THE GULF OF TONKIN: THE 1964 INCIDENTS

HEARING
BEFORE THE
COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE
NINETIETH CONGRESS
SECOND SESSION
WITH
THE HONORABLE ROBERT S. MCNAMARA,
SECRETARY OF DEFENSE
ON
FEBRUARY 20, 1968

Printed for the use of the Committee on Foreign Relations

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1968

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Washington, D.C. 20402 - Price 30 cents
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PREFACE

The Committee on Foreign Relations on February 21, 1968, authorized the release of this transcript of an executive hearing on the Gulf of Tonkin incidents of 1964. The Department of Defense has examined the transcript for possible security matters and the very few deletions for such reasons have been noted in the text.

There have been a few changes, mostly of a grammatical nature, in the language of witnesses and members of the committee. None of these changes are significant with respect to an accurate portrayal of the hearing.

J. W. Fulbright, Chairman.
The committee met, pursuant to notice, at 10 a.m., in room S-116, the Capitol Building, Senator J. W. Fulbright (chairman) presiding. Present: Senators Fulbright, Sparkman, Mansfield, Morse, Gore, Lausche, Church, Symington, Dodd, Clark, Pell, McCarthy, Hickenlooper, Aiken, Carlson, Williams, Mundt, Case, and Cooper.

Also present: Senators Gruening, Morton, and Percy.

The CHAIRMAN. The committee will come to order.

The Committee on Foreign Relations is meeting this morning in executive session to hear the Secretary of Defense.

Mr. Secretary, I am very grateful to you for coming before the committee this morning in this executive session.

You have had a long and arduous experience in serving your country for some 7 years. I know from my own knowledge that it has been an extraordinarily grueling tour of duty for you and I believe you have applied your talents and energy far beyond the call of duty. You appear to have survived remarkably well, I may say.

I recall with satisfaction the several meetings and conversations I have had with you during these 7 years. You have always been responsive and in good humor and, for one, regret to see you leave the Government at this very perilous time in our history. I know, of course, that your new assignment is a very important one and I am sure you will discharge your responsibilities with efficiency and with honor.

I should like to add as a personal observation that I am very pleased that your lovely wife Marge has returned home from the hospital and I know that eases your troubles.

ESTABLISHING TRUTH OF TONKIN GULF INCIDENTS

My view of the purpose of this hearing is simply to review the decisionmaking process of our Government in time of crisis. I am interested only in establishing the truth about the Tonkin Gulf incidents of August 2 and 4, 1964. The purpose is not to assess blame on anyone, certainly not upon you. Personally, I have long since acknowledged publicly my own shortcomings in connection with the affair. I am a firm believer in the idea that to acknowledge my mistakes of yesterday is but another way of saying I am a wiser man today.

But this committee and the Government we hope will continue long after you and I are gone and there will be crises in the future and I think it will be helpful to future Senators and future Secretaries of State and even future Presidents if we review past decisions of importance and evaluate them in the light of subsequent developments.
This is one of the ways we can help develop a wiser and more mature procedure and judgment in the future.

If this Nation cannot learn from its past performance and acknowledge where it has been wrong or insufficient to the task, then the United States will become servile to its past—and suffer for this servitude.

Mr. Secretary, you have shown your fondness for T. S. Eliot on other occasions, particularly Eliot's thoughts in "Little Gidding." You will therefore appreciate the thought behind Eliot's words:

"History may be servitude,
"History may be freedom."

Mr. Secretary, I believe all of us here share your own desire that the United States profit from its mistakes—not repeat them.

As is customary in these proceedings, you may have the opportunity to make an open statement if you desire, which I understand you have prepared. I would hope that in your statement you will describe the military and political situation as it existed during the spring and summer of 1964, in this country and in Vietnam. If you can refresh our memory about the background conditions relative to which the incidents of August 1964 took place, I believe it will be most helpful.

Before I yield to the Secretary, I should like to submit to my colleagues on the committee the suggestion that after the Secretary concludes his opening remarks, I should like to proceed with the questioning in accordance with the questions prepared by the staff in order to develop these complicated events and communications in an orderly manner as possible. I shall, of course, be very glad to yield for questions or suggestions from the members as we go along, but I do believe if we are to understand these events and make an intelligible record, a systematic, more or less chronological approach, should be followed. After I have submitted the prepared list of questions, I shall call upon all members in the usual manner. I hope this is agreeable to the committee.

The Secretary does have a prepared statement which I understand he would like to read.

LETTER RELATING TO THE HEARING

I wish to put into the record also, Mr. Reporter, a copy of the letter relating to this hearing which was sent to the Secretary.

(The letter referred to follows.)

February 7, 1968.

Hon. Robert S. McNamara,
Secretary of Defense,
Washington, D.C.

Dear Mr. Secretary: I refer to our telephone conversation of yesterday concerning your scheduled appearance before the Committee on the incidents in the Gulf of Tonkin.

As I said during our conversation, I appreciate your concern that your testimony be fully responsive to the wishes of the Committee. Therefore, I can understand your interest in the internal working paper done by the staff. As I said to you, however, the Committee does not wish at this time to release the staff study. Moreover, the information used in the staff study is drawn entirely from data provided by your office; so there will be no surprises there. At the same time, I know that the Committee staff does not have all information available to you on the Tonkin incidents. As I told you, however, I am enclosing a list of the documents your Department has supplied the Committee. If there are any questions about the material, please have your office contact the Committee staff.
In any event, the interest of the Committee is not in a discussion of the staff study, but in your testimony of August 6, 1964, and Ambassador Stevenson’s statement to the United Nations of August 5 in light of any information your office may have acquired since the incidents in the Gulf of Tonkin.

Therefore, in the interest of a thorough discussion on February 20, the Committee will make available to your office a copy of the transcript of the testimony of August 6, 1964. (Ambassador Stevenson’s presentation is, of course, a matter of public record.) I would hope that you will be able to review this transcript and bring the Committee up to date on what we now know of the incidents in the Gulf of Tonkin. The Committee is particularly interested in discussing what lessons have been learned about the problems of analyzing information in the midst of a crisis situation.

Finally, as I mentioned to you during our conversation, I would like to renew my request of January 8th that the Department of Defense provide the Committee at the earliest possible date with a report done by the Weapons Systems Evaluation Group on the subject “Command and Control of the Tonkin Gulf Incident, 4-5 August 1964.”

I look forward to seeing you on February 20.

Sincerely yours,

J. W. FULLBRIGHT, Chairman.

The CHAIRMAN. Mr. Secretary, my own view is that this statement of yours should not be made public until after the committee has had an opportunity to go through the hearings, and also to decide what it does about its own staff report and the hearings. This is an executive meeting and I hope that you will be willing to retain that. I realize there will be pressures upon you, as there are upon the committee, for release of these documents, but I would think it is premature to do so.

STATEMENT OF HON. ROBERT S. McNAMARA, SECRETARY OF DEFENSE; ACCOMPANIED BY GEN. EARLE G. WHEELER, CHAIRMAN OF THE JOINT CHIEFS OF STAFF, AND CAPT. H. B. SWEITZER, U.S. NAVY, MILITARY ASSISTANT TO THE CHAIRMAN, JOINT CHIEFS OF STAFF

Secretary McNAMARA. Mr. Chairman, I very much appreciate your personal kind wishes and compliments. It has been a most satisfying 7 years to me, made more so by the courtesy with which I have been treated by this committee on my numerous occasions before it.

I might also say I share T. S. Eliot’s belief that history may be freedom, and I look forward to the development of our discussions here today in a way that will make it freedom and not servitude.

I do have a statement which I would like to present to the committee at this time. I have not released it to the press. I told my associates that we should not do so. We have submitted to the committee some 200 copies of it so they may release it. I doubt very much that we will be able to withstand the pressures of the press today without releasing it. We have been deluged by requests for it.

RELEASING OF DOCUMENTS

Senator Morse. Can I only say, Mr. Chairman, on a procedural matter, I quite agree with the Secretary; I do not think we ought in any way to place any restrictions on the Secretary in regard to releasing anything he wants to release. I know you did not so imply. But I think the judgment of the Secretary should prevail in regard to what the Department of Defense releases, and I think the judgment of the committee should prevail in regard to what we should release.
The Chairman. The only thing I was suggesting——

Senator Morse. It is in keeping with the division of powers doctrine.

The Chairman. I thought it would be much fairer if we could arrange to release them simultaneously. For example, the staff report would present only one side of the picture, as would the Secretary's statement. I think it would be too bad if this goes out and nothing else. That is a matter for the committee to determine, I grant.

Senator Morse. I still would not want to—I would personally not be a party to placing any restriction on the Secretary.

The Chairman. The point I am trying to make is that much of the information which we have is confidential and cannot be released. Whereas a great many of the documents to which the Secretary refers, but does not incorporate, are also confidential. I would submit that it is a very one-sided picture to release only the statement.

Senator Morse. It is one-sided only if the committee leaves it that way.

The Chairman. I grant that. But it is only a matter of time. We have not had a chance to read the Secretary's statement. We only received this statement an hour ago and it is a matter of timing.

Senator Morse. I understand.

The Chairman. Does the Senator object for the committee to have time to consider the statement?

Senator Morse. I would only object as to placing any restrictions on the Secretary at all.

The Chairman. I do not consider it placing restrictions. It is a matter for us to arrive at an understanding as to when we do it.

Senator Gore. Mr. Chairman.

The Chairman. Yes?

Senator Gore. There is a question here. We are having an executive session. Could we not defer judgment on this until we have had a chance to read it?

The Chairman. That is what we normally do. That is what I was suggesting, until we receive it; the committee makes up its own mind usually afterward, this afternoon, for example.

Senator Gore. The point I was attempting to raise, I find a great deal of appeal in what Senator Morse has said, but I think it must be interpreted in the light of the fact that we are dealing here with classified materials and having an executive hearing. The release of a statement in executive hearing, used in an executive hearing, has not, so far as I can recall, been done except by permission of the committee.

I remember one time when I was chairman of a subcommittee, Secretary Rusk was appearing, and the question of releasing his statement was submitted to the committee, and the committee voted unanimously to approve its release. I dare say it might do so—we might do so, after hearing this, but I would like to defer judgment on it.

The Chairman. That is all right.

PROCEDURAL RIGHT OF WITNESS

Senator Morse. Can I take 30 seconds more? I do not want to be a stickler or make a tempest in a teapot, but I do think, gentlemen, you are dealing here with a procedural matter that you should not set a precedent on. I do not think that at any time a committee of the Congress has the right to call into executive session a Cabinet officer or any-
one who is really a spokesman for the administration and seek to impose any restriction on that witness in regard to anything that he says in that executive session in respect to his right to make any comment after the meeting is over or release any statement he wants to make after the meeting is over.

Speaking hypothetically, although the Secretary has made very clear his willingness to oblige you, I am not talking about his willingness to oblige but I am talking about what I consider to be a very, very important basic procedural right of the administration witness under the separation powers doctrine. I have never transgressed upon it knowingly, and I am not going to let the administration at any time transgress upon our corresponding right under the same doctrine. Therefore, I think we ought to deal with each other on the basis that we know what these respective rights are and seek to place no restriction on each other. That is my point.

I took the same position, you will recall, in the MacArthur hearings when there was an attempt, in my judgment, on the part of the committee to infringe the rights of the administration under the doctrine there. I take the same position this morning.

Senator HICKENLOOPER. Mr. Chairman.

The CHAIRMAN. Senator Hickenlooper.

RESPONSIBILITY FOR RELEASING A STATEMENT

Senator HICKENLOOPER. I think we have a rather complicated situation here which is not necessarily one under the control of the Secretary or of the committee. It may be more under the control of the committee than of the Secretary.

I would say that the Secretary has no right whatsoever under our procedure to release a transcript of this record where members question the Secretary and answers come in. On the other hand, I would say this, that the responsibility of releasing a statement on the sole responsibility of the Secretary or any other administrative official is the responsibility of that official of that department. I am not so sure we can control it. We can control what we release. I think it is a matter of some kind of an understanding.

I am thoroughly sympathetic with what you have said, Mr. Chairman, about piecemeal releases of these things. I hate to read about them even though they have not been released—I hate to read about them in Time magazine or the New York Times or other papers of that kind, where we have to get some of our information from there. That makes us quite restless but apparently there is nothing we can do about it, and sometimes what goes on in this committee at least seems to be approximative, in some of those news releases of certain columnists and so on.

So it is a problem that has its various facets. But so far as a straight statement of the Secretary, I would say that we have no authority to inhibit him from a straight statement he wants to make to the public on his own responsibility without regard to questions or answers or what anyone else has said, because when that occurs, then there is a dual responsibility there, not only on the questioner but the Secretary, and I hope we can control that.

But I do not know; it is a very difficult thing, and I am thoroughly sympathetic with the piecemeal—
The CHAIRMAN. I was not asserting any right to control it. It was merely a suggestion if there was some comity—

Senator HICKENLOOPER. If it is a question of comity, we can arrive at it.

The CHAIRMAN. He can keep it within his control.

Go ahead, Mr. Secretary.

NEWSPAPER REPORTS OF CLASSIFIED INFORMATION

Senator LAUSCHE. Mr. Chairman, having listened to what Senator Hickenlooper has just said, I feel obliged to make a statement that this body, vested with secret information of the most intimate character, dealing with the security of the United States, has been brought scandalously into disrepute by the frequency with which reports are carried in the newspapers of what is supposed to be done under closed executive meetings, and I do not feel content that we can wink at these leaks that are coming out of this committee. I am not satisfied with the statement that there is nothing we can do about it. Somebody is leaking things, whether it is a member, Members of the Senate, or whether it is members of the staff. I do not know who it is, but it is a terrible mistake that this body, related most intimately to matters that deal with the security of the United States, finds itself with newspapers reporting what takes place under confidential discussions.

It cannot be denied that these reports are being carried outside of the meeting. How do they get out? I think we ought to make an investigation. We ought to find out whether it is from the staff or where it emerges.

