

The original documents are located in Box 43, folder “Vietnam - General (3)” of the John Marsh Files at the Gerald R. Ford Presidential Library.

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THE WHITE HOUSE

WASHINGTON

April 3, 1975

MEMORANDUM FOR: DON RUMSFELD

FROM: JACK MARSH

[Handwritten signature]
Not sent
Jm

Attached is a question and a proposed response which I have prepared on the Vietnam matter which I would appreciate your bringing to the President's attention for his consideration.

By way of background, you should be aware that I have run this by Buchen, Rourke, Wolthius and Cannon who concur in the response.

I have also showed it to Henry who goes with the first paragraph of the response but takes strong exception to the second paragraph which he feels should be modified to be less conciliatory.

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I concur with the agrument that Henry is making on Presidential leadership and calling on the Nation to pull together to make tough choices and accept responsibilities as a world leader. I think this should be the thrust of next week's Congressional Message and insuing speeches in the days and weeks ahead. In this the Congress will have to be challenged, and in a Churchillian sense.

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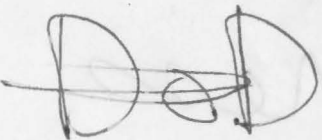
P/S press

conference

San Diego Calif
April 3, 1975

THE WHITE HOUSE
WASHINGTON

9/12/79
C. P. ...
Don ...
C. P. ...



April 3, 1975

MEMO FOR: SITUATION ROOM

FROM: JACK MARSH

Please transmit, via classified channels, the attached to Mr. Don Rumsfeld for the President's consideration.

Thank you.

Note to record:

Q+A passed to Cheney
by phone as per his
request.

jm



delivered to
Calif
4/3/75
18:30

April 3, 1975

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FROM: JACK MARSH

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Many thanks.



QUESTION:

Mr. President, there has been much discussion as to who is to blame for the disastrous turn of events in Vietnam. There has been some reference to your view that the Congress is to fault for failing to provide the recent request for \$300 Million in aid. Who do you feel is to blame?

ANSWER:

Let's remember the real source of the problem in Vietnam is the flagrant aggression and violation of the Paris Peace Accords by the North Vietnamese. They have invaded South Vietnam. They are the aggressors. They are causing the refugee problem. If they would withdraw and stop their aggression and their atrocities, the situation in that country would stabilize. North Vietnam is where the blame lies by ignoring the Peace Agreement they signed.

Now as to what's happened because of the aggression is more complex involving many factors here and in Vietnam. As you know, I have had a long record of supporting our effort there. Naturally, I am sorry that I did not receive the response that I had hoped for in my request for additional aid and assistance. Like many others, I am disappointed that over a period of years there has been both a diminution and limitation on our assistance to South Vietnam but it is not up to me to become involved in a national debate as to who in America is at fault. My hope is that the Congress will join with me in doing whatever we might be of help and assistance to this besieged country and its people.

It is a tragic situation. I am deeply troubled by what has happened but my support for them has not changed and I am glad that I did what I did to try to obtain for them the help I felt they needed.



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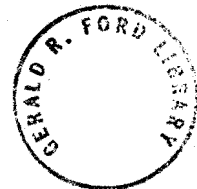
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1. Henry feels that a statement of not trying to assess blame as to what went wrong is appropriate.
2. He feels a firm response is necessary by the President that does not permit the Congress to escape responsibility. He feels that it is necessary to recount a number of legislative actions in recent years that lead to the straw that broke the camel's back. For example, the bombing halt, the steady cuts in aid, other Congressional limitations.

In summary, his view is that the Congress failed to make the hard choices and accept the responsibilities required of the situation.

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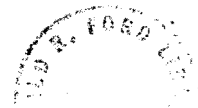
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SEC DEF WASH DC
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FROM: OASD LA

PLEASE PASS TO CHAIRMAN MELVIN PRICE, HOUSE ARMED SERVICES COMMITTEE AND RANKING REPUBLICAN MEMBER BOB WILSON: THE PRESIDENT HAS SENT THE FOLLOWING MESSAGE TO THE SPEAKER OF THE HOUSE AND THE PRESIDENT PROTEM OF THE SENATE:

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 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.



