As much as anyone else, Singapore worries about disruptions in the flow of ships through the Straits of Malacca. Singapore, though agreeing with the Malaysian and Indonesian position that the littoral states should be responsible for safety and navigation in the Straits of Malacca, has refused to go along with their position on de-internationalizing the Straits, preferring to merely take note of their position. Foreign Minister S. Rajaratnam expressed Singapore's concerns in the context of the following points:

1. Insuring the safety of navigation;
2. Avoiding contamination of the Straits by oil spillages;
3. Insuring the security of the Straits from great power rivalry;
4. Expressing the view that responsibility for safety in the Straits and its international status are two different issues.

Regarding the imposition of tolls, the Singapore evening daily, The New Nation (reflecting the official view) in its editorial of March 24th, 1972, said that such an imposition would,

1. Slow down traffic,
2. Cause extra work,
3. Increase shipping costs,
4. Not stop ships from using Singapore (a better port than Klang or Penang).
A Singapore official summed up his country's views on unrestricted passage through the Straits of Malacca when he said,

Our economy depends too much on shipping to permit any tempering with the free access to our port facilities. . . . We cannot afford restrictions which would hinder our growth or disrupt our economy.83
VII. JAPAN'S POSSIBLE STRATEGIES IN VIEW OF OBJECTIVES OF THE LITTORAL STATES

In this section an attempt will be made to graphically demonstrate possible Japanese strategies in terms of accrued benefit to Japan and perceptual understanding by the littoral states of these strategies. No attempt will be made to analyze variables affecting these perceptions due to a lack of available information and a desire on the part of the writer to use a more literary approach in writing this paper.

When considering the attitudes and statements of the leaders of the three littoral states, one must realize there are variances in nuance. In addition, as one might have already observed, there is disagreement between Singapore, on one hand and Malaysia and Indonesia on the other regarding certain points previously discussed. A basic assumption, however, is that all three states will react similarly to Japanese initiatives, especially if they perceive these acts being of a hostile nature.

The graph on the following page will try to correlate fifteen strategies that Japan might follow regarding the Straits question in terms of the benefits each strategy might accrue to Japan as well as the relative degree of hostility each strategy might generate. These
fifteen strategies are divided into three groups representing actions of a positive, independent (those policies or actions having little direct impact on the littoral States) and a hostile nature. Many of these strategies have either been suggested or actually implemented, while others remain purely theoretical.

The horizontal axis represents the existence (or lack of) "hostility" with greater "hostility" represented by points plotted to the right of point X. The vertical axis represents relative "benefits" accruing to Japan as a result of a particular policy with high benefits signified by points plotted towards the top of the graph. Point X is the location where the two axis intersect forming four quadrants, namely A, B, C and D. Strategies falling within quadrant A should be considered the optimal ones for Japan since they return the highest benefits and at the same time causes the least hostility in the eyes of the littoral states. Those strategies falling within quadrant D, on the other hand, are by far the least desirable since they indicate that not only will one particular strategy return little in terms of material benefit to Japan but also create "hostility" in the minds of the leaders of the littoral states. Quadrants C and B represents areas of high benefit and high hostility and low benefit and low hostility. The three strategies 7, 8, 9 located on the axis of "benefit" because they fall within the category of those policies having little or no direct impact on the
littoral States and therefore reflect neither high or low hostility. Strategy 10, located on the axis of "hostility" indicates that this strategy reflects neither high nor low benefits accruing to Japan.

The significance of strategies 1, 2 and 3 being clustered together at the extremes of high benefit and low hostility indicate policies of a similar nature. All three involve the contributions of either money, technical assistance or both. While definitely improving the ability of ships (especially Japanese oil tankers) to safely navigate the Straits they would also be interpreted by the littoral states as positive steps indicating Japan's willingness to cooperate with South-East Asian States and remove the onus of Japan's tarnished image in the minds of many.
Strategy and Notes

A. Positive (acquiesce and/or cooperation)—in view of littoral states.

1. Survey straits and dredge channels with Japanese financial and material contributions, at the invitation of the littoral states.

Japan has surveyed parts of the Malacca Straits and she is planning to do the same for the Lombok and Makassar Straits. ARB, May 1973, p. 1839.
2. Assist in formulating separation of traffic schemes and contribute and implant channel markers and navigational devices.


3. Make financial contributions to upkeep of straits.

See Oliver, passim.

4. Pay tolls in lieu of the above.

Interview with Japanese Military Official and Imagawa Eiichi.

5. Aid in construction of Semangka Transshipment center.

State Department official indicated no action is being taken or anticipated in the near future. See also ARB, Sept. 1973, pp. 2049-2050.

6. Increase littoral states' dependence on Japan, economically.

All information indicates a trend in this general direction. See Appendix 2.

B. Actions independent of littoral states and having no direct influence on them.

7. Participate in the construction of a canal or pipeline across the Isthmus of Kra.

Japanese experts have already participated in a survey of parts of the Kra Isthmus. However, due to the change in the Thai government, the outlook appears to be very uncertain. In addition, from the time construction begins to its estimated time of completion would require nine to ten years. See FEER, January 23, 1973, p. 39.

8. Development of alternative sources and types of fuel

Depending on location, amounts (numbers) and types of energy alternatives to oil and
the Middle East may prove beneficial to Japan. This includes oil tars in South America, oil fields in Alaska, nuclear energy, hydroelectric energy, etc. ARB, January 1974, p. 2386. Quoting a MITI source, the Nihon Keizai Shimbun of February 19, 1974 said that Japan's reliance on oil, "is going to be cut." The Japan Times of March 27, 1974 on page one reported that the Soviets have decided to drop the idea of an oil pipeline and replace it with a second Trans Siberian Railway. Asahi's editorial of March 26, 1974 termed such a venture as, "too costly."

9. Circumnavigate Australia.

According to Miller, circumnavigating Australia at the present time would add at least an additional two to three dollars to the cost of a barrel of oil for Japan. In addition, a Japanese source made it very clear that so long of a detour would be "extremely dangerous" in a wartime situation since it would add an additional 8,000 miles to the voyage from the Persian gulf to Japan, exposing tankers to increased vulnerability to both undersea and aerial interdiction.

C. Actions perceived as hostile by littoral states.

10. Any unilateral action without the prior consent of the littoral states (particularly Indonesia and Malaysia) not amounting to the use of force.

Such an action might include issuing statements without the prior knowledge of the littoral states. See Bundy, Newsweek, April 10, 1972, p. 39.

11. Refusal to observe known draught limitations.

This would most likely be the result of an individual action rather than the concerted policy of Japanese government.

12. Failure to pay fair compensation for damages caused by an accident or oil spillage.

Although an accident or oil spill is possible, Japan is most likely to settle promptly.
13. Failure to reform economic policies over the long run.

