

standardize these programs, raise payment levels in the States with lowest payments, give the States the option of turning over program administration to a Federal agency, and place a ceiling on State expenditures which guarantees each State future reductions in welfare costs.

A third principle embodied in the proposal is that as many poor people who can work should do so and should be assisted in becoming economically independent. The Ribicoff-Bennett proposal would require certain family assistance recipients to register for work or training, and they would be referred for whatever services can benefit them. The necessary manpower and day care services would be improved, both in quantity and quality, over what is available today under programs for welfare families.

Some specific points were raised about this legislation last week that I would like to comment on. It was alleged that the family assistance plan would do nothing to retard the current incentives for family breakup mentioned earlier, and that the plan would somehow reward couples for having illegitimate

children. These statements are misleading if not inaccurate, and I submit the following chart to illustrate the point.

As the chart shows, an intact family of four in Phoenix, Ariz., earning \$2,000 receives no aid under AFDC. If the father leaves the family, the mother and children receive \$1,836 from AFDC, raising total income to \$3,836. However, under family assistance, the family would receive \$960 in benefits if they stay together. Thus, the incentive for the family to break up is reduced by more than half.

As for the suggestion that family assistance would reward illegitimacy, the fact is just the contrary. Current law rewards illegitimacy, because a workingman and his family cannot get assistance, but an unwed mother can. Under family assistance, the legally married couple with children could be helped if their income made them eligible for the program.

In summary, I feel that the Ribicoff-Bennett amendment to H.R. 17550 represents a greatly needed step forward in the reform of welfare and I urge its prompt enactment.

INCENTIVES FOR FAMILY BREAKUP UNDER AFDC AND UNDER FAMILY ASSISTANCE

(Data assume a father, mother and 2 children living in Phoenix, Ariz.; father earns \$2,000 annually)

	Income under AFDC			Income under Family Assistance		
	Earnings	AFDC	Total	Earnings	FAP	Total
Family lives together	\$2,000	-----	\$2,000	\$2,000	\$960	\$2,960
Father leaves family	2,000	\$1,836	3,836	2,000	1,836	3,836
Incentive to break up	-----	-----	1,836	-----	-----	\$76

Law
LIMITATIONS ON AMERICAN INVOLVEMENT IN CAMBODIA

Mr. CHURCH. Mr. President, over the weekend, I received a letter from Secretary of State William P. Rogers stating that the administration has no objection to the legislative restrictions on our military and economic aid to Cambodia, as provided in H.R. 11991, the supplemental foreign assistance authorization for 1970.

These restrictions, originally offered by the distinguished Senator from Kentucky (Mr. COOPER) and me, and contained in section 6 of the bill, prohibit the use of any funds to introduce U.S. ground combat troops into Cambodia or other U.S. personnel as advisers or instructors. The language, to which the executive branch takes no exception, reads as follows:

In line with the expressed intention of the President of the United States, none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia, or to provide United States advisors to or for Cambodian military forces in Cambodia.

The Secretary of State's letter, which I am told was approved at the "highest level" of the Government, should appreciably clear the air as to the Nixon administration's intentions in Cambodia. Dated December 19, 1970, the letter reads:

DEAR SENATOR CHURCH: Confirming Assistant Secretary Abshire's conversation with you, I should like to reaffirm that the Ad-

ministration's programs, and policies and intentions in Cambodia in no way conflict with Section 6 of H.R. 11991, or with the concerns expressed in the colloquy on the floor of the Senate on December 15, 1970.

Sincerely,

WILLIAM P. ROGERS.

The colloquy Secretary Rogers was referring to took place between the distinguished Senator from Mississippi (Mr. STENNIS), the Senior Senator from Alabama (Mr. SPARKMAN), the ranking Republican member of the Foreign Relations Committee, the Senator from Vermont (Mr. AIKEN), and myself. I ask unanimous consent that the pertinent pages from the RECORD covering the colloquy be printed in the RECORD at this point.

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

SPECIAL FOREIGN ASSISTANCE ACT OF 1971

The Senate continued with the consideration of the bill (H.R. 19911), to amend the Foreign Assistance Act of 1961.

Mr. GRAVEL. I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment as follows:

"On page 4 strike out lines 18 through 20 and renumber the subsections accordingly."

The language proposed to be stricken reads as follows:

"(1) \$85,000,000 for additional military assistance and \$70,000,000 for special economic assistance for Cambodia."

Mr. GRAVEL. Mr. President, I yield to the Senator from Mississippi without losing my right to the floor.

Mr. STENNIS. I thank the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I do not think I shall take more than a few minutes. I wish to address a question to the Senator from Alabama. I direct the attention of Senators to this question because it is a matter of some importance.

I wish to direct the attention of the Senator from Alabama to page 7 of the bill as now printed, and that part that provides, beginning with line 1: "none of the funds authorized or appropriated pursuant to this or any other Act may be used to finance the introduction of United States ground combat troops into Cambodia."

My question to the distinguished Senator from Alabama is as to his interpretation of this limitation on the President about financing the introduction of U.S. ground combat troops into Cambodia.

Is that language intended to be a prohibition on the President's going into Cambodia with U.S. combat troops to meet a situation like the sanctuary battle that we had last June and July, which proved to be directly connected with the arsenal, the armory, and everything else that goes to make war on our men in South Vietnam, and which proved to be beneficial? Would the Senator from Alabama speak to that point?

Mr. SPARKMAN. As I recall, when the President announced that we were going into Cambodia, he gave us the reason that it was to protect American troops—American people, American citizens—who are in South Vietnam. It was for that purpose. The sanctuaries imperiled those citizens and that was his purpose for going in there.

I may say that in the committee discussion I raised the question as to whether or not this language would permit the use of American forces to protect American lives in South Vietnam, as was done before. I shall be very glad to check on this, but, as I recall, the answer was that that would be a presidential power, that he would be exercising his own powers, and that this language did not prohibit that.

