

The original documents are located in Box 43, folder “Vietnam - General (4)” of the John Marsh Files at the Gerald R. Ford Presidential Library.

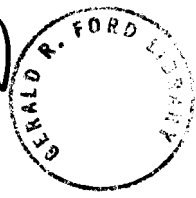
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THE WHITE HOUSE
WASHINGTON

The President did and didn't
use the attached for his
meeting.

To U. J. M.



THE WHITE HOUSE

WASHINGTON

April 9, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: JACK MARSH *Jack*

SUBJECT: Background For Joint Bi-Partisan Leadership Meeting

At 1:00 p.m. today you meet with the bi-partisan leadership of the House and Senate including leaders from the Foreign Affairs Committees, Armed Services Committees and Appropriations Committees. A list of attendees and absentees is attached.

The purpose of this meeting is to discuss generally your message to the Congress tomorrow evening with special attention to the following points:

1. The situation in Vietnam.
2. The status of the situation in Cambodia.
3. The status of American Nationals in these two countries and evacuation plans.
4. The refugee program.
- ~~5. Your proposals to address the situations particularly in Vietnam.~~
6. Stress that your message will address other areas of the world and our foreign policy concerning the same.

The Format: I would recommend the following agenda:

1. Brief opening remarks by you (5 minutes) outlining the purpose of the meeting. Remind them that many in the room have been pre-notified and advised on developments in the last 10 days at your direction.



This meeting is also important because under the War Powers legislation, it will be treated as a "part of the consultation requirement" under the Act. You should be aware that we are carefully trying to build a series of files based on our communication with the Congress for the purpose of showing compliance with the War Powers Act should you be challenged on the same.

- ~~2. General Weyand (10 minutes) -- to give a summary of the current military situation in Vietnam.~~
- ~~3. Secretary Kissinger (10 minutes) -- to discuss political and diplomatic situation including program and policies for refugees.~~
- ~~4. Secretary Schlesinger (5 minutes) (optional) -- to discuss deployment of U.S. forces in that area and possible missions in support of evacuation and refugee assistance.~~

5. President

- a. summarize the situation
- b. outline the options
- c. enumerate the major decisions to be contained in the address.

At this point in your discussion, I would suggest you give a broad view of your strategy based on your Constitutional duties as President to assure the safety of Americans in Cambodia and Vietnam which is driving your decisions and is the force behind your request to the Congress for military assistance. Military assistance is necessary for three fundamental reasons:

- (1) stabilization of the defense situation and continued support of the South Vietnamese in order to
- (2) safely evacuate U.S. nationals with a minimum risk in loss of life or injury,



- (3) evacuate Vietnamese Nationals falling into three categories:
 - (a) leaders and their families associated with the United States Government that will cause them persecution,
 - (b) individuals and their families associated with United States private interests that will lead to their persecution.
 - (c) general category refugees, the criteria yet to be established.

Having defined your duties as President and the critical situation that is faced, ask them what course exists other than the one you have outlined and would they not do what you are seeking to do?

6. Congressional Discussion -- The purpose of this is to solicit their views which will give the Members the opportunity to express their views; however, it is suggested that you continually direct this discussion towards the decision that you have made and that you are going to execute as President because you have the responsibility. You can convey the attitude that you seek their advice, you will listen to it, you need their help and support not for you personally but for the good of the country but as President you have to act.
7. The Thursday Night Speech -- The Southeast Asian situation is going to dominate the meeting, but it is essential they realize your Address will be far broader.
8. PRESS PLAN -- There will be a tremendous interest by the press in this meeting but it is vital they keep your confidence. The confidentiality of the meeting should be emphasized and two minutes should be devoted to discussion as to what they may say between the meeting and the Message tomorrow. You can expect someone in the group to make suggestions on this and you should be prepared with some general guidance. Therefore, it is recommend that they limit their comments to topics of the Speech that were generally set out on page 1 except point three relating to evacuation plans.



PARTICIPANTS

The President

SENATE

Carl Curtis
Bob Griffin
Hugh Scott

Strom Thurmond
John Tower
Milt Young

HOUSE

John Anderson
Bill Broomfield
Phil Burton
Al Cederberg
Barber Conable
George Mahon
Bob Michel
Tom Morgan
"Tip" O'Neill
Mel Price
Bob Wilson

STAFF

Secretary of State Kissinger
Secretary of Defense Schlesinger
Don Rumsfeld
Bob Hartmann
Jack Marsh
Max Friedersdorf
Phil Buchen
Jim Cannon
Alan Greenspan
Jim Lynn
Ron Nessen
Bill Seidman
Brent Scowcroft
Dick Cheney
Vern Loen
Bill Kendall
Bob Wolthuis

REGRETS

The Vice President - out of town
Speaker Albert - out of town
Rep. John McFall
Rep. John Rhodes - out of town
Sen. Robert Byrd
Sen. Cliff Case - out of town
Sen. John McClellan
Sen. Mike Mansfield - previous commitment
Sen. Frank Moss
Sen. John Sparkman
Sen. John Stennis



McFar

wants to

Postpone.

