

The original documents are located in Box 122, folder “4/5/75 - Evacuation of Vietnamese Refugees (4)” of the John Marsh Files at the Gerald R. Ford Presidential Library.

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Senate & House Leader-
ship Phone Calls 4/5/75

THE WHITE HOUSE
WASHINGTON

HOUSE AND SENATE LEADERSHIP
CALLS APRIL ~~X~~₆ 5, 1975



April 5, 1975



MEMORANDUM FOR: DON RUMSFELD
FROM: JACK MARSH

I would appreciate your passing to the President the following report from Bill Kendall prepared after advising the Senate Leadership of the President's message to the Speaker and President Pro Tempore of the Senate, concerning the War Powers matter. I particularly call to your attention Senator Mansfield's request contained in his comment:

<u>Senator</u>	<u>Place</u>	<u>Time</u>	<u>Comment</u>
Mansfield	Florida	12: 45	O.k. Appreciates being kept informed. Asked me to tell President he is calling Democratic Policy Committee meeting Monday morning to discuss energy, refugee and Indo-China situation.
Griffin	Maryland (suburbs)	12: 50	Has no problem with it. Asked to be informed if there is any "flak."
Bryd, R.	D.C.	12: 55	This is proper role for President. Thinks President is handling a terribly difficult situation very well.

ALL APPRECIATED BEING KEPT INFORMED.

/s/ WILLIAM T. KENDALL

Senator Hugh Scott in Spain is being advised in care of the U.S. Ambassador there.

April 5, 1975

MEMORANDUM FOR: DON RUMSFELD
FROM: JACK MARSH



I would appreciate your passing to the President the following report from Charlie Leppert prepared after advising the House Leadership of the President's message to the Speaker and President Pro Tempore of the Senate, concerning the War Powers matter.

<u>Rep.</u>	<u>Place</u>	<u>Time</u>	<u>Comment</u>
Michel	Peoria, Ill.	12:55	"No Comment"

/s/ CHARLES LEPPERT

Tip O'Neill in Israel is being advised in care of the U.S. Ambassador there.

Termination of
Indochina War

TERMINATION OF INDOCHINA WAR

Public Law 93-50 (the Second Supplemental Appropriation Act):

Sec. 307. None of the funds herein appropriated under this Act may be expended to support directly or indirectly combat activities in or over Cambodia, Laos, North Vietnam and South Vietnam or off the shores of Cambodia, Laos, North Vietnam and South Vietnam by United States Forces, and after August 15, 1973, no other funds heretofore appropriated under any other Act may be expended for such purpose.

Public Law 93-52 (the Continuing Resolution Authority for FY 1974):

Sec. 108. Notwithstanding any other provision of law, on or after August 15, 1973, no funds herein or heretofore appropriated may be obligated or expended to finance directly or indirectly combat activities by United States military forces in or over or from off the shores of North Vietnam, South Vietnam, Laos or Cambodia.

Public Law 93-155 (the Military Procurement Authorization Act):

Sec. 1107. Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia, unless specifically authorized hereafter by the Congress.

Public Law 93-126 (the Department of State Appropriations Authorization Act of 1973):

Sec. 15. Notwithstanding any other provision of law, on or after August 15, 1973, no funds heretofore or hereafter appropriated may be obligated or expended to finance the involvement of United States military forces in hostilities in or over or from off the shores of North Vietnam, South Vietnam, Laos, or Cambodia,



unless specifically authorized hereafter by the Congress. Notwithstanding any other provision of law, upon enactment of this Act, no funds heretofore or hereafter appropriated may be obligated or expended for the purpose of providing assistance of any kind, directly or indirectly, to or on behalf of North Vietnam, unless specifically authorized hereafter by the Congress.

S. 1443 (the Foreign Assistance Act of 1973):

Sec. 29. No funds authorized or appropriated under this or any other law may be expended to finance military or paramilitary operations by the United States in or over Vietnam, Laos, or Cambodia.

11/19/73



Cables to and From
RUMSFELD

MEMORANDUM

THE WHITE HOUSE
WASHINGTON

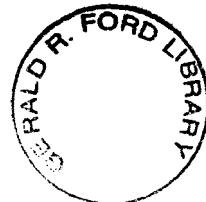
April 4, 1975

MEMORANDUM FOR: JACK MARSH
BRENT SCOWCROFT

FROM: DONALD RUMSFELD

The President signed the cables to the Speaker of the House of Representatives and the President Pro Tempore of the Senate (reference WH 50624) at 1734 Pacific Coast time, April 4, 1975 in San Francisco, California. Please see that the texts are transmitted to the appropriate approved addresses in a timely manner.

cc: Dick Cheney



OPI IMMEDIATE
DE WTE #1892 0950115
O 050121Z APR 75
FM THE SITUATION ROOM

TO DONALD RUMSFELD - SAN FRANCISCO

~~SECRET~~ WH50625

APRIL 4, 1975

FOR: DONALD RUMSFELD

FROM: BRENT SCOWCROFT

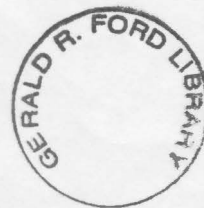
FOLLOWING ARE THE DETAILS YOU REQUESTED SURROUNDING THE INCIDENT WHICH LED TO THE REPORT TO CONGRESS UNDER THE WAR WAR POWERS RESOLUTION:

1. ON 1 APRIL 1975, JCS AUTHORIZED FOUR USN AMPHIBIOUS SHIPS TO APPROACH WITHIN ONE MILE OF THE RVN COAST TO CONDUCT HUMANITARIAN CIVILIAN REFUGEE EVACUATION.

2. ON 3 APRIL 1975, THE USS DURHAM (LKA-114) PENETRATED RVN TERRITORIAL WATERS IN THE VICINITY OF PHAN RANG SVN, AT 030800Z, APRIL 1975. A TOTAL OF 1,404 REFUGEES WERE PICKED UP BY THE DURHAM.