The distinguished Senator from Idaho (Mr. CHURCH), a few minutes ago, said something about the constitutional powers question still being unresolved. We all admit that. I would be very glad if the Senator from Idaho would say something on this.

Mr. CHURCH. I thank the Senator.

Mr. President, the question of the distinguished chairman of the Committee on Armed Services goes to the heart of the debate that took place this spring and summer on the Cooper-Church amendment. Since we had much time—7 weeks—to explore the question, we discussed it at considerable length.

In the course of the debate, it was recalled that in times past the President had invoked his constitutional authority as Commander in Chief to order rescue operations, to take precautionary action to protect American troops in the field threatened with an imminent enemy buildup that posed a serious danger to them, and that, within the framework of past precedent, there is an area of discretionary action open to the President as Commander in Chief.

The exact definition of that power has never been attempted in the past. Congress has never undertaken to define it with precision. The best answer must rest upon the precedents.

However, I would not want it to be thought that writing this language into the bill has little or no effect. Far to the contrary. No one has contended, based on the precedents, that the President can make general war or deploy an army in a foreign country on his authority as Commander in Chief.

This language would clearly prevent the deployment, for an extended period of time, of a substantial number of American troops in Cambodia. If the President intended to do that, the money is not made available for that purpose, and it would be necessary for him to return to Congress and ask our consent. But it is true that, as Commander in Chief, within a limited area, the President has power to initiate action designed to protect American troops in the field.

Mr. STENNIS. If I may ask the Senator this question, with reference to the battle of the sanctuary, the areas that the President invaded this summer, to destroy ammunition, and so forth, would the Senator think that his language prohibits a repetition of that if the facts are similar and conditions are pressing?

Mr. CHURCH. If there were a particular concentration just over the border which constituted a serious, imminent threat, that could be suddenly struck and destroyed, that might fall within the President's powers as Commander in Chief. However, I could not say to the Senator that undertaking an extended invasion of Cambodia with a large American expeditionary force for six or eight weeks falls within the scope of his power under the Constitution as Commander in Chief.

This whole question was fully explored in the course of the earlier debate.

From a conversation I had with the President last evening, it is my understanding now that he no longer takes exception to the limiting language. He feels it conforms with his own policy in Cambodia. He says he has no intention of sending back troops. He no longer persists in objecting to language of this kind. I could not say, however, that this prohibition in the bill would not preclude an invasion of Cambodia on the scale that took place and for the length of time that occurred last summer. I feel it would.

Mr. STENNIS. On that point right there, the Senator understands that no President, no Commander in Chief, no Army field commander, can tell how long it would take to carry out an objective. They go into the unknown. Also it takes time to prepare for such an attack on a sanctuary. So the President and his advisers might have to have 3 or 4 weeks, or even longer, to prepare. It is a deliberate act. It is not an extreme, rash act. So the Senator would not preclude, then, a bona fide effort, the planning of an attack, an invasion, technically, of the country to clear out and clean out a sanctuary that was an imminent threat to our men in South Vietnam?

Mr. CHURCH. I would say, in reply to the Senator that, in the first place, there would be nothing to preclude whatever any planning on any military mission. Yet, on the basis of precedents, the President's power as Commander in Chief to undertake military action is strictly limited to actions restricted both in scope and time, and which are directly related to the need to protect American troops in the field.

Mr. STENNIS. While I am on that, the Senator does recognize that it takes time, and cannot always be foretold exactly?

Mr. CHURCH. Yes, I appreciate that there is no way to foretell precisely the length of an intervention.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. GRAVEL. I yield to the Senator from Vermont for an observation.

Mr. AIKEN. Mr. President, I do not think the Committee on Foreign Relations now takes a position much different than it took last spring. If an incursion is necessary for the safety of our men, there would be no objection, but an invasion, which, as stated by the Senator from Mississippi, would require a long time in preparation and probably a long time to carry out, would have to be reported back to the Senate before it was

undertaken. The committee did make a sharp distinction between an incursion and an invasion.

Several Senators addressed the Chair. Mr. GRAVEL. I yield to the Senator from Alabama.

Mr. SPARKMAN. May I say that I did not understand that the Senator from Mississippi was speaking of an invasion. The term "incursion" was used, I think, in referring to it. But I think it is the objective that is controlling—in other words, the protection of American lives.

Mr. STENNIS. The Senator is correct, and my question was based on the incursion or the thrust, rather than a large scale invasion.

Mr. SPARKMAN. To protect American lives.

Mr. STENNIS. Primarily to protect the lives of our soldiers, our military men. I did make the point that sometimes it took weeks even to plan an incursion and get ready for it.

Mr. SPARKMAN. I wish to say that there is nothing in here that intends to limit the President's constitutional powers to act in an emergency in order to protect American lives.

Mr. STENNIS. I appreciate the Senator's answer; and, if I may respond quite briefly to the Senator from Idaho, Mr. President, I do not think it is definitely known, according to the precedents of history or according to this debate, just what the extent of the President's powers as Commander in Chief is. I think it depends greatly on the circumstances. I do not want any hard law here that would create any cloud or any doubt in any President's mind as to what his responsibilities are. I want to leave him with the responsibilities as well as the powers. If we do not leave the powers and the responsibilities with him, then it is not his fault or he is not to blame, and we have no head of State to that extent.

Mr. SPARKMAN. There is no effort here to limit the President's emergency powers or his constitutional powers.

Mr. STENNIS. Yes. That is why I am so concerned about this. The point first came up, as far as written law is concerned, in the military procurement bill. The battle of the sanctuaries was on then, and we put language in there that was approved by this body, that he would not be restricted as long as it was tied to our men and their safety in the draw-down. The battle over that language is going on now in appropriation bills and elsewhere, as well as here.

It seems to me that the colloquy has made it clear that this language does not take any of the responsibility nor the power away from the President of the United States to do what he thinks is reasonably necessary, within reasonable limitations of time, in destroying arsenals, armories, armies, or anything else that is in close proximity to our borders, which we have designated by the general term "sanctuaries," as in the past.