The whole world can laugh at us at what happened. It seems you do not need spies, all you have to do is look at the papers and fully you will find revealed what takes place confidentially in this room.

The CHAIRMAN. I wonder if we could get on with the testimony.

Senator AIKEN. I would like to observe that sometimes the leaks appear 2 or 3 days later they come out in the newspapers, which can hardly be in the category of a leak.

The CHAIRMAN. Let us get on.

Senator LAUSCHE. The chairman wants to get on with this matter, and I can understand why he would want to get on, but I will say to you with what you are trying to get on is not significant as what I am trying to search out. Something is wrong with this committee.

Senator MORSE. Mr. Chairman.

The CHAIRMAN. I wonder if we could proceed.

Senator CLARK. Let us go ahead.

PLACING RESTRICTIONS ON ADMINISTRATION SPOKESMEN

Senator MORSE. We are not going to leave this record in this condition so far as the Senator from Oregon is concerned. I do not think we ought to take up the Secretary's time with quarrels of the committee, but, Frank, you were not here and you are not aware of what Senator Hickenlooper was talking about. We are not talking about what you are talking about. That was not raised. I had risen to the defense of what I think is a very important doctrine that always ought to prevail at our hearings when we have a Cabinet officer or anyone else from the administration here; namely, we should make no attempt to place
any restriction on the spokesman of the administration regarding what he says to the press afterward and what he releases. The only suggestion was a very helpful intention by the chairman suggesting that the Secretary of Defense hold any statement when he goes out of this meeting such as releasing the testimony he is about to give us until we will have the whole record considered.

I only raised a point there, understanding the motivation of the chairman to be of the highest, that I would not support placing any restriction, under the separation-of-powers doctrine, on Secretary McNamara. That is how all this occurred. We were not talking, Frank, about the problem that you are raising, and I do not think we ought to be taking the time of the Secretary to be talking about that now. That is for us to handle in our own executive session.

The CHAIRMAN. Mr. Secretary, will you go ahead. I think we ought to proceed.

Senator LAUSCHE. I want to make this statement, and then I will close.

In the report that was filed by the staff, there was an addendum, and in the addendum there was stated that X contacted the staff and told about the truth that there were no missiles seen fired at our ships. Y spoke to the staff. Well, as a member of the bench for 10 years, when you begin offering that type of proof to establish a fact, I simply cannot accept it.

The CHAIRMAN. Proceed, Mr. Secretary.

STAFF STUDY REFUSED

Secretary McNAMARA. Mr. Chairman, I have sought in my statement to be as responsive as I can to what I believe to be the questions in the mind of the committee regarding the Tonkin Gulf incident. I have not had the advantage, however, or the privilege of exposure to the staff study that I know has been completed and circulated among you. I asked for that several weeks ago but was denied access to it, and I may, therefore, not entirely respond to all of the information that you wish to query me about. I will be very happy to take questions concerning the statement.

Senator MANSFIELD. Do I understand the Secretary requested a copy of the study and was denied?

The CHAIRMAN. That is correct. I also requested their command and control documents and it was denied.

Senator MANSFIELD. I was thinking of those in juxtaposition.

The CHAIRMAN. That is correct.

Senator GORE. Perhaps we can exchange those now. That might solve it.

The CHAIRMAN. I think we ought to go on.

Go on, Mr. Secretary.

Secretary McNAMARA. Let me comment, Mr. Chairman. These are not to be equated. You can have any raw material we have. We tried to supply all of it to you. Some of it is very highly classified, and we assume you will treat it with the care that its classification deserves. We also are quite willing to let you have evaluation reports, but only after we have ascertained that the authors of those reports had access to all the appropriate information. It turns out that the author of this particular study you mentioned did not have access. I never heard of the
study when you requested it. General Wheeler was not aware of it. The author did not query General Wheeler or me about the actions we took today, or the actions of the Joint Chiefs, the National Security Council, or those the President took.

I do not think you want evaluative reports sent over here that are incomplete. Any report we have, you have access to, but only after it has been properly reviewed as to its reliability.

Your staff study is quite a different matter. I consider it a very serious handicap to me in appearing before you today to address these issues that have been reviewed and addressed and considered in your staff study, evidence of which is examined in your staff study, which evidence has never even been brought to my attention; but if you are willing to go ahead with the hearing on that basis, I am.

The Chairman. All of the staff was based upon material that came from your office, all of it. We gave you a complete list of every document and everything we had received, and it is available to you as it was to us.

**ADDENDUM TO STAFF STUDY**

Secretary McNamara. Senator Lausche has just stated it had an addendum to it that included information that was not available to me.

The Chairman. That was not used in the preparation of the staff study and it was purely an addendum of things that had happened outside of the documents which came from the Pentagon.

Senator Lausche. Let me say, Mr. Chairman, that the addendum recited a number of contacts made by a staffman with persons unknown. Now it was offered as an addendum supposedly having an insignificant importance, but it is there. Three or four men who were supposed to have been in the Tonkin Bay are alleged to have said that there were no missiles fired. Who are the men? How did they contact them?

Senator Cooper. What weight was given to it?

Senator Mansfield. Mr. Chairman, I apologize for the interruption but I have to be up here on the floor.

The Chairman. I would hope the Secretary would be allowed to proceed.

Mr. Secretary?

**ESSENTIAL FACTS ARE THE SAME TODAY**

Secretary McNamara. Mr. Chairman, on August 6, 1964, I appeared before this committee and testified concerning the attacks in the Tonkin Gulf on the destroyers U.S.S. Maddox and U.S.S. Turner Joy, and our response to those attacks.

Over 3½ years have passed since that time. However, even with the advantage of hindsight, I find that the essential facts of the two attacks appear today as they did then, when they were fully explored with this committee and other Members of Congress.

The relevant events and their significance were the subject of intensive debate in the House and Senate. Both my testimony and that of other officials of the Government reported the evidence that established conclusively the occurrence of these attacks on U.S. naval vessels operating in international waters. This evidence was available to us at the time of the decision to make a carefully tailored response to the
attacks. In my testimony, I noted that, while sonar and radar readings may be subject to interpretation and argument because of sea and atmospheric conditions, we had intelligence reports of a highly classified and unimpeachable nature, which established, without question, that the attacks took place on both August 2 and August 4.

PART PLAYED BY U.S. NAVAL VESSELS

Also fully explored at the time was the question whether the attacks on the Maddox and Turner Joy were in any way provoked by or related to certain South Vietnamese naval activity which occurred in the period from July 30 to August 4. As I stated then, and I repeat now, our naval vessels played absolutely no part in, and were not associated with, this activity. There was then, and there is now, no question but that the U.S. Government knew, and that I knew personally, the general nature of some countermoves being taken by the South Vietnamese in response to North Vietnam's aggression. As I informed Congress, the boats utilized by the South Vietnamese were financed by the United States. But I said then, and I repeat today, that the Maddox and the Turner Joy did not participate in the South Vietnamese activities, that they had no knowledge of the details of these operations, and that in no sense of the word could they be considered to have backstopped the effort.

As the chairman noted in the Senate debates, he was informed that "our boats did not convoy or support or back up any South Vietnamese naval vessels," and that they were "entirely unconnected or unassociated with any coastal forays the South Vietnamese themselves may have conducted." He was so informed and the information was completely accurate. When the South Vietnamese conducted the first of their two naval operations against North Vietnamese targets during this period, the Maddox patrol had not even begun and the ship was at least 150 miles to the southeast. The attack on the Maddox on August 2 took place 63 hours after completion of this South Vietnamese naval operation. When the South Vietnamese boats conducted their second foray, the Maddox and the Turner Joy were at least 70 nautical miles to the northeast.

Senator CASE, I wonder if you could go a little more slowly. It is a little hard to understand.

Secretary McNAMARA. Yes.

The attack made against them on August 4 was almost a full day after this second South Vietnamese operation.

The facts thus show today, as they showed 3½ years ago, that attacks occurred against our ships both on August 2 and August 4, that we had available to us incontrovertible evidence of these attacks when the decision was made to make our limited and measured response, and that these attacks were in no sense provoked or justified by any participation or association of our ships with South Vietnamese naval operations. I would like briefly to review these facts with you.

REVIEW OF FACTS OF ATTACK

On the 2d of August 1964, the U.S.S. Maddox was engaged in a patrol in international waters in the Gulf of Tonkin. At no time during the conduct of her patrol did Maddox depart from international
waters, or engage in any hostile act. Yet, while she was 28 miles from the coast of North Vietnam, on a course away from the coast, Maddox was attacked by three North Vietnamese torpedo boats. At least three torpedoes were directed by the boats at the Maddox, as well as machinegun fire. The Maddox avoided all torpedoes and, together with aircraft arriving on the scene from the U.S.S. Ticonderoga, repelled the attack and sank or damaged the attacking craft.

The attack on Maddox took place in daylight. North Vietnamese reports of their plans had previously been obtained from an intelligence source. The attacking craft were clearly seen by Maddox personnel and were photographed. The launching of the torpedoes by these PT boats was also observed as were the torpedo wakes passing near Maddox. Machinegun fire from the attackers was also observed and, indeed, one bullet was recovered—it is in our possession and I have it here this morning if you wish to inspect it.

This was an unprovoked attack on a ship of the United States on the high seas. Nevertheless, no reprisal by the United States was undertaken. The Maddox, fortunately, had avoided significant damage itself, and inflicted damage on the attackers. Since no rational motive for the attack was apparent, we believed it possible that it had resulted from a miscalculation or an impulsive act of a local commander. After the second attack, the chairman commented in Senate debate that I had stated, after the first attack on the Maddox, that I did not expect it to be repeated. He also noted that this showed how wrong I was.

On August 3, the day following, a note of protest was dispatched to the North Vietnam regime at the direction of the President. It concluded with the words: "The U.S. Government expects that the authorities of the regime in North Vietnam will be under no misapprehension as to the grave consequences which would inevitably result from any further unprovoked offensive military action against U.S. forces." At the same time, the President made public his instructions to the Navy to continue and to add another destroyer to its patrols in the Gulf of Tonkin.

It was within this context that we received, at about 9:20 Washington time on the morning of August 4, information from an intelligence source that North Vietnamese naval forces had been ordered to attack the patrol.

Soon thereafter reports from the Maddox were received that the patrol was being approached by high speed surface radar contacts and that an attack appeared imminent. Other amplifying messages quickly followed and by about 11 a.m., we received a flash report that our destroyers, then located some 60 to 65 miles from the coast of North Vietnam, were actually under attack. During this same time, intelligence sources reported that North Vietnamese vessels stated they had our ships under attack. Throughout the remainder of the morning and early afternoon, flash message reports of the engagement, some ambiguous and some conflicting, continued to pour in. Frequent telephone contact was maintained with the commander in chief of the Pacific Fleet, Hawaii. The President was kept informed of these developments.
CONTRACTIONS EXAMINED AND RECONCILED

During this period, I had a series of meetings with my chief civilian and military advisers in which the apparent ambiguities and contradictions in the reports were examined and reconciled to our satisfaction. We identified and refined various options for a response to the attack, to be presented to the President. Among these options was the air strike against the attacking boats and their associated bases, which option was eventually selected. As the options were identified, preliminary messages were sent to appropriate operational commanders alerting them to the several possibilities so that initial planning steps could be undertaken.

In the early afternoon, the National Security Council met, at which time we briefed the participants, including the President, on the available details of the attack. Shortly thereafter, having received the advice of the Joint Chiefs of Staff, we recommended to the President, and he approved, a response consisting of an air strike on the PT and Swatow boat bases and their associated facilities. During all of this time, the message reports of the engagement from the ships, plus other information of a very highly classified nature received during the attack, were being reviewed to eliminate any doubt that an attack on the destroyers in fact occurred.

For example, I saw a message from the onscene task group commander which expressed doubts as to the validity of many of the sonar reports. I discussed this message by telephone with the commander in chief, Pacific, and informed him that, although we would continue with the preparations, the reprisal strike would not be executed until we were absolutely positive of the attack. He of course agreed and in a later telephone call informed me that he was satisfied, from all the reports he had on hand, that an attack on our ships had taken place.

Finally, at about 6:30 p.m., Washington time, the message to execute the strike was transmitted by the commander in chief, Pacific.

Those are the essential details. To recapitulate, on August 2, one of our destroyers was attacked by North Vietnamese naval forces without provocation while on patrol on the high seas. Since the destroyer had suffered no damage and had repulsed and damaged her attackers, and since the possibility seemed to exist that the incident was an isolated act, no further military response was made. North Vietnam was warned the next day, however, of the "grave consequences which would inevitably follow" another such attack. Furthermore, the President announced that the patrol would continue and would consist of two destroyers. The next night, the two destroyers were also attacked without provocation on the high seas by North Vietnamese naval forces.

When these facts were established to the complete satisfaction of all responsible authorities, we responded with an air strike on the facilities which supported the attacking vessels.
ACCURACY OF DETAILS STILL QUESTIONED.

Now, three and a half years later, there again seems to be debate about the essential accuracy of the above account. The questions that appear now to be raised are the same as those considered and settled at the time:

Was the patrol in fact for legitimate purposes?

Were the attacks unprovoked?

Was there indeed a second attack?

If there was a second attack, was there sufficient evidence available at the time of our response to support this conclusion?

I would like to address these questions.

WAS PURPOSE OF PATROL LEGITIMATE?

First, was the patrol in fact for legitimate purposes?

Patrols of the nature of those carried on by Maddox and Turner Joy were initiated in the western Pacific in 1962. They were carried out in international waters along the coastlines of Communist countries in that area. They were open patrols and no hostile actions were ever taken by the U.S. forces involved. Provocative actions were avoided. The purpose was to learn what we could of military activity and environmental conditions in these parts of the world, operating in waters where we had every legal right to be. The primary purpose of the Maddox was to observe North Vietnamese naval activity in those waters, in view of the evidence we had of infiltration by sea by North Vietnam into South Vietnam. Other secondary purposes were area familiarization and observation by visual and electronic means of any other activity of military interest. We had the undisputed right to do this. In view of our assistance to South Vietnam, such observations were needed.