3. AUTHORITY FOR PENETRATION OF RVN TERRITORIAL WATERS WAS GRANTED IN JCS 6039/010216Z, APRIL 1975 MESSAGE TO CINCPAC.

4. RADM WHITMIRE IS COMMANDER, AMPHIBIOUS TASK FORCE, SEVENTH FLEET (CTF 76) WHO HAS THE DURHAM UNDER HIS COMMAND. 0179



*****WHSR COMMENT*****

SCOWCROFT, SEC FILE

PSN:061687 RECALLED PAGE 01 OF 01 TOR:095/01:15Z DTG:050121Z APR 75

Determined to be Administrative Marking
Date 1/28/98 By EBH

FLASH
DE WTE #1907 0950429
Z 050443Z APR 75
FM THE WHITE HOUSE

TO DONALD RUMSFELD - SAN FRANCISCO

UNCLAS WH50629

APRIL 5, 1975

TO: DONALD RUMSFELD
FROM: JACK MARSH

PLEASE ADVISE THE PRESIDENT HIS MESSAGE WH50624 DISPATCHED TO:

SPEAKER ALBERT
PRESIDENT PRO TEMPORE U.S. SENATE

AND COPIES TO THEIR REPRESENTATIVES

MICHAEL REED, FOR THE SPEAKER
WILLIAM SIMPSON, FOR PRESIDENT PRO TEMPORE

AS WELL AS COPY OF SPEAKERS MESSAGE TO JOHN MCFALL, SPEAKER
PRO TEMPORE AND HIS STAFF ASSISTANT IRVINE SPRAGUE.
0108



OP IMMED
Z 050154Z APR 75
FM DONALD RUMSFELD

TO ZEN/JACK MARSH AND GENERAL BRENT SCOWCROFT

UNCLAS E I F I T O

TO JACK MARSH AND GENERAL BRENT SCOWCROFT

THE PRESIDENT SIGNED THE CABLES FOR THE SPEAKER OF THE
U.S. HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEM
OF THE U.S. SENATE, REFERENCE WH 50624, AT 1734 PACIFIC
COAST TIME, ON APRIL 4, 1975, IN SAN FRANCISCO, CALIFORNIA.
PLEASE SEE THAT THE TEXTS ARE TRANSMITTED TO THE
APPROPRIATE ADDRESSEES IN A TIMELY MANNER.

SIGNED
DONALD RUMSFELD

BT
0087



PSN:051946 PAGE 01 OF 01 TOR:095/02:01Z DTG:050154Z APR 75

*****U N C L I A S E I F I T O*****S COPY

988

*****U N C L A S E F T D*****S COPY

Mr Fall

209-823-3141

OP IMMED
Z 050154Z APR 75
FM DONALD RUMSFELD

TO ZEN/JACK MARSH AND GENERAL BRENT SCOWCROFT

UNCLAS E F T O

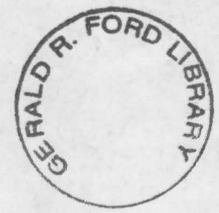
TO JACK MARSH AND GENERAL BRENT SCOWCROFT

THE PRESIDENT SIGNED THE CABLES FOR THE SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEM OF THE U.S. SENATE, REFERENCE WH 50624, AT 1734 PACIFIC COAST TIME, ON APRIL 4, 1975, IN SAN FRANCISCO, CALIFORNIA. PLEASE SEE THAT THE TEXTS ARE TRANSMITTED TO THE APPROPRIATE ADDRESSEES IN A TIMELY MANNER.

SIGNED
DONALD RUMSFELD
BT
0087

*7514 Wellesley Ln
4/4 College Park, Md
GR4-7514*

Manteca



OP: IMMED
DE: WTE #1915 0950629
O 050706Z APR 75 ZFF-1
FM THE WHITE HOUSE//WASH 98//

TO: USLD PEKING

~~SECRET~~ WH50630

WASH 98

APRIL 5, 1975

TO: AMBASSADOR BUSH

FROM: JOHN D. MARCH JR.

I CONCUR WITH YOUR PLAN TO DELIVER THE PRESIDENT'S MESSAGE BY COURIER TO CANTON.

PLEASE ADVISE SPEAKER ALBERT THAT A COPY OF THE PRESIDENT'S MESSAGE WAS DELIVERED TO MIKE REED AND A COPY READ AND SENT TO CONGRESSMAN JOHN MCFALL.

JOHN D. MARCH, JR.

0106



OP IMMED
DE WTE #1915 0950629
O 050706Z APR 75 ZFF-1
FM THE WHITE HOUSE//WASH 98//

TO USLO PEKING

~~SECRET~~ VIA VOYAGER CHANNELS WH50630

WASH 98

APRIL 5, 1975

TO: AMBASSADOR BUSH
FROM: JOHN O. MARSH JR.

I CONCUR WITH YOUR PLAN TO DELIVER THE PRESIDENT'S MESSAGE BY COURIER TO CANTON.

PLEASE ADVISE SPEAKER ALBERT THAT A COPY OF THE PRESIDENT'S MESSAGE WAS DELIVERED TO MIKE REED AND A COPY READ AND SENT TO CONGRESSMAN JOHN MCFALL.

^S
JOHN O. MARCH, JR.

0106

Jack



~~*****SECRET*****~~

DATE 04/05/75
1

WHITE HOUSE SITUATION ROOM

PAGE 00

MESSAGE ANNOTATIONS:

NO MESSAGE ANNOTATIONS

MESSAGE:

FLASH
DE WTE30 #0082 0950500
Z 050455Z APR 75

TO THE WHITE HOUSE
FM USLO PEKING

~~SECRET~~/SENSITIVE
PEKING 082

05 APRIL 1975

REF: WASH 97
TO: JACK MARSH
FM: AMBASSADOR BUSH

ALBERT PARTY AT THIS MOMENT ENROUTE FROM SHANGHAI TO CANTON.
NEXT PLANE TO CANTON IS 06 APRIL. WILL SEND COURIER PEKING TO CANTON
A.S.A.P. MESSAGE WILL NOT GET TO ALBERT UNTIL TOMORROW. I ASSUME
YOU WANT MESSAGE DELIVERED IN PERSON, NOT BY UNSECURE TELEPHONE.