Mr. CHURCH. Mr. President, may I make one observation? Will the Senator yield for that purpose?

Mr. STENNIS. I yield.

Mr. CHURCH. It is perfectly true that it does not lie within the power of this body, even if we were to harbor an intention to do so, to curtail the constitutional powers of the President as Commander in Chief.

What we seek to do here is assert congressional powers over the spending of the public money. That is within our authority. It is clear, as far as my evidence indicates, that the President is now willing to acquiesce in a limitation of this kind imposed upon the funds made available in this bill and in other bills, vis-a-vis Cambodia.

It follows that if the President were later to decide that it is in the national interest to repeat an extended, full scale military invasion of Cambodia, he would come back to Congress and ask our consent.

We are exercising our power. I recognize that it is not within our reach to undermine

such constitutional powers as vest in the presidency in the role of Commander in Chief.

Mr. CHURCH. In view of the fact that the administration has accepted the pertinent language in the Senate version of the supplemental foreign assistance authorization bill, including the Cooper-Church amendment, and the fact that the House and Senate conferees, representing the two legislative committees concerned, have concurred in that language, I hope it will now prove possible to eliminate from the appropriations conference reports those provisions that contradict and undercut these provisions in the authorizing legislation. If such an accommodation could be reached, we could then complete our legislative work on all the unfinished defense and foreign aid appropriation measures.

UNSNARLING THE CAMBODIA AID TANGLE

Mr. SYMINGTON. Mr. President, I do not think that the editorial in this morning's Washington Post, entitled "Unsnarling the Cambodia Aid Tangle," should stand without comment.

The editorial complains that the "potentialities for a misreading" of the words and deeds of American legislators "should be apparent to anyone who casts even a casual glance at the Senate's debate on whether its voting of \$255 million in aid to Cambodia constitutes a 'commitment' or not."

It is obvious to me, from reading the editorial, that the writer has cast only a casual glance—and nothing more—at the Senate debate.

The editorial expresses respect for Senator FULBRIGHT's concept "that the Senate must assert its constitutional duty to approve foreign commitments." But it then goes on to say that the chairman of the Foreign Relations Committee failed to assert that duty because, the editorial continues, he should have been emphasizing that approval of the money was not equivalent to a treaty, and attempting "to nail down the administration tightly to that other interpretation." Instead of charging, as he did and as others did, that "approval of this money is equivalent to a treaty."

What more would the writer have had Senator FULBRIGHT and other Senators who agreed with him do if they believed that approving the President's supplemental aid request constituted senatorial endorsement of a commitment which was, in fact, as much of a commitment as a treaty would have been.

The committee did include an amendment to the bill which made it clear that the giving of aid should not be construed as a commitment to come to the defense of Cambodia. But some members of the Senate feel that approval of the funds does constitute a commitment nevertheless—if a quarter of a billion dollars a year to a nation of 6 million does not involve a commitment; what does?

In fact, the staff report prepared for the committee, a portion of which the Post reprints on its editorial page, states clearly that the Cambodians have certainly inferred that the military assis-

A 30 Sunday, Dec. 20, 1970 THE WASHINGTON POST

American Outposts in Laos Threatened by N. Vietnam

CPYRGHT

By Mark Frankland
London Observer

PAKSE, Laos, Dec. 19— From the back seat of an ancient Laotian air force fighter-bomber, Pakse Site twenty-two does not look much of a place to fight over: a dirt landing strip, the outlines of defensive positions, some huts covered with yellow-brown dust. Yet it is around PS-22 that one of the most important battles of the Indochina war is likely to be fought.

For several years Americans have used Site 22 and other places like it on the edge of the Bolovens Plateau

News Analysis

to spy on and sabotage the North Vietnamese trail system in the mountains that start a few miles to the east. This U.S. operation has been a nuisance to Hanoi, but more or less a tolerable one.

The situation today, however, is quite different. The overthrow of Cambodian Head of State Prince Norodom Sihanouk in March and the loss of the port of Sihanoukville (renamed Kompong Som) for North Vietnamese supplies has at least doubled the importance of the Ho Chi Minh trail to Hanoi.

The North Vietnamese are expanding the trail system to the west, but cannot do so easily as long as American-led guerrillas remain on the Bolovens Plateau.

A few hundred yards east of Site 22, the plateau ends in an abrupt fall of about

3,000 feet to the Mekong River. The fast flowing and treacherous river curves around the plateau's edge and into Communist-controlled Northern Cambodia. But Americans have mined the river, greatly hampering North Vietnamese attempts to develop the upper reaches of the Mekong into a new supply route.

The American sites also limit the extent to which the Communists can infiltrate south across the Bolovens Plateau itself. It is doubtful that the two government-controlled towns on the plateau could hold out if the sites were destroyed.

A few months ago the Communists created panic in Pak Song, larger of the two, just by sending in messengers to announce that an attack was imminent.

Two weeks ago the North Vietnamese tried and failed to take Site 22, which is also a supply and training center for other outposts. It is assumed they will try again and that next time they might succeed.

This puts the Americans in something of a spot, because guerrilla sites on Bolovens Plateau belong to Washington's half-billion dollar a year secret war in Laos. Special guerrilla units on Bolovens Plateau and elsewhere are trained and led by the Central Intelligence Agency.

Accountants from the CIA arrive regularly at the sites in helicopters to pay the Laotian guerrillas three times as much as ordinary Lao soldiers get.

The *armee clandestine*, as the American-led guerrilla force is known here, is scarcely clandestine any more. It has been written about by reporters and investigated by senators. There are even people who claim to have seen some of its football teams wearing shirts with the initials AC.

But since the CIA is, by American standards, anyhow, a secret organization and its agents have under the Geneva agreements no more right to be in Laos than the North Vietnamese, the battle for Bolovens is hidden in clouds of official discretion.

