 80 kilometers in all, and occupied the banks. There are only two positions we haven't taken, Neak Loung and a smaller one, but they are encircled and bombarded. At the same time we have attacked provincial capitals still controlled by the enemy.

In general, they are in a critical defensive situation. We have been strengthened. We have recovered much material, especially in the river, which is like a treasure chest.

The most important result is that they are losing men and posts. Phnom Penh is cut off except for the airport. Phnom Penh needs 800-900 tons of ammunition daily, 600 tons of rice, 150-200 tons of gas, according to Western sources. The airport cannot supply this amount for three reasons. (1) financial: the U.S. Congress is little disposed, and it costs very much. But even with money, there is (2) a technical problem. There is only 1 runway. It is also used by Lon Nol's air force, and commercial traffic. They say their airport is saturated by 1,000 tons per day. Every day there is a deficit. And Western figures underestimate the situation. Soldiers in Phnom Penh are used to making a wasteful "war of the rich". They are not used to economizing munitions (and when they are afraid, they use up more). Same thing about gas: they are used to a motorized war (they don't carry things on their backs). The (3) factor is military. We often rocket the airport, causing problems for traffic. We are coming closer and will even be able to take the airport.

But the airport is not the problem. It is in Phnom Penh. People there cannot remain passive. It is life or death. Until now they have been discontented but haven't risen up. But as the airport is cut off there will be less rice (the priority is military supplies). It will push people to rise up. Before they hesitated because Lon Nol was stronger. But now when he is weak people will have more courage.

They also are encouraged by knowing we are close. When they rise up, we will be there to enter the city right away.

Conditions in the weeks ahead will become worse in climate. March and April are the hottest months. Even now electricity is off much of the time. During the greatest heat there will be no water because not enough fuel for pumps. This will add to tension.

So our perspective is that in the weeks ahead things will become decisive, very decisive. They think opening the Mekong will solve their problems, but the river continues to lower until April. In April conditions to block the river are best. There is no hope for them. Another important factor is the declining morale of the Lon Nol army, it will worsen. Last week almost every day entire units were wiped out, and high officials killed.

If this situation remains without massive US intervention we can expect the final moment in the weeks ahead.

Whatever happens, and it depends on Kissinger, we have created a new balance of forces which cannot be changed by the US. What Kissinger and Ford can do is push back the final day, prolong the war a few months or a year, but they cannot prevent a total fall.

As you make decisions in regard to everything else in Cambodia and Vietnam, we respectfully ask that you will carefully consider the following:

1. Cambodia.—From historical experience and current opinion of the Cambodian people there is no question that a leadership will emerge should Cambodia and Vietnam fall to Communist control.

2. What power Asian leaders would like. Hoang Van Chinh, Joseph Holtzman and Bernard Fall all agreed that over 500,000 people were eliminated by the Communists after their came to power in North Vietnam. Having the 700,000 in 1964 nearly 1,500 innocent victims were massacred in the above.

3. A recent survey shows that massive Communist massacres of innocent civilians, government officials, business persons and religious leaders has taken place in Cambodia. Such indignities being by the Communists will become all the more necessary as they realize their control should Cambodia and Vietnam fall.

4. Moral commitment.—The people of Vietnam and Cambodia are fighting to preserve their national identity and the right of self-determination. They have asked the U.S. to fight for them but only to provide the necessary air support.

5. Communist aggression.—It should be their decision to fight or surrender—not us. Traditionally, the U.S. has supported the cause of freedom and justice for all over the world. It would be hypocritical and immoral for us to act as if freedom were a privileged commodity bestowed only to countries not to be denied due to We must ask ourselves "Would the U.S. exist at all had not the French given us aid to fight the British for our freedom and independence?" All the Cambodians and Vietnamese are asking is that we give them the same support in the fight for freedom that we asked for and received during our struggle against tyranny.

6. Many argue that the U.S. should leave Southeast Asia to their own devices and let them choose their own government. But we will have a large people of Vietnam and Cambodia the choice to fight for freedom should the U.S. decision. Large economic and military aid to these countries. Like states we will have "washed our hands" of our moral responsibility.