TYPE NAME TITLE OFFICE SYMBOL AND PHONE NO.	TYPE (OR STAMP) NAME TITLE OFFICE SYMBOL PHONE NO.
RICHARD FRYKLUND OASD LA 753801	Richard Fryklund Principal Deputy Assistant Secretary of Defense (Legislative Affairs)
SECURITY CLASSIFICATION	SIGNATURE
UNCLAS	

OSD/JCS DIA MESSAGEFORM

SECURITY CLASSIFICATION

PAGE 2 OF 2 PAGE

SPECIAL INSTRUCTIONS

← DATE OF MESSAGE SYMBOLS

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← ACTION PRECEDENCE

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FR
TO

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 1951, 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.

/S/ GERALD R. FORD

????



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SECURITY CLASSIFICATION

SIGNATURE

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E.O. 11652: GDS
TAGS: PFOR, OREP (SCOTT, HUGH)
SUBJECT: CAMBODIA
REF STATE 75748
PLEASE PASS TO JOHN MARSH, WHITE HOUSE
MESSAGE CONTAINED IN REFTEL DELIVERED
TO SENATOR SCOTT AT 9:45 AM.
STABLER
BT



***** W H S R I C O M M E N T *****

JOHN MARSH

PSN:850723 PAGE: 01 OF 01 TOR:094/12:47Z DTG:041220Z APR 75

~~*****CONFIDENTIAL*****~~ COPY

DAO, 6/25/82

*cancel copy
6/25/82*

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.



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.



April 4, 1975

MEMORANDUM FOR: DON RUMSFELD

FROM: JACK MARSH

For your information, Don Riegle and Pierre duPont have indicated to the House Foreign Affairs Committee their desire to go to DaNang for the purpose of "assisting in any way they can."

JOM/RAR/dl



THE WHITE HOUSE
WASHINGTON

April 4, 1975

M
J/M
S/N
EJZC

MEMORANDUM TO: JACK MARSH
FROM: RUSS ROURKE R
SUBJECT: REPORT FROM CHRISTOPHER RUSSELL

A report from Chris today, April 4, indicates that of yesterday's telephone calls, approximately 200 were from Congressional sources.

Today, the Foreign Disaster Relief Operation Center has received approximately 150 - 250 calls so far. As a matter of interest, whereas yesterday the staffs of Congressmen called, today Members themselves were calling. I have asked Chris Russell to prepare a list of the names of the specific Members calling.

The vast majority of today's callers addressed themselves to two areas:

- 1) The C-5A crash
- 2) The orphan evacuation effort



THE WHITE HOUSE

WASHINGTON

April 3, 1975

MEMORANDUM TO: JACK MARSH

FROM: RUSS ROURKE *R*

SUBJECT: REPORT FROM CHRISTOPHER RUSSELL
RE ACTIVITIES OF THE OFFICE OF
EMERGENCY TASK FORCE FOR INDOCHINA
OF THE FOREIGN DISASTER RELIEF
OPERATION CENTER (AGENCY FOR
INTERNATIONAL DEVELOPMENT)

Russell reports that the Emergency Task Force received approximately three hundred and fifty calls today alone. The calls came from Congressional sources and private voluntary institutions (I have asked for a specific breakdown on Congressional calls.)

Keep in mind that the 350 number does not include calls from private citizens. (Such calls go through a separate channel.)

The tone of today's calls were in sharp contrast to yesterday's calls. Yesterday, the callers were deeply concerned, confused and worried. Today callers were far more fixed in their viewpoint, demanded action, and generally pursued the following lines of inquiry:

- 1) Is the United States doing everything possible to expedite the evacuation of orphans?
- 2) What are the procedures for adopting orphans?
- 3) What can be done to evacuate the relatives of American citizens in Vietnam (this category presumably includes Vietnamese wives of American citizens, intending wives and the families of those wives).
- 4) Is the United States doing everything it can to assist in the evacuation of refugees?



