Father CHARLEBOIS. Again, this is a serious and important problem. The ethnic Vietnamese have always been considered the enemy of the Cambodians. All you have to realize is that the delta of Vietnam was at one time part of Cambodia. And so I am afraid, although it is difficult to say as a priest, that regardless of who says what or who does what—that the ethnic type hatred is almost inbred in Indochina. And it is very, very difficult for the country of Cambodia, because the Vietnamese have been the craftsmen, the Vietnamese have been their technicians and agriculturist to a large extent and they have been people with the motivation and people with the spirit of moving ahead.

Senator KENNEDY. There are about 200,000 of those left, is that right?

Father CHARLEBOIS. I would say there are more than that, Mr. Chairman.

Senator KENNEDY. And how are they surviving?

Father CHARLEBOIS. Most of them, I would say, are making plans at this moment of finding their way back to Vietnam. I don't think they are making any plans at all to stay in Cambodia at this time.

It is interesting, Mr. Klein and I were just talking about how it is significant that down at the Parrot's Peak the Vietnamese from Cambodia are still getting out of the country back to Vietnam. Of course they must make the traditional bribe to the Viet Cong or whoever is controlling the area.

Senator KENNEDY. I don't know whether either of you had a chance to see the story, the New York Times story out of Phnom Penh this morning, about the high civilian toll and the bombing of Cambodia. The headline says that the U.S. bombing of Cambodia is leading toward many civilian casualties. I don't know whether either of you have been to these areas and are aware of the situation and have any reaction to it, or whether your information supports that general theme that comes through the story.

Father CHARLEBOIS. I think one of the aspects of the story in this morning's New York Times is that when you have prearranged flights for destruction and for bombing, they are presupposing hard intelligence information to that effect in Cambodia. But the flexibility and the mobility of the villages and the hamlets is such that more often than not it is many hours before they can move, and our bombings, as I understand them, are programmed further than that. So that where they make in good conscience, if I can use that word with regard to bombing, where they plan to hit a non-civilian area, they could well be dropping bombs on a civilian area at that moment, because you have people on the move, you have refugees in flight. And I know of no way that this is predictable in the ideally scientific, if one can use that word, ideally scientific bombing raids that we are conducting.

In 1 day, 6,000 refugees arrived on just the one road coming to Phnom Penh, many of them maimed by the bombings of 2 days before.

Mr. KLEIN. As that article pointed out, Mr. Chairman, the reporter said that it was very difficult to assess the impact of the bombing in terms of refugee casualties because of the difficulty of moving around and seeing field conditions in Cambodia. I think he
gives the same impression that I have, and I think that Father Charlebois has, that you can not have massive bombing without having casualties and without creating refugees. That is one of the things that I remember in that article as I read it over carefully this morning. That is one of the things that stands out; there is just a cause-and-effect relationship there that is predestined.

Senator Kennedy. Thank you very much, Mr. Klein.

And thank you, Father.

I hope maybe you can remain for the morning while the hearing continues. Thank you very much, gentlemen.

We will next hear representatives of the Administration. I want to welcome back Robert H. Nooter, Assistant Administrator, Bureau for Supporting Assistance in the Agency for International Development; Ambassador Arthur W. Hummel, Jr., the Deputy Assistant Secretary of State for East Asian and Pacific Affairs, Department of State; and Dennis Doolin, Deputy Assistant Secretary of Defense for East Asian and Pacific Affairs, Department of Defense.

In line with our previous practice, we might get an overall view of the situation from Mr. Hummel, then hear from Mr. Nooter and Mr. Doolin.

We want to welcome you gentlemen back to the committee and thank you for your appearance here this morning. The Agency for International Development filed a statement with us yesterday and we want to thank them for doing so. We haven't had anything from the State Department, but we will hear from them.

Mr. Hummel?

STATEMENTS OF HON. ROBERT H. NOOTER, ASSISTANT ADMINISTRATOR, BUREAU FOR SUPPORTING ASSISTANCE IN THE AGENCY FOR INTERNATIONAL DEVELOPMENT; ARTHUR W. HUMMEL, JR., DEPUTY ASSISTANT SECRETARY OF STATE FOR EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE; AND DENNIS DOOLIN, DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF DEFENSE

Mr. Hummel. Thank you, Mr. Chairman. I am pleased to appear before this committee this morning to discuss assistance to war victims in Cambodia.

My colleague from the Agency for International Development of course has the major responsibility for U.S. assistance programs that have been implemented, and he will have a detailed statement to make in that regard.

My appearance here would perhaps best serve to place in perspective the recent U.S. role. Within 24 hours of the signing of an accord to end hostilities in Vietnam, the Government of the Khmer Republic implemented a unilateral cessation of offensive actions for the purpose of encouraging the departure of Vietnamese combat troops from Cambodian territory as required by the accord. That offer was responded to not by a ceasefire but by an increase of military pressure by both the North Vietnamese-sponsored Khmer insurgents and the North Vietnamese troops still in Cambodia. The forces opposing the Government troops have in the ten weeks since the
Paris Accord made a determined effort to topple the legitimate Government in Phnom Penh. As a result, we have been asked for continued assistance by the legitimate Government of Cambodia, and have responded with economic and military assistance, including air support.

The North Vietnamese disregard for the full implementation of the Paris Agreement by North Vietnam is at the base of the current Cambodian situation.

I think, Mr. Chairman, that at this point I would ask Mr. Nooter to address more specifically the plight of war victims and the AID programs relating to that subject.

Mr. Nooter. Mr. Chairman, it is a privilege to appear before this subcommittee to discuss refugee problems in Cambodia. We appreciate the support which this subcommittee has given to the refugee programs around the world, which has helped to marshall public support for these humanitarian endeavors.

The situation with respect to displaced persons in Cambodia has undergone a number of changes since the hearing which this subcommittee held last year on the same subject, and I would like to describe these changes as well as the actions being taken by the U.S. Government.

First, however, I would like to describe briefly the events of the previous two years and the setting in which U.S. efforts to assist in alleviating the problems of Cambodian refugees is taking place.

Senator KENNEDY. Just before you get into the details of the refugees, if I could, Mr. Hummel—I didn't know how extensive your statement would be, because we don't have a copy of it here—but before getting into the particulars of the refugees, there are just a couple of areas I would like to get into, and then we will hear Mr. Nooter and Mr. Doolin.

I was wondering if you could indicate to the subcommittee the authority, the administration's authority, for bombing Cambodia now. Are you prepared to make any kind of comment or statement on that, on the authority for the bombing?

Mr. HUMMEL. As for the legal authority, Mr. Chairman, I am not a lawyer and I am not competent to speak to that. I know that you are aware, sir, of a number of statements by high administration officials that address the background and the reasons for continued American support to the Khmer Government. The precise legal basis, as I say, I am not prepared to address.

I would like, though, to put, if possible, the subject into some perspective. First of all, the activities of the North Vietnamese in Cambodia could be, and in fact at the moment are, a very serious threat to the viability of the ceasefire in Vietnam. In fact, the North Vietnamese are violating article 20 of the agreement that they signed. The Khmer Government itself is being threatened by the activity of North Vietnamese. And therefore what I am saying is that
one of the reasons for our continuing support including military activities of the Khmer Government, is its intimate relation to the success of the ceasefire in Vietnam, the success that we all devoutly hope for.

Another reason, sir, more specifically related to Cambodia, is in terms of our objectives in Cambodia. Our objectives I think can be rather simply stated. We share with the Cambodian Government, and I think with most countries in the world, a desire for Cambodia to return to a genuinely neutral status under the Geneva Accords of 1954. And the first step in achieving that neutral status in the long run would be a ceasefire. And we feel that far from assisting in achieving a ceasefire, a cessation of all outside support for the legitimate government in Cambodia would probably postpone the ceasefire.

You may recall, Mr. Chairman, that a similar argument was made, and was vindicated, during the period between the Vietnamese ceasefire and the time 3 weeks later when a ceasefire was achieved in Laos. Some criticism was made of similar support at that time in terms of air support by the American Government for the Royal Lao Government. And we said then, and we were vindicated, that we felt that it was in fact an inducement for achieving a ceasefire for us to support the Royal Lao army, because if we failed to do so, the other side, the Communist side, would have no incentive to sign a ceasefire or to negotiate a ceasefire. And that judgment was vindicated.

So more specifically to Cambodia, I regret that we do not have immediate signs that the parties are getting together to negotiate a ceasefire in Cambodia. We all hope—

Senator Kennedy. Which parties would be getting together to negotiate it?