The suggestion has appeared incidentally: that because Maddox, prior to commencement of its patrol, took aboard certain communications equipment, with personnel to operate this equipment, its patrol had some different and presumably more sinister purpose than others which had preceded it. This is simply not true. The mission of observation which I have outlined was to be fulfilled with the regularly installed equipment of the ships. The extra equipment brought aboard Maddox consisted in essence of standard shipboard radio receivers added to the ship’s normal complement of such receivers in order to give an added capability for detecting indications of a possible hostile attack on the patrol.

The Congress, at the time of the debates on the Tonkin Gulf resolution, was aware that visual and electronic surveillance of the area was one of the purposes served by the De Soto patrol. Any suggestion now that the installation of passive radio receiving equipment changed the essential nature of the patrol is unwarranted.

I might add that virtually all of the De Soto patrols, since their commencement in 1962, had been outfitted with similar equipment for the same primarily defensive purposes.

WERE THE ATTACKS UNPROVOKED?

Second, were the attacks unprovoked?

Senator Mundt. Are you defining the De Soto patrol?
Secretary McNamara: The term as I am using it here refers to the patrols in the Tonkin Gulf of which there was the fourth, one having occurred in 1962, one in 1963, and the third in the early part of 1964, and the fourth in August 1964. Actually it is a generic term covering a broader range of patrols in the western Pacific, but as used in this paper it refers to the four patrols in the Tonkin Gulf.

Second, were the attacks unprovoked?

I have heard it suggested that the patrol provoked the attacks by intruding into the territorial waters of North Vietnam. The facts, I think, are these.

Prior to the first attack, on August 2, the Maddox had been engaged on its patrol since July 31. At no time during the conduct of this patrol did the Maddox depart from international waters. It had been instructed to approach the North Vietnamese coastline no closer than 3 nautical miles and any offshore island no closer than 3 nautical miles. Maddox adhered scrupulously to these instructions. When the patrol resumed with Maddox and Turner Joy, the ships were instructed to remain at least 11 miles from the coast. These instructions also were followed. The United States recognizes no claim of a territorial sea in excess of 3 miles. This consistent position of the United States was reemphasized at the close of the 1960 Convention on Law of the Sea in Geneva.

There have, however, been statements reported in the press that the Maddox entered into waters claimed by North Vietnam as territorial. Such statements have no basis in fact. At no time prior to the August 1964 Tonkin Gulf incidents did the North Vietnamese Government claim a width of territorial sea in excess of 3 miles. The North Vietnamese Government succeeded the French Government, which adhered to the 3-mile limit. Under the rules of international law, no claim by Vietnam in excess of 3 miles would be assumed unless specifically made and published. It should be noted that Cambodia, a sister successor state, publicly adopted the French 3-mile rule on achieving independence. Later, it proclaimed a 3-mile limit. South Vietnam claims 3 miles. The first statement of North Vietnam which approaches a claim in excess of 3 miles occurred well after the attacks on September 1, 1964, in the form of a broadcast from Radio Hanoi in which it was stated, “The Democratic Republic of Vietnam declared that the territorial sea is 12 miles.” No official documentary confirmation of the claim asserted in this broadcast is known to exist.

In short, at no time during the patrol did either of the destroyers leave the high seas and enter areas claimed by the North Vietnamese or recognized by the United States as national waters.

The question might be asked, however: Should not we see as a practical matter have assumed a claim of 12 miles since this is the uniform position of the Communist countries? The simple answer is that Communist countries do not have such a uniform position: Cuba and Poland each adhere to the traditional 3-mile limit, while Yugoslavia and Albania claim 10 miles.

**SOUTH VIETNAMESE OPERATIONS**

Another point relating to “provocation” was discussed and disposed of during the debates on the Tonkin Gulf resolution and the hearings prior thereto, but, of late, it seems to have been resurrected. It is the
suggestion that our patrol was in some way connected with certain reconnaissance and bombardment activities of South Vietnamese patrol craft against North Vietnamese.

I informed members of this committee of these activities of the South Vietnamese in an informal meeting on August 3, 1964, after the attack on the Maddox. The subject was again raised in lesser detail in my testimony before this committee on August 6, 1964. I pointed out that these raids were a legitimate attempt by the South Vietnamese to counter and retaliate against the systematic infiltration of their country by sea which had been carried out by North Vietnam for the previous two and a half years. I described the scope of that infiltration; that is, 140 known incidents between July and December 1961, an estimated 1,400 infiltrators having been landed in South Vietnam during that time.

With respect to the legitimacy of those South Vietnamese operations, you, Mr. Chairman, stated during the Tonkin Gulf floor debates:

The boats that may have struck at the coastal areas of North Vietnam may have been supplied by us. We have been helping South Vietnam arm itself. I do not know about the specific boats.

I personally think this is a perfectly legitimate and proper way to defend oneself from the kind of aggression South Vietnam has been subjected to for years.

Senator Morse, at the hearing on August 6, specifically raised the question of a connection between our patrol and the South Vietnamese bombardment of two North Vietnamese islands which had occurred some two and a half days prior to the attack on Maddox, and I responded that there was no connection. The two operations were separate and distinct. I informed you that our destroyers took no part whatsoever in the South Vietnamese operation. They did not convoy, support, or back up the South Vietnamese boats in any way. As I stated during the hearings:

* * * as I reported to you earlier this week, we understand that the South Vietnamese sea force carried out patrol action around these islands and actually shelled the points they felt were associated with this infiltration.

Our ships had absolutely no knowledge of it, were not connected with it; in no sense of the word can be considered to have backstopped the effort.

That statement remains entirely accurate. I can confirm today that neither the ship commanders nor the embarked task group commander had any knowledge of the South Vietnamese action against the two islands or of any other specific South Vietnamese operations against the North. Higher naval commands were made aware of the operations by Commander, U.S. Military Assistance Command, Vietnam, in order to avoid mutual interference or confusion between our patrols and those operations.

DIRECTIONS TO U.S. DESTROYERS

Throughout the patrol conducted first by the Maddox alone and later by the Maddox and the Turner Joy, the U.S. destroyers were directed to remain in waters which would keep them from becoming operationally involved with the South Vietnamese activity. The restrictions this imposed on the patrol were such that, at one time, consideration was given to its abandonment. The task group commander knew only that certain South Vietnamese naval operations were periodically carried on in the area. He had no detailed knowledge
of their type or of where or when they would be conducted. Indeed, his lack of knowledge was such that he mistakenly identified the South Vietnamese craft returning from their operation of July 31 as Soviet P-6 class boats.

In point of fact, our patrols and the shore bombardments by South Vietnamese forces were separated in both time and space. When South Vietnamese PTF's bombarded the islands of Hon Nieu and Hon Me on the night of July 30-31, the Maddox had not even commenced her patrol, and was at least 130 miles to the southeast of the nearest of those islands. At the time of the attack on the Maddox on August 2, the South Vietnamese boats had been back at their base in Da Nang for almost 53 hours.

I learned subsequent to my testimony of August 6, 1964, that another South Vietnamese bombardment took place on the night of August 3-4. At the time of that action, the Maddox and Turner Joy were at least 70 miles to the northeast. The North Vietnamese attack on Maddox and Turner Joy on the night of August 4 occurred some 22 hours later.

I think it important, too, in dealing with this issue, to recall that the President had announced publicly on August 3 that our patrol would continue and consist of two destroyers. It is difficult to believe, in the face of that announcement, and its obvious purpose of asserting our right to freedom of the seas, that even the North Vietnamese could connect the patrol of the Maddox and Turner Joy with a South Vietnamese action taking place some 70 miles away.

WAS THERE A SECOND ATTACK?

Now, thirdly, was there indeed a second attack? I know of no claim that the attack on Maddox on August 2 did not occur. As for the second attack, the incident occurred on a very dark, moonless, overcast night. As would be expected under these conditions, some uncertainty existed, and to this day exists, about some of the precise details of the attack. But there should be no uncertainty about the fact that an attack took place. The evidence pertaining to the incident is reviewed in the following paragraphs.

On the evening of August 4, 1964, Task Group 72.1 consisting of U.S.S. Maddox and U.S.S. Turner Joy, with COMDESDIV 192 embarked in Maddox and acting as CTG. 72.1, was proceeding on an easterly course in the Gulf of Tonkin at a speed of 20 knots. At about 7:40 p.m., Tonkin Gulf time, the task group commander, Capt. J. J. Herrick, USN, observed on the surface search radar, at least five contacts, which he evaluated as probable torpedo boats, located about 36 miles to the northeast of the two ships. At 7:46 p.m., Maddox and Turner Joy changed course to 180 and increased speed to 28 knots to avoid what the task group commander had evaluated as a trap.

Shortly after 9 p.m., both ships' radars held contacts approximately 14 miles to the east. These contacts were on course 160, speed 30 knots. At that time the two U.S. ships were approximately 60 miles from the North Vietnamese coast.

At about 9:33 p.m., both Maddox and Turner Joy opened fire on the approaching craft when it was evident from their maneuvers that they

1 To convert local Tonkin Gulf time to E.D.T. subtract 13 hours.
were pressing in for attack positions. At about this time, the boats were at a range of 6,000 yards from *Maddox* when the radar tracking indicated that the contact had turned away and begun to open in range. Torpedo noises were then heard by the *Maddox's* sonar. A report of the torpedo noise was immediately passed to the *Turner Joy* by inter-ship radio and both ships took evasive action to avoid the torpedo.

**REPORTS OF EYEWITNESSES**

A torpedo wake was then sighted passing abeam *Turner Joy* from aft to forward, approximately 300 feet to port on the same bearing as that reported by *Maddox*. This sighting was made by at least four of *Turner Joy*’s topside personnel: the forward gun director officer, Lt. (jg.) John J. Barry, USNR; the port lookout, Edwin R. Sentel, SN, USN; by a seaman who was in the forward gun director with the director officer, Larry O. Litton, SN, USN; and by a seaman who was operator of the after gun director, Roger N. Bergland, SN, USN.

At about 10:24 p.m., one target was taken under fire by *Turner Joy*. Numerous hits were observed on this target and it disappeared from all radars. The commanding officer and other *Turner Joy* personnel observed a thick column of black smoke from this target.

Later, 10:47 p.m., during the attack a searchlight was observed by all signal bridge and maneuvering bridge personnel including the commanding officer of U.S.S. *Turner Joy*. The beam of the searchlight did not touch the ship, but was seen to swing in an arc toward *Turner Joy* and was immediately extinguished when aircraft from the combat air patrol orbiting above the ships approached the vicinity of the searchlight. (Walter L. Shishim, QMCS, USN; Richard B. Johnson, SM1, USN; Richard D. Nooks, QM3, USN; Richard M. Bacino, SM2, USN; and Gary D. Carroll, SM3, USN, stationed on the *Turner Joy*’s signal bridge all made written statements that they sighted the searchlight.)

The silhouette of an attacking boat was seen by at least four *Turner Joy* personnel when the boat came between the flares dropped by an aircraft and the ship. When these four men were asked to sketch what they had seen, they accurately sketched P-4-type boats. (None of the four had ever seen a picture of a P-4 boat before). (Donald V. Sharkey, BM3, USN; Kenneth H. Garrison, SN, USN; Delmer Jones, GMG2, SN, USN; and Arthur B. Anderson, FT SN, USN, are the four personnel from the *Turner Joy* who sighted the boat.)

In addition to the above, a gunner’s mate second class stationed aft of the signal bridge aboard U.S.S. *Maddox* saw the outline of a boat which was silhouetted by the light of a burst from the 3-inch projectile fired at it. (Jose R. San Augustin GMG2, USN.)

The commanding officer of Attack Squadron 52 from the *Ticonderoga* (Comdr. G. H. Edmondson, USN) and his wingman (Lt. J. A. Burton), while flying at altitudes of between 700 and 1,500 feet in the vicinity of the two destroyers at the time of the torpedo attack both sighted gun flashes on the surface of the water as well as light anti-aircraft bursts at their approximate altitude. On one pass over the two destroyers, both pilots positively sighted a “smoky,” high speed wake 11/2 miles ahead of the lead destroyer, U.S.S. *Maddox*.

Two U.S. Marine Corps personnel who were manning machineguns on U.S.S. *Maddox* saw lights pass up the port side of the ship, go out
ahead; and pass down the starboard side. Their written statement asserts their belief that this was one or more small boats at high speed. (These were Matthew B. Alasara, SGT, USMC, and David A. Prouty, L/CPL, USMC.)

INTELLIGENCE REPORTS

In addition to the above, intelligence reports received from a highly classified and unimpeachable source reported that North Vietnam was making preparations to attack our destroyers with two Swatow boats and with one PT boat if the PT could be made ready in time. The same source reported, while the engagement was in progress on August 4, that the attack was underway. Immediately after the attack ended, the source reported that the North Vietnamese lost two ships in the engagement.

No one within the Department of Defense has reviewed all of this information without arriving at the unqualified conclusion that a determined attack was made on the Maddox and Turner Joy in the Tonkin Gulf on the night of August 4, 1964. Vice Adm. Roy L. Johnson, USN, commander of the U.S. 7th Fleet at the time, stated in his review of the combined chronology and track charts submitted by the task group commander:

Commander, Seventh Fleet, is convinced beyond any doubt that Maddox and Turner Joy were subjected to an unprovoked surface torpedo attack on the night of 4 August 1964.

Adm. T. H. Moorer, then commander in chief, Pacific Fleet, concurred in that appraisal.

In Washington, the Director of the Joint Staff, Lt. Gen. David A. Burchinal, USAF, analyzed the incoming information from message traffic, with the assistance of the Joint Staff. He then gave his evaluation to the Secretary of Defense: “The actuality of the attack is confirmed.”