It is only since the North Vietnamese threat to Bolovens developed that the regular Laotian army has had anything to do with the guerrilla sites.

But the Lao army is being pushed into the Bolovens battle by Hanoi's increased pressure and American vulnerability: special guerrilla units were never meant for defensive warfare. It was a regular Lao infantry battalion which helped to save Site 22 two weeks ago and had a very rough time of it.

The Lao army is getting near the end of its human resources. Its recruits include teen-agers.

The effort the Lao army is being asked to make on Bolovens is widely thought to be hopeless. Almost everyone says, "the North Vietnamese can take the Bolovens sites if they're ready to pay the price"—and it is assumed they are.

LAOS

Reds Open Attacks in Laos To Protect Ho Chi Minh Trail

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By TAMMY ARBUCKLE
Special to The Star

by American accountants and have American ex-military advisers with them. illas hands and "we can always go to other places," one source said.

VIENTIANE—North Vietnamese forces have launched heavy attacks in southern Laos in a major effort to protect the Ho Chi Minh Trail, their main reinforcement and resupply system to South Vietnam and Cambodia, from American-led guerrillas.

Military sources today said an estimated three North Vietnamese battalions captured Royal Mountain and two other air strips on the southeast edge of the Bolovens Plateau in heavy fighting yesterday.

At one strip, North Vietnamese sappers blew up an ammunition dump with satchel charges. Teak buildings with corrugated roofing sheets containing mortars and other supplies under control of the U.S. were burned down.

Boat Traffic Hit

All three positions were held by special guerrilla units led and paid directly by the Central Intelligence Agency. These units specialize in slipping down the side of the Bolovens Plateau, hitting Communist boat traffic on the Sekhong River—part of the trail complex—and penetrating that part of the trail on the Kaseng Plateau.

Sources said these guerrilla units long have been a thorn in the Communist side and they believe the Reds now want control of the eastern half of the Bolovens Plateau to eliminate them. These special units are said to be better than regular Lao army troops because they are higher paid, paid on time

Run by CIA

The operation is run by the CIA, and is not part of the U.S. military.

Lao military sources, though deeply worried by the North Vietnamese push on the Bolovens Plateau, say presence of the special units will be maintained despite the attacks.

The air strips remain in guer-

Royal Mountain was the site of fierce fighting earlier this year when the North Vietnamese held it for four months against strikes by U.S. air and guerrilla units.

Fram Royal Mountain airstrips the streets of Attopen, the Communist-held province capital, can be seen in detail on a clear day.

The Red offensive is seen as an attempt to build a south Laos sanctuary for the fighting in Vietnam and Cambodia.

"Hanoi can no longer rule out South Vietnamese or American ground strikes against these areas and they are worried," sources said.

With Cambodia closed off to Communist supplies, Hanoi is more than ever dependent on south Laos for logistics to continue the Indochina fighting.

LAOS

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15 NOV 1970

INTERPRETIVE REPORT

Secrecy Force Maintained in Laos

By TAMMY ARBUCKLE
Special to The Star

VIENTIANE The official

concealment of American activities in Laos is designed to hide the small U.S. ground combat involvement from critics of administration policy, sources here say.

This combat involvement consists of a few hundred Americans in three groups—military attaches advising in combat, former military personnel working for the Central Intelligence Agency who lead commando teams, and Special Forces units which shift through the Ho Chi Minh trail areas.

The American combat role is directed primarily by the CIA, rather than the U.S. military, and continues despite denials and evasions. Reporters have seen military attaches

giving advice in combat to Lao forces and accompanying Lao troops in field operations.

Policies Not Revised

The secrecy continues in many cases because of the failure of the U.S. Embassy to revise its policies after March 1966 when President Nixon admitted U.S. activities in Laos.

"Only a small percentage of the secrecy involves U.S. national security," sources said, while admitting that the major reason was simply concealment from the American public.

An incident last weekend 65 miles north of here at Long Chien, headquarters for Gen. Vang Pao, leader of the American-supplied guerrilla forces near the Plain of Jars, illustrates the situation.

U.S. officials evicted an American from Long Chien even though the American was there at the personal invitation of Vang Pao. U.S. officials also warned another American visitor to remain in Vang Pao's own compound.

Asians Enter Area

Asian guests, though they lack any security clearance, are not harassed.

Americans report, in fact, that Asians of all walks of life, including merchants, are free to visit Long Chien without a security check.

"Only Westerners, especially newsmen, are persona non grata up there," a source said.

This security system indicates the U.S. Embassy is more concerned with what is reported to the American people than it is with what Communist spies might see and report.

Yet much of what a reporter would see already has been

admitted by Nixon and has been reported in Senate hearings, including the armed American planes, rescue helicopters, the Air Force mechanics who service Lao dive bombers, the U.S. Air Force reconnaissance planes, the U.S. logistics officers, the civilian American pilots and the troops from Thailand and elsewhere.

Secrecy Farce

Nixon's admission that American military and civilian personnel were engaged in military advisory roles could even cover the armed Americans hired by the Central Intelligence Agency, who lounge around Long Chien in camouflaged fatigue uniforms.

Yet the secrecy farce continues, particularly around Long Chien and Laos Military Region II where U.S. involvement seems the greatest.

Americans run away when a newsman appears, stopping their work, to the consternation of the Lao military.

U.S. officials in the field appear quite uninformed about what has been said about American activities in Laos by Nixon as well as by State Department and Pentagon aides in Washington.

In Laos the restraint rarely varies. Secrecy, it is said, is necessary for two reasons: to continue support for Premier Souvanna Phouma's position as a neutralist unaligned either with the United States or the Communists and to avoid breaking the cover of CIA employees or to publicize certain details of the agency's operations.

Unfortunately Souvanna's neutralist status is worn thin. Under North Vietnamese military attack his neutralist army dwindled away and he is forced to rely on rightist generals and their armies, the U.S. Air Force, the CIA and Thai troops for support.