Mr. Hummel. The legitimate government, the Government of the Khmer Republic and the various insurgents—at least three other groups who are attempting to topple that government. Our hope is that discussions will begin, and eventually a ceasefire arrangement will be worked out among all the parties. I can not in all honesty say that this looks very close or very imminent. But I am trying to describe, sir, the long-range thrust of our policy, which is exactly the reverse of commitment or involvement; it is a desire for the return to neutral status, a genuinely neutral status of the Cambodian Government.

Senator Kennedy. And in the meantime we will continue bombing?

Mr. Hummel. Yes, sir, I believe we will, and I believe we should.

Senator Kennedy. And I understand you are not able to give us much hope that the three parties or the four parties, including the Lon Nol Government, will be getting together soon to negotiate a ceasefire; is that correct?

Mr. Hummel. No, sir, I can not in all honesty, with any confidence predict in the very near future the beginning of such negotiations. I will say, however, that the Government of the Khmer Republic has already been in touch with some of the insurgents, insurgent elements. These contacts have so far not resulted in the beginning of negotiations. But there have been contacts at the initia-
tive of the Government itself. And I believe that they are attempting to continue such contacts.

Senator Kennedy. And so, at least with regard to the impact on refugees, we ought to expect the bombing to continue—to bomb them into some kind of a ceasefire agreement?

Mr. Hummel. Well, I wouldn't phrase it that way myself, Mr. Chairman. I would say that support for the legitimate government is essential if there is to be any incentive whatever on the part of the Communist side to engage in a negotiation for a ceasefire. If we were to withhold support that the Government needs and if the government therefore is toppled, I don't see how anyone could expect that there would be a neutral Cambodia of the kind that is our long-term objective.

Senator Kennedy. Does the air activity in any way violate any agreements that were made in Paris?

Mr. Hummel. No, sir, it does not violate any of the agreements.

Senator Kennedy. Does the movement of South Vietnamese troops into Cambodia violate any of the agreements of Paris?

Mr. Hummel. I have seen the news reports as of this morning, sir, attributed to sources in Saigon, that South Vietnamese troops allegedly made an incursion across the border into Cambodia for a limited distance. My colleagues and I have attempted to get some official information with regard to these news reports. But in the short time between the time we have read them in the paper and the time we came up here we were unable to find any official reporting from either Saigon or Phnom Penh that would confirm these reports.

Senator Kennedy. If they did, without making a judgment whether they have or have not, if they did, would that be a violation of the agreements? Or is that sanctioned? Is that permissible under the Paris Agreement?

Mr. Hummel. I am honestly not certain, sir. I regret to say again that I have not had time to research this point. I can not recall any provision in the Vietnamese ceasefire agreement that would be violated. This is my recollection. But I will have to check it, and perhaps I can supply something for the record.

Senator Kennedy. You supply it, then, for the record.

I am just trying to figure out if the presence of North Vietnamese troops in Cambodia violates the peace agreements, then I was just wondering why the entrance of South Vietnamese troops and their presence in Cambodia wouldn't also violate it. Do you understand what I am driving at?

Mr. Hummel. Yes, sir, I do.

Senator Kennedy. Can you help me out at all, or do you want to supply it later on?

Mr. Hummel. I regret to say, sir, I am simply not prepared on this point, and I will have to supply it for the record. [See below statement.]

Aside from the legal aspect, I would point out that there is a very strong difference in assuming there was—and I do not know that there was—a brief and limited incursion of South Vietnamese forces across the border into Cambodia. That is quite different from the kind of campaign that the North Vietnamese are conducting.
Senator Kennedy. Can we say that if the South Vietnamese have some incursions that they are bad and wrong, but not quite as bad as those of the North Vietnamese? Do we, as a supporter of South Vietnam, do everything to discourage and prohibit any violations, or are we going to judge it in relationship to the degree of incursion? Are you going to say the North Vietnamese are really incurring; therefore we will let the South Vietnam incur just a little bit?

Mr. Hummel. As I say, sir, first of all we do wish to see all parties adhere to the letter and to the spirit of the ceasefire agreements. As for the attitude of this Government toward a hypothetical incursion by the South Vietnamese into Cambodia, I have said that I am not prepared to give a legal judgment on this. I will have to supply a statement for the record.

[Subsequent to the hearing, the following information was submitted]:

In Article 20 of the Paris Agreement on Vietnam the parties agreed to withdraw their forces from Cambodia and to cease their military operations there. No time limits were stated, but the obligation was clear and unconditional. It was understood that the timing of withdrawal would be related to the establishment of a ceasefire in Cambodia, and it was also understood that the parties to the Paris Agreement would do their best to help bring about an early ceasefire in Cambodia. At the time the Agreement was concluded, the U.S. made clear to the North Vietnamese that the armed forces of the Khmer Republic would suspend all offensive operations and that the U.S. aircraft supporting them would do likewise. We stated that if the other side reciprocated, a de facto ceasefire would be brought into force. However, it was also understood that if the Communist forces continued to carry out attacks, necessary counter measures would be taken until a ceasefire could be brought into effect.

As is well known, the North Vietnamese forces in Cambodia responded to the unilateral ceasefire initiative of the GKR and the U.S. with an all-out general offensive. Since then the communists in Cambodia have shown no willingness to bring about a ceasefire or even to negotiate about a ceasefire. North Vietnamese forces remain in Cambodia and continue to use its territory to support activities in South Vietnam which threaten the right of self-determination of the South Vietnamese people which is guaranteed in the Agreement. The GKR has, naturally, taken defensive measures and has received air support from the United States. In the absence of a ceasefire or the withdrawal of North Vietnamese armed forces from Cambodia, such air support is not precluded by the Agreement. The GVN is in a similar position with respect to any military action it might find it necessary to take in Cambodia.

Senator Kennedy. Is there anything that you could tell us, again, in trying to anticipate what we might expect with regard to the future creation of refugees, as to our commitment to the Lon Nol Government? What could you tell us about that?

Mr. Hummel. We have no legal commitment to the Lon Nol Government. We do have a desire to help a nation that has appealed to us for assistance in the face of North Vietnamese aggressive actions. We have administration spokesmen who have denied that there are any commitments involved, either secret or otherwise.

Senator Kennedy. I would like to get into the question about the clearance of our bombing strikes in Cambodian, in the areas of civilian population. I don't know whether you would like to answer it or Mr. Doolin later on.

But in the course of our hearings last year on Laos, Ambassador Sullivan indicated that he assumed the responsibility, and a personal responsibility, in the clearing of various bombing strikes in Laos.
when he was there. Is there a similar kind of procedure now in Cambodia?

Mr. HUMMEL. Yes, sir, it is my understanding that the procedures are roughly similar. The requests are received from the Government of the Khmer Republic and are validated according to rather stringent standards in order to have safeguards against errors such as the possibility of injury or death of civilian populations. After these requests are received from the Khmer Government they come to the Embassy. The Embassy officials under the direction of the Ambassador apply their own additional standards, including stringent safeguards according to the rules of engagement that have been laid down for them.

After this screening is done the requests are passed on to the appropriate military commands, American military commands. And they in turn apply the criteria that have been laid down for them before any air strikes are validated.

So it would be, I think, a mistake to say that any one individual has final authority. I have been trying to describe a chain of events that surround each request from the Khmer Government.

Perhaps my colleague Mr. Doolin can amplify or correct anything that I said.

Senator KENNEDY. Before we move to Mr. Doolin, do you know whether the Ambassador has turned any of those requests down?

Mr. HUMMEL. Yes, sir.

Senator KENNEDY. He has?

Mr. HUMMEL. Yes, sir; and a very substantial percentage of such requests are turned down.

Senator KENNEDY. Mr. Doolin, while we are on this, do you want to make a comment?

Mr. DOOLIN. Simply, Mr. Chairman, that the requests when they come to the Embassy are validated by the Cambodian general staff before we even address the merits of the case. And as Ambassador Hummel said, we have turned down quite a few because we felt that the data were insufficient to guarantee that there would not be significant collateral damage to civilians.

Senator KENNEDY. Maybe we will move on. But, recent newspaper reports—I will put all the articles in the record at an appropriate place—they indicate that American authorities do make an effort not to bomb indiscriminately; and according to informed sources a formal request must come from the Cambodian high command and there has to be a clear indication that the government units involved are in immediate danger of being defeated before American officials are allowed to unleash the B-52’s. In practice, the Cambodian Army can nearly always make a case for immediate defeat without airpower, and very often it is true, so that overworked American officials here can not possibly check out every request unless they have complete knowledge of the area where the bombs are falling.

Do you think that is generally true, Mr. Doolin?

Mr. DOOLIN. I think there is some truth to that, Mr. Chairman. But I think that the Embassy really deserves great credit for the effort that they make in terms of validating or turning down the requests from the general staff. This is also done by the U.S. Support Advisory Groups (USSMG) in Thailand and some requests, Mr.
Chairman, do come back to Washington, where they are looked at very searchingly.

