BACKGROUND INFORMATION
RELATING TO
PEACE AND SECURITY IN SOUTHEAST ASIA AND OTHER AREAS

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

JANUARY 1970

Printed for the use of the Committee on Foreign Relations

U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1970
COMMITTEE ON FOREIGN RELATIONS

J. W. FULBRIGHT, Arkansas, Chairman

JOHN SPARKMAN, Alabama
MIKE MANSFIELD, Montana
ALBERT GORE, Tennessee
FRANK CHURCH, Idaho
STUART SYMINGTON, Missouri
THOMAS J. DODD, Connecticut
CLAIBORNE PELL, Rhode Island
GALE W. MCGEE, Wyoming

GEORGE D. AIKEN, Vermont
KARL E. MUNDT, South Dakota
CLIFFORD P. CASE, New Jersey
JOHN SHERMAN COOPER, Kentucky
JOHN J. WILLIAMS, Delaware
JACOB K. JAVITS, New York

CARL MARCY, Chief of Staff
ARTHUR M. KUHL, Chief Clerk

(II)
Preface by Senator J. W. Fulbright, Chairman, Committee on Foreign Relations

This collection of background information has been prepared to facilitate the consideration by the Committee on Foreign Relations of the various bills and resolutions pending before it relating to Southeast Asia and other areas.

In carrying out its Constitutional responsibilities in the formulation of foreign policy, the Senate has a duty to look to both the future and the past. It must continually reappraise its past actions in the light of today's conditions as well as help chart a foreign policy for the future.

I think it will be instructive for the Senate and the executive branch to recall the emphasis on consultation and prior congressional approval in the so-called troops-to-Europe resolution of 1951 as shown in these quotations from the Senate Report:

* * * [Paragraph 3 concerning consultation] expresses the sense of the Senate that before the President, as Commander in Chief of the Armed Forces, sends ground troops to Europe under Article 3 of the North Atlantic Treaty, he should consult the congressional committees primarily concerned with the formulation of foreign and military policies. The joint committee believes that, in such important matters which involve the security of the United States and world peace, the Congress should be kept informed of developments and should be in a position to participate in the formulation of major policy steps.

* * *

The term "congressional approval" as used in paragraph 6 is subject to different interpretations. On the one hand, some members of the joint committee expressed the view that congressional approval could only be given by formal legislation. Others believed that both the letter and the spirit of paragraph 6 might be met in certain circumstances, as the result of consultation by the administration with, and the approval of, the appropriate committees of the Congress. In any event, it should be noted that the resolution expresses the sense of the Senate that congressional approval should be given; it is not a legislative mandate.

It is also useful to recall the tight controls exercised at one time by the Congress on foreign aid spending in a tinderbox area—namely the Middle East of 1957.

The authorization in the Middle East Resolution of $200 million in additional funds for military and economic assistance was subject to the proviso that obligations incurred in carrying out the purposes of the first sentence of section 2 of this joint resolution shall be paid only out of appropriations for military assistance, and obligations incurred in carrying out the purposes of the first section of this joint resolution shall be paid only out of appropriations other than those for military assistance. This authorization is in addition to other existing authorizations with respect to the use of such appropriations. None of the additional authorizations contained in this section shall be used until fifteen days after the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committees on Appropriations of the Senate and the House of Representatives and, when military assistance is involved, the Committees on Armed Services of the Senate and the House of Representatives have been furnished a report showing the object of the proposed use, the country for the benefit of which such use is intended, and the particular appropriation or appropriations for carrying out the provisions of the Mutual Security Act of 1954, as amended, from which the funds are proposed to be derived. * * *
On the other hand, it is also good for the Senate to be reminded of the vagueness and difficulty of definition of some of its enactments, as for instance the Formosa resolution as described in the committee report, as follows:

Indeed, the resolution is broad enough in its language so that the President, if he finds it necessary, might take appropriate action in the area in the event Chinese Communist forces should be grouped in such a way as to present a clear and immediate threat to the security of Formosa or the Pescadores. This resolution would be indicative of congressional support for such action.

Or the words of the Middle East resolution—

The United States regards as vital to the national interest and world peace the preservation of the independence and integrity of the nations of the Middle East. To this end, if the President determines the necessity thereof, the United States is prepared to use armed forces to assist any nation or group of such nations requesting assistance against armed aggression from any country controlled by international communism: Provided, That such employment shall be consonant with the treaty obligations of the United States and with the Constitution of the United States.

