16

~~SECRET~~

COPY NO._____

JCS 2366/92

DISTRIBUTION D

19 May 1975

NOTE TO THE JOINT CHIEFS OF STAFF

on

THE RESCUE OF THE "SS MAYAGUEZ" AND ITS CREW (U)

1. (U) The attached memorandum by the President for the Secretary of Defense, 18 May 1975, subject as above, is referred to J-3 for the actions required by the second paratraph as a matter of urgency.

2. (U) Note the suspense dates of 1200, 20 May 1975, and 1700, 23 May 1975.

Joint Secretariat

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Classified by The President
EXEMPT FROM GENERAL DECLASSIFICATION SCHEDULE OF EXECUTIVE ORDER 11652
EXEMPTION CATEGORY (3)

DECLASSIFY ON Notification of Originator

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(10)

2366/312 (19 May 75)

THE WHITE HOUSE

WASHINGTON

~~SECRET/XGDS~~

May 18, 1975

MEMORANDUM FOR

THE SECRETARY OF DEFENSE

SUBJECT: The Rescue of the SS Mayaguez and its Crew

In the aftermath of the operation to rescue the SS Mayaguez and its crew, I consider it essential that we evaluate, as a means of insuring the most effective possible performance in future crises, the manner in which this operation was planned and conducted.

In order to facilitate this evaluation, I would like to receive, on a priority basis, the following:

(a) A detailed and comprehensive chronological exposition of events and activities from the time of the seizure of the SS Mayaguez through the completion of the evacuation of Marines from Koh Tang Island, focussed on the activities of your Department.

(b) A copy of each order, verbal or written, which was issued directing military plans and operations, from the time of the basic planning decisions made at the National Security Council meeting at 10:30 p.m. on May 13 through the evacuation from Koh Tang Island. Included should be all orders from you to the Chairman, Joint Chiefs of Staff, from the Joint Chiefs of Staff to the Commander, Pacific Command, and from that Commander to subordinate commanders in the field.

(c) Any observations or suggestions which you consider would contribute to improvement in the ability of the National Security Council machinery to deal effectively with crisis situations.

~~SECRET/XGDS~~

This evaluation should be conducted on a very close hold basis. The material in (b) above should be submitted by noon, Tuesday, May 20, and the remainder by close of business Friday, May 23. I have requested similar submissions from the Secretary of State, the Director of Central Intelligence, and the Assistant to the President for National Security Affairs.

Gerald R. Ford

18

28 May 1975

COPY NO. _____

DISTRIBUTION D

NOTE TO THE HOLDERS OF JCS 2366/92

on

THE RESCUE OF THE "SS MAYAGUEZ" AND ITS CREW (U)

Action on JCS 2366/92 has been completed by the Office of the Chairman, Joint Chiefs of Staff.

Joint Secretariat

* NOTE — SEE CM-426-75

INTERNAL STAFF PAPER
RELEASE COVERED BY JCS MOP NO. 39

1st N/H of JCS 2366/92

MTP

~~SECRET~~ when with attachments (B-4) 4-75

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

COMPTROLLER

October 14, 1976

(Audit)

MEMORANDUM FOR ASSISTANT SECRETARY OF DEFENSE (ISA)

SUBJECT: GAO ~~Letter~~/Final Report, dated May 11, 1976, "The Seizure of the Mayaguez--A Case Study of Crisis Management" (OSD Case #4218-A)

Pursuant to DoD Directive 7650.2, it is requested that arrangements be made for review and evaluation of the subject report.

Since the GAO makes no recommendations in this report, normally a simple letter of acknowledgement would be prepared. However, if this report contains misstatement of fact or unsupported conclusions without appropriate qualifying language, or does not reflect adequately the comments of the Department, a detailed reply would be justified.

If only a simple letter of acknowledgement of receipt of the GAO report is considered appropriate, it is requested that (1) it be prepared and sent to GAO without prior referral to this office, and (2) eleven copies of the signed, dated letter to GAO be provided to this office within two weeks. (October 28, 1976).

If a simple acknowledgement letter is not considered to be appropriate, please provide this office -- Assistant for Audit Report, OASD(Comptroller), Room 3A 336, The Pentagon (Attn: Mr. Norwood), for OSD review and approval prior to dispatch, with (1) six copies of the proposed reply to GAO and (2) six copies of your transmittal memorandum to this office on or before November 23, 1976.

In the event that it is not possible to propose a complete response, this office should be advised immediately by telephone, extension 74238, and provided with a proposed partial reply no later than the above date.

Jack R. Norwood
for Clifford A. Falkenau
Assistant for Audit Reports

Enclosure

cc: SecArmy
SecNavy
SecAir Force
ASD(I)
ASD(LA)
ASD(PA)
SpecAsst to SD/DSD
Dir., JS
DTACCS
Dir, DIA
Dir, DSAA
AGC(FM)
DASD(P/B)
AAO

~~SECRET~~ when with attachments

AMERICAN REVOLUTION BICENTENNIAL 1776-1976

(3)

~~Top Secret~~ 2250

OFFICE OF THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

14

7 August 1975

NOTE FOR THE CHAIRMAN, JOINT CHIEFS OF STAFF

Reference your discussion with the Secretary on 6 August about whether we had fulfilled all of the reporting requirements on the after action evaluation of the Mayaguez. Attached are copies of the relevant documents. I believe that all requirements have been fulfilled. So does Scowcroft. I have so informed the Secretary.

(W)

Attachments

JOHN A. WICKHAM, JR.
Major General, USA
Military Assistant

UPON REMOVAL OF ATTACHMENTS THIS DOCUMENT BECOMES UNCLASSIFIED

~~TOP SECRET~~

SEC DEF CONTR No. X-2270

[redacted]

(3)

[redacted]

THE SECRETARY OF DEFENSE
WASHINGTON, D. C. 20301

27 MAY 1975

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Rescue of the SS Mayaguez and its Crew

In your memorandum of May 18 you asked for material on which to base an evaluation of the rescue of the SS Mayaguez and its crew. In our discussion on May 20 I provided copies of responses on two of the three categories of information which you requested. In order to provide you a complete report, I am enclosing with this memorandum copies of responses to all three categories of information requested.

Enclosures
I - After Action Report -- Chronological Listing of Events and Activities
II - Compilation of Verbal and Written Instructions
III - Observations on the Decision Process

UPON REMOVAL OF ATTACHMENTS THIS DOCUMENT BECOMES UNCLASSIFIED

[redacted] SECRET

SEC DEF CONTR No. X- 1541

[redacted]

OFFICE OF THE SECRETARY OF DEFENSE

19 May

Memo For ASD L/I-S A

With regard to the attached memo it is requested that you take para (c) for action in coordination with JCS who have action on the remaining paras.

(LV)

Cy: Gen Pauly, OCJCS

See Def Cont Nr. X-1456

ASSISTANT SECRETARY OF DEFENSE
WASHINGTON, D.C. 20301

INTERNATIONAL
SECURITY AFFAIRS

In reply refer to:
I-20600/76

16 Mar 1976

Mr. J. Kenneth Fasick
Director, International Division
US General Accounting Office
Washington, DC 20548

Dear Mr. Fasick:

The GAO draft report of 2 February 1976, "The Seizure of the Mayaguez--A Case Study of Crisis Management" (OSD Case #4218-A), has been reviewed by the Department of Defense.

Comments on the major findings and recommendations of the report affecting the Department of Defense are contained in the attachment. The Department of Defense has worked with the Department of State on the comments and general agreement has been reached.

The Department of Defense interposes no objection to the declassification of this document. However, the Department defers to the judgement of other agencies concerning the classification of material under their purview.

In accordance with DoD Directive 5200.1, you are authorized to distribute the final report to appropriate Congressional Committees, individual members of Congress, and executive agencies.

It is requested that this reply be published in the Appendix to the final report.

Sincerely,

Harry E. Bergold

HARRY E. BERGOLD
ACTING ASSISTANT SECRETARY

Attachment

S&D 3/24/76 Hqs/Gen/27

1 cy Dir Joint Staff

(6)

partment of Defense Comments t. .he
GAO Draft Report, "The Seizure of the Mayaquez --
A Case Study of Crisis Management"

There are a few areas in the report which contain speculative conclusions on the part of the GAO which are based upon a too-rigid interpretation of the facts. For example, throughout, the GAO report appears to blithely assume that the Cambodians' failure to attempt certain actions proves that preemptive measures by US Forces were unnecessary. Similiarly, a number of conclusions were based on an extensive after-the-fact analysis which was not available to decision-makers during the short period of the crisis. The Department of Defense believes that some general comments are appropriate, in order to put these events and conclusions into better perspective and to make the report more accurate and helpful. There are four substantive areas which deserve attention and general comments.

First, the report insists that the whereabouts of the crew could and should have been more accurately ascertained. This criticism must be viewed in the context of the crisis. The implication that the US intelligence community can or should be able to reach into every remote corner of the world on a moment's notice, ignores the physical and fiscal facts of life. The information desired here was not general but very detailed and concerned specific people who were being moved almost constantly. Air observation and photographs may be helpful in such a case but certainly offer no guarantee to provide this type of data. The time to conduct extensive examination of photography and detailed debriefings of aircrews, as was conducted by the GAO, was simply not available to decision-makers. It must be recalled that approximately 16 hours elapsed from planning to execution of the Koh Tang operation. Actually the US was aware that some of the crew had probably reached the mainland. To ask for more, stretches credibility. Moreover, even the GAO post-action analysis does not indicate that definitive knowledge regarding the location of the crew was among the available data. Also, there is no evidence that an additional wait would have further clarified the situation. It remains for us to insist that the assessments made were as good as could be expected in the light of information then available and the other considerations which constrained planners and decision-makers.

Second, the report charges that the timing of the operation was unnecessarily hurried, requiring commanders to act with inadequate force and intelligence. Again this criticism must be viewed in the context of the time and the events. The United States was attempting to secure the release of the Mayaguez crew before anything happened to them or they were transferred to the less accessible interior of the mainland.

From a military standpoint, it is a well known and proven principle that to move first and earliest yields a commander great advantage over an opponent by denying him the time or the opportunity to improve his position. In this case moving rapidly to cordon off the island and to attack the local garrison was not unreasonable. In fact, the crew was not on Koh Tang. This does not discredit the timing or the tactics used as much as it illustrates again the uncertainties which plague military operations and intelligence gathering (discussed above). Certainly, delay would have made it possible

to bring more force to bear but this decision would have given the Cambodians more time to act. As with all military operations, it was necessary to balance competing and incompatible demands and in the context of the crisis surprise was gauged to be more important than overwhelming force. Therefore, we believe that the tactical judgments that were made, based on information available at the time, were both reasonable and justified from a military point of view.

Third, the report challenges the underlying purposes for attacking mainland targets. The intent of the mainland airstrikes was to deny Cambodia the capability to interfere either by sea or by air. The fact that in retrospect the specific bombing strikes had little influence on the Cambodians' decision to release the Mayaguez crew is not disputed. However, the presence of US combat aircraft on the scene prior to the airstrikes and before the release of the Mayaguez crew as indicated in Captain Miller's testimony, did weigh heavily in the Cambodian decision. Additionally, the fact that the Cambodians did not reinforce or interfere with our operation on Koh Tang from the mainland cannot be disputed. This lack of reinforcement or interference can be attributed, in part at least, to the successful mainland airstrikes. The facilities were approved military targets and, in light of the information at the time, were appropriate, based on the limited objectives for which the airstrikes were designed.

Fourth, the report states that available intelligence on Cambodian opposition on Koh Tang was not fully coordinated and was not made available to the assault force commander. This criticism is only partially true. The Defense Intelligence Agency (DIA) and Intelligence Center Pacific (IPAC) did agree on the nature of the probable opposition, and in retrospect their force estimates appear to be quite accurate. Although these estimates were given wide distribution, by an unusual set of circumstances they did not reach the ground assault commander. The Commander in Chief, Pacific (CINCPAC) has subsequently established a feedback system which is designed to ensure acknowledgement of critical intelligence by all commands directly concerned in an operation of this sort. It should be recognized that time and geographical distances were both critical factors in the operation which inhibited extensive cross-checking and feedback.

In addition to these general comments, the following specific observations are deemed appropriate.

1. Page iii, lines 10-15:

GAO Statement: A significant time elapsed before reconnaissance aircraft were launched to locate the Mayaguez GAO recommends that the Secretary of Defense review procedures and safeguards to insure prompt launching of reconnaissance aircraft.

DoD Comment: In his testimony before the House Subcommittee on International Political and Military Affairs, Deputy Secretary of Defense William P. Clements acknowledged that the process of initiating reconnaissance can be improved upon. At the same time, Secretary Clements reminded the members of the subcommittee of the many restraints placed on US forces prior to the collapse of both Cambodia and South Vietnam and stressed the inhibiting effect of those prohibitions upon some commanders, causing them to be extremely cautious about initiating actions in that part of the world other than under normal circumstances.

2. Page iii, lines 16-17:

GAO Statement: All available information relating to the possible location of the crew did not reach decision-makers.

DoD Statement: The information passed to decision-makers was not inaccurate or intentionally altered. It was passed as received, together with the uncertainties of identification and location in a fast moving tactical situation. Undoubtedly, in transmission, some details were either omitted or inadvertently altered. This is inevitable. Interestingly enough, even post-action reconstruction, as indicated in the report, was vague, which suggests the difficulties associated with eyewitnesses reporting. Moreover, it is not clear that the reporting to Washington of every single detail witnessed on the scene would have altered the decision-makers' assessment of the situation or final decisions.

3. Page iii, lines 19-24:

GAO Statement: Marine assault forces planned and carried out the assault on Koh Tang with inaccurate estimates of Cambodian strength on that island. GAO was unable to determine why the available, more accurate estimates of DIA or IPAC did not reach the Task Group and assault force commanders.

DoD Comment: Intelligence estimates on the enemy strength on Koh Tang by DIA and IPAC were accurate and given wide distribution but did not reach the ground assault commander. CINCPAC has subsequently established an improved feedback system which should now ensure acknowledgement of critical intelligence by commanders directly concerned. (See general comments above.)

4. Page iv, lines 4-9:

GAO Statement: Were all US military actions necessary in securing the release of the crew? In retrospect, the final marine assault and the bombing of the Cambodian mainland did not influence the Cambodians' decision to release the crew.

DoD Comment: The marine assault on Koh Tang was deemed necessary in view of the assessment that some members of the Mayaguez crew were being held on the island. Given the information available at the time, the decision to assault Koh Tang was reasonable and logical. (See general comments above.) The mainland airstrikes were intended to deny the Cambodian military the capability to interfere either by sea or air. Clearly the

Cambodians had the capability to do so. Their military intentions were not clearly known. The fact that US operations on Koh Tang were completed without interference or reinforcement from the Cambodian mainland can be attributed in part to the successful mainland strikes.

5. Page v, lines 4-7:

GAO Statement: Why was a 15,000 lb. bomb -- the largest non-nuclear weapon in the US arsenal -- dropped on Koh Tang? The bomb was dropped without the specific request of the Task Group and assault force commanders.

DoD Comment: The BLU-82 was expended in the southern end of Koh Tang. The enemy was observed shifting troops from one area to another and it was surmised that the purpose might be to bring overwhelming force to bear on the small group of Marines isolated from the main body. After the weapon was expended, no additional enemy troops were observed moving their positions. The weapon was expended under the control of the forward air controller who was aware of the tactical situation on Koh Tang.

6. Page 2, lines 21-23:

GAO Statement: Our review was hampered by an inability to get access to certain executive branch records and by extensive delays in getting access to other records and to personnel.

DoD Comment: DoD responded to GAO requests in a timely fashion in all instances where data requested fell under the sole purview of the DoD.

7. Pages 24, 56, 99, 112; various lines:

GAO Statement: Throughout the report there is mention of "75 USAF Security Police from Nakhon Phanom, Thailand."

DoD Comment: The 13th ADVON was tasked by USSAG to assemble 125 USAF Security Police from within Thailand at U-Tapao Air Base. The breakdown by location was 50 from Nakhon Phanom, 25 from Udorn, 25 from Korat and 25 from U-Tapao.

8. Page 25, lines 20-23:

GAO Statement: The question arises as to why almost 5 hours elapsed before this elementary action was undertaken.

DoD Comment: See specific comment 1, above.

9. Page 27, line 18:

GAO Statement: We recommend that the Secretary of Defense review procedures and safeguards to insure prompt launching of aircraft for reconnaissance when similar future needs arise.

DoD Comment: DoD acknowledges a two-fold responsibility in instances similar to the Mayaguez which may arise in the future. The first requirement is to be able to quickly verify the facts of a distress call. The second requirement involves the launching of reconnaissance aircraft within the limitation of US military assets available. Within the limitations of available assets, DoD will respond to reconnaissance requirements. It must be emphasized, however, that these assets are not inexhaustible and occasions may arise where the demand exceeds the immediate availability for such aircraft. Likewise, it should be recognized that there are vast areas of the world not within the normal range of US military reconnaissance forces.

10. Page 36, lines 23-25:

GAO Statement: In retrospect, the information collected by pilots under difficult circumstances appears to have been accurate but incompletely or incorrectly passed to decision-makers.

DoD Comment: The allegation that the detailed observations of the pilots attempting to identify those individuals on the fishing boat never reached Washington is incorrect. This information was passed over the secure conference line to Washington through Hawaii in a timely fashion. The only information that can be pinpointed as not having been passed to Washington concerned the fact that the individuals wore brightly colored clothing. In any event, considering the facts at hand, it was recognized by all concerned that it was not possible to make a positive identification as to whether these individuals were in fact Caucasians. It was only established that they could be Caucasians. Moreover, no reliable information was available as to how many Caucasians had been transferred. Lacking this, it was impossible to conclude that some of the crew was not on Koh Tang. Again, the substance of the situation was accurately conveyed to Washington and there is no evidence that further inconclusive details would have altered the fundamental assessment or the final decisions.

11. Page 37, lines 3-7:

GAO Statement: Despite the availability of various assets and the apparent uncertainty concerning the location of the Mayaguez crew, little attempt appears to have been made to verify reports or obtain additional information through the use of photography or other means.

DoD Comment: Throughout the entire operation, every reasonable effort was made to verify reports and to secure the maximum amount of information through photography and other means on all aspects of the incident. Statements made by the GAO concerning the discovery of a fishing vessel with approximately 29 persons on deck near Kompong Som harbor do not explore some relevant considerations:

-- The GAO had the benefit of photos of the fishing vessel taken when the Mayaguez crew was recovered, photos which were not available when the reconnaissance film was being reviewed.

-- The GAO was not under the same time constraint that commanders and photo interpreters were in reviewing the reconnaissance film. The GAO spent many days reviewing debriefings of the Mayaguez crew as well as other documents and testimony which assisted in pinpointing areas of search and reconciling discrepancies in accounts. Military commanders and analysts do not have that luxury in a crisis.

12. Pages 45-46, lines 22-25, 1:

GAO Statement: Given the inability of jet aircraft pilots to positively identify the occupants on the deck of the fishing vessel, a slower aircraft flying at reasonably low altitudes might have been able to obtain better intelligence -- both visual and photographic.

DoD Comment: The fact that the fishing vessel was not firing at the fixed wing jets gave no assurance that hostile fire would not be directed against a slower, lower flying aircraft such as a P-3. It should be pointed out that a P-3 aircraft was fired upon and hit on 12 May while performing low altitude reconnaissance for a similar surface vessel.

13. Page 48, lines 19-22:

GAO Statement: Using the helicopter to obtain more positive identification of the suspected Caucasians was not considered, in part because the helicopter was not believed to have been in the vicinity at that time. Defense has stressed the risks involved in using a helicopter in this manner.

DoD Comment: The suggestion that helicopters should have been used for reconnaissance near Kompong Som with jet fighter escorts ignores the fact that search and rescue helicopters were being used for search and rescue and armed helicopters were not availabe. Even when armed, the advisability of using slow flying and vulnerable helicopters to recon armed enemy vessels is a highly questionable tactic.

14. Page 55, lines 10-11:

GAO Statement: The Holt was accompanied by the USS Vega, a refrigerator cargo ship.

DoD Comment: Both the USS Holt and the USS Vega were in an operating area off Subic when they were directed to the Koh Tang area. Because of the differences their speeds, the units did not accompany each other. The Vega followed in trail of Holt and was approximately 75 miles astern during the transit.

15. Page 57:

GAO report provides a chart depicting approximate locations of US forces on 12 May 1975.

DoD Comment: Disposition of forces as depicted does not reflect actual positions on 12 May 1975. The chart should be titled with date and time of presentation of force disposition, 12 May 1975. This would reflect that (1) USS Okinawa was east of Taiwan, approximately 150 miles, (2) USS Holt was southwest of Manila, approximately 150 miles, (3) USS Wilson was inport Kaohsiung, Taiwan, (4) USS Hancock was inport Subic Bay and (5) USS Coral Sea and escorts were on the Indian Ocean side of Lombok Strait.

16. Page 60, lines 23-26:

GAO Statement: These photos revealed the existence of a possible anti-aircraft site near the eastern landing zone (C, illustration on page 68). The commander of the Marine Task Group requested that it be destroyed prior to the insertion of the assault force. However, it was not destroyed prior to the assault.

DoD Comment: We are unable to verify either in Washington or in Hawaii any request from the Marine Task Group Commander to destroy a possible anti-aircraft site. Any such request, however, would have been weighed against the potential risk pre-assault strikes would have had for the Mayaguez crew believed to have been held on the island.

17. Page 61, lines 22-25:

GAO Statement: The Marines recommended a simultaneous landing on the Mayaguez and Koh Tang. CINCPAC directed that Marines be put aboard the Holt and the Holt be brought alongside the Mayaguez. As a result, the landings on the ship and the island were not simultaneous.

DoD Comment: CINCPAC directed that the Marines be put aboard the USS Holt and that the USS Holt be brought alongside the Mayaguez because it was unknown if any Cambodians were on the Mayaguez. It was simpler, with fewer risks, to board the Mayaguez from the USS Holt than from helicopters.

18. Page 73, line 13:

GAO Statement: An Amphibious Ready Group, a configuration of ships primarily designed to support a Marine amphibious assault, was scheduled to set sail for the area of the seizure at 6:00 a.m., 15 May.

DoD Comment: The above statement provides only part of the information regarding the use of the Amphibious Ready Group. Recommend the statement be modified to read as follows: "An Amphibious Ready Group, a configuration of ships primarily designed to support a Marine amphibious assault, was scheduled to sail from Subic Bay for the area of operations at 6:00 a.m., 15 May, but utilizing a 20 knot speed of approach, would not have reached the Koh Tang area until 12:30 p.m., 17 May."

19. Page 80, lines 7-10:

GAO Statement: Thirteen of those killed were aboard one of the helicopters shot down (1 Air Force, 2 Navy, 10 Marines). One Marine was killed on Koh Tang and three were reported missing on the island.

DoD Comment: The above statement describes only 14 KIAs. An additional sentence should be added between the first and second sentences: "A USAF sergeant drowned when his helicopter was also shot down off Koh Tang."

20. Page 85, lines 12-15:

GAO Statement: At the same time all available means were not used to obtain better evidence on the location of the crew while plans were being developed to assault Koh Tang Island.

DoD Comment: Given the limited availability of resources, with the inherent limitations of each, the rapid tactical situation, the uncertainties existing at the time, and the limited information on Cambodian intentions, it is difficult to see what more could have been done under the circumstances. (See general comments.)

21. Page 109, lines 17-19:

GAO Statement: A mariner's warning to US shipping to avoid the area where the Mayaguez was seized was broadcast by the US hydrographic system.

DoD Comment: The mariner's warning was disseminated through the Defense Mapping Agency Hydrographic Center.

22. Page 114, lines 27-29:

GAO Statement: Nineteen were Air Force security police being transported from northern Thailand to U-Tapao.

DoD Comment: Recommend the statement be changed to read: "Eighteen security policemen were killed on the helicopter." This tracks with facts stated throughout the report.

TOP SECRET

THE SECRETARY OF DEFENSE
WASHINGTON, D C. 20301

MEMORANDUM FOR THE PRESIDENT

Subject: Seizure of U.S. Merchant Ship MAYAGUEZ

Early on the morning of 12 May (Washington Time), the U.S. merchant ship MAYAGUEZ was seized in the Gulf of Thailand in international waters by a Cambodian boarding party. The MAYAGUEZ has a U.S. crew, and her cargo consists of general commercial cargo destined for Singapore and military exchange store and other general supplies for Sattahip, Thailand. The ship is a container carrier owned by Sea Land Corporation, and was en route Hong Kong to Sattahip. Although initially unconfirmed reports had the ship headed for the port of Kompong Som, P-3 reconnaissance at 122116 EDT revealed the MAYAGUEZ was dead-in-the-water in-company with two Cambodian gunboats near Poulo Wai Island. The ship then started to move towards port; however, more recent reports confirmed that the ship appeared to be dead-in-the-water 25 miles off Kompong Som in the vicinity of Kas Tang Island.

In order to provide a capability for U.S. military response to counter this belligerent act, certain actions have been taken to increase the readiness of selected combatant units. Aerial reconnaissance has been underway since the incident and now that positive identification of the MAYAGUEZ has been made continuous fighter surveillance will be maintained. CORAL SEA and its accompanying escorts have been ordered to proceed to the area and their arrival time is estimated

TOP SECRET

to be about 0300 EDT on 15 May. Aircraft could be launched for missions up to 17 hours earlier. A destroyer escort, the USS HOLT, directed to proceed from the Subic Bay area, will arrive about 0530 EDT on 14 May. Orders have also been issued to prepare the carrier USS HANCOCK to sail from Subic Bay and CINCPAC was directed to constitute a Marine Amphibious Ready Group at Subic Bay as soon as possible. Initial elements will be ready to sail by noon Tuesday Washington time. A Marine BLT has been alerted for movement to Utapao and could be in Utapao by first light 14 May.

Based on the available forces, several military courses of action also have been developed to give a range of options for your consideration. These options are presented in the first attachment.

As long as the MAYAGUEZ remains outside the harbors of Kompong Som or Ream, our primary option should be to recover the ship and crew by eliminating unfriendly escorts and boarding her when the USS HOLT arrives in the area about ~~0800~~ 0530 EDT on 14 May. An additional option is now being planned to put forces aboard the MAYAGUEZ by helicopters from Thailand, using tactical aircraft for suppressive fire as necessary and riot control agents (RCA) to minimize casualties. Should this option not be feasible or acceptable it will be necessary to wait until the USS HOLT arrives on the scene. There are indications that the crew may have been moved to Kas Tang. In this event, a BLT size helo landing of Marines on Kas Tang could be made.

If the ship is moved into Kompong Som harbor, recovery of the MAYAGUEZ and crew from the principal Cambodian port of Kompong Som could require up to an amphibious task force with 5,000 Marine combat troops supported by a carrier task group. Enemy oppostion in the vicinity is estimated to be approximately 1,500-2,000 Khmer combat troops. The operation could begin in about 5 1/2 days. A blockade of the Cambodian coast, another option, could begin initially with arrival of the USS HOLT in about 24 hours. This option could be exercised separately or in conjunction with mining of the port of Kompong Som and Ream. Mines could be air delivered. The mines could be set for self-destruct at various time intervals with the earliest period ranging from 10 to 17 days and longest up to 180 days.

A further option is seizure or sinking of Cambodian naval and merchant craft. Cambodian naval combatants consist of only some 21 small patrol craft, like those used against the MAYAGUEZ, and the merchant ships number only 3 or 4 small coasters. Again, however, this option could commence with the arrival of the USS HOLT.

The last option discussed, like that immediately above, is a retaliatory one but involves the island of Poulo Wai near where our ship was seized. This island and the Hon Panjang Islands 60 miles to the southeast are especially important to the Cambodians for potential oil exploration, and sensitive because the Vietnamese claims to both areas. A communications

intercept on 8 May revealed Khmer communist intent to take the Hon Panjang Islands and interest in Poulo Wai: "Concerning the island which we were to go take control of, we have not yet gone and taken them because we have not (garbled) Koh Ponlo Wai and another 100 kilometers southeast of Koh Poulo Wai. Therefore, as long as the situation is favorable, we must go seize it before they do because that island has petroleum on it. The organization has decided that we should go seize that island but do it quickly or else they will get there before we do." Other intercepts confirm intense Khmer interest in these islands and a desire to seize control before the Vietnamese do so. The proximity of the MAYAGUEZ to Poulo Wai could well have been the reason for its seizure.

For military action against Poulo Wai Island, there appear to be adequate forces at Subic Bay to isolate the island by surface combatants or secure the island with a relatively small Marine force. It has been reported that about 60 GKR marines were stationed on the island but number of personnel and their current orientation are unkncwn. There are some defenses on the island. Exact timing and force sizing will depend upon reconnaissance of the area which has been conducted and detailed reports are expected shortly. The distance from the mainland would make it easily defendable against any Cambodian attempt to dislodge our forces. The Hon Panjang Islands would be left to exploitation by Vietnamese to increase pressure on the Khmer to negotiate on

terms favorable to the U.S. The USS HOLT and USS VEGA could be used to interdict Cambodian efforts to send forces to the Hon Panjang Islands until the arrival of the CORAL SEA and ships from Subic.

Should any of the military options be selected for execution it is recommended that consultations with the Congress be initiated promptly to inform them of the planned course of action and to enlist support. Without such support any military action could be terminated by the Congress under the provisions of the War Powers Act. Moreover, any unilateral action which generates too much congressional and public antipathy could create the notion that we as a government are unable to act forcefully to protect our interests.

Description of Poulo Wai Island

Poluo Wai Island is located approximately 55 miles southwest of Kompong Som, Cambodia. Island consists of 2 wooden islets separated by a channel about 3/4 mile wide. Depth of channel approximately 40 ft. The west island is 299 ft high at its southeast end. The east island is 200 ft high and is rock fringed.

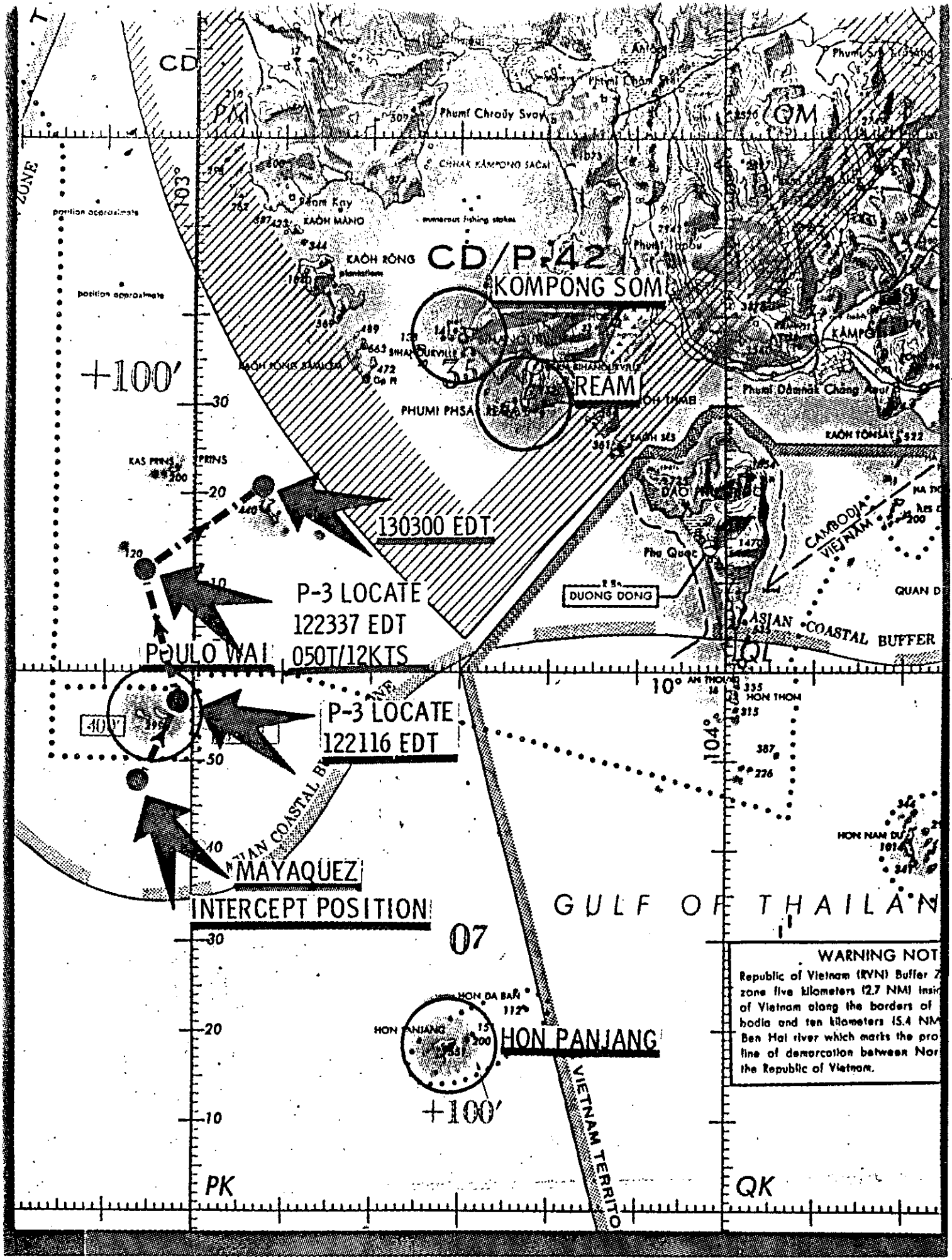
Info - naval infantry company (GKR) of about 100 men reported on island as of mid April. Current numbers and whether friendly of not unknown.

Description of Hon Panjang Island
(Poulo Panjang)

Hon Panjang island is located approximately 100 miles south of Kompong Som, Cambodia. The island's dimensions are about 2 1/2 miles long and 1 mile wide. It is flat topped approximately 548 feet high. A cove on the west side affords a good anchorage in depths of over 30 feet. Reportedly some ARVN on island as of mid April.

Description of Kas Tang Island

Kas Tang Island is a small island located approximately 25 miles southeast of Cambodia. It is 440 ft high at its north end, is wooded, inhabited, and rock fringed.