It would seem rational for Japan to do this, but Imagawa believes that this will be a difficult and painful process for the Japanese.

14. Cutting-off or drastically limiting economic assistance.

This of course may be a tactic or retaliatory move on the part of the Japanese to correct some wrong done to them by one of the littoral states. In terms of economic leverage, this strategy might be applied in the hope of gaining some sort of concession.

15. Committing elements of the Maritime Self-Defence Force to the area, either to force the Straits or to coerce one or more of the littoral states.

Irrational. However, as Axelbank notes, "Most conservative leaders stress the need to defend the so-called 'Malacca Straits' defense line." See Axelbank, p. 16. Imagawa sees this faction as being part of the Keidaren, the Japanese Federation of Economic Organization. In addition, there are some in the Ministry of Defense in Japan who feel the need to send ships into the Malacca Straits to insure the safety of Japanese tankers. Lee Kuan Yew, Singapore's Prime Minister, has openly suggested that a multi-national task force be formed to patrol the sea lanes in the area. This force, consisting of Japan, Australian, and US naval elements would bunker and base in Singapore. The response to this idea has been particularly "cool" in Tokyo. Most observers see this proposal as difficult to implement because of the prevailing political climate in Tokyo as well as the various legal and constitutional prescriptions on deployment of Japanese forces overseas. However, others have argued, that in spite of these prohibitions the possibilities of regular patrols of elements of the Japanese Maritime Self-Defense Force is not too far off in the future.
VIII. CONCLUSIONS

The evidence in this paper suggests the existence of at least a partial state of economic interdependency between Japan on one hand, and the coastal states of Indonesia, Malaysia and Singapore on the other. The littoral states depend a great deal upon Japan for their aid, commerce and trade, while Japan depends upon them for a source of certain raw materials, a market for her goods and their goodwill insofar as insuring the unimpeded passage of her oil shipments through the area.

This interdependency appears to be threatened by arrogant economic policies on the one hand by Japan and by extreme nationalists pronouncements on the other by the littoral states. Additionally, it appears that no one nation would receive benefits substantial enough to justify one form or another of retaliation for "wrongs" committed by one or the other party. The question is more a matter of rationality and common sense, dictating decisions in terms of national interests, rather than profit and trade.

One of the most commonly mentioned of the littoral states' complaints against Japan has been the latter's so-called "exploitive" business practices. There is substantial evidence to indicate that Japan has indulged
in practices such as floating loans at excessively high interest rates as well as attaching all sorts of strings to its aid. Japan has also speculated in various commodity markets and in the case of Indonesia, actively interfered in the Japanese textile industries. The behavior of the Japanese (businessmen and tourists alike) too often has been characterized by South-East Asians as boorish. In spite of this, suppose as a reaction to the hostility generated by these methods and behavior as well as to the increasing cost of fuel oil brought on by extra-regional factors, Japan decided to pull-up stakes and go home? A move such as this would result in economic chaos throughout the region. While it could certain behoove the Japanese to reform some of their methods, it would also be incumbered upon those receiving the benefits of Japanese aid and assistance to be a little more tolerant.

The strategic importance of the Malacca Straits, although not really disputed by anyone, should no longer be used by Japan and other states to justify a wide range of policies which may have only secondary relevance. There are those in Japan, particularly among certain conservative elements of the business community, who have been making a great deal of noise about sending elements of the Maritime Self-Defense Force, south to insure Japan's continued access to the Straits. A number of these elements would benefit by an increase in both the size of the MSDF and its mission. There are certain groups in Indonesia who
use the question of continued passage by the maritime powers, particularly Japan through the Malacca Straits, as a vehicle for gaining as much political mileage as they can. However, it is doubtful that the littoral States are going to close the Straits to Japanese tankers, although in the interests of safety and ecology, they will most certainly impose limits as to the size and draughts of ships permitted to navigate through the narrow Straits.* Too many nations have too much to lose to permit arbitrary and unfair restrictions from being imposed by the littoral States.

If the Japanese are truly worried about the Straits being closed then they perhaps should think about projecting a more positive image of themselves in the area. The image they should endeavor to project should be one of a fellow Asian, though materially better off, who sees a considerable stake in the region's development and political stability. Economic measures adroitly handled will bring returns measured in more than dividends and profits but more appropriately in political cooperation and regional stability.

*See Appendix 8.
IX. EVIDENCE AND DATA

NOTES


2. Ibid., p. 52.

3. Ibid.

4. Ibid., p. 117.


7. Ibid., p. 8.

8. For a scholarly treatment of one area of this rivalry see G. Irwin's Nineteenth-Century Borneo: A Study in Diplomatic History (The Hague, 1955).


12. Ibid., p. 244.


17. Ibid.


20. Ibid.


24. Miller, pp. 29-30. See also Capt. Edward F. Oliver, USCG, "Gargantuan Tankers--Privileged or Burdened?" U.S. Naval Institute Proceedings (Sept. 1970), p. 40. Oliver states that transportation costs for a 200,000 dwt tanker are 40 cents per barrel as compared to 52 cents in a 70,000 tanker.

25. Ibid., p. 3.

26. Miller, p. 27.


28. Miller, p. 28.


30. Miller, p. 29.


38. Ibid., p. 12.
40. Ibid.
41. FEER, March 18, 1974, p. 37.
42. FEER, February 14, 1974, p. 9.
43. FEER, Feb. 28, 1974, p. 10.
47. ARB, Feb. 1974, p. 2361.
49. ARB, February 1974, p. 2361.
52. FEER, August 13, 1973, p. 36.


58. Miller, p. 29 (see Chart).

59. Oliver, p. 29.


64. Interview with Imagawa Eiichi.

65. Ibid.


68. Interview with official of the Embassy of Malaysia.


70. ARB, April 1972, p. 773.

71. Ibid.

72. Interview with Indonesian official.


75. FEER, Feb. 26, 1973, p. 3.

76. Ibid.

78. FEER, May 14, 1973, p. 43.

79. ARB, April 1, 1973, p. 773.

80. Ibid., p. 772.

81. Ibid.


83. Interview with official of Singapore Embassy.
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Japan.
Indonesia.
Malaysia.
Singapore.