Comm't Action.

APR 10 1975

THE WHITE HOUSE
WASHINGTON

April 10, 1975

~~MEETING WITH THE SPEAKER AND SENATOR JENNIFER DENVER~~

Thursday, April 10, 1975
3:45 - 4:15 p.m. (30 minutes)
The Oval Office

From: Max L. Friedersdorf *M.L.F.*

I. PURPOSE

To brief the leaders on the Vietnam situation and give them a preview of your speech tonight.

II. BACKGROUND, PARTICIPANTS AND PRESS PLAN

A. Background:

1. The Speaker and John Rhodes returned at 3:00 p.m. yesterday from a trip to the Peoples Republic of China and were unable to attend the bipartisan leadership meeting.
2. During a press conference at Andrews Air Force Base, both leaders indicated they were out of touch with the situation and desired to meet as soon as possible with the President.
3. Both were non-committal on further military aid until they had the opportunity to speak to the President.
4. Reports indicate the leaders' trip was without major incident except for some tense discussions with Chinese leaders. Rhodes mentioned a particularly heated exchange about the Mid-East.

B. Participants: The President
The Speaker
Rep. John Rhodes
Jack Marsh (staff)
Max Friedersdorf (staff)

C. Press Plan:

Announce to the press only - Kennerly photographs



III. TALKING POINTS

1. I hope your trip was worthwhile and I would be interested in hearing about it when we have more time.

2. The situation in Vietnam is very serious. I would describe it as bleak but salvagable.
3. We have 6,000 Americans in South Vietnam and we are concerned about their safety and evacuation if that becomes necessary.
4. In addition, there are from 175,000 to 200,000 South Vietnamese who have worked for the United States, and they will be the first to go if the communists take over.
5. We are also concerned about the safety of Americans if an anti-American sentiment develops among the South Vietnamese. We are maximizing our efforts to get these Americans out and are developing contingency plans of a very sensitive nature.
6. We also have a moral responsibility to try and save those South Vietnamese people who have stood with us through thick and thin.
7. I intend to give a lot stronger speech tonight than when I originally planned to address the Congress on foreign policy.
8. I will describe the seriousness of the situation in Vietnam, together with my recommendations, but the speech will also include the Middle East, NATO, detente, the PRC and trade.
9. It will be a very frank speech and I will not recommend anything that is phony. My recommendations will be justified.
10. I believe we are at a very serious turning point in world affairs. We have achieved some excellent results in foreign policy over the past 25 years, and we have suffered some setbacks.
11. If we work together we can move to greater successes. This country has a great destiny to fulfill.
12. But, we cannot achieve our goals if we engage in finger-pointing and blaming one another.
13. I am hopeful you can support my recommendations to the Congress tonight, and continue to lend me the wisdom and strength of your experience and service to the Nation.



Office of the White House Press Secretary

THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

In view of the seriously deteriorating military situation around the Cambodian Capital of Phnom Penh, and on the basis of the recommendations of the American Ambassador to the Khmer Republic, I have ~~instructed the personnel of the U.S. Mission to leave~~ Phnom Penh.

In accordance with those instructions, American personnel have been evacuated. I also authorized that a number of Cambodians whose lives would have been jeopardized if they had remained in Cambodia be evacuated with the American Mission.

I sincerely regret that there was not timely action on my request to the Congress to enable the United States to continue to provide the assistance necessary to the survival of the Government of the Khmer Republic. That Government had asked for this assistance and had clearly proven itself worthy of our help.

The United States wishes Cambodia to find its place in the world as an independent, neutral and united country, living in peace. Our assistance was sought for that purpose. We also made numerous and vigorous diplomatic efforts, from the first to the last, to find a compromise settlement.

I decided with a heavy heart on the evacuation of American personnel from Cambodia because of my responsibility for the safety of the Americans who have served there so valiantly. Despite that evacuation we will continue to do whatever possible to support an independent, peaceful, neutral and unified Cambodia.

We can all take deep pride in the United States armed forces that were engaged in this evacuation operation. It was carried out with great skill, and in a manner that reflects the highest credit on all of those American servicemen who participated. I am deeply grateful to them for a job well done.

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APRIL 12, 1975

Office of the White House Press Secretary

THE WHITE HOUSE

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MF signed —

The March name.

APR 15 1975

THE WHITE HOUSE
WASHINGTON

April 15, 1975

MEMORANDUM FOR THE PRESIDENT

THROUGH: DON RUMSFELD
JACK MARSH

FROM: MAX FRIEDERSDORF

SUBJECT: Senate Foreign Relations Committee

The Senate Foreign Relations Committee is working on a draft of a bill entitled Viet Nam Emergency Act of 1975.

They worked on the draft this morning and will resume at 2 P.M. today with the expectation of concluding the draft this afternoon and presenting it to you for your consideration.