CD/P-42
KOMPONG SOM
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130300 EDT
P-3 LOCATE
122337 EDT
050T/12KTS
PULO WAI
P-3 LOCATE
122116 EDT
MAYAQUEZ
INTERCEPT POSITION
07
HON PANJANG
+100'
+100'
DUONG DONG
Phu Quoc
CAMBODIA
VIETNAM
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GULF OF THAILAND
VIETNAM TERRITO
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Republic of Vietnam (RVN) Buffer Z
zone five kilometers (2.7 NM) insid
of Vietnam along the borders of
bodia and ten kilometers (5.4 NM
Ben Hai river which marks the pro
line of demarcation between Nor
the Republic of Vietnam.
PK
QK
QL
QM
PM
CD

~~TOP SECRET~~

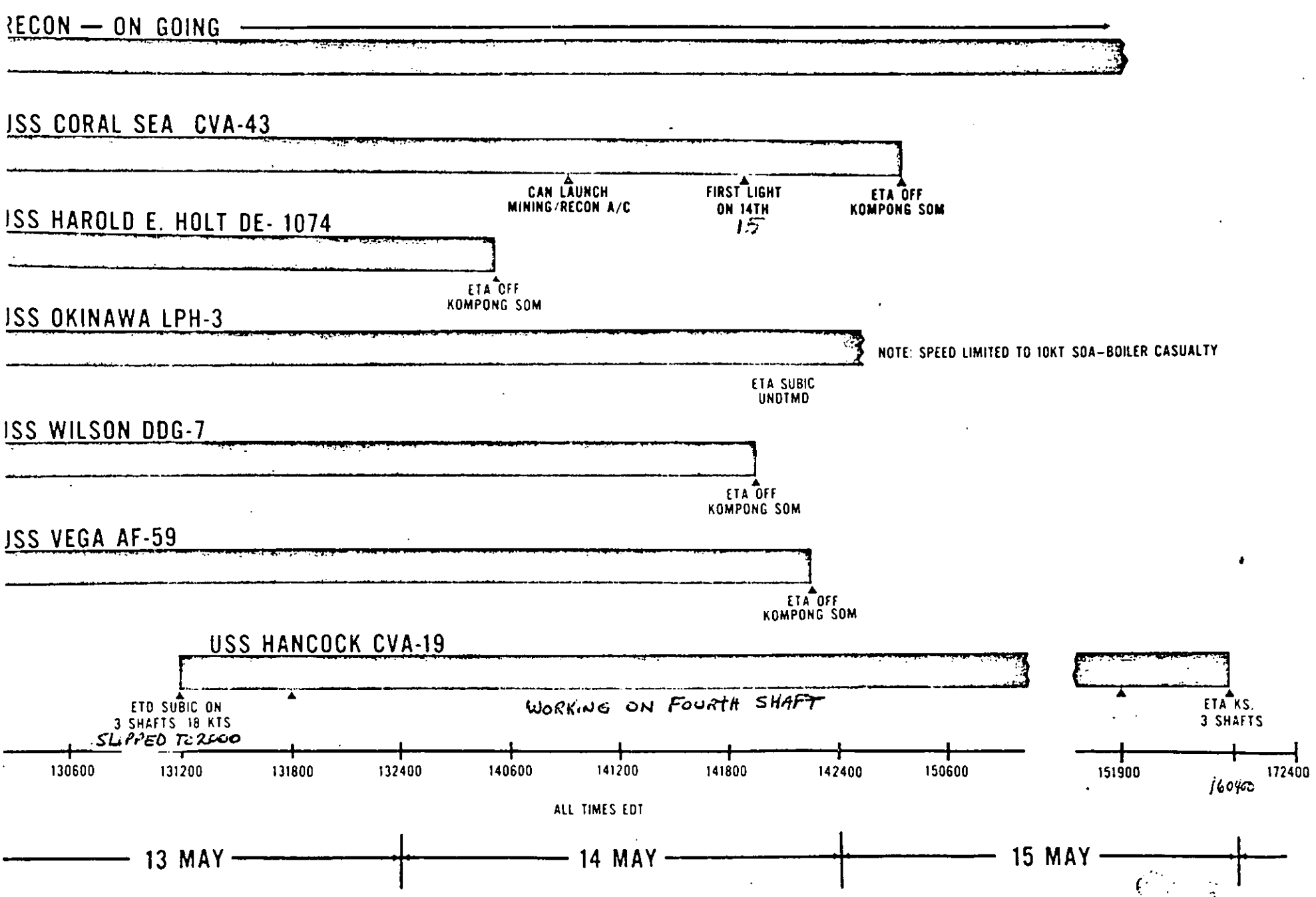
OPTION	FORCES	TIMING	PROS & CONS
I. Recover ship and crew from Khmer at sea. - Close with ship and Khmer gunboats. Take vessel by force if necessary.	1 Destroyer minimum Carrier Task Group with TACAIR if required.	24 Hours	PROS - Would demonstrate US resolve and ability to protect US shipping worldwide - Involves minimum use of force - Minimize question of legality depending on how far off-shore recovery took place. CONS - Some risk of casualties - Khmer could retaliate against ship crew during recovery.
II. Recover ship and crew from Khmer in port. - Carrier Task Group for air superiority and TACAIR support - Marines Amphibious Brigade from Subic and Okinawa in amphibious task force for assault	Amphibious Task Force (Approx 5000 Marine Combat Troops) 1 Carrier Task Group	5 days (min) TACAIR support can launch in 34 hours)	PROS - Would demonstrate US willingness and ability to protect US shipping worldwide. - Khmer unable to successfully oppose. CONS - Could cause unfavorable reaction from Congress and US public. - Some questions of legality under laws prohibiting combat on, over or off the shores of Cambodia. - Could result in sinking of US ship MAYAGUEZ by Khmer and execution of crew. - US casualties likely.

~~TOP SECRET~~

OPTION	FORCES	TIMING	PROS & CONS
III. Naval Blockade of Cambodian Coast - Surface Task Group would assume positions to intercept and turn back shipping destined for Cambodia.	USS HOLT and USS VEGA together with P-3s could begin.	24 Hours	PROS - Avoids direct military confrontation CONS - May have little immediate effect due to paucity of shipping into Cambodia - Involves third countries in di te. - Legality would depend upon position of force imposing quarantine. - Involves large surveillance forces - Problem in effecting closure of Mekong. - Blockade is extreme measure which has unfavorable international implications.
IV. Mining the ports of Kompong Som and Ream - Seal the port using destructors to prevent entry or exit of all merchant and naval vessels. Destructors can be set to self destruct for various periods of 10 to 17 days (earliest) up to a maximum of 180 days.	Carrier based aircraft or Guam based B-52s can lay destructors.	Approx 36 Hours	PROS - Can be accomplished with little or no military risk. CONS - Mining is extreme measure whicl as unfavorable international implications. - Seals MAYAGUEZ in Kompong Som (if ship is in Kompong Som).

OPTION	FORCES	TIMING	PROS & CONS
V. Seize or Destroy Khmer Naval and Merchant Vessels - Khmer have 21 swift boats operating in coastal area. - There are up to three small merchant vessels normally in area.	USS HOLT and USS VEGA supported by P-3s initially on scene followed by other Seventhflt units.	24 Hours	PROS - Appropriate response for actions of Khmer - Can be accomplished with little military risk. CONS - Value of Khmer vessel not comparable to US flag vessel seized. - Would be necessary to sink or tow to Guam. - Could result in Khmer destroying MAYAGUEZ.
VI. Seize Offshore Island of Poulo Wai and block Cambodian access to Hon Panjang a. Secure island using naval surface combatant and deny use to Khmer.	USS HOLT and USS VEGA initially	24 Hours	PROS - Islands are sensitive real estate because of possible oil discovery. - Blocking Cambodian access to Hon Panjang will allow Vietnamese uncontested access at an inopportune time for Cambodia. - Few if any inhabitants. CONS - Possibility of territorial claim by Vietnam.
b. Secure island with Marines.	Use Marines from Subic or Okinawa aboard suitable vessels. Surface or helicopter landing.	Awaiting reconnaissance	

SEQUENCE OF EVENTS



TOP SECRET

THE JOINT CHIEFS OF STAFF
WASHINGTON, D. C. 20301

SM-259-75
13 May 1975

MEMORANDUM FOR THE DIRECTOR, J-3

Subject: Words To Be Included in Operation Order (U)

(TS) Your operation order should include words saying that the helicopter with bullhorn should appear overhead coincidentally with the force intended to take Kas Tang (Koh Tang). The message from the helicopter should say words to this effect: "Produce all the Americans immediately or we will harm you."

For the Joint Chiefs of Staff:

G. E. COOKE
Brigadier General, USAF
Secretary

Classified by Secretary, JCS
SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO
YEAR INTERVALS
DECLASSIFIED ON DECEMBER 31, 1985

Copy 9 of 10 Copies each
of 4 pages series "A"

TOP SECRET

TOP SECRET

RAIC

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

SM-625-75
5 November 1975

MEMORANDUM FOR THE COMMANDANT, AIR WAR COLLEGE

Attention: Lieutenant Colonel J. E. Smith, USAF

Subject: Request for Information, SS MAYAGUEZ

1. Reference your message 221300Z October 1975, which requests data concerning the MAYAGUEZ operation.

2. Operational messages related to this incident number in excess of 500. The attached basic after action report, submitted to the President by the Secretary of Defense, represents a summary of the incident gleaned from the many reports. This and other documents which have been selected and identified below should provide adequate information from which appropriate presentations and/or studies may be derived.

a. Sections 1, 2 and 3, USSAG/7AF 141730Z, May 1975 (TOP SECRET).

b. CINCPAC message 142112Z May 1975 (SECRET).

c. JCS After Action Report, US Military Operations, SS MAYAGUEZ/ Kaoh Tang Island, 12-15 May 1975 (SECRET).

d. USS HENRY B. WILSON message 161420Z May 75 (SECRET).

e. Sections 1, 2, 3 and 4, USS HENRY B. WILSON message 212307Z May 75 (CONFIDENTIAL).

f. USS HAROLD E. HOLT message 180553Z May 75 (SECRET).

g. Lessons Learned - SS MAYAGUEZ/Kaoh Tang Island Operations 12-15 May 75 (SECRET).

h. CINCPACAF, Assault on Kaoh Tang Island (SECRET).

Classified by Secretary, JCS
SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO
YEAR INTERVALS
DECLASSIFIED ON DECEMBER 31 1985

TOP SECRET

[redacted]

(2)

[redacted]

3. Further coordination of information on this incident may be obtained by contacting Colonel Paul A. Seymour, Chief, Southeast Asia Branch, Pacific Division, J-3, OJCS.

4. Without attachments, this memorandum is regraded UNCLASSIFIED.

G. E. COOKE
Brigadier General, USAF
Secretary, JCS

w/o Attachments
a/s

SEIZURE OF THE MAYAGUEZ

HEARINGS

BEFORE THE

SUBCOMMITTEE ON INTERNATIONAL POLITICAL AND MILITARY AFFAIRS

OF THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

NINETY-FOURTH CONGRESS

FIRST SESSION

PART III

JULY 31 AND SEPTEMBER 12, 1975

Printed for the use of the Committee on International Relations

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63-971 WASHINGTON : 1976

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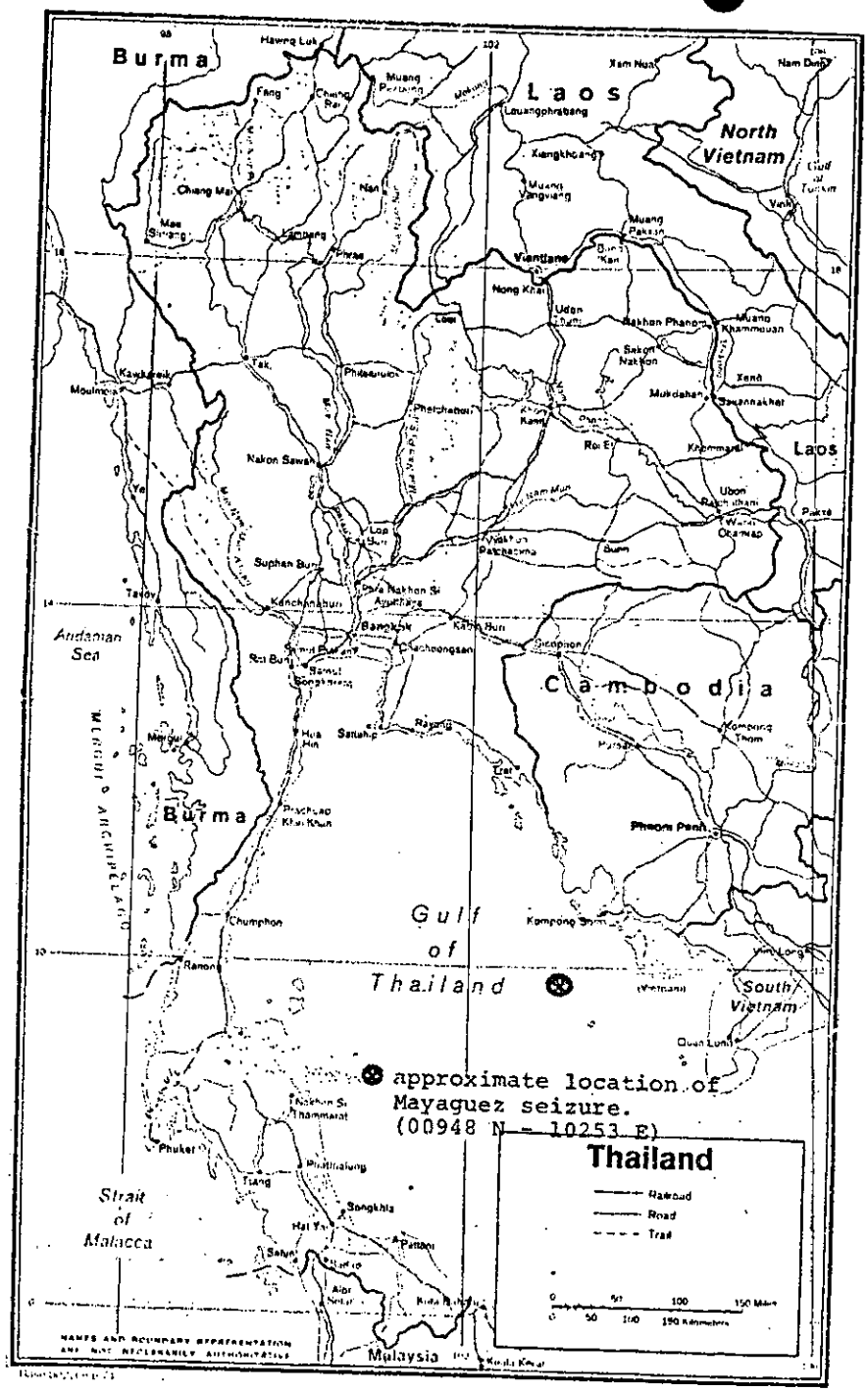
CONTENTS

WITNESSES

MATERIAL SUBMITTED FOR THE RECORD

APPENDIX


Burma
Laos
North Vietnam
Cambodia
Laos
Burma
Andaman Sea
Gulf of Thailand
South Vietnam
Strait of Malacca
Malaysia
approximate location of Mayaguez seizure. (00948 N - 10253 E)
Thailand
Railroad
Road
Trail

SEIZURE OF THE MAYAGUEZ

THURSDAY, JULY 31, 1975

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON INTERNATIONAL
POLITICAL AND MILITARY AFFAIRS,
Washington, D.C.

The subcommittee met at 10 a.m. in room 2172, Rayburn House Office Building, Hon. Dante B. Fascell (chairman of the subcommittee) presiding.

Mr. FASCELL. The subcomittee will come to order.

This morning the Subcommittee on International Political and Military Affairs continues its inquiry into events surrounding the seizure of the *Mayaguez* and subsequent U.S. Government efforts to secure release of the vessel and its crew.

The purpose of our hearings is to establish the facts and to evaluate the effectiveness of the crisis management operations of our Government in order to assure that future crises are handled in a way that minimizes risks to peace and to the lives of our citizens.

Since the seizure of the *Mayaguez*, the subcommittee and the full committee have held five hearings on various aspects of the crisis. Testimony has been received from representatives of the Defense and State Departments, Members of Congress and Charles Miller, Captain of the *Mayaguez*. After today's hearing the subcommittee will resume our inquiry in September with testimony from the Deputy Secretary of Defense.

Now, I would like to ask our ranking minority member, Mr. Winn, for such comments as he cares to make.

Mr. WINN. Thank you, Mr. Chairman.

I, too, would just like to add my welcome and thanks to you, Mr. Secretary, for appearing before us this morning. We know that you understand and share our interest in completing our investigation of the *Mayaguez* action, and in creating a solid public record which leaves no doubts as to the handling of that situation.

We are also appreciative of the many people from the administration who have already testified before us and other subcommittees, and we know that you will be every bit as helpful as they have been, as you always are. There are a few areas about which we have some questions and which we hope you can help us clarify.

Thank you, Mr. Chairman.

Mr. FASCELL. Thank you, Mr. Winn.

Mr. Secretary, we are pleased to have you here this morning. I appreciate the efforts that have been made by the Executive to make you available to make this public record. As Mr. Winn says, and as

you know, we are operating under a resolution of inquiry and that makes it doubly necessary for us to get at the facts.

Our witness this morning is the Acting Secretary of State, Robert S. Ingersoll, who is accompanied by Robert H. Miller, Deputy Assistand Secretary for East Asia and Pacific Affairs; Mr. Robert Demling, Executive Assistant to Mr. Ingersoll; Mr. Monroe Leigh, Legal Adviser to the Department of State, and Ambassador Robert McCloskey, Assistant Secretary of State for Congressional Relations.

Mr. Secretary.

STATEMENT OF HON. ROBERT S. INGERSOLL, ACTING SECRETARY OF STATE

Robert Stephen Ingersoll, of Winnetka, Illinois, was sworn in July 10, 1974 as Deputy Secretary of State. Mr. Ingersoll had served since January 8, 1974, as Assistant Secretary of State for East Asian and Pacific Affairs, and from April 3, 1972 until last January as U.S. Ambassador to Japan.

Born in Galesburg, Illinois, on January 28, 1914, Mr. Ingersoll graduated from Phillips Academy and from the Sheffield Science School of Yale University, where he received a BS degree in 1937.

Before his service in Japan, Mr. Ingersoll had spent some thirty-five years in industry, the last thirty-three with the Borg-Warner Corporation in Chicago. He was Chairman of the Board and Chief Executive officer of Borg-Warner at the time of his appointment to Japan. Prior to joining Borg-Warner, Mr. Ingersoll served with Armco Steel Corporation from 1937 to 1939.

He has been active in a number of civic and professional organizations. Formerly a director of the First National Bank of Chicago, Atlantic Richfield, Burlington Northern, Marcor Corp. and a member of the Board of Directors of the U.S. Chamber of Commerce, he has also been a Director of the Chicago Association of Commerce and Industry and a member of the Business Council. In addition, he has been an active member of several international business committees and councils, including the Advisory Council on Japan-U.S. Economic Relations, and the Emergency Committee for American Trade.

With a deep interest in education, Mr. Ingersoll holds trusteeships with the University of Chicago, the Aspen Institute for Humanistic Studies, and the California Institute of Technology. He was formerly President of the Board of Education of Winnetka, Ill.

Other associations involved him in civic activities such as board memberships with Evanston, (Ill.) Hospital, Chicago Symphony Orchestra, Leadership Council for Metropolitan Open Communities, and the Mayor's Committee for Arts and Culture (Chicago).

With a long interest in the Western part of the U.S., Mr. Ingersoll vacations in the Colorado Rockies where he participates in hiking, horseback riding, back packing, fishing, and skiing with his family.

Mr. Ingersoll is married to the former Coralyn Eleanor Reid, and they have four daughters.

Mr. INGERSOLL. Thank you, Mr. Chairman. I very much appreciate your inviting me to appear before you as a Department of State witness to testify concerning the *Mayaguez* crisis.

Allow me to review briefly what has already been provided. This subcommittee has received Department of State testimony on the *Mayaguez* from Deputy Assistant Secretary Miller. A detailed chronology concerning the *Mayaguez* crisis was submitted in connection with that testimony. In addition, Assistant Secretary McCloskey sent letters to Chairman Morgan, providing answers to questions stated in the proposed resolution of inquiry that had been introduced in the

House, and to you, Mr. Chairman, providing further information subsequent to Mr. Miller's testimony.[1]

With respect to the legal aspects of the *Mayaguez* affair, the Department's Legal Adviser, Mr. Leigh, appeared before Chairman Zablocki's Subcommittee on International Security and Scientific Affairs.

It is my understanding that you have now asked me to appear before you because of my participation in the National Security Council deliberations concerning diplomatic and ultimately military action which resulted in the release of the ship and its crew.

I attended most meetings of the National Security Council during the *Mayaguez* crisis as the Representative of the Department of State. I can outline for you some of the primary factors influencing the policy decisions which arose from those meetings but I do not believe it would be appropriate to provide a detailed account of internal executive branch discussions.

First, the President was primarily concerned with obtaining the safe release of the ship and its crew. As soon as it was clear that the ship had been taken to Koh Tang Island and not to the mainland, the National Security Council was faced with developing a course of action to prevent the crew from being moved to the mainland, where their rescue would have been more difficult and where the risk of long-term internment and the jeopardy to their lives would have increased.

In view of the Khmer authorities' hostility toward the United States, the probable conduct of the Cambodians toward the captured Americans was unpredictable.

In the President's letter to the Speaker of the House and to the President pro tempore of the Senate, and in Mr. Miller's testimony, you received an account of the actions by aircraft to prevent the movement of the crew and to keep track of such movement as could be detected from the air. All of these actions were directed toward minimizing the risks to the crew and toward securing their early safe return.

A second factor influencing National Security Council deliberations was the lack of response to our diplomatic efforts.

The President did not make the decision to proceed with military measures to recover the ship and crew until he had come to the reluctant conclusion that diplomatic efforts had not been successful in securing the crew's and the ship's early release.

Mr. Miller's statement and our answer to the first question in Assistant Secretary McCloskey's letter to Chairman Morgan provide a detailed account of the essential elements of our diplomatic initiatives.

Third, the President was concerned for the principles undermined by the Cambodian action. He believed it was necessary to make clear that the safety of U.S. citizens and the freedom of the seas for U.S. vessels were matters of great concern to the American Government and people.

Regardless of the motives the Cambodian Government may have had in seizing the ship, the seizure occurred without any prior warning and without any conceivable basis in international law. The Cambodian

[1] See appendix, p. 321.

authorities, to our knowledge, made no prompt effort to notify us that the ship had been seized or whether and how it might be released. It was important to make clear that this illegal act of force and interference with freedom of navigation by the Cambodian authorities could not be considered an acceptable precedent.

Military action to recover the ship and its crew was finally taken on Wednesday evening, May 14, because we believed that further delay, in the absence of any constructive response to our diplomatic initiatives from any source, would risk removal of the entire crew to the mainland where their rescue would be more difficult and their safety placed in further jeopardy.

It was not until our military actions to recover the ship and crew were already underway, that we received in Washington a report of a domestic broadcast in the Cambodian language which did not state that the vessel and crew would be released but only that the vessel would be released. The broadcast did not say when the vessel would be released. Moreover, the broadcast was not directed to the United States. After learning of this message, we announced that as soon as the Cambodian authorities would issue a statement that they were prepared to release the crew members unconditionally and immediately, we would promptly cease military operations.

The Cambodian authorities did not issue any such statement. We were not certain that the Cambodians had, in fact, released the entire crew until some 3 hours after receiving the domestic broadcast.

It is reasonable to assume that the Cambodian authorities were concerned that our initial efforts to prevent movement of the crew presaged a determined effort to rescue them; we further assume that such concern influenced their decision to release the crew and that our military actions to recover the crew removed any Cambodian doubts about that decision.

We deeply regret the lives lost during this operation. However, even in retrospect, there is no clear reason to believe that a course of action other than that taken would have secured the safe release of the ship and its crew.

I shall be glad to answer any questions, sir.

Mr. FASCELL. Thank you, Mr. Secretary. For whatever reasons, the Executive's conclusions are as good as any, the fact is that the ship and crew were released.

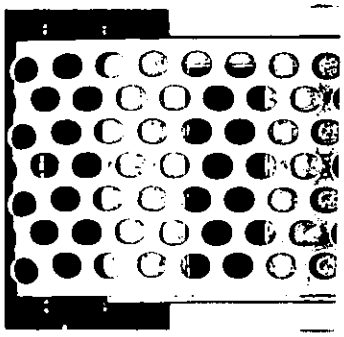
We have a quorum call over there and I guess we might as well take an informal recess and we will get right back.

[A short recess was taken.]

Mr. FASCELL. The subcommittee will come to order.

Mr. Secretary, would you please discuss the State Department's contribution to the NSC meetings during the *Mayaguez* crisis in terms of personnel involved, the information that was provided and options, if any, that were identifiable, that were presented.

Mr. INGERSOLL. As far as the attendance of State Department representatives, I attended the first day on the 12th. I attended the NSC meeting on the 12th which was held at noon. Mr. Sisco attended a meeting on Tuesday morning at about 10:30 and I attended a meeting that evening at 10:40. I attended again at a meeting on the 14th about 4 o'clock and then a followup meeting was held on Thursday at about 4 o'clock.



As far as documents or advice to the NSC is concerned, Mr. Chairman, I believe my statement has already indicated that I think these are privileged and it would not be proper to disclose them in open session, sir.

Mr. FASCELL. I was not asking for any documents, just trying to get clear in my mind what was State's input, if any. I mean, were you just an observer at the meetings you attended?

Mr. INGERSOLL. As far as I was concerned, I was an observer,[1] the Department, itself, provided whatever information we had, first, from the commercial channels that announced the seizure of the ship which came to us somewhere after 5 o'clock on Monday morning. I do not believe there was any other communication with the ship after that.

It continued for a short time but then was shut off when the Cambodians shut down the radio transmission from the ship.

I think that the bulk of the communications probably came from the military after that in their effort to locate the ship and determine what was happening to it.

We had access to those communications but they came to the NSC from the military.

Mr. FASCELL. Well, if I understood this——

Mr. INGERSOLL. Excuse me, Mr. Miller reminds me we did make diplomatic representations, first, in the Department to the Chief of the Liaison Office of the People's Republic of China on Monday afternoon. When he refused to accept the message, we transmitted the message to our liaison office in Peking which, in turn, delivered the message to the Foreign Office of the People's Republic and to the Cambodian Government in Peking.

Mr. FASCELL. Well, as I had understood from prior testimony, Mr. Secretary, when an event like this occurs, there are two management centers that go into operation. One is in State and I do not know what its name is—I guess it is crisis room. What is the name?

Mr. INGERSOLL. We had a task force in the operations center where all messages come into the Department.

Mr. FASCELL. Are you talking about the State Department now?

Mr. INGERSOLL. The State Department.

Mr. FASCELL. It had a task force?

Mr. INGERSOLL. Whenever there is a crisis of this nature a task force is set up specifically for this particular event and one was established so that we could monitor on a 24-hour basis any messages that might be received.

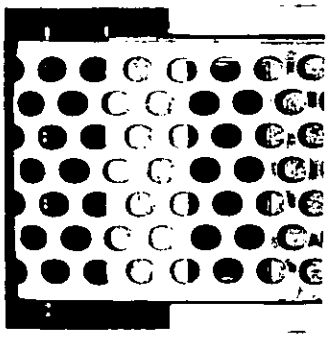
Mr. FASCELL. Now that is called operations center in the State Department?

Mr. INGERSOLL. Yes, sir.

Mr. FASCELL. The Defense Department operates one, too, as I understand it from the testimony.

Mr. INGERSOLL. Yes, sir.

Mr. FASCELL. And at the two operations centers, if that is what they called it in Defense. Do you know?



[1] The following amplifying statement subsequently submitted by Mr. Ingersoll:
"While the transcript is correct in recording what I said, I wish to provide this amplifying statement because I misunderstood the meaning of the chairman's question.
"I attended the NSC meetings as the representative of the Department of State, and therefore was of course a participant rather than an observer in the proceedings. However, other participants took a more active part in the discussions than I did."

Mr. INGERSOLL. National Military Command Center in the Pentagon. That, like our operations center, is always in existence 24 hours a day 7 days a week.

Mr. FASCELL. There is some kind of communication that takes place between the two centers and I was never quite clear how they did it.

Mr. INGERSOLL. We received the message of the seizure from the National Command Center in the Pentagon, that is, the State Department did, to our operations center.

Mr. FASCELL. Well, State sets up a task force. Is that automatic or does some special action have to take place once the crisis is identified?

Mr. INGERSOLL. That is true. We only set it up when the crisis is identified and a determination is made that it warrants a special task force.

Mr. FASCELL. Who makes that determination?

Mr. INGERSOLL. Usually the regional desk recommends it to the Deputy Secretary.

Mr. FASCELL. Was that done in this case?

Mr. INGERSOLL. Yes, sir.

Mr. FASCELL. What did the task force consist of, in terms of State personnel for the *Mayaguez*?

Mr. INGERSOLL. Well, the operations center is as I pointed out, in existence all the time, but to augment the operations center and to have something concentrating on this, one or two officers were assigned from East Asian Bureau, which is responsible for Cambodia, to the operations center to form the task force.

There was not a great deal of volume for them to handle but at least they were monitoring it on a 24-hour basis.

Mr. FASCELL. I do not quite understand. What were they monitoring in this case? They have no traffic from anybody.

Mr. INGERSOLL. Well, we had some traffic, diplomatic traffic and we had considerable traffic with the military.

Mr. FASCELL. That is different. The only traffic you had was your diplomatic effort going to the Government of China.

Mr. INGERSOLL. And the Cambodian Government.

Mr. FASCELL. And the Cambodian Government.

Mr. INGERSOLL. And to Thai Government, to our Embassy in Thailand and later to the United Nations.

Mr. FASCELL. Basically, having done that as far as the minute-to-minute operations were concerned, that came out of the National Military Command Center made available both to the operations center in State and to the National Security Council?

Mr. INGERSOLL. Right.

Mr. FASCELL. That is direct communications in some fashion. I do not know how that works yet, but I guess we will find out.

Mr. INGERSOLL. It is electronic communication directly with each center and that exists all of the time. I mean that is not something that just started up.

Mr. FASCELL. You mean the two centers are hooked up by computers or telephone or whatever. I am not sure I understand.

Mr. INGERSOLL. Well, it is a message communication.

Mr. FASCELL. Teletype, radio, I mean that is all I am trying to find out—what is it?

Mr. INGERSOLL. They repeat the cable traffic and messages by teletype, yes. I do not know whether that is the term—they are in telephone communication all of the time, but there is transmittal of messages automatically to each of those centers.

Mr. FASCELL. I want to be sure I am clear on this and the record has no inference otherwise with respect to at least Secretary Ingersoll's participation in the three meetings on the 12th, 14th, and 15th of May 1975, on the *Mayaguez* incident. I am left with a distinct impression that you did not say anything, do anything, or offer anything and that you were merely an observer representing the Department of State.

Mr. INGERSOLL. I think you left out the meeting I was attending on the 13th. I attended one on the evening of the 13th.

Mr. FASCELL. Right. I did leave that out. I am sorry. That is on the list.

Mr. INGERSOLL. Of course, Dr. Kissinger attended all of these meetings but as the adviser to the President for National Security Affairs.

Mr. FASCELL. The only trouble is we do not know which hat he was wearing when he was talking.

Mr. INGERSOLL. I believe he was talking this way.

Mr. FASCELL. As both?

Mr. INGERSOLL. No. I believe as the adviser to the President, because I was representing State Department. I did make some comments during the deliberations, but I say I think it is not proper for me to disclose the discussions that went on during the NSC meeting.

Mr. FASCELL. Are you saying that on advice of Mr. Leigh or are you just saying it?

Mr. INGERSOLL. Well, on his advice and my own understanding of the privileged nature of NSC meetings.

Mr. FASCELL. Well, you are really not in a position to claim executive privilege, Mr. Secretary, but I think we need to clear up on the record why you make the statement, if at all, because I cannot think of anything I have asked yet that could not be answered. But, let us get it straight on the record. I mean, you are claiming executive privilege or attempting to; is that correct?

Mr. INGERSOLL. I believe the President is the only one that can claim executive privilege.

Mr. FASCELL. I think he is, too.

Then the question arises, whether or not even the President can delegate that right or claim to anybody else and, if he does, how does he do it, and since he has not given you any letter in writing or any instructions to claim it, I do not see how you could claim it except gratuitously. I do not even know why you claim it, frankly, but that is your business, not mine.

Mr. INGERSOLL. You were asking me what I said during the meetings.

Mr. FASCELL. You said you did not say anything, so why would you claim executive privilege if you did not say anything?

Mr. INGERSOLL. I had said I made a few comments, but they were minor to the major discussions.

Mr. FASCELL. Yes. Well, I must confess I certainly would not be interested in any minor comments in a major discussion.

Could we have some idea, if you do not violate whatever it is you are hanging onto in terms of privilege, what the range of options was

that might be considered? I mean I could draw my own scenario but I do not know why I would want to do that.

Mr. INGERSOLL. I think the first effort was diplomatic contact with the Cambodian Government and with the People's Republic of China, the only outside government that had any contact with the Cambodian Government at that time.

Mr. FASCELL. That was the United States first effort to try diplomatically to get the release of the vessel and the crew.

Mr. INGERSOLL. Yes, sir.

That was the first effort we made on Monday afternoon.

Mr. FASCELL. Then the decision was made on that date, May 14, as I understood you to say, on the night of May 14, that diplomatic efforts having failed, the decision was made to go ahead with some kind of military action.

Mr. INGERSOLL. Yes, sir.

Mr. FASCELL. Is that correct? I am not trying to trap you or put words in your mouth, but trying to get it straight.

Mr. INGERSOLL. No, that is true and I think this was disclosed to a group of congressional leaders about 6:30 that evening, the evening of the 14th. There was about an hour's meeting in the White House at which the subject was discussed.

Mr. FASCELL. Now, we get into the time differential problem and I am not sure exactly what the time differential is with respect to that, but the allegation has been made that, at the time the meeting took place to which you refer, when congressional leaders for the first time were called to the White House, the military action was already underway.

Mr. INGERSOLL. It had not taken place at Koh Tang Island.

The helicopters were underway but could have been recalled. I might mention, if you thought this was the first contact with Congress, there was a previous contact by telephone on Monday afternoon, the 12th.

Mr. FASCELL. I think we have that in the record, Mr. Secretary, that somebody in the White House—I did not get the gentleman's name—called the Speaker on the telephone. The Speaker could not remember his name, either, by the way.

Mr. INGERSOLL. They called about 21 Members at that time, not just the Speaker.

Mr. FASCELL. Well, I am glad to have that information for the record. Do you happen to know who the 21 Members were?

Where were they called from?

Mr. INGERSOLL. From the White House, but they can give you the names for the record.

Mr. FASCELL. I think that would be useful to do that.

Mr. INGERSOLL. I emphasize that even on Wednesday, when the congressional leaders were brought into discussion on this subject at the White House, that the operation could have been recalled if there had been reason to do so.

Mr. FASCELL. But the fact is that it really was underway.

Mr. INGERSOLL. The order had been given to move, because it was a several-hour flight by helicopter from the Thai base to the island.

Mr. RIEGLE. Will the chairman yield for an inquiry?

Mr. FASCELL. Sure.

Mr. RIEGLE. You have several people here with you from the State Department and I would like to know who the 21 people are now. Can somebody go to the phone and find out so we do not have to wait.

Mr. FASCELL. Why don't we make the record complete while doing it because there were several phone calls made later on, as I recall, before the first meeting at the White House on May 14 with the leadership group and this has already been spread on some other record so you might as well do it here. But there were phone contacts at least twice as I recall. I agree with the gentleman that we might as well get it in the record now.

[The following information was submitted for the record:]

Senators.—Mike Mansfield; John Stennis; Clifford Case; John Sparkman; Strom Thurmond; John McClellan; James Eastland; Hugh Scott; Robert P. Griffin; Robert C. Byrd; and Milton R. Young.

Representatives.—Carl Albert; Thomas P. O'Neill, Jr.; John McFall; John Rhodes; Robert H. Michel; George Mahon; Thomas E. Morgan; William Broomfield; Melvin Price; Elford A. Cederberg; and Bob Wilson.

Mr. FASCELL. Mr. Winn.

Mr. WINN. Thank you.

There has been question, Mr. Ambassador; that possibly because of the lack of communications perhaps the Cambodian Government did not get our message. As I understand the information that was sent back to the committee by Mr. McCloskey—and I want to be sure that is who signed this—yes. That the Chinese Government was one of the first notified and that at the time there were two stories, that they refused to pass that message on.

Mr. INGERSOLL. That was the message we attempted to pass to them here in Washington; yes, sir.

Mr. WINN. Not the one in Peking.

Mr. INGERSOLL. Well, in Peking they returned the message.

Mr. WINN. By regular mail?

Mr. INGERSOLL. Yes, later——

Mr. WINN. And the other attempt to communicate our feelings to the Cambodian Government was through——

Mr. INGERSOLL [continuing]. The Cambodian Government in Peking.

Mr. WINN. Through the Cambodian Government where?

Mr. INGERSOLL. In Peking.

Mr. WINN. In Peking, do you know the time difference on that or was there a time difference?

Mr. INGERSOLL. They were delivered at about the same time to the Cambodian Government and to the Peking Government. I think, in addition to the diplomatic communications, there were public statements by the President that we demanded that the ship and crew be released.

Mr. WINN. I am sure of that but maybe the Cambodians do not read the New York Times.

Mr. INGERSOLL. I do not think it was just the New York Times but was over worldwide communications.

Mr. WINN. That is what I want to find out, what methods do we use to communicate our feelings or our demands or our time schedules to a government like the Cambodian Government who obviously has been displaying an animosity toward the United States.

Mr. INGERSOLL. As far as the direct communications, I have described how we did that. As far as general communication that was done by the public press media——

Mr. WINN. But we have no idea of whether the Cambodian Government in Phnom Penh ever got access to that through whatever method they used to pick up news.

Mr. INGERSOLL. We never had any response from them, but the one communication we had from them was a public broadcast in Cambodia that they intended to release the ship.

Mr. WINN. That was several days later.

Mr. INGERSOLL. Yes.

Mr. WINN. According to the records we have, that is the only response they made to our Government at all and it was not really to our Government but to their people.

Mr. INGERSOLL. No. It was just a public broadcast.

Mr. WINN. Public? Why did we wait so long to notify the U.N.? Why didn't we notify them at the same time?

Mr. INGERSOLL. Well, I believe the U.N. was aware of it through the public pronouncements that had been made.

Mr. WINN. Well, I am sure they were.

Mr. INGERSOLL. But the intention was to get a response directly from the parties involved, particularly the party involved, the Cambodian Government. If we received a response from them, saying they were releasing the ship and the crew, there would be no need for the U.N. to take action.

When it was apparent they had returned our message, that is when we contacted the U.N.

Mr. WINN. Well, I suppose I could be a Monday-morning quarterback but according to the letter here that we have from Ambassador McCloskey, it says: Mr. Waldheim, at our request, 2 days later, got directly in touch with the Cambodian Government. We had not been able to get in touch with them. If we had, they were completely ignoring us which, of course, is obviously a possibility.

Mr. INGERSOLL. They got no response at the U.N. immediately. It was several days later they got a response.

Mr. WINN. That is right.

The Cambodian Government did not answer Waldheim's request for a peaceful settlement between the two parties involved.

Mr. INGERSOLL. Right.