A Western diplomat who described Souvanna as "devious," said Souvanna's credibility would be improved if he did not need to make denials of U.S. involvement that nobody believes.

Some CIA operations particularly intelligence gathering, do deserve secrecy. But this is possible without closing off whole regions of Laos to reporters when the U.S. government is spending some \$2 billion annually on the Laos war and Americans are being killed.

LAOS

A CAMBODIAN BID IN LAOS REPORTED

Troops Would Get U.S. Arms
There for Operations

By HENRY KAMM

Special to The New York Times

SAIGON, South Vietnam, Nov. 8—According to informed sources, Cambodian officers are discussing with members of the entourage of Prince Boun Oum, the feudal chief of southern Laos, the possibility of sending sizable numbers of Cambodian troops to Laos to be equipped with United States arms.

These arms, it is said, would be in addition to the limited program of American military aid now granted to Cambodia.

At this stage, the sources said, the United States has not been brought into the discussions, which were initiated by the Cambodians. However, the impetus for the talks arose from the fact that about 1,500 Cambodian soldiers are being trained under the auspices of the United States Central Intelligence Agency in southern Laos.

The Cambodian idea is simply that Cambodia has more troops than arms, and Laos needs soldiers but has found it easy to get weapons and equipment from the United States.

Prince Operates Independently

The Cambodians evidently see no need to raise the issue, with the Government of Premier Souvanna Phouma, of having their troops equipped, trained and operating in the panhandle of Laos.

Not only is Prince Boun Oum's authority in southern Laos almost independent of the central Government, but also, perhaps of more importance, his dealings with the Central Intelligence Agency on military operations run by the agency in the Ho Chi Minh Trail region are direct and do not pass through Vientiane.

The C.I.A. supplies a mercenary army in Laos through funding that apparently has escaped strict Congressional control, while American aid to Cambodia is a limited program with a spending ceiling for the present fiscal year of \$40-million.

CPYRGHT

Although an additional appropriation is expected by early next year, it would still be easier to escape budgetary restrictions by supplying Cambodian troops through funds for Laos.

5 Battalions Considered

No specific proposals have been made, but Cambodian officers are thinking in terms of five battalions, each of about 600 men. They feel that such a force would be of equal value to Laos and Cambodia and could operate in either country.

At the moment, the Vietnamese Communists control roughly the eastern half of the Laotian panhandle as well as the adjoining Cambodian provinces of Ratanakiri and Stung-treng to the south.

The Laotian Government is worried about Communist attempts to widen the Ho Chi Minh Trail network westward to supply their forces in Cambodia.

Cambodian authorities consider it imperative to introduce at least small military units into the occupied provinces to give the civilian population a rallying point and to counter Communist political influence in the regions they have held since April.

Greater Containment Needed

Intelligence reports of a growing Communist build-up in southern Laos have added urgency to the need for troops to contain the Communists, keep their flow of men and supplies under surveillance and call in American air strikes. Most of American bombing is now concentrated on southern Laos.

According to informed sources, the Communist build-up has already caused an increase in raids across the border into Laos by South Vietnamese irregulars led by American Special Forces troops. It has also led to Thai troop reinforcement of Laotian Government forces in Champasak Province, between the Thai border and the Mekong River.

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Cambodian authorities consider it imperative to introduce at least small military units into the occupied provinces to give the civilian population a rallying point and to counter Communist political influence in the regions they have held since April.

Greater Containment Needed

Intelligence reports of a growing Communist build-up in southern Laos have added urgency to the need for troops to contain the Communists, keep their flow of men and supplies under surveillance and call in American air strikes. Most of American bombing is now concentrated on southern Laos.

According to informed sources, the Communist build-up has already caused an increase in raids across the border into Laos by South Vietnamese irregulars led by American Special Forces troops. It has also led to Thai troop reinforcement of Laotian Government forces in Champasak Province, between the Thai border and the Mekong River.

LAOS

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Laos patriots have upper hand

By Richard E. Ward

Representatives of the Lao Patriotic Front and the Vientiane regime last week agreed on a formula for talks. But a continuing U.S. escalation in Laos makes it apparent that Washington is determined to destroy any possibilities for a negotiated settlement of the conflict in Laos at this time.

Behind last week's development is three years of serious and irreversible military setbacks for the U.S.-controlled military forces of the Vientiane regime, despite massive U.S. bombing and the use of Thai and Saigon mercenaries.

The U.S.-led military forces in Laos, including the CIA's "clandestine army" of mercenary troops, are no longer effective instruments for waging offensive operations. This was demonstrated by the complete failure of the traditional rainy season "offensive" this summer and autumn.

The wet season gives a marked advantage to the U.S.-Vientiane troops because they have the use of air transport while the Pathet Lao forces, which travel only by foot or surface vehicle, are hindered by the rains that wash out bridges and turn roads into mud bogs.

Last year, the CIA's main force in Laos under Gen. Vang Pao occupied the Plain of Jars. Although proclaimed as a great victory in U.S. communiques, it apparently was a desperate last measure. Actually, there had been relatively little fighting until the Pathet Lao regrouped for a counterattack which culminated in a decisive victory in February of this year. Vang Pao's forces were trounced while the U.S. launched the heaviest air attacks in the history of the Laotian conflict. U.S. air power could not make up for the deficiencies already evident in Vang Pao's army.

Big loss for Vang Pao

By last spring, Vang Pao's troops, estimated at 17,000 during the summer of 1969, were down to 6000, as a result of casualties and desertions among the Meo mercenaries. Subsequently, Vang Pao is said to have recruited new troops, mainly untrained youth and possibly even some Thais.