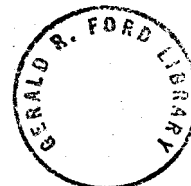
Although the details are not final the legislation would be operative when the number of Americans in South Viet Nam was reduced to 1200.

It would empower you to remove Americans and their dependents and use military force if necessary.

It would authorize for this purpose from \$200 to \$250 million in addition to the humanitarian request.

It would give you the authority to determine when the armed forces are necessary but if you took this action you would be required to submit a report under provisions of the War Powers Act, and also certify that at the time you took the action there existed a direct and imminent threat to the lives of American citizens in Viet Nam and their dependents.

The authority would also apply to the South Vietnamese with certain restrictions. You would have to determine if there was a direct and imminent jeopardy to their lives, withdrawal of South Vietnamese would involve no additional U.S. forces other than those employed in evacuating Americans, and would involve no extension of hostilities, and the rescue of these foreign nationals would be incidental to removal of U.S. citizens.



I received this report from Senator Hugh Scott and he said there may be some additional changes during this afternoon's closed session, but it is the intention of Senators Sparkman and Case to ask that you review this draft bill personally and give them your opinion.

Senators Baker and Griffin insisted that because of your spirit of cooperation yesterday the committee should present you this draft before final action.

Jack Marsh and I visited with Mel Price on the House side and Mel agreed to do his best to delay a vote today in the House Armed Services Committee.

We also visited the Senate Armed Services Committee and there will be no vote this afternoon following Secretary Schlesinger's testimony.



THE WHITE HOUSE
WASHINGTON

Date. APR 15 1975

TO:

Jack Marsh

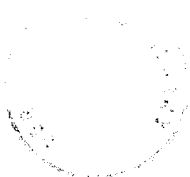

FROM: Max L. Friedersdorf

For Your Information X

Please Handle _____

Please See Me _____

Comments, Please _____

M

12 Noon
April 15, 1975
Draft Outline

Vietnam Contingency Act of 1975

1. If the President determines that the use of Armed Forces is necessary to withdraw American citizens and their families, the President may use the Armed Forces to take action essential to and directly connected with the protection of Americans and their families while they are being withdrawn subject to the provisions in paragraph 2.
 - (a) If the President uses U.S. Armed Forces to protect American citizens as above provided, he shall submit a report on the use of these forces in accordance with section 4(a) of the War Powers Resolution and comply with all other provisions of that Resolution.
 - (b) In addition to the information required under section 4(a) of the War Powers Resolution, the President would also be required to certify to Congress that:
 - (2) Every effort was made to terminate the threat to Americans by the use of diplomatic and any other means available without using the Armed Forces;
 - (1) There existed a direct and imminent threat to the lives of such U.S. citizens and their dependents;
 - (3) American citizens are being evacuated as rapidly as possible.
2. In carrying out the withdrawal of Americans, the President would be authorized to use U. S. Government personnel and property to assist in bringing out foreign nationals, (who are not members of the families of U. S. citizens), (?) when he determines and certifies to Congress that:
 - (a) a direct and imminent threat exists to the lives of the foreign nationals;
 - (b) no additional U. S. Forces are required beyond those needed to evacuate Americans;



- (c) the duration of the possible exposure of U. S. Forces to hostilities is not extended; and
- (d) the rescue of foreign nationals is only undertaken incidental to the rescue of Americans and only within areas necessarily controlled by U. S. Forces for the purpose of protecting Americans while they are being evacuated.

APR 17 1975

THE WHITE HOUSE
WASHINGTON

Date: 4/17/75

TO: Jack Marsh

FROM: Max L. Friedersdorf

For Your Information X

Please Handle _____

Please See Me _____

Comments, Please _____

original to Buchan,
with copy to Scowcroft.

THOMAS E. MORGAN, PA., CHAIRMAN

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TENNYSON GUYER, OHIO
ROBERT J. LAGOMARSINO, CALIF.

APR 17 1975

Congress of the United States
Committee on International Relations

House of Representatives
Washington, D.C. 20515

April 17, 1975

MARIAN A. CZARNECKI
CHIEF OF STAFF

The Honorable Gerald R. Ford
The White House
Washington, D.C. 20500

Dear Mr. President:

I am writing to request your comments on a resolution of inquiry which was introduced in the House on April 16, 1975, and referred to the Committee on International Relations.

Enclosed are two copies of the resolution, H.Res. 400, directing the President to provide to the House of Representatives certain information respecting U.S. nationals who are presently in South Vietnam.

As you know, the Committee must act on this resolution within seven (7) legislative days beginning today. Therefore, we will appreciate receiving your comments as soon as possible, but no later than Tuesday, April 22, 1975.