How, or by whom, is it to be determined whether a country is “controlled by international communism”? The escalation of the war in Vietnam, subsequent to passage of the Southeast Asia Resolution, and without proper consultation with the Congress, demonstrates the dangers inherent in the broad and vague grants of authority contained in the area security resolutions now on the statute books. It is appropriate and timely for the Senate to review these resolutions in the light of present day circumstances.
## CONTENTS

**Preface**

---

<table>
<thead>
<tr>
<th>A. Pending resolutions relating to peace, and security in Southeast Asia and other areas.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Senate Resolution 268 by Senator Hughes and others, October 8, 1969.</td>
<td>3</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>3</td>
</tr>
<tr>
<td>2. Senate Resolution 270 by Senators Church and Hatfield, October 9, 1969.</td>
<td>4</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>5</td>
</tr>
<tr>
<td>3. Senate Concurrent Resolution 39 by Senator McGovern and others, October 9, 1969.</td>
<td>6</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>7</td>
</tr>
<tr>
<td>4. Senate Concurrent Resolution 40 by Senator Javits and others, October 14, 1969.</td>
<td>8</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>9</td>
</tr>
<tr>
<td>5. Senate Resolution 271 by Senator Dole and others, October 13, 1969.</td>
<td>9</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>10</td>
</tr>
<tr>
<td>6. Senate Resolution 275 by Senator Scott and others, October 15, 1969.</td>
<td>11</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>11</td>
</tr>
<tr>
<td>7. Senate Concurrent Resolution 42 by Senator Young, October 21, 1969.</td>
<td>12</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>12</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>13</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>15</td>
</tr>
<tr>
<td>10. Senate Concurrent Resolution 166 by Senators Mathias and Mansfield, December 8, 1969.</td>
<td>22</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>23</td>
</tr>
<tr>
<td>11. Senate Joint Resolution 22 by Senator Mansfield, December 8, 1969.</td>
<td>22</td>
</tr>
<tr>
<td>Department of State comments.</td>
<td>23</td>
</tr>
</tbody>
</table>

**B. Relevant area resolutions**

---

| 12. Troops to Europe: |
|---|---|
| (a) Senate Resolution 99, 82d Congress, agreed to April 4, 1951. | 24 |
| (b) Legislative history. | 26 |
| (c) Senate Report 175, March 14, 1951 (excerpts) | 29 |

| 13. Formosa resolution: |
|---|---|
| (a) Public Law 84-4, approved January 29, 1955. | 36 |
| (b) Legislative history. | 37 |
| (c) Senate Report 13, January 29, 1955 (excerpts) | 38 |

| 14. Middle East resolution, as amended: |
|---|---|
| (a) Public Law 86-7, approved March 9, 1957, as amended by Public Law 87-195, approved September 4, 1961. | 42 |
| (b) Legislative history. | 43 |
| (c) Senate Resolution 70, February 14, 1957 (excerpts) | 48 |

| 15. Cuban resolution: |
|---|---|
| (a) Public Law 87-733, approved October 3, 1962 | 52 |
| (b) Legislative history. | 53 |
| (c) Senate Report 211, September 19, 1962 (excerpts) | 54 |
B. Relevant area resolutions—Continued

16. Berlin resolution:
   (a) House Concurrent Resolution 570, 87th Congress, passed October 10, 1962
   (b) Legislative history
   (c) Senate Report 2288, October 10, 1962

17. Vietnam resolution (Tonkin Gulf resolution):
   (a) Public Law 88-408, approved August 10, 1964
   (b) Legislative history
   (c) Senate Report 1329, August 6, 1964 (excerpts)

C. Pertinent excerpts from collective defense treaties

18. Inter-American Treaty of Reciprocal Assistance (Rio Treaty), September 2, 1947


21. Security Treaty between Australia, New Zealand, and the United States (ANZUS), September 1, 1951


23. Mutual Defense Treaty between the United States and Korea, October 1, 1953

24. Southeast Asia Collective Defense Treaty (SEATO), September 8, 1954


26. Exchange of correspondence between Senator J. W. Fulbright and the Department of State concerning the individual obligations of a signatory to Mutual Defense treaties, 1967 (excerpts)

D. Existence of a national emergency: Proclamation 2914 by President Truman, December 16, 1950

E. Textual comparison of laws concerning peace and security in certain areas abroad

Map: United States collective defense arrangements faces blank p. 80
PEACE AND SECURITY IN SOUTHEAST ASIA
AND OTHER AREAS

A. Pending resolutions relating to peace and security in
Southeast Asia and other areas

1. S. 3000

A BILL To amend the Foreign Assistance Act of 1961

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That this Act may be
cited as the “Vietnam Disengagement Act of 1969.”