WARM REGARDS,
GEORGE BUSH



PSN: 051970

TOR: 095/05:07Z

DTG: 050455Z APR 75

~~*****SECRET*****~~

Determined to be Administrative Marking
Date 12/01/90 By 1004

Message to Albert

FLASH
 DE WTE #1902 0950256
 Z 050317Z APR 75 ZFF-1
 FM THE SITUATION ROOM//WASH 97//

TO USLD PEKING

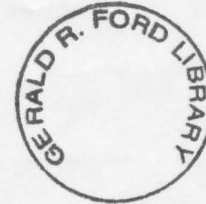
~~SECRET~~ WH50627

WASH 97

THE HONORABLE CARL ALBERT
 SPEAKER OF THE HOUSE OF REPRESENTATIVES
 PEKING, CHINA

C/O AMBASSADOR BUSH

APRIL 4, 1975



AS YOU KNOW, LAST SATURDAY I DIRECTED UNITED STATES PARTICIPATION IN AN INTERNATIONAL HUMANITARIAN RELIEF EFFORT TO TRANSPORT REFUGEES FROM DANANG AND OTHER SEAPORTS TO SAFER AREAS FARTHER SOUTH IN VIETNAM. THE UNITED STATES HAS BEEN JOINED IN THIS HUMANITARIAN EFFORT BY A NUMBER OF OTHER COUNTRIES WHO ARE OFFERING PEOPLE, SUPPLIES AND VESSELS TO ASSIST IN THIS EFFORT. THIS EFFORT WAS UNDERTAKEN IN RESPONSE TO URGENT APPEALS FROM THE GOVERNMENT OF THE REPUBLIC OF VIETNAM BECAUSE OF THE EXTREMELY GRAVE NATURE OF THE CIRCUMSTANCES INVOLVING THE LIVES OF HUNDREDS OF THOUSANDS OF REFUGEES. THIS SITUATION HAS BEEN BROUGHT ABOUT BY LARGE-SCALE VIOLATIONS OF THE AGREEMENT ENDING THE WAR AND RESTORING THE PEACE IN VIETNAM BY THE NORTH VIETNAMESE WHO HAVE BEEN CONDUCTING MASSIVE ATTACKS ON THE NORTHERN AND CENTRAL PROVINCES OF SOUTH VIETNAM.

IN ACCORDANCE WITH MY DESIRE TO KEEP THE CONGRESS FULLY INFORMED ON THIS MATTER, AND TAKING NOTE OF THE PROVISION OF SECTION 4(A)(2) OF THE WAR POWERS RESOLUTION (PUBLIC LAW 93-148), I WISH TO REPORT TO YOU CONCERNING ONE ASPECT OF UNITED STATES PARTICIPATION IN THE REFUGEE EVACUATION EFFORT. BECAUSE OF THE LARGE NUMBER OF REFUGEES AND THE OVERWHELMING DIMENSIONS OF THE TASK, I HAVE ORDERED U.S. NAVAL VESSELS TO ASSIST IN THIS EFFORT, INCLUDING AMPHIBIOUS TASK GROUP 76.8 WITH 12 EMBARKED

PSN:051847

PAGE 01

TOR:095/02:56Z

DTG:050317Z APR 75

~~SECRET~~

*****S COPY

Determined to be Administrative Marking

Date 1/28/98 By KBH

HELICOPTERS AND APPROXIMATELY 700 MARINES. THESE NAVAL VESSELS HAVE BEEN AUTHORIZED TO APPROACH THE COAST OF SOUTH VIETNAM TO PICK UP REFUGEES AND U.S. NATIONALS, AND TRANSPORT THEM TO SAFETY. MARINES ARE BEING DETAILED TO VESSELS PARTICIPATING IN THE RESCUE MISSION. THE FIRST VESSEL ENTERED SOUTH VIETNAM TERRITORIAL WATERS AT 0400 A.M. EDT ON APRIL 3, 1975.

ALTHOUGH THESE FORCES ARE EQUIPPED FOR COMBAT WITHIN THE MEANING OF SECTION 4(A)(2) OF PUBLIC LAW 93-148, THEIR SOLE MISSION IS TO ASSIST IN THE EVACUATION INCLUDING THE MAINTENANCE OF ORDER ON BOARD THE VESSELS ENGAGED IN THAT TASK.

AS STATED ABOVE, THE PURPOSE OF THE INTRODUCTION OF UNITED STATES NAVAL VESSELS INTO VIETNAMESE WATERS IS TO ASSIST IN AN INTERNATIONAL HUMANITARIAN EFFORT INVOLVING VESSELS OF SEVERAL NATIONS, INCLUDING BOTH MILITARY AND CIVILIAN CRAFT. THE UNITED STATES' PARTICIPATION IN THIS EFFORT INCLUDES THE CHARTER OF COMMERCIAL VESSELS, THE USE OF MILITARY SEALIFT COMMAND VESSELS WITH CIVILIAN CREWS, AS WELL AS UNITED STATES NAVAL VESSELS WITH MILITARY CREWS. THIS EFFORT IS BEING UNDERTAKEN PURSUANT TO THE PRESIDENT'S CONSTITUTIONAL AUTHORITY AS COMMANDER-IN-CHIEF AND CHIEF EXECUTIVE IN THE CONDUCT OF FOREIGN RELATIONS AND PURSUANT TO THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, WHICH AUTHORIZES HUMANITARIAN ASSISTANCE TO REFUGEES, CIVILIAN WAR CASUALTIES AND OTHER PERSONS DISADVANTAGED BY HOSTILITIES OR CONDITIONS RELATING TO HOSTILITIES IN SOUTH VIETNAM.

YOU WILL APPRECIATE, I AM SURE, MY DIFFICULTY IN TELLING YOU PRECISELY HOW LONG UNITED STATES FORCES MAY BE NEEDED IN THIS EFFORT. OUR PRESENT ESTIMATE, HOWEVER, IS THAT THIS OPERATION MAY INVOLVE THE PRESENCE OF UNITED STATES NAVAL VESSELS IN VIETNAMESE WATERS FOR A PERIOD OF AT LEAST SEVERAL WEEKS.

GERALD R. FORD

.....
MESSAGE FOR THE SPEAKER:

WOULD APPRECIATE YOUR INFORMING REPRESENTATIVE RHODES OF THE CONTENTS OF THIS MESSAGE. JACK MARSH.