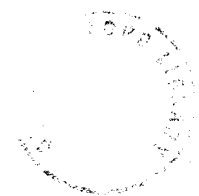
Sincerely,

Thomas E. Morgan

Chairman

TEM:rbid

cc: Hon. Henry A. Kissinger
Secretary of State
State Department



94TH CONGRESS
1ST SESSION

H. RES. 400

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 1975

Ms. HOLTZMAN (for herself and Mr. JOHN L. BURTON) submitted the following resolution; which was referred to the Committee on International Relations:

RESOLUTION

1 *Resolved*, That the President is directed to provide, not
2 later than five days after the adoption of this resolution, to
3 the House of Representatives the following information in
4 the possession of the executive branch:

5 (1) the number of United States nationals presently
6 in South Vietnam as employees of the United States
7 Government, the agencies by which they are employed,
8 and the activities in which they are engaged;

9 (2) the number of United States nationals presently
10 in South Vietnam who work as or for United States
11 Government contractors or subcontractors;

12 (3) the number of United States nationals presently



1 in South Vietnam who are not employees of the United
2 States Government, together with the types of work in
3 which they are engaged, including nonprofit humani-
4 tarian relief activities, business ventures, and mercenary
5 activities;

6 (4) the number of dependents of United States
7 nationals, which dependents are presently in South Viet-
8 nam; and

9 (5) the reasons, to the extent known, for which
10 persons in each category above have not been evacuated
11 from South Vietnam.

12 This information shall be made available to each Member of
13 the House of Representatives in accordance with procedures
14 adopted by the Speaker to assure the confidentiality of any
15 classified information.



April 19, 1975

MEMORANDUM FOR: THE PRESIDENT

FROM: JACK MARSH

Attached is a summary of the action of the Senate Foreign Relations Committee on Friday.

You should be aware that an attempt is going to be made on the Senate Floor to substitute the House bill (Morgan/Broomfield), which is more favorable, for the Senate bill.

Under the Senate rules, an amendment for military aid would be in order, and Senator Tower plans to offer such an amendment.

Note also Kendall's reference to a proposed bill in the Senate Armed Services Committee for military aid (a copy attached).

cc: Don Rumsfeld
Brent Scowcroft



THE WHITE HOUSE

WASHINGTON

April 18, 1975

MEMORANDUM FOR: MAX L. FRIEDERSDORF

FROM: WILLIAM T. KENDALL *WK*

SUBJECT: Actions of the Senate Foreign Relations Committee taken today.

The Senate Foreign Relations Committee took three actions today:

1. They reported the bill entitled "Vietnam Contingency Act of 1975".
2. They reported a Sense of the Senate Resolution asking for negotiations to end hostilities, and
3. a Committee Resolution regarding American evacuation.

Copies of all three actions are attached. I am also attaching a statement on the situation in Vietnam by Senator Hugh Scott. In addition, I am attaching a clean bill which will hopefully be taken up by the Armed Services Committee for an additional \$75,000,000 for military aid.



IN THE SENATE OF THE UNITED STATES

Mr. PRELIMINARY WORKING DRAFT

introduced the following bill; which was read twice and referred to the Committee on

A BILL

To authorize the President to use the armed forces of the United States to protect citizens of the United States and their dependents and certain other persons being withdrawn from South Vietnam, and for other purposes.
(Insert title of bill here)

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled, That this*

Act may be cited as the "Vietnam Contingency Act of 1975."

Sec. 2. There is established a Vietnam contingency fund for the fiscal year 1975 in the amount of ~~\$200,000,000~~ ^{\$100,000,000}, and such sum is authorized to be appropriated, to be used ^{only} for humanitarian and withdrawal ^{purposes} programs in South Vietnam in accordance with the provisions of the Foreign Assistance Act of 1961, as amended, as the President determines is in the national interest with respect to dealing with the present emergency in South Vietnam. Such amount shall be available without regard to the provisions of sections 36 and 38 of the Foreign Assistance Act of 1974.

Sec. 3. (a) If the President determines that the use of United States Armed Forces is necessary to withdraw citizens of the United States and their dependents from South Vietnam, the President may, in accordance with the provisions of subsection (b), use such armed forces



essential to and directly connected with the protection of such United States citizens and their dependents while they are being withdrawn.

(b) If the President uses the United States Armed Forces for the purposes stated in subsection (a) of this section, he shall submit a report on the use of those forces ^{as required by} ~~in accordance with~~ section 4 (a) of the War Powers Resolution (including the certification required under subsection (c) of this section) and shall comply with all other provisions of that Resolution.

(c) In addition to the information required under section 4 (a) of the War Powers Resolution, the President shall also certify pursuant to subsection (b) of that section that --

- (1) there existed a direct and imminent threat to the lives of such citizens and their dependents; and
- (2) every effort was made to terminate the threat to such citizens and their dependents by the use of diplomatic and any other means available other than use of the armed forces; and
- (3) such citizens and their dependents are being evacuated as rapidly as possible.