During his "offensive" this year Vang Pao could do no more than "take" a couple of towns of no strategic significance near the Plain of Jars. The towns had previously been left deserted by the Pathet Lao, which held all its important gains made during the first half of this year, including the Plain of Jars and the towns of Attopeu and Saravane in southern Laos. The liberation of these towns and the holding of the surrounding region have strategic significance because they block the U.S. aim of establishing a corridor in southern Laos between Thailand and South Vietnam.

Washington has not abandoned this strategy for isolating the NLF forces in South Vietnam. During most of October, the U.S. command admitted that its entire complement of B-52s based in Thailand have been bombing in southern Laos, ostensibly attacking the "Ho Chi Minh trail." Since this summer, U.S. helicopters have been ferrying Saigon troops and American "advisors" on secret operations, also in southern Laos.

For several months the U.S. command in Saigon has reported weekly losses of helicopters in Laos while saying nothing about casualties among U.S. personnel. But AP correspondent George Esper, in an Oct. 25 dispatch from Saigon, reveals: "U.S. Special Forces troops leading clandestine operations in Laos have suffered scores of casualties that never have been made public. . . . American helicopters from bases in Laos are participating in ground operations in Laos."

Esper notes the ritualistic denial by the U.S. that "there are no U.S. ground combat troops in Laos," an assertion which the AP writer observes does not take into account Special Forces troops leading reconnaissance patrols." In one of the largest of these operations in September, according to Esper, "about 150

mercenaries and 10 U.S. Special Forces troopers" were sent into Laos in Marine CH-63 troop-carrying helicopters of which two were downed.

Operation Obfuscation

Washington goes to elaborate lengths to conceal its operations in Laos. In an article entitled, "Laos: The Men Who Aren't There," published in the Sept. 19 Far Eastern Economic Review, a Hong Kong business weekly, Nancy Duncan exposes the official pretense that there are only 21 Americans in the Laotian royal capital of Luang Prabang, where there is a base for the CIA's Air America and other aircraft sent on raids over Pathet Lao territory only a few miles distant.

Duncan reports observing first-hand many uncounted Americans in Luang Prabang. She states that the U.S. sends its personnel to Laos on "temporary duty," while recording them as being stationed in Thailand, the Philippines and even the U.S. CIA personnel, Air America employees and "retired" military men are among the Americans "who aren't there."

Further revelations about the CIA's activities in Laos were published in September in a staff report of the Senate Subcommittee on Refugees, headed by Sen. Edward Kennedy. Staff counsel Dale S. De Haan and subcommittee consultant Jerry M. Tinker, who visited Indochina this past summer, write:

"From the outset, the USAID refugee program in Laos has been inextricably tied to and part of, the U.S. paramilitary effort in northern Laos. In fact, from conversations with USAID officials in Vientiane and other sources, it is clear that until relatively recent times the USAID refugee program was simply a euphemism to cover American assistance to persons, mostly hill tribesmen, who agreed to take up arms and support efforts against the Pathet Lao."

U.S. bomb victims

De Haan and Tinker's report, entitled "Refugee and Civilian War Casualty Problems in Indochina," elucidates other aspects of U.S. policy and its failures in Laos. The authors show that there has been a massive increase in the number of "refugees," who actually are persons displaced by U.S. bombing and "strategic movement of people." They state:

"Population control and the strategic movement of people in Laos has been justified on two grounds: First, it denies the Pathet Lao the resources of the local population and second, it secures more of the population under government control. Or, as one observer has said, 'If you can't take the government to the people, then you bring the people to the government.'"

"Evidence suggests that this approach has been used extensively in Laos, with perhaps as much as a third of the total refugee movement being created through government sponsored, and sometimes government coerced, village evacuations. This has been particularly true of recent refugee movements from the Plain of Jars."

U.S. bombing of Laos was stepped up markedly following the bombing halt over North Vietnam, according to De Haan and Tinker, who write: "Refugees say, according to one source, that during some of this bombing phase, jets have come daily—dropping napalm, phosphorous, and anti-personnel bombs. They say the jets bombed both villages and forests, that they spent most of their time in holes or caves, and that they suffered numerous civilian casualties. They say that everything was fired on, buffaloes, cows, ricefields, schools, temples, tiny shelters outside the village, in addition to, of course, all people."

The subcommittee investigators also reveal the falsity of the claim that the U.S. ambassador carefully controls the bombing in Laos to restrict it to military targets. In reality, "as critics have long argued, 'free fire' zones are not uncommon in Laos and the

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military has to take any control over the frontier, with the total support of the American forces. How can we fight on the the American ambassador, or, for that matter, the royal Lao government." the 'Ho Chi Minh trail,' far from our bases and without American troops?"

The purpose: support Saigon

De Haan and Tinker believe that the main purpose of U.S. intervention in Laos, at least from 1965, has been to support U.S. operations in Vietnam. They recall that the U.S. operated "a secret radar station at Pha Ti in northern Laos, just 17 miles from North Vietnam's border" until it was overrun by the Pathet Lao in March 1968. The purpose of the U.S. base at Pha Ti, they write, "was to help guide American bombing raids over North Vietnam, a function which could understandably be viewed by North Vietnam as an 'aggressive' act."

Finally, the subcommittee report notes the fate of the Meo people in Laos; "Nearly the entire Meo population are refugees—either as civilians fleeing from battle, or as paramilitary forces taking refuge from defeat. Of an estimated Meo population of 400,000 in 1960, at least 40% to 50% of the men have been killed and 25% of the women and children have fallen as casualties of the war."

The significance of these Meo casualties lies in the fact that U.S. mercenary forces are drawn mainly from the Meo. De Haan and Tinker note that "some observers feel that many Meo would probably prefer the risks of accommodation with the Pathet Lao and North Vietnamese, to the continued loss of life and limb and land in a conflict which, for them, is endless."

Further details of the crisis confronting U.S.-sponsored Laotian forces are reported by Laurence Stern from Vientiane in the Oct. 18 Washington Post. Stern writes:

"From the American standpoint any hope of making new headway in the war would clearly require a greater U.S. military investment, such as the massive bombing of the Plain of Jars in late 1969, but a look at the results is not encouraging.