0648



PSN:051847

PAGE 02

OF 02

TOR:095/02:56Z

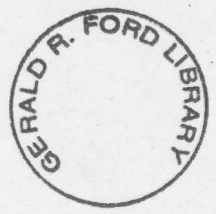
DTG:050317Z APR 75

FLA 14
REF ID: A1002 4954256
Z 050317Z APR 75 ZFF-1
FM THE SITUATION ROOM//WASH 97//

TO UNCLAS 4954256

UNCLAS 4954256

WASH 97



THE HONORABLE CARL ALBERT
SPEAKER OF THE HOUSE OF REPRESENTATIVES
PEKING, CHINA

C/O AMBASSADOR BUSH

APRIL 4, 1975

AS YOU KNOW, LAST SATURDAY I DIRECTED UNITED STATES PARTICIPATION IN AN INTERNATIONAL HUMANITARIAN RELIEF EFFORT TO TRANSPORT REFUGEES FROM DANANG AND OTHER SEAPORTS TO SAFER AREAS FARTHER SOUTH IN VIETNAM. THE UNITED STATES HAS BEEN JOINED IN THIS HUMANITARIAN EFFORT BY A NUMBER OF OTHER COUNTRIES WHO ARE OFFERING PEOPLE, SUPPLIES AND VESSELS TO ASSIST IN THIS EFFORT. THIS EFFORT WAS UNDERTAKEN IN RESPONSE TO URGENT APPEALS FROM THE GOVERNMENT OF THE REPUBLIC OF VIETNAM BECAUSE OF THE EXTREMELY GRAVE NATURE OF THE CIRCUMSTANCES INVOLVING THE LIVES OF HUNDREDS OF THOUSANDS OF REFUGEES. THIS SITUATION HAS BEEN BROUGHT ABOUT BY LARGE-SCALE VIOLATIONS OF THE AGREEMENT ENDING THE WAR AND RESTORING THE PEACE IN VIETNAM BY THE NORTH VIETNAMESE WHO HAVE BEEN CONDUCTING MASSIVE ATTACKS ON THE NORTHERN AND CENTRAL PROVINCES OF SOUTH VIETNAM.

IN ACCORDANCE WITH MY DESIRE TO KEEP THE CONGRESS FULLY INFORMED ON THIS MATTER, AND TAKING NOTE OF THE PROVISION OF SECTION 4(A)(2) OF THE WAR POWERS RESOLUTION (PUBLIC LAW 93-148), I WISH TO REPORT TO YOU CONCERNING ONE ASPECT OF UNITED STATES PARTICIPATION IN THE REFUGEE EVACUATION EFFORT. BECAUSE OF THE LARGE NUMBER OF REFUGEES AND THE OVERWHELMING DIMENSIONS OF THE TASK, I HAVE ORDERED U.S. NAVAL VESSELS TO ASSIST IN THIS EFFORT, INCLUDING AMPHIBIOUS TASK GROUP 76.8 WITH 12 EMBARKED.

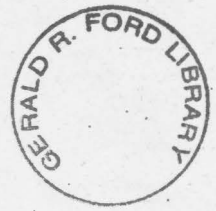
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ALTHOUGH THESE FORCES ARE EQUIPPED FOR COMBAT WITHIN THE MEANING OF SECTION 4(A)(2) OF PUBLIC LAW 93-148, THEIR SOLE MISSION IS TO ASSIST IN THE EVACUATION INCLUDING THE MAINTENANCE OF ORDER ON BOARD THE VESSELS ENGAGED IN THAT TASK.

AS STATED ABOVE, THE PURPOSE OF THE INTRODUCTION OF UNITED STATES NAVAL VESSELS INTO VIETNAMESE WATERS IS TO ASSIST IN AN INTERNATIONAL HUMANITARIAN EFFORT INVOLVING VESSELS OF SEVERAL NATIONS, INCLUDING BOTH MILITARY AND CIVILIAN CRAFT. THE UNITED STATES' PARTICIPATION IN THIS EFFORT INCLUDES THE CHARTER OF COMMERCIAL VESSELS, THE USE OF MILITARY SEALIFT COMMAND VESSELS WITH CIVILIAN CREWS, AS WELL AS UNITED STATES NAVAL VESSELS WITH MILITARY CREWS. THIS EFFORT IS BEING UNDERTAKEN PURSUANT TO THE PRESIDENT'S CONSTITUTIONAL AUTHORITY AS COMMANDER-IN-CHIEF AND CHIEF EXECUTIVE IN THE CONDUCT OF FOREIGN RELATIONS AND PURSUANT TO THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, WHICH AUTHORIZES HUMANITARIAN ASSISTANCE TO REFUGEES, CIVILIAN WAR CASUALTIES AND OTHER PERSONS DISADVANTAGED BY HOSTILITIES OR CONDITIONS RELATING TO HOSTILITIES IN SOUTH VIETNAM.

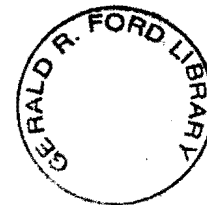
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GERALD R. FORD



0648

PUBLIC LAW 93-148
"War Powers Resolution"



CONSULTATION

Sec. 3. The President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances, and after every such introduction shall consult regularly with the Congress until United States Armed Forces are no longer engaged in hostilities or have been removed from such situations.

REPORTING

Sec. 4. (a) In the absence of a declaration of war, in any case in which United States Armed Forces are introduced --

(1) into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances:

(2) into the territory, airspace or waters of a foreign nation, while equipped for combat, except for deployments which relate solely to supply, replacement, repair, or training of such forces; or

(3) In numbers which substantially enlarge United States Armed Forces equipped for combat already located in a foreign nation;

the President shall submit within 48 hours to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth-

(A) the circumstances necessitating the introduction of United States Armed Forces;

(B) the constitutional and legislative authority under which such introduction took place; and,

(C) the estimated scope and duration of the hostilities or involvement.

(b) The President shall provide such other information as the Congress may request in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war and to the use of United States Armed Forces abroad.

(c) Whenever United States Armed Forces are introduced into hostilities or into any situation described in subsection (a) of this section, the President shall, so long as such armed forces continue to be engaged in such hostilities or situation, report to the Congress periodically on the status of such hostilities or situation as well as on the scope and duration of such hostilities or situation, but in no event shall he report to the Congress less often than once every six months.

Section 5 of Public Law
93-148 (Cong. Action)

Cable to McFall,
April 5, 1975

FLASH
DE RUEADWW #1906 0950347
Z 050411Z APR 75
FM THE WHITE HOUSE

TO THE HONORABLE JOHN MCFALL, 1106 W. YOSEMITE
BEST WESTERN MOTEL, MONTECA, CALIFORNIA

UNCLAS WH50628

THE HONORABLE JOHN MCFALL
SPEAKER PRO TEMPORE OF THE HOUSE OF REPRESENTATIVES
1106 W. YOSEMITE
BEST WESTERN MOTEL
MONTECA, CALIFORNIA
209-823-3141

THE FOLLOWING MESSAGE HAS BEEN SENT FROM THE PRESIDENT TO
THE SPEAKER.