Sec. 4. In carrying out the withdrawal of such United States citizens and their dependents from South Vietnam, the President is authorized to use the United States armed forces to assist in bringing out endangered foreign nationals if he determines and certifies in writing to the Congress pursuant to section 4 (b) of the War Powers Resolution that --

(a) every effort has been made to terminate the threat to such foreign nationals by the use of diplomatic and any other means available other than the use of the armed forces; and

(b) a direct and imminent threat exists to the lives of such foreign nationals; and



(b) the duration of the exposure of United States armed forces to hostilities will not thereby be extended; and

(c) the duration of the exposure of United States armed forces to hostilities will not thereby be extended; and

(e) such withdrawal will be confined to areas where United States forces are present for the purpose of protecting citizens of the United States and their dependents while they are being withdrawn.

Sec. 5. The authority contained in this Act is intended to constitute specific statutory authorization within the meaning of section 8 (a) of the War Powers Resolution but shall not be considered specific statutory authorization for purposes of section 5 (c) of the War Powers Resolution, *as provided by such section 5(c)*, and such forces shall be removed by the President if the Congress so directs by concurrent resolution.

Sec. 6. The provisions of section 3 (a) of this Act may be construed to be in derogation of the prohibitions contained in section 839 of Public Law 93-437, section 741 of Public Law 93-238, section 30 of Public Law 93-189, section 806 of Public Law 93-155, section 13 of Public Law 93-126, section 108 of Public Law 93-52, and section 307 of Public Law 93-50, only to the extent necessary to give effect to the provisions of section 3 (a).

Sec. 1. (added) S. 1360, as modified

S. 1380
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is traditional for the American people to be generous and compassionate in helping the victims of foreign conflicts and disasters. In keeping with that tradition it shall be the policy of the United States to provide hu-

manitarian assistance to help relieve the suffering of refugees and other needy people who are victims of the conflicts in South Vietnam and Cambodia. To insure that the assistance is provided to such persons throughout both countries and through channels acceptable to all parties, the assistance authorized by this Act is to be provided under the direction and control of the United Nations or under the auspices of voluntary relief agencies.

Sec. 2. (a) Notwithstanding any other provision of law, in addition to amounts otherwise available for assistance to South Vietnam and Cambodia, there are authorized to be appropriated to the President for the fiscal year 1975, to remain available until expended, \$200,000,000 for the purpose of providing humanitarian assistance to refugees and other needy people who are victims of the conflicts in South Vietnam and Cambodia.

(b) Funds made available under this section shall be furnished under the direction and control of the United Nations or its specialized agencies or under the auspices of such international agreements or voluntary relief agencies as the United Nations or any specialized agency thereof may approve.

REORDER



specific statutory authorization for purposes of section 5 (c) of
as provided by such section 5(c),
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President if the Congress so directs by concurrent resolution.

Sec. 6. The provisions of section 3 (a) of this Act may be
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and section 307 of Public Law 93-50, only to the extent necessary
to give effect to the provisions of section 3 (a).

Sec. 7. (added S. 1360, as modified)

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tims of the conflicts in South Vietnam and
Cambodia.

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tion shall be furnished under the direction
and control of the United Nations or its spe-
cialized agencies or under the auspices of
such international agreements or voluntary
relief agencies as the United Nations or any
specialized agency thereof may approve.

(c) Notwithstanding any other provision
of law, any amounts authorized under para-
graph (1) or (2) of section 2 (a) of the For-
eign Assistance Act of 1974 which have not
been obligated on the date of enactment of
this Act may be used to carry out the pro-
visions of this Act.

(2) Not less than 90 days after the date of
enactment of this Act and not later than the
end of each 90-day period thereafter, the
President shall transmit to the Speaker of
the House of Representatives and the Com-
mittee on Foreign Relations of the Senate
a report describing fully and completely—

- (1) the amount of each type of economic
assistance provided under this Act;
- (2) the expected recipients of such assist-
ance;
- (3) the names of all organizations and
agencies involved in the distribution of such
assistance; and
- (4) the means with which such distribu-
tion is carried out.

CRAPPER



IN THE SENATE OF THE UNITED STATES

April , 1975

Mr. SPARKMAN, from the Committee on Foreign Relations

reported the following resolution; which was

RESOLUTION

Expressing the sense of the Senate that the President should undertake immediate efforts to obtain a cessation of hostilities in Vietnam through negotiation.

(Insert title of resolution here)

Resolved, That it is the sense of the Senate that the President should (a) request all Vietnamese parties to reopen discussion towards the implementation of the Agreement on Ending the War and Restoring Peace in Vietnam; (b) undertake immediately efforts to encourage and support those elements in South Vietnam who are desirous of seeking a political settlement; (c) make known to all Vietnamese parties that the extent of present and future American assistance to all Vietnamese will depend on the degree of good faith efforts made by them to obtain a ceasefire and political solution to the conflict.

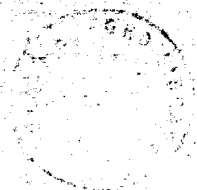
Sec. 2. It is further the sense of the Senate that the President should submit a report to the Senate within thirty days after the adoption of this resolution describing fully and completely the steps he has taken to carry out the purposes of this resolution.