In the face of this evidence, I can only conclude that many of the persistent questions as to whether or not an attack took place must have arisen from confusion between the August 4 attack and another incident which occurred on the 18th of September 1964; that is, about 45 days later. At that time, the U.S. destroyers Morton and Edwards were patrolling, at night, in the Gulf of Tonkin, and initially reported themselves under attack. While the ensuing situation reports indicated the probability of hostile craft in the area of the patrol, it was decided at both the Washington and field command levels that no credible evidence of an attack existed. It should be noted that the intelligence source that confirmed the attacks of August 2 and 4 provided no evidence of any enemy action on September 18. In view of our unresolved doubts, no retaliatory action was taken. Many individuals who were not aware of all of the facts about all three incidents, that is, August 2 and 4, and September 18, have made the mistaken assumption that descriptions of the September 18 incident were referring to the second Tonkin Gulf incident. Aware of the negative findings on September 18, they have mistakenly assumed that there is serious doubt as to whether the “second” Tonkin Gulf attack in fact took place.
As a final point on this issue, U.S. naval forces in the 3½ years which have elapsed since the August 1964 incidents have captured several North Vietnamese naval personnel. These personnel were extensively interrogated. One of these, captured in July 1966, stated he had taken part in the August 2, 1964, attack on the Maddox, and his account of that attack coincided with our observations. He professed no knowledge of the August 4 attack and said that he believed that PT boats were not involved in that attack. He stated that Swatows could have been used for that attack. His disclaimer of PT participation is contradicted by information received from a later captive. A North Vietnamese naval officer captured in July 1967 provided the name of the commander of a PT squadron. In intelligence reports received immediately after the August 4 attack, this commander and his squadron were identified by name and number as participants.

SUFFICIENT EVIDENCE AVAILABLE TO SUPPORT CONCLUSION

Now, finally, if there was a second attack, was there sufficient evidence available at the time of our response to support this conclusion? Some of the details cited above, particularly the statements of eyewitnesses, although gathered immediately after the attack, had not reached Washington at the time that the reprisal air strikes were ordered executed. Sufficient information was in the hands of the President, however, to establish beyond any doubt then or now that an attack had taken place. Allow me to repeat again that information: An intelligence report of a highly classified and unimpeachable nature received shortly before the engagement, stating that North Vietnamese naval forces intended to attack the Maddox and Turner Joy.

Reports from the ships that their radars indicated they were being shadowed by high speed surface vessels.

Reports from the ships that they were being approached by the high speed vessels and an attack appeared imminent.

Reports from the ships that they were under attack.

A report from the ships that searchlight illumination had been utilized by the attacking craft and that gunfire against the patrol had been observed.

A report that two torpedoes had passed close to the Turner Joy and that there had been positive visual sightings of what appeared to be cockpit lights of patrol craft passing near the Maddox.

An intelligence report stating that North Vietnamese naval forces had reported that they were involved in an engagement.

Reports from the U.S. ships that they had sunk two and possibly three of the attacking craft.

An intelligence report stating that North Vietnamese naval forces had reported losing two ships in the engagement.

A report from the onscene task group commander that he was certain that the ambush had taken place, although precise details of the engagement were still not known.

A report from the commander in chief, Pacific, that he had no doubt that an attack had occurred.

All of this information was available prior to the time the Executive order was issued.
MONSTROUS INSINUATIONS

As a final point, I must address the suggestion that, in some way, the Government of the United States induced the incident on August 4 with the intent of providing an excuse to take the retaliatory action which we in fact took. I can only characterize such insinuations as monstrous.

The effective repulsion of the August 2 attack on the Maddox with relatively high cost to the small North Vietnamese Navy, coupled with our protest which clearly and unequivocally warned of the serious consequences of a recurrence, made us confident that another attack was unlikely. The published order of the President that the destroyers should continue to assert the right of the freedom of the seas in the Gulf of Tonkin, and setting forth the composition of the patrol, should have served to avoid any further misunderstanding. As the patrol resumed the ships were ordered to remain 11 miles from the coastline in lieu of the 8 miles ordered on the previous patrols, hardly indicative of an intent to induce another attack. As a matter of fact, on their own initiative the two ships approached the coastline no closer than 16 miles during their patrol. But beyond that, I find it inconceivable that anyone even remotely familiar with our society and system of Government could suspect the existence of a conspiracy which would include almost, if not all, the entire chain of military command in the Pacific, the Chairman of the Joint Chiefs of Staff, the Joint Chiefs, the Secretary of Defense, and his chief civilian assistants, the Secretary of State, and the President of the United States.

Mr. Chairman, that concludes my statement, and I will be very happy to try to answer any questions.

The CHAIRMAN. Thank you, Mr. Secretary.

I would like to have a few preliminary questions with regard to the situation under which this whole affair took place. I don’t think they are very difficult to answer.

INTERNAL TROUBLES OF KHANH GOVERNMENT

Mr. Secretary, is it true that the government of General Khanh which overthrew the Minh junta in January 1964 was in serious trouble by the spring and early summer of 1964?

Secretary McNAMARA. I think there was considerable dissension among the members of the government, Mr. Chairman, and there was then and later a series of changes in the government as a result of that dissension.

The CHAIRMAN. Did you not say recently on “Meet the Press,” and I quote: “Three and a half years ago the South Vietnamese forces were on the verge of defeat. The North Vietnamese and Vietcong forces were on the verge of victory.”

Is that accurate?

Secretary McNAMARA. Mr. Chairman, if I said that, I misestimated the date. What I was talking about—I think later in that same broadcast I specifically referred to it, was July 1968. I should have said two and a half years ago. That was the reference I was making.

The CHAIRMAN. That is a quote from just 2 weeks ago.

Secretary McNAMARA. It may be, Mr. Chairman. I would have to have the full transcript of what I said. I believe I mentally deducted
July 1965 from January 1965 and came to three and a-half and it should have been two and a-half. And I believe I also corrected that in the succeeding sentence, or later in the discussion. In any case, what I was talking about was July 1965, at the time the President made the decision to send the large increment of U.S. combat troops.

The CHAIRMAN. In July of 1964 General Kanh delivered a major address calling for carrying the war to the north. Did General Kanh press the U.S. Ambassador in Saigon for further U.S. involvements in the war in Vietnam, and particularly for a commitment to take the war into the north?

Secretary McNAMARA. Mr. Chairman, I would have to check the record on that; I don't believe he did.

The CHAIRMAN. Well, I think the record shows that in his speech, I don't know what reference you have.

Secretary McNAMARA. You asked did he press the U.S. Ambassador. I don't believe the record will show he did press the U.S. Ambassador to take the war to the north.

EXTENT OF U.S. PARTICIPATION IN SVN OPERATIONS AGAINST NORTH IN 1964

The CHAIRMAN. Mr. Secretary, would you describe the organization, the extent of U.S. participation in South Vietnamese operations against the North during 1964?

Secretary McNAMARA. I can't describe the exact organization although I will be happy to try to obtain the information for you.

The operations of the South Vietnamese against the North were carried out by South Vietnamese personnel, utilizing to some degree U.S. equipment. The boats, as I think I stated before this committee in August 1964, were, I believe, wholly supplied by the United States. I was going to say, in part; I think they were wholly supplied by the United States.

The United States was informed of the operations to insure that they did not interfere with patrols of the kind that we are describing now.

I believe, also, some U.S. personnel may have trained or participated in the training, of some of the South Vietnamese personnel participating in the operations.

The operations, however, were under the command of the South Vietnamese and were carried out by the South Vietnamese. There were no U.S. personnel participating in it, to the best of my knowledge.

AMOUNT OF U.S. TRAINING AND SUPPLIES

The CHAIRMAN. Do you recall, what did America do beyond training and supplying the equipment, do you know? You should know.

Secretary McNAMARA. No. In the first place, I don't believe we carried on all the training, although I think there were some U.S. personnel participating in it.

In the second place, we did provide some of the equipment, but I don't believe we provided all of it.

Thirdly, we were informed of the nature of the operations but we did not participate in them and we did not command them.

The CHAIRMAN. The information provided by the Department of Defense reveals that the U.S. Navy trained South Vietnamese for interdiction missions against North Vietnam beginning in June of
1964. These missions included the bombardments of North Vietnamese positions from both the sea and air; did they not?

Secretary McNamara: I don’t believe there were any air bombardment missions.

However, I would add, I don’t believe the training started as your question implied, in June of 1964. I think it must have started earlier than that.

The Chairman: Well, it was at least by June of 1964 and possibly it did before that.

EXTENT OF U.S. PARTICIPATION IN TRAINING MISSIONS

I don’t believe, however, that this committee or the Congress was informed of these training missions for this purpose; were they?

Secretary McNamara: When you say training missions, they weren’t training missions. They were U.S. personnel. I don’t know whether Navy, or Army, or some other service personnel—who were training them.

The Chairman: The point I wish to make is at that time we had not declared war or even a substitute for a declaration against North Vietnam, had we?

Secretary McNamara: No; certainly not.

The Chairman: Yet we did participate in the missions which were for the specific purpose of attacking the north?

Secretary McNamara: We did not participate in the mission.

The Chairman: No; in the training.

Secretary McNamara: In the training of personnel for that purpose, I made very clear at the time, if I may emphasize, Mr. Chairman, that we supplied the equipment to some degree for most missions and the public debate bore reference to my statement on that subject.

The Chairman: Yes.

SIZE OF U.S. MILITARY CONTINGENT IN SVN IN 1964

Can you give us the size of the military contingent in South Vietnam in the spring of 1964; approximately?

Secretary McNamara: Total U.S. military personnel in South Vietnam in the spring of 1964, I would guess, was on the order of 12,000 or 15,000.

Senator Lausche: It must have been more than that because when President Kennedy lost his life it was 18,000, and he lost his life in 1963.

Secretary McNamara: I believe it was 16,000 at the end of 1963. I think it dropped a little bit, but it was on the order of 16,000, Senator Lausche.

In any case, I will check and clear the record.

DISCUSSION OF EXTENDING U.S. MILITARY ACTIONS TO NORTH

The Chairman: According to an article written by Hansen Baldwin of the New York Times in July of 1964, the Pentagon at that time was arguing in favor of extending the war into North Vietnam. Were there, in fact, recommendations by the U.S. military at any time from late 1963 until July of 1964 to extend the war into the north by bombing or any other means?
Secretary McNamara. Mr. Chairman, I would have to check the record on that.

When he says the Pentagon argued for extending the war to the North, I don't know who the Pentagon is—

The Chairman. Well, but—

Secretary McNamara. May I just finish my answer?

I know it wasn't me.

The Chairman. Was it General Wheeler?

Secretary McNamara. Whether there were any recommendations from the Chiefs recommending extension of the war to the North during that period, I can't recall. I will be very happy to check the record and put the proper answer in the record.

(The following answer was later supplied:)

We have identified no such recommendation. A check of the records of the Joint Chiefs of Staff is continuing.

The Chairman. I wonder if General Wheeler knows that at this time?

General Wheeler. I don't believe so, Mr. Chairman. I think that the proper answer would be that there were certain intelligence activities [deleted] but to the best of my knowledge and belief during that period there was no thought of extending the war into the North in the sense of our participation in such actions, activities.

The Chairman. You can supply any change?

General Wheeler. I will check for the record.

CONTINGENCY DRAFT OF SOUTHEAST ASIA RESOLUTION

The Chairman. Mr. Secretary, did you see the contingency draft of what became the Southeast Asia resolution before it was ready?

Secretary McNamara. Mr. Chairman, I read in the newspaper a few weeks ago there had been such a contingency draft. I don't believe I ever saw it. I called Mr. Bundy myself to ask him if he had any recollection that I ever saw it. He states he has no recollection that I did, and he believes I did not.

But I can't testify absolutely that I didn't. My memory is not clear on that.

The Chairman. Mr. Bundy told this committee that this draft was prepared some months before the Tonkin incidents in the hearing. You know that.

Secretary McNamara. I know that, but I don't think he said I saw it.

The Chairman. No, I was asking you, you don't think you saw it?

Secretary McNamara. I don't believe I saw it, and he doesn't believe I saw it.

The Chairman. Isn't it customary for the State Department to consult you on a matter of this kind?

Secretary McNamara. Well, if it were a working paper, and apparently that is what it was, no. It hadn't advanced to a point of decision within the Government.

SENDING UNITS TO SOUTH VIETNAM AND THAILAND

The Chairman. Mr. Secretary, the most immediate result of the Tonkin incidents were the deployment of U.S. fighter bomber aircraft
into South Vietnam, into Thailand, and a movement of interceptors to South Vietnam; is that not so?

Secretary McNAMARA. I would want to check the movement, Mr. Chairman. I don’t recall there were any movements after that. As you remember, we had the strike, the night of the 4th, and then I don’t believe there were any other air strikes until February the following year, nor do I recall any movement of air units into Thailand or South Vietnam during the period.

May I check the record of that and then introduce the facts?

(The following answer was later supplied.)

The records of the Department are being examined to determine which air units were moved to South Vietnam or Thailand between the Tonkin Gulf incidents and February 1965.

The CHAIRMAN. I think for the record that the attack was on the morning of the 5th, wasn’t it, following—

Secretary McNAMARA. It was the 4th, sometime. The launch took place about 10 p.m., the night of the 4th.

The CHAIRMAN. You mean Washington time?

Secretary McNAMARA. Washington time.

The CHAIRMAN. Well, I was just trying to translate it.

Secretary McNAMARA. Right.

The CHAIRMAN. Local time the attack took place at night and of the 4th and we attacked approximately 10 or 12 hours later; is that correct, General?

Secretary McNAMARA. That is correct.

General WHEELER. It would be the morning of the 5th, Saigon time, Mr. Chairman.

The CHAIRMAN. General, maybe you can answer the question I just asked. Maybe you are more familiar with military equipment. Is it not true that fighter bombers were moved into Vietnam and Thailand immediately after this took place?

General WHEELER. We moved some bombers in 1964, but I don’t have the exact dates, but you are speaking particularly about aircraft. I would have to—

The CHAIRMAN. Fighter bomber aircraft.

General WHEELER. I would have to check that and supply it for the record.

The CHAIRMAN. I wonder if you would answer this and supply it if you cannot now: Were these units alerted to impending movement prior to the Tonkin incidents?