THE WHITE HOUSE

WASHINGTON

April 4, 1975

*Phoned
D/R*

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*JM
DaNang
Evac*



THE WHITE HOUSE
WASHINGTON

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.



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*including the maintenance of
order aboard the vessels*

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** their sole mission is to assist in
the evacuation, ~~the Marines are aboard the~~
If ~~we~~ including the maintenance of order on
board these vessels ~~assist in evacuation of~~ *engaged in that task.**

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.



FLASH

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TO USLO PEKING

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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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PAGE 01

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DTG:050317Z APR 75

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

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 DETACHED 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

0648



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PAGE 02

OF 02

JCR:095/02:56Z

DTG:050317Z APR 75

[4/7/75]

TO: George Bush
Ambassador
Peking

FROM: John O. Marsh, Jr.
Counsellor to the President

We are sending you a summary of a cable which is being sent to Speaker Albert and Minority Leader Rhodes.

There is a question under Section 4 with reference to rescue operations in Vietnam. Under the provision of the Act, the President is required by law within 48 hours to report to the Congress a certain incident indicated in the Act. One such incident has occurred and there is being filed with the President Pro Tem of the Senate and the Speaker of the House and their respective offices the report required by law. However, for purpose of informing the Speaker, we are dispatching a cable to him which I would appreciate you personally seeing is delivered to him only.

A summary advisory cable is being dispatched to John Rhodes for your delivery. Many thanks for your continued help and assistance which the President also deeply appreciates.



[4/7/75?]

Cable to be sent to Speaker Carl Albert in care of Ambassador George Bush

This is to advise you that the President has today, at approximately 1500 hours Eastern Daylight Time, April 4, filed in the Office of the Speaker, a report required under Section 4A, Subparagraph 2, in reference to certain actions of the U.S. Navy in reference to the evacuation of the refugees off the coast of Southeast Asia near Da Nang.

The report which is filed pursuant to the Section 4 responds to requirements contained therein.

By way of summary, you should be aware that LST U.S. _____ hours Vietnamese, took his vessel inside territorial waters (3 miles) of South Vietnam for the purpose of rescuing approximately 1400 Vietnamese refugees. This operation lasted for approximately 4 hours after which the vessel withdrew from the territorial waters. You should be aware that on board rescue ship were U. S. Marines equipped for combat. However, it should be noted that circumstances there have required the presence of such troops for the purpose of safety of the vessel and maintenance of order aboard the same. There have been incidents in other refugee operations where refugees have been found carrying grenades and boobytraps aboard the LSD.

THE WHITE HOUSE

WASHINGTON

April 7, 1975

MESSAGE FOR HONORABLE GEORGE BUSH
AMBASSADOR TO CHINA
PEKING, CHINA

Attached for ready reference should you or the Congressional Party desire the same, are the excerpts of the War Powers Act that are referred to in the earlier message. You will note that the message to the Speaker is pursuant to the "reporting" Section; however, you will also observe in the language of the message the question remains as to whether the War Powers Act is applicable. It is the desire to leave this question open for reasons I am sure you understand.

In examining the statute you will note that a report is required to be made to only the Speaker and the President Pro Tempore. Since we are trying to track precisely the language of the statute and seeking to avoid the establishment of any precedent should it be determined that the Act is applicable, the report has been sent to only Speaker Albert, Senator Mansfield and President Pro Tempore McFall. The latter was sent a copy of the message to the Speaker. Copies of their three message were delivered to a staff representative here in Washington.

For the reasons set out above, John Rhodes was not sent an information copy but an advisory note was sent from me following the President's message to the Speaker requesting he be informed of the contents.

This is furnished to you by way of background should John raise some question as to not receiving a copy. I also thought the excerpts from the Public Law might be helpful to the Congressional Party.