Sec. 2. (a) Congress finds that the broad foreign policy interests of
the United States require that the American military presence in
Vietnam be removed at the earliest possible time, and that such action
will promote the social and political well-being of the people of South
Vietnam; that the prosecution of the war in Vietnam with American
troops must be ended, not merely reduced; that the loss of American
lives in Vietnam can be halted only by establishing a clear timetable
for terminating American combat operations and withdrawing Amer­
can troop commitments in the near future; and that the responsibility
for ending the American involvement in Vietnam is not the President’s
alone, but must be shared by the Congress under its constitutional
authority to “raise and support armies” and to “declare war.”

(b) It is the purpose of this Act—

(1) to reassert the responsibility of Congress, under its consti­
tutional authority to “raise and support armies” and “declare
war,” to share with the President the task of extricating this
Nation from the Vietnam war; and to involve Congress in setting
a clear and unequivocal timetable for the withdrawal of American
troops from Vietnam;

(2) to express the clear intent of Congress that all American
military personnel be withdrawn from Vietnam on or before De­
cember 1, 1970; so that the retention even of noncombat military
training personnel in Vietnam after that date would not be per­
mitted without the enactment by Congress of further legislation
specifically approving such retention; and

(3) to give clear notice to the Government of South Vietnam
that following December 1, 1970, it must assume the burden of
fighting; and to permit the withdrawal of American military per­
sonnel and the assumption of their combat functions in an orderly
fashion on a schedule set by the President with a required termina­
tion date of December 1, 1970.

1 Senators Goodell and McGovern, October 7, 1969. (1)
SEC. 3. Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

"Sec. 620A. PRESENCE IN VIETNAM.—No part of any amount authorized to be appropriated under any Act shall be used after December 1, 1970, to maintain military personnel of the United States in Vietnam."

Department of State Comments

WASHINGTON, D.C., December 4, 1969.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations,
U.S. Senate.

Dear Mr. Chairman: The Secretary has asked that I reply to your letter of October 13 enclosing copies of Senate Bill 3000 and requesting the views of the Executive Branch on this bill.

We are opposed to passage of this bill, which in effect seeks to legislate an end to the war through a prohibition on the use of appropriated funds to maintain American military personnel in Viet-Nam beyond December 1, 1970. Not only do we consider that this would be an unwise approach to a complex and vital foreign policy problem, but we believe passage of such a bill would undermine our efforts to obtain a just peace in Viet-Nam.

By setting an arbitrary date for the complete withdrawal of U.S. military forces, this bill implicitly rejects our fundamental, long-standing, and widely accepted goal in Viet-Nam—the assurance of self-determination for the South Vietnamese people. We obviously cannot maintain that goal and at the same time commit ourselves beforehand to the total withdrawal of our troops by a certain date regardless of whether or not that goal is achieved.

We intend to have our troops out of Viet-Nam as quickly as possible consistent with this basic goal. As the President said in his news conference on September 26:

"** if the Administration were to impose an arbitrary cutoff time ** for the complete withdrawal of American forces **, that inevitably leads to perpetuating and continuing the war until that time and destroys any chance to reach the objective I am trying to achieve of ending the war before the end of 1970. ** I also believe that (proposals such as this one) inevitably undercut and destroy the negotiating position we have in Paris ** any incentive for the enemy to negotiate is destroyed if he is told in advance that if he just waits for 18 months we will be out anyway."

We believe, therefore, that passage of this bill would not serve our country's best interests, and we urge its rejection.

Sincerely yours,

H. G. TORBERT, Jr.,
Acting Assistant Secretary
for Congressional Relations.
RESOLUTION Expressing the sense of the Senate that certain measures should be taken by the Government of South Vietnam

Resolved, That it is the sense of the Senate that the Government of South Vietnam should promptly be urged to take the following steps within the next sixty days:

(1) Grant liberty and amnesty to all of those presently held in custody as political prisoners;

(2) Lift the censorship of all communications media, foreign and domestic, including especially those newspapers which have been closed down;

(3) Permit political parties the freedom to organize and operate without governmental controls; and

(4) Present a plan for a provisional government, broadly representative of the main political, ethnic, and religious groups of South Vietnam, whose principal functions will be to maintain government effectively during the transition from war to peace; and be it further

Resolved, That it is the sense of the Senate that if each of these conditions is not satisfied, in whole or in substantial part, then the United States should declare officially that its commitment to the present Government of South Vietnam is ended, and that with all responsible haste it will terminate its military, political, and economic assistance to that Government.