General WHEELER. To the best of my knowledge, not, Mr. Chairman, but I will check that, also, and make sure.

The CHAIRMAN. Would you check whether or not you were considering sending these units to South Vietnam and Thailand prior to the Tonkin incidents?

General WHEELER. I will check that particular point.

(The following information was later supplied.)

We have not identified any air unit which had been alerted for movement into South Vietnam or Thailand prior to the Tonkin Gulf incidents. A check of the records is continuing.
TIMING OF MILITARY DEPLOYMENT

Senator Morse. Mr. Chairman, just to supply something for the record, I don't want to involve this, but I think it helps the Secretary, but we have the Secretary's testimony before the committee on August 6, 1964, in which he said:

Certain military deployments to the area are, therefore, now underway. These include (a) transfer of attack carrier group from the Pacific coast to the western Pacific, (b) movement of interceptor and fighter-bomber aircraft into South Vietnam, (c) movement of fighters and fighter-bomber aircraft to Thailand, (d) transfer of interceptor and fighter-bomber squadrons from the United States to advance bases in the Pacific, (e) movement of an antisubmarine force into the South China Sea, (f) the alerting and repositioning forces for movement of select Army and Marine forces.

In the meantime, U.S. destroyers with protective air cover as needed, continue their patrol in the international waters of the Gulf of Tonkin.

The moves we have taken to reinforce our forces in the Pacific are an urgent judgment, sufficient for the time being. Other reinforcing steps can be taken very rapidly if the situation requires.

This concludes my description of the two deliberate and unprovoked North Vietnamese attacks on U.S. naval vessels on the high seas. I think the United States takes a strong position against the attacking boats, their bases, and related facilities; and of the premeditated deployment and alerting steps we have taken to guard against any eventuality.

I just assume the chairman got his information from that testimony.

Secretary McNamara. I will be very happy to determine when those movements were first initiated, when the units were put on alert, and whether it occurred before the Tonkin Gulf incidents. I don't recall that information.

INTENSIFICATION OF U.S. INVOLVEMENT

The Chairman. Mr. Secretary, if there had not been a Tonkin incident would you have recommended to the President and Congress that the United States step up its military assistance to South Vietnam because of the security problem facing General Khang?

Secretary McNamara. Mr. Chairman, I think it is a speculative question. I would have recommended, I believe, that level of infiltration continued to grow as it did—and it grew very substantially in the latter part of 1964—that we provide additional assistance.

The Chairman. But to be more specific, was there any plan for such an intensification of U.S. involvement?

Secretary McNamara. No, not that I can recall.

The Chairman. Did it then include the bombing of North Vietnam?

Secretary McNamara. Not that I know of, Mr. Chairman.

I don't mean to say that contingencies had not been examined. Because they had been, prior to that time, but there was no plan for further buildup that I can remember, and no plan for the bombing of the north.

SECRETARY'S TESTIMONY ON GATHERING VESSELS

The Chairman. Mr. Secretary, why was it necessary to send intelligence-gathering vessels into the Gulf of Tonkin in 1964?

Secretary McNamara. For the same reason that it was necessary to do so in 1962 and 1963, and in the early part of 1964. To obtain information on the environment of the gulf, the movement of North Viet-
The Chairman. Did we wish this information, want to have this information on radar installations in order to be better able to attack North Vietnam by air from our aircraft carriers offshore?

Secretary McNamara. I don't think that we wished to in 1964 for that reason any more than we wished it in 1963 or 1962, Mr. Chairman, I rather doubt that the people who were gathering the information had any basis for believing there would or would not be attacks on North Vietnam.

The Chairman. On August 2, 1964, in testifying for the Southeast Asia resolution, you described the patrols of the Maddox and Turner Joy—the ships involved in the incidents on August 2 and 4—as "engaged in a routine patrol in international waters of the Gulf of Tonkin."

Was the Maddox engaged in an electronic spy mission similar to the Pueblo?

Secretary McNamara. I think that the equipment on the Pueblo was more sophisticated than that on the Maddox; at least I am told that by technical experts. The Maddox was engaged in the same kind of patrol that we carried on in the western Pacific 2 or 3 years prior to the time she was out there, and have carried on in many areas of the western Pacific since that time.

The Chairman. But was the purpose dissimilar to the Pueblo? It was an electronic spy mission, wasn't it?

Secretary McNamara. No; the purpose was not primarily electronic, and, as I say, I haven't compared, myself, item by item, the equipment on the Pueblo and the Maddox; but I am told the Maddox had much less sophisticated equipment and less of it, and was less capable, therefore, of electronic surveillance. Electronic surveillance was one of her missions, but was not the only mission by any means, nor was it the primary mission.

The Chairman. What was the primary mission?

Secretary McNamara. The primary mission was to observe North Vietnamese naval patrols and the junk fleets in that area. We were concerned at that time particularly about infiltration by sea. As a matter of fact, it was a short time after that—about 2 or 3 months, I think—when the large U.S. sea patrol was established, known as Market Time operations.

Senator Mansfield. You mean North Vietnamese patrols; not U.S. patrols?

Secretary McNamara. No, but the large U.S. patrol, known as Market Time Operation was a few months after the DeSoto patrol, because of our concern about infiltration by sea from the North to the South, and the DeSoto patrol, in August, among other things, was collecting information that would lead to a consideration of the character of the infiltration from North to South. The Market Time patrols established by the United States after that, of course, took place off the coast of South Vietnam, but they were based upon the kind of information that we obtained from DeSoto patrols.

The Chairman. Mr. Secretary, in the orders, I mean that we obtained from the Pentagon, the Maddox was authorized in its missions, namese naval forces in the gulf, and certain military installations on the shores of North Vietnam.

The Chairman. Did we wish this information, want to have this information on radar installations in order to be better able to attack North Vietnam by air from our aircraft carriers offshore?

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and I quote from the orders: “to stimulate Chicom-North Vietnamese electronic reaction.”

What does that language mean?

Secretary McNAMARA. It means that they turn on certain kind of equipment on board the Maddox which, in turn, leads the Chics or the North Vietnamese to turn on the radars so that we can measure the radar frequencies, that was clearly one of their objectives.

The CHAIRMAN. That is what I meant. That is what I meant by electronic spy mission.

Secretary McNAMARA. Mr. Chairman, I said specifically that electronic surveillance was part of this mission, but it was not the primary mission. If you read further into those orders, you will find it.

INSTRUCTIONS TO THE “MADDOX”

The CHAIRMAN. And the Maddox was given orders to penetrate the territorial waters of North Vietnam and stimulate their electronic networks, assuming their territorial waters was 12 miles.

Secretary McNAMARA. Absolutely not. The Maddox was specifically instructed to stay out of territorial waters and was instructed to go no closer than 8 miles to the coastal area.

The CHAIRMAN. I said assuming their territorial waters was 12 miles.

Secretary McNAMARA. But you said the Maddox was instructed to penetrate territorial waters.

The CHAIRMAN. Assuming it was 12 miles.

Secretary McNAMARA. I want to just make perfectly clear that Maddox was not instructed to penetrate territorial waters assuming anything.

Senator LaUSCHER. What is the further language in that which gives the primary cause.

Secretary McNAMARA. Yes, I was just trying to find the specific cable, and if I may have a moment I will find it and read from it here.

I am reading now from the cable to the commander of CTF 72, which was the task force that the Maddox was part of, and this was sent on July 17, [deleted].

Paragraph 9 states: “The primary purpose of this patrol is to determine, DRV,” meaning Democratic Republic of Vietnam, “coastal activity along the full extent of the patrol track,” that is the primary purpose and that was the change given to the commander.

Now, paragraph 10:

“Other specific intelligence requirements are as follows: (a) location and identification of all radar transmitters, and estimate of range capabilities; (b) navigational and hydrographic information along the routes traversed and particular navigational lights characteristics, landmarks, buoys, currents and tidal information, river mouths and channel accessibility, (c) monitoring a junk force with density of surface traffic pattern, (d) sampling electronic environment radars and navigation aids; (e) photography of opportunities in support of above. In addition, includes photography as best detail track would permit of all prominent landmarks and islands, particularly in vicinity of river and build-up areas, conduct coastal radar scope photography by ship which is transmitting from Point A which is the end of the mission.”

12. Specific search location identification requirements [deleted], to be conducted while the Maddox is in the Gulf of Tonkin, [deleted].

Then it goes on to say additional intelligence guidance will be provided by the naval commander, Japan, and operational guidance will be provided by MACV, and so on.
So its mission was not primarily electrical surveillance but it also had that as one of its several items to be carried out, to be covered.

The CHAIRMAN. One of the ways to do this is to stimulate electronic reaction?

Secretary McNAMARA. Yes, by its own transmitting equipment.

The CHAIRMAN. This was true of the Pueblo, too, it is customary?

Secretary McNAMARA. Mr. Chairman, I am not sure of that. In the case of the Pueblo, I don’t believe that during the majority of the voyage it was to stimulate the transmitters. I think quite the reverse; it was to collect information on the transmitters assuming they had not been stimulated by the Pueblo.

**TERRITORIAL WATERS QUESTION**

The CHAIRMAN. Well, now, you make the point that they did not give orders to go into the territorial waters, but; and I said assuming it is 12. You are basing it on the assumption it was three. But I notice the order told them to stay off the 12-mile limit of the coast of China, which was next door, isn’t that so?

Secretary McNAMARA. I think so.

The CHAIRMAN. I mean, the orders were to go to 4 miles off the islands and 8 miles off the mainland of North Vietnam, but to stay beyond the 12-mile limit of China which was just beyond, where this attack was predicated, is that not correct?

Secretary McNAMARA. I think that is correct. And I assume that the reason—I haven’t checked this—but I assume the reason would be that China at that time claimed a 12-mile limit which North Vietnam at that time did not.

The Chairman mentioned to me that the closest approach to China is 15 miles; yes, here it is.

The CHAIRMAN. Yes, Fifteen miles but South Vietnam it was 4 miles off the island.

Secretary McNAMARA. And 8 miles off the coast.

**SIMILAR MISSIONS SINCE 1962**

The CHAIRMAN. Did you state how many missions there had been of this kind since 1962?

Secretary McNAMARA. I believe this was the fourth. There was one in 1962; one in 1963; one in early 1964; and one in July 1964.

The CHAIRMAN. Similar to this one?

Secretary McNAMARA. Yes, I examined the tracks myself just to check that exact point and they are almost identical.

The CHAIRMAN. And with similar equipment?

Secretary McNAMARA. I am told they had similar equipment.

The CHAIRMAN. Mr. Secretary, were there several officers and men of the U.S. Military Advisory Command in Vietnam aboard the Maddox.

Secretary McNAMARA. Not. They were invited, but they didn’t accept the invitation.

The CHAIRMAN. Well, I thought our information indicated they were aboard.

Secretary McNAMARA. No, sir. The cables I have gone through are quite clear on that. They were invited, but they didn’t believe that
this was a patrol connected with their activities and they saw no reason, therefore, to participate in it. They participated, I believe, on board the third patrol, and found that they got so little out of it they didn't want to take the time to participate in a fourth, and therefore, were not on board that patrol.

The Chairman. If they had the invitation they were aware of it, though?

Secretary McNamara. Oh, yes, indeed; they were aware of the patrol.

But they felt it had so little connection with their activities that they didn't choose to participate in it.

OPERATIONS OF SVN AGAINST NVN ON SPECIFIC NIGHTS

The Chairman. Could you give a brief description of the operations of the South Vietnamese against North Vietnam on the nights of the 30th and 31st of July, 1964, and the nights of the 3rd and 4th of August of 1964? What were they doing?

Secretary McNamara. I can give you—it will be a brief description because I don't have all the information on it. But on the night of the 30th of July certain patrol boats of the South Vietnamese bombarded Hon Me and Hon Nieu, and on the night of the 3rd of August certain patrol boats of South Vietnamese bombarded Hon River in North Vietnam and Vinh Sonh radar in North Vietnam.

The Chairman. That is what was called Operation 34?

Secretary McNamara. It was called a 34A operation.

The Chairman. And they did bomb the coast on those 2 nights?

Secretary McNamara. They did.

The Chairman. During your testimony of August 6, 1964, you state:

Our Navy was not aware of any South Vietnam actions, if there were any.

Do you think after reviewing the case that that is an accurate statement?

Secretary McNamara. Well, if you go on in the same paragraph, Mr. Chairman, I think it is an accurate statement.

The Chairman. How is it accurate?

Secretary McNamara. Because you are talking about the commanders of these ships, and whether the ship commander knew enough about the South Vietnamese operation to place their ships in some way in support of those operations, and the fact is that the ship commanders didn't know about the South Vietnamese operation, as to target or time. They knew so little about it that one of them on the 31st of July, just as he was starting his patrol, sent a report of vessels that he observed on radar, and I guess visually as well, which he identified as Soviet P6 vessels, when, in fact, they were vessels of the South Vietnamese 34A operations.

I simply mention this to indicate how little they knew about it.

Beyond that, one of my own staff members, called Captain Herrick, who was the commander of the Maddox and Joy task force, I asked him specifically if he knew of the targets or dates or details of the operations, and he said he did not.
KNOWLEDGE OF THE OPERATION

Senator Gore. Will the chairman yield there?

It seems to me it wasn't so important a commander of a destroyer knew about it, that the command of the operation—the central question is whether the command of the operation knew about it. The Maddox was following detailed instructions as to where it was sailing. So it seems to me it is not whether the captain of the Maddox knew about it. It was whether the Navy knew about it.

Secretary McNamara. Well, I stated at the time that the Government knew about it, and I specifically testified on August 3, before this committee, in informal session, and on August 6, in formal session, that our Government knew about it. But it is important that the commanders on the scene did not know about it, because they had great latitude as to where their ships were to be at particular times. They were allowed to orbit at particular points and shift the time schedule of their position along a 200- or 300-mile coastal track within their own discretion, and even if a higher command may have known something and tried to plan it could not have been carried out successfully if the local commanders were not informed of the details of the operations.