This communication is a backgrounder for you personally.

Warm regards,

Jack Marsh

April 7, 1975

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Jack Marsh



Navy Role Off Vietnam Is Unclear

United Press International

Pentagon officials appeared taken aback yesterday by President Ford's Thursday press conference announcement that "I have directed that all available Naval ships stand off Indochina to do whatever is necessary to assist Vietnamese fleeing the North Vietnamese onslaught."

There was no clear explanation of what the ships were supposed to do.

One official said they were going to the area to handle any contingency that might develop—including the possible mass evacuation from Saigon of Vietnamese who would be endangered under a Communist regime.

He referred specifically to "those Vietnamese for whom we have a special responsibility"—those who have worked for the U.S. government over the last decade, and their families.

Another official said no mass evacuation was planned or even wanted at this time. "The goal," he said, "is to establish a defensive line north of Saigon," and it would be senseless to start pulling out people who should be helping to make the defense work.

The President's order hinted that the administration is preparing for the worst in Vietnam—a total collapse in the near future—by placing ships off South Vietnam now rather than waiting until the last moment.

The principal unanswered question is where the refugees in such a mass evacuation would go. Unless other countries agree to open their doors, the United States and Canada are the likely candidates. In the 1960s the United States absorbed several hundred thousand Cubans who fled the Castro regime.

At present the U.S. ships off Vietnam are under orders only to move refugees from unsafe areas of Vietnam to safer areas further south. There are no orders to take any away from Vietnam to other countries.

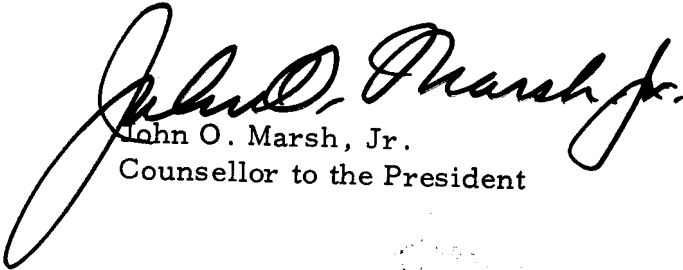


THE WHITE HOUSE
WASHINGTON

April 7, 1975

CERTIFICATE

This is to certify that the Undersigned dispatched the attached message to The Honorable John McFall, Speaker Pro Tempore of the House of Representatives from the President of the United States bearing the date April 5, 1975 at 12: 11 a.m. via government and commerical communications to Manteca, California. A duplicate copy was delivered to Irvine H. Sprague, Administrative Assistant to the Speaker Pro Tempore, at his residence in College Park, Maryland at 1: 10 a.m., April 5, 1975.


John O. Marsh, Jr.
Counsellor to the President

THE WHITE HOUSE

WASHINGTON

April 7, 1975

MEMORANDUM FOR: MAX FRIEDERSDORF

FROM: VERN LOEN ✓
CHARLES LEPPERT
DOUG BENNETT

SUBJECT: Home District sentiment

AL QUIE - (R-Minn) - - -

Vietnam - Down the drain, along with Cambodia. Limit aid to humanitarian. No guilt feelings, blame it on Vietnamese army performance. Tremendous interest in rescuing Vietnamese children.

Tax Bill - Not one person in favor of tax cut; don't understand economics of it.

Farmers - Want farm bill; organizing to cut production 10% voluntarily in effort to drive up prices.

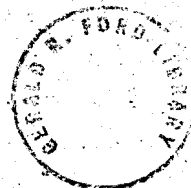
CARROLL HUBBARD - (D-Ky) - - - (President of Freshmen Democrats)

Vietnam - No further involvement except humanitarian assistance; dismay at South Vietnam army performance.

Tax Cut - Hope it is proper answer, fear it will just add to deficit.

Farmers - Tobacco farmers upset by Secretary Butz's plans to lift quotas.

Equal Rights Amendment - Getting much mail against it, urges Mrs. Ford to make no more comments in support.