Department of State Comments

WASHINGTON, D.C., December 4, 1969.

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

DEAR MR. CHAIRMAN: The Secretary has asked that I reply to your letter of October 13 enclosing copies of Senate Resolution 268 and requesting the views of the executive branch on this resolution.

This resolution would make continuation of United States involvement in Viet-Nam contingent upon two steps by the Government of the Republic of Viet-Nam: (1) instituting certain political liberalization measures within the next 60 days; and (2) presenting a plan for a broad provisional government. In our view, the resolution ignores the substantial political progress already made by the South Vietnamese government, as well as the reasonable proposals for a peaceful settlement which that government has made in recent months.

We are of course interested in seeing the Vietnamese make rapid progress in the field of political liberalization. At the same time we realize the problems they face in doing so under difficult and unusual wartime conditions. We nevertheless will continue to encourage their efforts in this regard and to make our views known. However, we cannot impose on the South Vietnamese our own idea of what their government should be, and we believe an ultimatum to the Vietnamese government such as this resolution implies would be neither proper

1 Senators Hughes, Church, Cranston, Eagleton, Hatfield, McCarthy, McGovern, Mondale, Yarborough, and Young of Ohio, October 8, 1969.

39-347—70—2
nor useful as a means of furthering the common search for peace in which our two countries are engaged.

This resolution apparently reflects a misunderstanding of our basic purpose in Viet-Nam. We are not fighting there to maintain in power any individual, group, or government. Our goal is self-determination for the people of South Viet-Nam, so that they can choose their own government freely. Both we and the present Government of the Republic of Viet-Nam have pledged to accept that choice and have made reasonable proposals for elections in which all South Vietnamese could participate in order to determine it.

The authorities in Hanoi are prolonging the war and refusing to engage in serious negotiations because they hope we can be forced to abandon this principle of self-determination. We believe the rejection of this resolution will help destroy that false hope and enhance the prospects for meaningful negotiations and an early peace.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary
of Congressional Relations.

3. SENATE RESOLUTION 270

RESOLUTION Expressing the sense of the Senate relative to the Vietnam war

Resolved, The Senate of the United States takes cognizance that:

(1) It is the duty of the Senate to give advice and consent to the Executive in the conduct of foreign affairs. In view of the continuing war in Vietnam, the exercise of such responsibility is the highest form of service to be performed.

(2) The war in Vietnam was caused by no one man and no one party, but it is the responsibility of all men and both parties to bring the war to an end. In the past five years, some forty thousand American soldiers have died. Since the beginning of this year, more than eight thousand American fighting men have been killed. In light of the thousands of lives being lost, there can be no moratorium on discussion and no halt to the necessity for leadership in terminating further American participation in the combat.

(3) The President has taken a step in the right direction by his announced withdrawal of sixty thousand American troops. But this is only a small beginning to what must be done to extricate the United States from this war. At the present rate of withdrawal, American troops will be engaged in Vietnam for the next eight to ten years. The policy of the United States can no longer wait upon the pleasure of either Saigon or Hanoi.

(4) The future of South Vietnam must be shaped by the will of the South Vietnamese. The continued presence of United States military forces can only postpone the political accommodations essential to ending the conflict; and be it further

Resolved, That in the sense of the Senate that, having furnished South Vietnam with an American shield for the past five years to allow for the development of its political and military capacities, the time has arrived, for the people of South Vietnam to take charge of their own destiny; and be it further
Resolved, That this can be accomplished only through a more rapid withdrawal of American troops, and a commitment by the United States to fully disengage from South Vietnam, pending such reasonable interval as may be necessary to effect an orderly transition on the battlefield, and provide for the safety of American troops and those who may wish to leave with them.

Department of State Comments

WASHINGTON, D.C., December 4, 1969,

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

Dear Mr. Chairman: The Secretary has asked that I reply to your letter of October 13 enclosing copies of Senate Resolution 270 and requesting the views of the Executive Branch on this resolution.