Senator Kennedy. Maybe at some time you could supply for us exactly the procedures which are being followed. For example, how many air controllers do you have in Cambodia? As I understand, some airstrikes are directed by Cambodian air controllers, some by U.S. personnel.

Mr. Doolin. Forward air controllers, Senator?

Senator Kennedy. Yes.

Mr. Doolin. I will see if I can provide it.

[Subsequent to the hearing, the following information was submitted:]

At the present time, the Khmer Air Force (KAF) has seven pilots qualified as forward air controllers (FAC) in the O-1D. These FACs normally fly between five and nine sorties per day in which they control air strikes flown by pilots of the KAF. In addition, twelve more KAF pilots are currently undergoing FAC qualification training.

[Note.—The Subcommittee subsequently learned from reports from Phnom Penh that the above information does not fully describe the role of the United States Air Force in support of Cambodian military activity. In fact, there are American personnel directly involved as Forward Air Controllers.]

Senator Kennedy. I would be interested also in what you are doing with respect to armed reconnaissance, “reconnaissance by fire,” and some of the other procedures which we have gone into in other hearings. I will give you a note on that. [See Appendix I.]

We will move ahead if we may.

Mr. Nooter. May I proceed with my statement?

Senator Kennedy. Would you, please.

Mr. Nooter. When fighting broke out in Cambodia in the spring of 1970, substantial numbers of Cambodians left their homes in order to avoid the conflict, initially along the border areas of South Vietnam and later over a larger portion of the country. Many of these people moved to Phnom Penh where they felt that they had the greatest safety and where there was an opportunity for at least limited employment. Others moved to province capitals, and a substantial number—more than 200,000—of ethnic Vietnamese who were resident in Cambodia moved into South Vietnam.

The total number of displaced persons is extremely difficult to estimate with any precision. However, as of December 1972 there were approximately 290,000 registered refugees in Phnom Penh and 200,000 in the provinces. No doubt this does not encompass the full number of displaced persons, and of course some persons who left their homes have since left the refugee rolls and returned to their original homesteads. The only official estimate of refugees not registered with the Government is 200,000 people, making a total of perhaps 700,000 refugees in all.

The unusual thing about the refugee situation in Cambodia is the degree to which the displaced persons were accommodated with relatives and friends, in keeping with the extremely strong extended family tradition of that country. Consistently, reports from the field have demonstrated that seldom were relatives turned away when they requested shelter. Even today, after 3 years of fighting, there are only about 10,000 refugees in camps (3,500 in and around Phnom Penh, 2,500 in the provinces, and 4,000 ethnic Vietnamese in
Battambang Province). Those refugees who moved to refugee camps were usually families consisting of women, children and old people who lacked the means of providing for their own support. Thus, out of a total refugee population of approximately 700,000, less than 10,000 have failed to make some accommodation with their new situation which permits them to provide for most of their own needs.

I do not mean to imply by this that the others are living well. Indeed, most of Cambodia's population, whether refugees or not, are now living at a reduced standard of living compared to the situation prior to the war. However, the large majority of the refugees have been able to find some sort of employment and have sought and found shelter on their own, either with relatives or by constructing housing for themselves.

Senator Kennedy. It wasn't through outside assistance of the United States was it?

Mr. Nooter. They received something in excess of $4 million from other governments in connection with direct refugee programs. We supplied a great deal of economic assistance, as I will get to later.

Senator Kennedy. Was that general economic assistance, or was it targeted toward a refugee program?

Mr. Nooter. It was not at that time targeted toward that.

Senator Kennedy. Is it now?

Mr. Nooter. I will come to that.

Senator Kennedy. All right, proceed.

Mr. Nooter. The Cambodian Government, with some outside assistance, helped the displaced persons through several Government agencies. The Directorate for War Victims, the Ministry of Labor and Social Action, the Ministry of Community Development, the Ministry of Health, and the Ministry of Public Works all carried on programs of various kinds to provide emergency or other assistance to refugee families. The Khmer Red Cross and the Association for Aid and Assistance in Housing and War Refugees are voluntary organizations within Cambodia which also provided help, as did the United Nations Development Program and the International Committee of the Red Cross. Japan, Australia, New Zealand, West Germany, and other countries provided over $4 million worth of donations in kind for refugees, channeled through both Government and voluntary organizations.

During this period, it was the policy of our Government, reinforced by action of the Congress, to keep U.S. involvement in Cambodia to an absolute minimum. A legislative ceiling of 200 was placed on the total number of U.S. Government employees which could be in Cambodia at any one time. With this policy and this legislation in mind, we kept the refugee situation under close observation. It was our belief that, on the whole, the Cambodian Government with the assistance of others as outlined above was meeting the most pressing needs of the Cambodian refugees. Indeed, the Cambodian Government did not seek additional outside assistance during this period.

During 1972, however, the continued duration of hostilities which prevented restoration of normal peacetime activities and the return of displaced persons to their homes, led to a reassessment of the U.S. role there vis-à-vis refugees. Also, on August 10, 1972, the Cambo-
dian Government for the first time officially requested U.S. assistance for its refugees.

On August 20, 1972, AID dispatched a two-man team to review the situation and to determine what forms of U.S. assistance would be the most helpful, in keeping with U.S. policy and legislative restraints. Mr. Donald Goodwin and Mr. David Merrill, the members of the team, submitted a report on September 2, 1972, and with your permission I would like to enter that report into the record. [See Appendix II.] In effect, the team confirmed that the most urgent need was for relatively small amounts of assistance to those refugee families not able to provide for themselves, principally those living in camps. They also found that the Cambodian Government ministries and organizations already were fully burdened and lacked the administrative capacity to process, disburse, and account for additional outside assistance.

The team recommended, therefore, that the U.S. Government seek to provide assistance of approximately $850,000 through the United Nations Development Program which has some 45 persons in Cambodia working on what are in many cases related programs. It recommended that a grant of $50,000 be made through the International Red Cross to augment the commodities already being provided through that source. This amount, while small compared to the size of the need, was nevertheless all that the ICRC representative thought he could effectively utilize at that time, and doubled the existing ICRC program. After seeking and obtaining approval from the ICRC headquarters in Geneva, the $50,000 grant was made available on December 1, 1972. It is being used to provide refugees and displaced persons with food, clothing, medical care, and other assistance as needed. Since that time, the ICRC determined that the program could be further expanded and an additional $100,000 was made available for this purpose.

Negotiations with the United Nations were undertaken immediately after the team's return from Cambodia, and both the UNDP and the United Nations Children's Fund were approached as possible channels for U.S. refugee assistance. After a number of months of discussions, it became evident that the U.N. programs were not sufficiently flexible to adapt themselves to the needs of the refugees in Cambodia. Therefore, we sought an alternate approach through the use of U.S. voluntary agencies. Mutually acceptable programs have now been worked out with both the Catholic Relief Services (CRS) and Cooperative for American Relief Everywhere (CARE) and we have recently sought approval from the appropriate congressional committees to make initial grants of $500,000 each to these organizations.

The CRS funds will be used to receive, feed, clothe, and shelter displaced persons and war victims primarily in Phnom Penh; repair and improve refugee camps and centers; and support training programs in Phnom Penh designed to ease the unemployment problem, since most refugees were previously farmers. The grant to CARE will concentrate on the provincial towns. It will provide immediate employment for refugees by organizing work projects and skills training in towns such as Svay Rieng and Kompong Thom. Funds will also be used to improve provincial health clinics, sanitary facili-
ties, and temporary refugee centers in the provinces. Also, we are continuing discussions with the UNDP for a program for low-cost refugee housing in Phnom Penh but this program has not been completely worked out yet.

The most important U.S. assistance, however, has been that provided to Cambodia through our general economic support program. Approximately $66 million will be provided in this fiscal year under two separate programs funded by AID which permit the financing of commodities needed to sustain the Cambodian economy, and $25 million of Public Law 480 funds will be made available to finance agricultural foodstuffs. In one instance last November, we authorized an airlift to assure the continued flow of rice into Cambodia, and while the quantities of rice transported by air were small, it nevertheless prevented the cutting off of Cambodia’s basic food staple. Financing of pharmaceuticals has been made available through the Exchange Support Fund (ESF) which we and other donor Governments support through financial grants, and $4 million worth of pharmaceutical goods were imported during calendar year 1972 under this program.

I would like to emphasize to the subcommittee that care for refugees cannot be neatly separated from the general economic conditions of a country, and least of all in Cambodia where the Government’s administrative mechanisms are not adequate for the administration of a large or complex refugee program. In spite of the many hardships of war and the loss of a substantial portion of territory to the other side, the Cambodian economy, through U.S. economic assistance, has managed to function at a tolerable level. Food and essential commodities have generally been available, and displaced persons have frequently been able to find some kind of work. There have been no epidemics, and on the whole people have been able to sustain themselves. This would not have been the case without critically needed U.S. economic assistance during the last 3 years.