Comments of Select Members with Respect to RVN,
Cambodia and General Issues of Concern

DERWINSKI - On IPU trip - will return on Wednesday

WAGGONER - On NATO trip - will return on Tuesday

LEE HAMILTON - On IPU trip - will return on Wednesday

MURTHA - Unable to reach this afternoon

L. H. FOUNTAIN - On NATO trip in Germany - however, offered the following comments:

- (1) With respect to Southeast Asia, his staff reported to him that the general attitude of the public is that they couldn't care less. Resented the capture of South Vietnamese weapons and ammunition by North Vietnamese, while they're sorry for the tragedy. The sentiment is against any form of military aid but probable support for humanitarian aid.
- (2) With respect to Southeast Asia, he suggested that the President not place the blame on the Congress.
- (3) The domestic issue of greatest concern is the state of the economy.



Vietnam - People expressed great deal of compassion for Vietnam orphans but no desire for the U. S. to provide military aid. People were shocked, surprised and bitterly disappointed at Thieu's remarks that the U. S. let the Vietnam people down by not providing more military assistance.

Economy - The number one issue on the minds of the people. They seemed to display hopeful optimism that the economy will get better. A lot of people expressed the opinion that the President could have vetoed the tax cut bill which was amazing in a sense. The people seem to be understanding that the battle is going to come down on government spending and the people are beginning to feel that there is a need to hold down government spending.

BOB MICHEL (R-III)

Vietnam - Cambodia - Reaction of the people is a mixed reaction. Those who have always opposed U. S. involvement in Vietnam now argue that not one more dime be spent by the U. S. for military aid or assistance in Indochina. Those people who were on the fence over U. S. involvement are now more confused than ever. These people feel there is no hope for Cambodia and feel that what the American people need is to be convinced that the South Vietnamese will fight and want to fight before more military aid is given. The hawks, the hard-liners and military people who have been involved argue that U. S. should go in or provide the assistance required. Michel responded to the question of whether the loss of American lives in Vietnam and Cambodia was in vain by stating that the American lives lost in Indochina were not lost in vain because at that point in time it was the United States policy to fight a war in Indochina and those Americans were carrying out the policy of their country in a patriotic manner.

Tell the President that the Democrats as they get ready to go into the '76 convention cannot malign Ford for Vietnam and Cambodia. The Democrats are not in a position to criticize Ford for what has happened in Vietnam and Cambodia. If the President is going to propose a change in our foreign policy, the timing for such a speech could not be better. If that change in policy involves Vietnam, then this decision must be President Ford's and if its to be a clean break with Vietnam then its Ford's clean break. But the President should point out in his speech that in today's open society, when dealing in foreign affairs we cannot say that up to this point we will not fight, but beyond this point we will fight. The President should make the point



to the American people that notwithstanding today's open society and all the public talk about foreign affairs, when dealing on the international scene, there are many things that by the nature of international relations must remain uncertain and can not be tied down to a degree of certainty. This President does not have to feel any sense of guilt over Vietnam and Cambodia during his stewardship because he is in an altogether new ballgame since Nixon and Watergate.

Economy - - Otherwise the main issues on the minds of the people are the economy, taxes, and other domestic issues.

But the people discussing the economy want to know if those people down in Washington, D. C., know where they are going. On the tax cut bill Michel was out front on his position against the tax cut but received compliments for taking the position he did. In the rural areas the people want to know what the President is going to do on the farm bill. Farmers are asking whether they should cut back on production. Is there going to be a good farm market? Michel responded that if the farmers voluntarily cut back on production that would be their choice rather than the federal government making that choice. Michel encouraged full production because of the investment in machinery and equipment and the effect on allied industries. Michel encourages the President to keep export farm markets open.

Unemployment - - No serious unemployment problem in his District.

JACK WYDLER - Returns to Washington, D. C. on Tuesday, 4-8-75.

JOHN ANDERSON - Returns to Washington, D. C. on Tuesday, 4-8-75.