Sec. 3. The Secretary of the Senate shall transmit a copy of this resolution to the President.

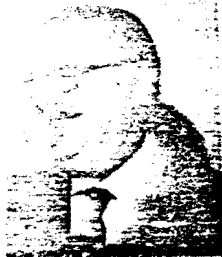


COMMITTEE RESOLUTION

It is the sense of the Committee that all American citizens and their dependents, other than the minimum number of official personnel necessary to maintain essential functions of the United States Mission, should be withdrawn from South Vietnam as rapidly as possible.



NEWS



From U.S. Senator HUGH SCOTT, Pennsylvania

WASHINGTON, D.C. 20540
(202) 224-6524

FOR IMMEDIATE RELEASE

4/13/75

Senate Republican Leader Hugh Scott issued the following statement today:

"The President may get only a modest compromise portion of the \$1 billion he has requested in Vietnam aid. As a member of the Senate Foreign Relations Committee, I strongly urge him to accept whatever sum may be approved in the interest of moving forward with the swift withdrawal of Americans and their dependents in Vietnam and humanitarian relief in that desperate country...

"I have never said that I supported the President's request for the full \$1 billion, and I reiterate my position now. I have said previously that "I am supporting whatever he (the President) can get." As to that, we will soon know.

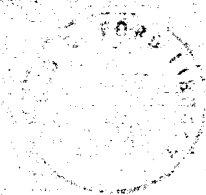
"I support entirely the consensus of the Foreign Relations Committee that the use of any U.S. forces which may be involved in the humanitarian and withdrawal efforts should be for that purpose and that purpose alone.

"I will reserve judgment on the limited and reduced level of military assistance funding I might support. However, I will fully support appropriate and reasonable restrictions which I expect would be imposed on the use of such funds, if funds are approved.

"I cannot and will not rubberstamp any funding request which would involve U. S. forces in military combat overseas in violation of the War Powers Act. I voted for that Act, and voted again to override a veto of that same Act, enabling it to become law. And, as a member of the United States Senate, I intend to uphold the provisions of that Act which restricts any president's use of our military forces abroad. I remain firmly committed to oppose any contravention of that law."

#

CONTACT: Patricia Agnew
202, 224-6524
301, 657-1978



COMMITTEE PRINT

APRIL 17, 1973

94TH CONGRESS
1ST SESSION

S.

IN THE SENATE OF THE UNITED STATES

APRIL , 1973


Mr. _____, from the Committee on Armed Services, reported the following bill; which was read twice and ordered to be placed on the calendar

A-B-I-L-L

To authorize additional military assistance for South Vietnam,
and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 That paragraph (1) of section 401 (a) and subsection (b)
- 4 of Public Law 89-367, approved March 15, 1966 (80 Stat.
- 5 37), as amended, are amended by striking out "\$1,000,000,-
- 6 000" each place it appears and inserting in lieu thereof
- 7 "\$1,075,000,000".

J. 50-894



THE WHITE HOUSE
WASHINGTON

*Pls
Out to
Chairman
for 4/23*

April 23, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX L. FRIEDERSDORF *M.L.*
SUBJECT: Vietnam Legislation

The Senate today approved by a vote of 75 - 17, a \$250 million authorization bill for evacuation/humanitarian aid to South Vietnam.

Attempts to restrict use of military force were defeated, as were amendments to further restrict authority to evacuate South Vietnamese.

After two days of debate, the House late today started from scratch again on amendments after the Chair sustained a point of order based on a motion that the bill contained appropriations in a legislative bill. Chairman Morgan indicated he planned to finish the bill tonight, and it appeared the House may work to midnight or later.

Prior to sustaining the point of order, action on key amendments were favorable to the Administration.



THE WHITE HOUSE
WASHINGTON

April 21, 1975

MEMORANDUM FOR THE PRESIDENT

FROM: MAX L. FRIEDERSDORF *M.L.F.*
SUBJECT: Status of Vietnam Legislation

The Senate today debated the \$200 million combination evacuation/humanitarian authorization bill and is expected to conclude consideration tomorrow. It is now expected that only technical amendments, rather than the full House bill, will be offered during Floor consideration.

Senator Tower is also expected to offer a \$200 million military assistance amendment.

The Senate Armed Services Committee failed to meet again today to reconsider your request for an additional \$422 million authorization.

In the House, the House Appropriations Committee today reported favorably a bill calling for \$165 million in military aid and \$165 million in economic aid. This legislation is expected to move to the Floor in the next day or two.

Also in the House today, the House Rules Committee granted a three hour open rule for consideration tomorrow of the House International Relations Committee bill authorizing \$150 million in evacuation/humanitarian assistance.

At this time, it is believed there is little hope of attaining approval on the Floor of either body for additional military aid. However, prospects seem good for the passage of some form of economic/evacuation/humanitarian aid.