"For taking its size into account, Laos has been the most heavily bombed country in the history of the world, authoritative military officials here acknowledge. . . . In addition, Laos has served as a laboratory for counter-insurgency tactics. . . .

"Despite all this support, the royal Lao government is in worse shape militarily and territorially now than it was eight years ago at the time of Geneva.

"Pro-government cadre are being killed at the rate of 10 to 15 a day, according to military sources here. . . . This would be the equivalent of a 1000 to 1500 daily death toll in a country the size of the United States."

Stern concludes that it would be in the interest of prince Souvanna Phouma, Premier of the Vientiane regime, "to stop the hostilities before things get worse—a question of cutting losses."

Premier may change course

Whether Souvanna Phouma will agree to a negotiated settlement remains to be seen. Although he has been closely cooperating with the U.S. in recent years, conceivably he might show more concern for the fate of his people than rightist elements who are completely subservient to the U.S.

It is reported that Washington wants to negotiate a halt in the bombings over Pathet Lao territory in Northern Laos and halt ground operations there while maintaining a free hand for U.S. operations in southern Laos along the "Ho Chi Minh trail."

In other words, the U.S. would halt its bombings that have proved totally ineffective and stop ground operations for which troops are lacking. Then the U.S. would concentrate its efforts in a smaller region, maintaining the bombing in southern Laos and possibly augmenting ground operations there by Saigon troops.

Already plans exist for large-scale use of Saigon troops in Laos, reports Jean-Claude Pomonti in Le Monde Oct. 21. But Pomonti notes that with U.S. withdrawals, Saigon troops could not maintain such operations for long. Le Monde's correspondent quotes Saigon Gen. Duong Van Minh's observations: "If we go to Laos, it will be difficult to hold on there. It was already

If that actually happens, it wouldn't be the first time that the U.S. has launched Saigon on a disastrous operation.

Pomonti continues by quoting a North Vietnamese source who stated recently that if Saigon and American forces "launched an operation against the alleged 'Ho Chi Minh trail,' the Pathet Lao might then do something in turn, against Luang Prabang, for example."

If Souvanna Phouma gives complete support to further U.S. escalation, Vientiane may well be faced with not only the loss of further territory, but also, as some observers report, the establishment of a provisional government by the Lao Patriotic Front and the patriotic neutralist forces.

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6 YEARS IN COMBAT CPYRIGHT

U.S. Advisers Role in Laos Reported

CPYRIGHT By TAMMY ARBUCKLE

VIENTIANE — U.S. advisers have been on the ground working in combat situations in Laos since 1964, Lao military sources say.

Lao military sources, commenting on stories Monday, U.S. troops have been leading ground strikes in the Ho Chi Minh Trail area in South Laos said "yes, sometimes there are Americans and South Vietnamese in attacks there. The North Vietnamese have taken over that part of Laos. We have no control over it now. Souvanna Phouma has said the trails are part of the Vietnamese war.

The sources admitted they knew of occasions when U.S. advisers were present during fighting in other parts of Laos.

3 Types of Advisor

U.S. ground advisers in Laos break down into three categories.

Group is composed of advisers belonging to the studies and observation group of the Special Forces. These men, apart from certain special operations, operate against the Ho Chi Minh Trail in the Laos panhandle. Their missions include leading troops of various Asian nationalities in what the Lao military call "2 commando destruction" operations against parts of the trail.

When Americans are killed, they are included in the Vietnam casualty list. In 1967, one such group operated in South Vietnam, near Ke San village south of the Demilitarized Zone. They entered Laos often by helicopter.

The second group of advisers in Laos consists of ex-military men employed by the operations section of the Central Intelligence Agency.

These men, in South Laos work the west flank of the trail and supplement the activities of Special Forces groups working out of Vietnam.

In North Laos they supervise paramilitary groups in combat against North Vietnamese.

Not One Trail

The Ho Chi Minh Trail is not one trail, but a mass of small trails, paths and rivers with trucks bypasses all interlocking.

The whole thing is split into sections to which North Vietnamese units are permanently assigned. Trucks shuttle back and forth on each section and never cross into other sections.

To monitor and attack this maze local mountain tribesmen

led by American operatives, are used.

In August 1965 I walked into the western flank of the Ho Chi Minh Trail east of the town of Saravane where I met one agency's paramilitary American operatives.

That morning he had been chased away from a ridge overlooking the trail by Communist troops and escaped after a fire-fight. He was dressed in a one piece green fatigues. He led tribal troops back into the area.

Two such operatives usually are present in 10-man surveillance and harassment teams working North Vietnamese lines of communication in northern Laos, U.S. sources say.

The third group of men are U.S. Army officers and non-commissioned officers assigned to Laos units, usually on temporary duty.

'65 Incident Recalled

These men give advice to Laos commanders under fire. In November 1965, I saw a U.S. Army captain, while under fire from a North Vietnamese unit, give advice to Col. Thao Ly, then commanding paratroop group mobile 21 of the Royal Lao army. The captain advised the colonel to bring up a howitzer to fire down a cave mouth where North Vietnamese troops had taken shelter.

The captain had two U.S. Army sergeants who handled communications further back.

Americans continue to carry out those duties.

At Paksane earlier this year, correspondents saw two U.S. Army officers who asked their names not be divulged accompanied by what Lao officers said was the start of a military operation.

One officer, a colonel, was regional adviser to the 5th Military Region. The other, a major, was armed with an M16 rifle.

U.S. military men played the part of ground controllers during North Vietnamese attacks on Long Chien this year. At Senate hearings, it was admitted that "validated" U.S. Army personnel may take part as forward air guides. This is extremely dangerous duty involving approaching enemy units and infiltrating past

their patrols to pinpoint Red positions for air strikes.

The U.S. military in Vientiane in testimony before a Senate committee, said U.S. advisers in Laos are not combat advisers.