I would like to repeat that we appreciate the support which this subcommittee has given to AID’s efforts to meet refugee needs. We seek your continued support in obtaining the funds necessary to continue to provide the economic and humanitarian aid which that country will need in the months and years ahead.

Thank you, Mr. Chairman.

Senator Kennedy. Thank you very much, Mr. Nooter. We appreciate your kind words.

How does our general economic aid and assistance actually help the refugees? They can’t really afford to purchase the rice that is being made available, and the other kinds of supplies in the commodity import program. As we have heard this morning, both in terms of the numbers and the kinds of conditions these people are in, they hardly can afford to buy commodities. What does your study show about the effectiveness of this “trickle-down” theory of aid?

Mr. Nooter. As I and some of the other witnesses this morning have pointed out, the refugees are dispersed among the general population in Cambodia. And incidentally, that isn’t all bad. The camp system of treating refugees has a lot of other defects which we became aware of in Vietnam, and where these people who are dis-
placed can be assimilated into the general economy and find work and earn their own way, that is by far the best way all around.

Now, as these people have moved in with relatives and friends, if there is adequate rice stocks in the country, then these commodities can be bought with the money that the people earn from the jobs that they take. Also, the relatives in some cases who are supporting displaced persons are able to buy the essential commodities that they need. Looked at in the overall nature of the economy, our aid has permitted employment opportunities to continue and essential goods and commodities to be available. Indeed, except for a few periods due to the security situation, reports have generally indicated that essential commodities have been available during the last 3 years.

Senator Kennedy. What is the Department's general assessment of the kinds of conditions that these displaced people are living in?

Mr. Nooter. Well, this varies. But first of all, you are talking about a country where the average per capita income in normal times is about a hundred dollars per person. Naturally this doesn't lead to very luxurious accommodations even in normal times. As we have said, however, most of the people have assimilated themselves, and the really urgent and pressing situation has been the relatively small number of people who have moved to camp situations where they can't provide for themselves. That is why the approach of trying to help in these particularly difficult situations through relatively small amounts of money directed with administrative guidance from the Red Cross or the voluntary agencies seems to be the best way to alleviate that particular situation.

I am very impressed with the work of a volunteer wives group in Cambodia when I was out there last November, both American and other foreign wives. With a grant of just $5,000 from one of the pharmaceutical companies they were able to do a great deal in carrying out programs at one of these camps.

Senator Kennedy. How many people do you have now generally in the AID division in Cambodia?

Mr. Nooter. We have 19 people.

Senator Kennedy. And how many working with the refugees?

Mr. Nooter. One of those has responsibility for observing and reporting on and handling refugee matters. Perhaps another 8 or 10 work in connection with the commodity import program.

Senator Kennedy. But that is on the general program?

Mr. Nooter. That is correct. There is just one with refugees.

Senator Kennedy. Now, you have got one working in the refugee program out of a total personnel of how many?

Mr. Nooter. Nineteen.

Senator Kennedy. The total American personnel in Cambodia is how many?

Mr. Nooter. The total is now something like 194.

Senator Kennedy. You are permitted 200, is that correct?

Mr. Nooter. That is right. And that includes the temporary people also, so there has to be a little leeway in that ceiling for visitors and short-term people.

Senator Kennedy. So out of the 194 now we have got one working full time on refugees, and approximately eight working part time in general economic support?
Mr. Nooter. That is correct.

Senator Kennedy. Are you familiar with the report that was made by Mr. Millington in Phnom Penh on February 10? He is, as I understand it, the AID refugee officer; is that correct?

Mr. Nooter. That is correct, he is the refugee man in Cambodia.

Senator Kennedy. He describes a somewhat more intense and distressing situation than I have generally gathered from your presentation. He uses these words in his report, in talking about the reasons for refugees fleeing from their homes; he said:

At first, most of those who fled their homes did so in order to escape the war and the fighting. In some instances, they fled to avoid the allied air strikes; in others, they fled to avoid the South Vietnamese troops. (In Kampot, the South Vietnamese troops appear to have been particularly undisciplined. In Kep District, Kampot Province, the District Chief told me about how the ARVN soldiers looted at will, and even went so far as to steal and eat all of the animals in the local zoo.) In general, however, most of the present refugees fled from actual fighting and most fled into Government-controlled areas.

And he goes on talking about refugee housing:

Overcrowding is acute and in many of the smaller houses containing refugees there is no other furniture besides wall-to-wall beds. In some cases there are not even enough beds to go around and the children have to sleep on the floor.

Most refugee houses, however, in both Phnom Penh and the provinces, are small thatched affairs which are better suited to sheltering cattle than they are to sheltering people. In the rainy season, most of these houses will give little or no protection from the rain and some will even be inundated by the annual floods. Sanitation facilities usually are nearby fields, and water has to be carried in from the nearest well, if there is one. Many of the older refugee houses are also now showing signs of age and some are near collapse. Besides those refugees who live with relatives and those who have built their own houses, there are some who live in refugee camps. Estimated at only around 10,000 people, the camp dwellers are in some ways the most desperate of all the refugees. Most refugee families, no matter how poor, usually are intact and the father and older sons can go out and find some sort of work. In the refugee camps, however, many of the families are without able-bodied men and, consequently, have no source of steady income. Malnutrition and intestinal problems are widespread.

The influx of refugees has put a severe strain on the health services, and every doctor I met complained of a lack of drugs.

And he continues, talking about the Chak Angre refugee camp in Phnom Penh:

The physical condition of the camp itself is bad, and the condition of the resident refugees is in some ways worse. The diet of many of the refugees in the camp is poor, and malnutrition and stomach disorders appeared to be widespread especially among children. And as to be expected, the morale is bad.

And then he continues on:

Svay Rieng has by far the highest concentration of refugees of all the provinces in the Khmer Republic. The town is completely saturated with refugees and there is just no room for any more. The camps are overcrowded and the original residents have taken in as many refugees as they can. Land on which to build small thatched huts is also becoming increasingly difficult to find. Work is also difficult to find and steady jobs are almost nonexistent. Work is now so scarce in Svay Rieng that many male refugees spend day after day in fields which have already been harvested, looking for leftover rice. Even more depressing, however, is the fact that new refugees continue to flow in. On an average, 300 to 500 new refugees a month follow Vietnamese military operations back to Svay Rieng. Most arrive with no money, no belongings, and only
the rags on their backs. For many, life has been reduced to a mere struggle for survival.

That is a pretty grim picture at best, particularly as measured against the kind of support that refugees generally are receiving from AID. Although I think Father Charlebois indicated there was going to be some happier news in the days ahead, certainly the current situation, wouldn't you agree, from your own AID refugee officers' report, would suggest that it is pretty grim?

Mr. Noorder. Yes. Many of the references in there to the camp situations are in line, I believe, with my comments that this is where the real trouble spots are. Svay Rieng, of course, is an especially difficult situation, entirely cut off and surrounded by the enemy. We are financing and flying in rice to that town.

I think the other thing to bear in mind in discussing refugees in Cambodia is the administrative problems in that country which make it difficult to carry out programs, no matter how well conceived on paper. This is why we have preferred, while keeping the U.S. direct presence down, to try to find groups either in the United States or, more recently, the voluntary agencies, which can provide the kind of administrative control that is necessary if the aid, no matter how well intentioned, is to arrive at the places where it is needed. That is a tremendous problem. And our interest in keeping down the U.S. role, which I think is the appropriate policy, has somewhat inhibited more direct U.S. actions. But I think we have overcome that by involving the voluntary agencies.

Senator Kennedy. The arguments for keeping down U.S. personnel always seem to affect the civilian side and not the military side. We have less than 1 percent of our Embassy people looking after refugees, while over 69 percent look after military things. The argument of keeping down the U.S. role is as true, if not more so, about the military as it is about the civilian side—and, yet, the humanitarian side bears the brunt of it. It would appear to me, in keeping the numbers down and keeping the expenditures down, that you would start with the military and not with the refugees.

I am mindful, as you were talking about the request yesterday to the various appropriations subcommittees to make grants of $500,000 to each of the organizations, CRS and CARE, that the administration is also asking for $150 million for military operations. And you got $150 million to finance U.S. military operations through the end of the fiscal year, but you are only asking $100,000 for CARE and Catholic Relief Services for refugees.

Mr. Noorder. Of course, the $66 million in general economic support does, as I have mentioned, do a great deal to alleviate the hardships in the lives of the people, not only refugees but their relatives who support them.