*Showered
to TI*

In the Senate of the United States,

April 21, 1975.

Resolved, That it is the sense of the Senate that the President should (a) request all Vietnamese parties to reopen discussion toward the implementation of the Agreement on Ending the War and Restoring Peace in Vietnam; (b) undertake immediately to encourage and support those elements in South Vietnam who are desirous of seeking a political settlement; (c) make known to all Vietnamese parties that the extent of present and future American assistance to all Vietnamese will depend on the degree of good faith efforts made by them to obtain a cease-fire and political solution to the conflict.

SEC. 2. It is further the sense of the Senate that the President should submit a report to the Senate within thirty days after the adoption of this resolution describing fully and completely the steps he has taken to carry out the purposes of this resolution.

SEC. 3. The Secretary of the Senate shall transmit a copy of this resolution to the President.

Attest:



[Signature]

Secretary.



THE WHITE HOUSE
WASHINGTON

*Please
Send to
Cheney.
Jm*

April 23, 1975

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MEDIATE
PRECEDENCE

LINCLAS
CLASSIFICATION

FOR COMMCENTER USE ONLY

FROM: JERRY JONES
: DICK CHENEY

DEX CC6

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PAGES 1

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FO:

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RELEASED BY: BD

TOR: 231938 Z

SPECIAL INSTRUCTIONS:

WHITE HOUSE
SITUATION ROOM

75 APR 23 PM 7:43



APR 23 1975

THE WHITE HOUSE
WASHINGTON

M

April 23, 1975

MEMORANDUM FOR THE PRESIDENT

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THE WHITE HOUSE

WASHINGTON

April 24, 1975


MEMORANDUM FOR THE PRESIDENT

FROM: MAX L. FRIEDERSDORF

SUBJECT: Senate & House Bills on Viet Nam Aid
(S 1484 and HR 6096)

Senate

House

- | | |
|---|--|
| 1. \$100 M for FY 1975 for humanitarian aid withdrawal purposes from South Viet Nam as President determines in national interest. | 1. \$150 M for FY 1975 for humanitarian and evacuation assistance from South Viet Nam. |
| 2. \$150 M for humanitarian assistance to refugees in South Viet Nam and Cambodia. | 2. No comparable provision. |
| 3. All relief funds controlled and administered by U.N. or other international agency. | 3. No comparable provision. |
| 4. Report to Congress every 90 days on assistance. | 4. No comparable provision. |
| 5. Provision to use U.S. forces to evacuate certain citizens and dependents. | 5. May use U.S. forces if necessary to evacuate U.S. citizens. |
| 6. Provision with limitation on numbers duration, and areas authorizing President to evacuate foreign nationals upon his determination and certification to Congress. Waives other limitation in the law. | 6. Vietnamese eligible for immigration or those whose lives are threatened may be evacuated. |
| 7. Requires Presidential report to Congress or use of forces as required by Sec. 4 (a) of War Powers Resolution. | 7. No comparable provision. |
- 

8. Declares statutory authority given herein within meaning of War Power Sec. 8 (a). 8. Declaration that act does not abrogate War Powers Resolution.



MEMBER: Rep. Thomas E. Morgan

DATE: 4/29/75

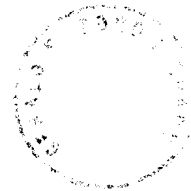
TIME: 10:10 a. m.

PLACE: Washington, D. C. in his office

CONTACT: Charles Leppert spoke personally with Mr. Morgan

COMMENTS: How many Marines have we got in there to get out?
Approximately 200 at the Embassy and the security forces are now being withdrawn from the airport so it's probably in the neighborhood of 300.
You mentioned a fighter being down at sea?
Yes, a fighter bomber is reported lost into the sea but we do not know if it is lost as a result of hostile action.

I cannot make that 11:30 meeting this morning because of the Burton-Holtzman privileged resolution up on the House floor. I can't leave and turn the floor over to those people. I'm asking the Speaker to call up the rule on the Conference Report on Humanitarian Aid before recognizing anybody on the privileged resolution. I understand this can be done. Your help would be appreciated.



THE WHITE HOUSE

WASHINGTON

April 29, 1975

MEMORANDUM FOR: THE PRESIDENT
FROM: JACK MARSH

As you are aware there is a question as to whether the War Powers Act applies in a rescue operation involving American citizens; however, to be on the safe side, we proceeded as though it does and consequently sought to comply with the Consultation Provision of the Act on the Saigon airlift.

These phone consultations began earlier this morning at about 12:30 a.m. shortly before the carrier lift off of the helicopters participating in the operation.

Leadership of the House and Senate and Jurisdictional Committees to include Appropriations were called by members of the White House Congressional Staff. There were a few cases where members could not be reached either because they were out of the City or their phone did not answer. Where a member could not be reached, a senior member of their staff was contacted, except in the case of three members in the Senate.

There is attached a summary of these early morning notifications.