The U.S. press is restricted in traveling to Laos battlefields to prevent them seeing Americans in action.

The American troops, who number fewer than 300, are working with Lao and tribal guerrillas against thousands of Hanoi troops.

LAOS

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U.S. CASUALTIES IN LAOS REPORTED IN SECRET ACTIONS

Special Forces Said to Have Suffered Losses That Were Never Disclosed

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By The Associated Press

SAIGON, South Vietnam, Oct. 25—Highly placed sources said today that United States Special Forces troops leading clandestine operations in Laos had suffered casualties in recent months that never had been made public.

The informants also said that American helicopters from bases in South Vietnam were participating in ground operations in Laos. The United States command said that an Army UH-1 helicopter was shot down in the lower panhandle of Laos yesterday but declined to disclose the aircraft's mission. The command said that there had been no casualties in the crash.

It was learned that about 150 mercenaries and 10 United States Special Forces troopers were used in an operation in southern Laos last month to force out two enemy battalions for American bombers. Informants said a North Vietnamese force estimated at more than 500 men had been destroyed. A dozen mercenaries were reported killed and 40 to 50 mercenaries and two Americans were wounded in the operation, they added.

The military command in Saigon and the United States Embassy in Laos, under orders from Washington, said in March that they would make public all

casualty figures from Laos.

[In Washington, the Defense Department denied that United States Special Forces troops had suffered casualties in Laos in recent months that had not been reported. "All casualties for all of Southeast Asia have been reported on a regular basis," a Pentagon spokesman said.]

The United States Embassy in Vientiane, the Laotian capital, has responsibility to release all information on American military personnel stationed in Laos who become casualties. The United States command in Saigon is responsible for disclosing casualties suffered by American forces operating in Laos from bases in South Vietnam.

But command casualty summaries dating from March 10 have listed no ground combat casualties for Laos, although a highly placed source said: "American Special Forces troopers operating out of South Vietnam are losing one or two killed in Laos every month and anywhere from three to 10 wounded."

The source said that the casualties in Laos were being incorporated into weekly casualty summaries under a broad heading of "cumulative figures for Southeast Asia," which includes mostly casualties in South Vietnam and those in Cambodia during the United States incursions there last May and June

Troops' Presence Denied

Asked about this, a spokesman for the command said: "There are no United States ground combat troops in Laos." This statement is repeated often by the command, but it does not take into account Special Forces troops leading reconnaissance patrols.

Informants said that the 160-man operation into Laos last month was one of the biggest across-the-border actions of the war and was supported by United States Marine CH-53 troop-carrying helicopters. Two helicopters were said to have been shot down.

"It was a company-sized operation," said one informant, "with the mission of interdicting a road and forcing out a couple of enemy battalions."

The sources also said that squad-sized patrols consisting of a dozen mercenaries led by United States Special Forces men were now operating in Laos, watching the Ho Chi Minh Trail and trying to capture enemy soldiers for intelligence purposes.

Casualties Reported, U. S. Says

Special to The New York Times

WASHINGTON, Oct. 25—The Defense Department denied today that United States Special Forces troops had suffered casualties in Laos in recent months that had not been reported.

"All casualties for all of Southeast Asia have been reported on a regular basis," a Pentagon spokesman declared.

The spokesman said that casualties connected with aircraft losses had all been reported. In response to questions about ground combat operations, officials at both the State Department and the Defense Department referred to President Nixon's statement in March that there were no United States combat troops in Laos, only training and logistical support troops.

Defense Department sources that Special Forces personnel were included in these two categories, and it has been reported that the Central Intelligence Agency employs former Special Forces men as advisers to privately operated armies made up of Asian personnel.

Defense sources said that American casualties incurred by units operating from South Vietnam would be included as part of the weekly casualty reports for the South Vietnam theater of operations. However, they expressed doubt that more than a handful of Americans had died in these missions and characterized the report that many casualties had gone unreported as "erroneous."

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AID Goods for Laos Vanished, GAO Says

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By Ronald Koven

Washington Post Staff Writer

Investigators for the General Accounting Office found serious losses of U.S. relief goods intended for refugees in Laos, according to a report released yesterday. But the GAO said it could only conclude that there is still a need for AID to review its procedures and to improve them.

In two weeks of spotchecking, GAO investigators found that \$109,000 worth of goods shipped from Thailand to Laos had inexplicably disappeared, according to a summary of the report released by Sen. Edward M. Kennedy (D-Mass.), chairman of the Judiciary Subcommittee on Refugees. Daniel De Haar, the counsel for the Subcommittee, said a number of obstacles had been placed on the GAO investigation by the Central Intelligence Agency.

The GAO, an investigating arm of Congress, conducted its investigation of U.S. Agency for International Development programs at the Kennedy Subcommittee's request. He said that an attempt had been made to prevent the GAO investigators from going to Laos on the grounds that no travel funds were available for them and that the CIA had attempted to invoke executive privilege to prevent the investigators from seeing the records for the refugee aid program.

Kennedy alleged that "sloppy management, weak accountability procedures, and a serious loss or diversion of commodities characterized some AID programs in Laos" and that this raises "serious doubts about the efficiency and effectiveness of all U.S. aid programs to Vientiane," the capital of Laos. Examples of mismanagement the GAO found included:

- Transportation bills submitted by a military-controlled Thai government agency, Express Transportation Organization, were paid without proof that goods shipped from Thailand had been received in Laos.
- A Thai private company, Ear Peng Chiang, was paid for delivering a shipment of steel bars and axes which was not received in Laos.
- "USAID was not processing most claims against carriers for shortages or damages incurred in transit."

After the GAO's field investigation, conducted in July and August, AID told the GAO it had found documents accounting for most of the missing \$109,000 worth of goods. U.S. aid to Laos runs about \$50 million yearly, a third of which is designated for refugees. The GAO investigators spotchecked programs worth a total of \$14.1 million in fiscal year 1970.