Senator Kennedy. It is just difficult for me to understand, given those descriptions about the refugees coming in with no money, no belongings, and only the rags on their backs to see how they are going to be able to participate in the economic program of stabilization you describe. How are they going to be able to purchase rice or purchase the kinds of building materials to make homes or other things which, as all of us realize, are exorbitantly high in a black
market situation, and when supplies are very limited, given the kind of distribution and transportation problems Cambodia faces.

It just seems to me that we are unduly successful in being able to limit the resources and personnel for refugees, and even in supporting voluntary agencies, but we are not willing to limit requests for the funding of the other programs, such as military support.

Mr. Noofer. But the real restraint has been on the administrative side, that is, how to organize the program so that material that is put in for refugee purposes will arrive at the end point. A program that doesn't have some well thought out control system simply wouldn't be effective.

Senator Kennedy. You mentioned in your testimony about the congressional restraint on being able to earmark funds to support refugees. Are you feeling any restraint from the Congress in not being able to support humanitarian efforts in Cambodia?

Mr. Noofer. Well, the ceiling has posed a restraint problem. Mr. Klein suggested some possible legislative solution for that. I am not as concerned with seeking additional direct U.S. Government employee ceilings as another kind of relief which might be helpful. The law itself sets a 200 ceiling, referring to U.S. Government employees. It can be interpreted, and our lawyers seem to agree, to include contract personnel as well. If there were either legislation or legislative history which establishes that the voluntary agency personnel are exempt from that ceiling, I think it would not cause the U.S. Congress any particular concern. And that would be helpful as this program proceeds.

Senator Kennedy. You don't feel any restraint about making available financial resources, do you?

Mr. Noofer. No.

Senator Kennedy. It is just with regard to the number of personnel?

Mr. Noofer. That is correct, it is the administrative controls; it is not the financial constraint, at least at this point in time.

Senator Kennedy. Why did you need the Appropriations Committee's approval, then, for the money?

Mr. Noofer. AID legislation requires that all new programs be passed through that procedure, that they be reviewed by those committees. We don't expect any difficulty there. Indeed, the Congress last year in two separate pieces of legislation did display its interest in Cambodian refugees, and although that wasn't passed into law, there is a good bit of evidence that the Congress supports this kind of program.

Senator Kennedy. You see, the heart of the dilemma that I feel as a Member of Congress, and one who has been enormously distressed by the bombing, is that here you come to the Congress for clearance for funds to two voluntary agencies, just $500,000. The executive branch comes to the Congress for clearance on that issue. But it doesn't come to the Congress for clearance on the bombing issue, for authority to bomb.

You are ready to come up to Congress for $500,000 to support church-related activities to do something about absolute human misery, and you are willing to come to the Congress and request that. And yet on the eve of the bombing we don't see any willingness to
come to the Congress on that issue, to request the authority for bombing. Do you find that troublesome?

Mr. Nooter. Of course, Defense will have to speak to the second part of it. I would say, though, that my impression is that in both cases we are conforming to the law as it is written.

Senator Kennedy. That, I think, is still an open question. At least that is the point of disagreement here. But this is an extraordinary kind of a situation in this respect, where we find that you feel that you have to come to the Congress for that type of aid and assistance, and yet for authority to bomb you don't come.

And on the authority for refugee assistance, have you reviewed the 1962 Migration and Refugee Assistance Act which provides flexibility to the President—and I understand it has been used by previous Presidents—to aid refugees designated by him as being important to foreign policy interests of the United States?

Mr. Nooter. I am familiar with that provision, yes, sir.

Senator Kennedy. Wouldn't that give you the authority to expend resources in Cambodia for refugees if the President determined that it was in the foreign policy interest of the United States?

Mr. Nooter. I am not familiar with the legal interpretation of the use of those funds. Our thought has been that this program can be handled within AID's program and budget for this year, and that the congressional approvals that we are involved in are not onerous or laborious. And we are proceeding down that track. I would have to check the legal authority for the use of these other funds, if we ever did consider using that as a source of financing this program.

Senator Kennedy. Just as a final comment, it would appear that the President has the authority, when it comes to humanitarian questions, to help refugees under the Migration and Refugee Assistance Act of 1962. This was used by President Johnson in the Middle East during the 7-Day War, to help Palestinian refugees. The President has a contingency fund under which those resources can be made available. But he hasn't used that authority to help refugees in Cambodia.

Yet when it comes to the bombing, there are many of us in the Congress that find no authority for that. And the President doesn't come up to the Congress to request the authority for that activity. This I think spells out the dilemma that we see in this situation. And I might add, through Democratic as well as Republican administrations, the people's problems, the humanitarian problems, are always the ones that face the stumbling blocks and are always the last to be addressed. Bombing, on the other hand, seems easy to do.

I know this isn't your doing. But it is still, I think, an enormously distressing situation.

Mr. Doolin, can I hear from you?

Mr. Doolin. I don't have a prepared statement, Mr. Chairman, but I will try to answer any questions you may have.

Senator Kennedy. Could you tell us from a military point of view what good you think the bombing in Cambodia is doing?

Mr. Doolin. I think that without U.S. air support, Senator, that the legitimate Government of Cambodia at this point in time would be sorely pressed.
Senator Kennedy. Isn't it sorely pressed now?

Mr. Doolin. Yes, it is, but I think the situation would be much more grave if the support was withheld.

Senator Kennedy. Do you think it can survive now with the current level of bombing?

Mr. Doolin. Yes, sir, I do; and so does Sihanouk, according to reports in the newspaper.

Senator Kennedy. So what interest does the Lon Nol Government have to negotiate, if he thinks they are going to survive, and Sihanouk thinks they are going to survive; why is there really much pressure on either side to negotiate?

Mr. Doolin. I think because obviously, sir, he does not want his country to continue fragmented. He doesn't want this high level of violence to continue. I think he has a vested interest or real interest as a Cambodian in bringing this war to an end through the negotiations of a ceasefire. And as Ambassador Hummel pointed out, the Lon Nol Government did unilaterally declare a ceasefire shortly after the signing of the agreement in January. And it was observed by the other side only in terms of heightened military activity.

Senator Kennedy. It seems that Lon Nol is surviving and Sihanouk is surviving. It seems that most everyone is surviving except the refugees who are caught in the crossfire of this situation.

Have we lost any aircraft over Cambodia?

Mr. Doolin. Since the signing of the ceasefire agreement? No, we haven't.

Senator Kennedy. And have there been any pilots that have been lost?

Mr. Doolin. No.

[Subsequent to the hearing, the following information was submitted:]

Since the ceasefire, as of April 16th, one U.S. OV-10 was lost due to hostile fire on April 7, 1973. The pilot was a fatality.

Senator Kennedy. No POW's?

Mr. Doolin. No.

Senator Kennedy. Any MIA's?

Mr. Doolin. No.

Senator Kennedy. Is there anything that you wanted to add to Mr. Hummel's earlier comment on the bombing that we might expect it to continue unless there is a ceasefire? Is that your understanding as well?

Mr. Doolin. We look at the situation, Senator, on a day-by-day basis. But at the present time we have no plans to effect a unilateral cessation of our air activity, as Ambassador Hummel pointed out. These strikes are at the request of the Government of the Khmer Republic, and they have given no indication to us that they wish our support to stop.

Senator Kennedy. How realistic is that, that they would request us ever to stop. So as long as Lon Nol requests a continuation of bombing, then, do I understand that our policy is to continue the bombing?

Mr. Doolin. As I indicated earlier, sir, we do not agree in rubber-stamp fashion with every request that comes in from the Cam
bodian general staff; we take a good, hard look at it. I think, though, that if there was some reduction in terms of the enemy effort on the basis of the proposals that the Lon Non Government has made this year, that there would be a corresponding reduction in friendly military activity.

Senator Kennedy. What is the Defense Department's estimate of how long the bombing would have to continue before you would lose a plane, or have American pilots shot down? It has been going on now for a period of some 40 days, as I understand. They are bringing SAM's into the Cambodian countryside. Does the Defense Department have any observations about this danger? Should the American people be prepared to lose pilots and see more prisoners of war created and more missing in action?

What should the American people be prepared for in this?

Mr. Doolin. Senator, it is impossible to forecast when we might lose an airplane.

Senator Kennedy. You mean it might be today?

Mr. Doolin. It could be.

Senator Kennedy. It could be today?

Mr. Doolin. Yes.

Senator Kennedy. So we could lose some American planes in Cambodia?

Mr. Doolin. We could.

Senator Kennedy. And we could have American prisoners of war taken?

Mr. Doolin. We could.

Senator Kennedy. Is that the peace with honor that we have heard about?

Mr. Doolin. Peace with honor is the complete carrying out of the agreement that was signed by Hanoi in January, which they have not lived up to in terms of Cambodia or Laos—or South Vietnam, for that matter. Their batting record is zero, zero, zero.