Because the large number of Vietnamese evacuated exceeded initial plans and the advice given on the first notification to the Congressional leaders, a second consultation call was made at about 10:00 this morning to update these individuals. You are familiar with the message contained in the second conversation and a copy is attached.

It is important should the question occur as to why consultations or notifications did not occur earlier, for you to point out that in your public statements over the past several weeks, as well as statements by members of the Administration and your request for legislation for evacuation and the statements before Congressional Committees by witnesses clearly put the Congress on notice of the impending evacuation operation.

You might expect questions on the status and future of pending legislation related to this subject matter.



THE WHITE HOUSE

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MAY 1 1975

THE WHITE HOUSE
WASHINGTON

Date: 4-30-75

TO:

Jack Marsh

FROM: Max L. Friedersdorf

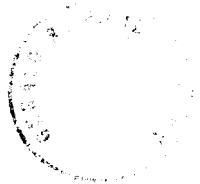
For Your Information ✓

Please Handle _____

Please See Me _____

Comments, Please _____

Other



THE WHITE HOUSE

WASHINGTON

April 29, 1975

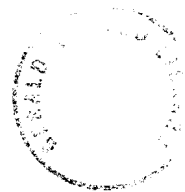
MEMORANDUM FOR: MAX L. FRIEDERSDORF
FROM: WILLIAM T. KENDALL *WTK*
SUBJECT: Notification of Senate Leadership
of the evacuation of Saigon

The attached log indicates the Senators reached by William Kendall, Pat O'Donnell, and Bob Wolhuis this day relative to the notification of the Leadership of the evacuation of Saigon.



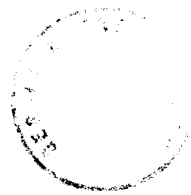
April 29, 1975

SENATOR	TIME	W. H. CALLER	COMMENT
Mansfield	12:30 a.m.	WK	Oh Lord -- Thanks for calling.
Scott	12:35 a.m.	WK	Expected it. Called for it yesterday
Thurmond	7:15 a.m.	WK	Approved. Asked questions about military situation near Saigon
Stennis	12:35 a.m.	RKW	Hope all goes well. Thanks
McClellan	12:30 a.m.	RKW	Good luck. Thank you.
Eastland	12:38 a.m.	RKW	Not available. Talked to Courtney Pace. Did not give notice, but tried to find whereabouts of Eastland.
Griffin	12:22 a.m.	POD	"Thank you-hope it works out."
Sparkman	12:30 a.m.	POD	"Thanks for letting me know; I'll be relieved when we get the last American out."
Case	12:35 a.m.	POD	"Thanks very much; I appreciate your letting me know."
Byrd	7:20 a.m.	WK	Glad we are doing it. Asked if Vietnamese were included.
Young	12:30 - 1:00 a.m.	POD	Not reachable



Second Notification
 Vietnam Evacuation (Saigon)
 Tuesday, Morning 4/29

SENATOR	TIME	W. H. CALLER	COMMENT
Griffin	10:15 a.m.	POD	"Thank you -- I'll look forward to details at the 11:30 Bipartisan Leadership meeting."
Robert Byrd	10:24 a.m.	POD	"Thank you; how many VN went out last night and this morning?"
Sparkman	10:20 a.m.	POD	"Thank you for letting me know. I'll have to leave the 11:30 meeting early--am hosting luncheon for King Hussain."
Young	10:22	POD	Senator on plane back to D. C. from Minneapolis. Gave statement to Gordon West who will meet at airport and drive him to 11:30 Bipartisan Leadership Meeting.
Case	10:18	POD	Francis Henderson, A.A. advises that Bill Kendall has already called with the information
Mansfield	10:15	WK	Thanked WK. No comment. Looking forward to 11:30 meeting.
Scott	10:44	WK	Took information. No comment General approval of the way things were going so far.
Thurmond	10:30	WK	No comment. Asked if South Vietnamese Air Force could get heavy equipment out.



Case	10:35	WK	Not available. Gave information to AA (Frances Henderson) who said it would be transmitted to Senator Case as soon as he arrived.
McClellan	10:05	RKW	Just want to make sure all Americans get out
Stennis	10:00	RKW	No comment
Eastland	10:08	RKW	This means they will occupy Saigon. Tragic.
Humphrey (at request of Sec. Kissinger)	10:45	WK	He thanked for a very complete briefing. Appreciated Secretary's thoughtfulness.



F- April 10, 6,000 Americans in Vietnam
K- 89 left; 700 at Embassy; evacuated
1,237 from Embassy; 3,941 from
DAO ~~at~~ compound at FIB Base;
no casualties; remove all American
in next hour; 45,000 S. Viets
evacuated.

S- Picked up 3-9 m worth of equipment -
evac. started at 3 a.m.; mixed loads;
Choppers flying for 10 hours;

P- 1:30 a.m. - all American ordered out by Pres.
Munk;

Anderson - Confusion Report?