Mr. WINN. In the earlier hearings we had on this, some of us were of the opinion that the Cambodians purposely seized this ship, because it was an American ship and I think that philosophy sort of prevailed for the first 2 or 3 days when Mr. Miller came up and appeared up here. Although nobody actually made the statement, I think many of us felt that was the issue. That was part of the problem.

Captain Miller said that they were not flying an American flag and other than the printing of the name in 18 inch letters on both sides of the ship, there would be no way for them to know that that was an American ship. So it looks like—I am strictly speculating—the Cambodian gunboat, in an effort to either protect that island, and I do *not* have the name of the island, the first one where it was seized before it was taken around behind——

Mr. INGERSOLL. Poulo Wai.

Mr. WINN. Right.

And the fact they seized a Korean ship and a Panamanian ship, and they took one of the two ships earlier, either in the same week or within 2 weeks prior to that, into the mainland, to investigate its cargo and still there are, according to Captain Miller, 10, 11, or 12 ships a day that use that same sealane which is approximately 5½ miles off the island, I asked Captain Miller if it did not turn out that he was just sort of at the wrong place at the wrong time, and I forget his exact response, but that is about what it boiled down to. They just happened to get one time a Korean ship, one time a Panamanian ship and the third time was the charm, they got us. They got one of our ships. So, it did not look like it was intentional, I mean intentionally challenging an American ship.

Mr. INGERSOLL. But I do not believe anybody knew that at the time.

Mr. WINN. No, obviously. I think most of us thought it probably was done intentionally at the time.

Mr. INGERSOLL. Yes.

Mr. WINN. As a matter of fact, I carried that in my mind until Captain Miller explained how many ships go up and down those navigational lanes.

Congressman Riegle has asked for the list of the 21 members and that brings a question to my mind. Do you believe that Congress can play any role during a crisis such as the *Mayaguez* seizure? As I understand it, and I may be wrong, but as I understand it, mainly, the first couple of days, the 12th, the 13th, and the 14th, even though we were having hearings up here which Ambassador McCloskey refers to all the way through his letter in answering our questions, Members of Congress were informed all the time, informed, and my question is, maybe Members of Congress, the 21 leaders or 10 leaders—whatever is feasible in a crisis matter like that—should be included in and sitting down with the State Department and the executive branch and the Department of Defense, even if they sit there as observers or add small talk, as you said you did in some cases. What is your feeling on that, Mr. Secretary?

Mr. INGERSOLL. I think it is difficult to generalize in this sort of an issue. I believe that Congress should be involved in discussions of this type and the opinions of Congress certainly should be taken into account in an ongoing event and decisions that are made with respect to that. I think eventually the President has to make the decision after he has consulted with both his own staff and the Congress. I think that the Chief Executive officer has to take that responsibility.

Mr. WINN. Well, I think most of us would agree with that, that someone has to take the main responsibility and obviously that the top man is the President of the United States. But he calls the National Security Council in for advice, to give him advice and he calls the Department of State in and I just am wondering if, in your opinion, you think he should not have staff, because I would like to have clarification of this—I can nowhere through here find out if the President or the Secretary of State personally talked to anyone of our leadership in Congress, either the Speaker or Mr. O'Neill or Mr. Rhodes or anyone personally, or if it was all done via the staff which is what your letter says.

Mr. INGERSOLL. Well, on the meeting on the 14th and 16th, the meeting on the 14th, the President personally discussed this subject with the leaders that were present.

Mr. WINN. That was when the leaders of Congress went down to the White House?

Mr. INGERSOLL. Yes, sir.

Mr. WINN. Of both parties?

Mr. INGERSOLL. I have forgotten the composition but I believe both parties were represented.

Mr. WINN. Well, if it is what was considered the normal leadership of Congress, it involved both parties.

Mr. INGERSOLL. I remember members of both parties being there but I do not know the entire complement.

Mr. WINN. You were at the meeting?

Mr. INGERSOLL. No, sir.

Mr. WINN. You were not there?

Mr. INGERSOLL. No, sir.

Mr. WINN. Was the Secretary there?

Mr. INGERSOLL. I believe he was.

Mr. WINN. Do you want to change that?

Mr. INGERSOLL. He was there.

Mr. WINN. He was there and the President was there?

Mr. INGERSOLL. Yes.

Mr. WINN. There is a timelag involved in some of the notification and we have hit Mr. Miller pretty hard on this, I think, when he first came on the Hill, what was it, the 12th or 13th—I do not remember the day, it was pretty early.

Mr. INGERSOLL. The 13th.

Mr. WINN. The 13th. We had another gentleman the day before that, didn't we, Mr. Chairman?

Mr. FASCELL. Well, we had a desk officer.

Mr. WINN. We had the man that first got the notice in the early morning hours.

STATEMENT OF ROBERT H. MILLER, DEPUTY ASSISTANT SECRETARY OF STATE, EAST ASIA AND PACIFIC AFFAIRS

Mr. MILLER. Mr. Rives, Lloyd Rives.

Mr. FASCELL. All he said was he got the message from then on.

Mr. WINN. To Mr. Miller, he got in touch with you?

Mr. MILLER. Yes.

Mr. WINN. I think the committee is trying to work out, and Mr. Riegle is honestly trying to find out why and what the circumstances were that involved the loss of 41 men to, directly and indirectly, save 39 men which is obviously subject to criticism.

At the same time I think we are all wondering if the communications system which we feel involves Congress, is as good a system as we can develop.

We have already found some big discrepancies which probably do not come under your jurisdiction, and that is in the advance warning system by the ships. In other words, the Korean and Panamanian ships were seized and Captain Miller, who was going right through the same lanes, was not aware of this under any circumstances. Even

the truckers on our highways know where the speed traps are better than that and that is only going to cost them a ticket probably.

Mr. INGERSOLL. I think that is true.

Mr. WINN. That concerns us. He had a tendency to blame the Korean Government and Panamanian Government for not making reports, but I blame our Coast Guard. Somewhere a captain that is sailing toward an island where trouble has been brewing and where gunboats have been seizing ships from other countries and we have an American ship going into those waters, that captain should know what is facing him.

I suppose that he can change his course, or at least he is well aware of the possibilities. This is one of the biggest weaknesses that came out, I think.

Mr. INGERSOLL. I think you are right, and that procedure has been changed to be sure that ships are alerted in the future for any similar event.

Mr. WINN. Yes; but 41 guys lost their lives as a part of the overall deal because of a lousy communications system.

Mr. INGERSOLL. Unfortunately, we find these things out after the event many times.

Mr. WINN. It seems so simple to me, I mean they tell them the weather, they know what other craft are coming toward them, and I have not seen the reports, but they get out a full manual of that. So, somewhere there ought to be some type of emergency crisis communications that trouble is brewing up around a certain island and that other ships have been seized and searched.

We were still at the tail end of a war there, and you do not have to use your imagination, with gunboats running around and the Cambodians trying to figure out where their men are and which islands they can seize and which ones are valuable.

I do not think anybody has to be too smart to figure that is going to happen certainly for a while at the tail end of the war.

Some of those islands we find out now were controlled partly by Cambodians, the Khmer Rouge and so on. You are going to try to flush those Cambodians out, and some of those islands are coshared with the Thai Government.

Mr. INGERSOLL. The Vietnamese, sir.

Mr. WINN. What?

Mr. INGERSOLL. With the Vietnamese Government.

Mr. WINN. With the Vietnamese, but some of the northern islands are shared with the Thai Government.

Mr. INGERSOLL. This particular island was in dispute between Vietnam and Cambodia. I think the fact there were so many ships going by there daily, it did not appear to be likely they were going to take all of the ships. I certainly agree with you that there should have been some warning going out, and we have a procedure now which will make sure the warnings do go out. The Korean ship was not seized but fired upon, but it got away. I understand that the Korean Government did issue a warning to its ships, but no other nation picked up that warning.

Mr. WINN. That is kind of hard to understand.

Mr. INGERSOLL. Yes.

Mr. FASCELL. Will you yield at that point?

Mr. WINN. I will be glad to.

Mr. FASCELL. As a matter of fact, it is a well-known secret, is it not, Mr. Secretary, that the incident involving the Korean ship was picked up in the foreign broadcast information service, which is published and made available and public to everybody. The President did not find out about it until after the *Mayaguez* incident was all over, and he was, to say the least, slightly disturbed about it.

Mr. WINN. I have no more questions.

Mr. FASCELL. Sure; I am sorry.

Mr. WINN. No; I would like to yield.

Mr. RIEGLE. Mr. Chairman, I would like to thank Mr. Winn for the gracious comment he made earlier.

I understand, Mr. Ingersoll, that you were really not a direct participant in the decision process in the Security Council?

Mr. INGERSOLL. Yes.

Mr. RIEGLE. Who were the direct participants?

Mr. INGERSOLL. Mr. Leigh tells me only the President is involved in the decisionmaking process. He is the one who makes the decisions.

Mr. RIEGLE. Well, as I look at the meetings here, and there were five of them, I believe, I think there was one that the President was not able to attend.

Mr. INGERSOLL. If that were true, it was the one I did not attend. I do not know whether he was not at that meeting, but he attended every meeting I attended.

Mr. RIEGLE. I think there is one that you missed and that he missed, but I assume that is the reason he has other people—I mean he does not go to the meeting by himself but has other people with him, and from what you told us, they talked a lot and you did not talk very much, and presumably the President solicited advice, and he was discussing it and options were presented and people were advocating points of view, and out of it came a collective judgment.

Mr. INGERSOLL. No; I do not think it is a collective judgment, but I think it is the President who makes the decision. This has been my experience in other meetings. In fact, in some meetings no decision is made.

Mr. RIEGLE. Were recommendations presented?

Mr. INGERSOLL. Yes.

Mr. RIEGLE. By whom?

Mr. INGERSOLL. By attendees at the meeting.

Mr. RIEGLE. Who are you referring to?

Mr. INGERSOLL. At the various meetings there were representatives from the Defense Department. Secretary Schlesinger, I believe, was at most of the meetings I attended. Assistant to the President for National Security Affairs Dr. Kissinger was there. CIA Director Colby was there, and the Chairman of the Joint Chiefs. It varied; it was George Brown at times, and then I think Dave Jones was there another time—I have forgotten at which meeting.

Mr. RIEGLE. Who presented the recommendations?

Mr. INGERSOLL. The operation of the NSC, the meeting structure, is that the Assistant to the President for National Security Affairs usually summarizes the options and recommendations.

Mr. RIEGLE. Dr. Kissinger?

Mr. INGERSOLL. Yes; and the other members discuss what has been presented.

Mr. RIEGLE. Now, when he makes those summary presentations, is it based on an earlier meeting that has taken place with him and other members in the absence of the President?

In other words, how does the summary get pulled together that he then prepares, or does he just do that himself?

Mr. INGERSOLL. In normal circumstances, where there is time for preparation in advance, there is another meeting held at which the President is not present, and Dr. Kissinger usually presides. It depends upon the issue, but after the Washington Special Group or the Senior Review Group meet, though the NSC staff provides the briefing for Dr. Kissinger.

Mr. RIEGLE. In this instance, then, Dr. Kissinger made the recommendations?

Mr. INGERSOLL. He presents options. Seldom does he make recommendations.

Mr. RIEGLE. So, are you saying that several options were presented for a Presidential decision?

Mr. INGERSOLL. Well, the matter of diplomatic initiative, a matter of various military actions that might take place and——

Mr. RIEGLE. Let us take the military actions because that is the sort of thing where we should know if more than one option was presented.

Mr. INGERSOLL. Well, there were a considerable number discussed, yes.

Mr. RIEGLE. Was one recommended over the rest?

Mr. INGERSOLL. Well, there were several, for instance, the marines were moved from Okinawa to back up those that had come from other areas.

The various ways of reaching the island were discussed because we did not have any assets around the island at the time, naval vessels, aircraft, the Marine helicopters, these were all discussed.

Mr. RIEGLE. Those are sort of tactical questions that would presumably fall under a general heading of "military action," if you decide to take military action, then how do you do it?

Mr. INGERSOLL. How you carry it out, that is right.

Mr. RIEGLE. So there was some tactical discussion that went on?

Mr. INGERSOLL. Yes, sir.

Mr. RIEGLE. I see, and within the area, were there options other than military ones considered, as you got to the end of the decision process?

Mr. INGERSOLL. At various times during the meeting, yes; diplomatic efforts were discussed.

Mr. RIEGLE. After you tried the diplomatic effort and that did not work, what happened?

Mr. INGERSOLL. Again there was another diplomatic approach on Wednesday through the United Nations which was before the orders were in fact given to move militarily.

Mr. RIEGLE. And have we established why we waited so long to go to the United Nations? It makes it sound like it was an afterthought. If we are going to move in with the military we should at least make an initiative through the United Nations. I think that kind of suspicion arises when you get the timelag.

Mr. INGERSOLL. Mr. Winn asked me that and I said I think the desire was to get a response directly from the parties concerned that had been contacted through private diplomatic channels before we went to a general request to the United Nations.

Mr. RIEGLE. Dr. Kissinger basically made a recommendation for some kind of military action and then it was discussed.

Mr. INGERSOLL. No; I did not say that. I said he presented options.

Mr. RIEGLE. How many options were there?

Mr. INGERSOLL. Well, diplomatic and military I would say is about all there is.

Mr. RIEGLE. And after the diplomatic initiatives that you made did not produce anything, then that option fell on the side and you were then talking about military possibilities.

Within the military side of it was there more than one option presented or just one option presented?

Mr. INGERSOLL. Well, there were several, you might say, means of rescuing the ship and the crew that were suggested, yes.

Mr. RIEGLE. Can you describe those for us?

Mr. INGERSOLL. I think it is not for me to talk about what other people said.

Mr. RIEGLE. You see, I agree with you that we have a problem there and the problem is we cannot get the people here who were the heavy hitters at the meeting. I mean, no disrespect to you but the problem is that when we ask for witnesses that were directly involved in this decision process we are not able to get them to testify and they ask you to come instead. You come because we cannot get them and it is like a "Catch 22" situation where all we want is an opportunity for direct conversation but never seem to be able to establish it. So as long as you have been selected as the intermediary, it seems to be your responsibility as someone who was there to tell us what happened.

Mr. INGERSOLL. I am reluctant to do so.

Mr. RIEGLE. No, I understand; I realize that is the problem, but our job is to find out what took place and I do not think anybody here wants to subpena you or put witnesses under oath or anything of that kind.

Now, if you cannot tell us because you are reluctant to say what someone else said, then we are going to have to get somebody else in here.

Mr. INGERSOLL. I think so.

Mr. RIEGLE. Thank you, Mr. Chairman.

Mr. FASCELL. Mr. Buchanan.

Mr. BUCHANAN. Thank you, Mr. Chairman.

Mr. Secretary, I am in sympathy with the purpose of these hearings as described by the chairman and I quote, "To evaluate the effectiveness of the crisis management operations of our Government in order to assure that future crises are handled in a way that minimizes risks to peace and the lives of our citizens," I think that is a very meritorious purpose.

I am glad to hear you say that we have done something about this warning system because it does seem to me this is one thing that we need to do.

Mr. INGERSOLL. I agree.

Mr. BUCHANAN. A second area I wanted to discuss with the Defense Department when the Deputy Secretary of Defense is here is the time lag between our notification that the ship had been taken captive and the sending out of a reconnaissance aircraft simply to find out what the status was. It seems like there was too long a timelag and I would like to explore it with them.

With respect to the lives lost in this operation, I am constrained to say that playing numbers games with the lives and rights of American citizens is just almost beyond belief to me. I would hate to live in a society in which the firemen would say, "Hey, there is a guy on top of that apartment, it is burning up and we might lose three firemen if we rescue him, one life against three, goodby buddy."

I would hate to live in a society in which the police would say, "There is a gangster holed up with a captive and he has a virtual arsenal and we might lose three or four policemen if we try to rescue him," and therefore, bid the captive goodby, rather than losing more lives than we gave.

I would hate to see a situation where the marines would be unwilling to do what they did and take the risk they took and in some cases make the sacrifices they made because in the process we might lose more marines than the American citizens whose lives they acted to try to save.

Now, as I understand it, the reason for the loss of life was primarily because they made the military decision that providing the normal air cover would run the risk of endangering the lives of the people they were actually trying to rescue and, therefore, they decided not to do that and that this is one of the bases for the amount or loss of lives that occurred.

If you wish, I will bring it up with the Defense Department, but is that your understanding of the case?

Mr. INGERSOLL. I think that is true. I think for Mr. Winn's benefit, we should get the record clear that the numbers he cited were not the result of military action, the 41 he referred to. A mechanical failure of a helicopter in noncombat operation happens many times around the world, not only in our forces but others and I think it is unfair to include the lives that were lost in the transfer of personnel within Thailand to be included in combat losses of the marines on Koh Tang Island. And these figures are cited by the press and I think by this subcommittee as being part of the combat operation.

Mr. RIEGLE. Would you yield on that point so we can establish that figure once and for all and I appreciate the gentleman doing so. I do not think anyone on this committee suggested they were lost in combat and I am sure the record would show that is not the case.

I think the assertion had been made, and I made it, was that the loss of those troops occurred in this whole military effort and, if we had decided not to take this set of military steps, of which this was one backup step, then that particular movement of troops would not have taken place.

Mr. INGERSOLL. There is another thing, it could have happened to any helicopter.

Mr. RIEGLE. You can say what you want to, but the fact of the matter is it was related to this operation.

Mr. INGERSOLL. I did not say it was not.

Mr. RIEGLE. I did not think you did.

The fact is it was related to the operation and if you want to leave the numbers off you can do so. I am troubled about the fact the administration did not even reveal that information until several days after the incident took place and it left the impression correctly or incorrectly that facts were being hidden. It jacked up the numbers and that took some of the luster off the operation. The fact is, it was related to the whole change of military events.

Mr. INGERSOLL. I agree with you, sir, but I say that it is not directly related to the combat operation which is the implication that has been given.

Mr. BUCHANAN. It would appear to me that a defective helicopter would probably have fallen wherever it was flying and really it is not fair to attribute that to some mistaken decision on the part of the United States. Aside from that, I want to reiterate the point I started to make, I want to repeat as forcibly as I can, I believe it would be immoral and cowardly of the President of the United States to say:

> If I act in defense of these American citizens in protection of their rights, their lives and their freedom, it may cost me more people than I can hope to rescue, therefore I will not act and I will let them go hang.

I think that would be immoral, scandalously immoral, and cowardly as a basis for decision. I just wanted to register that as strongly as I can make it.

Mr. INGERSOLL. I agree with you.

Mr. BUCHANAN. I am glad that was not the case. I think, however, we examine it and whatever kind of color we try to paint it from an American point of view, there was a need for decisiveness and there was a need for action and it went well beyond the *Mayaguez* and the crew and the number of marines involved. The world needed to understand we would act to defend our interests and our citizens. I think for a great many of us in the United States, it is quite enough to know that at a time of crisis we came up with decisive action in defense of our people and our rights.

As to whether or not this was a deliberate taking of an American vessel, you have indicated it is a matter of our information that a number of ships had passed on this same sealane, yet of the three ships that were involved in this, one was one of our allies in the conflict in Southeast Asia which was fired upon and ours was the one which was in fact seized and the crew taken captive.

Have we come to the conclusion that the fact that they were Americans had nothing to do with the way they were handled? Are we accepting the theory this was just a game of chance and they happened to be the ones taken, it might just as well have been somebody else?

Mr. INGERSOLL. I had not heard this until Mr. Winn mentioned it this morning.

I was not here when Captain Miller made his testimony.

Mr. BUCHANAN. You know, I am a lousy fisherman but when I go fishing I sometimes get a twig and I sometimes get very little fish and I may be fishing for bass but catch all sorts of things in the process of trying to get the big bass and I am suggesting it is not necessarily so that they were not after an American ship just because, well, I am

just wondering if our Government has come to some conclusion, now, about that but it has not to your knowledge?

Mr. INGERSOLL. Not that I know of.

Mr. BUCHANAN. Thank you.

Mr. FASCELL. Mr. Secretary, the diplomatic effort was to have notes sent to the Cambodian Government and delivered in Peking, right?

Mr. INGERSOLL. Yes.

Mr. FASCELL. The note sent to the Cambodian Government was delivered in Peking and that was returned several days later. The morning of the 14th, on the morning of the NSC meeting, that was the morning that NSC got definite information that that particular effort had failed and that is when the order went forward to go ahead with the military action?

Mr. INGERSOLL. In the afternoon.

Mr. FASCELL. In the afternoon.

In the meantime, I believe we had sent the diplomatic note to the U.N.?

Mr. INGERSOLL. That is right.

Mr. FASCELL. What was the tenor of the note to the U.N., was it simply to then ask the U.N. to get involved in the matter or what did we ask the U.N. to do?

Mr. INGERSOLL. To make efforts to get release of the ship and the crew.

Mr. FASCELL. I see. Did the U.S. Government ever get a response from the U.N.?

Mr. INGERSOLL. We had word that they had made an effort to communicate with the Cambodian Government. There had been no response.

Mr. FASCELL. The Secretary General advised us he made an effort to communicate with the Cambodian Government and got no response?

Mr. INGERSOLL. That is right, he had not had any response.

Mr. FASCELL. I am not sure of the time.

Mr. INGERSOLL. The time was about noon of that day.

Mr. FASCELL. That is on the 14th.

Mr. INGERSOLL. The 14th.

Mr. FASCELL. Well, at 3:50 or 4 o'clock in the afternoon, the orders went out on military action at 5?

Mr. INGERSOLL. 5:15.

Mr. FASCELL. And then Members of Congress were brought into the White House. Now, did we or did we not know at the State Department what the response from the U.N. was? That is all I am trying to find out. Was it a public statement made by the Secretary General? I mean how did we determine what his response was and when was his response and what was his response.

Mr. INGERSOLL. I frankly do not know, Mr. Chairman. But I can get that for you.

Mr. WINN. Maybe I can help. I happened to find it here. It says the Secretary General's original statement went out the afternoon of May 14 and the second to last sentence from Ambassador McCloskey to the Secretary General's letter elicited no response from the Cambodians until some days after rescue of the ship and the crew. I believe that is what Ambassador Ingersoll said to me a little while ago in answering another question.

Mr. FASCELL. You were reading the State Department's response to the Resolution of Inquiry.

Mr. WINN. Right.

Mr. FASCELL. I listened to that, but I am not sure it registered. Do I understand that State's position is that we got no response from the U.N.?

Mr. INGERSOLL. I think I will have to check on that, Mr. Chairman, and give you a message because I do not know.

[The information subsequently provided by Department of State follows:]

We received a response from the U.N. Secretary General but he did not release it. At 7:00 p.m. on May 14 his spokesman read the following statement to the press.

"The Secretary General is making all possible efforts to achieve a solution to the problem of the United States merchant vessel *Mayaguez* by peaceful means. For this purpose, the Secretary General has communicated with the Governments of Cambodia and of the United States and has offered his good offices to the parties. He has also appealed to them to refrain from further acts of force in order to facilitate the process of peaceful settlement."

Mr. FASCELL. Well, that is fine with me. I mean, I think that would be very useful for the record. On May 14, sometime in the early forenoon, a message went to the U.N. asking for U.N. intercession. The United States then went ahead with its military preparations and, as far as we know, we got no response from the U.N. or anybody they contacted until several days after the whole event was over.

That means that the United States, once having asked U.N. intercession did not wait—for whatever reason—and just went right ahead with whatever plans were then about to be put into effect.

Can we know what the message to the U.N. was specifically; can we get a copy of it? What did we ask them to do?

Mr. MILLER. Mr. Chairman, I think we supplied a copy of the message that we sent to Secretary General Waldheim. I believe we supplied it for the record after my testimony.

Mr. FASCELL. I see. OK. So, in our transcript somewhere we have a copy of the State Department message that went to the U.N.? [1]

Mr. MILLER. I am quite certain of that.

Mr. FASCELL. OK. I just confirmed it and Mr. Finley of the staff confirmed we do have it.

Did the message to the U.N. have any time frame like "We need to know as quickly as possible," or "Please get back to us in 3 days," or anything?

Mr. INGERSOLL. We will have to check. I do not know.

Mr. FASCELL. Yes. I could not remember myself.

Well, the message will speak for itself. The answer to my question is already in the record. OK. So, I will go look it up, myself.

Now to get back to the other message.

Mr. MILLER. Mr. Chairman, excuse me, I have a copy of this message before me. It says, "As you no doubt are aware, my Government has already initiated certain steps through channels insisting on immediate release of the vessel and crew. We also request you to take any steps within your ability to contribute to this objective." Then it goes on to say, "My Government reserves the right to take such measures

[1] See appendix, p. 324.

as necessary to protect the lives of American citizens and property including appropriate measures of self-defense under article 51 of the U.N. Charter." So it does not specifically put a time frame in terms of the request of the Secretary General.

Mr. FASCELL. The way I read that, now that you refresh my memory, basically is what you call a legalistic notice to advise the U.N. that we are about to take action. I am not quarreling with it but that is the way I interpret it. In other words, filing notice that we are about to do something while asking them to use their offices to do whatever it is that they want to do. Unless the message is a lot more detailed than that, that is the way I read that.

Mr. WINN. Will you yield?

Mr. FASCELL. Sure.

Mr. WINN. I agree with your assumption there because I have a report from the GAO who has been looking into the time schedule and it says that at 1 p.m.—this is just prior to the fourth meeting of the National Security Council which was held 3:52 p.m. Wednesday, May 14—that the U.N. was asked for assistance. I gather that is the first letter, the first communication by the U.N.?

Mr. INGERSOLL. Yes.

Mr. WINN. And at the same time out of that National Security Council meeting came orders for the U.S. Marines to board the *Mayaguez* and U.S. Marines to land on Koh Tang for rescue purposes and for aircraft from the *Coral Sea* to attack military facilities on the mainland, so your assumption on second-guessing is right on the nose.

Mr. INGERSOLL. Well, it had been delivered earlier than that, Mr. Winn.

Mr. WINN. One o'clock and the meeting was 3:52 p.m. and I guess that is the starting time of the meeting.

Mr. INGERSOLL. Starting time of the meeting and the order went out at approximately 5:15 p.m.

Mr. WINN. Let's say sometime during the meeting or at the tail end of the meeting.

Mr. INGERSOLL. Right.

Mr. WINN. About four or five when you called the U.N. and asked them for help and the military orders were issued. I wanted to clarify it as far as the time schedule.

Mr. FASCELL. I think we can make another assumption that is justified on the record and that is: Orders having gone out late that afternoon of the 14th with respect to some military operational plan, that the plan had to be ready long before that time, and as I recall the testimony on the record, the individual responsible for the plan, that is in concept and its implementation was the Commander in Chief, Pacific, who has the sole responsibility?

Mr. INGERSOLL. Right.

Mr. FASCELL. By the way, Mr. Secretary, as Mr. Winn has pointed out and as you know, the subcommittee has asked GAO to look into this whole question in terms of facts and to make such recommendations as might seem appropriate with respect to structure, method, and improvement for the future. I just want to be sure now that GAO and the subcommittee and the Congress is going to receive full cooperation of the Department.

As far as I know right now, there have not been any problems but am I correct there is no problem now and that GAO is going to be permitted to finish this job for Congress?

Mr. INGERSOLL. I understand, either by letter or telephone communication with GAO, that we are now in the process of providing them with the information that they are seeking.

Mr. FASCELL. Well, I certainly would appreciate it. I think it can be worked out. It depends on the question of will, and I hope there is no difficulty in turning loose whatever the documents are the GAO needs to review or in giving access to any other material that GAO needs to carry out its responsibility at the request of the Congress. All we have asked them to do is quite simple, quite clear: We just want to examine the facts in terms of the timeframe and the actions that took place because we already have begun to have a certain amount of apparent discrepancy which may be minor but must be corrected, if possible, or at least explained away, if possible, and the other is to look at the whole method and see whether or not we can have some improvements. Whatever you are doing now in terms of State and Defense, the White House and NSC in cooperating with GAO, we very much appreciate it and hope it will continue.

We were talking about the note sent to the Cambodians to Peking. What was the general nature of that message?

Mr. INGERSOLL. The general gist was that the act of seizure of the ship was a matter of piracy and that we demanded the ship and crew be released immediately. That was the essence of the message.

Mr. FASCELL. So the timeframe was immediate release. It was not some time in the future.

Mr. INGERSOLL. Yes; that is right.

Mr. FASCELL. Had they chosen to accept the message they would have known right then and there?

Mr. INGERSOLL. I do not think there is any question but that they knew what the message was.

Mr. FASCELL. Do you think it was opened or they knew any way through other sources?

Mr. INGERSOLL. I am not really sure but I am sure they knew what was in the message.

Mr. FASCELL. Yes.

Well, you obviously base it on some kind of knowledge we do not have. It would be kind of crazy to have a message delivered and think it was sent back and nobody read it.

Mr. INGERSOLL. I quite agree.

Mr. FASCELL. I guess that is what you mean.

Mr. Winn.

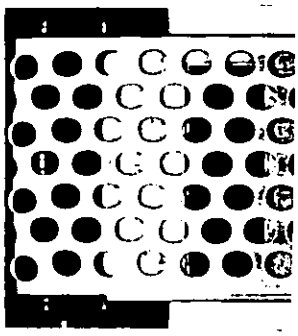
Mr. WINN. Along that same line, that brings up a question. Do you have the exact wording of the message that was sent to the Cambodians? You keep referring to the general gist that they release our ship and our crew. Does the actual wording say "Ship and crew"?

Mr. INGERSOLL. I don't have the message here, Mr. Winn, but it was basically what the President or the White House released in its statement at about noon or 1 o'clock on the 12th.

Mr. FASCELL. Mr. Finley says he believes we have that message.[1]

Mr. INGERSOLL. So, it was essentially what was publicly stated.

[1] See appendix, p. 325.



Mr. WINN. I am being a little technical on that but I am also leading into the question where I refer to the ship and the crew, because I am wondering why did the State Department interpret the Cambodian message a couple of days later that it would "order the *Mayaguez* to withdraw from Cambodian Territorial Waters" and then the State Department took it, and I suppose the whole National Security Council took it, that they did not refer to the crew. They only referred to the ship.

Now, I wonder, going back to the first message that was sent to them, did we refer to the crew?

Mr. INGERSOLL. Yes.

Mr. WINN. No doubt about it?

Mr. INGERSOLL. There is no question in my mind but maybe.

Mr. WINN. It is a small technical point but I would like it clear in my own mind.

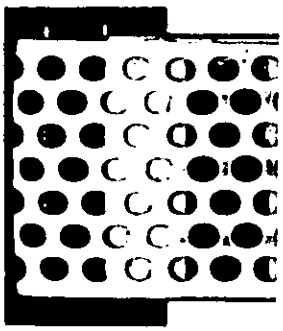
Mr. INGERSOLL. I will check it for the record but I am certain.[1]

Mr. WINN. You see what I mean—when they answered us one of our excuses for the military was the fact they only referred to the ship, not to the crew, so we had no assurance that they were going to release our crew and then after talking to Captain Miller, he said that they were only going to release six men of the crew. They were separating the crew. They were trying to hold some back which of course we did not know at the time. We did not know where the crew was.

Mr. INGERSOLL. That was the problem. We did not know where the crew was. We had suspicions part of the crew might have been taken to the mainland, but we did not know whether the total crew was still on Koh Tang Island.

Mr. WINN. After hearing the experiences of the crew, I can understand why the State Department, the military, nor anyone else knew where the crew was because they were flitting around from island to island and to different docks and the coast of the mainland, but not on the mainland and I can understand why your observation teams could not find them. That was one thing I wanted to ask. The other is a rumor, and I don't pay much attention to rumors but this kind of bothers me, the rumor that the Korean Government did talk to our Government about the fact that their ship was seized, yes, shot at on May 3 or 4 and that the Korean Government supposedly consulted with our Government on the fact that they were fired on by an armed Communist gunboat.

Mr. INGERSOLL. I do not think there is any question but that we had that information in this Government. I do not think that has ever been denied.

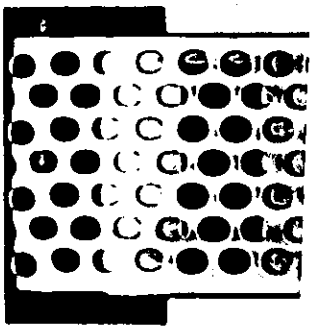


Mr. WINN. And we sat on that in good shape, is that right?

Mr. INGERSOLL. As you pointed out earlier, this was at the conclusion of a war that had just previously ended and nobody really knew what was going on. Nobody knew whether these people were pirates or part of a government.

Mr. WINN. OK. We goofed that up in my opinion. Is there an administration review, you testified on it and I believe you said there was but I want to get that straight, is there an administration review underway of the U.S. system of warning our mariners of political or military navigational hazards?

[1] Information subsequently provided by Department of State affirms the U.S. message to Cambodia did refer to the crew.



Mr. INGERSOLL. Yes, and action has been taken to prevent the breakdown that apparently took place at the time of the Korean ship being shot at and the Panamanian ship being seized.

Mr. WINN. What action? What action has been taken?

Mr. INGERSOLL. Well, the National Command Center receives messages of this type and they are now instructed to notify our, I do not know—well, it notifies, of course through the operations center and then they in turn are in touch with our economic and business bureau which has a section of maritime affairs which notifies the shippers of such an action.

Mr. WINN. Now, how do they notify them, because Captain Miller had a printed deal after the whole thing was all over, a printed warning put out by the Coast Guard. He had a copy of it and read the paragraph "Notice to Mariners" put out by the Coast Guard, but printed 4 or 5 or even—well, several days after the complete incident was over.

I hope your new improved system involves a quicker way of communication than by putting it in print and mailing it to the captains, because that is not going to work. Is it telegraphed in?

Mr. INGERSOLL. It goes out by radio and you say a printout of it. That was it.

Mr. MILLER. It was issued on May 12.

Mr. WINN. But the captain of the ship did not get it until 2 or 3 days afterwards?

Mr. INGERSOLL. He was not listening. His radio was shut down. He was seized.

Mr. WINN. The message you are talking about is the message that he was seized, sure, he knows he was seized.

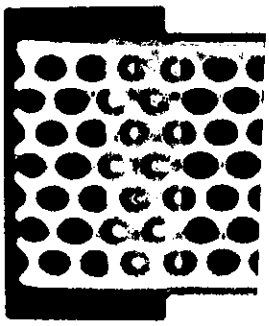
Mr. INGERSOLL. But the other message about the Panamanian and the Korean ships did not go out, that was the problem.

Mr. WINN. I know, but it was put in print and he was on his way and it was mailed to him.

Mr. INGERSOLL. But it had gone to the other ship by radio but he was not in contact by radio at that time. He may not have even been on the ship. I do not know when he was taken off.

Mr. WINN. He was taken off the 12th, the first day, shortly after they boarded the ship.

Let me ask you this: What ideas can you offer personally, and this is along the line of the questioning of the chairman, on the quality of the U.S. Government crisis management that we have been pounding away about? We hit Mr. Miller pretty hard on this, and the possible means of improving this process. Have you personally given any testimony because you were involved and you know the step-by-step procedure which to us is still kind of vague, and I do not know if it is that bad or it is just you cannot clarify it to us but personally, have you gotten any ideas on how we can improve that crisis management as we call it?



Mr. INGERSOLL. Every crisis is different and that is why it is difficult to try to anticipate what may arise. We have procedures of establishing first notification and then a task force if there is to be a continuing process. We have the responsibility to provide advice to the President and I think we have procedures for this. I really cannot suggest anything more than what we have done in the notification to

mariners in this particular case. You try to anticipate what may happen but you do not know the circumstances under which it may happen and therefore it is difficult to suggest any change.

Mr. WINN. In retrospect, would you go to the U.N. faster since obviously Mr. Waldheim did not seem to have any trouble getting a message to Cambodians although they did not answer it. I mean, would you? I think I would.

Mr. INGERSOLL. Perhaps so. This raises the question if he really got through to the Cambodians immediately. He did eventually and I do not know the channels he used. It may have been the representation in the United Nations, who in turn had to get in touch with his government. I think you are right, that perhaps we should.

Mr. WINN. I think we would go to the United Nations. You do not have the Cambodians involved but you have the support and if other hearings are factual and I imagine they are, that cost of the support of the Cambodian, theKhmer government, came from the Peking government not the Russian Communists?

Mr. INGERSOLL. That is right. That is why we went to Peking.

Mr. WINN. Through that you have another way to communicate with the Cambodians and give your message, direct, indirect, or however we can get through to them.

Mr. INGERSOLL. I think you are right, Mr. Winn. It probably would have been desirable if we had gone earlier, because, as it turned out, the island was in dispute between Vietnam and Cambodia also.

Mr. WINN. Thank you and thank you, Mr. Chairman.

Mr. FASCELL. Mr. Riegle.

Mr. RIEGLE. Thank you.

I want to run through as many things as I can one after the other, and I do not want to dwell on any one over any length of time.