JOHN D. MARSH JR., COUNSELOR TO THE PRESIDENT

THE HONORABLE CARL ALBERT
SPEAKER OF THE HOUSE OF REPRESENTIVES
PEKING, CHINA



APRIL 4, 1975

AS YOU KNOW, LAST SATURDAY I DIRECTED UNITED STATES PARTICIPATION
IN AN INTERNATIONAL HUMANITARIAN RELIEF EFFORT TO TRANSPORT
REFUGEES FROM DANANG AND OTHER SEAPORTS TO SAFER AREAS FARTHER
SOUTH IN VIETNAM. THE UNITED STATES HAS BEEN JOINED IN THIS
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OFFERING PEOPLE, SUPPLIES AND VESSELS TO ASSIST IN THIS EFFORT.
THIS EFFORT WAS UNDERTAKEN IN RESPONSE TO URGENT APPEALS FROM
THE GOVERNMENT OF THE REPUBLIC OF VIETNAM BECAUSE OF THE
EXTREMELY GRAVE NATURE OF THE CIRCUMSTANCES INVOLVING THE
LIVES OF HUNDREDS OF THOUSANDS OF REFUGEES. THIS SITUATION HAS
BEEN BROUGHT ABOUT BY LARGE-SCALE VIOLATIONS OF THE AGREEMENT
ENDING THE WAR AND RESTORING THE PEACE IN VIETNAM BY THE NORTH

VIETNAMESE WHO HAVE BEEN CONDUCTING MASSIVE ATTACKS ON THE NORTHERN AND CENTRAL PROVINCES OF SOUTH VIETNAM.

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ALTHOUGH THESE FORCES ARE EQUIPPED FOR COMBAT WITHIN THE MEANING OF SECTION 4(A)(2) OF PUBLIC LAW 93-148, THEIR SOLE MISSION IS TO ASSIST IN THE EVACUATION INCLUDING THE MAINTENANCE OF ORDER ON BOARD THE VESSELS ENGAGED IN THAT TASK.

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YOU WILL APPRECIATE, I AM SURE, MY DIFFICULTY IN TELLING YOU PRECISELY HOW LONG UNITED STATES FORCES MAY BE NEEDED IN THIS EFFORT. OUR PRESENT ESTIMATE, HOWEVER, IS THAT THIS OPERATION MAY INVOLVE THE PRESENCE OF UNITED STATES NAVAL VESSELS IN VIETNAMESE WATERS FOR A PERIOD OF AT LEAST SEVERAL WEEKS.

GERALD R. FORD

Corrected Cy. of msg.
from P to Speaker &
President pro tempore

FLASH
 DE WTE #1887 0942345
 Z 042352Z APR 75
 FM JACK MARSH

TO DONALD RUMSFELD FOR THE PRESIDENT

~~SECRET~~ WH50624

NOTE: CORRECTED COPY. PLEASE SUBSTITUTE THIS MESSAGE FOR ONE SENT YOU EARLIER.

APRIL 4, 1975

MEMORANDUM FOR: THE PRESIDENT
 THROUGH: DON RUMSFELD
 FROM: JACK MARSH

IT HAS BEEN DETERMINED THAT THE REPORTING REQUIREMENTS OF SECTION 4A (2) OF THE WAR POWERS RESOLUTION REQUIRING REPORTING TO THE SPEAKER AND THE PRESIDENT PRO TEMPORE SHOULD BE OBSERVED. THEY ARE APPLICABLE FOR THE REASONS SET OUT IN THE ATTACHED DRAFT OF A LETTER ACCOMPANYING THIS MEMO. ATTACHED ARE THE APPLICABLE PROVISIONS OF THE WAR POWERS RESOLUTION.

THIS REPORT MUST BE MADE BY YOU TO THESE TWO CONGRESSIONAL OFFICERS WITHIN 48 HOURS FROM THE TIME OF THE INCIDENT THAT INVOKES THE STATUTE. THIS OCCURRED AT 0400 A. M., EDT, APRIL 3. THEREFORE, THIS REPORT MUST BE FILED BY YOU NO LATER THAN 0400 A. M., APRIL 5. BRENT HAS SENT A SIMILAR DRAFT OF THE ATTACHED TO HENRY AT PALM SPRINGS. WE WILL STAND BY FOR YOUR RESPONSE AND SUGGESTIONS AS WELL AS ANY CHANGES WHICH YOU FEEL SHOULD BE MADE IN THE ATTACHED REPORT.

YOU SHOULD BE AWARE THAT JOHN FINNEY OF THE NEW YORK TIMES HAS THE STORY OF THIS INCIDENT, WHICH APPARENTLY INVOLVED THE USS DURHAM, AND HAS MADE INQUIRY TO THE DEPARTMENT OF DEFENSE. DEFENSE IS AWAITING GUIDANCE ON HOW TO RESPOND TO BOTH THE ACTIVITIES OF THE VESSEL AND YOUR POSSIBLE ACTION UNDER THE WAR POWERS WHICH WERE THE QUESTIONS FINNEY ASKED.

THE DETERMINATION OF THE APPLICATION OF THE WAR POWERS IS BASED ON THE OPINION OF THE COUNSEL'S OFFICE AT THE WHITE HOUSE; DEFENSE; AND STATE. THE DRAFT LETTER IS THEIR JOINT EFFORT.



PSN:051574

PAGE 01

TOR:094/23:45Z

DTG:042352Z APR 75

~~SECRET~~

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Determined to be Administrative Marking

Date 1/28/98 By KBH

DRAFT LETTER:

APRIL 4, 1975

DEAR MR. SPEAKER: & (PRESIDENT PRO TEMPORE)

AS YOU KNOW, LAST SATURDAY I DIRECTED UNITED STATES PARTICIPATION IN AN INTERNATIONAL HUMANITARIAN RELIEF EFFORT TO TRANSPORT REFUGEES FROM DANANG AND OTHER SEAPORTS TO SAFER AREAS FARTHER SOUTH IN VIETNAM. THE UNITED STATES HAS BEEN JOINED IN THIS HUMANITARIAN EFFORT BY A NUMBER OF OTHER COUNTRIES WHO ARE OFFERING PEOPLE, SUPPLIES AND VESSELS TO ASSIST IN THIS EFFORT. THIS EFFORT WAS UNDERTAKEN IN RESPONSE TO URGENT APPEALS FROM THE GOVERNMENT OF THE REPUBLIC OF VIETNAM BECAUSE OF THE EXTREMELY GRAVE NATURE OF THE CIRCUMSTANCES INVOLVING THE LIVES OF HUNDREDS OF THOUSANDS OF REFUGEES. THIS SITUATION HAS BEEN BROUGHT ABOUT BY LARGE-SCALE VIOLATIONS OF THE AGREEMENT ENDING THE WAR AND RESTORING THE PEACE IN VIETNAM BY THE NORTH VIETNAMESE WHO HAVE BEEN CONDUCTING MASSIVE ATTACKS ON THE NORTHERN AND CENTRAL PROVINCES OF SOUTH VIETNAM.