SECRETARY MCNAMARA. May I just—

KNOWLEDGE OF THE OPERATION

The CHAIRMAN. I think to complete the record, I ought to read what was said at that time before this committee. And I quote:

Our Navy played absolutely no part in this, was not associated with, was not aware of, any South Vietnamese action; if there were any. I want to make that very clear to you. The Maddox was operating in international waters, was carrying out a routine patrol of the type we carry out all over the world at all times. It was not informed of, was not aware of, had no knowledge of. And so far as I know today has no knowledge of any South Vietnamese actions in connection with the two islands, as Senator Morse referred to.

That is page 23 of the transcript of hearings.

Senator Mundt. Was this the Secretary?

Secretary McNamara. Yes.

The CHAIRMAN. It was the Secretary's statement at that time.

Senator Cooper. I have a question.

The CHAIRMAN. Yes.

Secretary McNamara. May I just—

COMMANDERS KNOWLEDGE OF SOUTH VIETNAMESE ACTIONS

Senator Cooper. Were you stating as a fact, as you knew it at the time of your testimony that the commanders of the ships did not know that the South Vietnamese vessels had attacked the two islands?

Secretary McNamara. Yes; exactly so.

Senator Cooper. Do you still say as a result of your investigation that your statement was correct?

Secretary McNamara. That is correct, and the third sentence and the fourth sentence of the quotation read by the chairman makes that very clear. The Maddox was operating in international waters, was carrying out a routine patrol of the type we carry out all over the world at all times. It was not informed of; was not aware of; had no evidence of; and so far as I know today has no knowledge of any possible South Vietnamese actions in connection with the two islands.
that Senator Morse referred to. That was my belief then, it is my belief today.

Since the testimony was given, I have had, as I said, one of the members of my staff talk to Captain Herrick personally, and he certifies that was true then.

Senator Morse. I want to make this comment on the Secretary's comment. The general proposition laid down in the testimony, and I quote, was "Our Navy played absolutely no part in it, was not associated with it, was not aware of any South Vietnamese actions, if there were any."

Well, the Maddox doesn't speak for the Navy, in general.

Secretary McNamara. No.

DOUBT AS TO LACK OF NAVY KNOWLEDGE OF OPERATION

Senator Morse. You go on to say the Maddox was operating in international waters, but I am still in doubt even in your testimony this morning as to whether or not the Navy was oblivious to the South Vietnamese action.

Secretary McNamara. Senator Morse, I think there is an ambiguity in that sentence. I am quite prepared to say that to you in one respect. I will comment on this in a moment, but I want to emphasize that the Navy played no part in, and was not associated with these South Vietnamese actions.

Now, maybe you would say, "Well, even that is too strong a statement," because later in my testimony that same day, I stated we had supplied the boats. Maybe that is a "part in it," but it is not a "part in it" in the sense that it was of concern, and I think quite properly of concern to you at the time, and it is not a part of it, in the sense that we were addressing. We didn't command the operation, we didn't associate the Desoto patrol with it, and the particular question at issue at the time was did the Desoto patrol commanders know of it; they did not.

Senator Morse. I only want to say at the time I had information that was given to me that the Navy was aware of it and that there was a maintenance of radio communication with Saigon on the part of the Navy during the time of the attack, and that is what I brought out at the time, and I was seeking to find out whether or not that was true or false.

Secretary McNamara. And I stated at the time that we knew of the operation, we knew of the fact that operations of that kind were carried on. Periodically, future programs for such operations were transmitted to higher headquarters above Saigon, including the Pentagon. Beyond that the Navy had worked out an arrangement—and I am not sure I mentioned this at the time, although I think I may have—but it is a fact that the Navy had worked out an arrangement between the separate commands in the Pacific, the Saigon command on the one hand, and the 7th Fleet Command on the other, to insure that these operations stayed out of each other's areas, and the commanders of the ships on patrol were specifically instructed to stay away from certain geographic areas in order to avoid interference or association with the 34A operations of the South Vietnamese.

The CHAIRMAN. Well, on that point, there is one cable which shows the following, and I quote from a cable to the Maddox:
"The above patrol will (a) clearly demonstrate our determination to continue these operations, (b) possibly draw NVM— that is, North Vietnamese navy— "PGMS (patrol boats) to northward away from the area of 34A operations, (c) eliminate De Soto patrol interference with 34A operations."

It is unusual that, having received that cable, that the Maddow did not know what 34A was.

Secretary McNAMARA. The Maddow did know what 34A was, no question about that. But Maddow was not associated with 34A, was not playing a part of it, was not planning to draw forces away from it.

Senator Morse. I thought you said they did not know anything about it.

Secretary McNAMARA. Now wait a minute, I did not say they did not know anything about it.

Senator Morse. You said "were not aware of."

EXTENT OF KNOWLEDGE OF DETAILS OF ACTION

Secretary McNAMARA. They were not aware of the details is what I said, of the attacks; as to location; or as to time, and unless one is aware of that, you cannot properly plan a diversionary effort.

Now, since we are on that subject, may I mention some other points that bear on it. I have already mentioned that they knew so little about it that they identified certain of the 34A ships as Soviet vessels. They very much wanted to avoid interference with it, and CINCPAC fleet advised MAC/V that they would make every effort to give him 36 hours’ notice of changes in the time schedule of the patrol at certain points, in order to allow MAC/V to change the suggestion that he might make regarding the location of 34A attacks. MAC/V came back and said that they had worked out with the South Vietnamese adjustments to assure that 34A operations would prevent interference with the patrols.

Senator Morse. Could I read one—

Secretary McNAMARA. May I just continue?

Senator Morse. I thought you were through. I am sorry.

TWO OPERATIONS SEPARATE

Secretary McNAMARA. I am simply trying to develop the point that every possible effort was made to keep these two operations separate.

In the message on the 1st of August, the commander of the task force, which included the Maddow, stated that he thought that in view of the hostile intent of the North Vietnamese, they should consider stopping the patrol, and the 7th Fleet stated, "You are authorized to deviate from itinerary" any time that the risk appears too great.

Subsequently the chairman inserted in this record the full text of the cable cited by Secretary McNamara, as follows: "1. Ref. Alfa Bravo and Charlie noted. When considered prudent, resume itinerary. LAV ref. Delta. You are authorized to deviate from itinerary at any time you consider unacceptable risk to exist. Keep Alfa and Charlie advised."

Again later the same day on the 2d, the commander of the 7th Fleet directed the Maddow to retire from the area to avoid hostilities.

Senator LAUSEN. What date was this?
Secretary McNAMARA. This was on the second.

On the second they also put in restrictions on hot pursuit that were much more severe than we normally apply in situations like this. The U.S. vessels were not allowed to carry on hot pursuit of enemy vessels closer than 11 miles from shore and the aircraft were not allowed to carry on hot pursuit closer than 3 miles from shore.

Again on the second, MAC/V told the commander of the 7th Fleet to keep the De Soto patrol clear of a designated area. Later, on the third, MAC/V sent another request that the De Soto on patrol be moved even farther north to stay farther away from the area the South Vietnamese were planning to operate in.

Also on the third, later in the same day, the commander of the 7th Fleet reported his intention to terminate the patrol on the evening of August 4 in order to move it away from the area and avoid any possibility of conflict with 34A.

I mention this simply to tell you that the higher commands were knowledgeable about the 34A and De Soto and took every possible action to separate the two.

BASIS OF STAFF STUDY DISCUSSED

Senator LAUSCHE. It is regrettable that our staff study contains none of these facts which negative all that is in our secret report.

The CHAIRMAN. Well, I will say—

Senator LAUSCHE. It is a tragedy.

The CHAIRMAN. I will say to the Senator, we requested all relevant documents, and Mr. Nitze—

Senator LAUSCHE. But it is thoroughly apparent that none of this material is relevant to any of the papers I have before me. All of the paper is directed to show that there was falsehood presented.

The CHAIRMAN. The paper contains all of the information supplied to the committee, and we could not put in what they did not supply, and there is no selection as far as the documents supplied, and I had a meeting with Mr. Nitze—

Senator LAUSCHE. Well, the paper which I have before me has nothing justifying the action that was taken. All that I have in my paper is material showing that the action should not have been taken.

The CHAIRMAN. I wish to make it clear, I had a meeting with Secretary Nitze and Senator Russell at Secretary Nitze's request, and we discussed this matter, and Senator Russell advised Secretary Nitze that he thought that the Department of Defense should make available to this committee—to this committee, which met jointly with the Armed Services Committee when this matter was heard in 1964—and he told Mr. Nitze he should make available relevant documents to these incidents, and it was my understanding he would make those available with one sole exception which I have already described to the committee. If those documents are not in here, it is because the Department of Defense did not supply them to us upon request of all relevant documents. Not being aware of them, we could not ask for them specifically, but we have asked for other documents specifically, but not these because we did not know about them.

Secretary McNAMARA. Mr. Chairman, may I simply say that four of the facts that I just stated to you were supplied to the committee. Others may have been. But I can check from my list in front of me
that four of the statements I made; the committee, was aware of. Whether they are in your report, I do not know. I do not have access to the report.

Senator Lausche. Will the chairman point out a single statement in this report to the committee that shows that there is in it anything justifying the action that our U.S. Government took? Every statement in this secret report tends to prove that we should not have done what we did, and I cannot understand how we did it.

Senator Gorman. I respectfully submit that is not an accurate statement.

Senator Lausche. It is pretty substantial.

Senator Clark. Mr. Chairman, I do not think this discussion is seemly. I think we ought to proceed in a normal manner. You ought to wait until your turn.

Senator Lausche. If he will quit, I will get my turn.

Senator Clark. He is your chairman. You owe him some courtesy and you are not giving it to him.

CABLE FROM "MADDOX" TO THE FLEET COMMANDER

The Chairman. I will go on with the record. On the 3d of August some 15 hours before the second incident the operational commander of the Maddox and the Turner Joy, who was aboard the Maddox, sent the following cable to the commander of the 7th Fleet: "(a) Evaluation of info from various sources indicates that the DRV (Democratic Republic of Vietnam) considers patrol directly involved with 34-A operations. DRV considers U.S. ships present as enemies because of these operations and have already indicated readiness to treat us in that category. (b) DRV are very sensitive about HCM/Minh perceived PT operating base and the area there presently contains numerous patrol and PT craft which have been repositioned from northern bases."

Secretary McNamara. Mr. Chairman, may I comment on this specific cable?

The Chairman. Yes.

Secretary McNamara. Two points: First, we can find no basis for the commander making this statement, that the DRV considered the De Soto patrol directly involved in 34-A operations.

Second, Herrick himself now states he can recall no basis for coming to that conclusion.

Third, the PT boat officer that we captured and interrogated in July 1966 told his interrogators that it was clear in his mind that the De Soto patrol was separate from 34-A operations.

The Chairman. Well, you are not saying this cable was not sent.

Secretary McNamara. I simply stand on what I said, Mr. Chairman. Of course the cable was sent.

The Chairman. You are not saying it was not sent.

Secretary McNamara. But I am saying it is a complete distortion of the fact to leave the record indicating that the commander of the Maddox task force had any basis whatsoever for believing that North Vietnam confused 34-A and De Soto. He did not have the basis. He now says he did not have the basis, and a North Vietnamese captured since that time states that North Vietnam distinguished between the two operations.
The Chairman. Well, at the time, all I am saying—I am not going into his mind, this is what he is saying.

Secretary McNamara. I am perfectly happy to have it on the record along with my refutation.

The Chairman. That is all right.

Senator Williams, did you want to say something at this point?

COULD “MADDOX” HAVE BEEN OPERATING 4 MILES OFF COAST?

Senator Williams. The question in my mind, Mr. Secretary, is that you say the Maddox was operating with substantial freedom in this area with no knowledge of the operation of the plans of the South Vietnamese. Would it not have been conceivable or possible that it could have been operating 4 miles off the coast of one of these islands during the attack?

Secretary McNamara. No.

Senator Williams. What would have prevented it?

Secretary McNamara. No, because as the cables submitted to the committee showed, the commander of the 7th Fleet and the U.S. commander in Vietnam had an arrangement under which the position of the Maddox on its patrol was to be submitted to Vietnam so that the South Vietnamese could plan their operations to stay away from the patrol. Secondly, the commander of Vietnam had said to the commander of the 7th Fleet, “In addition to knowing where you are, we would like you to stay away from certain particular places,” and he, on two occasions during the period of patrol, gave to the commander of the 7th Fleet, who in turn passed it on to the commander of the Maddox, specific instructions to stay out of certain areas.

I recall one of the areas was an area set by a line between 17 degrees and about 17 degrees, 30 minutes north and a line running north-south into which area the patrol was not to penetrate, and later that restricted area was substantially expanded to everything south of 19 degrees, 10 minutes.

Senator Williams. That is all.

FULLBRIGHT LETTER TO NAVY, SECRETARY IGNATIUS

The Chairman. I think we should put in the record the fact that I sent a letter on January 12 to Hon. Paul R. Ignatius requesting one of the cables relating to this question. I say this was with regard to the Senator from Ohio’s observations, I will ask the reporter to put it in the record, this is January 12, I might read it. It is very difficult to translate it except by those familiar with the symbols that are used by the Navy:

In the message sent by OTU72.12 to AIG-181 dated [deleted] the following sentence is included: “RCVD info indicating attack by FGM/P-4 imminent. My position 19-107.7N 107-008 proceeding southeast at best speed.”

The reply to that—I will put the whole letter in—Mr. Ignatius replied that:

With respect to your letter to me of January 12, it is my understanding that the attacks were in a meeting with Secretary Nitre, Senator Russell and yourself. There is nothing further I can add to these discussions.
In other words, it was not supplied to the committee although it was requested.

(These letters referred to follow)

Hon. Paul H. Nitze,
Secretary of the Navy,
Washington, D.C.

Dear Mr. Secretary: As you are well aware, over the past few months the Department of Defense has been providing the Committee with information and materials on the incident in the Gulf of Tonkin. One of the cables you provided on November 25 was drafted, and I believe you did not decide to ask a clarifying question.