Coming back to the NSC meeting because we sort of did not finish that, I believe I understood you to say in the end this thing played itself over several days the final decision to take the military actions that were taken, presented in the form of a recommendation by Dr. Kissinger and presumably the President?

Mr. INGERSOLL. No, I did not say that. I said that options were presented but I did not say that a recommendation was made.

Mr. RIEGLE. So, a recommendation was not made?

Mr. INGERSOLL. I did not say that.

Mr. RIEGLE. So, in other words, we have to guess as to whether a recommendation was made or not? You just do not feel you can tell us?

Mr. INGERSOLL. No, I am not sure I remember, frankly, but I really do not.

Mr. RIEGLE. Who would know? There must be minutes of the meeting.

Mr. INGERSOLL. I do not understand there are any minutes taken of NSC meetings.

Mr. RIEGLE. There are no minutes?

Mr. INGERSOLL. I do not know that, I do not know that there are.

Mr. RIEGLE. I would assume there are, but I have no way of knowing for a fact.

Mr. INGERSOLL. I have never seen a transcript.

Mr. RIEGLE. In any event, a decision was made? Were you in the room when the decision was made?

Mr. INGERSOLL. Yes, sir.

Mr. RIEGLE. And the President makes the decision?

Mr. INGERSOLL. Yes, sir.

Mr. RIEGLE. But you cannot tell us anything more about the process that led up to that decision?

Mr. INGERSOLL. No, sir.

Mr. RIEGLE. Are you familiar with Captain Miller's testimony before our committee within the last week or so?

Mr. INGERSOLL. Only what I heard this morning.

Mr. RIEGLE. Let me urge you to read it because I think you will find it interesting. A couple of things that came up along that line and one relates to something that Mr. Winn was saying a minute ago, that was the question: When the Cambodians sent out this message by radio picked up in Bangkok—to the effect they were going to release the ship, but no mention was made of the crew. My understanding is that, after the ship was taken, the crew was removed and they shut off all of the power so that it set dead in the water, and I do not know of any way that the ship could have left unless the crew was on it to make it operational.

I do not know how else the ship could leave.

Mr. INGERSOLL. It could leave with their own people. It could leave with noncrew Americans.

Mr. RIEGLE. Where would they come from?

Mr. INGERSOLL. From the helicopters.

Mr. RIEGLE. I guess you are saying maybe the assumption in the State Department was at that time, within the administration, the thoughts that they would release the ship, did not necessarily mean the crew would be released with the ship?

Mr. INGERSOLL. Very definitely not.

Mr. RIEGLE. Captain Miller also said to us that the night of the 13th, before the day of the action, he worked out an arrangement with the Cambodians, and this is my recollection of the testimony and we have it here so we can refer to it if there is any question about it, but my recollection of his testimony was he worked out an arrangement where the Cambodians were going to allow him to go by boat from where he and the crew were being held, back out to the ship with enough people to power the ship up and get on the radio and to send out a message that the Cambodians were willing to release, my understanding is both the ship and the crew, if the Americans would call off the air activity that was in the air over the Cambodian area at that time.

Mr. INGERSOLL. The entire crew? Were they going to release the entire crew? Mr. Winn gave me the impression they were going to release six members.

Mr. RIEGLE. To power up the ship. Now, I mean my understanding was and have to check the transcript, but my understanding was that the deal was if we called off all military activity in the sky, that everybody was going to be able to pack up and go.

Mr. INGERSOLL. I see.

Mr. RIEGLE. But in terms of how the message was going to be delivered, no, that was not the arrangement.

First, I think either six or seven crew members were going to do it and Captain Miller negotiated it up to nine, I think, and then he had

a decision to make as to whether or not, this is in the evening, apparently getting dark on the night of the 13th, and Captain Miller was trying to decide whether he would go out with this skeleton crew and power up the ship to do this.

As I recall his testimony, he said there were two reasons he decided not to do that. No. 1, he was afraid to do it because he knew at the time that apparently four Cambodian gunboats had been blown out of the water by American aircraft and he did not want to be on the gunboat at dark and have the same thing happen to him by a pilot not knowing he was on the ship.

Second, he had reservations about separating the crew. In other words, if he kept everybody together, he felt better about it than the idea of going back out. In any case it was a key decision because had he gone out to the ship and had he arrived and had he powered up and had the message, or the deal he worked out at that point been transmitted, we might have saved ourselves all of that grief. It turned out it did not happen and obviously this falls into the area of a reconstruction and it is awkward for us because we are Monday morning quarterbacks and that is why we are being asked to do this, we are being asked to try to reconstruct what happened. Another fact he revealed to us that is significant and I think you should know as well, that is after this ship, our ship, I say "our ship," it was not an American Government ship but a private ship, but after the ship was taken, it was not flying the American flag and when he was taken by the Cambodian crew, there was nobody on either ship for a period of about 2 days that spoke any common language. In other words, nobody could talk to anybody. There was not anybody on the American-owned ship who could speak Cambodian or any other third country language or vice versa and it took about 2 days before the Cambodians were able to communicate with somebody who could speak French and then there was a crew member who, while he could not speak French, apparently knew Cajun French from Louisiana and somehow or other they managed some kind of minimal dialog and I for one would like that crewmember here because he was really the key contact point to the extent we had one.

But my concern is this: I can see in reconstructing this thing, how there was quite a long period of time when there was nobody, in terms of the principals in the middle of the incident, who really could talk to one another and find out what was going on. Then finally, some young fellow came along who spoke English who was a Cambodian and then the dialog got started and the negotiation process with the captain of the ship got started which finally led to the tentative deal on the night of the 13th which aborted for the reasons I described and then the events of the next morning.

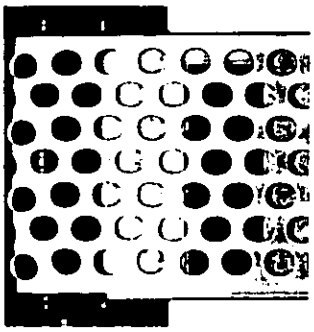
Now, one of the things I want to pin down and it may take GAO to pin it down because we get conflicting information about what the time differential is between action here, using eastern standard time versus the time out there.

Mr. INGERSOLL. About 12 hours difference.

Mr. RIEGLE. We were also told 15 hours. Captain Miller told us 15 hours.

Mr. INGERSOLL. I think there are really 13 hours.

Mr. RIEGLE. You see, nobody seems to know.



Mr. INGERSOLL. In Vietnam, it is 12 hours and Cambodia it is 13 hours.

Mr. RIEGLE. I asked Captain Miller that question three times and I do not know if he has any more basis than you have to know but he was very precise, 15 hours. So, I do not know what it is, and it is the one thing we have to establish.

Mr. INGERSOLL. It was roughly half a day away from here. You can say that.

Mr. RIEGLE. But this becomes crucial because the whole question of whether or not the response was necessary or could have been halted midstream is a very relevant question and there is a lot of skepticism about it and not just by people who are native adversaries of this administration. There is a real question as to whether, because of sloppy internal procedures and processes and in message delivery, we ended up missing an opportunity to settle this thing peacefully.

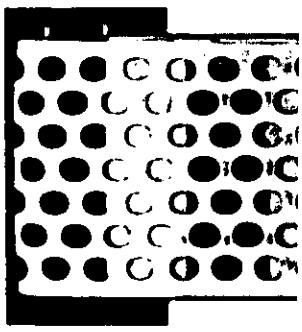
This was not a cheap operation by any means, whether you figure it in loss of life or in terms of dollars.

But, in any event, what still is not clear to me is in terms of the time the captain then was released with the crew and they got on the fishing boat and started to go back out and then the whole sequence of military actions that was taking place coincident with that, either just before, some apparently before, some at, some after and then the whole question of when—well, it was verified that the crew was released and how long it took to get the messages back to the White House and how long to get the message back out to shut this down and to the extent to which the incident was allowed to mushroom because of impotence, sloppiness, or deliberately mushrooming into something bigger than it had to be. There are some real suspicions about that and we still do not have answers and I am not suggesting you can provide all the answers, but I want to state clearly now for the record in your presence that some of these questions remain and are unanswered.

I want to comment, too, on Mr. Buchanan's comments and I respect the gentleman from Alabama a great deal personally, although I do not fully agree with the way he put his arguments but that is an honest difference of opinion.

But I do want to talk for a second about this psychology and highlight it because I think it is important how this kind of event takes on a meaning that goes far beyond the specifics of the cast of characters that are caught in a situation where we want to try to resolve the issue as quickly and with the least damage and loss of life as possible.

Unfortunately, we were not able to get away with that and it became a very costly operation.



Senator Goldwater is quoted in the Washington Star, on Saturday, May 17, 1975, and it says:

> The Cambodian incident drew comments from guests during the evening, Senator Goldwater said, of the *Mayaguez* incident: It was wonderful. It shows we still got some balls in this country.

I cite that because I am very disturbed by that kind of quote and I am disturbed by that kind of psychology and because I think that is the kind of thing that, in a fit of passion and excitement and all, can become sort of a natural consequence of a line of reasoning that says that, if an incident takes place and you are not satisfied with the prog-

ress of events, that therefore you know you take whatever action you feel justified in taking.

If you happen to be the tougher guy and if you happen to have more to work with, then that is to your advantage and to the disadvantage of the other person.

Well, I do not think that can really be a basis of American foreign policy. I do not think it is, in terms of the career people in the State Department that I have known over the years I have been in the Congress and I do not think that is reflected for most of the people who are serious for foreign policy officers in this Government.

Mr. INGERSOLL. I think you are right.

Mr. RIEGLE. But I think it is possible, if we are not careful about the procedures we use and that is one of the reasons I wanted to reconstruct exactly how the decision process evolved in the Security Council. All the work of all the diplomatic people in the country can be wiped off the board very quickly, not just in terms of citizen attitudes but by observers around the world, if international situations arise and veer off in a direction of brute strength. I ask is this really the message of what the American statement is to other nations?

Well, obviously, that is not our ultimate statement and I think, in fact, it's just the reverse; that after 200 years of struggling with the ideals and values of this system of ours we are really trying to make a different statement to the world which essentially says that we are not bullish and we want to avoid the use of force and the loss of life.

I do not know how many Cambodians were killed in the operation. I am sure in my own mind the figure was several times higher than the number of Americans lost.

We sunk at least four boats on that occasion and bombed the mainland and with the combat activity on Koh Tang, so I have to assume that there were a lot of Cambodians killed as well.

For the most part it seems to me everybody, at least the victims, were innocent bystanders. There were people who got caught up in this, whether it is the Thailander who happened to be sitting drinking beer in a barroom or those in the boats, because of an operation being underway and they had to be there for backup and so the helicopter goes there and they are not around. The guys in Koh Tang took a bullet head on and are not around any more.

I think even now in the Congress among many people who want to try to understand what happened, there is a feeling of uneasiness about this situation in retrospect. At the time there was a great burst of feeling, it happened quickly, and it was coming in the aftermath of Vietnam and in many respects it was kind of—well, it released a lot of energies and passions that people had. But that has gone by now and as we try to look at this thing in retrospect and try to figure out what happened, I do not think it is a happy chapter and I am not sure we really proved a great deal in terms of what the applicable lessons are for the future.

It may be the Cambodians will be reluctant to grab one of our ships in the future but at the same time I think we will be a little more careful about straying into those waters and we already made that decision, but of course it does not bring anybody back that got wiped out in the operation.

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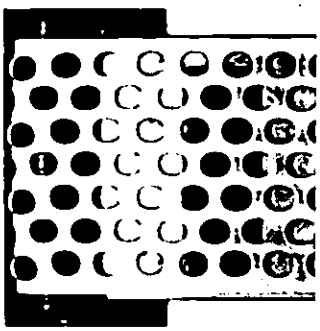


So I guess I want to conclude by saying I appreciate, I think, the dilemma you are in as a person who sat in those meetings and does not feel free to relate to us fully what took place but I would hope, I would hope that the people of long service in this Government like yourself and you have been through several administrations and you have been through a long period of service of this country, to try to do things in the foreign policy arena that makes sense and that are just and that are fair and would use all of the influence you can just as we must do here in the Congress and on this subcommittee and the full committee to see to it that the American way does not become the kind of sort of clenched-fist approach to international relations that leads to the kind of inflamed comments in this case as Senator Goldwater's was, but there were others who said equivalent things in my party, to my regret, because I just think, if we let ourselves sort of drift down that road, then I think probably coincident with that we will lose some friends and of our influence in the world because I don't think many people are going to be impressed by that around the world because they should not be. In any event, that is all for me at this point, Mr. Chairman.

Mr. FASCELL. Mr. Secretary, the testimony on the record is very interesting in many aspects. One, that is particularly interesting is precisely what information was available to the U.S. Government with respect to the location of the crew at any given point. Now, as I recall it, reconnaissance was ordered in the first meeting of the NSC, am I correct?

Mr. INGERSOLL. I am not sure but what it may have been ordered before that. Certainly they wanted to make sure there was reconnaissance but I think there may have been planes out before then.

Mr. FASCELL. Or at least it was continued.

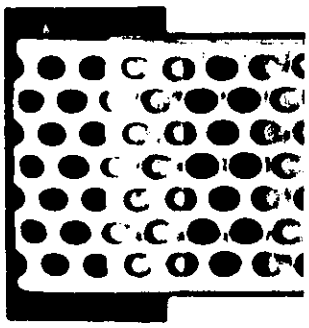
Mr. INGERSOLL. Yes.

Mr. FASCELL. My recollection was that the order went out to locate the ship.

Mr. INGERSOLL. That is right.

Mr. FASCELL. We got the word that it had been seized but nobody knew exactly where it was so the order went out "Let's find the ship," so reconnaissance went out at least that is the way I reconstruct it, but again the record can speak for itself on that subject.

The interesting point Mr. Secretary, is this: The Secretary of State is alleged to have said that the crew was believed to be in three possible locations at any given time. Those were: on the ship, on one island or the other, or on the mainland. We have been told in testimony so far, and we will go into more detail on this with the Defense Department, that one of the objectives of the military operation was to keep the crew somewhere near the ship or on the island in order to keep the crew from being taken to the mainland, because there we had visions of another problem—it would certainly seem to have made it more difficult once they got to the mainland, so the order went out to intercept anyone going to the mainland and, as part of that order, the Cambodian boats were identified and sunk.



Mr. INGERSOLL. The effort was made initially to try to have them stop. In other words, there were shots across the bow rather than at the ships.

Mr. FASCELL. I understand.

Mr. INGERSOLL. They were not trying to sink the ships.

Mr. FASCELL. I was not being critical. The captain of the *Mayaguez* said when he was on the gunboat going to the mainland with the crew that our guys in the airplanes came by, down both sides of that boat, first and then across the bow in an effort to stop it and they started out at 200 yards and then they moved in closer and closer and he said they could thread the eye of a needle at 1,000 paces with those cannons because they brought the cannon fire to within 10 feet of the boat. They knew what they were doing. Don't let anybody tell you those boys could not shoot because they could have blown that boat out of the water.

Mr. INGERSOLL. Right.

Mr. FASCELL. But the point is they did not.

Mr. INGERSOLL. That particular one.

Mr. FASCELL. That particular one, exactly right, was not blown out of the water.

Now, you know, you do not have to be a Chinese scholar to figure out the fact that the guys who were shooting knew that the crew was on that boat.

Mr. INGERSOLL. They knew there were white people on that boat, Caucasians, but did not know how many nor whether it was the total crew or not.

Mr. FASCELL. Agreed, but they did not sink the boat. They tried to turn it around.

Mr. INGERSOLL. No. They knew there were Caucasians on the boat.

Mr. FASCELL. They did not want to take a chance. Again I am not critical but it is obvious based on the record.

Mr. INGERSOLL. Yes.

Mr. FASCELL. On the other boat, however, they were able to determine that there were no Caucasians and they did not make any mistakes.

Mr. INGERSOLL. Fortunately.

Mr. FASCELL. Right. So that means our reconnaissance is not only very good, it is great.

Mr. INGERSOLL. But we did not know that the whole crew was on that ship.

Mr. FASCELL. I did not say that you did, Mr. Secretary. Let us not make any allegations about that at all. All I am saying is our reconnaissance was so good that we were able to tell even if the guy was not wearing a flag on his T-shirt. They knew he was Caucasian because the guy in the airplane shooting the cannon did not blow the boat out of the water. That is all I know, not any more. I am just saying that and that is a conclusion on my part.

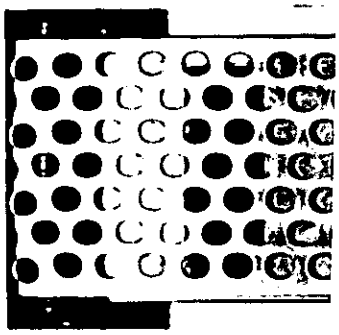
Mr. INGERSOLL. Yes.

Mr. FASCELL. But obviously that information was available to the National Security Council, one way or another. They had to know that information or could not have made the decisions they made.

I find that a very interesting point in terms of the whole discussion and again—well, let the record speak for itself about what happened, why it happened, and whatnot.

Was any of that information available to you or did you hear any thing about it?

Mr. INGERSOLL. Yes.



Mr. FASCELL. You saw the tapes or the photographs or whatever.
Mr. INGERSOLL. Well, it was conversation.
Mr. FASCELL. Yes; in other words, part of the general discussion.
Mr. INGERSOLL. Yes.
Mr. FASCELL. All I am trying to establish is, did you, personally, at an NSC meeting see the tapes or the photographs?
Mr. INGERSOLL. Only conversations.
Mr. FASCELL. That is all I wanted to get.
Mr. RIEGLE. Could I inquire about that because I think we ought to get the photographs.
Mr. FASCELL. Yes.
Mr. RIEGLE. If they exist, I don't understand why we can't get them.
Mr. INGERSOLL. Of the ship, the Cambodian boat?
Mr. FASCELL. He means reconnaissance photographs.
Mr. RIEGLE. Yes; because I think the point the chairman makes, and the question we didn't ask the captain, as to whether the crew was on deck, must be resolved.
Mr. FASCELL. He did testify about that.
Mr. RIEGLE. What did he say?
Mr. FASCELL. The record will speak for itself and I do not want to misquote him and I am not sure I remember. I am not playing games with you, but he did give testimony about that.
Mr. RIEGLE. Well, may I request the photographs for the record so that we can take a look at them? [1]
Mr. FASCELL. Well, Defense is coming up the first week in September as soon as we get back.
Mr. INGERSOLL. They would be in the hands of the Defense Department.
Mr. FASCELL. They will be able to answer that for us.
Again, I am not being critical. I think it is great. I am glad we can find out and that we can fly over a boat and tell who is on it and fly over an island and tell who is on it, assuming you can look through the trees.
But at none of the meetings you personally attended was any visual review made of reconnaissance. It was all verbal reports that came up from whoever was supposed to bring them, that is what I want to establish.
Mr. INGERSOLL. There were photographs of the island but as I recall it, they were photographs taken at a previous time.
Mr. FASCELL. That is from the standard normal reconnaissance or ongoing reconnaissance.
Mr. INGERSOLL. I think so but I saw no photographs of the Cambodian gunboat you referred to, Mr. Riegle.
Mr. RIEGLE. Right. Would they be able to establish who the pilot was who saw the ship with the Caucasians on it and who made the report?
Mr. INGERSOLL. I am sure the Defense Department can.
Mr. FASCELL. We will probably get a report on every aircraft.
Mr. INGERSOLL. Yes; they would know.
Mr. FASCELL. Yes.
Mr. Secretary, before we go and we have to conclude this because we have another vote on the floor now on this matter, let me ask you

[1] Photographs of reconnaissance to be printed by the General Accounting Office as part of GAO study investigating the *Mayaguez* incident.

about this—the captain testified that at one point in order to stop the Thai fishing boat from getting to the mainland after the use of artillery failed.

Mr. INGERSOLL. You mean the Cambodian boat? You said Thai.

Mr. FASCELL. No; it was a Thai fishing boat that took the crew to the mainland.

Mr. INGERSOLL. I see.

Mr. FASCELL. After the efforts to gun it and turn it around or stop it or make it do something else, failed, the boat was "gassed" and the captain testified that he assumed the purpose of that was that in the ensuing confusion the crew would rise up, the American crew would rise up, take over the boat, overpower the Cambodian armed guards and in some way manage to make its escape. He said he assumed that was the purpose of it. He told his crew immediately "Don't do it, don't try it, sit tight" because it is not going to work. He used words to that effect. He did not want to expose his men to possibly being killed by Cambodian guards so they covered up the best they could. Question: Does the use of that gas contravene the Geneva protocol, which we recently ratified, in any way as far as we are concerned?

Mr. INGERSOLL. I really do not know but we will submit a statement to you, Mr. Chairman.

[The following information was subsequently submitted by the Department of State:]

The United States has ratified the Geneva Protocol of 1925, but in our view that Protocol does not extend to the use of riot control agents.

In ratifying the Geneva Protocol, the President announced that the United States would, as a matter of national policy, renounce the first use in war of riot control agents except their use, upon approval of the President, in defensive military modes to save lives, such as their use in rescue missions in remotely isolated areas.

The use of riot control agents in the *Mayaguez* incident was specifically authorized by the President, and was deemed necessary to facilitate the rescue of the *Mayageuz* crew in an area which at that moment was remotely isolated from U.S. forces. Accordingly, the action was consistent with U.S. policy on the use in war of riot control agents.

Mr. FASCELL. We would like your opinion on that. Also we wish to have your assessment, Mr. Secretary, on whether or not that particular event, in your judgment, impacts on the efforts which are ongoing right now, I hope worldwide, to eliminate the use of such weapons as gas and if you could find out for us, or we will ask Defense or anybody else, just exactly what kind of gas that was because I am not sure and I do not believe it is on the record anywhere.

Mr. INGERSOLL. I am not sure but I think Defense can probably tell you because it came from their aircraft.

Mr. FASCELL. OK. Well, thank you very much, Mr. Secretary, and Mr. Leigh, and Mr. Miller. We appreciate your making yourselves available.

This record, of course, is still ongoing. We do not know what we may need or desire from you or from State and we appreciate your cooperation thus far very much. I think, as you can see, we are beginning to make a factual record which, hopefully will eliminate some of the confusion and not add to it.

Mr. INGERSOLL. Very good.

Mr. FASCELL. Thank you very much, gentlemen.

This subcommittee stands adjourned subject to the call of the Chair.

[At 12:20 p.m. the subcommittee adjourned subject to the call of the Chair.]

SEIZURE OF THE MAYAGUEZ

FRIDAY, SEPTEMBER 12, 1975

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
SUBCOMMITTEE ON INTERNATIONAL
POLITICAL AND MILITARY AFFAIRS,
Washington, D.C.

The subcommittee met at 10 a.m., in room 2172, Rayburn House Office Building, Hon. Dante B. Fascell (chairman of the subcommittee), presiding.

Mr. FASCELL. The subcommittee will come to order.

This morning the Subcommittee on International Political and Military Affairs continues its inquiry into events surrounding seizure of the vessel *Mayaguez* by Cambodia, and subsequent diplomatic and military efforts made by the United States to secure the safe return of the ship and its crew.

The purpose of these hearings is to review the operations of our Government's crisis management system in this particular instance in order to insure that in any future situation our Government operates with maximum efficiency and with minimum risks to the welfare of U.S. civilians and military personnel.

Since the seizure of the *Mayaguez* on May 12, the committee and this subcommittee have held a total of six hearings on the seizure and our Government's response. We have heard testimony from Members of Congress, officials of the Defense and State Departments, and the captain of the *Mayaguez*.

Today we are pleased to have with us Hon. William P. Clements, Jr., Deputy Secretary of Defense. Secretary Clements is accompanied by Mr. Morton Abramowitz, Deputy Assistant Secretary of Defense for International Security Affairs, East Asia and Pacific; and Brigadier General Atkinson, U.S. Air Force, Assistant Director of Operations for Command and Control, Joint Chiefs of Staff.

Mr. Secretary, I want to thank you for coming today. We appreciate the cooperative spirit shown to this subcommittee by your Department during this inquiry. I regret that the Department of State and the National Security Council have not yet demonstrated similar cooperation although I remain hopeful that they will yet be forthcoming.

Mr. Secretary, you have a prepared statement, so please proceed.

STATEMENT OF HON. WILLIAM P. CLEMENTS, JR., DEPUTY SECRETARY OF DEFENSE

Mr. CLEMENTS. I have a short statement and I would like to read it, and then answer any of your questions.

I am pleased to appear before you today to testify for the Department of Defense on the *Mayaguez* incident. You have received considerable testimony previously from both State and Defense witnesses. The basic elements of the incident and the chronology of events are well known to the committee. I would like here to comment briefly on some of the significant aspects of the incident and then try to answer whatever questions you have.

First, the question of intelligence. It has been frequently asserted that there was an intelligence failure or that intelligence was faulty. I do not believe this charge is an accurate one, although in such situations it would be a blessing to have the gift of prophecy.

The main elements of the intelligence problem were: were initial reports of seizure accurate; where was the ship; what was the nature of the opposition of the Cambodian forces on the island; and where was the crew of the *Mayaguez*.

We had very little time to determine answers to those questions. But we proceeded to do everything in our power to gain as full and complete a picture as possible.

In order to put the *Mayaguez* in perspective, I should point out that in the course of a normal day the Defense Department receives hundreds of messages and, in turn, a number of reports of incidents throughout the world—some true, some false, some insignificant, some minor.

The initial tasks were to confirm that the *Mayaguez* was in the area, and to verify the report of seizure. These first steps were achieved in the early hours of May 13. Then the wheels were set in motion to find the *Mayaguez* and to determine the actual and updated situation. Once located, we commenced continuous aerial surveillance of the *Mayaguez* and photographed the island and the area constantly.

In the case of the Cambodian forces on the island, our intelligence estimated—and I want to emphasize estimated—that there were 150 to 200 troops with a variety of machineguns, recoilless rifles, and other weapons. These estimates proved to be essentially accurate. We did not know, nor did photography permit us to tell, the readiness or determination of the Khmer Communist forces stationed on the island.

In the case of the crew, surveillance indicated that at least some of the men had been taken off the *Mayaguez* and removed to Koh Tang Island. On the evening of May 13, Washington time, our aircraft identified a fishing boat as possibly carrying some members of the crew. The craft was headed toward the mainland. Our planes made efforts to turn back the vessel and divert it, but were unsuccessful. Because there was possibility of some part of the crew being abroad the vessel, we allowed it to proceed into Kompong Som.

From this point on, military planning for the rescue of the crew had to consider the possibility that some of the crew could be on the *Mayaguez*, some on Koh Tang Island, and some on the Cambodian mainland.

It is difficult to see what more could have been done in terms of gathering intelligence given the specific situation. I would add, however, that based upon a review of this incident, some improvement in intelligence procedures might be recommended.

The second matter relates to the view of some that the military action taken was premature, overreactive, and unnecessary. Proponents

of this view generally contend that the effort to resolve the situation by diplomatic means was inadequate. It would be appropriate to recap the situation as it existed at 1652 e.d.t., May 14. In fact, I believe it is always important in reviewing events such as this to make a conscious effort to understand and appreciate the atmosphere in which the decisions were made. Only by doing this can matters be kept in the proper perspective.

At that time some 51 hours had elapsed since the ship had been seized. The Khmer Communists had not given the slightest acknowledgment or explanation for the seizure. Even the most elementary statement about the condition of the crew had not been heard.

Diplomatic efforts through the People's Republic of China had been turned down. A direct approach to the Khmer Communist government in Peking under Sihanouk was similarly unproductive. The situation was beset with many uncertainties regarding the ship and crew, and whether the government in Phnom Penh was actually in control of the situation. I think this is key.

It should also not be forgotten that the new Khmer government was hostile to us. Given these conditions, the order to take military action to recover the ship and its crew was issued on Wednesday at 1652, May 14, e.d.t. To have delayed any further would have allowed the Khmer Communists greater opportunity to remove the entire crew to the interior of Cambodia where rescue would have been very difficult at best.

In general, it is my belief that the direct and resolute actions taken were an essential aspect of the safe recovery of the *Mayaguez* and its crew. This judgment is shared by Captain Miller. Before this committee last month, Captain Miller stated his belief that the willingness of the Khmer Communists to release the ship and crew was directly related to our military threat such as posed by our aircraft.

The final subject I would like to discuss is casualty reporting. As you know, we have reported 15 killed, 3 missing, and 50 wounded. There was a delay in tallying and compiling these figures. I regret this but it is simply not easy in an operation of this sort to get instant, accurate casualty reporting.

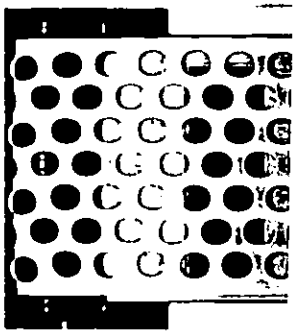
As you can well appreciate, due to the sensitive nature of this subject, especially notification of next of kin, it is essential that all reports be thoroughly checked and cross-checked before we make a final determination of the status of an individual.

In this particular situation, the muster of the forces associated with the operation was complicated by the fact that all personnel extracted from the island were not moved to the same location. Personnel ended up on the *Coral Sea*, the two destroyers and in Thailand, and some of those in Thailand were then on their way back to Okinawa in a few hours. Thus, it took several days before all reports were consolidated, confirmed, and proper notification procedures were completed.

That ends my statement. I will try to answer your questions.

Mr. FASCELL. Thank you very much, Mr. Secretary. I believe that you have addressed yourself to all of the major issues that have been raised so far in the hearings. I appreciate your presenting your testimony in that fashion.

Mr. Secretary, you attended some of the NSC meetings; am I correct?



Mr. CLEMENTS. I attended all of them.

Mr. FASCELL. Would you set the atmosphere and the tone for us. I never have attended an NSC meeting and I am sure Mr. Buchanan has not. We would like to get an idea of what goes on, particularly in terms of this kind of incident.

Mr. CLEMENTS. First, Mr. Chairman, I would like to say that in my judgment the NSC structure provides an excellent forum for this Government and this country to handle crises of this nature.

The President is the Chairman of this body. He makes the decisions. This is the way it should be. This is by law, and these people who are there at his invitation consult, discuss, suggest, recommend, and consider all the options. A forum of this type for circumstances of these kinds certainly brings together the greatest amount of information that, in my judgment, could be concentrated for a decisionmaking process.

I would suggest to you, Mr. Chairman, that in crisis management, which you have already referred to, that this is exactly the kind of forum that is needed and required and should be used. I think the President should be complimented for utilizing this resource.

Mr. FASCELL. How about intelligence that comes in from all channels? I am talking about the entire intelligence community. How does that become available to NSC in an ongoing operation? That is important since, in the examination of options, you might want to change your mind every hour on the hour depending on what the situation is?

Mr. CLEMENTS. Mr. Chairman, there is no breakdown of any kind in regard to the flow of intelligence to this body. In the first instance, I am sure you already know, Mr. Colby is present at these NSC meetings.

As you also know, he is the Director of Central Intelligence, which by law has certain responsibilities. Mr. Colby heads up what is called the intelligence community of this Government. He is constantly in touch with his people and he provides to the President the interface with the intelligence community in these meetings.

In addition to this, the NSC staff has certain responsibilities within its structure to handle intelligence through the normal day-to-day flow and the Department of Defense has similar structures, as does the State Department.

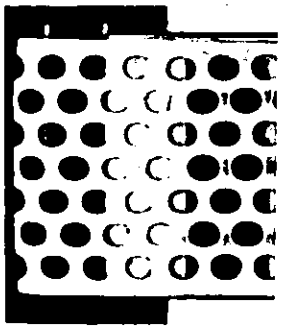
In the Department of Defense the Assistant Secretary of Defense for Intelligence, Dr. Hall, and General Graham, who heads up the DIA, normally report through me within the Department of Defense.

The people that were there are fully informed on the most current intelligence and if there are changes they are immediately informed.

Mr. FASCELL. Who orchestrates the requirements for intelligence as you are sitting in an NSC meeting? For example, location of the vessel or the crew, it seems, would be a DOD intelligence requirement because they are the only ones capable of carrying it out. State could not do it.

Mr. CLEMENTS. That was the way it was handled, and the requirement to locate the *Mayaguez* took place immediately when we knew there was a crisis.

Mr. FASCELL. In other words, at the first meeting, it became an obvious issue. We had to find the vessel?



Mr. CLEMENTS. Even before the first meeting was officially called that effort was underway.

When we knew there was a problem, we immediately started searching for the vessel and trying to find it. Some time was required to ready the crews and get them in the air and so forth. But the need and the requirement which you mention was immediately recognized, and the process was started.

Mr. FASCELL. Mr. Buchanan?

Mr. BUCHANAN. I think this is mostly a positive thing. So far as the decision to take the military action, I assume that was made by the Commander in Chief ultimately—the President, that is—and I think that was acting decisively in a crisis. And it turned out well.

I think the military operation was primarily a success, but the purpose of this subcommittee as the chairman stated is to take a look at the system for responding to crises.

We had a similar incident once before in the *Pueblo* crisis that did not turn out well. We had that situation arise.

The use of the word "immediately" intrigues me and concerns me and concerns me a bit. Mr. Neil's report was received at 3:19 a.m., the U.S. Embassy in Jakarta informed Washington at 5:02 a.m., almost 2 hours later.

At 7:30 a.m., 2½ hours later, you ordered CINCPAC [1] to send reconnaissance aircraft to find the ship.

Mr. CLEMENTS. What time did you say?

Mr. BUCHANAN. 7:30 a.m., that is what our information is.

Mr. CLEMENTS. On what date?

Mr. BUCHANAN. May 12.

Mr. CLEMENTS. My time is 7:03. I don't want to be picayunish, but I have certain information that comes from the logbook. And I would want the record to reflect what our record indicates.

Mr. BUCHANAN. I am glad to have the correction, because our records were 7:30. That is 7:03, just 2 hours after Washington was informed of the incident, that the reconnaissance was ordered. Our records show 9:57 a.m., which according to your records would be almost 3 hours later the aircraft were actually dispatched according to our records.

Do you show something different from that?

Mr. CLEMENTS. Yes, sir, our records indicate that in some 4 hours—now that would conform to what you said—but in some 4 hours we launched a P–3 to start the search. This has to be put into the context that we don't maintain an aircraft of this type on strip alert in Thailand from where it was launched. The aircraft had to be readied, the crew briefed, the mission planned, and all other of these pretakeoff activities completed.

Mr. BUCHANAN. I appreciate your opinion of that subject, but I just wonder—the first word came in at 3:18 a.m., and this was a situation in which two other ships had previously been disturbed in these waters. This is 6 hours and 40 minutes from the time of the first word that the aircraft was dispatched.

Maybe from the point of view of our Military Establishment that is immediate action. From the point of view of a layman it seems like a long time to get reconnaissance started when there has been some

[1] Commander in Chief, Pacific.

existence of the possibility of such thing because of the other ships that have been disturbed and given the general situation when we had the *Pueblo* incident.

Perhaps it is my lack of knowledge of military affairs, which is very great, but from a layman's point of view, it would make me wonder if the system is all that excellent, if it takes this kind of time to begin surveillance.

It would seem to me as a layman that there might be a system under which surveillance would be an automatic thing that would be triggered without all these hours of delay, particularly when you consider the fact once they get to the mainland, like the *Pueblo*, they may be gone forever and you might have a mean crisis on your hands.

Mr. CLEMENTS. I appreciate your position, but I want to point out there is a great difference between the *Mayaguez* and the *Pueblo*. In the first instance, the *Mayaguez* is not a U.S. Navy ship, and it was not on an official military mission. The *Pueblo* was. That is a great difference as far as we are concerned.

In addition, the *Mayaguez* seizure had a cloud over it. These other incidents had apparently gone on, evaluation was required as to what really took place. We did not know what the true facts were in this regard.

As a matter of fact, it took us many days to sort out whether those other two incidents, that you were talking about, whether those ships were actually seized or not and we finally determined that one of them had a shot fired across its bow, and it escaped. In the other instance, the ship was boarded and let go. It was not seized at all.

Mr. BUCHANAN. I understand all that.

Mr. CLEMENTS. So, the information flow was not all that one would have wished for.

I have a log here of the events in sequence of time of exactly when these things took place. I will be happy to put this in the record. [1]

Mr. BUCHANAN. I would appreciate that.

Mr. FASCELL. Without objection.

Mr. BUCHANAN. We have such a log, but yours is apparently different.

Mr. Secretary, I would be an absolute hypocrite if I did not convey my substantial concern. Would you similarly defend the *Pueblo* crisis as being immediate?

Mr. CLEMENTS. No, sir, I would not.

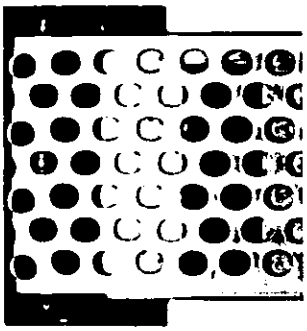
Mr. BUCHANAN. It just seems to me that this—it is true of many entities and enterprises—but we have a very great bureaucracy in the Pentagon. You have quite a military bureacuracy getting from the point of decision to the point of implementation.