7. Legal considerations.—The U.S. not only has a moral commitment but a legal obligation to fulfill the provisions of the Paris Peace Accords Article 7 of that agreement provides that the U.S. may supply weapons to South Vietnam on a non-atomic basis. However, we have not replaced a single tank, artillery piece or other military equipment lost by South Vietnam since these accords were signed. The \$700 million in aid they have received has barely provided a minimal amount of equipment to defend themselves. Only \$200 million has actually been spent on ammunition since 62 percent of that aid is used to pay for transportation, salaries, and other logistical costs. Half, on the other hand

APPENDIX 10

LETTER TO HOUSE FOREIGN AFFAIRS COMMITTEE ON CAMBODIA AND VIETNAM

AMERICAN CONSERVATIVE UNION,
Washington, D.C.

HOUSE FOREIGN AFFAIRS COMMITTEE,
Rayburn House Office Building,
Washington, D.C.

DEAR MR. CHAIRMAN AND COMMITTEE MEMBERS: The question of the survival of Cambodia and Vietnam hinges on decisions you and other members of Congress will have to make in the forthcoming weeks. These countries have been the innocent victims of overt aggression by the totalitarian Communist regime of Hanoi. Undoubtedly, bringing peace to this war torn region and the preservation of the national integrity and diversified cultural, political, religious and social nature of these countries is of concern to us all.

As you make decisions in regard to providing aid to Cambodia and Vietnam, we respectively ask that you will carefully consider the following:

1. *Bloodbath.*—From historical experience and current actions by the Communists there is no question that a bloodbath will ensue should Cambodia and Vietnam fall to Communists control.

Well known Asian scholars Douglas Pike, Hoang Van Chi, Joseph Buttinger and Bernard Fall all agreed that over 500,000 people were eliminated by the Communists after they came to power in North Vietnam. During the Tet offensive in 1968, nearly 5,700 innocent civilians were massacred in Hue alone.

Abundant news coverage has shown that massive Communist massacres of innocent civilians, government officials, students, religious and educational leaders has taken place in Cambodia. Such indiscriminate killing by the Communists will become all the more necessary as they solidify their control should Cambodia and Vietnam fall.

2. *Moral commitment.*—The people of Vietnam and Cambodia are fighting to preserve their national integrity and the right of self-determination. They have not asked the U.S. to fight for them but only to provide the necessary aid to repel Communist aggression. It should be their decision to fight or surrender—not ours.

Traditionally, the U.S. has supported the cause of freedom and justice throughout the world. It would be hypocritical and immoral for us to act as if freedom were a privileged commodity belonging only to ourselves but to be denied others. We must ask ourselves, "Would the U.S. exist at all had not the French given us aid to fight the British for our freedom and independence?" All the Cambodians and Vietnamese are asking is that we give them the same support in the fight for freedom that we asked for and received during our struggle against tyranny.

Many argue that the U.S. should leave Southeast Asian's to their own devices and let them choose their own government. But we will have denied people of Vietnam and Cambodia the choice to fight for freedom should the U.S. discontinue economic and military aid to these countries. Like Pilate we will have "washed our hands" of our moral responsibility.

3. *Legal commitment.*—The U.S. not only has a moral commitment but a legal obligation to fulfill the provisions of the Paris Peace Accords. Article 7 of that agreement provides that the U.S. may supply weapons to South Vietnam on a one-for-one basis. However, we have not replaced a single jeep, tank, artillery piece or other military equipment lost by South Vietnam since those accords were signed. The \$700 million in aid they have received has barely provided a minimal amount of ammunition to defend themselves. Only \$268 billion has actually been spent on ammunition since 62 percent of that aid is used to pay for transportation, salaries, and other logistical costs. Hanoi, on the other hand

received more than \$1.7 billion in economic and military aid compared to our \$1.15 billion for South Vietnam.

4. *U.S. credibility.*—Should the U.S. abandon Southeast Asia to Communist domination, our credibility and commitment to our allies will have seriously eroded. No longer will a country have faith in our commitment to maintain world peace and freedom. The willful abandonment of an ally will not abate but only encourage aggression in other parts of the world—South Korea, Taiwan, and Thailand could easily become the next targets of Communist aggression.

The ability of Secretary Kissinger to negotiate a peaceful settlement in the Middle-East will be seriously jeopardized. What faith could Israel have of our commitment to its survival if the U.S. does not fulfill its obligations agreed to in the Paris Peace Accords? What Israeli leader could possibly convince his people that the country which abandoned its ally in Southeast Asia would defend Israel in a moment of crisis?