Academic Community

Dr. Martin Weinstein, Brookings Institute.
Professor Imagawa, Eiichi, Brookings Institute.
APPENDIX I

MAJOR SEA ROUTES IN THE SOUTH-EAST ASIAN AREA

Source: Miller, p. 1.
APPENDIX 2

JAPAN'S TRADE WITH EAST AND SOUTH EAST ASIA

APPENDIX 3

(A) JAPAN'S TRADE WITH SINGAPORE, MALAYSIA AND INDONESIA: 1973

<table>
<thead>
<tr>
<th>U.S. $ million</th>
<th>Japanese Exports Value</th>
<th>% increase</th>
<th>Japanese Imports Value</th>
<th>% increase</th>
<th>Japanese Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Singapore</td>
<td>930.0</td>
<td>32.0</td>
<td>223.1</td>
<td>84.5</td>
<td>706.9</td>
</tr>
<tr>
<td>Malaysia</td>
<td>447.6</td>
<td>69.6</td>
<td>775.7</td>
<td>96.1</td>
<td>-328.1</td>
</tr>
<tr>
<td>Indonesia</td>
<td>903.7</td>
<td>46.8</td>
<td>2212.4</td>
<td>84.7</td>
<td>-1308.7</td>
</tr>
</tbody>
</table>

(B) JAPANESE INVESTMENT ABROAD

<table>
<thead>
<tr>
<th>U.S. $ million</th>
<th>March 1973 Value % of total</th>
<th>March 1980 (est.) Value % of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Europe</td>
<td>1,659</td>
<td>24.5</td>
</tr>
<tr>
<td>North America</td>
<td>1,549</td>
<td>22.9</td>
</tr>
<tr>
<td>S.E. Asia</td>
<td>1,390</td>
<td>20.5</td>
</tr>
<tr>
<td>Middle East</td>
<td>606</td>
<td>8.9</td>
</tr>
<tr>
<td>Africa</td>
<td>148</td>
<td>2.2</td>
</tr>
<tr>
<td>Oceania</td>
<td>432</td>
<td>6.4</td>
</tr>
<tr>
<td>Latin America</td>
<td>989</td>
<td>13.3</td>
</tr>
<tr>
<td>Others</td>
<td>...</td>
<td>....</td>
</tr>
<tr>
<td>Total</td>
<td>6,773</td>
<td>100.0</td>
</tr>
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</table>

Source: FEER, March 18, 1974.
APPENDIX 4

JAPAN'S INCREASING DEPENDENCE ON OIL

# TOP FIVE SUPPLIERS OF OIL TO JAPAN
## 1972

<table>
<thead>
<tr>
<th>Country</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iran</td>
<td>36.6</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>15.4</td>
</tr>
<tr>
<td>Indonesia</td>
<td>13.2</td>
</tr>
<tr>
<td>Kuwait</td>
<td>8.9</td>
</tr>
<tr>
<td>Abu Dhabi</td>
<td>6.1</td>
</tr>
</tbody>
</table>

APPENDIX 6

COMPARISON OF NAVIES

Japan

Navy: 39,000.
11 submarines.
1 SAM destroyer with Tartar.
27 destroyers.
12 destroyer escorts/frigates.
20 submarine chasers.
2 minelayers.
42 coastal minesweepers.
5 motor torpedo boats (2 less than 100 tons).
3 tank landing ships.
1 medium landing ship.
6 landing craft.
42 small landing craft (less than 100 tons).
Naval air component: 200 combat aircraft.
9 maritime recce sqns with SP-2H, S-2F, P-2J, P6-1, and others.
About 60 helicopters incl S-61, S-62, Vertol 107, CM-34, and UH-19.
RESERVES: 300.

Indonesia

Navy: 34,000 (incl. 14,000 Marines). (Only a small part of the navy is operational.)
12 submarines (ex-Soviet W-class).
1 cruiser (ex-Soviet Sverdlov-class).
4 destroyers (ex-Soviet Skory-class).
11 frigates (including 7 ex-Soviet Riga-class).
18 coastal escorts (14 ex-Soviet, 4 ex-USA).
12 Komar-class patrol boats with Styx SSM.
8 patrol boats.
21 torpedo boats.
6 fleet minesweepers.
20 coastal minesweepers (6 ex-USA).
18 motor gunboats.
25 seaward defence boats (less than 100 tons).
6 landing ships.
7 landing craft.
2 Marine brigades.

Singapore

Navy: 600
1 seaward defence boat.
6 fast patrol boats.
1 landing ship.
2 landing craft.

Malaysia

Navy: 3,500.
2 ASW frigates (1 with Seacat SAM).
6 coastal minesweepers.
4 fast patrol boats (less than 100 tons).
24 other patrol boats (less than 100 tons) (4 more to be delivered in 1972).
1 landing ship.
A number of river craft.
RESERVES: 600.

APPENDIX 7

THE STRAITS OF MALACCA AND THE THREE TENTATIVE CANAL ROUTES ACROSS THE KRA Isthmus

APPENDIX 8

TRIPARTITE MEETING ON SAFETY OF NAVIGATION IN

STRAITS OF MALACCA AND SINGAPORE

June, 25-26

In keeping with the decisions contained in the joint statement of November 1971, in which the three coastal States had agreed to co-operate on the safety of navigation in the Straits of Malacca and Singapore and as a follow-up to the meeting held in Jakarta in July 1972, the delegation of Indonesia, Malaysia and Singapore met in Kuala Lumpur on June 25 and 26, 1973.

The meeting reviewed the progress of the studies made by the respective Governments on matters relating to navigational safety measures raised at the Jakarta meeting last year. The meeting was satisfied that there has been steady progress towards the attainment of the objective of ensuring the safety of navigation in the Straits of Malacca and Singapore.

The meeting agreed that there is a need for a limitation of draught of vessels passing through the Straits, having regard to the physical limitations of the Straits. It was also agreed that a group of experts from the three countries should carry out further studies with the view to establishing a Traffic Separation Scheme for the Straits of Malacca and Singapore. The group of experts would work out the details of the scheme taking into account a safety margin compatible with the interests of the coastal States to ensure the safety of the coastal States, as well as the interests of the users of the Straits.

The meeting also agreed to establish a body for co-operation and co-ordination of efforts in the Straits of Malacca and Singapore as envisaged in the joint statement of November 1971. The details of the structure, scope and responsibility of this body will be worked out by the three Governments.

The meeting agreed to continue the consultation in the spirit of tripartite co-operation.

Source: Ministry of Foreign Affairs, Malaysia, Foreign Affairs, Malaysia, Vol. 6, No. 2 (June 1973), pp. 76-77.
THE CO-RESPONSIBILITY OF CONGRESS IN FOREIGN POLICY

COMMENT

COMMENT ON QUESTION AS TO WHETHER THE CONGRESS OF THE UNITED STATES HAS CO-EQUAL RESPONSIBILITIES IN THE AREA OF FOREIGN AFFAIRS UNDER THE CONSTITUTION OF THE UNITED STATES BASED ON THE INTENT OF THE FRAMERS OF THE CONSTITUTION IN 1787

From: Thomas R. Kennedy, Staff Consultant, Asian and Pacific Affairs Subcommittee.
To: Hon. Robert N. C. Nix, M.C., Chairman.

PROPOSITION

That the Congress of the United States and the President of the United States have a joint responsibility in Foreign Affairs, with the full support of the historical evidence as to the original intent of the Framers of the Constitution at the Constitutional Convention in 1787.