It seems to me there ought to be some way to make very elementary steps like sending out reconnaissance to see what in fact is happening, that there ought to be some way to speed up their process.

From your response, it would appear to me, you feel your response was perfect already so there is no room for improvement.

Mr. CLEMENTS. If I left that impression, I would like to correct it. And if you would prefer, I would withdraw the term "immediate." I certainly think that the process could be improved.

[1] The information was subsequently provided and retained in the committee files not printed for public record due to classification.



I don't want to leave any other impression with you. If you have the impression that I was saying it was satisfactory, even, it was not.

I think that we can do better.

Mr. BUCHANAN. I want to repeat, I think overall the military operation was a fine success—the actual recapture of the ship and the end result of the mission, but it seems to me there may really be a way to improve the system to initiate particularly the reconnaissance.

Mr. CLEMENTS. I accept that, and I agree with you.

Mr. FASCELL. Mr. Secretary, let's backtrack a minute.

When did you first learn of the seizure?

STATEMENT OF MORTON ABRAMOWITZ, DEPUTY ASSISTANT SECRETARY OF DEFENSE, EAST ASIA, AND PACIFIC AFFAIRS

Mr. ABRAMOWITZ. In Washington at 5:12 in the morning. That is when we learned about it from the U.S. Embassy in Jakarta.

Some 4 hours after that time, the P–3 was launched. I would point out that P–3's are located in the Philippines and in Thailand. Only the P–3 in the Philippines is on strip alert.

Mr. FASCELL. Why doesn't somebody tell us why it was a P–3 and not something closer or faster or bigger or whatever?

Mr. CLEMENTS. You mean——

Mr. FASCELL. You had to bring in a P–3 to do the job? You did not have something else closer? You did not have a carrier closer? You did not have a plane that could do the job closer? There was nothing else to send except that particular plane? Why? Is it equipped to do the job? Was it the only one there?

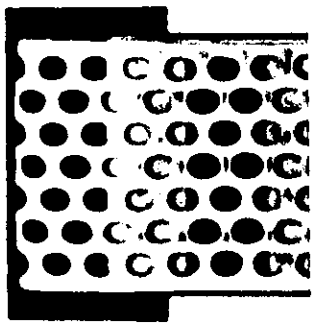
I am throwing the football as hard as I can.

Mr. CLEMENTS. The P–3 is uniquely equipped to do this particular type of reconnaissance and surveillance. It was the proper asset to assign to this particular mission.

Mr. FASCELL. You see the problem Mr. Buchanan and I have, and I am afraid other laymen have. We have the idea that you pick up the red telephone and you say "Hey, CINCPAC, send an aircraft out. Go find that boat."

Now, what is wrong with our thinking? I think that is what he is asking.

Mr. CLEMENTS. There is not a thing wrong with that kind of thinking. As a matter of fact, it works in that fashion, but we are talking about finding out something here at 5:12 and having something happen at 7:03.



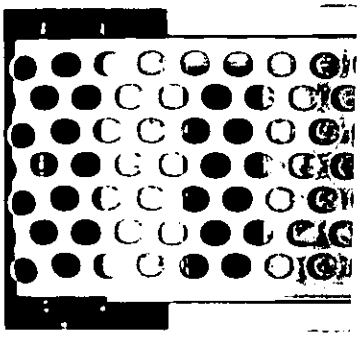
Now, if you are specifically saying that that 2-hour differential is too long——

Mr. FASCELL. No, sir, I am not saying that.

I am just saying you said that you sent a P–3 from the Philippines. All I said is "Fine, why?" You tell me; I don't know.

There were not any other reconnaissance flights going on in the area?

Mr. CLEMENTS. There were not, and furthermore, you know we just can't cover the world in this manner.



Mr. FASCELL. We laymen don't have that kind of knowledge. We think you are covering the world.

Mr. CLEMENTS. If you consider our budget, that is perhaps a reasonable thought on your part. But the truth of the matter is, we just don't.

Mr. FASCELL. In other words, you did not have F–4 reconnaissance flights in the area that could give you the intelligence you wanted?

Mr. CLEMENTS. Not at that particular time.

Mr. FASCELL. Then, how did you verify the seizure?

Mr. CLEMENTS. Through the use of P–3 aircraft and through their surveillance and photography and continued reconnaissance. We not only found the ship, we kept it under observation.

Mr. FASCELL. John, are you still having trouble with this? I am a little bit but go ahead.

Mr. BUCHANAN. I have another related question to raise, but I think my problem is that if there is not a way to develop a system where reconnaissance can begin sooner— maybe there is not, but it seems to me that might be possible. When you consider the kinds of problems we have with the *Pueblo* and we fortunately averted in this case it seems to me if a system could be developed where just reconnaissance, going to sea, could be launched a little more automatically—maybe that is not possible, but that is the problem.

I have a related question. That is, the captain of the *Mayaguez* testified that there were commercial vessels in the area which responded to his mayday and which indicated they were notifying the authorities, specifically, the tug *Bianca*. The tug *Bianca* indicated it had notified the authorities in Manila and they had sent it on to Subic Bay.

This is separate from the whole story we have of it being picked up by our people in Jakarta and being relayed to Washington. Do you have evidence of that? We had the testimony the captain of the *Mayaguez* had response from this commercial vessel, which said they had relayed this information.

Mr. CLEMENTS. We do not.

Mr. BUCHANAN. You do not have this information?

Mr. CLEMENTS. No, sir, we do not.

Mr. FASCELL. How was the *Mayaguez* first located?

Mr. CLEMENTS. I am sorry, Mr. Chairman, I thought I had made that clear. It was located through the aerial reconnaissance efforts of the P–3.

Mr. FASCELL. Was that eyesight or electronic?

Mr. CLEMENTS. I really don't know that specifically, I would assume by eyesighting, but I can't positively say that.

Mr. FASCELL. I thought I heard you say in your testimony that we had continuous movie film going from hour one to hour zero.

Mr. CLEMENTS. Once the ship was located we had continuous surveillance of the ship.

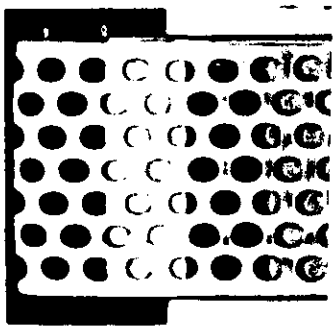
Mr. FASCELL. Once the ship was located, but—

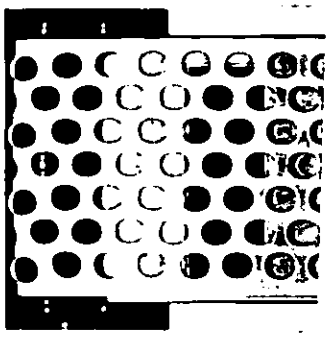
Mr. CLEMENTS. We could not have continuous—

Mr. FASCELL. In other words, the ship was located as a result of the reconnaissance flight of the P–3 coming from the Philippines?

Mr. CLEMENTS. No sir, it came from Thailand.

Mr. FASCELL. Thailand, but we don't know if this was visual sighting of the ship?





Mr. CLEMENTS. I thought you meant did the pilot find it in the sense of first sighting it either by radar or by signals, or what. Certainly, in due course he got down and identified it with his eyes, that is exactly right.

Mr. FASCELL. In other words, visual verification?

Mr. CLEMENTS. Visual verification.

Mr. FASCELL. By the pilot of the reconnaissance aircraft?

Mr. CLEMENTS. Yes, sir.

Mr. FASCELL. And that was immediately transmitted by radio from the airplane back to home base and then transmitted back to Defense?

Mr. CLEMENTS. Yes, sir.

Mr. FASCELL. That is just a question, I don't know.

Mr. CLEMENTS. Yes, sir.

Mr. FASCELL. Sometimes it is difficult to go back and recall it exactly but one of the recurrent questions that arose all through this testimony was the capability of our surveillance to make any determination as to the location of the crew and exactly what information was available to NSC for them to make decisions.

This is a very crucial point because, whatever the range of options you had before you at the time, it all centered on one question: Where was the crew? Otherwise, your range of options did not mean anything.

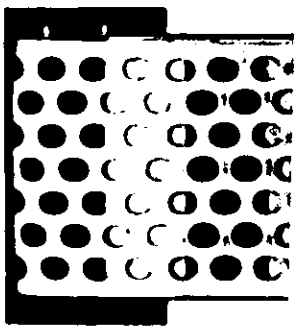
I am taking your caveat into account. I agree with you that you have to rebuild the atmosphere of what was going on at the time in order to have some perspective.

Fifty-one hours have gone by. That is a long time. We have not heard anything and the crucial issue is: Where is the crew? I am at an NSC meeting and I ask that question and I keep asking that question: Where is the crew? Who tells me that? Who gives me the answer to that? Do you? You are DOD. You are flying the airplanes so I look you in the eye, Mr. Secretary, and I say, where is the crew? Where is it?

Mr. CLEMENTS. Mr. Chairman, the information about what had been happening with respect to operations, the movement of the Cambodian gunboats and effort to turn the gunboats around, and the fact that our pilots who were flying right alongside the particular boat that had what were termed to be "Caucasians"—and that was the term that came in from the pilot——

Mr. FASCELL. "Appeared to be?"

Mr. CLEMENTS. "Appeared to be Caucasians on board." All these reports were thoroughly massaged by the intelligence community and the NSC staffs and the principals. We all had the same information. It was not a case of somebody looking me in the eye and saying: "What can you serve up?"



Mr. FASCELL. You mean we all sat there and looked at the films?

Mr. CLEMENTS. No, sir. I am talking in terms of the reports that came from the pilots themselves.

Mr. FASCELL. I hear you. So basically we acted on a report that came in over the wire that a pilot said Caucasians?

Mr. CLEMENTS. Absolutely. This is the way it came in, and as it comes into DOD it goes to State and CIA and DIA.

Mr. FASCELL. I assume you are a very curious man, Mr. Secretary.

Mr. CLEMENTS. Your perception is well taken.

Mr. FASCELL. I wonder if you went back and looked at the films that the pilot took at that time?

Mr. CLEMENTS. My recollection is that there were no pictures taken, but I am not sure of that.

Mr. FASCELL. That hurts me, Mr. Secretary. Here again I am acting like a layman. I thought DOD is so thorough they would take pictures even if it was coal black dark and that the film would have a time indicator on it that would say 11:01, 11:02, 11:03 et cetera so that, when it got to the gameroom at the Pentagon, the guy could take a deep breath and say: "Here is my roll. Look at it, baby." It was black and white or dark red, but there it is, with the time.

Mr. CLEMENTS. My associate, Mr. Abramowitz, tells me I was wrong. There were pictures taken. I have not seen them and I am not as curious as you thought I was. The reports that came in from the pilot were carefully gone over. These were visual. He was flying over this gunboat at very, very close range and his reports coming back in were carefully and thoroughly gone over. I did this personally as did other people.

From the standpoint of our use at this particular time and with the time sequence which Mr. Buchanan was talking about, I am satisfied that we acted promptly, based on those reports as opposed to waiting for the photographs. I would not have wanted to do that. The photographs were not available at that time.

Mr. FASCELL. I understand.

Mr. CLEMENTS. We had to act on the information we had.

Mr. FASCELL. I think GAO is trying to find out—and the Chair is trying to find out—if they are available at this time.

Mr. CLEMENTS. I am sure they are.

Mr. FASCELL. I am just curious. I am not assuming that anything is wrong here. It is critical because the whole operation hangs on the pilot saying it looks like there are Caucasians on that boat.

Captain Miller told us they are the greatest guys in this world—all those pilots. Not just this pilot but all the pilots. He said that guy came so close to that boat when they were trying to turn him around that they were shooting and firing rounds right up to within 10 feet of the bow. He thought they were pretty good.

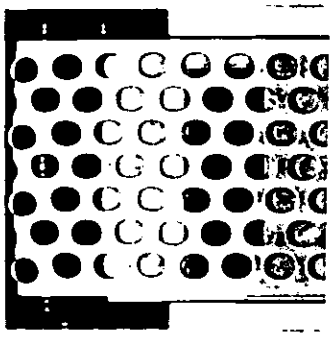
Mr. CLEMENTS. Our information was that the pilots flew extremely close to the boat. And under these circumstances I considered that their visual evaluation under the crisis management situation to which you referred was the best information we had available at the time.

Mr. FASCELL. I would not argue that even though it is as difficult as it is to fly over 100 miles an hour and try to decide anything at all.

Which series of sightings was this? Where was this vessel, the fishing vessel, when the pilot said—which was the first identification—that Caucasians might be on board? Do you have that handy?

Mr. CLEMENTS. No, sir, but we can get it for you, and we can trace from his log when he picked up this boat. I can tell you in my recollection that his picking the boat up, his trailing it, his trying to stop it—and it did stop for a while and he had it more or less——

[The information referred to follows:]



SIGHTING OF FISHING VESSEL WITH POSSIBLE CAUCASIANS ABOARD

At 2103 EDT an aircraft reported sighting a fishing boat with possible caucasians huddled in the bow at 10 degrees 23 minutes North and 103 degrees 18 minutes East. This location is approximately 9½ nautical miles East North East of Koh Tang Island. From 2103 EDT until the boat docked at Kompong Som, approximately 2315 EDT, this boat was under constant surveillance. During this period numerous attempts were made to stop or divert this boat, but these attempts were unsuccessful.

Mr. FASCELL. I can't remember whether that was between Paulo Wai and Tang or between Tang and the mainland.

Mr. CLEMENTS. It was between Tang and the mainland. And I want to add here, Mr. Chairman, that our judgment was, that based on this information, there were Caucasians on board. But—and I want to make a big "but" here—we did not know for sure how many and that is the key.

Mr. FASCELL. I understand that. You covered that in your testimony very well. In the range of options which you had to consider in NSC you had to assume that there could have been in one place or in three places or in nine places?

Mr. CLEMENTS. That is right.

Mr. FASCELL. But the boat was picked up. I am trying to recall Captain Miller's testimony. It seemed to me his testimony verified the fact that the crew was on that boat at that particular time. Am I correct? Do any of you gentlemen recall?

Mr. CLEMENTS. That is right.

Mr. FASCELL. So, in other words, we have subsequent testimony which verifies the pilot's information at that time, which was essential to decisionmaking in the NSC. NSC had indications that Caucasians were being moved, and you had reason to believe they were members of the crew, but you did not know how many or where they were going.

Mr. CLEMENTS. That is right.

Mr. FASCELL. I keep thinking of this film rolling with the time indicators in the side sprockets—when was that exactly?

Mr. CLEMENTS. Just a moment. Let me look at my records.

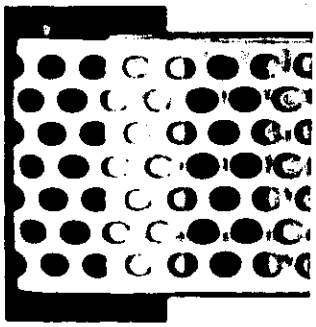
Mr. Chairman, that was 2152—that is, 9:52 eastern daylight time—on the 13th. The fishing boat with possible Caucasians abroad was spotted moving toward the mainland northeast of Koh Tang Island.

Mr. FASCELL. I would assume it is dark?

Mr. CLEMENTS. No, sir. That is 12 hours later around the clock in Cambodia. So that is morning.

Mr. FASCELL. So the time you gave me, 2152, is our time?

Mr. CLEMENTS. Yes. That is eastern daylight time. So you have to move that——



Mr. FASCELL. I thought I heard you, but I wanted to be sure the record did.

Mr. CLEMENTS [continuing]. You have to move our time forward 12 hours.

Mr. FASCELL. Which puts me on their time, at what time on what day?

Mr. CLEMENTS. Eleven hours ahead on the 14th, the morning of the 14th.

Mr. FASCELL. So the morning of the 14th, at what time?

Mr. CLEMENTS. At 8:52.

Mr. FASCELL. So it is broad daylight. And it is in the morning. Now, we picked up that boat?

Mr. CLEMENTS. Mr. Chairman, I want to make sure the record shows this because there has been confusion about the time. The reason it is not 12 hours ahead is because we are on daylight saving time and they are not. Normally, it would be 12 hours.

Mr. FASCELL. We picked up the boat at 8:52 in the morning of the 13th?

Mr. CLEMENTS. Cambodian time.

Mr. FASCELL. The time is one of the problems with this whole thing so we have to be very careful.

Mr. CLEMENTS. We have a log here that we would be happy to give you.

Mr. FASCELL. I thought we had already put that in the record. You said in response to Mr. Buchanan that you would do that, and I appreciate that because that is obviously a fuller, more complete, log than what we have, which was too general and may have had some incorrect times in it, too.

Mr. Secretary, I assume from the time we picked up the boat, we never turned it loose, right? We followed it with our reconnaissance?

Mr. CLEMENTS. No, sir. I don't think that is right. At a point, that boat went on into the harbor.

Mr. FASCELL. I know, but our reconnaissance followed it all the way, didn't it?

Mr. CLEMENTS. In the spirit you are using reconnaissance, the answer is probably yes. We knew where the boat generally was.

Mr. FASCELL. What does that mean? I have an idea of a guy flying an airplane with a camera that would pick the fly specks out of the paper at 90,000 feet. We find the boat and we think the guys are on there—and I am assuming when that happened an order went out and said, "OK, you follow that baby no matter where it goes." Is that what happened or did something else happen?

Mr. CLEMENTS. No, sir, I don't think that is what happened. Certainly, in the sense of us keeping constant surveillance without any interruptions and knowing full time, all the time, where that boat was and where the crew was, that is not true. We did not know that.

Mr. FASCELL. You better tell us what happened now because I am feeling a little flat.

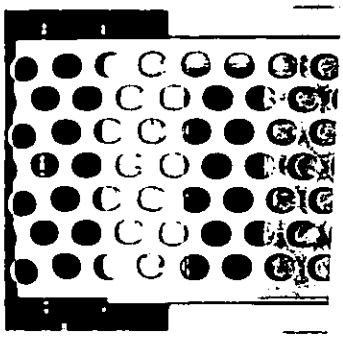
Mr. CLEMENTS. Well, for a sequence detailed, I am going to have to lean on some of my associates here to make sure it is correct. May I do that?

Mr. FASCELL. Absolutely.

Mr. CLEMENTS. Mr. Chairman, we are going to have to develop for the record the exact details of how far in that boat was and when we lost it—because of the proximity to the mainland—or because night came on and similar details. I just don't have that. But we will provide for the record to the extent that we have an accounting of that complete sequence.

Mr. FASCELL. That would be very useful because it would close some gaps and also answer some questions.

Mr. CLEMENTS. That will be fine. We will be happy to do it.
[The information follows:]



DETAILED SEQUENCE OF U.S. EARLY RECONNAISSANCE EFFORTS

A field report transmitted at 2226 EDT on 13 May indicated that one 30 foot craft with approximately 40 people aboard departed Koh Tang Island at 1830 EDT 13 May. The identity of the personnel aboard the craft was not discernible. Earlier reports had indicated that the crew of the *Mayaguez* had been transferred from the vessel to Koh Tang.

At 2103 EDT on 13 May a pilot observed a fishing boat with "possible caucasions huddled in the bow" at 10 degrees 23 minutes North, 103 degrees 18 minutes East. Attempts were made to divert the boat by strafing. From 2103 EDT to 2255 EDT, when reports indicate that riot control agents were dropped on the boat, numerous attempts were made to stop the boat or divert it from its course. However, all attempts to divert this boat from its base course toward the mainland were unsuccessful.

The boat was observed to reach the mainland at approximately 2315 hours EDT. Surveillance was discontinued on this particular boat once it arrived in the port of Kompong Som.

Mr. FASCELL. As I remember Captain Miller's testimony, they went into the mainland and wound up on an island somewhere just off the mainland. Am I correct? In order to get on the mainland itself, they had to cross a bunch of bamboo bridges, or something like that. Does that ring a bell?

Mr. CLEMENTS. He went to the mainland first—that is the information—and then under the cover of night they were moved to an island.

Mr. FASCELL. I believe that is what his testimony disclosed.

Mr. CLEMENTS. I think that is correct.

Mr. FASCELL. Well, we will doublecheck.

Mr. CLEMENTS. We will make an effort to see what we can run down from our records.

[The information follows:]

DEPARTMENT OF DEFENSE ESTIMATES OF CAMBODIAN STRATEGY

A review of the testimony provided by Captain Miller to the Subcommittee on International Political and Military Affairs on 25 July 1975 establishes the following chronology of the crew of the *Mayaguez* after diversion attempts of U.S. aircraft failed and the crew arrived on the Cambodian mainland. Times of these events were not provided by Captain Miller, but are estimated by DOD.

Arrived in Ream:

Were under surveillance by U.S. aircraft.

Tied up at fishing pier (600 persons were watching).

After ½-¾ of an hour, captors were told to move by personnel from another gunboat.

Estimated time of arrival by DOD sources 2315 hours EDT (1015 hours local).

Moved down the harbor about 1½ miles and anchored off the beach about 50 yards:

A military compound and prison were located on the beach.

About 60 or 70 aircraft were over Kompong Som and Ream during this period.

Crew had lunch aboard boat.

The crew and their captors were again ordered to move to island of Rong Sam Loem:

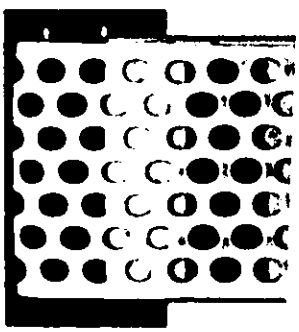
Houses were built over the water on stilts.

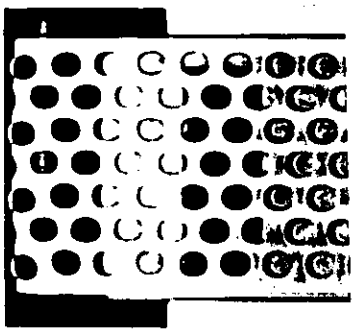
The Second Military Command Post of the Kompong Som area was based there.

The crew was met at the dock by the commander and an interpreter by the name of Sam Kol.

Estimates arrival time of mid-afternoon.

After an interrogation they were fed (prior to a radio contact at 0700 hours EDT (1800 hours local) with Kompong Som).





Mr. FASCELL. We need to get the record straight on that. If we lost the boat somewhere, we lost it. It just happens. That can happen to anybody.

Mr. CLEMENTS. Mr. Chairman, we knew—when I say we knew, we did not positively know—we felt it was our judgment that if they got to the mainland, it was going to compound our difficulties immeasurably.

Mr. FASCELL. I would certainly arrive at the same conclusion, Mr. Secretary. I would not argue about that.

Mr. CLEMENTS. We strongly felt that our feeling was correct in this regard, and we just lost track of the boat.

Mr. FASCELL. No argument. As I recall the testimony, the men of the crew said they were moved from the mainland to this island in broad daylight. It was not dark, but the record will disclose that.

But there is another scenario which reads like this: Some guys made it to the mainland. We don't know how many. So we know now the parameters of our problem. We have two islands where we might have some people, and we know positively or we are pretty certain that we have guys on the mainland. They are there. It does not make any difference whether they are 65 feet in or 500 miles in. They are there.

The problem is the same no matter how far from the shoreline they are. That is a possible scenario. By hindsight, you can't extend the gift of prophecy to the guys who were involved in the operations. You can't in this scenario, say they should have known because it was broad daylight that the crew was moved from the mainland to the island, and the Cambodians did not have any idea of holding them hostage. You can't arrive logically at that kind of reasoning. That would be totally illogical.

Mr. CLEMENTS. We agree.

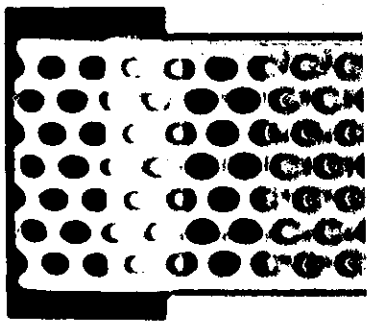
Mr. FASCELL. But the point is still valid. If a conscious decision was made, Mr. Secretary—and this is what you are going to have to put in the record for us—if a conscious decision was made saying they are on the mainland, that is it. Now we go back to the drawing board and see what we do about it, and that conclusion would have stopped your reconnaissance.

Mr. CLEMENTS. No, sir, that is not true, and I will expand upon that for the record.

[The information follows:]

DETERMINATION OF WHEREABOUT OF CREW MEMBERS UPON ARRIVING ON MAINLAND

In answering this question the following factors should be considered. First, despite reports to the effect that there was a possibility that some of the crew were on a fishing boat, at no time were aerial observers able to clearly identify the crewmen nor determine how many personnel were aboard. Second, according to previous reports, some or all of the crew had been transferred from the *Mayaguez* to Koh Tang Island. Once the fishing boat docked at Kompong Som, it was believed that any further action would be unproductive in light of more pressing requirements at Koh Tang where the majority of crewmen were thought to be. Although continued reconnaissance of the area was directed, the fishing boat was not designed as a target of significant interest. The last known report made identifying the fishing craft at Kompong Som was 2315 EDT on 13 May.



Mr. FASCELL. I could see that as a logical sequence. And you would say, "Well, yes, but we will still continue reconnaissance over the two islands."

Mr. CLEMENTS. We had the coverage and the reconnaissance to the maximum extent possible, in our judgment, not only on the islands but also on the mainland, but you have to remember there was hostile action on the mainland, too. We just did not have completely free passage in there to do whatever we wanted and——

Mr. FASCELL. Are you talking about air or water?

Mr. CLEMENTS. I am talking about air and not only there. The pilot plane that you were so complimentary about, was taking hostile fire when he was doing his job.

Mr. FASCELL. Small arms fire from the boat or antiaircraft from the mainland?

Mr. CLEMENTS. No; from the boat.

Mr. BUCHANAN. Mr. Secretary, I want to get back to CINCPAC and to the initiation of reconnaissance in the first place. You indicate that you have no information of any report by the tug *Bianca* to the authorities in Manila or Subic Bay of this. Would you get somebody to send a cable out to CINCPAC and see if they ever received such a message, and supply it for the record?

Mr. CLEMENTS. I will be glad to. I have no recollection of it, but we will check and make sure. We will provide the cable you ask for.

[The information follows:]

CABLE COMMUNICATION RECEIVED BY DEFENSE DEPARTMENT

We have queried CINCPAC and they stated that they did not receive any communication from the tug *Bianca*. However, they did receive a message from our attaché office in Singapore which reported that the tug *Bannock* had received a distress call from a vessel identifying itself as an American flag ship named *Marlborough*. The report indicated the transmission was not clear. CINCPAC states that this report was received at CINCPAC after they had received the report from our Embassy in Jakarta Indonesia. A copy of the classified message received by CINCPAC and retransmitted at our request was provided.

Mr. BUCHANAN. Jakarta notified at 5:02 a.m., Washington. As a part of the system, or is it a part of the system that there would be any notification of CINCPAC at that point that maybe the Cambodians have made off with an American vessel? Would that be part of the system or would it not?

STATEMENT OF BRIG. GEN. A. W. ATKINSON, U.S. AIR FORCE, ASSISTANT DIRECTOR OF OPERATIONS FOR COMMAND AND CONTROL, JOINT CHIEFS OF STAFF

General ATKINSON. I am not sure I understand your question, sir.

Mr. BUCHANAN. There is a report that someone had seized an American vessel within the area of responsibility of CINCPAC and this report was now coming through official U.S. channels. The embassy at Jakarta has notified Washington, D.C. At what point, given the system, would CINCPAC be notified, "Hey, you may have a problem there, there has been a reporting of the seizure of a vessel in your area of responsibility"?

General ATKINSON. Normally the first thing that would be done would be to call CINCPAC and ask them if they had additional information.

Mr. BUCHANAN. Was this done?

General ATKINSON. I can't answer that, sir.

Mr. BUCHANAN. Will you provide that for the record?

General ATKINSON. Yes, sir.

[The information follows:]

PRECISE TIMES OF NOTIFICATION OF SEIZURE

PACOM first became aware of the *Mayaguez* seizure at 0514 hours Eastern Daylight Time (EDT) on 12 May 1975, approximately the same time the message was received in Washington. Records indicate that extensive discussions occurred between the Pentagon and CINCPAC; at 0534 hours EDT, 0620 hours EDT, 0702 hours EDT, and at 0730 hours EDT. Additionally, other consultations took place by telephone and message throughout the day of 12 May.

Mr. CLEMENTS. Mr. Abramowitz has a comment.

Mr. ABRAMOWITZ. I can't verify this, but I would assume that the American Embassy in sending that message to Washington sent it immediately to CINCPAC.

Mr. BUCHANAN. I would think, if that is not part of the system, it should be made so.

Mr. ABRAMOWITZ. I would assume so, but I can't verify that at this moment.

Mr. BUCHANAN. I am not any high-powered admiral in the Navy. I was once an enlisted man in the Navy. Maybe that created certain prejudices on my part. But, if I were a high-powered admiral in the Navy and I received a report at 5:02 a.m.—I don't know what time that is, 4 o'clock in the morning—whenever it is—the time he was operating, if I received a report, I believe the very first thing I might do is start making contingency plans for reconnaissance in the area. Do you think that would be an appropriate thing for a high-powered admiral to do?

Mr. CLEMENTS. Or not even high-powered.

Mr. BUCHANAN. No contingency plan, nothing at all?

Mr. CLEMENTS. I feel here you have to put this in the context of our normal business, and I mentioned earlier that we get daily from all over hundreds of reports of incidents or potentially important developments——

Mr. BUCHANAN. Every day?

Mr. CLEMENTS [continuing]. And some are valid and some are not valid. As an example—and I won't mention the name—but a very, very prominent, powerful person in the Middle East was rumored to have been the victim of an assassination attempt. Well, it turned out the report was completely erroneous, but nevertheless it flowed through the system and could have caused a real flap if we had reacted violently like you are talking about.

Mr. BUCHANAN. No. I am not talking about reacting violently. You mean you get on a daily basis 500 items comparable to the seizure of an American vessel? Do you mean you really get that kind of traffic?

Mr. CLEMENTS. No, of course not.

Mr. BUCHANAN. And false reports or questionable reports?

Mr. CLEMENTS. But at the same time we have to take into consideration that—as I have already pointed out—that we did have in exactly the same area two other erroneous reports which were to the

effect that two of the other vessels had been seized. In fact, neither one was seized—one was shot at and one was boarded and released.

Mr. BUCHANAN. Isn't that a warning in itself that somebody was out there bothering somebody?

Mr. CLEMENTS. But we did not have that at that time.

Mr. BUCHANAN. They were not our responsibility. These were not American vessels in the first place. I must say it strains my credibility a bit to believe that the Pentagon or CINCPAC would receive on a regular basis numerous reports of this type that might be subject to question, so it would be inappropriate to start doing some thinking about how you are going to handle it if it turns out to be true.

To describe that as a violent reaction—if that is violent for the military—we have a very pacifist military.

Mr. CLEMENTS. I think that what we are really talking about here is a relatively small amount of time. If we had just jumped through the hoop and done everything that possibly we could have done, we are only talking about an additional hour or so saved in getting the P–3 off the ground. Is that what you are talking about? You have to narrow it down to specify what we are trying to do.

If you are saying—and I thought I had already agreed with you—if you are saying that we could improve the system, the answer is certainly yes, we can improve the system. Now, how much we could squeeze of that 4 hours, I don't really know.

Mr. BUCHANAN. In the first place, according to my recollection, from 5:02 to 9:57 is very close to 5 hours, not 4, but maybe there is something wrong with my arithmetic in that instance. But where you have a ship that has in fact been seized and is being towed to a hostile shore, although it is not a military vessel—civilians, not military personnel on board—nevertheless you have a situation which might become roughly comparable and certainly so far as the American people are concerned, very comparable to the *Pueblo* incident, where you have that contingency and that possibility having had this one bad experience just a few years ago, I still fail to see why it would not have been a reasonable part of the system for CINCPAC to have some kind of contingency plan to take over, at least to have somebody standing by for possible immediate departure.

Mr. CLEMENTS. The point is well taken and we will try to improve the system.

Mr. FASCELL. Mr. Secretary, let me get back to where we were. I need to know specifically, in my own mind for judgmental reasons, whether or not we have continuous film and whether it is from one source or several sources, meaning one aircraft or several aircraft. I also need to know, Mr. Secretary, how fast that film was reviewed in Washington, what the procedure is, how it gets here, what the timelag is, what you do with it. And, again, I want to say I am not being critical because I have no way of being critical yet. I am just struggling with the procedures.

We now know there was a photograph of the fishing vessel leaving Kompong Som Harbor with Caucasians on board. We know that now from our own film. And they went to Ream Island but obviously you did not know it at the time. Question. Is that perfectly logical? Was that because the guy that shot the film in that airplane had to get it to Washington and it had to be analyzed by somebody—and I am re-

constructing this scenario, I don't know whether it actually happened or not—but by the time it was processed the incident was over. Or was it over?

Was it because somebody in interpretations missed that particular photograph, which is entirely possible if you are looking at 10,000 feet of film? You can't see everything. We need to know that. Did that really happen? What is the timelag here? That brings us back to your statement in which you say there are obviously improvements that can be made in our intelligence system, and that comes back to just what did you have in mind?

I appreciate your saying that. I think it is a very fair statement. I don't think it impinges on your operation one way or the other, but what did you have in mind in the way of improvement?

[The information follows:]

PROCESSING OF RECONNAISSANCE PHOTOGRAPHY

The following information concerning the sequence of handling reconnaissance photography from the flying of a photo reconnaissance mission to the utilization of processed photography by policy makers in Washington is submitted.

The normal sequence of events are as follows:

(*a*) Picture of target is taken.

(*b*) Aircraft returns to its operating location (time depends on distance from target to operating location (OL)).

(*c*) Aircraft is downloaded and film brought to photo lab (up to 1 hour).

(*d*) Film is processed in labor [security deletion].[1]

(*e*) Photo interpreter (PI) readout begins and frames are selected for electronic transmission.

(*f*) Duplicates (length of time varies) are produced for shipment to Washington, D.C.

(*g*) Chips (selected prints) are prepared for electronic transmission.

(*h*) Chips are sent to transmission terminal [security deletion].[1]

(*i*) Chips are transmitted to CINCPAC and Washington, D.C. [Security deletion.]

(j) Initial Photographic Interpretation Reports are produced (time varies from immediately after receipt of film by the PIs to 12 hours later). This report is called an IPIR.

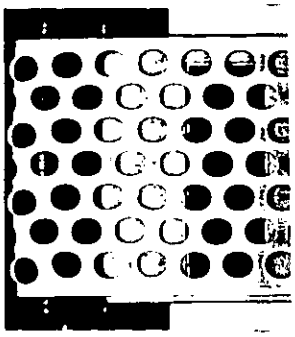
In effect, upon arrival of the reconnaissance aircraft at its operating location (Udorn in *Mayaguez* Incident) the film is downloaded and immediately processed. As soon as the material is processed the photo interpreters begin the readout. Depending upon the urgency of the readout it will be done on either the original negative or a duplicate positive (which takes longer to obtain but is more suitable for interpretation).

The basic intelligence produced from the readout by photo interpreters is provided in the IPIR. These reports are usually completed within 12 hours of the receipt of the film. Secure telephones were available to pass the highest priority information within the theater.

There are two methods available for the transmission of photography in a crisis situation. (a) The use of dedicated aircraft to move the photography from the field to Washington and [security deletion]. In the case of the *Mayaguez* Incident both methods were employed. Dedicated aircraft moved reconnaissance film from Udorn AB, Thailand to Washington, D.C. via Clark AFB, Philippines and San Francisco, California. Selected photographic frames were flown from Udorn AB to NKP, Thailand and transmitted electronically to Washington, D.C. It should be mentioned that no film exposed during the time of the incident reached the Washington, D.C. area until after the *Mayaguez* was released.

Transmission time of imagery from the field to Washington on each mission cannot be precisely determined. No logs were maintained; therefore, there is

[1] Classified portions are retained in the committee files.



no information readily available on specific events. [Security deletion.] As soon as information in the form of IPIR or chips is received, the information is disseminated to appropriate decision makers by the offices receiving the information. As indicated above, no photos/rolls reached Washington before the ship was released. The imagery was available, however, to theater command elements for appropriate application in tactical decisions relative to the *Mayaguez* operations. The imagery was made available by use of the electronic transmission and air courier systems.

Mr. CLEMENTS. I knew you were going to ask that question and when I read my statement I did not read that sentence in it.

Mr. FASCELL. Do you want to take it out? That is all right. I don't want to hold you to the specifics right at this point, if you are just making that as a broad, general proposition that anything can be improved. Everything can be improved.