IN ACCORDANCE WITH MY DESIRE TO KEEP THE CONGRESS FULLY INFORMED ON THIS MATTER, AND TAKING NOTE OF THE PROVISION OF SECTION 4(A)(2) OF THE WAR POWERS RESOLUTION (PUBLIC LAW 93-148), I WISH TO REPORT TO YOU CONCERNING ONE ASPECT OF UNITED STATES PARTICIPATION IN THE REFUGEE EVACUATION EFFORT. BECAUSE OF THE LARGE NUMBER OF REFUGEES AND THE OVERWHELMING DIMENSIONS OF THE TASK, I HAVE ORDERED U.S. NAVAL VESSELS TO ASSIST IN THIS EFFORT, INCLUDING AMPHIBIOUS TASK GROUP 76.8 WITH 12 EMBARKED HELICOPTERS AND APPROXIMATELY 700 MARINES. THESE NAVAL VESSELS HAVE BEEN AUTHORIZED TO APPROACH THE COAST OF SOUTH VIETNAM TO PICK UP REFUGEES AND U.S. NATIONALS, AND TRANSPORT THEM TO SAFETY. MARINES ARE BEING DETAILED TO VESSELS PARTICIPATING IN THE RESCUE MISSION. THE FIRST VESSEL ENTERED SOUTH VIETNAM TERRITORIAL WATERS AT 0400 A.M. EDT ON APRIL 3, 1975.



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THE PRESIDENT SHALL SUBMIT WITHIN 48 HOURS TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO THE PRESIDENT PRO TEMPORE OF THE SENATE A REPORT, IN WRITING, SETTING FORTH-

(A) THE CIRCUMSTANCES NECESSITATING THE INTRODUCTION OF UNITED STATES ARMED FORCES;

(B) THE CONSTITUTIONAL AND LEGISLATIVE AUTHORITY UNDER WHICH SUCH INTRODUCTION TOOK PLACE; AND,

(C) THE ESTIMATED SCOPE AND DURATION OF THE HOSTILITIES OR INVOLVEMENT.

(B) THE PRESIDENT SHALL PROVIDE SUCH OTHER INFORMATION AS THE CONGRESS MAY REQUEST IN THE FULFILLMENT OF ITS CONSTITUTIONAL RESPONSIBILITIES WITH RESPECT TO COMMITTING THE NATION TO WAR AND TO THE USE OF UNITED STATES ARMED FORCES ABROAD.

(C) WHENEVER UNITED STATES ARMED FORCES ARE INTRODUCED INTO HOSTILITIES OR INTO ANY SITUATION DESCRIBED IN SUBSECTION (A) OF THIS SECTION, THE PRESIDENT SHALL, SO LONG AS SUCH ARMED FORCES CONTINUE TO BE ENGAGED IN SUCH HOSTILITIES OR SITUATION, REPORT TO THE CONGRESS PERIODICALLY ON THE STATUS OF SUCH HOSTILITIES OR SITUATION AS WELL AS ON THE SCOPE AND DURATION OF SUCH HOSTILITIES OR SITUATION, BUT IN NO EVENT SHALL HE REPORT TO THE CONGRESS LESS OFTEN THAN ONCE EVERY SIX MONTHS.

1282



FLASH
DE WTE #1877 0942233
Z 042139Z APR 75
FM JACK MARSH

TO DONALD RUMSFELD FOR THE PRESIDENT

~~SECRET~~ WH50623

APRIL 4, 1975

Corrected

MEMORANDUM FOR: THE PRESIDENT
THROUGH: DON RUMSFELD
FROM: JACK MARSH

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DRAFT LETTER:

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TOR:094/22:33Z

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***** COPY

Determined to be Administrative Marking

Date 1/28/08 By KBH

APRIL 4, 1975

DEAR MR. SPEAKER: & (PRESIDENT PRO TEMPORE)

AS YOU KNOW, LAST SATURDAY I DIRECTED UNITED STATES PARTICIPATION IN AN INTERNATIONAL HUMANITARIAN RELIEF EFFORT TO TRANSPORT REFUGEES FROM DANANG AND OTHER SEAPORTS TO SAFER AREAS FARTHER SOUTH IN VIETNAM. THE UNITED STATES HAS BEEN JOINED IN THIS HUMANITARIAN EFFORT BY A NUMBER OF OTHER COUNTRIES WHO ARE OFFERING PEOPLE, SUPPLIES AND VESSELS TO ASSIST IN THIS EFFORT. THIS EFFORT WAS UNDERTAKEN IN RESPONSE TO URGENT APPEALS FROM THE GOVERNMENT OF THE REPUBLIC OF VIETNAM BECAUSE OF THE EXTREMELY GRAVE NATURE OF THE CIRCUMSTANCES INVOLVING THE LIVES OF HUNDREDS OF THOUSANDS OF REFUGEES. THIS SITUATION HAS BEEN BROUGHT ABOUT BY LARGE-SCALE VIOLATIONS OF THE AGREEMENT ENDING THE WAR AND RESTORING THE PEACE IN VIETNAM BY THE NORTH VIETNAMESE WHO HAVE BEEN CONDUCTING MASSIVE ATTACKS ON THE NORTHERN AND CENTRAL PROVINCES OF SOUTH VIETNAM.

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ALTHOUGH THESE FORCES ARE EQUIPPED FOR COMBAT WITHIN THE MEANING OF SECTION 4(A)(2) OF PUBLIC LAW 93-148, THEY ARE UNDER ORDERS TO AVOID INVOLVEMENT IN HOSTILITIES AND COMBAT ACTIVITIES. SHOULD A SERIOUS RISK FROM HOSTILITIES DEVELOP AT A PARTICULAR LOCATION, THEIR ORDERS REQUIRE THAT THEY WITHDRAW, UNLESS ENGAGED IN ACTIVITIES TO SAVE THE LIVES OF U.S. CITIZENS. THE SOLE MISSION OF THE MARINES ABOARD THE TASK GROUP SHIPS AND THE MILITARY SEALIFT COMMAND SHIPS IS TO ASSIST IN MAINTAINING ORDER ON BOARD THE SHIPS WHILE RECEIVING AND TRANSPORTING REFUGEES.