We would be opposed to passage of this resolution. We certainly agree with the resolution's statement that the people of South Vietnam must take charge of their own destiny; this has been, and continues to be, our fundamental objective in Viet-Nam. We do not agree, however, that this can be achieved "only" through a more rapid withdrawal of American troops and a commitment by the United States to fully disengage from South Vietnam, as the resolution further states.

It has been the attempt by North Viet-Nam to impose its own solution by force of arms on the people of South Viet-Nam that accounts for our troops being there. We feel that the goal of self-determination for the South Vietnamese can only be achieved by the mutual withdrawal of all non-South Vietnamese forces, and we have repeatedly proposed this to those on the other side. It is the other side's refusal to accept this basic and reasonable principle that prevents a more rapid withdrawal of United States forces from Viet-Nam.

We do not agree that the presence of our forces postpones the political accommodations essential to ending the conflict. Both we and the Government of the Republic of Viet-Nam have made reasonable and forthcoming proposals for political settlement of this conflict in a manner fully consistent with the principle of self-determination for all the South Vietnamese people. Again, it is the other side's refusal even to consider these proposals that is the real obstacle to political accommodation and an honorable political settlement.

We intend to withdraw our combat troops as rapidly as possible, but we must do this in such a way as to support our fundamental objective of self-determination and our negotiating proposals and other actions designed to achieve it. In our view the much more limited conditions and requirements for withdrawal which the resolution proposes would not support that objective and those actions and would make far more difficult our efforts to obtain a just and lasting peace in Viet-Nam.

The authorities in Hanoi are prolonging the war and refusing to engage in serious negotiations because they hope we will abandon the principle of self-determination and withdraw precipitately from Viet-Nam. The rejection of this resolution will help destroy that false hope
and enhance the prospects for meaningful negotiations and an early peace.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary for Congressional Relations.

4. SENATE CONCURRENT RESOLUTION 39

CONCURRENT RESOLUTION Relating to withdrawal of United States forces from Vietnam

Whereas the war in Vietnam has resulted in the loss of more than forty thousand American lives, in some two hundred and fifty thousand American casualties, in the depletion of American resources to the extent of over $100,000,000,000, and in inestimable destruction of Vietnamese life and property; and

Whereas the war stands today as the greatest single obstacle to efforts to focus the country's financial, human, and spiritual resources upon urgent domestic needs; and

Whereas spokesmen for the present administration have recognized that military victory cannot be achieved in Vietnam and have specifically defined United States policy to exclude that unattainable goal; and

Whereas the painful history of United States involvement in Vietnam exposes the futility of external attempts to create and sustain a viable, indigenous government, particularly when its leaders resist political and social reforms aimed at inspiring popular confidence and support; and

Whereas the leaders of South Vietnam have indicated, by action and deed, that their ambitions conflict with the interests of the United States in a prompt settlement of the conflict, and that they are unlikely to adopt a negotiating posture which might end the war so long as they are assured of all the United States support they need to prosecute it; and

Whereas the dominant result of policies relating the level of American presence to the capability or willingness of the South Vietnamese to fight the war themselves can only be the continued daily loss of life and limb by American servicemen, with no foreseeable conclusion; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress of the United States that all United States forces should now be withdrawn from Vietnam, the pace of the withdrawal to be limited only by steps to insure the safety of our forces, the mutual release of prisoners of war, and the provision of safety, through arrangement for amnesty or asylum in friendly countries, for those Vietnamese who might be endangered by our disengagement.

4 Senators McGovern, Church, Cranston, Hughes, McCarthy, Ribicoff, Young of Ohio, Nelson, Moss, and Goodell, October 9, 1969.
DEAR MR. CHAIRMAN: The Secretary has asked that I reply to your letter of October 13 enclosing copies of Senate Concurrent Resolution 39 and requesting the views of the Executive Branch on this resolution.

We would oppose passage of this resolution. While we agree that the war in Viet-Nam has resulted in heavy burdens for our people, we do not believe the great majority of Americans would wish us to abandon our fundamental objective—that of self-determination for the South Vietnamese people—for the more limited goals this resolution implicitly sets in calling for more rapid withdrawal of American forces from Viet-Nam.

The resolution suggests the only requirements we should fix for withdrawal are the safety of our own forces, the release of prisoners, and amnesty or asylum for those Vietnamese endangered by our withdrawal. In our view the withdrawal of United States troops from Viet-Nam must be carried out in such a way as to help assure our goal of self-determination and to support our negotiating efforts designed to achieve it.