Mr. CLEMENTS. No, Mr. Chairman, I would be happy to comment on it without getting too specific.

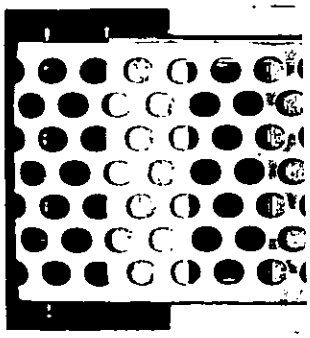
First of all, let me acknowledge again to Mr. Buchanan that I certainly do agree with him that we can improve that time sequence. We can improve the discipline of the distribution of those messages and the alertness of the individuals involved, and so forth. We can do those things and we can start squeezing that 4 hours-plus and get it down to perhaps half that time.

There is some reasonable minimum that we can work in order to put aloft a crew and an airplane with a mission and instructions and so forth. But for me to say that we could get it on almost an instantaneous basis, I question that. Or that we will have constant surveillance around the world. I know we will not because we don't have those kinds of resources. But we can certainly squeeze the time and improve the reaction, to a situation of this kind.

So that is an improvement. We can also improve significantly—and I mean this now—our command and control communications system. We refer to this as WWMCCS, Worldwide Military Command and Control Systems. We have a Director of WWMCCS in the Department of Defense, Mr. Tom Reid.

This is a department within itself. He has the same position as an Assistant Secretary of Defense. I am chairman of the WWMCCS council and we are working hard to improve that system.

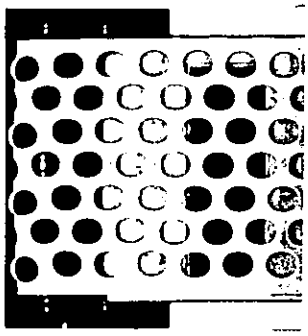
I want to quickly add, however, that this is a multi-billion-dollar effort over a 10-year period, at least before we can get to where we want to go. It is not going to take place overnight. These are the kinds of things that I really had reference to when I was talking about improvements.



Mr. FASCELL. Mr. Secretary, let me interrupt you there. Explain to me what the difference is between WWMCCS and DCA (Defense Communications Agency).

Mr. CLEMENTS. Well, there is a significant difference. Now, I will get back to WWMCCS in a moment because I know of nothing that is more important to crises management than WWMCCS, and so I can speak to it in that spirit.

Now, DCA—we have a representative of DCA here from the Joint Chiefs, Colonel Dambrauskas. I specifically asked him to come in order to explain to you DCA's role. He will talk about DCA and I will talk about WWMCCS, if I may.



STATEMENT OF COL. VINCENT DAMBRAUSKAS, JOINT CHIEFS OF STAFF, COMMUNICATIONS-ELECTRONICS AGENCY

Colonel DAMBRAUSKAS. The Defense Communications Agency is the agency of the Defense Department charged with the management of the defense communications system. The defense communications system includes all nontactical communications of the Defense Department.

Mr. FASCELL. So you are land-based?

Colonel DAMBRAUSKAS. Yes, sir, essentially, and satellites.

Mr. FASCELL. That has nothing to do with operational command communication functions?

Colonel DAMBRAUSKAS. However, the command and control circuits and the WWMCCS circuits that Mr. Secretary mentioned traverses the system. This system provides the carrier that takes those circuits as far as it can go.

Mr. FASCELL. You pick them up and shoot them out. You are a conduit?

Colonel DAMBRAUSKAS. Yes, sir.

Mr. FASCELL. But you have no operational function?

Colonel DAMBRAUSKAS. Not in this sense.

Mr. FASCELL. Let's get back to WWMCCS.

Mr. CLEMENTS. In this Worldwide Military Command and Control System—WWMCCS—we use these assets—you used the word "conduit." It really is far more than that. They service these systems and design them.

Mr. FASCELL. I meant he is a conduit for your operational requirement. That is all I meant.

Mr. CLEMENTS. Yes. Now, as to improving these systems they come back through the National Command Authority, which means the NSC—and the President and the body that we originally talked about, these systems are what enable us to flow information up and down and through the Joint Chiefs, the Chairman, and the unified commands.

Mr. FASCELL. Mr. Secretary, excuse me. I have to ask this at this point.

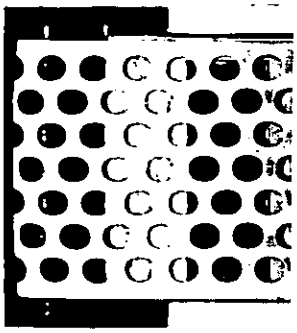
I was under the impression from prior testimony many years ago that DOD had three worldwide channels of communication, one of which is completely covered, and the other two of which are available. One is operational command and the other is in conjunction with State and CIA.

Now as I understand your testimony—or maybe I misunderstand the whole thing—we don't have that capability yet. We are still in the process of building it to bring it back through national command.

Mr. CLEMENTS. No, sir, I am afraid you read something into this that I really did not mean to say.

Mr. FASCELL. I just don't have enough information. That is the problem.

Mr. CLEMENTS. What I am trying to convey to you is that we are taking the systems that we now have and we are building on them other systems to improve and refine all systems to enhance the command and control features that would enable us to do a better job in crisis management.



Mr. FASCELL. All for that, but what that tells me is you did not have two-way communication to start with at a central command.

Mr. CLEMENTS. No, sir. You are reading again in something I did not say. As a matter of fact, in this particular instance we certainly did have two-way communications and those communications were good as a matter of fact.

Mr. FASCELL. So you are just improving the system you have got?

Mr. CLEMENTS. We certainly are, but you asked me what recommendations that I had in this respect. Certainly one of the things that we can do, and I mean significantly do, is to improve our communications. That is not to say they are bad.

Mr. FASCELL. And there was no lapse or breakdown or problem with respect to this particular issue which is the *Mayaguez*?

Mr. CLEMENTS. No, sir; there was not.

Mr. FASCELL. That is the whole point.

The next question is: What does that have to do with the *Mayaguez*?

Mr. CLEMENTS. It has exactly the same thing to do with the *Mayaguez* that this P–3 getting aloft does. We can make that system work better and serve our purposes better just like we can improve the take-off time on that airplane.

Mr. FASCELL. You can't send those films over that wire, can you?

Mr. CLEMENTS. In an executive session I will talk to you about those films.

Mr. FASCELL. Fine, because you know I am a firm believer in the fact we have the capability to count the number of cells in a fly's eye at 90,000 feet or better.

Mr. CLEMENTS. No comment.

Mr. BUCHANAN. Talking about the improvement of systems, how much power and function people below the Washington level now have in responding to an alert or a mayday they receive from outside sources. Is there any system which would involve action at that level, in response to a mayday? Or does that have to come to Washington for clearance to go see what the matter is?

General ATKINSON. They would respond with whatever they have, but if you are talking about air rescues it depends on where we have those units located. Normally maydays are associated with that but they receive everyone's attention. The local commander will take action on that.

Mr. BUCHANAN. But the *Mayaguez* was first a mayday.

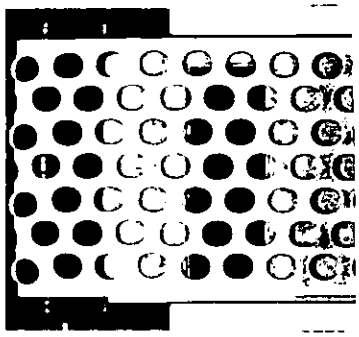
General ATKINSON. Yes, it was, but the local commander probably did not get that one.

Mr. BUCHANAN. If CINCPAC got it—we still don't have absolute testimony on that—but if he got it would it not be a part of the system that he might take some action in response to a mayday?

General ATKINSON. I would say CINCPAC would have been authorized to do surveillance but no other action in this case.

Mr. BUCHANAN. Now we are right back to square one. I started my whole interrogation on the question of why there was not immediate action with all your surveillance, and you described that at one point in your testimony as a violent response.

If you have a mayday and he learns about it and he is authorized to go as far as surveillance, then I am back at why that did not happen.



General ATKINSON. He would not be authorized to do surveillance over a foreign country or something of this nature, but he would be in international waters.

Mr. CLEMENTS. That was not in internal waters. The mayday came from what we considered international waters.

I want to remind you in retrospect these things are a lot easier to evaluate now than they were under the circumstances of the time, which I tried to touch upon in my opening statement. You must remember that we had just gone through a very traumatic experience in this part of the world. These commanders with whom we are finding some fault for lack of response all were very sensitive to the feelings of Congress and the public and everyone with respect to what do you do in Cambodia, what do you do in Laos, what do you in South Vietnam, I am afraid that we may have had a situation here in an area where the past circumstances and environment restrained and made us more cautious than we normally would have been.

Mr. BUCHANAN. I think that response does make a good deal of sense, Mr. Secretary. I understand. We had passed many restrictions against any kind of military presence activity in this part of the world here in Congress and I do understand this would put this in a special category.

Is it your judgment that, had this same incident occurred under other circumstances, you might have had a more normal mayday response from the field?

Mr. CLEMENTS. Mr. Buchanan, I was involved in all this, I can assure you, speaking for myself, that I was very sensitive to this area, to the concerns of the whole situation. I would like to think—it is purely speculative, of course—I would like to think our response would have been quicker in another part of the world or under other circumstances.

Mr. BUCHANAN. Thank you, Mr. Secretary.

Mr. FASCELL. Mr. Secretary, was there concern in Defense with determining the intentions of the Cambodians in seizing the vessel or was this something that Defense figured was a State problem?

Mr. CLEMENTS. No, sir; we were concerned and we did discuss this both among ourselves and with State. "Why did these people do this? What is their purpose?" And, frankly, we were mystified. We did not really know.

Mr. FASCELL. As I recall, the Foreign Ministry of Cambodia has commented on the seizure in newscasts and in the statement they issued they claim that they issued no order and that there was difficulty with command and communication and control with Cambodian forces. Am I correct in that? Have you been made aware of those news reports?

Mr. CLEMENTS. Yes, sir; I have read something to this effect and, whether it is true or not, I don't know. They are trying to give off the sort of noises that would make this out to be an act of pirates as opposed to an official act of the Cambodian Government.

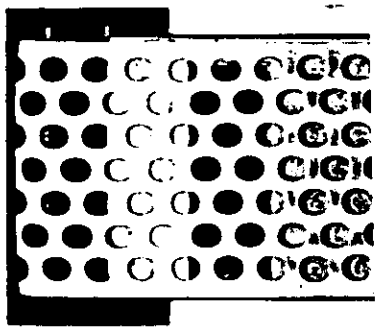
Mr. FASCELL. You had no way of knowing that at the time?

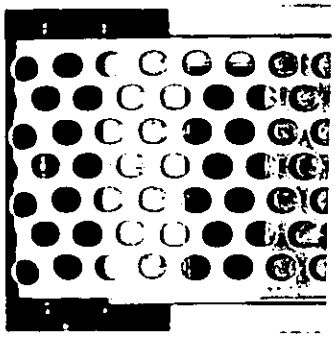
Mr. CLEMENTS. No, sir.

Mr. FASCELL. You had to assume they had a government and that somebody was running it?

Mr. CLEMENTS. That is right.

Mr. FASCELL. And that is the assumption you finally made?





Mr. CLEMENTS. Yes, sir; and those were the kinds of diplomatic negotiations that we tried to put forward on an official government-to-government basis.

Mr. FASCELL. I am not making any final conclusions one way or the other on this matter, but it seems to me that that conclusion or assumption by NSC was corroborated in the testimony of Captain Miller when he said that he began negotiating with his captors on Ream Island and that they had American radio communication sets and that they obviously communicated with some central authority and a decision was reached in that manner on when the crew would be released and under what conditions, if any. So they obviously, notwithstanding any current news reports, had some communication with the central reason for all of that negotiation taking place and there would have been no reason for the communication system being set up.

I find it difficult to follow the line of reasoning that they were really just a bunch of guys running around over there that did not know what they were doing.

Mr. CLEMENTS. That was our impression, and it was further brought forcibly to our attention when the marines started going on that island. They did not act like a bunch of pirates. That resistance was severe.

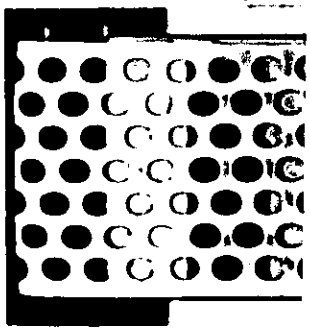
Mr. FASCELL. That raises another question that keeps cropping up in these hearings. That is: Why did we hit Tang Island if we thought part of the crew was there? I have not ever been clear on that. Our military assumption was that the crew could be any number of places; part of them could still be on the boat; part of them could still be on Paulo Wai; part of them could be on Tang; part could be on the mainland. So we lowered the boom on Tang. Why was that?

Mr. CLEMENTS. No, sir; we really felt that there were three places that the crew could be. We felt that there was a number on Tang Island. And we also felt that island was sort of the seat of the situation because that is where the ship was; and where the activity had been. There had been several—

Mr. FASCELL. The ship had been moved there and the fishing boat was seen leaving there.

Mr. CLEMENTS. Not only the fiishing boat but there had been other gun boats and patrol boats in and around there, so we felt that this was the proper thing to do. It was a military judgment and, in our judgment, it was a correct one.

Mr. FASCELL. Well, I am not going to try to second-guess that but I am going to ask this question: Assuming we had some of our people on that island did we say: "OK, one of our options is to leave them there or go get them. If we go for them we may kill them. We better make the effort to go get them notwithstanding." Is that what we did?

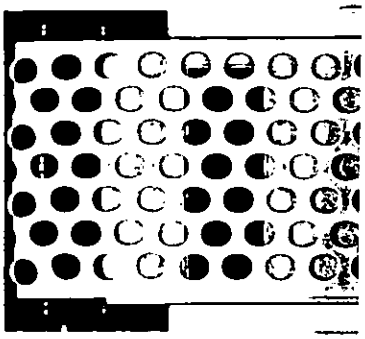


Mr. CLEMENTS. In a manner of speaking, that is what we did. But you also have to remember that, as our people were delegated to this mission, they were also charged with how to go about it, and it was as tightly controlled as we knew how to do in order to try to protect these people if they were there.

Mr. FASCELL. The scenario staggers me a little bit. It may be just because I don't have enough military comprehension but that is like running a pregnant woman in front of a soldier and saying: "Be sure she does not get killed."

Were there simultaneous strikes—or was the first strike on Tang?

Mr. ABRAMOWITZ. Two operations—one for the boat and one for the islands—conducted virtually simultaneously.



Mr. CLEMENTS. Not exactly simultaneously but they were coordinated and they could well have been simultaneously but the timing fell off where they were not.

Mr. FASCELL. The boat was then anchored.

Mr. CLEMENTS. My recollection is that it was less than a mile from shore.

Mr. FASCELL. One of the things I don't recall being in the record is the exact location of that vessel——

Mr. CLEMENTS. We will supply that for the record.

[The information follows:]

EXACT LOCATION OF MAYAGUEZ AT TIME OF SEIZURE

The *Mayaguez* was located east of the northern tip of Koh Tang Island. According to a report from the USS *Holt*, the location of the *Mayaguez* just prior to being boarded by marines was, quote, three thousand yards off the east side of the island, unquote.

Mr. FASCELL [continuing]. And where the marines landing took place.

Mr. CLEMENTS. We will supply that for the record.

Mr. FASCELL. I am not familiar at all with the topography of that island or what the military assumptions were when we went in there. But if we had two separate forces going—one for the boat and one for the beach landing——

Mr. CLEMENTS. Of course the boat was taken by the *Holt* and that was a surface ship operation, whereas the other was by air with helicopters.

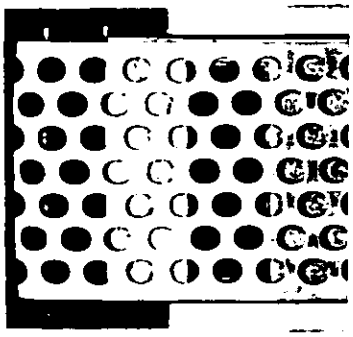
Mr. FASCELL. Now, were the strikes on the mainland simultaneously or shortly thereafter?

Mr. CLEMENTS. Yes, sir, and we will give you the sequence of those events also.

[The information follows:]

SEQUENCE OF U.S. HELICOPTER STRIKES

In strict sequential order, the events took place as follows:
1714EDT, 14 May—First flight of assault helicopters depart U-Tapao.
1858EDT, 14 May—Three helicopters arrive U.S.S. *Holt* to offload Marines.
1909EDT, 14 May—First AF helicopter received small arms fire at Landing Zone on island.
2025EDT, 14 May—Marine board *Mayaguez*.
2045EDT, 14 May—Programed time on target for first wave of *Coral Sea* aircraft.
2205EDT, 14 May—Second wave of *Coral Sea* aircraft attack Ream Airfield.



Mr. FASCELL. That was Kompong Som Harbor. What was that again?

General ATKINSON. The airfield at Ream, sir, the naval facility.

Mr. FASCELL. Is that airfield on the island or the mainland?

General ATKINSON. The mainland.

Mr. FASCELL. So it is on the mainland opposite the Island of Ream?

General ATKINSON. Ream is on the mainland also.

Mr. FASCELL. We have a language difficulty here. When you say Ream is on the mainland, you are talking about a city?

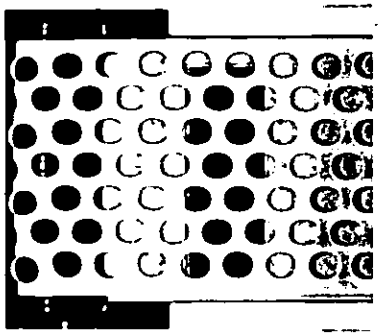
General ATKINSON. That is correct, sir.

Mr. FASCELL. And the Ream Airfield is on the mainland?

General ATKINSON. That is correct.

Mr. FASCELL. There is also a Ream Island?

General ATKINSON. I am not familiar with the island, sir.



Mr. FASCELL. I am not, either. What is the name of that island they were on? Do we know? Is that in the record?

General ATKINSON. There is a Ream Island just off the mainland.

Mr. ABRAMOWITZ. Rong Sam Loem.

Mr. FASCELL. We hit the airfield, and what else did we hit?

General ATKINSON. I will get that for you.

Mr. CLEMENTS. Some oil storage tanks, some dock areas; we hit some warehouses, some barracks; they were all military targets.

Mr. FASCELL. What did we say was the time differential between that and the landing?

Mr. CLEMENTS. I am looking for that now, Mr. Chairman. It will be in this log that we have for the record.

General ATKINSON. 8:45, sir, that evening.

Mr. FASCELL. General? Excuse me; I am sorry. You said 8:45 that evening but I did not know what you had reference to.

General ATKINSON. On the 14th, sir, which was the same time as the recovery of the ship.

Mr. FASCELL. So it was set simultaneously?

General ATKINSON. That was what was directed.

Mr. FASCELL. That makes sense to me. Is that what actually happened?

General ATKINSON. Yes, sir; it did happen very close to the time that the ship was recovered.

Mr. CLEMENTS. I am looking at this log, trying to run this down. Mr. Chairman, at 1909 eastern daylight time on the 14th the first marines were on the island. That is 1909 on the 14th.

Mr. Chairman, I will have to run that down and make sure about it but it was approximately 1 hour later.

Mr. FASCELL. As I understood the general, he said it was ordered for the same time, simultaneously, for 8:45. I thought he said at night.

General ATKINSON. That was our time, sir. We still are having a time problem.

Mr. FASCELL. The time you gave was——

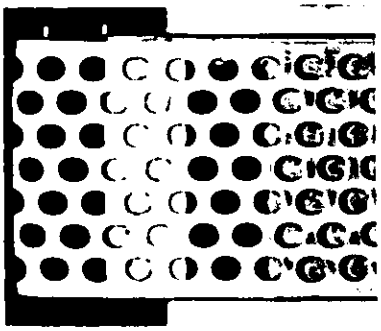
Mr. CLEMENTS. Eastern daylight time on the 14th, 1909.

Mr. FASCELL. General, that does not read "8:45" to me.

General ATKINSON. No, sir; I said the order was given to strike the mainland at about 8:45.

Mr. FASCELL. That clarifies that.

Mr. CLEMENTS. We had difficulty, the reason we did not have absolute coordination where these took place simultaneously was because of the movement of the *Coral Sea*—the winds, the launch time, and so forth. We just missed that coordination by some. We would have hoped to have had simultaneous coordination.

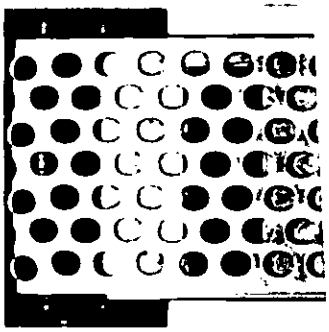


Mr. FASCELL. Am I correct, Mr. Secretary, that the assumption in NSC at that time was that the crew, some of the crew, was on that island or could be on that island?

Mr. CLEMENTS. Yes; we were really thinking in terms that they could be any one of three places.

Mr. FASCELL. And if they were there it was just a calculated risk but you did everything, as I understand your testimony, to protect the crew from either injury or death if they were actually on Tang Island?

Mr. CLEMENTS. Yes, sir.



I am being reminded that the helicopter assault was a part of this consideration. We tried to carefully pick out two places for the helicopters to go in and they were selected because of the circumstances. It was all very much, Mr. Chairman, a judgmental process.

Mr. FASCELL. A judgment was made that there were only three places that the crew could be, is that correct?

Mr. CLEMENTS. That was our judgment at the time. When we say "mainland" we are not being definitive in that regard.

Mr. FASCELL. I understand that. You were not sure where they were because you were then, as I recall your testimony, totally unaware of where the men were, although you are going to go back and take a look at all those photographs and whatnot to see?

Mr. CLEMENTS. That is correct.

Mr. FASCELL. While you are doing that I would appreciate it if you would be kind enough to bear in mind the problem I have with respect to what happens to those films and how fast they get back and who gets them, when they interpret them, what happens to that information and particularly—with respect to this photograph of the fishing boat with the crew on it leaving Kompong Som Harbor and going to that other island. There might be lapses that come to light after the fact which might give us some clue as to how to improve our capability in terms of information necessary to make crucial decisions.

The operation, Mr. Secretary, has been criticized by some as being extremely costly in men and equipment given the small size of the defensive force on the island. What is your comment on that?

Mr. CLEMENTS. I guess I don't have but one and that is that certainly I was surprised, and I think some other people were, at the intensity of the resistance. Maybe that is not the answer you are looking for.

Mr. FASCELL. No. In your opening statement you said our intelligence indicated that there were 100 or 150 people on that island and they were armed with whatever you said they were armed with.

Mr. CLEMENTS. We have estimated they were armed with machineguns, recoilless rifles, small arms, grenades, small mortars, this type of equipment.

Mr. FASCELL. Does that intelligence assessment square with the kind of military response you got?

Mr. CLEMENTS. Yes, sir; surprisingly good as a matter of fact.

Mr. FASCELL. But yet the resistance or the extent or the vehemence of the resistance surprised you?

Mr. CLEMENTS. I think it was better organized, and it was more intense than certainly I anticipated.

Mr. FASCELL. But it had nothing to do with the estimate of the number of people who were on the island?

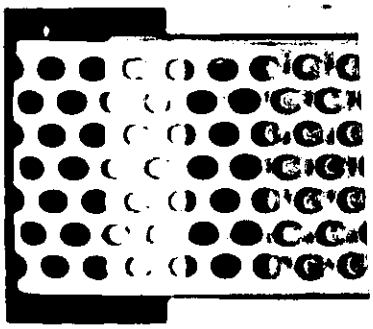
Mr. CLEMENTS. No, sir; because the intelligence community, and principally DIA and the tactical intelligence group had come up, with the figure of 150 to 200. I still think that was accurate.

Mr. FASCELL. And there were no surprises in the estimate of the kinds of weapons they had?

Mr. CLEMENTS. No, sir; there was not.

Mr. FASCELL. So the ferocity——

Mr. CLEMENTS. The intensity.



Mr. FASCELL. The intensity of the response was based, from a military man's point of view, on good organization, decision capability——

Mr. CLEMENTS. Perhaps we better get the general to comment.

Mr. FASCELL [continuing]. Command, training?

General ATKINSON. And a will to fight; they were determined to resist the assault.

Mr. FASCELL. Did our military operation, in effect, take the island?

General ATKINSON. No, sir, it did not.

Mr. FASCELL. At a certain point the order was given to leave the island?

General ATKINSON. As soon as we confirmed the——

Mr. FASCELL. Release of the crew?

General ATKINSON. The release of the crew and that they were all safe. We had the vessel. It became harder to withdraw than we anticipated. We had to insert some more marines in order to get out.

Mr. CLEMENTS. This reminds you, Mr. Chairman, of having the bear by the tail. You can't turn him loose.

Mr. FASCELL. So as soon as it was verified that the vessel was under tow or taken and all of the crew was released and safe, the order was given to get off the island but you could not immediately execute that order because it was impossible to withdraw the original group of people who were still there?

General ATKINSON. That is correct, sir. The commander asked for reinforcements in order to withdraw. Of course, we still had 22 people across the island that the main body was not able to join up with, so our first efforts were to try to get those people out, feeling they would have a difficult time, if not impossible, surviving the night, isolated from the main body.

Mr. FASCELL. The initial attack on the island was at two different points?

General ATKINSON. It was at two different points. The first helicopters used the primary landing zone and they were all shot down. That is how 22 people became isolated on one side of the island. The secondary landing zone was on the west side and that is where the main body went in, the other five helicopters.

Mr. FASCELL. Where was the main body of resistance, General? In the primary helicopter zone? You said they were all shot down. I would assume the primary resistance was your first target.

General ATKINSON. That is correct, sir; because the intensity of fire on the east landing zone was heavier than it was on the west, all five helicopters got into the west zone.

Mr. FASCELL. I am not familiar with the topography of that island. Is it dominated by one particular hill?

General ATKINSON. No, sir; I think it is hilly all over. There are wide beaches.

Mr. FASCELL. That ridge runs right down the middle of the island?

General ATKINSON. I believe that is correct but I can supply the exact topography if you like.

Mr. FASCELL. I am just trying to get a picture in my mind of the landing zones. One was east; one was west. And were they both on the beaches?

General ATKINSON. Yes, sir.

Mr. FASCELL. Both of them were on the beaches?

General ATKINSON. Yes, sir.

Mr. CLEMENTS. We will supply you a picture of the island for the record.[1]

Mr. FASCELL. Mr. Buchanan.

Mr. BUCHANAN. General, you went onto this island to attempt to rescue people; you have indicated that, therefore you had special instructions and special restrictions. Now, a good deal has been made—I think rather unfairly—about there being more lives lost than saved in this operation. Is it true that if you just set up to take an island, you would follow different procedures, procedures that might make it more safe for the marines who are going onto the island?

General ATKINSON. Yes; the typical assault on an island of this type would require softening up with fighter-bombers or naval gunfire. Under cover of suppressive fire is normally the way we do it. We did not suppress the fire from the air until we had determined that all of the crew had been located elsewhere.

Mr. BUCHANAN. So that, of course, there was one accident—an accident can happen in any circumstances—and I personally think you would have to rule those lost lives out to get a fair picture of the cost anyway—but so far as the lives that were lost, had you not been following procedures in which you were trying to protect the lives of the civilians you were seeking to rescue do you think it is fair to say that the chance of the loss of life of the service personnel would have been less great? Is that a part of the reason for the loss of the military people—the special procedure you would have to follow to try to protect the people you were trying to rescue?

General ATKINSON. We would expect that our normal procedures result in less loss of life, yes, sir.

Mr. BUCHANAN. I am under the strong impression that this argument which has been raised about the loss of life and the cost of this operation and portraying it as something that cost more lives than it saved is not a fair argument, and that if marines had just set out to take that island and not worry about who might be on it, if it were a military conquest situation rather than a rescue of people situation, that the chances seemed rather great the price tag might have been lower than, rather than higher in terms of American lives.

General ATKINSON. That would be our judgment. Of course, the executive order contained the instructions to withdraw as soon as the mission had been accomplished, which was to recover primarily the crew, then the ship. There was no intent to go any further than necessary to accomplish that mission.

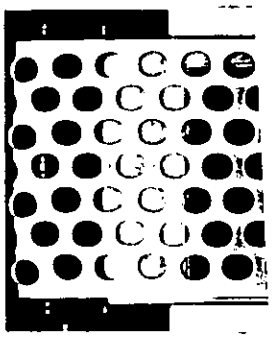
Mr. BUCHANAN. In military matters—I don't know whether you can say with certainly whether it was true in this instance—but it might be more dangerous to try to withdraw from this kind of operation and discontinue and remove your people than to proceed to take the island. That is at least militarily a possible thing is it not?

I don't know how big the forces were, how tough it would be or whatever.

General ATKINSON. It certainly is possible but I don't think you could jump to that conclusion, sir. It would have taken more people and more time.

Mr. BUCHANAN. More lives, probably.

[1] The photograph referred to was retained in the committee files.



General ATKINSON. Yes, sir.

Mr. BUCHANAN. Thank you.

Mr. FASCELL. I don't know who is supposed to answer this but I will ask the guy in uniform to start with.

General, on the mainland targets, am I correct in assuming that two of the targets were chosen for tactical reasons and the others were for strategic reasons, in terms of supporting our forces on the island and knocking out the oil simply so they would not go too long without having to do something?

General ATKINSON. I had not thought of it that way, sir.

Mr. FASCELL. How did you think of it?

General ATKINSON. The oil tanks were probably not immediately involved in direct support of enemy operations. However, the length of time would be engaged was not known at the time.

Mr. FASCELL. I understand that. I put that in the strategic category. I don't know if that is right or not.

Mr. CLEMENTS. These are oil tanks, not an oil field.

Mr. FASCELL. I understand.

In other words, what you are saying is the decision to hit them could be classed as tactical?

General ATKINSON. We were thinking in terms of that. Keeping the enemy busy and causing confusion, preventing reinforcement of the island.

Mr. FASCELL. But that is a secondary benefit.

Mr. CLEMENTS. And these are also fuel depots which would service their ships and airplanes and so forth.

Mr. FASCELL. I understand. I am just trying to find out whether the decision to strike the targets on the mainland was tactical—yes or no?

General ATKINSON. Yes, it was tactical.

Mr. FASCELL. If I used the wrong language from a military point of view, just correct it for me. I am not sensitive.

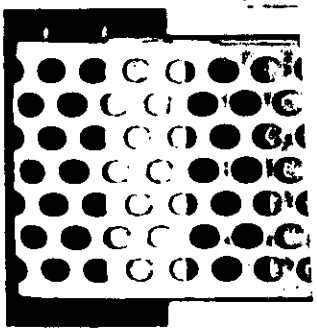
General ATKINSON. It was entirely tactical.

Mr. FASCELL. It had to do with the operation on Tang Island, didn't it?

General ATKINSON. That is correct.

Mr. FASCELL. The reason I asked the question is because some people have been very critical about the operation on the mainland, as being totally unnecessary and that it was punitive in nature.

General ATKINSON. It was not punitive in nature.



Mr. FASCELL. Was that the way the NSC felt about it, Mr. Clements, because the issue goes to your motive and you were there and you are the only guy who can say what your motive was, so hurry up and tell us and put your critics to sleep?

Mr. CLEMENTS. I had earlier said, Mr. Chairman, that these were military targets. You have refined that to mean tactical military targets and that is exactly right.

Mr. BUCHANAN. Mr. Chairman, let me to try to further clarify my line of questioning.

Here is the thing. Some criticisms have been leveled and when you start counting lives and that sort of thing I think we have to keep very clear the nature of the mission. Your mission was not to go out and take an island. Militarily your mission was to rescue people.

General ATKINSON. That is correct.

Mr. CLEMENTS. That is correct. Absolutely. That was our only mission.

Mr. BUCHANAN. So if you have a building on fire and two firemen die rescuing one little old lady you don't say, "You never should have entered that fire. You lost two firemen in saving that one life and therefore it was a foolish thing to do." That would not be a very good way to approach the kind of situation in which your mission is to rescue somebody.

Mr. FASCELL. I would like to catch that football, Mr. Secretary. It certainly would not be if that poor little old woman was my mother.

Mr. Secretary, I want to thank you for your cooperation and the Department's cooperation with the General Accounting Office in carrying out their function in cooperation with Congress. There was some question in the Department about whether or not GAO would have the right to get out to the field representatives and ask questions. Is there any problem with that, or can we tell them that is all solved?

Mr. CLEMENTS. No, sir, not in my judgment. It is not all solved, because I think GAO has the idea, perhaps, that all these people are going to be at one airfield in Thailand or one airfield in the Philippines.

Mr. FASCELL. That is their problem.

Mr. CLEMENTS. And that is not true. These people are scattered all over the world.

Mr. FASCELL. But that is their problem, isn't it?

Mr. CLEMENTS. Frankly, I don't really understand why they need to go out there and talk to air crews. If they could tell us what it is they want we can supply them with anything that we have. There is no effort on our part to withhold information. And I would think that our group here this morning has made that abundantly clear. We want to share with you whatever it is you need to support the inquiry. We will be happy to look into this further.

Mr. FASCELL. Your response leaves me hanging out there pretty good. Actually, you just raised more questions than you answered, Mr. Secretary. I am sure you did not mean to do that.

Mr. CLEMENTS. No, sir, I did not. If I had my preference I would urge that these people not run all around the world talking to these aircrews and so forth.

Mr. FASCELL. I hear you but they are our agents, so now what you are telling me is, Fascell, if you want to know anything just ask me. Don't go ask that pilot or ship's captain. And I understand the problem. I am not too excited about some guy in the middle of a war springing a microphone in a soldier's face and saying, "Well, buddy, how did you feel when you killed your first woman?"

Mr. CLEMENTS. I am satisfied that if in your judgment you want the GAO to go out there and talk to those pilots, they are going to go talk to them.

Mr. FASCELL. I hear you. If you had your choice you would just as soon they did not.

Mr. Secretary, I appreciate your saying you will take a look at it and see how you can accommodate us. Another procedural issue is: normally the photographs or the prints are just destroyed or put away. Some of the prints have been destroyed but fortunately the negatives and tapes are still around. I would gather everybody is sufficiently alerted at this point that none of the tapes will disappear, inadvertently be destroyed or otherwise sent to Alaska; am I correct?

Mr. CLEMENTS. Yes, sir.

Mr. FASCELL. Let the record indicate everybody nodded in the affirmative.

Mr. CLEMENTS. To my knowledge, all of this information is available.

Mr. FASCELL. I am just being supercautious because this has happened in the past.

Mr. CLEMENTS. You have even excited my curiosity. I may look at some of these things, too.

Mr. FASCELL. I just wanted to be sure that inadvertently we did not lose something because then it looks bad because all of a sudden the tapes are gone. Ordinarily you burn the things anyway.

Thank you very much, Mr. Secretary and gentlemen, General Atkinson, Mr. Abramowitz, all of you. Thank you for your patience and for being so candid in making this record for us.

Thank you.

[Whereupon, at 12:30 p.m. the subcommittee adjourned, subject to the call of the Chair.]

APPENDIX

Letter From Assistant Secretary of State McCloskey to Hon. Thomas E. Morgan, Chairman of the Committee on International Relations Responding to Resolutions Introduced in the House Opposing the Seizure of the Mayaguez

Hon. Thomas E. Morgan,
Chairman, Committee on International Relations, House of Representatives, Washington, D.C.

Dear Mr. Chairman: The Secretary has asked me to reply to your letter of June 13 requesting his comment on two identical resolutions, H. Res. 536 and 537 requesting the Secretary of State to furnish information concerning the *Mayaguez* operation.

At the beginning of the incident, the President directed that the Congress be kept informed. On two occasions members of the White House staff contacted the Congressional leadership by telephone to inform them of developments. On the late afternoon of Wednesday the 14th, the President met with the Congressional leaders to discuss with them the action he had ordered to recover the ship and crew. We have made every effort to keep the House of Representatives informed concerning the *Mayaguez* operation. Deputy Assistant Secretary of State for East Asian and Pacific Affairs, Robert H. Miller, appeared in executive session before the International Political and Military Affairs Sub-Committee of the International Relations Committee and the Armed Services Committee on May 14, and before the Defense Sub-Committee of the Appropriations Committee and the full International Relations Committee on May 15. The Department of State Legal Adviser, Monroe Leigh, appeared before the International Security and Scientific Affairs Sub-Committee of the International Relations Committee on June 4 to testify concerning consultations with Congress under the War Powers Resolution during the *Mayaguez* affair.

Enclosed are the Department's comments on the questions raised in H. Res. 536 and 537. We believe that the testimony of administration witnesses before the House, as outlined above, and our comments on these questions are evidence of a cooperative effort on the part of the administration to inform the Congress concerning the successful measures to obtain the release of the *Mayaguez* and its American crew. For these reasons we believe that H. Res. 536 and 537 are unnecessary.