AS STATED ABOVE, THE PURPOSE OF THE INTRODUCTION OF UNITED



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STATES NAVAL VESSELS INTO VIETNAMESE WATERS IS TO ASSIST IN AN INTERNATIONAL HUMANITARIAN EFFORT INVOLVING VESSELS OF SEVERAL NATIONS, INCLUDING BOTH MILITARY AND CIVILIAN CRAFT. THE UNITED STATES' PARTICIPATION IN THIS EFFORT INCLUDES THE CHARTER OF COMMERCIAL VESSELS, THE USE OF MILITARY SEALIFT COMMAND VESSELS WITH CIVILIAN CREWS, AS WELL AS UNITED STATES NAVAL VESSELS WITH MILITARY CREWS. THIS EFFORT IS BEING UNDERTAKEN PURSUANT TO THE PRESIDENT'S CONSTITUTIONAL AUTHORITY AS COMMANDER-IN-CHIEF AND CHIEF EXECUTIVE IN THE CONDUCT OF FOREIGN RELATIONS AND PURSUANT TO THE FOREIGN ASSISTANCE ACT OF 1961, AS AMENDED, WHICH AUTHORIZES HUMANITARIAN ASSISTANCE TO REFUGEES, CIVILIAN WAR CASUALTIES AND OTHER PERSONS DISADVANTAGED BY HOSTILITIES OR CONDITIONS RELATING TO HOSTILITIES IN SOUTH VIETNAM.

YOU WILL APPRECIATE, I AM SURE, MY DIFFICULTY IN TELLING YOU PRECISELY HOW LONG UNITED STATES FORCES MAY BE NEEDED IN THIS EFFORT. OUR PRESENT ESTIMATE, HOWEVER, IS THAT THIS OPERATION MAY INVOLVE THE PRESENCE OF UNITED STATES NAVAL VESSELS IN VIETNAMESE WATERS FOR A PERIOD OF AT LEAST SEVERAL WEEKS.

¹⁴⁸
PUBLIC LAW 93-110

CONSULTATION

SEC. 3. THE PRESIDENT IN EVERY POSSIBLE INSTANCE SHALL CONSULT WITH CONGRESS BEFORE INTRODUCING UNITED STATES ARMED FORCES INTO HOSTILITIES OR INTO SITUATIONS WHERE IMMINENT INVOLVEMENT IN HOSTILITIES IS CLEARLY INDICATED BY THE CIRCUMSTANCES, AND AFTER EVERY SUCH INTRODUCTION SHALL CONSULT REGULARLY WITH THE CONGRESS UNTIL UNITED STATES ARMED FORCES ARE NO LONGER ENGAGED IN HOSTILITIES OR HAVE BEEN REMOVED FROM SUCH SITUATIONS.

REPORTING

SEC. 4. (A) IN THE ABSENCE OF A DECLARATION OF WAR, IN ANY CASE IN WHICH UNITED STATES ARMED FORCES ARE INTRODUCED--

(1) INTO HOSTILITIES OR INTO SITUATIONS WHERE IMMINENT INVOLVEMENT IN HOSTILITIES IS CLEARLY INDICATED BY THE CIRCUMSTANCES:

(2) INTO THE TERRITORY, AIRSPACE OR WATERS OF A FOREIGN NATION, WHILE EQUIPPED FOR COMBAT, EXCEPT FOR DEPLOYMENTS WHICH RELATE SOLELY TO SUPPLY, REPLACEMENT, REPAIR, OR TRAINING OF SUCH FORCES; OR

(3) IN NUMBERS WHICH SUBSTANTIALLY ENLARGE UNITED



STATES ARMED FORCES EQUIPPED FOR COMBAT ALREADY LOCATED IN A FOREIGN NATION?

THE PRESIDENT SHALL SUBMIT WITHIN 48 HOURS TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND TO THE PRESIDENT PRO TEMPORE OF THE SENATE A REPORT, IN WRITING, SETTING FORTH-

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(C) THE ESTIMATED SCOPE AND DURATION OF THE HOSTILITIES OR INVOLVEMENT.

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1323



Cable to Eastland
April 5, 1975

DATE 04/05/75

WHITE HOUSE SITUATION ROOM

PAGE

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MESSAGE:

FLASH

DE RUEADK 01901 0957238

Z 050249Z APR 75

FM THE WHITE HOUSE

TO SENATOR JAMES EASTLAND, DODDSVILLE, MISSISSIPPI

UNCLAS #H57526

THE HONORABLE JAMES EASTLAND

PRESIDENT PRO TEMPORE

UNITED STATES SENATE,

DODDSVILLE, MISSISSIPPI



APRIL 4, 1975

AS YOU KNOW, LAST SATURDAY I DIRECTED UNITED STATES PARTICIPATION IN AN INTERNATIONAL HUMANITARIAN RELIEF EFFORT TO TRANSPORT REFUGEES FROM DANANG AND OTHER SEAPORTS TO SAFER AREAS FARTHER SOUTH IN VIETNAM. THE UNITED STATES HAS BEEN JOINED IN THIS HUMANITARIAN EFFORT BY A NUMBER OF OTHER COUNTRIES WHO ARE OFFERING PEOPLE, SUPPLIES AND VESSELS TO ASSIST IN THIS EFFORT. THIS EFFORT WAS UNDERTAKEN IN RESPONSE TO URGENT APPEALS FROM THE GOVERNMENT OF THE REPUBLIC OF VIETNAM BECAUSE OF THE EXTREMELY GRAVE NATURE OF THE CIRCUMSTANCES INVOLVING THE LIVES OF HUNDREDS OF THOUSANDS OF REFUGEES. THIS SITUATION HAS BEEN BROUGHT ABOUT BY LARGE-SCALE VIOLATIONS OF THE AGREEMENT ENDING THE WAR AND RESTORING THE PEACE IN VIETNAM BY THE NORTH VIETNAMESE WHO HAVE BEEN CONDUCTING MASSIVE ATTACKS ON THE NORTHERN AND CENTRAL PROVINCES OF SOUTH VIETNAM.

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DATE 04/05/75

WHITE HOUSE SITUATION ROOM

PAGE

MESSAGE (CONTINUED):

TO SAFETY. MARINES ARE BEING DETAILED TO VESSELS PARTICIPATING IN THE RESCUE MISSION. THE FIRST VESSEL ENTERED SOUTH VIETNAM TERRITORIAL WATERS AT 0400 A.M. EDT ON APRIL 3, 1975.