HEARINGS: U.S. POLICY AND PROGRAMS IN CAMBODIA SUBCOMMITTEE ON ASIAN AND PACIFIC AFFAIRS, MAY 9-10, 1973

On May 9th, on page 15 of the Hearing Record, the following exchange takes place between Mr. Nix, Chairman of the Subcommittee and Mr. Brower, Acting Legal Adviser, Department of State in regard to the bombing being carried on in Cambodia by American forces:

Mr. NIX. Mr. Brower, the question put to you was by what constitutional authority is the bombing being ordered in Cambodia? As I understood your answer, first you said no additional authority was needed, the assumption being the authority already existed, but you did not give us the source of that authority. You followed that by saying that article 20. (Truce Agreement) was not necessary and it gave no independent authority for the President's action.

Mr. BROWER. Briefly stated, the President's authority is derived from article 2 of the U.S. Constitution as Commander-In-Chief of the Armed Forces and Chief Executive in the conduct of our foreign relations, both to guide and order the conduct of our forces which were then.

Senator Goldwater who appeared before the Subcommittee on the following day of these hearings stated in an article written for the Virginia Journal of International Law in 1973 that: (18 Va. Int'l L. 468, 465, 466, 1973):

"The Framers of the Constitution invested the Chief Executive with the foreign policy-making power because of a realization that a single individual with these powers would not be disturbed by the politics of the moment. He would look to the long course of history and use his powers more wisely than a Congress which is constantly looking toward the political results. It is my thought that the Founding Fathers understood that a Congress divided amongst minority interests might in some crucial moment in history be loath to give proper direction to a single necessary American course. Thus they found it proper to place the power of external affairs in a single person where the probability of minority weight would be much less likely to have this effect."

"The views expressed by those favoring the view of a near monopoly of Presidential influence and power in Foreign Affairs have a long and honorable history in American life but it is based essentially on a case by case development that (262)"
expands on incidents which took place in the Civil War, the First World War, Second World War and the Cold War. At such times in our history, Congress and the Judiciary have not sought to assert their jurisdiction against the Executive Branch. The point is that the Constitution as it has developed and as it was formed would not forbid such activity by the Legislative or Judicial Branches of Government. There is almost no material in the Constitutional Convention itself to support the view that the President has near plenary powers in Foreign Affairs. What evidence can be offered for such a view relates to Presidential assertiveness in the more than 180 years since the adoption of the Constitution, without Congressional or Judicial intervention.

Alexander Hamilton, the leading proponent of a strong executive at the Constitutional Convention, in No. 75 of the Federalist Papers, which commented on the new Constitution, said in part: "The history of human conduct does not warrant that exalted opinion of human virtue which would make it wise in a nation to commit interests of so delicate and momentous a kind as those which concern its intercourse with the rest of the world to the sole disposal of a magistrate created and circumstances as would be a President of the United States."

The Brower-Goldwater view is contradicted by the Arthur Bestor article in the Seton Hall Law Review cited above.

Mr. Bestor's view is that the United States Congress has joint power to act in matters of Foreign Affairs, based on the advice and consent clause which originally emphasized the advice as well as the consent role of the United States Senate and the Power of the Purse which was in large measure the power of the United States House of Representatives, where money bills originate.

**THE PHILOSOPHY BEHIND THE LANGUAGE OF THE ORIGINAL CONSTITUTION**

A. The United States Constitution was the direct descendant of the Articles of Confederation. Business at the Constitutional Convention was not conducted with the thought in mind that the delegates were there to limit or even to expand the powers of a central executive. There had been no national executive, since the Congress conducted the national business. The mere creation of a national executive does not lead to the conclusion that this was the main thrust of the convention. The creation of a central government which could deal with the common interests as opposed to the sectional interests of the states was the main thrust of the convention and this included the creation of all three branches.

B. The first problem to be solved was to establish a national judiciary; and as to Foreign Affairs, insure a strong judiciary capable of establishing judicial supremacy in matters of the interpretation of treaties. State Governments had, as it suited them, ignored treaties.

C. The second problem was to maintain the unity of the Northern and Southern states which had been strained over a commercial treaty negotiated by the Congress with Spain which was to the disadvantage of the South and the advantage of the North. Southern states had insisted, as a condition of negotiation with Spain, the obtaining of Spain's consent to treating the Mississippi River as an International Waterway open to the American states where it flowed through Spanish territory. Voting in the Congress on treaty matters was by State, with one vote per state. A two-thirds majority of nine states was needed to ratify a treaty. John Jay of New York negotiated the treaty with Spain; ignoring the Southern States' desire for terms on free passage over the Mississippi, and the Northern States attempted to ratify the treaty with seven votes rather than nine. The treaty was signed regardless of the shortfall of two votes. This led to the feeling on the part of the Southern states that they must have a two-thirds requirement written into the new constitution which would make any other attempted treaty with less support a nullity.

D. Because of the suspicion between the two sectional blocs of States, a compromise was reached whereby treaties would only go into effect if the United States Senate ratified such treaties by a two-thirds vote of those Senators present. The Senate was chosen as the treaty ratifying body since Senators represented States; if the House of Representatives had been included in the ratification process, the power of the smaller states would have been diluted since the House was to represent population rather than states.

This compromise was balanced by providing that money bills would originate in the House of Representatives. Originally the Committee of Details draft
proposal had provided that the Senate might not amend money bills. This provision was struck by the Full Convention.

E. Thus the key issues during the convention were sectional and economic issues. There was little comment on establishing a powerful presidency, let alone one which would have an all powerful role in Foreign Affairs.

**THE PRESIDENT AS CHIEF EXECUTIVE AND FOREIGN AFFAIRS**

Article II of the Constitution begins: "The Executive Power shall be vested in a President of the United States."

Article X of the Draft Constitution presented to the Convention for action, contained similar language but also provided for the appointment of Ambassadors by the Legislative Body, and provided the legislature with the power to "make war" and to "make treaties." Under the Articles of Confederation, Congress had done both. Thus the change in favor of the Executive Branch by the Convention can only be understood in terms of specific grants of foreign affairs powers since the Convention worked by parceling out grants of power, and left portions of the "making of war" and "making of peace" powers with the Congress.


"The question in which we are interested demands, therefore, a somewhat precise statement. It may be put thus: Where does the Constitution vest authority to determine the course of the United States as a sovereign entity at international law with respect to matters in which other similar entities may choose to take an interest? Many persons are inclined to answer "in the President"; but they would be hard put to it, if challenged, to point out any definite statement to this effect in the Constitution itself. What the Constitution does, and all that it does, is to confer on the President certain powers capable of affecting our foreign relations; and certain other powers of the same general kind on the Senate, and still other such powers on Congress; but which of these organs shall have the decisive and final voice in determining the course of the American Nation is left for events to resolve."