Senator Kennedy. And what about South Vietnam; have they lived up to it?

Mr. Doolin. Well, I would be less than honest if I said that I believe that every ceasefire violation was initiated by the Provisional Revolutionary Government (PRG), or Hanoi. I think that by and large when you compare Saigon's performance with that of Hanoi and the PRG, Saigon's performance has been exemplary by comparison.

Senator Kennedy. But there still have been violations?

Mr. Doolin. I wouldn't rule them out.

Senator Kennedy. But as I understand from what you are saying, there is the distinct possibility of losing aircraft and even American servicemen over the skies of Cambodia, and the possibility of prisoners of war in Cambodia as well?

Mr. Doolin. Sir, I would be less than honest with you if I said with absolute certainty we are not going to lose an aircraft either through hostile fire or malfunction of the aircraft. We just can't predict that, although every effort is made not to lose men or planes, obviously.
Senator Kennedy. Is there any way of finding out about what tonnage of bombs is being dropped in Cambodia now? Could you supply that for us? Or is that classified?

Mr. Doolin. I don't believe I can supply that for the open record, sir.

Senator Kennedy. Why not? Why can't you tell us about how much is being dropped in Cambodia? Why is that a security matter?

Mr. Doolin. Those are the instructions that were given me, that this material can not be made available in unclassified form at this time.

Senator Kennedy. As I understand, the Pentagon has announced that the bombing may be extended to Laos because of a serious truce violation there. Are you familiar with that?

Mr. Doolin. Extended to Laos?

Senator Kennedy. Yes.

Mr. Doolin. I have no comment on that.

Senator Kennedy. I guess that was just announced.

If that is the case, as I understand from the staff here it has been just announced because of truce violations, that there is now the possibility of losing planes and men and the creation of POW's in Laos as well.

In the past the Department provided information on the tonnage of bombs that were being dropped. We got it in February. I understand that in February of 1973 we dropped 70,002 tons of air munitions. They made that available to us! You can't tell us what it is for March?

Mr. Doolin. I don't know, Senator. I will check and see if I can provide it for you.

[Subsequent to the hearing, the following information was submitted:]

The comparable number for March 1973 is 33,539 tons.

Senator Kennedy. I am not sure whether Mr. Nooter or Mr. Hummel could answer this. Has the Lon Nol Government made any request with regard to refugee assistance for this year?

Mr. Nooter. They sent out a general appeal last August, that I referred to, not only to us but to all foreign governments, seeking aid for the refugee problem. To the best of my knowledge, there is no other specific request from them for refugees as such.

Senator Kennedy. What has been our response to that?

Mr. Nooter. In the manner in which I described in my statement, we sent out a study team immediately, and began to try to work out the programs to find the administrative devices through which aid of this kind could be provided.

Senator Kennedy. How much was that for the general appeal?

Mr. Nooter. It hasn't quantified. It was a general appeal.

Senator Kennedy. Have you made any estimate on it?

Mr. Nooter. It wasn't quantified—not only wasn't it costed out, but it wasn't specific in terms of the kind of aid which was requested.

Senator Kennedy. When your people came back from the field did they cost it out or did they make some estimates?
Mr. Nooter. They worked out a program that they thought would cost a little under a million dollars for the coming year for our portion of that program.

Senator Kennedy. How much was the whole program?

Mr. Nooter. It wasn't a program in that sense; it was an appeal for aid, but it wasn't specifically a program that requested various kinds of aid.

Senator Kennedy. What was our AID assistance to refugees last year, and what do you estimate it will be this year?

Mr. Nooter. The program which now has been worked out is $1,150,000 for this fiscal year, which will include CARE and CRS and the International Red Cross. And that is what we expect our total program to be for this fiscal year. And next year, if the program goes well, we expect that those amounts will be higher, if the administrative machinery is set up that can deal with the aid. For example, we initially provided a $50,000 grant to the Red Cross, which is all they thought they could handle, and now we are adding another $100,000 to that.

Senator Kennedy. Do you make any estimates at all in trying to work with the Cambodian Government on the nature of the problems there? Father Charlebois and Mr. Klein talked about the desperate situation that confronts hundreds of thousands of people there—the very severe problems in the areas of food and disease and malnutrition. What do we say to the Cambodians? Do we say that we know you are not requesting it, but if you did request it, we would be glad to try and provide some help in alleviating human suffering?

What do we do? How do these things work? You realize that a million dollars isn't going to do very much for the kind of problems that we are talking about, or affecting the number of people we are talking about.

Mr. Nooter. What that can do is to help the particularly difficult situations in camps and these relatively small numbers of people that are in especially dire straits. The remainder of the problems are national problems that affect a large part of the population, which obviously has been greatly disrupted because of the war. In dealing with problems of housing and resettlement of people back to their own homes, bringing rice production back to peacetime levels, and so on, one finds that those are national problems and have to be dealt with not as refugee problems as such. They will have to be dealt with on a national basis.

Senator Kennedy. You know, we hear this in every part of the world—Bangladesh, the same kind of thing: “we can't be too good to the refugees, because other people are having food needs as well.” Why can't we do in Cambodia as they did in Bangladesh? When they opened up refugee feeding stations they made them available, in limited ways, to the people in the surrounding population, the milk for the children, for example. They let the people in the nearby areas come on in, and particularly the sick children, to give them some kind of assistance.

It appears to me that that is a very negative argument, to say that we can't provide more than a limited amount, because everybody is hungry, and if we do something for the refugees, that is not
going to be fair, and therefore we are not going to do anything. Rather, we should be looking for ways to try to alleviate the suffering, not make excuses for no action.

And you can't take much comfort in the amount of money, a million dollars, when you are so willing to come up and be so responsive with millions for military supplies and bombing strikes and the rest. If we had even a portion of that available within AID, which has got such a degree of expertise, knowledge, as well as working with various church groups who know that part of the world, we could develop a program that could really make significant difference in alleviating human suffering.

Mr. Nooter. The most important thing we are doing this year is the financing of rice imports to that country which affects this whole range of problems. Between the Public Law-480 and AID programs, we will be financing something in excess of $25 million worth of rice this year, without which there would be many more hungry people than there will be.

Senator Kennedy. I am sure that is true. But why can't we do both? Why does it have to be always sort of exclusionary? Why do we have to say that because we are providing the rice, therefore we can't look out after the other needs of refugees? There isn't a refugee official alive, Mr. Nooter, that would think that just because you are providing general economic aid that you are also addressing the specific problems of refugees. You know that as well as I. It affects them only in the most indirect way, and it obviously has some impact on the inflationary spiral. But the refugees don't have any money or independent resources, and they have been shifted back and forth and moved around that country, and they have been harassed by the military activities of both sides. It seems amazing to me that we can't work out some more meaningful way than a $1 million response—again not saying that the particular dollar amount is the answer in itself. But certainly $1 million measured against this particular problem is really tragically low.

Mr. Nooter. If these programs which we are just getting underway now work out as we expect, we will be able to fund more aid through the voluntary agencies next year and have a bigger impact.

Senator Kennedy. You are supplying some funds to the Red Cross?

Mr. Nooter. The International Red Cross.

Senator Kennedy. The Indochina operations group?

Mr. Nooter. Yes, I think through the ICRC.

Senator Kennedy. That is a combination, I understand, of the League of Red Cross Societies and the ICRC, and it goes to provide humanitarian assistance in all parts of Indochina.

Mr. Nooter. My understanding is that that Indochina group within the International Red Cross does have programs that would cover a lot of different parts of Indochina.

Senator Kennedy. Finally, now that we have a feel about what we are doing this year, at least in regard to the refugees, is there any way of determining what the cost per day of the bombing is in Cambodia?

Mr. Doolin. I think it would be very hard, Senator, with the incremental costs involved, to figure it.
We did do an estimate of the cost of the bombing over North Vietnam at the end of 1972.

Senator Kennedy. What was that?
Mr. Doolin. It came out roughly to $25 million a day.

Senator Kennedy. $25 million a day?
Mr. Doolin. Yes, sir. But the effort in Cambodia is nowhere near the magnitude of the effort that was directed against North Vietnam.

Senator Kennedy. What would you say?
Mr. Doolin. I wouldn't want to take an uneducated guess, Senator. I will try to work something out on the figures and provide it for the record.

Senator Kennedy. There is no way, of course, of being able to extrapolate at all on those figures?
Mr. Doolin. I couldn't do it with the material I have available, Senator, but I will try to see if I can provide that.

Senator Kennedy. Would you say that it is more than a million dollars a day?
Mr. Doolin. I would say yes.

Senator Kennedy. How about more than $5 million?
Mr. Doolin. I just don't know, Senator. I would have to work it out.