Sincerely,

Robert J. McCloskey,
Assistant Secretary for Congressional Relations.

Enclosures: as stated.

Question 1. What specific diplomatic initiatives and communications were carried out by the United States in response to Cambodia's seizure of the United States merchant ship *Mayaguez* and its crew?

Answer. On Monday, May 12 shortly after the NSC meeting and the White House statement demanding the immediate release of the ship, the Department requested the Head of the Chinese Liaison Office here in Washington to call at the Department. The meeting took place at 4:30 p.m. When the Chinese refused to accept a message to the Cambodians demanding the release of the crew and ship, we instructed our Liaison Office in Peking that same day to pass the message to the Chinese Ministry of Foreign Affairs there as well as directly to the Cambodian diplomatic mission in Peking. We had received no reply by the end of the second day (Tuesday, May 13) at which time the first military operations began. These operations were directed at Cambodian patrol boats that were trying to transit between the *Mayaguez*, the Cambodian mainland and Koh Tang Island.

The next morning, Wednesday, May 14 (about 7:15 a.m., EDT), we learned that the Chinese authorities in Peking had returned undelivered to our Liaison

Office in Peking our message to the Cambodians. We still had received no response to the message we delivered directly to the Cambodians in Peking. Shortly after midday on May 14 we delivered a letter to UN Secretary General Waldheim concerning the action requesting him to take steps to bring about the safe return of the *Mayaguez* and crew.

On the evening of May 14 we informed a number of Embassies here in Washington, and the UN Security Council, that we were taking certain military actions to secure release of the *Mayaguez* and its crew.

A Cambodian domestic broadcast indicating that the *Mayaguez* would be ordered to withdraw from Cambodian territorial waters but which made no mention of the disposition of the crew was received in Washington shortly after 8:00 p.m. on Wednesday, May 14.

Within an hour after that broadcast, the White House issued a statement via the press informing the Cambodian government that our military action would cease when the crew was released.

Still later that night we learned that the message we had delivered to the Cambodians in Peking had been routinely sent back through the mail.

Question 2. What diplomatic responses and initiatives are known to have been carried out by Cambodia and other parties, including the United Nations, with respect to the seizure of the *Mayaguez* and its crew and subsequent efforts to release them?

Answer. There are no known diplomatic responses or initiatives carried out by Cambodia, the Chinese, or anyone else with respect to the seizure of the *Mayaguez*. The Cambodian announcement received in Washington the evening of May 14, which referred to release of the ship but did not mention the crew, was a domestic broadcast in the Cambodian language.

The Secretary General's spokesman at the UN announced the afternoon of May 14 that the Secretary General was making all possible efforts to achieve a solution to the problem by peaceful means. For this purpose, he had communicated with the U.S. and Cambodian governments, offered them his good offices, and appealed to them to refrain from further acts of force to facilitate a peaceful settlement. The Secretary General's effort elicited no response from the Cambodians until some days after the rescue of the ship and crew.

Question 3. What specific diplomatic options were considered and rejected by the National Security Council in seeking the release of the *Mayaguez* and its crew?

Answer. Because of the urgency of the situation and the lack of direct channels to the Cambodian authorities in Phnom Penh, we judged that the only effective and rapid channels were those we used—the approach to the Chinese here and in Peking, and the direct delivery of a message to the Cambodian representative in Peking. No other government which might have been helpful in the situation has any representation in Phnom Penh and thus any effective contact with the authorities there.

Question 4. What orders, if any, had been issued to the United States Armed Forces with respect to the *Mayaguez* incident before the Secretary General of the United Nations was asked to give diplomatic assistance?

Answer. As the President stated in his letter to the Speaker of the House, U.S. forces were ordered on Tuesday, May 13 to take measures to prevent the removal of the ship and crew to the mainland. During that night, several Cambodian patrol boats which disregarded warning signals were damaged or sunk.

We approached the Secretary General shortly after noon on Wednesday, May 14, after having received no positive response from the Cambodians or Chinese to our earlier approaches. The National Security Council met later that afternoon, and at about 5:00 p.m. that afternoon the first orders were issued to begin operations later that evening to remove the ship and crew.

Question 5. If known, what was the exact position and course of the *Mayaguez* when it was seized in relation to the island Poulo Wai, which is claimed by both Cambodia and South Viet-Nam?

Answer. The ship was about seven nautical miles from Poulo Wai (9 degrees 48 minutes north/102 degrees 53 minutes east), bound for Sattahip, Thailand.

Question 6. What United States intelligence gathering activities, if any, were conducted in or over or from off the shores of Cambodia subsequent to the Khmer Rouge takeover in April 1975 and prior to the seizure of the *Mayaguez*? Were any such activities known to have been detected or terminated by Cambodia?

Answer. The *Mayaguez* was not a spy ship. It was not engaged in intelligence activities. Between the fall of Phnom Penh on April 17 and the seizure of the *Mayaguez* on May 12, the U.S. undertook periodic reconnaissance flights in the area. However, the thrust of question No. 6 appears to be concerned with whether U.S. intelligence activities might have been the provocation of action taken by the Cambodian vessel in seizing the *Mayaguez*. No such activities were conducted within the time period specified.

Question 7. What covert actions, if any, were undertaken by the United States, either directly or indirectly, to disrupt, destabilize, or otherwise interfere in the internal affairs of Cambodia subsequent to the Khmer Rouge takeover in April 1975 and prior to the seizure of the *Mayaguez*? Were any such actions known to have been detected or terminated by Cambodia? If so, and if known, in what manner were they detected or terminated?

Answer. No such actions were undertaken.

Question 8. What communications have occurred to date between the United States and Thailand regarding the use of Thai territory in conjunction with the United States military action to secure the release of the *Mayaguez* and its crew?

Answer. The Thai government on several occasions publicly expressed concern over the presence of our Marines in Thailand in connection with the *Mayaguez* operation. We expressed our regrets at any action which may have caused any embarrassment to the Thai government. The Thai subsequently stated that they were satisfied with our note expressing regret.

Message From the Department of State to the United Nations Secretary General Regarding Release of the Mayaguez and Its Crew

(Press Release USUN-40(75) May 14, 1975)

Following is the text of a letter from Ambassador John Scali, United States Representative to the United Nations, to Secretary General Kurt Waldheim, on the seizure by Cambodian authorities of the United States merchant vessel, *Mayaguez*.

MAY 14, 1975.

His Excellency Mr. KURT WALDHEIM,
Secretary General of the United Nations,
New York.

DEAR MR. SECRETARY GENERAL: The United States Government wishes to draw urgently to your attention the threat to international peace which has been posed by the illegal and unprovoked seizure by Cambodian authorities of the U.S. merchant vessel, *Mayaguez*, in international waters.

This unarmed merchant ship has a crew of about forty American citizens.

As you are no doubt aware, my Government has already initiated certain steps through diplomatic channels, insisting on immediate release of the vessel and crew. We also request you to take steps within your ability to contribute to this objective.

In the absence of a positive response to our appeals through diplomatic channels for early action by the Cambodian authorities, my Government reserves the right to take such measures as may be necessary to protect the lives of American citizens and property, including appropriate measures of self-defense under Article 51 of the United Nations Charter.

Accept, Mr. Secretary-General, the assurances of my highest consideration.

Sincerely,

JOHN SCALI.

Message From the President to the Cambodian Officials Dated May 12 Demanding Release of the Members of the Crew of the Mayaguez

We have heard radio broadcast that you are prepared to release the S.S. *Mayaguez*. We welcome this development, if true.

As you know, we have seized the ship. As soon as you issue a statement that you are prepared to release the crew members you hold unconditionally and immediately, we will promptly cease military operations.

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H.Res.529, 530 & 542, 94th C.

June 20, 1975

Honorable Melvin Price
Chairman, Committee on Armed Services
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

The Secretary of Defense has asked that I reply to your letter of June 19 regarding H. Res 529, H. Res. 530 and H. Res. 542. Mr. Lally of your staff has been provided responses to the fourteen questions contained in those resolutions, copies of which are enclosed.

As you know, the Department of Defense provided you and your Committee a comprehensive briefing on the Mayaguez incident on May 14 and on May 23, Deputy Secretary Clements furnished you a written narrative description of the military operation.

We believe that the actions we have taken both during the operation to secure the release of the Mayaguez and its crew and subsequent to its successful conclusion demonstrate our efforts to keep the Congress properly informed. In this regard, we stand ready to provide you any further information you may require. Consequently, we believe that H. Res. 529, H. Res. 530, and H. Res. 542 are unnecessary and recommend they be reported unfavorably.

Sincerely,

Signed - Richard Fryklund

Richard Fryklund
Principal Deputy Assistant
Secretary of Defense
(Legislative Affairs)

Enclosure

(7)

1. What was the exact sequence of communications, meetings, consultations, diplomatic initiatives, and military actions carried out by the United States in response to Cambodia's seizure of the United States merchant ship Mayaguez and its crew? What communications, diplomatic responses and initiatives, and military actions are known to have been carried out by Cambodia and other parties with respect to the seizure of the Mayaguez and its crew and subsequent efforts to release them?

Chronology of Diplomatic Events, Meetings and Press Briefings Pertaining to the Mayaguez Incident

(All times are Eastern Daylight Savings Time)

May 12

3:18 a.m.	Mr. John Neal of the Delta Exploration Col. in Jakarta, Indonesia received a Mayday call from the Mayaguez. Messages stated "Have been fired upon and boarded by Cambodian armed forces at 9 degrees 48 minutes north/102 degrees 53 minutes east. Ship is being towed to unknown Cambodian port."
4:00 a.m. to 5:00 a.m.	Mr. Neal lost communication with the ship, gave up trying to reach the ship and informed the U.S. Embassy of the incident.
5:02 a.m.	U.S. Embassy in Jakarta informed Washington of the incident.
12:05 p.m.	The President chaired a meeting of the National Security Council.
1:50 p.m.	White House press briefing and statement concerning seizure of the ship and U.S. demands for its release.
4:30 p.m.	A representative of the Liaison Office of the People's Republic of China was summoned to the State Department and given a message for the Cambodian authorities, demanding the release of the ship. The PRC representative refused to accept the message.

May 13

12:10 a.m.	A representative of the United States Liaison Office in Peking delivered a message to the Cambodian Embassy there. A message was also delivered to the Foreign Ministry of the People's Republic of China.
6:54 a.m.	White House press briefing on location of ship and U.S. surveillance effort.
10:30 a.m.	President chaired a meeting of the National Security Council. Orders are issued that boats between the island and the mainland, as well as between the ship and the mainland, be intercepted with minimal force. Koh Tang is to be isolated and no boats are to be allowed to arrive or depart.
6:00 p.m.- 7:00 p.m.	Congressional leadership notified by telephone of President's orders to prevent movement of ship and crew.
10:40 p.m.	The President chaired a meeting of the National Security Council.

May 14

7:15 a.m.	U.S. Liaison Office in Peking reported that PRC Foreign Ministry returned the message for the Cambodian authorities.
11:00 a.m.	Congressional leadership notified by telephone that three Cambodian boats had been sunk and four damaged by U.S. air strikes.
11:50 a.m.	DOD press briefing and statement about U.S. attacks on Cambodian boats.
1:00 p.m.- 2:00 p.m.	A letter regarding this action was delivered to UN Secretary General Waldheim by Ambassador Scali.
3:00 p.m. - 5:00 p.m.	State and DOD officials briefed members of the House International Relations Committee, Senate Foreign Relations Committee and House Armed Services Committee.

3:52 p.m.	President chairs NSC meeting in the Cabinet Room.
4:45 p.m.-5:10 p.m.	Orders are issued to begin the military operations for the recovery of the SS Mayaguez and crew including air attacks against military facilities near Kompong Som to prevent reinforcement and support from the mainland for Cambodian forces detaining the ship and its crew.
5:14 p.m.-5:20 p.m.	U.S. assault forces take off from stations.
6:40 p.m.-7:40 p.m.	President meets with Congressional leadership to inform them of the actions he has ordered to recover the ship and the crew.
7:07 p.m.	Phnom Penh domestic radio service carries a broadcast in Cambodian that states that the Cambodian Government will order the Mayaguez to withdraw from Cambodian territorial waters. No mention is made of the crew.
7:09 p.m.	Assault force arrives at Koh Tang Island and comes under fire.
8:06 p.m.	The Cambodian broadcast, monitored by the Foreign Broadcast Information Service and translated into English, was carried on the FBIS wire.
8:15 p.m.	The President is informed of the FBIS wire report by Secretary Kissinger.
8:30 p.m.	White House press briefing and statement on the actions ordered by the President.
9:15 p.m.	White House issued press release on message being sent to Cambodian authorities offering to stop military operations if crew is released.
9:33 p.m.	Mayaguez is secured and U.S. colors are raised.
10:23 p.m.	A boat was reported near Koh Tang Island flying a white flag.
11:07 p.m.	The USS Wilson takes aboard the occupants of a Thai boat flying a white flag. The occupants were determined to be the entire crew of the SS Mayaguez.

11:31 p.m.	White House statement on recovery of ship.
May 15	
00:30 a.m.	The President's statement on recovery of ship and crew.
00:45 a.m.	DOD press briefing on military actions.
2-2:30 a.m.	President's War Powers report delivered to Senate and House leadership
7:17 a.m.	Final extraction of U.S. ground forces completed.

MILITARY EVENTS

(All times are Eastern Daylight Saving Time)

The MAYAGUEZ incident began for the US Armed Forces at 5:12 AM on 12 May 1975, when the National Military Command Center (NMCC) received a report from the American Embassy, Jakarta, that a US merchant vessel, SS MAYAGUEZ, had possibly been boarded. The vessel had been fired on, boarded, and seized in international waters at about 21 minutes past midnight, 12 May, while traversing a standard sealane and trade route. (All times used are Eastern Daylight Time. To convert to Gulf of Thailand time, add eleven hours.)

At 7:30 AM, a reconnaissance aircraft was directed to be launched from Utapao, and early that morning a P-3 took off to begin coverage of the area. By mid-afternoon other reconnaissance aircraft joined the surveillance coverage. A total of 45 reconnaissance sorties provided continuous surveillance until the end of the operation. The first minor battle damage was incurred when a P-3 was hit by small arms fire from a gunboat at 9:16 PM. During the afternoon, the destroyer, USS HOLT, the support ship, USS VEGA, the USS CORAL SEA Carrier Task Group, and the destroyer, USS WILSON had been directed to proceed to the vicinity of Kompong Som from various locations in the Western Pacific. By midnight

the MAYAGUEZ had moved from the vicinity of Poulo Wai Island to near Kaoh Tang Island. All of these ships were to play a significant role in the operations on 14-15 May.

On 13 May at 6:55 AM, Commander in Chief Pacific (CINCPAC) was directed to maintain fighter/gunship cover over MAYAGUEZ to keep it away from the Cambodian mainland and to isolate the area. At about 6:20 AM, an A-7 reported placing ordnance in the water in front of MAYAGUEZ to signal it not to get underway. During the remainder of the morning, several small boats were observed moving to the MAYAGUEZ and between the ship and Kaoh Tang. At 8:30 PM, another A-7 sank a Cambodian patrol boat after attempting to divert the craft.

At 12:10 PM, CINCPAC was directed to move all available Air Force helicopters to Utapao, and to temporarily move two reinforced Marine platoons from Subic Bay to Utapao. These preparations were completed by about 3:00 AM on 14 May. At 3:33 PM on 13 May an Okinawan-based Marine battalion was directed to travel to Utapao in case it was needed. This movement was completed early the following day.

During the remainder of 13 May and into early evening of the 14th, efforts continued to prevent MAYAGUEZ from leaving Kaoh Tang until sufficient US forces could be positioned in the event diplomacy failed. During this period a boat was seen leaving the island proceeding towards Kompong Som with some possible Caucasians aboard. It was not known whether this represented some or all of the US crew. Attempts to turn back this boat, including use of warning shots and riot

control agents, failed and the boat was allowed to proceed. It has been subsequently determined that the entire crew was probably on this boat. At midnight on the 13th discretionary authority was given to attack and sink all small craft in the vicinity of Kaoh Tang. Up until that time, the decision to sink any vessel had to be taken in Washington by the NCA.

The military operation to effect the recovery of SS MAYAGUEZ and crew from Cambodian control began with the issuance of an order at 3:50 PM on 14 May. This order followed extensive planning and prepositioning of forces. The initial order directed CINCPAC to conduct the assault using Marines placed aboard the destroyer USS HOLT to seize and secure MAYAGUEZ and sail or tow the ship to sea as soon as possible and also directed a Marine helicopter assault on Kaoh Tang Island to free US crewmen thought to be there. Tactical aircraft from Thailand and the carrier USS CORAL SEA were authorized to provide support for the operations as required, as was naval gunfire. Riot control agents in a defensive mode were authorized to reduce civilian casualties.

At 5:15 PM on 14 May, the first troop-carrying helicopter took off from Utapao Airfield, Thailand, where all available USAF helicopters and the Marine Ground Security Force had been prepositioned. At about the same time, tactical aircraft began to launch to provide continuous coverage for the operation, and an airborne command post assumed on-scene control. Three helicopters carrying about 50 Marine Ground

Security Force combat troops, 6 US Navy explosive ordnance disposal technicians, and a linguist arrived at USS HOLT at about 7:00 PM. These forces, together with 6 Military Sealift Command personnel to crew MAYAGUEZ, were all transferred to HOLT by 7:22 PM. HOLT came alongside MAYAGUEZ at 8:45 PM, and 20 minutes later reported that the Marines were in full control of the ship. No one was found onboard MAYAGUEZ at the time of boarding, but food found on the dining table and a warm kettle on the stove suggested a recent, hasty departure.

The assault on Kaoh Tang began when the first three of eight USAF helicopters with Marine assault forces took off from Utapao. One of the first helicopters reported hostile ground fire at 7:09 PM, and the flight mechanic was wounded. A second helicopter was reported hit and burning some six minutes later. Another helicopter from this flight crashed nearby on the beach at about 7:45 PM. Thirty minutes later insertion of the first assault wave had been completed. Of the eight helicopters in the first wave, three crashed on the beach or in the water, and two were disabled, one landing on a Thai island for fuel before proceeding to Utapao and the other returning directly to Utapao. The Marine Ground Force Commander had consolidated his position in the vicinity of the main landing zone by about 9:45 PM. The force received sporadic but heavy automatic weapon fire, together with claymore mine detonations. Across the island from the main force, 22 personnel, whose helicopter had been hit and crash-landed, were isolated.

CINCPAC had been directed at 5:18 PM on 14 May to commence cyclic strike operations from the aircraft carrier USS CORAL SEA on military targets in the Kompong Som-Ream complex with first time on target specified at 8:45 PM to coincide with the estimated time of recapture of MAYAGUEZ. The first cycle was to be armed reconnaissance with Cambodian aircraft and military watercraft as principal targets. Subsequent flights were to make maximum use of precision guided munitions to attack targets of military significance. The tactical air armed reconnaissance cycle did not expend ordnance. The second cycle struck the Ream Airfield. The runway was cratered, numerous aircraft were destroyed or damaged, and the hangars were badly damaged. The third and final cycle struck the Naval Base at Ream damaging the barracks area. Naval facilities in Kompong Som, including a POL storage area, were also struck during the cycle, damaging two warehouses in the port and scoring a direct hit on a large building in the marshalling yard. This bomb damage assessment is based on pilot reports and some photography. In all, 15 attack sorties expended munitions. Operations against the mainland terminated about midnight on 14 May.

These operations against the mainland were designed to ensure the island was not reinforced, to put pressure on the Cambodians to release the crew and to ensure the safe withdrawal of the Marine Ground Support Force.

At about 7:15 PM, a domestic broadcast from Cambodia had indicated that the Government intended to release the

vessel at some future time. No mention was made of the crew. The broadcast was monitored, translated, and transmitted to Washington where it was passed to the Secretary of Defense in the White House some time after 8:00 PM. This information received after the launch of the force, the landing of the Ground Security Force, and the infliction of most US casualties was not deemed sufficiently definite to call for a ceasefire, which would risk the crew and the Marines on the island.

At 10:23 PM, a boat was reported approaching the island flying a white flag. The destroyer USS WILSON picked up the occupants and reported at about 11:15 PM that the entire crew of MAYAGUEZ was accounted for and that all were in good condition. A fishing vessel with a five-man Thai crew had brought MAYAGUEZ's crew to WILSON from Kaoh Rong San Lem. The Thais requested food and fuel for their boat, and upon receipt of these supplies, they departed. By 25 minutes past midnight, on 15 May, MAYAGUEZ's crew had been returned to their ship.

At about midnight, the order was given to cease all offensive operations and begin to withdraw. At that time, additional ground security forces were requested by the Ground Force Commander in order to provide sufficient firepower for a successful withdrawal under fire. The second Marine assault wave had begun to arrive in the area of Kaoh Tang Island at about 11:45 PM on 14 May. The helicopters received

ground fire, and one of the first two was damaged. At eight minutes past midnight, after augmentation by a portion of the second wave, the Marines were reported in good position with the opposition forced back. At 1:21 AM on 15 May, a second helicopter from the second assault wave was hit at the island, and, along with two other helicopters, it returned to Utapao without disembarking the Marines.

Initial efforts to withdraw forces from the island concentrated on extracting the 22 isolated personnel. The main body of the Marine Ground Security Force with a strength of approximately 213 personnel was unable to reach the 22-man Marine force. It was felt there would be considerable risk to this small force if left overnight. The first helicopter making the attempt was hit by ground fire at 3:34 AM and landed on USS CORAL SEA.

The reduction in numbers of operational helicopters, the intensity of enemy ground fire received by each inbound helicopter and the approach of darkness complicated the extraction. Small boats from USS HOLT and USS WILSON began efforts to approach the beaches at 6:15 AM, but aborted due in part to ground fire. Working with naval gunfire and tactical aircraft support, the extraction continued into darkness. Helicopters recovering to CORAL SEA were able to finally clear all USMC personnel from the island by about 9:15 AM, 15 May. The small group near the downed helicopter had been the first extracted, some two hours earlier.

At the approximate time of the extraction of the last Marines from Kaoh Tang Island, it was directed that the residual force of 789 Marines at Utapao be returned to their home station. The first C-141 aircraft with 150 Marines lifted off Utapao at about noon with the last aircraft departing at a little after 5:00 PM, 15 May. Marine forces aboard the USS CORAL SEA were taken to Subic Bay by the Naval Task Force and arrived Tuesday morning, 20 May 1975. The Armed Forces of the United States in the Pacific area have reverted to routine operations.

2. What specific diplomatic options were considered and rejected by the National Security Council in seeking the release of the Mayaguez and its crew?

Because of the urgency of the situation and the lack of direct channels to the Cambodian authorities in Phnom Penh, it was judged that the only effective and rapid channels were those used -- the approach to the Chinese here and in Peking, and the direct delivery of a message to the Cambodian representative in Peking. No other government which might have been helpful in the situation has any representation in Phnom Penh and thus any effective contact with the authorities there.

3. What specific military options were considered by the National Security Council in seeking the release of the Mayaguez and its crew?

The National Security Council considered a wide range of specific military options in securing the release of the Mayaguez and its crew. They included various means of recovery, levels of air activity, various kinds of targets and ranges of times.

After full deliberation on the specific military options discussed, a combination of the options to apply selectively that military force reasonably necessary to achieve the desired result was directed by the President.

4. What consultations were carried out between the President and the Congress, pursuant to section 3 of the war powers resolution, prior to the deployment of United States Armed Forces to secure the release of the Mayaguez and its crew?

At the beginning of the incident, the President directed that the Congress be kept informed. On two occasions members of the White House staff contacted the Congressional leadership by telephone to inform them of developments. On the late afternoon of Wednesday the 14th, the President met with the Congressional leaders to discuss with them the action he had ordered to recover the ship and crew.

5. What orders, if any, had been issued to the United States Armed Forces with respect to the Mayaguez incident before the Secretary General of the United Nations was asked to give diplomatic assistance?

As the President stated in his letter to the Speaker of the House, U. S. forces were ordered on Tuesday, May 13 to take measures to prevent the removal of the ship and crew to the mainland. During that night, several Cambodian patrol boats which disregarded warning signals were damaged or sunk.

The Secretary General was approached shortly after noon on Wednesday, May 14, after having received no positive response from the Cambodians or Chinese to our earlier approaches. The National Security Council met later that afternoon, and at about 5:00 p. m. that afternoon the first orders were issued to begin operations later that evening to remove the ship and crew.

6. What was the nature and source of information regarding the location of the Mayaguez crew which was available to the President immediately prior to the deployment of United States ground troops on Koh Tang Island?

Aerial reconnaissance indicated that some members of the Mayaguez crew had been taken to Koh Tang Island. There was also indication that some members of the crew may have been taken to the mainland. The operation was conducted under the assumption that members of the crew may have been in all three locations.

7. Were United States air strikes carried out against targets on the Cambodian mainland after the Mayaguez crew had been released?

Yes, as part of our efforts to ensure the earliest, safe disengagement of US forces engaged in close combat on Koh Tang.

8. If known, what was the exact position and course of the Mayaguez when it was seized in relation to the island Poulo Wai?

Ship was 7nm southwest of Poulo Wai Island heading NNW enroute Thailand.

9. What United States intelligence gathering activities, if any, were conducted in or over or from off the shores of Cambodia subsequent to the Khmer Rouge takeover in April 1975, and prior to the seizure of the Mayaguez? Were any such activities known to have been detected or terminated by Cambodia? How did the United States acquire a photograph of Koh Tang Island, dated April 17, 1975, which was displayed at a Defense Department briefing during the Mayaguez incident?

The Mayaguez was not a spy ship. It was not engaged in intelligence activities. Between the fall of Phnom Penh on April 17 and the seizure of the Mayaguez on May 12, the U.S. undertook periodic reconnaissance flights in the area. However, the thrust of question No. 9 appears to be concerned with whether U. S. intelligence activities might have been the provocation of action taken by the Cambodian vessel in seizing the Mayaguez. No US reconnaissance operations were terminated or even intercepted by Cambodian forces. The photograph of Koh Tang Island, dated 17 April 1975, was obtained by routine US reconnaissance photography.

10. What covert actions, if any, were undertaken by the United States, either directly or indirectly, to disrupt, destabilize, or otherwise interfere in the internal affairs of Cambodia subsequent to the Khmer Rouge takeover in April 1975, and prior to the seizure of the Mayaguez? Were any such actions known to have been detected or terminated by Cambodia? If so, and if known, in what manner were they detected or terminated?

None.

11. What warning, if any, was issued to the United States merchant marine prior to the seizure of the Mayaguez regarding Cambodia's interception and harassment of vessels traveling near its shores, including Cambodia's attack on a South Korean freighter on May 4, 1975, and its detaining of a Panamanian ship on May 7, 1975?

None. Both the Department of State and Department of Defense are involved in issuing special warnings to US commercial vessels about the possibility of military action, but the need to issue such warnings has been relatively rare. This, coupled with the view that it was not immediately apparent, to those throughout the Government who received the information on the May 4th and May 7th incidents that American ships happening to pass in the area might possibly be in danger, resulted in no warning being immediately issued. A special warning was issued on the day we learned that the Mayaguez was seized.

12. Under the authority of what law superseding the statutory prohibitions against United States combat activity in or over or from off the shores of Cambodia were United States Armed Forces used to secure the release of the Mayaguez and its crew?

The duty of the President to protect US citizens abroad is an inherent part of his responsibility as Commander in Chief of the United States Armed Forces.

13. What communications have occurred to date between the United States and Thailand regarding the use of Thai territory in conjunction with the United States military action to secure the release of the Mayaguez and its crew?

The Thai government on several occasions publicly expressed concern over the presence of US Marines in Thailand in connection with the Mayaguez operation. The U.S. Government expressed its regrets at any action which may have caused any embarrassment to the Thai government. The Thai subsequently stated that they were satisfied with the note expressing regret.

14. What steps were taken to insure the accuracy of the various announced casualty figures relating to the Mayaguez rescue operation?

Every effort was made to insure that information pertaining to this activity was rapidly made available to the American people. Thus, numbers of casualties were being reported at every level of command, sometimes inaccurately always incompletely. Without regard to how often words of caution such as "incomplete," "interim," or "preliminary," are used to describe all such activity, they are seldom reported. In any event the same procedures traditionally applied by the Armed Forces to casualty accountability, i.e., Head-count, personnel interviews and boards of officers where required were applied here. The time required to finalize the numbers must have appeared somewhat inordinate. However, in light of the fact that mixed forces from several services and units were extracted under fire, some to Thailand, some to CORAL SEA, some to WILSON, and some to HOLT, this was from a combat standpoint to be expected. It was not until unit integrity was reestablished at Subic Bay, that a final count of casualties could be made.

~~CONFIDENTIAL~~

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

DJS

CM-558-75
28 JUL 1975

DIST
DIRECTOR
VDIR
DDER
SPC ASST JT MAT
EXEC ASSIS
ASST EXEC (PA)
ADM ASST

MEMORANDUM FOR THE SECRETARY OF DEFENSE

SUBJECT: GAO Review of the SS MAYAGUEZ (U)

1. (U) DOD has been requested by GAO to participate in GAO Review B-133001 on two related issues:

a. The seizure of the US vessel MAYAGUEZ and subsequent diplomatic and military efforts to secure its release.

b. Possible improvements in the crisis prevention and crisis management operations of our Government, specifically, the planning and execution of military operations; the speed and adequacy of military and diplomatic communications; and the adequacy of arrangements for briefing and consulting the Congress.

2. (U) The Joint Chiefs of Staff have been informally advised that they are to participate in this Review. However, DOD guidance as to the parameters for the conduct of this investigation has not been established.

3. (C) The review as now initiated and expressed in the GAO 22 July letter to DOD would penetrate the source documents, internal staff advice, and confidentiality necessary for full and free discussion and deliberation within the Joint Chiefs of Staff and the unified command structure. The scope of this review should be defined and therefore the following material is submitted as appropriate for exclusion from examination by the GAO investigators.

a. All event logs prepared by agencies of the OJCS, except as shown in Enclosure G to Tab D to After Action Report SS MAYAGUEZ/Kaoh Tang Island Operation, 12-15 May 1975.

b. Memorandum for Record and other notes prepared by Deputy Directors for Operations, NMCC.

c. Operational option papers prepared for consideration for the NSC, regardless of dissemination.

Classified by OJCS
SUBJECT TO GENERAL DECLASSIFICATION SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO YEAR INTERVALS
DECLASSIFIED ON DECEMBER 31 1984

~~CONFIDENTIAL~~

(8)

d. After Action reports on lessons learned from field commands and as represented in briefings or in the Memorandum to the CJCS in J3M 1240 dated 2 July 1975.

e. Part II, After Action Report (Verbal and Written Orders and Messages) and Special Report on "Strike Operations Against Mainland Targets" (silver bound report).

f. All informal notes, memorandum, visual briefing aids and other material used or generated by response cells or by NMCC staff personnel within field commands.

4. (C) If efforts to block a GAO investigation are frustrated and the investigation proceeds, it is recommended that the GAO be provided access authorization to the following:

a. Basic After Action Report, US Military Operations, SS MAYAGUEZ/Kaoh Tang Island 12-15 May 1975 (black bound) provided by the SECDEF to the President.

b. Operational message traffic incident to the planning for and execution of the operation through field after action reports; but excluding lessons learned report.

c. Photographic coverage.

5. (C) Exclusions would make it appear that the majority of information is to be denied the GAO. Information recommended to be made available in paragraph 4 above, in fact incorporates most of the pertinent, official documentation required to gain a complete perspective of the operation. The excluded documentation represents preliminary and incidental material not necessarily bearing directly on the final execution or results, and, when taken separately, out of context or without detailed explanation, would produce impressions not congruent with actual events and would require answers to questions answerable only by highest authority.

6. Request approval of these parameters as the basis for the JCS conduct of the Review.

J L Holloway III

J. L. HOLLOWAY III
Admiral, U.S. Navy
Acting Chairman, Joint
Chiefs of Staff

OJCS SUMMARY SHEET

TO: CJCS	CLASSIFICATION ~~SECRET~~	FOR USE BY ORIGINATING DIRECTORATE

THRU: DJS — [illegible] TRAIN, II, Vice Admiral, USN, Director, Joint Staff	DJSM NO. 880-75	ODJS SUSPENSE DATE
	DJSM DATE ~~[illegible]~~ 23 May 75	

SUBJECT:

The Rescue of the SS MAYAGUEZ and its Crew

ACTION			
APPROVAL	SIGNATURE	INFORMATION	OTHER
X	X		

REMARKS

1. The attached memorandum transmits to the Secretary of Defense a suggested response to paragraph 2(a) of the President's memorandum dated 18 May 1975. This is the third and final Joint Staff submission on the tasking contained in the President's memorandum.

2. Recommend approval and signature.

ACTION OFFICER
A.W.ATKINSON
COL, USAF
PACDIV, J-3
EXT 77921/jn

DATE OF PREPARATION
22 May 75

COORDINATION APPROVAL					
OFFICE	NAME	EXTENSION	OFFICE	NAME	EXTENSION
J-31					
J-30	[signature]				

JCS FORM NO. 9
JULY 72

9

~~SECRET~~

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: The Rescue of the SS MAYAGUEZ and its Crew

1. Reference is made to the memorandum of 18 May 1975 from the President to you on this subject. The attached narrative summary with enclosures, is intended to provide an appropriate response to paragraph 2(a) of that memorandum for a detailed and chronological exposition of events and activities.

2. The attached submission, together with the information as requested in paragraph 2(b) provided on 20 May 1975 and the Director's memorandum of 21 May 1975, should complete Joint Staff action on the President's memorandum.

DAVID C. JONES
General, USAF
Acting Chairman, Joint Chiefs of Staff

* DO file cy

~~SECRET~~

Regraded Unclassified when separated from Classified enclosure

~~SECRET~~

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

THE JOINT STAFF

DJSM-869-75
22 May 1975

MEMORANDUM FOR THE ASSISTANT SECRETARY OF DEFENSE
(INTERNATIONAL SECURITY AFFAIRS)

Subject: The Rescue of the SS MAYAGUEZ and its Crew (U)

1. (U) Reference paragraph 2(c) of a memorandum by the President to the Secretary of Defense, 18 May 1975, on this subject. The observations and recommendation contained herein represent the views of the Joint Staff and those Service players who participated in the operation.

2. (S) Observations:

a. The National Security Council (NSC) machinery was responsive during the entire operation. No delays were incurred pending authority or guidance from the White House.

b. The single aberration which showed strain on the NSC machinery occurred on the evening of 14 May with rapid changes of orders relating to mainland strikes.

3. (S) Recommendation:

During future operations a single channel should be designated for passing instructions from the NSC staff to the Department of Defense.

REASON. Provide immediate confidence in the authenticity of the transmission as well as eliminating the potential for conflicting directives from more than one source.

4. (U) The above observations and recommendation are furnished for your use as appropriate in responding to the President's memorandum.

Prepared by:
COL A. W. Atkinson, USAF
Pacific Division, J-3
Ext 77921/21May75/jln

HARRY D. TRAIN, II
Vice Admiral, USN
Director, Joint Staff

Classified by Director, Joint Staff
SUBJECT TO GENERAL DECLASSIFICATION
SCHEDULE OF EXECUTIVE ORDER 11652
AUTOMATICALLY DOWNGRADED AT TWO
YEAR INTERVALS
... DECEMBER 31 1982

~~SECRET~~

OJCS SUMMARY SHEET

TO:	CLASSIFICATION	FOR USE BY ORIGINATING DIRECTORATE
DJS	~~SECRET~~	

THRU:	DJSM NO.	ODJS SUSPENSE DATE
	DJSM DATE	

SUBJECT:	ACTION			
	APPROVAL	SIGNATURE	INFORMATION	OTHER
The Rescue of the SS MAYAGUEZ and its Crew (U)	X	X		

REMARKS

1. The attached memorandum provides Joint Staff suggestions for use by the OSD staff to prepare a response to the President's memorandum (TAB). IT HAS BEEN APPROVED BY THE ACJCS. ~~It includes the views of the CSAF and CNO~~.

2. Recommend approval and signature.

ACTION OFFICER	COORDINATION/APPROVAL					
	OFFICE	NAME	EXTENSION	OFFICE	NAME	EXTENSION
A.W.ATKINSON COL, USAF PACDIV, J-3 EXT 77921/jln	J-31					
	J-30					
DATE OF PREPARATION						
21 May 75						

JCS FORM NO. 9
JULY 72

94TH CONGRESS
1st Session

SENATE

DOCUMENT
No. 94-56

THE SS "MAYAGUEZ"

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

ON 12 MAY 1975, I WAS ADVISED THAT THE SS "MAYAGUEZ," A MERCHANT VESSEL OF UNITED STATES REGISTRY WITH A U.S. CITIZEN CREW, WAS FIRED UPON AND SEIZED BY THE ARMED FORCES OF CAMBODIA IN INTERNATIONAL WATERS. THIS HOSTILE ACT WAS IN CLEAR VIOLATION OF INTERNATIONAL LAW

MAY 15 (legislative day, APRIL 21,), 1975.—Referred to the Committee on Foreign Relations and ordered to be printed

THE WHITE HOUSE,
Washington, D.C., May 15, 1975.