In the message sent by CTU 781.2 to ANC 161 rated [deleted the following sentence was included]

"RCVD INFO indicating attack by PGM/P-4 imminent. My position 10-10.7N 107-008 proceeding Southeast at best speed."

The staff of the Committee is unable to determine whether the information in question was received from shipboard radar as the chronology of the Turner Joy would indicate or through special intelligence means such as interception of North Vietnamese messages.

Would you please provide me the information necessary to clear up this point? If the information comes from a communication intercept, I would appreciate having the text of that intercept as well as any other intelligence interactions relating to the second incident in the Gulf of Tonkin.

Sincerely yours,

J. W. Fulbright, Chairman.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations,
U.S. Senate, Washington, D.C.

Dear Mr. Chairman: With respect to your letter of January 12, it is my understanding that the points you raised were discussed at length at a meeting with Secretary, NLR, Senator, Russell, and yourself. There is nothing further I can add to those discussions.

Sincerely,

Paul R. Nitze.

Secretary McNamara, Mr. Chairman, I am confused on that. The message that you read from has a date code of [deleted]. My information is that it has been supplied to the committee. Am I in error on that?

The Chairman, Mr. Bade, has it been supplied?

Mr. Bade, Senator, we have the message:

Senator Mansfield, We have.

Mr. Bade, The letter reads in part as follows:

The staff of the Committee is unable to determine whether the information in question was received from shipboard radar as the chronology of the Turner Joy would indicate or through special intelligence means such as an interception of North Vietnamese messages.

Would you please provide me the information necessary to clear up this point?

This was the crux of the letter. We were unable to determine the source of the information referred to in the cable. Therefore, we had no way of evaluating it.

STAFF CLEARANCE FOR CERTAIN INTELLIGENCE INFORMATION

Secretary McNamara, We have some problems, because the staff has not been cleared for certain intelligence and we are under specific written instructions from the President, as are all executive departments, not to furnish such intelligence to uncleared personnel.
... Senator Lausche. I do not understand that. The members of our staff are not cleared?

Secretary McNamara. Certain members of congressional staffs have requested clearance, others have not, and we are under instructions from the President in writing not to submit intelligence to individuals that have not been cleared other than to Members of Congress.

Senator Lausche. May I ask the chairman, are all the members of our staff cleared?

The Chairman. All of those who have worked on this matter, but he is talking of a special classification of intelligence communications.

Secretary McNamara. I do not believe any member of the staff has been cleared for certain kinds of intelligence relating to this incident.

Senator Lausche. Of the Foreign Relations staff?

Secretary McNamara. That is correct, on specific items of intelligence.

The Chairman. I might say for the information of the committee, Mr. Bader was cleared at one time for such intelligence information. He has not been cleared subsequent to that, and I assume—you say they do not carry their clearance?

Secretary McNamara. Mr. Chairman, I do not know the rules of clearance. All I know is that because of receiving these written instructions from the President, I made a personal effort to find out who had been cleared and who had not been cleared, and there was no member of this staff cleared on the registries of the FBI, the Central Intelligence Agency, or the Defense Intelligence Agency—cleared for this kind of intelligence.

Senator Gore. Mr. Chairman, could we know what particular classification that is? I had not hard of this particular super-classification.

The Chairman. The staff, Mr. Marcy, and Mr. Holt are cleared for top secret information. This is something I never heard of before either. It is something special with regard to intelligence information. However, Mr. Bader was cleared for that.

Secretary McNamara. If the staff would wish to request clearance, I am sure the Government would do it.

Mr. Marcy. All of the members who are here submitted renewal requests for top secret clearance recently and, so far as I know, all of those requests have been granted.

Secretary McNamara. But that is not the issue. Clearance is above top secret for the particular information involved in this situation.

Senator Case. Mr. Chairman, may I clear this up in my own mind?

The Chairman. Yes.

Senator Case. On this particular request for information, it was denied on the ground of lack of clearance.

Secretary McNamara. Yes.

Senator Case. I see. That was made clear; there was no question.

Secretary McNamara. I do not know that that was made clear, but that was the reason.

Senator Case. I think it is important to know whether the committee was told that information was not being given it and, for what reason.

The Chairman. I told the committee that Mr. Nitze showed me one message—
(Subsequently the chairman inserted in the record the following paragraph from the staff study dated January 17, 1966:)

In late December Under Secretary of Defense Paul Nitze asked to see Senator Fulbright. At that meeting Mr. Nitze presented for Senator Fulbright's eyes only a cable from special intelligence which he said was "conclusive" evidence that the Maddox and Turner Joy had been attacked. The staff has not seen this information and has no way of judging whether this particular piece of information is the conclusive piece of evidence that will demonstrate without doubt that the Maddox and Turner Joy were actually attacked.

Senator Case. Is that the one you are talking about?

The CHAIRMAN. At this particular moment I think that is the one we are talking about. There may be others.

Senator Case. This is not a question where we were not given information and we were not told that we were not being given it.

The CHAIRMAN. I would like to go through these. I want to try to make the record and then let the members engage their own time.

WHY DID "MADDOX" NOT BREAK OFF PATROL?

Mr. Secretary, why was the Maddox ordered to go within what the North Vietnamese believed to be their territorial waters and why, once the Maddox had received information that the North Vietnamese were in an uproar about the activities of the Maddox, did the ship not break off its patrol?

Secretary McNamara. Mr. Chairman, as I explained earlier, the North Vietnamese had not claimed waters beyond 3 miles, so I do not think the question is pertinent.

TERRITORIAL LIMIT DISCUSSED IN MAY 1966 HEARING

Senator Morse. Could I put in the record at that point, because I am confused about this—I take you back to page 24 of the May 24, 1966, executive hearings. The chairman was examining Mr. John McNnaughton and on the top of page 24 he first quoted from Secretary McNamara's testimony of August 6, 1964:

As part of that, as I reported earlier to you this week, we understand the South Vietnamese Sea force carried out patrol action around these islands and actually shelled the points they felt were associated with this infiltration. Our ships had absolutely no knowledge of it, were not connected with it, and in no sense of the word can be considered to have backstopped the effort.

That is the quote from Secretary McNamara. Now to quote the chairman on May 24, 1966:

First, I want to ask you: had your ships within days before the incident gone within territorial limits recognized by North Vietnam?

Mr. McNnaughton. Within the 12-mile limit, Mr. Chairman.

The CHAIRMAN. That is the territorial limit.

Mr. McNnaughton. I think that it is. If that is the case, the answer is "Yes".

The CHAIRMAN. That had been the limit.

Senator Pell. May I interject for a moment. Is 12 miles the territorial limit that we recognize?

Mr. McNnaughton. No, sir; it is the one—the chairman, I understood the chairman to say territorial limits recognized by North Vietnam.

Mr. U. Alexis Johnson. Claimed by North Vietnam.

The CHAIRMAN. That is right. Many countries have different ones.

Senator McCormick. Texas claims the 12-mile limit.

The CHAIRMAN. They vary, but they claimed 12 miles. But our ships had gone into it.

Mr. McNnaughton. Yes, sir; that is correct.
I still think it is a little vague, but we certainly—and in those hearings—asked the Defense Department if they were within the 12-mile limit.

You now say they did not claim the 12-mile limit, and we were advised they did.

Secretary McNamara: Senator, if I understood the testimony you read from the hearings of May 24, 1966, Senator Morse. That is right.

Secretary McNamara: I do not believe during the hearings of 1964 any of us stated that North Vietnam claimed a 12-mile limit. I believe further that it is rather ambiguous in the testimony you read as to whether it was Mr. McNaughton or the chairman who was stating North Vietnam claimed the 12-mile limit, but to the extent Mr. McNaughton either stated or acquiesced in the chairman's statement of it, he was wrong.

Senator Gore: Mr. Chairman, would you please clear up the exact identity of this clearance status, that is something superior to top secret and whether or not the President's letter applied only to this particular operation? I would like to be informed. I never heard of this kind. I thought top secret was top secret.

The Chairman: I am not sure that I can do it justice. I never heard of this clearance before. But at the meeting I attended, which is referred to, and is referred to in the staff report, with Mr. Nix, he said that this particular message was beyond top secret, and it has to do with intelligence communications; and that was the reason he could not give me that particular communication. He allowed me to look at it. It was a very short message. I think it was only about a paragraph and I read it very rapidly. He said this was beyond top secret, and only a few people are allowed to see it. I was given to understand it relates to what is called intercepts, and it is my information; well, my memory, that he stated this was the conclusive evidence upon which the Pentagon relied to prove beyond all doubt that there was an attack upon our ships on the 4th of August.

Senator Gore: Excuse this; what is the classification, what is the name of it?

Senator Sparkman: "Eyez only."

Senator Mansfield: Does this have to do with codebreaking or things of that sort?

Senator Gore: No, that is not it.

Secretary McNamara: Mr. Chairman, may I try to answer it?

The Chairman: The Secretary can do better than I can.

Secretary McNamara: Mr. General Wheeler seems to want to say something.

The Chairman: Oh, General Wheeler.

Secretary McNamara: Mr. Chairman, let me comment on this first. Senator Gore asked, "Does this instruction from the President apply only to this incident?" The answer is "No." All of the executive departments, because of recent security violations in this country, have
been instructed to tighten up on security, with their own personnel and with all other personnel. All of the executive departments have been instructed to observe strictly the appropriate clearance procedures. They are many. There are a host of different clearances, I would guess I have perhaps 25. There are certain clearances to which only a handful of people in the Government are exposed. There are others with broader coverage, and overlapping coverage, and it is not really a question of degree of clearance. It is a question of need to know, and need to know clearances apply to certain forms of data.

Now, there is a top secret clearance that covers certain kinds of information, and is a rather broad clearance and is related to a level of clearances starting for official use only, rising through confidential and secret and top secret and generally speaking that is a pyramidal clearance. There is another clearance, Q clearance, that relates to certain categories of information.

There is another clearance which is the special intelligence clearance we are talking about, that relates to intercept information, and it is this latter clearance in particular that is at issue here, and the staff members of this committee have not been cleared for that kind of information. So far as I know they have not requested clearance. If they do request clearance, we will be happy to consider it.

The President instructed me specifically to make information available to members of the committee—Members of the Congress, whether they are cleared or not. I have the information here with me this morning and I will be happy to go over it with you, but I will have to ask individuals in the room, staff members and others, who are not cleared to leave the room when I do it.

Senator Gore. Because it deals with intercepts.

Secretary McNamara. It deals with intercepts.

Senator Gore. Ambassador Goldberg discussed the intercepts at the U.N. on television.

Secretary McNamara. But the problem here involves an intercept with the particular traffic involved. Our intelligence analysts have gone over this and have stated the area is a danger to us in certain kinds of intercept material and disclosure of it. [Deleted.] We are under instructions to deny it other than to Members of Congress and others properly cleared.

Senator Paul. Mr. Chairman, the fact we have publicly stated that intercept information confirmed the location outside North Korean territorial waters of the Pueblo, which has strengthened our case to this effect, has not thrown into the public domain quite a portion of the fact that we have access to this kind of intelligence.

Secretary McNamara. The intelligence analysts believe not. Well, I do not want to get into a further discussion until the room is cleared of those not authorized to handle it. We would run the risk of compromising intelligence sources if disclosed.

NORTH VIETNAM TERRITORIAL LIMIT CLAIM

Senator Sparman. Mr. Chairman, may I ask just one very brief question. Going back to this 12-mile limit, I believe you said in your paper, did you not, that sometime following the Gulf of Tonkin incident, North Vietnam did claim through a radio dispatch a 12-mile limit?
Secretary McNamara. They did, Senator Sparkman.

Secretary McNamara. But that was the first time they had stated it.

Senator Sparkman. I think that might explain the difference between 1964 and 1966.

Secretary McNamara. It might well.

**WHY DID “MADDOX” NOT BREAK OFF PATROL?**

The Chairman. I forgot that. Did you reply to why the Maddox did not break off the patrol when they believed they had stimulated—according to this cable, they said that the North Vietnamese regarded them as hostile and an enemy and that they were very sensitive about Hon Me. Why did they not break off at that point?

Secretary McNamara. I am not certain. I know which particular message you are referring to.

The Chairman. The one I read.

Secretary McNamara. Yes. Can you give me the time-date group on it? I think I have it here, and it is [deleted] and in that particular message he was speculating on North Vietnam’s interpretation of his operations. He did not at that point consider the risks sufficiently high to break off the patrol.

You will recall that later the following day he did state that he believed it might be advisable to break off the patrol, but he had not reached that point of judgment then.

The Chairman. Well, that was his judgment. Why did his superiors not order him to break it off in view of that cable if they did not wish to provoke an incident?

Secretary McNamara. Because we were on the high seas and operating legally and entirely within our rights. The President stated publicly that we would continue to carry out the patrol in international waters in a legal fashion.

The Chairman. Here, this is the—have you identified that now?

Secretary McNamara. Yes.

The Chairman. I read from a cable from the operational commander of the two ships sent some 15 hours before the second incident:

(a) Evaluation of info from various sources indicates DRV considers patrol directly involved with SAG opt. DRV considers U.S. ships present as enemies because of these ops and have already indicated their readiness to treat us in that category. (b) DRV very sensitive about Hon Me, believe this is PT operating base, and the core there presently contains numerous patrol and PT craft which have been repositioned from northerly bases. (c) Defense against PT’s very difficult when in close proximity to Hon Me in that they can hide behind it until the opportunity moment, and start their run leaving very little time for tracking and spotting and allowing no international water working space for aircraft. (d) Under these conditions 15 minutes reaction time for obtaining air cover is unacceptable. Cover must be overhead and controlled by DD’s at all times.

It seems to me it is very clear they thought they were extremely exposed and in a dangerous position and were requesting authority to break off.

Secretary McNamara. No, I beg your pardon, Mr. Chairman, they specifically did not request authority to break off and, had they wanted to break off, they would have requested it. Those were their orders, and later, in the sequence of messages you will find that they did not suggest breaking off.
The CHAIRMAN. Maybe I overstated it. At least they did not even want a 15-minute delay in aircraft. They wanted the aircraft right over them.