Senator Kennedy. Would you do that for us, Mr. Doolin?
Mr. Doolin. I will certainly try.

Senator Kennedy. You can't tell us how many bombers are flying over there and how many sorties or that type of thing? The Department provided this, as you well know, when you appeared before the subcommittee earlier. We knew in Laos, for example, the number of bombers and the numbers of sorties and the tonnage that was dropped. And we also knew as to North Vietnam. We were able to work those figures out there and I am interested in doing so as well with regard to Cambodia.

I want to thank you gentlemen. Mr. Nooter and Mr. Doolin have been meeting with us over a period of a number of years. As we go after these various questions, I think we have been able to make some progress in trying to do something about them. And we want you, as well as Mr. Hummel, to recognize that we have attempted to work with the administration in these areas and be constructive. We want to be constructive. We know that you are here speaking for a policy. We want you to speak to it and defend it.

Again, thank you gentlemen very much for coming. You have always been extremely cooperative in working with the subcommittee and responding to our questions and helping us. I think that if this committee has been able to do very much in terms of trying to deal with this issue, to a great extent it has been your personal cooperation that has helped.

The subcommittee will stand in recess.

[Whereupon, at 12:30 p.m., the subcommittee adjourned.]
Appendix I

RESPONSE OF THE DEPARTMENT OF DEFENSE TO INQUIRIES ON
U.S. BOMBING IN CAMBODIA

(Printed below are the texts of an exchange of correspondence following the hearing between the Subcommittee Chairman, Senator Edward M. Kennedy, and the Department of Defense witness, Mr. Dennis J. Doolin, Deputy Assistant Secretary of Defense for East Asian and Pacific Affairs. Following questions raised during the hearing, the Subcommittee Chairman wrote the below letter to the Department; subsequently a reply was received on May 7.)

I. TEXT OF THE LETTER TO THE DEPARTMENT OF DEFENSE FROM
SENATOR EDWARD M. KENNEDY, CHAIRMAN

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, D.C., April 18, 1973

Mr. DENNIS DOOLIN,
Deputy Assistant Secretary of Defense for East Asian and Pacific Affairs,
Department of Defense,
Washington, D.C.

DEAR MR. DOOLIN: We appreciated your testimony on American military activities in Cambodia at the Subcommittee's hearings on Monday. However, as I indicated during the hearings, we would appreciate receiving additional information on several points for the Record.

Specifically, it would be helpful if the Department could submit, as soon as possible, definitive information on the following four areas of concern:

1. Information on the rules of engagement governing Allied military practices and air operations in Cambodia. As you know, we have pursued this question for other areas of Indochina, and I understand the Department is preparing further information on this in response to my earlier inquiries. It would be helpful if, in addition, information could be included on rules of engagement pertaining to Cambodia.

2. Information on bombing statistics. The Subcommittee would appreciate statistics on the tonnage of aerial ordnance used in Cambodia, the number of sorties by tactical as well as strategic aircraft, and the kinds of ordnance used. It would be helpful if this information could be provided by month, for both 1972 and 1973.

3. Information on the operating procedures used in clearance of targets and air missions. Over the years the Subcommittee has studied this question in some detail for Vietnam and Laos. It would be useful to have similar information on the current practice in Cambodia. Specifically, how are air operations authorized, by whom, by what procedure, by whose request, and by what criteria are targets approved or rejected? Are there full-time U.S. Air Force personnel in the field monitoring air strikes, conducting aerial reconnaissance, or involved in forward air control? If so, how many personnel are involved, and is there a U.S. military installation within Cambodia where they are headquartered?

4. Information on the estimated costs of the current U.S. bombing activity in Cambodia, indicating total costs of munitions personnel and maintenance, as well as the average cost per sortie. We would appreciate a breakdown of the daily costs in Cambodia, as compared to the daily cost of bombing North Vietnam in 1972, which you noted the Department has tabulated.

Again, we appreciated your testimony and your stated willingness to provide as much of the above information for the record as possible. Thank you for your assistance and cooperation.

Sincerely,

EDWARD M. KENNEDY
Chairman, Subcommittee on Refugees,

(47)
II. TEXT OF THE DEPARTMENT OF DEFENSE RESPONSE

ASSISTANT SECRETARY OF DEFENSE,
INTERNATIONAL SECURITY AFFAIRS,

In reply refer to I-6118/73.
Hon. Edward M. Kennedy,
U.S. Senate,
Washington, D.C.

Dear Senator Kennedy: This reply to your request of April 18, 1973 for information in addition to that which I provided your subcommittee in testimony on American military activities in Cambodia has been delayed pending review of the answers to your questions.

I am happy that they can all be answered for the record with the exception of the one on rules of engagement.

The rules of engagement for air operations over Cambodia are highly sensitive directives which delineate the circumstances and limitations under which United States forces may defend themselves from attack and/or continue combat engagement with an enemy. These rules are the subject of constant review and command emphasis. They are changed from time to time to conform to changing situations and the demands of military necessity. These directives are very closely controlled because of their obvious and inestimable value to an enemy. To expose the rules of engagement is to risk jeopardizing the lives of US personnel charged with the responsibility of conducting military operations and would otherwise be detrimental to national security. If desired, we are prepared to discuss with you, on a classified basis, and at your convenience, the detailed provisions and limitations governing our military operations as specified in the current rules of engagement.

**BOMBING STATISTICS**

During 1972 there were approximately 7,200 tactical air sorties and about 1,850 B-52 sorties flown in Cambodia.

During the period 1 January through 7 April 1973 there were approximately 5,800 tactical air sorties and about 2,000 B-52 sorties flown in Cambodia.

**OPERATING PROCEDURES FOR PROCESSING AIR REQUESTS**

There are two principal methods of processing air strike requests in Cambodia. The first method is designed to provide close air support when friendly troops are in contact with the enemy. In this situation the Khmer Armed Forces (Forces Armees Nationales Khmer) (FANK) ground commander passes the air support request to the FANK General Staff (EMG), sometimes through a US forward air controller (FAC) acting as a relay. The EMG then determines if the Khmer Air Force resources are sufficient to meet the requirements. If not, the request is passed to the American Embassy, Phnom Penh. The Embassy validates the request by checking its consistency with overall US policy and approved rules of engagement. The validated request is then transmitted to the US Support Activities Group (USSAG) at Nakhon Phanom (NKP) Thailand. After weighing the request against current authorities and assets available, USSAG commits appropriate aircraft under US FAC control and, in concert with the FANK ground commander, fulfills the requirements.

The second air request procedure is employed when the objective is of a more indirect nature, such as the interdiction of supplies in the enemy trail and base areas in eastern and northeastern Cambodia. When targets are located by intelligence sources, they are forwarded to USSAG for review. A target selection board then reviews the nominated target for military value and consistency with US policy and approved rules of engagement. A desired strike list is then passed to the Embassy for validation and coordination with the Cambodian Government. The target is struck after Cambodian Government approval is received.

**ESTIMATED COSTS OF BOMBING ACTIVITY IN CAMBODIA**

The total cost of sorties during 1972 is estimated to be approximately $112 million.

The total cost of sorties during the period 1 January 1973 through 7 April 1973 is estimated to be approximately $106 million.
In determining these cost figures, such costs as munitions, fuel, aircraft attrition, and certain amounts paid to crews while in flight status were included.

**TONNAGE OF BOMBS DROPPED**

During January 1973, the total tonnage delivered by US and allied aircraft approximated 101,392 tons for Laos, Cambodia, North Vietnam and South Vietnam.

During February 1973, the total tonnage delivered by US and allied aircraft approximated 70,000 tons in Laos, Cambodia and in South Vietnam by South Vietnamese aircraft only.

During March 1973, the total tonnage delivered by US and allied aircraft approximated 39,000, the majority of which was delivered by US aircraft against targets in Cambodia.

In addition, I attach a copy of a Staff Report prepared for Senator Symington’s Subcommittee on US Security Agreements and Commitments Abroad which contains further detail on this general question.

I hope that this information will be of help. It was my pleasure to appear before your subcommittee and I look forward to be of assistance in the future.

Sincerely,

DENNIS J. DOOLIN,
Deputy Assistant Secretary.

(Below are excerpts from the Staff Report of the Senate Foreign Relations Committee referred to in Mr. Doolin’s letter. The Report, submitted to the Subcommittee on U.S. Security Agreements and Commitments Abroad, Committee on Foreign Relations, U.S. Senate, April 27, 1973, is entitled “U.S. Air Operations in Cambodia, April 1973.”)