As the President said on May 14:

"What kind of a settlement will permit the South Vietnamese people to determine freely their own political future? Such a settlement will require the withdrawal of all non-South Vietnamese forces from South Vietnam and procedures for political choice that give each significant group in South Vietnam a real opportunity to participate in the political life of the nation.

"To implement these principles, I reaffirm now our willingness to withdraw our forces on a specified timetable. We ask only that North Vietnam withdraw its forces from South Vietnam, Cambodia and Laos into North Vietnam, also in accordance with a timetable.

"We include Cambodia and Laos to ensure that these countries would not be used as bases for a renewed war. The Cambodian border is only 35 miles from Saigon; the Laotian border is only 25 miles from Hue.

"Our offer provides for a simultaneous start on withdrawal by both sides; agreement on a mutually acceptable timetable; and for the withdrawal to be accomplished quickly.

"If North Vietnam wants to insist that it has no forces in South Vietnam, we will no longer debate the point—provided that its forces cease to be there, and that we have reliable assurances that they will not return."

In addition, as the President stated on November 8:

"We have adopted a plan which we have worked out in cooperation with the South Vietnamese for the complete withdrawal of all U.S. combat ground forces, and their replacement by South Vietnamese
forces on an orderly scheduled timetable. This withdrawal will be made from strength and not from weakness. As South Vietnamese forces become stronger, the rate of American withdrawal can become greater."

The authorities in Hanoi are prolonging the war and refusing to engage in serious negotiations because they hope we can be forced to abandon the principle of self-determination. We believe that the rejection of this resolution will help destroy that false hope and enhance the prospects for meaningful negotiations and an early peace.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary
for Congressional Relations.

5. SENATE CONCURRENT RESOLUTION 40

CONCURRENT RESOLUTION To terminate Public Law 408 of the Eighty-eighth Congress (Gulf of Tonkin resolution), and for other purposes

Whereas the Armed Forces of the United States have been involved in warfare in Vietnam, pursuant to Public Law 408 of the Eighty-eighth Congress, on a scale resulting in the third highest combat fatalities in United States history; and

Whereas the Army of the Republic of Vietnam is being trained and equipped to take over from the United States forces in Vietnam; and

Whereas domestic and world conditions do not warrant further prolongation of the present United States combat involvement in Vietnam; and

Whereas the moral obligation the United States bears to the people of South Vietnam is to provide asylum for those whose lives would be endangered by our withdrawal; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the President should withdraw all American combat troops by the end of 1970; and be it

Resolved further, That upon such withdrawal, unless the President shall have previously determined that peace and security in Southeast Asia is reasonably assured pursuant to section 3 of Public Law 408 of the Eighty-eighth Congress, such joint resolution shall terminate on December 31, 1970; and be it

Resolved further, That it is the sense of the Congress that the remaining United States forces should be withdrawn in a reasonable time thereafter and that during this period steps should be taken by the United States in cooperation with the United Nations or other international organizations to provide asylum for those in South Vietnam whose lives would be endangered by such action.

---

1 Senators Javits, Metcalf, and Pell, October 14, 1969.
WASHINGTON, D.C., December 4, 1969.

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

Dear Mr. Chairman: The Secretary has asked that I reply to your letter of October 17 enclosing copies of Senate Concurrent Resolution 40 and requesting the views of the Executive Branch on this resolution.

We would oppose passage of this resolution, which seeks to establish the end of 1970 as the date both for a fixed deadline for withdrawal of all United States combat troops and for repeal of the Tonkin Gulf Resolution.

We believe that the establishment of a firm date for withdrawal of United States troops will not bring us closer to our goals in South Viet-Nam. The Administration hopes to withdraw United States combat troops from Viet-Nam as quickly as possible and has a plan for accomplishing this objective. Public revelation of a fixed timetable, however, would not contribute to the attainment of this objective. It would jeopardize our chances of obtaining a political settlement through negotiations and could interfere with the continuing orderly transfer of the United States share of combat to the South Vietnamese.

Further, we oppose the repeal of the Tonkin Gulf Resolution at this time. Certainly the Congress has the right to terminate this resolution if it chooses to do so. However, we do not believe that its termination would bring us any closer to peace. The Administration's commitment to terminate participation of American combat forces in the war is clear, and the basic objective of the proposed resolution, namely the disengagement of United States forces from the war, is already on the way to being achieved.