Secretary MONTGOMERY. That is clear.

The CHAIRMAN. They thought they were pretty exposed.

Secretary MONTGOMERY. Oh, yes; I do not dispute that.

WERE WE IN TERRITORIAL WATERS?

Senator LAUSCHE. Mr. Chairman, are you trying to prove——

Senator MUNDT. What is the date of that?

Secretary MONTGOMERY. August 3.

The CHAIRMAN. It is shortly before the attack.

Senator LAUSCHE. Mr. Chairman, are you trying to prove we were in territorial waters?

The CHAIRMAN. I am trying to get the truth of what took place, that is all, Senator.

Senator LAUSCHE. Well, I would be able to follow you better if I can learn——

The CHAIRMAN. What this means will have to come later. I cannot tell what the answers are. All I am trying to do is develop the truth.

Senator LAUSCHE. Let me finish my question.

Are we trying to prove that because we were not in international waters but in territorial waters that North Vietnam had the right to shoot at us?

The CHAIRMAN. I am not a witness, Senator. I do not propose to answer those questions. I am trying to develop a case of what happened.

WARNING SHOTS FIRED BY “MADDOX”

Mr. Secretary, as to the attack of August 2, 1964, your testimony states that the Maddox first fired “three warning shots before taking the North Vietnamese torpedo boats under fire.”

Is there such a thing as a warning shot between naval combatants?

Secretary MONTGOMERY. Mr. Chairman, I do not know. I would be happy to check with the Navy and answer the question for the record.

(The following was subsequently supplied:)

There is a difference of opinion as to the use of warning shots between combatants. Obviously, a commanding officer would only have recourse to such shots under very special and compelling circumstances.

The CHAIRMAN. Well, a former admiral communicated voluntarily to this committee, Adm. Arnold True, said he was a destroyer commander during quite a number of years. He said that this is not a recognized procedure between naval combatants.

General, do you know anything about this?

General WHEELER. I am not a naval officer, Mr. Chairman.

The CHAIRMAN. I understand.

General WHEELER. However, I would submit this, that we were not at war with North Vietnam, and I would think that rather than the commander opening fire directly on approaching vessels in daylight that, as a precautionary measure, he might very well have fired warning shots rather than firing directly at them.

The CHAIRMAN. I may add that a gunnery officer aboard the Maddox when asked about the so-called warning shots, was quoted as saying,
and I quote, "Oh, no. We were definitely aiming right at them because the speed factor was there. We did not want to waste much time in spotting our shots."

Then the logs of the Maddox reveal that the Maddox simply opened fire on the patrol craft. That is what the log reports.

Secretary McNamara: Did we furnish you the testimony from the gunnery officer, Mr. Chairman?

The Chairman: Where did it come from, Mr. Bader?

Mr. Bader: Mr. Secretary, that quotation is not from material provided by the Defense Department.

Secretary McNamara: Is that in the staff study? I would like to have the name of the gunnery officer in order to check the testimony. I am not familiar with it. I never heard of it or saw it. I would like to have it and I will check it. May I have it, Mr. Chairman?

The Chairman: I do not have the name.

Senator Lausche: I do not have the name.

Mr. Bader: I have it right here.

Senator Lausche: Is this one of the x's in the addendum?

Mr. Bader: It is a newspaper quotation from a gunnery officer.

(Subsequently, the chairman inserted the following information in the record.)


The Chairman: Mr. Secretary, considering the fact that the Maddox was heading for an island recently attacked by South Vietnamese raiders using U.S. equipment, is it not possible that the North Vietnamese had concluded the United States had a role and had remained in North Vietnamese waters to attack the island again?

Secretary McNamara: I think not, Mr. Chairman. My reasons are twofold. First, Vietnamese radar could track our vessels and 34-A vessels and, therefore, knew they were separated by time and distance. Secondly, as I mentioned to you earlier, parties that we have since captured indicate that they knew that these were separate operations.

Why Air Cover Was Provided in Tonkin Incidents

The Chairman: Mr. Secretary, in your recent "Meet the Press" interview, you stated that the Pueblo was not given air cover and an armed escort because this would have been provocative to the North Koreans. Yet, in the case of both incidents in the Gulf of Tonkin, American aircraft carriers provided air cover.

If in the case of the Pueblo, air cover and protection would have been provocative, why would the same term apply in the Gulf of Tonkin, particularly since the Maddox and the Turner Joy had orders that would take them within what the North Vietnamese considered to be territorial waters?

Secretary McNamara: First, the North Vietnamese did not consider them to be territorial waters, as I have pointed out on several occasions this morning.

Second, there is a major difference between the situation with the Pueblo off the coast of North Korea and the situation of the Maddox and Turner Joy in the coast of North Vietnam.
North Vietnam at that point, in fact, was infiltrating several thousand armed personnel a year from North to South Vietnam, and there was reason, therefore, to protect our craft, a reason that was not present in the case of the Pueblo.

The Chairman. Well, it was present, but you did not recognize it because they took the ship, did they not?

Secretary McNamara. Well, the same reasons were not present, Mr. Chairman.

Senator Mundt. Will you yield?

The Chairman. Yes, I will yield.

NORTH KOREAN INFRINGEMENTS INTO SOUTH KOREA

Senator Mundt. Were not the North Koreans infiltrating people into South Korea?

Secretary McNamara. Not several thousand.

Senator Mundt. In this Blue Palace incident?

Secretary McNamara. Not several thousand, a year, Senator Mundt, nor was North Korea at the time of the Pueblo incident carrying out direct, and from its capital, armed attacks upon the people and the political institutions of South Korea to the extent that North Vietnam was then doing against South Vietnam.

Senator Hill. If I may observe there, it is my understanding that the North Koreans went through the American lines and we did not do anything to stop them, but they do not go through the EOK lines, the Koreans stop them, the South Koreans, and they attacked Seoul.

Secretary McNamara. On the point of whether we are stopping the North Korean infiltrators or not stopping them and whether our record compares favorably with South Korea's, I cannot testify. But I will be happy, Senator Hickenlooper, to check.

(The desired information will be supplied at a later date.)

Secretary McNamara. Now, on the question of the relations between North Korea and South Korea, on the one hand, and North Vietnam and South Vietnam, on the other, there is just a major difference in the situation in Southeast Asia in 1964 and that in North and South Korea today.

Senator Hickenlooper. I should not have asked it. I got that information from a soldier who has been over there for quite a little while.

Secretary McNamara. It may be correct, but I am not familiar with it.

Senator Hickenlooper. He seemed to know what he was talking about. But I do not know how accurate it is.

Senator Mundt. Is it your position that the attack by the North Koreans on the Blue Palace was not a planned attack on the high Korean Government?

Secretary McNamara. No, Senator Mundt, my position is very simple. There is a major difference between the situation in the North and South Korea today, on the one hand, and that which existed in Southeast Asia between North Vietnam and South Vietnam, on the other, and I will be very happy to take some hours of the committee's time to document it.
EVIDENCE OF NORTH VIETNAMESE INFILTRATION INTO SOUTH QUESTIONED

Senator Morse, Mr. Chairman, I do not want to argue the point now, but as the Secretary knows, I always have believed in pretrial hearings and giving advance notice of your case. But, if I understand you now, Mr. Secretary, your position is that prior to the Tonkin Bay incidents there was heavy infiltration of North Vietnamese forces into South Vietnam. I have just asked Mr. Marcy to have someone go to work on our hearings, because unless I have lost all power of recollection, it is my recollection that prior to the Tonkin Bay incident the administration, through an administration witness, testified to a committee, and we will find it on the record, there was not infiltration of North Vietnamese forces into South Vietnam prior to Tonkin Bay. You will find one administration witness who says they did not have any evidence of a single cadre. He pointed out that South Vietnamese had been sent to North Vietnam for training, but they had gone back. But the administration could not give us any proof that North Vietnamese forces had infiltrated into South Vietnam, and I want to tell you so in order that we may discuss it later.

Secretary McNamara. Senator Morse, I think, without arguing the point of whether there was evidence of North Vietnamese forces, meaning, formal units of its military service, infiltrating from north to south, there was ample evidence of infiltration from North Vietnam to South Vietnam of thousands of people sent from the north to the south to subvert the government of the south, and operating there in the south for that purpose under the direct control and literally the hour-by-hour direction of Hanoi.

Senator Morse. Military personnel?
Secretary McNamara. Military personnel.

Senator McCarthy. Mr. Chairman, may I ask a question?

The CHAIRMAN. Yes.

TRANSMISSION OF INFORMATION TO SVN NAVY.

Senator McCarthy. Was the information that our destroyers were gathering transmitted to the South Vietnamese Navy for its use?
Secretary McNamara. I cannot answer the question.

Senator McCarthy. Well, you must know that.
Secretary McNamara. No, I do not know that.

Senator McCarthy. You cannot answer that? If we get information that would be helpful to the South Vietnamese Navy, we would give it to them?

Secretary McNamara. I do not say we would not. I simply cannot answer it.

Senator McCarthy. If we were transmitting it, wouldn't it be the equivalent of an act of war against North Vietnam? In other words, you were not just gathering information for the files of the Defense Department, were you?

Secretary McNamara. We were gathering information that we needed to assist the South Vietnamese in reducing the adverse effect on them of the infiltration from north to south by sea, and I so stated.

I further stated, and I stated this at the time, it was part of the public debate at the time, that we were furnishing to South Vietnam the boats they used.
Senator MCCARTHY. I know.

Secretary McNAMARA. Whether we gave information or not, the fact is—

Senator MCCARTHY. The question of the time lapse, and so on, has become much less important. If you picked up information one day and gave it to them, and the next day South Vietnam took military action, it becomes almost a part of the same naval operation.

Secretary McNAMARA. Whether we gave information to them or did not give information to them, we did supply boats, and that was known on August 6, at the time. I think it is extremely unlikely that we gave any information from the patrol to the South Vietnamese in the time interval such as you suggested. It is possible that over a period of weeks or months we may have. But I am certain we did not in a matter of hours or days after the collection of the information.

WHY INTELLIGENCE SHIP WAS OFF NORTH KOREAN COAST

Senator MCCARTHY. I was interested in your comparison of the situation of the difference between North and South Vietnam as contrasted to North and South Korea. So, therefore, the protection given the destroyers can be quite different from that of the Pueblo. What was the role of the Pueblo?

If the relationship between North and South Korea was so much better, why do we have a spy ship off the coast, which we assume was helping South Korea?

Secretary McNAMARA. We have patrols that we are carrying out all over the world in the air and on the sea, international waters and international airspace, collecting information that would be of benefit to us in protecting our security. That was the mission of the Pueblo.

Senator MCCARTHY. Shouldn't we—

Secretary McNAMARA. Pardon me, Senator, if I may finish.

Senator MCCARTHY. Yes.

Secretary McNAMARA. That was the mission of the Pueblo, and it is the mission of literally thousands of reconnaissance flights that we carry out, and many seaborne missions that we carry out each year.

Senator MCCARTHY. Would it not seem to be more provocative to have a ship like the Pueblo there if supposedly the relations between North and South Korea were reasonably good, and we were not as directly involved as we were in South Vietnam? Isn't this a kind of unnecessary intrusion of American power?

Secretary McNAMARA. No. I think American ships, when it is in our interest should move any place in international waters—

Senator MCCARTHY. Spy any place they want to, but take the consequences.

Secretary McNAMARA. I believe—

Senator MCCARTHY. Get the information.

Secretary McNAMARA. If you want to change the entire legal basis—

Senator MCCARTHY. I am not going to change anything.

Secretary McNAMARA (continuing). Of operations of the sea, that is your prerogative.

Senator MCCARTHY. Well, there really are not any, as you know, I mean everybody claims different things.
Secretary McNamara. Of course, there are. Let us not say there is not a basis.

Senator McCarthy. We do not have to go into it now.

Secretary McNamara. We will go into it.

Senator McCarthy. Well, we won’t.

Secretary McNamara. We will.

Senator McCarthy. I would like to ask my questions. He is not answering the question I wanted to ask him.

The Chairman. Let him try, and then you can respond.

Senator McCarthy. I do not want to go into the law of the sea.

Secretary McNamara. Mr. Chairman, may I simply ask permission to respond?

Senator McCarthy. Yes.

The Chairman. Go ahead.

Secretary McNamara. May I ask permission to respond for the record, because the question I was answering Senator McCarthy several minutes ago—I do not want to ask the reporter to go back and find it—but it did attribute to me a statement for the record, and I want to correct my own statement for the record.

The Chairman. Do you want to do it now?

Secretary McNamara. I would like to do it later.

Senator McCarthy. I will take it all out.

Secretary McNamara. No, I want to leave it in, but correctly.

Senator McCarthy. I did not get a chance to finish it with you. I have no objection to our spying for our own purposes, but I say if we have a spy ship picking up information and then transmitting that information to another country which is engaged in hostilities with a nation on which we are spying, then we are not quite so pure as we represent ourselves to be. That is the point I wanted to make.

Did United States Transmit Its Information to South Korea?

With reference to the Pueblo off the coast of North Korea, I think it is somewhat the same thing that applies to the destroyers. It was really in that sequence that I wanted to ask the question. Mr. Secretary.

Secretary McNamara. What was the question?

Senator McCarthy. All right, we can say—yes, you say—America has the right to do it. That is fine. I think we have, too. But it becomes different if we pick up information that should be ours, and we then transmit it to another country, like South Korea, which, in turn, uses it against North Korea. Then our ship picking up the information is not quite in the same immune position as it would be if it were picking up information for our use alone. That is my question.

Secretary McNamara. That is a statement, not a question, but I will let it stand, and I would be happy—

Senator McCarthy. That was the point I wanted to make.

Secretary McNamara. I disagree with the statement. I do not think it is factual. I do not think we should say it.

Senator McCarthy. It is a question. I ask—

Secretary McNamara. What is the question?

Senator McCarthy. Two questions I asked. Let me answer them.

Secretary McNamara. Let the reporter go back and read the question.