**III. EMBASSY IN PHNOM PENH’S ROLE IN AIR OPERATIONS**

When we were finally given the detailed briefing and “walk-through” of the Air Attache’s Operations Center which we had requested, we learned that the Embassy’s role involved three interrelated functions:

A. As a communications relay point

We were shown the radio-telephone relay system, known as “Area Control,” located in the Air Attache’s Office in the Embassy which is manned by an augmented staff of U.S. military personnel temporarily assigned to the Defense Attache’s Office. It provides a communications link between the Cambodian General Staff, Seventh Air Force, the Airborne Battlefield Command and Control Center plane and the U.S. Forward Air Control planes.

B. As an on-the-spot coordinator of forward air control planes and strike aircraft

U.S. Forward Air Control planes which are assigned daily to the control of the Air Attache and which regularly refuel at Phnom Penh airport are shifted by Area Control from place to place in response to requests from the Cambodian General Staff or in response to tactical emergencies; and

C. As a screener of Cambodian or Seventh Air Force Requests for strikes except in eastern Cambodia

A panel of Embassy officers, both civilian and military, validates each request for B-52 and F-111 strikes, and the Defense Attache screens tactical air requests.

The degree and nature of the Embassy’s involvement varies depending on the location of air activity and on whether strategic or tactical air is involved. The Embassy has relatively little to do with air activity in the eastern third of Cambodia where there is no Cambodian Government presence. (This area is designated for air operations purposes as “Freedom Deal.”) Its role in both strategic and tactical air operations is much greater in the remainder of Cambodia where Cambodian Government forces are engaged with an enemy which is now composed almost entirely of Khmer Communist Insurgents and not North Vietnamese.

The procedures that apply in the various categories of air operations described above are as follows:
A. Strategic air operations outside the "Freedom Deal" area

The Embassy validates all B-52 and F-111 strikes outside the "Freedom Deal" area. When the Cambodian General Staff submits a request, it does so on a form which contains information regarding the nature of the target, its justification, and a certification that friendly forces, villages, hamlets, houses, monuments, temples, pagodas or holy places are not within certain specified distances of the target area.

The Embassy Air Attache's Office then plots the target and the bombing "box," the area in which the bombs will fall, on a one-to-fifty thousand map which is supposed to show the exact location of all permanent houses and buildings. The Air Attache told us that the maps being used by the Embassy were several years old and that the Embassy did not have current photography on proposed target areas which would permit the identification of new or relocated villages.

The original Cambodian request and the map are then considered by an Embassy bombing panel which meets daily. The panel is chaired by the Deputy Chief of Mission. Its other members are the Defense Attache who is an Army Colonel, the Chief of the Military Equipment Delivery team who is an Army Brigadier General, the Counselor for Political-Military Affairs and the Embassy intelligence chief.

The panel discusses the target in terms of consistency with the Rules of Engagement, the probable utility of the target, air safety and political factors. The final decision rests, according to the rules of the panel, with the Deputy Chief of Mission. According to him, decisions are made unanimously and approximately 40 percent of the requests are turned down. The Ambassador does not sit on the panel but is informed of decisions as they are made, and, according to the rules of the panel, before any particularly sensitive decision. The panel then sends its recommendation to Seventh Air Force through Embassy communications facilities in the form of a message from the Ambassador to the Seventh Air Force Commander. Targets are again reviewed at Seventh Air Force for consistency with the Rules of Engagement. The Embassy is then informed by message from Seventh Air Force of targets scheduled for attack, and, subsequently, of the results. The Embassy then relays this information to Cambodian General Staff Headquarters.

B. Strategic air operations in the "Freedom Deal" area

The flow of information described above is reversed in the case of B-52 operations in "Freedom Deal." In these cases, Seventh Air Force proposes targets and then passes its proposal to the Embassy where it is reviewed by the Defense Attache Office for additional comment (the full Embassy panel does not meet in these cases) before being passed by the Defense Attache to the Cambodian General Staff for approval or disapproval.

C. Tactical air operations outside the "Freedom Deal" area

In the case of Cambodian requests for tactical air strikes outside "Freedom Deal," the Cambodian ground commander or Forward Air Guide passes target information to a U.S. Forward Air Control pilot. The Forward Air Control pilot is in constant radio contact with the Air Attache officer in the Embassy manning the Area Control transmitter who has a Cambodian officer working next to him. Area Control passes the request to Seventh Air Force for final approval and then relays Seventh Air Force and Embassy approval (in actual practice the approval of an Assistant Air Attache to whom the Ambassador's authority has been delegated) back to the Forward Air Control pilot. The pilot informs the U.S. Air Force Battle Director aboard the Airborne Battlefield Command and Control Center plane, who then gives the strike order to the airborne alert aircraft under his control. The Ambassador is kept informed of tactical air operations by means of daily and ad hoc briefings.

*The principal function of the Chief of the Military Equipment Delivery Team is to supervise the delivery and utilization of U.S. military assistance equipment to Cambodian forces. Since he is a Brigadier General and outranks the Defense Attache, he has either been given or has assumed de facto role as "Senior Military Adviser to the Ambassador," and as such is consulted on all military decisions including the daily selection of bombing targets.*
D. Tactical air operations in the “Freedom Deal” area

Strike sorties within the “Freedom Deal” area, except for B-52’s, are not cleared individually with the Cambodian General Staff, and the Embassy plays no coordinating role.

A recent variation in the above system for the control of tactical air strikes involves the presence of an Assistant Air Attache from the Embassy in Phnom Penh aboard the Airborne Battlefield Command and Control Center plane involved in U.S. air support for Mekong convoys. The Command and Control Center plane now lands in the morning at Phnom Penh airport and picks up an Assistant Attache and a Cambodian Liaison officer. The Assistant Attache then becomes an airborne extension of Area Control for U.S. air operations in support of convoys.

In addition to tactical and strategic air strikes, Air Force C-130’s have been conducting psychological operation missions over Cambodia. During the period in which we were traveling and were able to follow these operations, 12 million leaflets were dropped on March 28 and 9.7 million on March 31.

Finally, airlanded resupply and airdrop sorties have also been flown in Cambodia. During the Month of March, there were 176 airlanded sorties (ammunition, mail and generators) and 58 airdrop sorties (24 rice drops and 32 ammunition drops). These figures do not take into account the airlift of fuel which began in mid-April just as our visit to Phnom Penh was ending.

IV. VISIT TO CINCPAC HEADQUARTERS

Although, as noted above, the Embassy in Phnom Penh had said that it was under instructions not to discuss the distribution of air strikes by geographic area in Cambodia, we were fully briefed on that subject, as well as on current and past sortie rates, during our visit to CINCPAC Headquarters. The main points of interest were these:

A. In the period February 16 through February 28, an average of 23 tactical air sorties a day and 5 B-52 sorties were flown in Cambodia. In the following two-week period, March 1 through March 15, an average of 58 tactical and gunship sorties (more than two times the level in the preceding two weeks) and 20 B-52 sorties (by Thai-based B-52’s only) were flown daily. In the succeeding two-week period, March 16 through March 31, an average of 184 tactical and gunship sorties (nine times the level flown during the first two weeks of February) and 58 B-52 sorties (about three times as many as in the first two weeks of March) were flown daily. About half of the B-52 sorties were flown by planes based in Thailand and about half by planes based on Guam. The average daily B-52 sortie rate remained about the same in the following two-week period, April 1 through 18, although the rate of tactical air sorties decreased slightly.

B. As far as the distribution of sorties by geographic area is concerned, in the period April 1 through April 18, a total of 213 gunship sorties in all areas, only 16 (or about 8 percent) were flown in the Eastern Provinces of Katanakiri and Mondolkiri, bordering on South Vietnam, and only 36 (or about 17 percent) in Stung Treng Province bordering on Laos. The rest were in the Central and South Central Cambodian provinces. Only about 30 percent of all tactical attack sorties were flown in these three provinces bordering on South Vietnam and Laos. And of a total of 1,052 B-52 sorties during this period only 180 (or 16 percent) were flown in these same three provinces. Of the remaining B-52 sorties, some 30 percent were flown in Kratie and Kompong Cham Provinces (many in support of convoy operations up the Mekong), a percent were flown in the Western provinces of Kompong Chhnang and Pursat and the northwest province of Siem Reap, and the remainder, some 48 percent, were flown in the generally more heavily populated Central, Southern and Southwestern provinces of Prey Veng, Kandal, Kampot, Takeo, Koh Kong, Kampong Chhnang, Kompong Thom and Preah Vihear Provinces. Thus, during the first two and a half weeks in April, the distribution of air strikes was no longer 80 percent against the North Vietnamese and their lines of supply into South Vietnam and 20 percent against the Khmer insurgent forces fighting Cambodian Government troops but close to the reverse as far as B-52 sorties were concerned with a heavy preponderance of tactical air strikes also devoted to helping Cambodian forces rather than to attacking North Vietnamese and Viet Cong units and supply routes.