In addition, the existence of the Tonkin Gulf Resolution has consequences for Southeast Asia which go beyond the war in Viet-Nam. The question of its termination must be considered carefully in terms of our other international obligations in the area, particularly the Southeast Asia Collective Defense Treaty which the Tonkin Gulf Resolution specifically cites.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary for Congressional Relations.

6. SENATE RESOLUTION 271

RESOLUTION
Peace in Vietnam

Resolved. That it is the sense of the Senate that the Government of North Vietnam and the National Liberation Front are urged to take promptly the following steps:

(1) acknowledge that a just and mutually agreed settlement is the best hope for lasting peace;
(2) show at the Paris peace talks the same flexibility and desire for compromise which the Allies have clearly demonstrated over the past year;
(3) agree to direct negotiations between representatives of the National Liberation Front and of the Government of the Republic of Vietnam as proposed by the latter;
(4) withdraw their insistence on Allied surrender through their demand for the overthrow of the Government of the Republic of Vietnam before genuinely free elections could be held; and
(5) provide information on the status of United States prisoners of war held in North Vietnam and by the National Liberation Front, and give evidence that these prisoners are being treated humanely in accordance with the provisions of the Geneva Convention; and be it further

Resolved, That it is the sense of the Senate that the United States must maintain its one fundamental goal in Vietnam of peace, with self-determination for the South Vietnamese people.

Department of State Comments

WASHINGTON, D.C., December 4, 1969.

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

Dear Mr. Chairman: The Secretary has asked that I reply to your letter of October 14 enclosing copies of Senate Resolution 271 and requesting the views of the Executive Branch on this resolution.

We fully agree with this resolution, which reiterates our fundamental goal of self-determination for the South Vietnamese people and correctly places the blame for lack of progress toward peace on the communist side. It also notes correctly the flexibility our side has shown in attempting to reach a negotiated settlement, and it calls upon Hanoi to do the same.

The drafters of this resolution have recognized that Hanoi continues to remain inflexible in the hope that pressures in this country will force us to abandon our fundamental goal. This resolution, if endorsed by the Senate, could contribute greatly to an early and honorable settlement by making clear to the other side that the majority of the American people are firmly behind our present efforts to reach an honorable negotiated solution. We would greatly welcome such an endorsement.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary
for Congressional Relations.
7. SENATE RESOLUTION 275

RESOLUTION Relative to the intrusion of the Premier of North Vietnam into the affairs of the United States

Whereas the Premier of North Vietnam has publicly described the Vietnam moratorium in an open letter to the American people as "their fall offensive" aimed at forcing the United States "to withdraw completely and unconditionally" from Vietnam; and
Whereas the said Premier's letter to the American people is a blatant and insolent intrusion into the affairs of the American people; Now, therefore, be it

Resolved, That we abhor the attempt of Premier Phan Van Dong to associate Americans who demonstrate for peace with the cause of North Vietnam; and

Resolved further, That the Senate repudiates the Premier's letter and the intrusion which it represents into the constitutional right of Americans to assemble peacefully to petition their Government.

Department of State Comments

WASHINGTON, D.C., December 4, 1969.

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

Dear Mr. Chairman: The Secretary has asked that I reply to your letter of October 17 enclosing copies of Senate Resolution 275 and requesting the views of the Executive Branch on this resolution.

We think a resolution such as this would be beneficial in that it would point out clearly to the Hanoi authorities that they are seriously mistaken if they equate demonstrations for peace here with support for their cause.

We must recognize that the leaders in Hanoi look upon disruption and dissent here as one of their best allies. Premier Pham Van Dong's letter is only one of the latest and most blatant attempts to exploit the yearning for peace which runs so strongly in our society. We believe the North Vietnamese should be disabused of their misconceptions about the meaning of dissent in our society, a concept which is totally alien to their own totalitarian outlook and experience.

Once the North Vietnamese realize that such dissent does not mean that the overwhelming majority of Americans have abandoned their desire for an honorable peace, the chances for a satisfactory negotiated settlement will be greatly increased. Such a settlement is our overriding goal, and we feel the proposed resolution would aid significantly in helping us achieve it.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary for Congressional Relations

1 Senators Scott, Hatfield, and Mansfield, October 15, 1969.
8. SENATE CONCURRENT RESOLUTION 42

CONCURRENT RESOLUTION To terminate the joint resolution commonly known as the Gulf of Tonkin Resolution

Resolved by the Senate (the House of Representatives concurring), That, under the authority of section 3 of the joint resolution, commonly known as the Gulf of Tonkin Resolution and entitled "Joint resolution to promote the maintenance of international peace and security in southeast Asia", approved August 10, 1964 (78 Stat. 384), such joint resolution is terminated upon passage of this concurrent resolution.