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GERALD R. FORD



PSN: 251821

TOR: 495/02:387

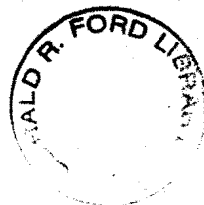
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FOREIGN RELATIONS
REPORT S. 663

that its original authorization for food aid included the entire amount then requested by the Executive Branch and all but \$10,000,000 of the economic aid originally requested.

In recommending the provision of additional food aid the Committee wishes to make a number of specific recommendations regarding the implementation of the food aid and humanitarian relief program. The Committee emphasizes that:

(1) food assistance should be furnished, to the maximum extent practicable, under the auspices of and through international agencies or private voluntary agencies. The Committee gave serious consideration to an amendment offered by Senator Pell which would have required that all future obligations for economic assistance be for aid through international agencies and voluntary organizations only. Although the Committee strongly supported the objective of that proposal, it felt that the international and voluntary agencies were not prepared to assume the full burden of distributing food and other humanitarian relief aid in Cambodia at the present time. The Committee is aware of the heroic relief efforts being carried out by the voluntary agencies in Phnom Penh and hopes that American officials will help to insure the safe departure of their personnel, including particularly their Cambodian national employees, from the country in the event this becomes necessary. All possible assistance should be rendered by the United States to encourage and assist the personnel of the voluntary relief agencies.



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W. R. FORD LIT

TEXT OF PRESI-
DENT'S MESSAGE TO
SPEAKER & President
Pro Tem

Please substitute this paragraph for your third paragraph of letter to the Speaker:

Although these forces are equipped for combat within the meaning of Section 4 (a) (2) of Public Law 93-148, their sole mission is to assist in the evacuation including the maintenance of order on board the vessels engaged in that task.

WALDO R. FORD

THE WHITE HOUSE

WASHINGTON

April 4, 1975

Dear Mr. Speaker:

As you know, last Saturday I directed United States participation in an international humanitarian relief effort to transport refugees from Danang and other seaports to safer areas farther south in Vietnam. The United States has been joined in this humanitarian effort by a number of other countries who are offering people, supplies and vessels to assist in this effort. This effort was undertaken in response to urgent appeals from the Government of the Republic of Vietnam because of the extremely grave nature of the circumstances involving the lives of hundreds of thousands of refugees. This situation has been brought about by large-scale violations of the Agreement Ending the War and Restoring the Peace in Vietnam by the North Vietnamese who have been conducting massive attacks on the Northern and Central provinces of South Vietnam.

In accordance with my desire to keep the Congress fully informed on this matter, and taking note of the provision of Section 4(a)(2) of the War Powers Resolution (Public Law 93-148), I wish to report to you concerning one aspect of United States participation in the refugee evacuation effort. Because of the large number of refugees and the overwhelming dimensions of the task, I have ordered U. S. naval vessels to assist in this effort, including Amphibious Task Group 76.8 with 12 embarked helicopters and approximately 700 marines. These naval vessels have been authorized to approach the coast of South Vietnam to pick up refugees and U. S. nationals, and transport them to safety. Marines are being detailed to vessels participating in the rescue mission. The first vessel entered South Vietnam territorial waters at 0400 a.m. EDT on April 3, 1975.

D. R. FORD LT

Although these forces are equipped for combat within the meaning of Section 4 (a) (2) of Public Law 83-148, they are under orders to avoid involvement in hostilities and combat activities. Should a serious risk from hostilities develop at a particular location, their orders require that they withdraw, unless engaged in activities to save the lives of U. S. citizens. The sole mission of the Marines aboard the Task Group ships and the military sealift command ships is to assist in maintaining order on board the ships while receiving and transporting refugees.

As stated above, the purpose of the introduction of United States naval vessels into Vietnamese waters is to assist in an international humanitarian effort involving vessels of several nations, including both military and civilian craft. The United States' participation in this effort includes the charter of commercial vessels, the use of military sealift command vessels with civilian crews, as well as United States naval vessels with military crews. This effort is being undertaken pursuant to the President's constitutional authority as Commander-in-Chief and Chief Executive in the conduct of foreign relations and pursuant to the Foreign Assistance Act of 1961, as amended, which authorizes humanitarian assistance to refugees, civilian war casualties and other persons disadvantaged by hostilities or conditions relating to hostilities in South Vietnam.

You will appreciate, I am sure, my difficulty in telling you precisely how long United States forces may be needed in this effort. Our present estimate, however, is that this operation may involve the presence of United States naval vessels in Vietnamese waters for a period of at least several weeks.

D. R. FORD LIT

Text of President's Message to the Speaker of the House and President
pro tempore of the Senate

April 4, 1975

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In accordance with my desire to keep the Congress fully informed on this matter, and taking note of the provision of Section 4(a)(2) of the War Powers Resolution (Public Law 93-148), I wish to report to you concerning one aspect of United States participation in the refugee evacuation effort. Because of the large number of refugees and the overwhelming dimensions of the task, I have ordered U.S. Naval vessels to assist in this effort, including amphibious task group 76.8 with 12 embarked helicopters and approximately 700 Marines. These Naval vessels have been authorized to approach the coast of South Vietnam to pick up refugees and U.S. Nationals, and transport them to safety. Marines are being detailed to vessels participating in the rescue mission. The first vessel entered South Vietnam territorial waters at 0400 a.m. EDT on April 3, 1975.

Although these forces are equipped for combat within the meaning of Section 4(a)(2) of Public Law 93-148, their sole mission is to assist in the evacuation including the maintenance of order on board the vessels engaged in that task.

As stated above, the purpose of the introduction of United States Naval vessels into Vietnamese waters is to assist in an international humanitarian effort involving vessels of several nations, including both military and civilian craft. The United States' participation in this effort includes the charter of commercial vessels, the use of military sealift command vessels with civilian crews, as well as United States naval vessels with military crews. This effort is being undertaken pursuant to the President's constitutional authority as Commander-in-Chief and Chief Executive in the conduct of foreign relations and pursuant to the Foreign Assistance Act of 1961, as amended, which authorizes humanitarian assistance to refugees, civilian war casualties and other persons disadvantaged by hostilities or conditions relating to hostilities in South Vietnam.

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You will appreciate, I am sure, my difficulty in telling you precisely how long United States Forces may be needed in this effort. Our present estimate, however, is that this operation may involve the presence of United States Naval vessels in Vietnamese waters for a period of at least several weeks.

/s/ GERALD R. FORD .

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