Hon. JAMES O. EASTLAND,
President Pro Tempore of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: On 12 May 1975, I was advised that the SS *Mayaguez*, a merchant vessel of U.S. registry enroute from Hong Kong to Thailand with a U.S. citizen crew, was fired upon, stopped, boarded, and seized by Cambodian naval patrol boats of the Armed Forces of Cambodia in international waters in the vicinity of Poulo Wai Island. The seized vessel was then forced to proceed to Koh Tang Island where it was required to anchor. This hostile act was in clear violation of international law.

In view of this illegal and dangerous act, I ordered, as you have been previously advised, U.S. military forces to conduct the necessary reconnaissance and to be ready to respond if diplomatic efforts to secure the return of the vessel and its personnel were not successful. Two U.S. reconnaissance aircraft in the course of locating the *Mayaguez* sustained minimal damage from small firearms. Appropriate demands for the return of the *Mayaguez* and its crew were made, both publicly and privately, without success.

38-011

In accordance with my desire that the Congress be informed on this matter and taking note of section 4(a)(1) of the War Powers Resolution, I wish to report to you that at about 6:20 a.m., 13 May, pursuant to my instructions to prevent the movement of the *Mayaguez* into a mainland port, U.S. aircraft fired warning shots across the bow of the ship and gave visual signals to small craft approaching the ship. Subsequently, in order to stabilize the situation and in an attempt to preclude removal of the American crew of the *Mayaguez* to the mainland, where their rescue would be more difficult, I directed the U.S. Armed Forces to isolate the island and interdict any movement between the ship or the island and the mainland, and to prevent movement of the ship itself, while still taking all possible care to prevent loss of life or injury to the U.S. captives. During the evening of 13 May, a Cambodian patrol boat attempting to leave the island disregarded aircraft warnings and was sunk. Thereafter, two other Cambodian patrol craft were destroyed and four others were damaged and immobilized. One boat, suspected of having some U.S. captives aboard, succeeded in reaching Kompong Som after efforts to turn it around without injury to the passengers failed.

Our continued objective in this operation was the rescue of the captured American crew along with the retaking of the ship *Mayaquez*. For that purpose, I ordered late this afternoon an assault by U.S. Marines on the island of Koh Tang to search out and rescue such Americans as might still be held there, and I ordered retaking of the *Mayaguez* by other marines boarding from the destroyer escort *Holt*. In addition to continued fighter and gunship coverage of the Koh Tang area, these marine activities were supported by tactical aircraft from the *Coral Sea*, striking the military airfield at Ream and other military targets in the area of Kompong Som in order to prevent reinforcement or support from the mainland of the Cambodian forces detaining the American vessel and crew.

At approximately 9 p.m., e.d.t. on 14 May, the *Mayaguez* was retaken by U.S. forces. At approximately 11:30 p.m., the entire crew of the *Mayaguez* was taken aboard the *Wilson*. U.S. forces have begun the process of disengagement and withdrawal.

This operation was ordered and conducted pursuant to the President's constitutional Executive power and his authority as Commander in Chief of the U.S. Armed Forces.

Sincerely,

GERALD R. FORD.

○

16 May 1975

NOTE TO CONTROL DIVISION:

Subject: Mayaguez Operation

At their meeting on Friday, 16 May 1975, the Joint Chiefs of Staff discussed the Mayaguez Operation.

P. M. HARTINGTON
Captain, USN
Executive Secretary

Distribution:
OCJCS
ODJS
J-3

(12)

DO NOT REMOVE FROM JCS CONFERENCE ROOM (PERDIS)

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~~T O P S E C R E T~~

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ISA

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CINCSAC OFFUTT AFB ~~HINEB~~
CINCPACAF HICKAM AFB HI
CINCPACFLT MAKALAPA HI
COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND
COMSEVENTHFLT
DISTR (NONE)

OPS Deputies Meeting
MG Simmons
RAdm Weinel
LTG Hughes
BG Wright

140645Z MAY 75

T O P S E C R E T SPECAT EXCLUSIVE

ACJCS SENDS

FOR ADMIRAL GAYLER, GENERAL DOUGHERTY, GENERAL WILSON, ADMIRAL WEISNER, LGEN BURNS, AND VADM STEELE FROM GENERAL JONES

SUBJ: MAYAGUEZ/KOH TANG PLANNING DIRECTIVE (8)

1. SUMMARY. HIGHER AUTHORITY HAS DIRECTED THAT ALL NECESSARY PREPARATIONS BE MADE FOR POTENTIAL EXECUTION EARLY ON THE 15TH TO SEIZE THE MAYAGUEZ, OCCUPY KOH TANG ISLAND, CONDUCT B-52 STRIKES AGAINST THE PORT OF KOMPONG SOM AND REAM AIRFIELD, AND SINK ALL CAMBODIAN SMALL CRAFT IN TARGET AREAS. END SUMMARY.

2. FOR CINCPAC. PLAN FOR AND WHEN DIRECTED EXECUTE THE FOLLOWING OPERATIONS:

A. USS HAROLD E. HOLT SEIZE SS MAYAGUEZ USING SHIPS COMPANY AND/OR AUGMENTING MARINES NOW AT UTAPAO.

B. OCCUPY KOH TANG ISLAND WITH MARINE FORCES NOW AT UTAPAO SUPPORTED BY AIR FORCE HELO ASSETS AND TACAIR AND NAVAL GUNFIRE SUPPORT AS AVAILABLE AND REQUIRED.

~~TOP SECRET~~ ~~TOP SECRET~~

Harry D. Train II

(12)

C. SINK ALL CAMBODIAN SMALL CRAFT IN THE TARGET AREAS OF KOH TANG, PAULO WAI, KOMPONG SOM, AND REAM.

3. FOR CINCSAC. CONDUCT CONVENTIONAL B-52 STRIKES AGAINST THE PORT OF KOMPONG SOM AND REAM AIRFIELD FROM GUAM REPEAT FROM GUAM.

4. FOR ALL. THESE OPERATIONS ARE CURRENTLY PROJECTED FOR SUNRISE, TARGET AREAS, ON 15 MAY. B-52 TOT'S MAY BE UP TO 3 HOURS LATER. PLAN SUPPORTING OPERATIONS AS REQUIRED. ALSO PLAN ON POSSIBLE USE OF USS CORAL SEA AIRCRAFT.

5. MEANWHILE DENY BY SINKING EGRESS AND INGRESS OF ALL CAMBODIAN SHIPS AND SMALL CRAFT FROM OR TO KOH TANG ISLAND AREA.

6. SECURITY IS OF ABSOLUTE PARAMOUNT IMPORTANCE. LIMIT ACCESS TO THESE INTENTIONS AND PLANNING ACTIONS TO MINIMUM PERSONNEL NECESSARY.

7. FYI. FINAL DECISION RELATIVE TO EXECUTION EXPECTED MIDAFTERNOON TOMORROW WASHINGTON TIME. END FYI.

8. REQUIRE YOUR PLANS PRIOR 140900Z EDT.

9. THERE IS TO BE NO UNAUTHORIZED PUBLIC COMMENT ON THIS MATTER. ANY NEWS MEDIA OR PUBLIC QUERIES ARE TO BE ACCEPTED WITH A QUOTE NO COMMENT REPLY AND BE CALLED IMMEDIATELY TO THE ATTENTION OF ASD(PA) VIA THE PA WATCH OFFICER IN THE NMCC. ASD(PA) WILL COORDINATE AND PROVIDE FURTHER PUBLIC AFFAIRS GUIDANCE AS APPROPRIATE.

10. WARM REGARDS. GDS 85

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ZNY SSSSS
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INFO RUWTSKA/CINCSAC OFFUTT AFB NB
RHHMPSA/CINCPACFLT MAKALAPA HI
RUPVAAA/CINCPACAF HICKAM AFB HI
RUPOPSA/COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND
RUHGSAA/COMSEVENTHFLT
RUHGPSA/CTF 77
RUHQHSA/COMFMFPAC CAMP H M SMITH HI
RUPOPSA/SAC ALVON NAKHON PHANOM RTAFB THAILAND
RHMIAAA/13AF CLARK AB PHILIPPINES
RULYSCC/COMDESRON TWO THREE
RLLYSCC/USS HAROLD E HOLT
RUHGLJA/USS CORAL SEA
RHMFISA/COMUSMACTHAI BANGKOK THAILAND
RUHTBK/AMEMB BANGKOK THAILAND
RUEKJCS/SECDEF WASH DC
RUEHC/SECSTATE WASH DC
BT

PAGE 2 RUEKAAA 0496 ~~S E C R E T~~
~~S E C R E T~~ 1529
OJCS SENDS
SECSTATE HANDLE AS NODIS
SUBJ: KHMER SEIZURE OF MAYAGUEZ (U)
REFS: A. JCS 1959/1422032 MAY 75
B. JCS 2128/150044Z MAY 75

1. THIS IS AN EXECUTE MESSAGE.

2. REF B RESCINDED.

3. CARRY OUT OPERATIONS AS DIRECTED REF A.
GDS 83.
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150151Z

DECLASSIFIED
BY Joint Staff
DATE JAN 25 1999

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DEPARTMENT OF DEFENSE

JOINT CHIEFS OF STAFF

MESSAGE CENTER

VZCZCMAY933 ~~S E C R E T~~

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ACTION J3:(01) J3(01)

DISTR TERMSVC OPR FILESVC CJCS:(04) CJCS DJS SJCS(01) J4(01)
J5(01) J6(01) NMCC DOCDIV(01) SECDEF(04) SECDEF: ASD:ISA(07)
ASD:PA(01) DIA: :DIA:(01) NSA CMC
CSAF WASH DC
CNO WASH DC
CSA WASH DC
FILE(1)

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TRANSIT/142142Z/142149Z/000107GRP0456

DE RUEKJCS #1889 1342148

ZNY SSSSS

Z 142142Z MAY 75 ZFF6

FM JCS WASH DC

TO RUHQHOA/CINCPAC HONOLULU HI

RUWTEKA/CINCSAC OFFUTT AFB NB

INFO RHHMBRA/CINCPACFLT MAKALAPA HI

RUHVAAA/CINCPACAF HICKAM AFB HI

RUMORGA/COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND

RUHCOAA/COMSEVENTHFLT

RUHQHQA/CGFMFPAC CAMP H M SMITH HI

RUMORGA/SAC ADVON NAKHON PHANOM RTAFB THAILAND

RHMTAAA/13AF CLARK AB PHILIPPINES

RULYSCC/COMDESRON TWO THREE

RULYSCC/USS HAROLD E HOLT

RHMFMTA/COMUSMACTHAI BANGKOK THAILAND

RUMTBK/AMEMB BANGKOK THAILAND

BT

~~S E C R E T~~ 1936

SECSTATE HANDLE AS NODIS

ACJCS SENDS

SUBJ: KHMER SEIZURE OF MAYAGUEZ (U)

REF: JCS 1109/140645Z MAY 75 (NOTAL) WHICH DIRECTS PLANNING ACTIONS TO SEIZE AND SECURE THE SS MAYAGUEZ/CREW.

1. (S) THIS IS AN EXECUTE MESSAGE TO EFFECT RECOVERY OF MAYAGUEZ AND CREW.

2. (S) FOR CINCPAC:

A. CONDUCT ASSAULT BY MARINES ABOARD USS H E HOLT TO SEIZE AND SECURE SS MAYAGUEZ IAW REF. SAIL/ TOW MAYAGUEZ TO SEA AS SOON AS POSSIBLE. USE OF RCA. SUPPRESSIVE NAVAL GUNFIRE SUPPORT

(16)

AND TACAIR FROM CORAL SEA AND USAF THAILAND BASED FORCES AUTHORIZED AS DEEMED APPROPRIATE.
B. COMMENCE MARINE HELICOPTER ASSAULT ON KAOH TANG ISLAND IAW REF. USE OF NAVAL GUNFIRE SUPPORT AND TACAIR FROM CORAL SEA AND USAF THAILAND BASED FORCES AUTHORIZED AGAINST KAOH TANG ISLAND.
C. USN SHIPS AND TACAIR FROM CORAL SEA AND USAF THAILAND BASED FORCES AUTHORIZED TO ENGAGE AND DESTROY ALL CAMBODIAN CRAFT THAT INTERVENE IN THE OPAREA.
D. WITHDRAW MARINE ASSAULT FORCE FROM KAOH TANG ISLAND AS SOON AS FEASIBLE UPON COMPLETION OF SEARCH FOR/REMOVAL OF MAYAGUEZ CREW.
E. CEASE OPERATIONS AND WITHDRAW ALL FORCES FROM THE OPAREA AS SOON AS FEASIBLE AND UPON COMPLETION OF MISSION.
F. INITIATE REPORTS IAW JCS PUB 6 AS FOLLOWS:
(1) SITREP EVERY SIX HOURS COMMENCING FIRST STRIKE. INCLUDE ADDITIONAL PLANNING ACTIONS.
(2) ALL SORTIES REPORT USING OPREP4 UPON COMPLETION EACH MISSION.
(3) USE OPREP3 FOR INCIDENT REPORTING AS APPROPRIATE.

3. (S) FOR CINCSAC:
PROVIDE AIR REFUELING SUPPORT AS REQUESTED IN COORDINATION WITH CINCPAC.

4. (S) NO OTHER REPEAT NO OTHER OPERATIONS CONTAINED IN REF PLANNING MESSAGE HAVE BEEN APPROVED FOR EXECUTION.

5. (U) DIRLAUTH ALCON. KEEP JCS INFORMED.

6. (U) THERE IS TO BE NO UNAUTHORIZED PUBLIC COMMENT ON THIS MATTER. ANY NEWS MEDIA OR PUBLIC QUERIES ARE TO BE ACCEPTED WITH A QUOTE NO COMMENT UNQUOTE REPLY AND BE CALLED IMMEDIATELY TO THE ATTENTION OF ASD(PA) VIA THE PA WATCH OFFICER IN THE NMCC. ASD(PA) WILL COORDINATE AND PROVIDE FURTHER PUBLIC AFFAIRS GUIDANCE AS APPROPRIATE. GDS 83
BT
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DEPARTMENT OF DEFENSE

JOINT CHIEFS OF STAFF

MESSAGE CENTER

VZCZCMAY978 ~~S E C R E T~~

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ACTION DJS

DISTR TERMSVC OPR FILESVC CJCS:(04) CJCS SJCS(01) J3:(01) J3(01)
J4(01) J5(01) J6(01) NMCC DOCDIV(01) SECDEF(04) SECDEF:
ASD:ISA(07) ASD:PA(01) DIA: :DIA:(01) NSA CMC
CSAF WASH DC
CNO WASH DC
CSA WASH DC
FILE(1)

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TRANSIT/142203Z/142205Z/000:02GRP0281

DE RUEKJCS #1892 1342205

ZNY SSSSS

Z 142203Z MAY 75 ZFF6

FM JCS WASH DC

TO RUHQHOA/CINCPAC HONOLULU HI

INFO RUWTEKA/CINCSAC OFFUTT AFB NB

RHHMBRA/CINCPACFLT MAKALAPA HI

RUHVAAA/CINCPACAF HICKAM AFB HI

RUMORGA/COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND

RUHGOAA/COMSEVENTHFLT

RUHQHQA/CGFMFPAC CAMP H M SMITH HI

RUMORGA/SAC ADVON NAKHON PHANOM RTAFB THAILAND

RHMTAAA/13AF CLARK AB PHILIPPINES

RULYSCC/COMDESRON TWO THREE

RULYSCC/USS HAROLD E HOLT

RHMFMTA/COMUSMACTHAI BANGKOK THAILAND

RUHTBK/AMEMB BANGKOK THAILAND

BT

~~S E C R E T~~ 1959

SECSTATE HANDLE AS NODIS

ACJCS SENDS

SUBJ: KHMER SEIZURE OF MAYAGUEZ (U)

1. (U) THIS IS AN EXECUTE MESSAGE.

2. (S) COMMENCE CYCLIC STRIKE OPERATIONS FROM CORAL SEA AGAINST TARGETS IN THE KOMPONG SOM COMPLEX WITH FIRST TIME ON TARGET AT 150045Z MAY 75 WHICH COINCIDES WITH ESTIMATED TIME OF CAPTURE OF MAYAGUEZ.

3. (S) FIRST EVENT SHOULD BE ARMED RECONNAISSANCE WITH PRINICPAL

PAGE 1 ~~S E C R E T~~ 000i1001

(17)

TARGETS AS AIRCRAFT AND MILITARY WATERCRAFT. AVOID MERSHIPS IN KOMPONG SOM UNTIL IDENTIFICATION HAS BEEN CLEARLY ESTABLISHED AS CAMBODIAN.

4. (S) SUBSEQUENT FLIGHTS SHOULD MAKE MAX USE OF PRECISION GUIDED MUNITIONS TO ATTACK TARGETS OF MILITARY SIGNIFICANCE IN THE KOMPONG SOM COMPLEX.

5. (U) DIRLAUTH ALCON. KEEP JCS INFORMED.
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JCS WASH DC
CINCPAC HONOLULU HI
INFO CINCSAC OFFUTT AFB NB
CINCPACFLT MAKALAPA HI
CINCPACAF HICKAM AFB HI
COMUSSAG/7AF NAKHON PHANOM RTAFB THAILAND
COMSEVENTHFLT
CTF 77
CGFMFPAC H M SMITH HI
SAC ADVON NAKHON PHANOM RTAFB THAILAND
13AF CLARK AB PHILIPPINES
COMDESRON TWO THREE
USS HAROLD E HOLT
USS CORAL SEA
COMUSMACTHAI BANGKOK THAILAND
AMEMB BANGKOK THAILAND
SECDEF WASH DC
DISTR CJCS DJS SJCS CNO CSA CSAF CMC DIA J3 NMCC
~~SECRET~~

CJCS SENDS

SUBJ: KHMER SEIZURE OF MAYAGUEZ (U)

REF: JCS 142203Z MAY 75 WHICH DIRECTED CORAL SEA STRIKES AGAINST TARGETS IN KOMPONG SOM COMPLEX.

REF IS RESCINDED REPEAT RESCINDED. CEASE REPEAT CEASE STRIKE OPERATIONS AGAINST TARGETS IN KOMPONG SOM COMPLEX.

GDS 83
YYY

DECLASSIFIED
BY Joint Staff
DATE JAN 25 1989

(W) OK for Sec Def

A. W. ATKINSON, COL, USAF
PACDIV J3 77921/LA

SECRET

Harry D Train

(18)

15 MAY 75 04 58Z

VZCZCNMC81[illegible]CWO S E C R E T
NMCC2 2396
ACTION J3(10)
DISTR TERMSVC OPR FILESVC CJCS1(04) CJCS DJS(03) SJCS(02)
NMCC DIATF DIAI DIA;(05) MCCC CMC
CSAF WASH DC
CNO WASH DC
CSA WASH DC
NMCC3 NMCC2 NMCC1 OPG FILE(1)
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TRANSIT/150455Z/150457Z/000102GRP0276
DE RUEKJCS #1930 1350457
ZNY SSSSS
Z 150455Z MAY 75 ZFF6
FM JCS WASH DC
TO RUHQHQA/CINCPAC HONOLULU HI
RUWTEKA/CINCSAC OFFUTT AFB NB
INFO RHHMBRA/CINCPACFLT MAKALAPA HI
RUHVAAA/CINCPACAF HICKAM AFB HI
RUHQHQA/CGFMFPAC CAMP H M SMITH HI
RUMORGA/COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND
RUHGDAA/COMSEVENTHFLT
RUHGPBA/CTF 77
RUHGPMA/CTF 76
RUHGIJA/USS CORAL SEA
RHMPMAA/COMDESRON TWO THREE
RHMPMAA/USS HAROLD E HOLT
RHMIAAA/13AF CLARK AB PHILIPPINES
RUMORGA/SAC ADVON NAKHON PHANOM RTAFB THAILAND
RUEHC/SECSTATE WASH DC
RUMTBK/AMEMB BANGKOK THAILAND
RHMFMTA/COMUSMACTHAI BANGKOK THAILAND
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S E C R E T 2396
CJCS SENDS
SUBJ: KHMER SEIZURE OF MAYAGUEZ (U)

1. (S) FOR ALL: IMMEDIATELY CEASE ALL OFFENSIVE OPERATIONS AGAINST KHMER REPUBLIC RELATED TO SEIZURE OF MAYAGUEZ. DISENGAGE AND WITHDRAW ALL FORCES FROM OPAREA AS SOON AS POSSIBLE CONSISTENT WITH SAFETY/SELF DEFENSE. REPORT WHEN DISENGAGEMENT COMPLETED AND ALL FORCES CLEAR OF TERRITORIAL WATERS.

344

(19)

2. (S) FOR CINCSAC: RESUME NORMAL READINESS POSTURE.
GDS 83
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ANNOTES
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150457Z

DEPARTMENT OF DEFENSE

JOINT CHIEFS OF STAFF

MESSAGE CENTER

VZCZCMLT160 ~~SECRET~~

MULT

ACTION J3:(04) J3(10) 2945

DISTR TERMSVC OPR FILESVC CJCS:(04) CJCS DJS SJCS(02) NMCC
SECDEF(04) NMIC SECDEF: ASD:ISA(10) ASD:PA(01) DIA: :DIA:(08)
MCCC CMC
CNO WASH DC
CSA WASH DC
FILE(1)
(041)

TRANSIT/151433Z/151502Z/000:29GRP0282

FLASH

DE RUEKJCS #1944 1351502
ZNY SSSSS
Z 151433Z MAY 75 ZFF6
FM JCS WASH DC
TO RUHQHQA/CINCPAC HONOLULU HI
RUEFHQA/CSAF WASH DC
INFO RUWTEKA/CINCSAC OFFUTT AFB NB
RUCIMAA/MAC SCOTT AFB IL
RHHMBRA/CINCPACFLT MAKALAPA HI
RUHVAAA/CINCPACAF HICKAM AFB HI
RUHQHQA/CGFMFPAC CAMP H M SMITH HI
RUMORGA/COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND
RUHGOAA/COMSEVENTHFLT
RUHGPBA/CTF 77
RUHGPMA/CTF 76
RUHGIJA/USS CORAL SEA
RULYSCC/COMDESRON TWO THREE
RULYSCC/USS HAROLD E HOLT
RHMIAAA/13AF CLARK AB PHILIPPINES
RUMMRGA/SAC ADVON NAKHON PHANOM RTA THAILAND
RUEHC/SECSTATE WASH DC
ZEN/SECDEF WASH DC
RUMTBK/AMEMB BANGKOK THAILAND
BT
~~SECRET~~ 2945
ACJCS SENDS
SUBJ: ~~MARINE RETROGRADE~~ (U)
1. (U) THIS CONFIRMS TELECON BETWEEN NMCC AND PAC CMD POST.

2. (U) THIS IS AN EXECUTE MESSAGE.

3. (S) EXECUTE RETROGRADE OF ALL US MARINES PLACED IN THAILAND FOR

41

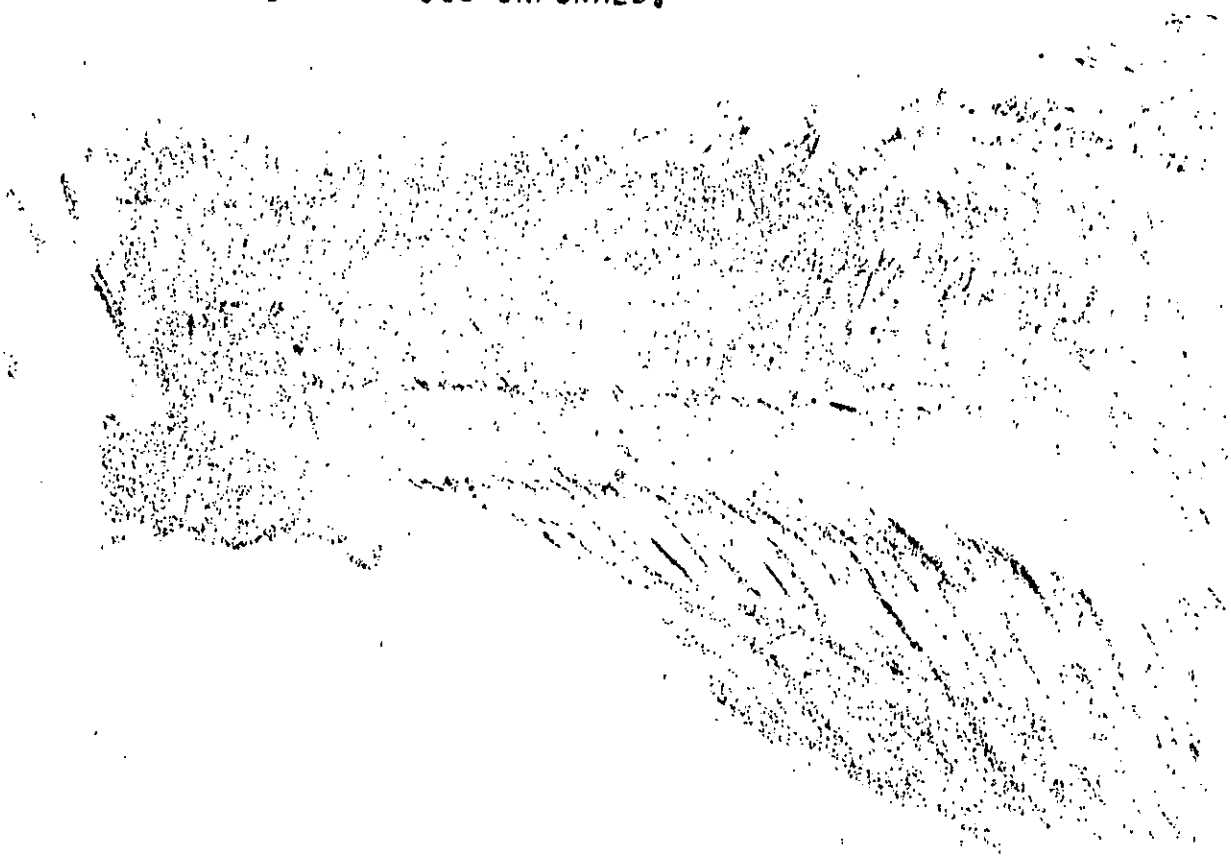
(20)

~~SECRET~~ 2945

MAYAGUEZ OPERATION. HIGHLY DESIRABLE THAT NO REPEAT NO MARINES BE LEFT IN THAILAND AT FIRST LIGHT ON 15TH. IF NECESSARY TO ACCOMPLISH THIS, MOVE ALL PERSONNEL FIRST. PALLETS AND VEHICLES CAN MOVE AFTER ALL MARINES ARE WITHDRAWN.

4. (S) FOR CSAF:
A. TASK MAC TO PROVIDE SUPPORT TO CINCPAC AS REQUIRED. FUNDING WILL BE ADDRESSED IN COORDINATION WITH CINCPAC.

5. (U) DIRLAUTH ALCON. KEEP JCS INFORMED.
GDS 83
BT
#1944
ANNOTES
GS



NNNN
1515Z27

~~SECRET~~

THE JOINT CHIEFS OF STAFF
WASHINGTON, D.C. 20301

DJS

DIRECTOR Crain
VDIR
DDIR
SPC ASST JT STAFF
X EXEC ASSTS
ASST EXEC (PA)
ADM ASST

CM-426-75
23 May ~~1975~~

MEMORANDUM FOR THE SECRETARY OF DEFENSE

Subject: The Rescue of the SS MAYAGUEZ and its Crew

1. Reference is made to the memorandum of 18 May 1975 from the President to you on this subject. The attached narrative summary with enclosures, is intended to provide an appropriate response to paragraph 2(a) of that memorandum for a detailed and chronological exposition of events and activities.

2. The attached submission, together with the information as requested in paragraph 2(b) provided on 20 May 1975 and the Director's memorandum of 22 May 1975, should complete Joint Staff action on the President's memorandum.

David C. Jones
DAVID C. JONES
General, USAF
Acting Chairman, Joint Chiefs of Staff

W/BLACK BOOK

DJSM-880-75

~~SECRET~~

Regraded Unclassified when separated from Classified enclosure

REF JCS 2366/92

(27)

Udm Train ACC

14 MAY 75 15 24Z

NMCC CWO

VZCZCNMC529 ~~TOP SECRET~~
NMCC

59231
SECT 01 OF 59177

ACTION
DISTR TERMSVC JCSIMC( ) J3ISPCAT NMCC FILE(1)
(001)

TRANSIT/ Z/141522Z/ I TOR1341512
DE RUWTEKA #8609 1341555
ZNY AAAAA
BT
~~TOP SECRET SPECAT~~ SVC VOL CCN RUWTEKA3116 1341355 CORRECTION
Z O 141332Z MAY 75
Z O 141332Z MAY 75
FM CINCSAC OFFUTT AFB NE/CV
TO RUHJOFA/3AD ANDERSEN AFB GUAM/CC
RUHQHQA/CINCPAC HONOLULU HI
INFO RUEKJCS/JCS WASH DC/J 3
RUEFHQA/CSAF WASH DC/XO
RUHVAAA/CINCPACAF HICKAM AFB HI
RHHMBRA/CINCPAC MAKALAPA HI
RUMORGA/COMUSSAG 7AF NAKHON PHANOM RTAFB THAILAND
RUHGOAA/COMSEVENTH FLT
RUMORGA/SAC ADVON NAKHON PHANOM RTAFB THAILAND
BT
~~TOP SECRET SPECAT~~ EXCLUSIVE FOR MGEN MINTER, ADM GAYLER
INFO: LT GEN SITTON, LTGEN HUYSER, GEN WILSON, ADM WEISNER,
LTGEN BURNS, AND VADM STEELE FROM GEN KECK SECTION I OF II
DELIVER UPON RECEIPT
SUBJECT: B-52 CONVENTIONAL STRIKE MISSION (S)
THIS IS A WARNING ORDER FOR B-52 STRIKE MISSIONS AGAINST
CAMBODIAN TARGETS.
PART 1. TWELVE (12) B-52DS WILL LAUNCH FROM ANDERSEN AFB,
GUAM: COMPLETE INFLIGHT REFUELING WITH 12 ANDERSEN
BUDDY KC-135S; PROCEED ON THE STRIKE MISSION AND RETURN
TO ANDERSEN AFB. FOUR (4) CELLS OF THREE (3) AIRCRAFT
EACH WILL STRIKE THE FOLLOWING TARGETS.
PART TWO
ITEM 1 TGT NUMBER ONE - PHUMI PHSAR REAM NAVAL BASE
ITEM 2 BE NUMBER - ZERO SEVEN THREE X NINE - ZERO ZERO
ZERO FOUR SEVEN
ITEM 3 COMMON POINT - SAME AS PIP
ITEM 4 PIP - ZERO EIGHT DEGREES ZERO ZERO MINUTES NORTH
ONE ZERO FOUR DEGREES ZERO ZERO MINUTES

(21)

EAST
ITEM 5 IP - X ZERO NINE DEGREES TWENTY MINUTES NORTH
ONE ZERO THREE DEGREES THREE EIGHT MINUTES
EAST
09-20N 103-38E
ITEM 6 TGT - ONE ZERO DEGREES THREE ZERO MINUTES ONE
NINE SECONDS NORTH ONE ZERO THREE DEGREES
THREE SEVEN MINUTES ZERO TWO SECONDS EAST.
10-30-19N 103-37-02E
ITEM 7 BOMB RUN AXIS - THREE SIX ZERO DEGREES
360 DEGREES
ITEM 8 TIME ON TGT - ONE FIVE/ZERO ONE THREE ZERO ZULU
- 15/0130Z MAY 75
ITEM 9 BOMBING ALT - HIGH ALTITUDE AS DETERMINED BY
THIRD AIR DIVISION.
ITEM 10 TYPE RELEASE - SYNCHRONOUS
ITEM 11 TRAIN LENGTH - TWO TWO ZERO ZERO FEET
- 2200
ITEM 12 AFTER RELEASE - HOLD HDG ONE FIVE (15) SEC; LEFT
TURN TO WITHDRAWAL HDG TWO ZERO
SIX DEGREES (206 DEGREES); DIRECT
- ONE ZERO DEGREES ZERO ZERO NORTH
ONE ZERO THREE DEGREES TWO ZERO
MINUTES EAST
- 10-00N 103-20E

PART THREE
ITEM ONE TGT NUMBER TWO - REAM AIRFIELD
ITEM 2 BE NUMBER - ZERO SEVEN THREE NINE - ZERO EIGHT
SIX SIX SIX
- 0739 - 08666
ITEM 3 COMMON POINT - ZERO EIGHT DEGREES ZERO ZERO MINUTES
NORTH ONE ZERO FOUR DEGREES ZERO ZERO
MINUTES EAST
- 08-00N 104-00E
ITEM 4 PIP - ZERO NINE DEGREES TWO TWO MINUTES NORTH ONE
ZERO THREE DEGREES ZERO ZERO MINUTES EAST
- 09-22N 103-00E
ITEM 5 IP - ZERO NINE DEGREES FIVE EIGHT MINUTES NORTH
ONE ZERO TWO DEGREES THREE FIVE MINUTES EAST
-09-58N 102-35E
ITEM 6 TGT - ONE ZERO DEGREES THREE FOUR MINUTES FORTY
SECONDS NORTH ONE ZERO THREE DEGREES
THREE EIGHT MINUTES TWO FOUR SECONDS EAST

= 10-34-40N 103-38-24E

ITEM 7 BOMB RUN AXIS = ZERO SIX ZERO DEGREES
=060 DEGREES

ITEM 8 TIME ON TARGET = ONE FIVE/ZERO ONE FOUR FIVE ZULU
=15/0145Z MAY 1975

ITEM 9 BOMBING ALTITUDE = HIGH ALTITUDE AS DETERMINED BY THIRD AIR DIVISION

ITEM 10 TYPE RELEASE = SYNCHRONOUS

ITEM 11 TRAIN LENGTH = TWO ZERO ZERO ZERO FEET
= 20001

ITEM 12 AFTER RELEASE = HOLD HDG ONE FIVE (15) SEC) RIGHT TURN WITHDRAWAL HDG ONE SIX ZERO DEGREES (160 DEGREES) DIRECT ONE ZERO DEDGREES ZERO ZERO MINUTES NORTH ONE ZERO THREE DEGREES FIVE ONE MINUTES EAST
= 10-00N 103-51E

PART FOUR

ITEM 1 TGT NUMBER THREE = KOMPONG SOM HARBOR

ITEM 2 BE NUMBER = ZERO SEVEN THREE NINE = ZERO ZERO ZERO NINE EIGHT
= 0739-00098

ITEM 3 COMMON POINT = ZERO EIGHT DEGREES ZERO ZERO MINUTES NORTH ONE ZERO FOUR DEGREES ZERO ZERO MINUTES EAST
= 08-00N 104-00E

ITEM 4 PIP = ZERO NINE DEGREES TWO TWO MINUTES NORTH ONE ZERO THREE DEGREES ZERO ZERO MINUTES EAST
= 09-22N 103-00E

ITEM 5 IP = ONE ZERO DEGREES ONE EIGHT MINUTES NORTH ONE ZERO TWO DEGREES ONE NINE MINUTES EAST
= 10-18N 102-19E

ITEM 6 TGT = ONE ZERO DEGREES THREE EIGHT MINUTES THREE FIVE SECONDS NORTH ONE ZERO THREE DEGREES THREE ZERO MINUTES TWO SIX SECONDS EAST
=10-38-35N 103-30-26E

ITEM 7 BOMB RUN AXIS=ZERO SEVEN FOUR DEGREES
=074 DEGREES

ITEM 8 TIME ON TARGET = CELL NUMBER THREE
=ONE FIVE/ZERO TWO ZERO ZERO ZULU
=15/0200Z MAY 75

TIME ON TARGET =CELL NUMBER FOUR
= ONE FIVE ZERO TWO ONE FIVE ZULU

=15/0215Z MAY 75
ITEM 9 BOMBING ALTITUDE-HIGH ALTITUDE AS DETERMINED BY THIRD AIR DIVISION

BT
#8609
ANNOTES
STAMP THIS MSG SPECAT-EXCLUSIVE
DISTR ONE CY BY NAME IN A SEALED ENV TO GEN JONES, GEN PAULY, LTG SITTON, VADM TRAIN, MGEN SIMMONS, RADM WELANDER, LTG HUYSER, BGEN WHITE, AND COL ATKINSON, J 3.
HARD COPY DELIVERY TO VADM TRAIN AND COL ATKINSON
NMCC FOR DDO
NUMBER COPIES
WMB CCJ

NNNN
141523Z