**THE PRESIDENT AS COMMANDER-IN-CHIEF AND THE WAR POWERS**

Alexander Hamilton, in No. 69 of the Federalist Papers, pointed out that the power of the President to act as Commander-In-Chief of the Armed Forces was much inferior to the power of the King of England, because he said: "While that of the British King extends to the Declaring of War and to the raising and regulating of fleets and armies, all which by the Constitution under consideration, would appertain to the legislature."

In short, the power of the Commander-In-Chief as first soldier was to issue orders to the Armed Forces within a framework established by Congress. The desire of the Congress in creating such a post was not adventurism in Foreign Affairs, but to establish civilian control of the military. The keen desire of the Convention to limit military power can be shown by the fact that even the Congress was limited to appropriating money to the military for two years at a time. Congress was to retain not only the power to declare war but to issue commissions to privateers, to make rules concerning captures of land and water and to define and punish piracies and offenses against the law of nations which might be considered powers dealing with half war situations. (Barbary Pirates.)

The debate on war powers in the drafts offered to the Convention in which Virginia delegates, Madison and Mason, urged successfully that the Congressional power to "make war" be amended to read to "declare war," only shows that the delegates wished to protect the Executive's Right to Fight. Back in matters of surprise attack and to protect the Executive's Power To Manage A War once it was declared, from a future misinterpretation by Congress. In summary, the power of Congress was so strong in the matter of national defense that clarification was needed to protect new presidential powers.

**CONCLUSION**

The derivation of the terms of the Constitution of the United States from the Articles of Confederation is the key to the deliberations of the delegates at the Constitutional Convention.

The Congress, as has been previously said, conducted the national business including foreign affairs under the Articles of Confederation. Foreign Affairs was conducted through the Secretary of Its Department of Foreign Affairs. John Jay
of New York, one of the authors of the Federalist Papers, served in this post, and he was a convention delegate. Notes on the convention debates were kept by James Madison, later President of the United States. His views as to what occurred at the convention are confirmed by the Federalist Papers and correspondence of those associated with the convention.

There is almost no historical evidence that the delegates intended to create a Presidential monopoly in foreign affairs. There is every reason to believe that they meant that “Advice and Consent” were two concepts and that the Senate should participate in treaty matters before the ratification stage was reached. As it turned out, the Senate itself, in its procedural formula, later took the position that it would ratify only and disapprove by means of reservation. The formula used is as follows: “Resolved (Two-thirds of the Senators present concurring therein), that the Senate advise and consent to the ratification of “The Treaty” in question.”

Changes demanded in a treaty are listed as reservations.

The uniquely American view of Executive Power, or at least its view contrasted with England's, can be examined in light of the differences between Blackstone's views and those of the Constitutional delegates. They regarded foreign affairs as not a matter of royal or executive prerogative; this was in direct conflict with the English or Blackstone position. In contrast, they did use some of the experience of their English forebears in Parliament's battle with Kings. The phrase, Advise and Consent, has been contained in the enacting clause of every English statute since the late 17th Century, that is: “Be it enacted by the King's most excellent majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons, in this present parliament assembled, and by the authority of the same.”

Therefore, it would seem that the original intent of the Framers of the Constitution was to create branches of Government co-equal in Foreign Affairs as in Domestic Affairs. Events have created a primary place for the Executive Branch in Foreign Affairs, but it is only policy considerations which restrain the Judiciary and the Legislature from playing a more active role.
DEFENSE MONITOR IN BRIEF

- There are 200,000 U.S. troops in Asia after U.S. withdrawal from Vietnam and the Pentagon plans to build new bases in the Pacific and Indian Oceans. The time is at hand to make some tough choices about the nature of future U.S. military involvement in Asia. The Center has reached the following conclusions:
  - The U.S. could bring home the 88,000 military personnel from its bases on the mainland of Asia and Taiwan without having any impact on the U.S. defense posture. There is no military threat to the area unless it be the Soviet-Chinese dispute along China's border, and it would not be in the best interests of the U.S. to become involved in a war between China and the Soviet Union.
  - There is much sentiment throughout Southern Asia and the Pacific for U.S. military withdrawal from the area. Japan has no great need for the U.S. ships and troops based there. Nuclear weapons on any U.S. ships based in Japan are in violation of Japan's policy that prohibits the presence of nuclear weapons.
  - The construction of and expansion of U.S. military bases in the Pacific and Indian Ocean are unnecessary and probably will increase military tensions in the area. Countries that rim the Indian Ocean would like it to be a nuclear-free demilitarized zone.
  - U.S. forces stationed in countries controlled by dictators such as South Korea, the Philippines, and South Vietnam do not enhance U.S. foreign or domestic policies.

Well over half a million out of a total of 2.2 million active duty U.S. military personnel are deployed outside the United States. Three hundred twenty thousand are in Europe and the North Atlantic and 250 thousand in Asia and the Pacific area. Forty-five thousand military personnel are based in Hawaii. There are 222 major U.S. military installations overseas, excluding Southeast Asia; 73 are in the Pacific command; in Southeast Asia there are 3 major bases in Thailand.

The U.S. Pacific Command with headquarters in Hawaii reaches halfway round the world and includes the Pacific Ocean, Bering Sea, Indian Ocean, Japan, Korea, China, India and all countries in Southeast and Southern Asia, all islands from the west coast of North and South America to the East Coast of Africa. As present the Pacific Command is headed by Admiral Noel Gaylor, USN.

A major base is defined as one which employs a minimum of 500 military personnel.

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for military purposes. We feel we should also ask to acquire the southern third . . ."

There are current plans to build, 1975-1982, an airfield, port, logistics complex, training area, and support facilities, all of which will cost an estimated $188 million. When the base is completed, there will be 2600 U.S. military personnel on Tinian.

U.S. Military Bases in Pacific Command

There are at least 73 major U.S. military bases spread throughout the Pacific area; most are in Korea, Japan, and Okinawa. Others are in the Philippines, Taiwan, Thailand, the Marianas, Australia, New Zealand, Midway Island, and Wake Island.

The Navy has based one carrier in Japan, and 14 other ships in Japan, the Philippines and Guam. The U.S. maintains 925 military aircraft at major air bases in seven countries: Guam, Japan, South Korea, Okinawa, Philippines, Taiwan, and Thailand. There are Military Assistance Advisory Groups in nine countries: Japan, Korea, Philippines, Taiwan, India, Indonesia, Pakistan, Thailand, and Iran.