5. *Nuclear proliferation.*—If the U.S. allows Southeast Asia to fall to Communism our allies will know they can no longer count on protection under the U.S. nuclear umbrella. Realizing they must go it alone, it is possible Taiwan, South Korea, Israel and others will develop nuclear weapons to help insure their own survival. Taiwan, at present, has the capability of producing a Hiroshima size atomic bomb at the rate of one a week. The abandonment of Southeast Asia to Communism will only encourage nuclear proliferation which would subsequently increase the prospects for nuclear war.

6. *Increased defense spending.*—The loss of Southeast Asia to Communism and other strategic spots in the world will mean the U.S. will have to augment this loss with increased spending on military weapons to maintain the balance of power between the Communist and Free World. Billions of extra dollars will be requested by the Defense Department to build more aircraft carriers, long range bombers, and other military weapons needed to maintain a durable "protective barrier." The money needed to sustain Cambodia and South Vietnam will seem miniscule in comparison to the billions of extra dollars that will be needed to maintain the United States strategic position in defending ourselves and the Free World.

Perhaps the most important point to be made is whether we allow the Cambodians and Vietnamese the right to fight for their freedom or allow them to be lined up and slaughtered like cattle. More people will die if the fighting continues but certainly this is a more moral alternative than to allow thousands of innocent people to become the victims of massive Communist executions. The Cambodians and Vietnamese have demonstrated their determination to fight for freedom. Certainly we have a moral obligation not to abandon them in their crucial hour of need.

Unfortunately, space does not allow for me to do justice to the important factors outlined in this letter. I hope that we can further discuss these points at a time of your convenience.

Thanking you for your kind consideration to read this letter, I remain,

Yours sincerely,

GARY JARMIN.

APPENDIX 11

[From War/Peace Report, June 1974]

THE WAR GOES ON IN VIETNAM

(By Don Luce*)

"Despite the Paris Agreement, Saigon still presses for a military rather than a political settlement of the war. This on-the-spot observer sees no end to the fighting until U.S. arms and dollar support for Thieu ceases."

"For the first time in seven years I'm harvesting a crop of rice," Ong Lam, a farmer in Quang Tri province of Vietnam, told me in November, 1973. "It was hard work. There was a mine in the field which killed my only buffalo. And even though the land has been plowed, I am still afraid of more mines. In a few months, the bananas and papaya will be producing again. It has been difficult for us, but we are farming and so we are happy again."

Lam is typical of the farm people that I met in the Provisional Revolutionary Government (P.R.G.) area of South Vietnam. He does not want the military conflict to intensify because he would lose the progress that he has made on his farm. At the same time, many of his former neighbors of Cam My are still in a refugee camp near Danang. Once, Lam told me, they tried to escape back to the liberated area. They were arrested and returned to the refugee camp. Lam is angry about this and he quoted article 11 from the Paris Agreement guaranteeing freedom of movement (most of the villagers had their own personal copy of the Agreement and it has been used as a textbook in some of the adult education classes). Lam also gave me the names of farm people from his village who are still in prison.

Neither Lam, his neighbors nor officials of the P.R.G. want to see the war in Vietnam stepped up again. They have built a great deal and do not want to see it destroyed.

For years their hospitals were hidden in the jungles. Now a 150-bed hospital is in the center of Dong Ha city and serves as a center for information and supplies to the mobile medical teams and village infirmaries. However, their supplies are still inadequate—they desperately need materials to equip a chemical laboratory, and electrocardiograph machine, an aspirator, and all kinds of operating equipment.

Most of the hospital is woven bamboo construction. But it does provide care for the victims of mine and bomb explosions (the unexploded bombs become more dangerous as they corrode and the timing devices weaken). Medical attention is free to all. The concern that the doctors and nurses show the poor is a definite asset in the political struggle for the allegiance of Vietnam's farm people.

The schools in the P.R.G. area are simple thatch buildings with little equipment, but morale is high. When I visited Dong Ha high school, I was presented with a copy of the school's yearbook. It was carefully done, with poems, short stories and news items meticulously written out by hand. There is no printing press, no mimeograph machine. But I have never seen students prouder of their school paper.

BOMBS STILL FALL

Ong Lam does not want to lose these things by an intensification of the war or through a takeover by the Saigon government. "If the Saigon government were to take over this land, I would be put in jail, and so would the doctors at the hospital," he said. "Then the Americans would come back."

* Don Luce is coordinator of the Indochina Mobile Education Project. An agricultural economist, he has spent most of the past 14 years in Vietnam.

Every villager with whom I talked was aware that villages are still being bombed. Over and over they described the bombing of the marketplace in Loc Ninh at nine o'clock in the morning of November 7. "Thirty-two people were killed," Lam said, repeating what he had heard on the Liberation Radio news program. "We must punish the tyrants who kill women and children in the marketplace. Otherwise they will bomb us soon."

Mme. Nguyen Thi Binh, minister of foreign affairs for the P.R.G. stated several times in a taped interview that the P.R.G. will not start a new war. They have built hospitals and schools and repaired roads, she explained. The P.R.G. can now prove its capability to govern and provide services to its people. Renewed war endangers this progress. Over and over Mme. Binh stressed the importance of the Paris Agreements which, she said, "provide the means for a political settlement of the war."

Mme. Binh charged that the Saigon government has seriously violated the agreement by taking land held by the P.R.G. at the time of the ceasefire, by refusing to release civilian personnel it is holding in prison (including her own brother), and by forcefully preventing refugees from returning to their land when it is under P.R.G. control. The U.S. is a party to these violations, she said. It provides the airplanes, bombs, munitions, tanks, jeeps and artillery pieces as well as the money used to keep the political prisoners in jail and refugees in camps.

"We cannot sit with folded hands and watch the Saigon troops encroach upon the liberated areas and violate the lives and property of the people," Mme. Binh said. "We are determined to punish these violations in order to protect and preserve the Paris Agreement."

Using a detailed map, Mme. Binh and a P.R.G. military officer outlined the territory they held at the time of the ceasefire and the territory held by Saigon. She then pointed out areas that had been taken by the Saigon troops in "land-grabbing" operations since the ceasefire. She said the P.R.G. has lost territory in Quang Nam, Binh Dinh, Kontum, Tay Ninh, Dinh Tuong and Chuong Thien provinces.

On November 4, the Liberation Armed Forces issued its second strong warning: "Strike back against the enemy, defeat the land-grabbing operations of the Saigon army, firmly safeguard the liberated zone and retake the areas illegally taken by the enemy."

The officials of the P.R.G. that I met are dedicated and live directly with the farm people. In fact, most of them are farmers themselves. Mrs. Tran Thi Hoang, for example, is a 65-year old farm woman and deputy province chief for Quang Tri province. I had dinner at her home and meet her a second time as I was leaving the province during the fourteenth typhoon of the year. She had spent the day giving simple instructions in health care to families in the area. As we drove on I looked back to see her thin silhouette disappear in the rain, one hand carrying her rubber-tire sandals and the other holding up her black trousers. No chauffeur-driven limousine for her!

The withdrawal of U.S. troops has created an economic problem for President Nguyen Van Thieu. During the height of U.S. involvement, some ten million people were moved from their farms into the city slums and refugee camps. The idea was to prevent the Viet Cong from getting food, recruits and intelligence from the local population. And, as an additional benefit, the refugees were a cheap source of labor to build the airports, roads and ports necessary to fight an American-type war. With the troops gone, there are no jobs in the cities.

Thieu's dilemma is that if he allows the farm people to go home, most will return to the P.R.G. zone. By forcing them to remain in the cities, the government generates growing urban unrest and creates a perpetual need for foreign economic assistance.

The most vocal opposition has been jailed. At least 200,000 people are still imprisoned because of their opposition to Thieu. On December 28, 1973, Thieu announced that the general elections called for in the Paris Agreement will not be held. The National Police and million-man army continue to dominate life in the Saigon area.

President Thieu, on January 4, 1974, in Can Tho, called on his troops to attack the P.R.G. zone. He said: "We should not allow the Communists a situation in which their security is guaranteed now in their zone so that they can launch harassing attacks against us and destroy our infrastructure, schools and bridges.

We should carry out these activities not only in our own zone but also in the areas where their army is now stationed. . . . As far as the armed forces are concerned, I can tell you the war has restarted."