There are 8 U.S. naval carrier task forces stationed in the Pacific with 720 aircraft; three of these carriers make up the 7th fleet in the Western Pacific and one of them periodically now patrols the Indian Ocean. Sixteen submarines and 32 surface ships are based at Pearl Harbor, Hawaii. The U.S. Strategic Air Command bases 50 long-range B-52 bombers in Thailand and 25 in Guam, for combat with non-nuclear weapons, although there are nuclear weapons available for them.

Special Forces (Green Berets)

Fifteen hundred military personnel in the 1st Special Forces Group (Green Berets) based at Okinawa have helped in counter-insurgency in the southern Philippines and are active in the Marshall Islands. A Battalion (300) of the 5th Special Forces Group is in Thailand, divided among 6 detachments at 9 locations. They train Thai in counter-insurgency operations, and advise and assist the Royal Thai Army Special Warfare Center which includes training Cambodian Special Forces and Cambodian infantry units. Special Forces are trained in the SPARTAN (Special Proficiency at Rugged Training and Nation Building) program at the JFK Center for military assistance at Fort Bragg, N.C.

CIA

The Central Intelligence Agency operates its own airline, Air America, from Taiwan for intelligence missions about the Far East; its subsidiary, Air Asia, provided service and overhauls for jet fighters that fought in Vietnam. Air America operates in Thailand, Laos, and Cambodia. As reductions have occurred in Southeast Asia in U.S. military personnel, CIA's Air America has doubled its Defense Department contracts from $17.7 million in 1972 to $41.4 million in 1973. The CIA contingent in Thailand numbers 150 personnel. CIA also maintains paramilitary advisors in Cambodia and Laos, who train and pay the Lao "irregulars".

Strategic Submarines

* Ten U.S. strategic ballistic missile-carrying submarines are based at Guam. Thirty-one ballistic missile submarines are based in Spain, Scotland, and South Carolina. Normally, 10 U.S. ballistic missile subs are available in the Pacific and Indian Ocean in position to attack the Soviet Union and China. These ten Pacific and Indian Ocean subs can carry about 460 ready nuclear weapons.*

Construction is underway of a fleet of ten of the huge Trident missile submarines to be based at Bangor, Washington, for operations in the Pacific and Indian Ocean. Each Trident sub is to carry 24 nuclear missiles, every missile with about 17 separate nuclear weapons. These subs will bring a total of 4,080 additional nuclear weapons to the Pacific and Indian Ocean area. By the mid 1980's the U.S. would have about 4,500 undersea nuclear weapons in the Pacific and Indian Ocean.

*When Poseidon subs with MIRVed missiles are in the area the number of nuclear weapons will be much larger.

Treaties

The most frequently given reason for stationing troops in Asian countries is the SEATO (South East Asia Treaty Organization) treaty, signed in 1954 by Australia, France, New Zealand, Pakistan, Philippines, Thailand, the United Kingdom and the U.S. It does not call for the stationing of U.S. troops in any country. SEATO at present, is useless as a military alliance. Pakistan withdrew from the organization in November 1973; France has long been inactive and is stopping dues payments; New Zealand is phasing out its military commitments; Australia did not participate in 1973 naval maneuvers; Secretary-General Sunthorn Hangladaren has suggested that SEATO begin to serve more as a deterrent against subversion and insurgency, and be a clearing house for intelligence information for the benefit of member countries and an aid in their economic development. SEATO is a weak excuse for stationing troops abroad if the signatory countries themselves are questioning its proper role.

The many separate bilateral mutual security treaties and executive agreements that have been signed by the U.S. with China (Taiwan), Fiji, Indonesia, Cambodia, Korea, Laos, Malaysia, Philippines, Vietnam, Singapore, and Thailand do not provide for the stationing of U.S. troops in any particular country.
Under the mutual security treaty signed with Japan, there is a further agreement on facilities and status of U.S. forces in Japan; and there is an agreement signed in 1963 which permits the U.S. to station a Nike and 2 Hawk air defense missile battalions in Japan. A provision of the "mutual defense" treaty with the Republic of China gives the U.S. the right to station military forces in and about Taiwan: the "Formosa Resolution" passed by Congress in 1954 gave prior authority to the President to employ U.S. forces to defend Taiwan and the Pescadores. Since the renewal of U.S. relations with China, however, the "Formosa Resolution" is no longer considered a valid authority.

**Military Assistance and Sales**

U.S. Military Assistance and Sales to Pacific and East Asian countries in FY 1972 amounted to over $5 billion, the bulk going to Vietnam. In FY 1974 over $3 billion (not including cash sales) will be provided for military aid and assistance to East Asia and Pacific area. Under the naval vessel loan program, 118 naval vessels are on loan to the Pacific countries. In almost all cases ships loaned are never returned.

Funds for aid and training of internal police forces, under the heading, Public Safety, will be going to Thailand, Laos and the Philippines in 1974, although Congress is having this program phased out beginning FY 1974, allowing no new contracts or extensions of existing contracts to be funded by the U.S. government.

Large increases in cash sales of military equipment are central to the Nixon doctrine. DoD military cash sales worldwide have increased from $2.9 billion in 1972 to an estimated $3.9 billion in 1974; commercial arms sales increased from $160 million to an estimated $726 million in 1974.

The General Accounting Office reported that the U.S. military assistance delivery team in Cambodia has been overstepping its functions and performing as a military assistance advisory group, helping with military plans, operating Cambodian headquarters, running their supply system. This is in violation of Congressional bans on sending U.S. combat troops or military advisors into Cambodia.

**U.S. Pays to Train Foreign Military**

Requested FY 1974 military training and equipment funds for East Asia and the Pacific were:

- Cambodia: $5,906,000
- ROC (Taiwan): 200,000
- Indonesia: 1,974,000
- Laos: 411,000
- Malaysia: 200,000
- Philippines: 611,000
- Thailand: 1,450,000
- Regional Costs: 300,000
- Total: $13,272,000

* These countries permit no political opposition.

**U.S. and Soviet Naval Forces in the Pacific**

<table>
<thead>
<tr>
<th>U.S.</th>
<th>Soviet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nuclear Ships: 1</td>
<td>none</td>
</tr>
<tr>
<td>Aircraft Carriers: 3</td>
<td>none</td>
</tr>
<tr>
<td>Frigates: 33</td>
<td>36</td>
</tr>
<tr>
<td>Submarines: 11</td>
<td>43</td>
</tr>
<tr>
<td>Conventional Ships: 7</td>
<td>none</td>
</tr>
<tr>
<td>Aircraft Carriers: 4</td>
<td>2</td>
</tr>
<tr>
<td>Helicopter Carriers: 3</td>
<td>none</td>
</tr>
<tr>
<td>Cruisers: 12</td>
<td>3</td>
</tr>
<tr>
<td>Frigates: 37</td>
<td>24</td>
</tr>
<tr>
<td>Destroyers: 45</td>
<td>28</td>
</tr>
<tr>
<td>Destroyer Escorts: 31</td>
<td>18</td>
</tr>
<tr>
<td>Large Amphibious Ships: 11</td>
<td>43</td>
</tr>
<tr>
<td>Total: 187</td>
<td>154</td>
</tr>
<tr>
<td>Aircraft Patrol Squadrons: 12</td>
<td>2</td>
</tr>
</tbody>
</table>

*Source: DoD and Center for Defense Information*

**U.S. and Soviet Naval Forces**

The Soviet Navy is no match for the U.S. Navy in the Pacific. In addition, the Soviet Navy may have to contend with a number of submarines and other ships of the Chinese fleet. The threat to U.S. forces and interests in the Pacific from China and the Soviet Union has been greatly diminished in recent years because of growing antagonism between those two countries.

The Soviet Pacific Fleet has no aircraft carriers to project power ashore or to attack the U.S. fleet.

On land, the Soviet Union has about 40 divisions along the Chinese border, and another 5 to 10 divisions elsewhere in Asiatic Russia.

**Indian Ocean**

Soviet ships first appeared frequently in the Indian Ocean in 1968, and they have operated from 8 to 11 logistic ships and small warships in the area. On rare occasions the Soviets operated a cruiser in the Indian Ocean.

For over 20 years the U.S. has maintained permanently a Middle East naval force under command of an admiral making visits to many ports on the littoral. The U.S. has also maintained bases and facilities in the area and has provided military assistance, military advisors, training of foreign troops. Since October 1973, the U.S. has kept an aircraft carrier, 3 destroyers and 2 other ships (of Destroyers and 2 others) in the Indian Ocean. In addition to its Middle East Force.

There is no military or naval Soviet threat to the U.S. in the Indian Ocean. The American Institute of Defense Studies and Analyses reasons.

*In strategic terms, the Indian Ocean cannot be used operationally by the Soviet Union against its main adversary, the United States.*
Strategic Submarine Nuclear Weapons in the Pacific Area

<table>
<thead>
<tr>
<th>Country</th>
<th>Type of Submarine</th>
</tr>
</thead>
<tbody>
<tr>
<td>USSR</td>
<td>11 submarines carrying 137 strategic nuclear missiles (includes 3 H-class with 3 missiles each)</td>
</tr>
<tr>
<td>US*</td>
<td>10 submarines carrying 160 missiles that have multiple nuclear weapons: 480 in all</td>
</tr>
</tbody>
</table>

* The U.S. also has thousands of tactical nuclear weapons on ships and on land in Korea, Okinawa and Guam for use in missiles and Air Force aircraft.

If there is a war, the major Soviet naval effort will be directed against the Atlantic, Pacific, and Mediterranean lifelines of the Western powers: and the Indian Ocean can only be of marginal interest to them.

On the other hand, for the United States the Indian Ocean is a major offensive development area for their ballistic submarines against the Soviet Union. . .

U.S. Troops Defend Dictatorships

South Vietnam

U.S. troops have been withdrawn from South Vietnam, yet there are over 8,000 "non-military" U.S. personnel and approximately 200 military personnel there. Most of the non-military are Defense Department contract personnel, whose function is military training, intelligence operations, and liaison with Vietnamese forces. Many former U.S. military men are employed in these roles.

South Korea

South Korea has been under martial law since October 1972. Senate Foreign Relations Committee staff members who visited there in November, reported "The Assembly had been dissolved, an action not provided for in the constitution, and there were tanks (provided by the United States under the Military Assistance Program) in front of the National Assembly building, government ministries, newspaper offices and universities." President Park has been given greater powers and there is no limit to the number of 6-year terms to which he can be re-elected. The U.S. has spent $36.9 billion in South Korea 1946-1972 for war costs, economic and military assistance and to maintain forces there. Currently there are 42,000 U.S. troops at over 40 facilities in Korea. Korea is the headquarters for the 8th Army, the U.N. Command/26th U.S. Forces, and Army I Corps, with 15,445 military personnel assigned to these headquarters.

The Philippines

President Marcos instituted martial law in September 1972. A new constitution gave Marcos the powers of both president and prime minister for as long as he likes. Arrest and suppression of rebels continues, particularly in the Southern Philippines, "locus of Muslim Insurrection." Special Forces from the 1st Special Forces group based on Okinawa were deployed to the Southern Philippines in the later part of 1973. In addition, there are 14,000 U.S. military personnel at 6 bases in the Philippines. The U.S. Naval Base at Subic Bay is the largest naval base in a foreign country in the Pacific. It is frequently used by Navy ships for repair and overhaul, and one submarine is permanently based there.

Clark Air Force base is home for a large number of U.S.A.F. aircraft and personnel.

Thailand

There are 39,000 U.S. troops in Thailand, the 13th Air Force with 50 B-52 bombers, 19 KC-135 fuel tankers, and 230 combat aircraft. The U.S. has 6 air bases in Thailand, 3 are major bases. The U.S. bases in Thailand provide logistical support to Laos and Cambodia. Also in Thailand are the U.S. Support Activities Group (which replaced the Military Assistance Command, Vietnam), a U.S. Special Forces Battalion, the U.S. Military Assistance Command, and 2,300 U.S. military internal security personnel.

Republic of China [Taiwan]

There are 8,000 U.S. officers and men on Taiwan and 54 aircraft at three major bases. Taiwan is also the headquarters for Air Asia, subsidiary to the CIA-owned Air America airline, which carried out overflights of China and Tibet and was involved in CIA's secret war in Laos.

The U.S. commitment to the defense of Taiwan and the Pescadores Islands is lessening since Congress withdrew the prior authority previously given to the President. It is doubtful if Taiwan contributes in any way to the defense of the United States.

Japan

The U.S. has 85 bases, and military installations, and 19,000 military personnel stationed in Japan. The Navy for the first time in history has based in Japan 1 attack carrier and associated air wing, 1 guided missile light cruiser, 6 destroyer-type ships, and 3 combat stores ships. The U.S. aircraft carrier capable of carrying nuclear weapons violates the Japanese policy which prohibits nuclear weapons in Japan. There has been opposition in Japan to the U.S. - Japanese agreement that authorizes the U.S. to maintain military forces in Japan. Moreover, since Japan's recognition of China in 1972, the continued need for large U.S.
military forces in Japan is no longer as important as it once was. The U.S. plans a token reduction of military personnel of 10% and the relocation of some Japanese bases over the next three years. There will be some construction of new facilities at semi-permanent U.S. bases to replace those that the U.S. is giving up elsewhere. Planned reduction of military personnel in Japan is only 2,100. Japan herself has a modern growing military "self-defense" force of:

- 13 submarines (newly constructed in Japan)
- 166 surface combatants
- 110 naval aircraft
- 386 Air Force aircraft
- 266,000 military personnel
- 39,000 reserves
- 120 surface-to-air missile launchers for HAWK missiles

The constitution of 1947, prohibits the Japanese from maintaining armed forces. Japan is in the process of deciding what level of U.S. presence is needed. A significant reduction of the U.S. military presence in Japan would seem a logical course in any event. The U.S. has withdrawn from Vietnam, and both the U.S. and Japan are on improved terms with the People's Republic of China. Japan is strong enough economically and advanced technologically to maintain her own defense against any likely Chinese threat.