The U.S. Response

An amendment to the Foreign Aid Appropriations Bill reads:

None of the funds appropriated or made available pursuant to this Act, and no local currencies generated as a result of assistance furnished under this Act, may be used for the support of police, or prison, or prison construction and administration within South Vietnam, for training, including computer training, of South Vietnamese with respect to police, criminal, or prison matters, or for computers, or computer parts for use for South Vietnam with respect to police, criminal or prison matters.

The FY 1974 Foreign Aid Authorization bill makes a stronger point:

Sec. 32. It is the sense of Congress that the President should deny any economic or military assistance to the government of any foreign country which practices the internment or imprisonment of that country's citizens for political reasons.

The report from Congress, which accompanies the Foreign Aid Appropriations bill, states:

The existence of political prisoners in South Vietnam is beyond reasonable dispute. Only the numbers are in question. . . . Further, substantiated accounts of cases of mistreatment and torture of such prisoners have been authoritatively reported.

Ironically, the Foreign Aid Appropriations bill, in contradiction to its own "sense of Congress," appropriated \$450 million in economic aid for Indochina (most of it for South Vietnam) and \$900 million of military aid for South Vietnam and Laos (\$833 million of this for Vietnam).

In addition, there are at least \$1.1 billion in pipeline monies (unliquidated funds) left over from previous years; \$300 million worth of Food for Peace for South Vietnam (virtually 100 per cent of the Vietnam Food for Peace money is spent for military purposes); an estimated \$63 million for purchase of local currency for U.S. government programs; \$45 million worth of military commodities declared excess (and valued at one-third of acquisition cost) by the Department of Defense; and a \$50 million loan to South Vietnam. It costs another \$1 billion annually to keep the U.S. Navy and Air Force involved in the "Southeast Asian situation" (e.g., the Air Force in Thailand and the Seventh Fleet in the South China Sea).

On January 8, 1974, the *Washington Star-News* said the U.S. would provide Saigon with 60 advanced F5E fighters, "judged to be far superior to the older and less maneuverable F5A Tiger I that it is scheduled to replace." The new planes, which cost \$1.6 million each, are part of a package which "informed sources" told the *Star-News* "may require President Nixon to request \$600 million more in supplemental military appropriations for Vietnam."

All this, despite the agreement which requires that the U.S. "not continue its military involvement in the internal affairs of South Vietnam" (article 4) and "not impose any political tendency or personality on the South Vietnamese people" (article 9).

What Will Happen?

It is clear that the Thieu regime is attempting to provoke the P.R.G. into a military response. By eliminating the possibilities of political struggle and elections between the two groups and refusing to move toward a National Council of Reconciliation and Concord as called for in the Paris Agreement, Thieu is attempting to leave open only one possibility: more war.

My trip to the P.R.G. area convinced me that, despite the desire for a political rather than military struggle, the P.R.G. will not accept the continued bombing of P.R.G. villages, the refusal to let the refugees go home, and the continued imprisonment of thousands of political prisoners.

Time is on the side of the P.R.G. They have used the last few months to rebuild, Saigon has had to deal with increasing economic and political problems. Thieu is becoming increasingly nervous about his base of support, the United States. Congress is questioning use of American funds in Vietnam and has prohibited the use of U.S. money for Saigon's police and prisons. A worsening of the U.S. economy could cause further cutbacks.

The U.S. government has recognized the P.R.G.'s desire to work toward a political rather than a military settlement. For example, *Vietnam Documents and Research Notes*, No. 113, stated: "As the prospect for a ceasefire became imminent again in January, 1973, Hanoi and COSVN (Central Office, South Vietnam) opted for a long term political struggle rather than any last minute spectacular power grabs . . . reliance had in fact been shifted to the 'political struggle'."

The P.R.G. does not intend to carry on a military offensive, but it will protect its own territory. It will attempt to destroy air and other military bases from which the attacks originate. As each side escalates its "responses," the level of fighting will increase.

The important question is whether the United States Congress is willing to finance a continued war. If the U.S. keeps sending bombs, they will be dropped. The war still goes on for the people of Indochina, with the possibility of a major increase in intensity. And the U.S. continues to support and encourage that war.

Camus once said, "If you are not one of the victims, then you become one of the executioners."

HEARING



SENATE COMMITTEE ON FOREIGN RELATIONS
 COMMITTEE ON
 INTERNATIONAL RELATIONS
 HOUSE OF REPRESENTATIVES

ALYSON HENNINGSEN

SEVENTH SENATOR

JANUARY 27, 1973