### Okinawa

Once again part of Japan, Okinawa has a total of 77 U.S. bases, properties, and facilities, and 37,000 U.S. military personnel. The 1st Marine Airwing is based there, with 92 aircraft. Air Force high flying long range electronic intelligence aircraft rotate through Kadena, Okinawa. The first Special Forces Group (Green Berets) is based on Okinawa. U.S. installations on Okinawa are to be reduced over the next three years to 70 and of those, 13 will be reduced in size. There is no planned reduction in numbers of military personnel.

#### U.S. Military Personnel in the Pacific

<table>
<thead>
<tr>
<th>Country</th>
<th>Personnel</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Korea</td>
<td>42,000</td>
</tr>
<tr>
<td>Thailand</td>
<td>39,000</td>
</tr>
<tr>
<td>Japan</td>
<td>19,000</td>
</tr>
<tr>
<td>Okinawa</td>
<td>37,000</td>
</tr>
<tr>
<td>Philippines</td>
<td>14,000</td>
</tr>
<tr>
<td>Taiwan</td>
<td>8,000</td>
</tr>
<tr>
<td>Guam</td>
<td>14,000</td>
</tr>
<tr>
<td>Australia</td>
<td>1,000</td>
</tr>
<tr>
<td>Midway</td>
<td>1,000</td>
</tr>
<tr>
<td>Laos</td>
<td>237</td>
</tr>
<tr>
<td>Vietnam</td>
<td>225</td>
</tr>
<tr>
<td>Cambodia</td>
<td>111</td>
</tr>
<tr>
<td>Afloat (West Pacific)</td>
<td>29,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>204,573</strong></td>
</tr>
</tbody>
</table>

#### Military Assistance Requested, FY 1974

<table>
<thead>
<tr>
<th>Country</th>
<th>Assistance</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Korea</td>
<td>316,000,000</td>
</tr>
<tr>
<td>Thailand</td>
<td>99,000,000</td>
</tr>
<tr>
<td>Philippines</td>
<td>31,000,000</td>
</tr>
<tr>
<td>Taiwan</td>
<td>69,000,000</td>
</tr>
<tr>
<td>Laos</td>
<td>372,000,000</td>
</tr>
<tr>
<td>Vietnam</td>
<td>2,133,000,000</td>
</tr>
<tr>
<td>Cambodia</td>
<td>381,000,000</td>
</tr>
<tr>
<td>Indonesia</td>
<td>31,000,000</td>
</tr>
<tr>
<td>Malaysia</td>
<td>19,000,000</td>
</tr>
<tr>
<td>Regional</td>
<td>9,000,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,460,000,000</strong></td>
</tr>
</tbody>
</table>
US FOREIGN ECONOMIC AND MILITARY ASSISTANCE TO
EAST ASIA AND THE PACIFIC
1948-1973...........$200 BILLION

(Source: House of Representatives
Report No. 93-634
December 4, 1973)

Vietnam $141
Korea $37
Other $4
Indonesia $2
Thailand $2
Laos $2
Philippines $2
Japan $4
Republic of China $6

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CENTER FOR DEFENSE INFORMATION,

Hon. Robert N. C. Nix, M.C.,
Chairman, Asian and Pacific Affairs Subcommittee, Committee on Foreign Affairs, House of Representatives, Washington, D.C.

DEAR REPRESENTATIVE NIX: When I testified before the committee earlier this month, you asked me if I could substantiate Admiral La Rocque's remarks about the danger of the theft of American nuclear weapons abroad by terrorist groups. I indicated at that time that I would like to provide that information for the record. That information follows. I would greatly appreciate it if you would add it to the record of the hearings. Tom Kennedy also asked for an explanation of the statistics of military and economic aid reported on page eight of the March, 1974 Defense Monitor. That information is also provided below.

The danger that U.S. nuclear weapons abroad could be stolen by terrorists and used for nuclear blackmail is real.

1. Recent press reports indicate that in an exercise, U.S. Green Berets succeeded in penetrating the security systems designed to protect nuclear weapons. If the Green Berets could do it, terrorists could do it.

2. The U.S. has at least 15,000 military weapons in the U.S. and around the world. Periodically, they have to be tested. If one proves defective in some way, it has to be replaced by another weapon. As a result, U.S. nuclear weapons are regularly transported to many locations around the world. The danger of accident or theft increases in direct proportion to the frequency of these shipments. Furthermore, these weapons are moved frequently as part of various military exercises. This also increases the danger.

3. Another indication that this is a serious problem is the concern recently shown by the Pentagon for improving weapon security and safeguards. In a statement before the Senate Foreign Relations Committee Subcommittees on U.S. Security Agreements and Commitments Abroad and Arms Control, International Law and Organization, on April 4, 1974, Secretary of Defense Schlesinger described a long list of steps that the Pentagon is taking to improve nuclear weapon security. The fact that the Pentagon is undertaking these steps is clear evidence that they regard the problem as serious. The steps include: 1) reduction of weapon movements, 2) consolidation of weapon storage sites, 3) increased site defense and improved training for security forces, 4) improvements in the sites themselves such as lighting, road barriers, and weapons security devices. Research is being conducted on ways of detecting unauthorized intrusion, denying access to and disabling (denial/disable systems) nuclear weapons. Because this problem is so important, the Congress should closely monitor the progress of these programs to insure full and complete implementation.

The military and economic assistance figures provided in the March 1974 Defense Monitor, page eight, are from the House of Representatives Report No. 98-694. They include net economic and military assistance, including that military assistance financed from the Department of Defense, and are for the fiscal years 1946 to 1973. There are essentially two differences between the figures provided by earlier witnesses before the committee and our figures: 1) figures given to the committee are for the years 1946 to 1974, while our figures are for 1946 to 1973, 2) the $37 billion figure that we gave for Korea includes $25 billion financed by the Department of Defense which is not included in the figures given to the committee by earlier witnesses. Thus, if the $25 billion financed by the Defense Department is added to the approximately $12 billion in military and economic aid to Korea reported by earlier witnesses one arrives at the figure of $37 billion reported in page eight of The Defense Monitor.

Thank you for giving me the opportunity of testifying on this important matter. I share your concern with American Forces in Asia. I hope we have the opportunity to share our views with you in the near future.

Sincerely,

STEFAN H. LEADER,
Staff Associate.