Department of State Comments

WASHINGTON, D.C., December 4, 1969.

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

DEAR MR. CHAIRMAN: The Secretary has asked that I reply to your letter of October 27 enclosing copies of Senate Concurrent Resolution 42 and requesting the views of the Executive Branch on this resolution.

We would oppose the passage of this resolution. While the Congress certainly has the right to terminate the Tonkin Gulf Resolution if it chooses to do so, we do not believe that its termination would bring us any closer to peace. The basic objective of the proposed resolution, namely the disengagement of United States forces from the war, is already on the way to being achieved through this Administration's current program of seeking a negotiated settlement withdrawing United States combat forces on an orderly basis as the South Vietnamese are able to assume a greater share in their own self-defense.

The existence of the Tonkin Gulf Resolution also has consequences for Southeast Asia which go beyond the war in Viet-Nam. The question of its termination must be considered carefully in terms of our other international obligations in the area, particularly the Southeast Asia Collective Defense Treaty which the Tonkin Gulf Resolution specifically cites.

Sincerely yours,

H. G. Torrey, Jr., Acting Assistant Secretary for Congressional Relations.

9. SENATE RESOLUTION 280

RESOLUTION Affirming the support of the Senate for the President's efforts to negotiate a just peace in Vietnam

Resolved, That the Senate affirms its support for the President in his efforts to negotiate a just peace in Vietnam, expresses the earnest
hope of the people of the United States for such a peace, calls attention to the numerous peaceful overtures which the United States has made in good faith toward the Government of North Vietnam, approves and supports the principles enunciated by the President that the people of South Vietnam are entitled to choose their own government by means of free elections open to all South Vietnamese and that the United States is willing to abide by the results of such elections, and requests the President to call upon the Government of North Vietnam to join in a proclamation of a mutual cease-fire and to announce its willingness to honor such elections and to abide by such results and to allow the issues in controversy to be peacefully so resolved in order that the war may be ended and peace may be restored at last in Southeast Asia.

Department of State Comments

WASHINGTON, D.C., December 4, 1969.

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

DEAR MR. CHAIRMAN: The Secretary has asked that I reply to your letter of November 12 enclosing copies of Senate Resolution 280 and requesting the views of the Executive Branch on this resolution.

We welcome this proposed resolution in its support of our fundamental objective in Viet-Nam and of President Nixon's efforts to negotiate a just peace which assures that objective—the right of self-determination for the people of South Viet-Nam. The resolution draws special strength from the fact that it is co-sponsored by the Majority and Minority leaders as well as by an impressive list of other distinguished Senators from both parties.

The authors of the resolution approve the United States' willingness to honor and be bound by the results of free elections open to all South Vietnamese, requests the President to seek agreement with the government of North Viet-Nam on a joint proclamation of a mutual cease-fire; and requests the President to call upon the government of North Viet-Nam to announce its willingness to honor such elections and to allow the issues in controversy to be resolved peacefully.

This is entirely in accord with the goals of this Administration. We are already committed to acceptance of the outcome of free elections and to peaceful settlement of the issues in dispute and have repeatedly urged this on the other side. Mutual cease-fire under international supervision was an element of the President's peace plan of May 14 and has been an integral part of our peace proposals since then.

Endorsement of this resolution by the Committee and the Senate would enhance the prospects for peace by demonstrating to those on the other side that our current efforts to reach an honorable settlement in Viet-Nam enjoy strong backing in the legislative as well as executive branch of our government and must be taken seriously as a basis for real negotiations.

Sincerely yours,

H. G. Torbert, Jr.,
Acting Assistant Secretary for Congressional Relations.
RESOLUTION To express the sense of the Senate with respect to troop deployment in Europe

Whereas the foreign policy and military strength of the United States are dedicated to the protection of our national security, the preservation of the liberties of the American people; and the maintenance of world peace; and

Whereas the United States, in implementing these principles, has maintained large contingents of American Armed Forces in Europe, together with air and naval units, for twenty years; and

Whereas the security of the United States and its citizens remains interwoven with the security of other nations signatory to the North Atlantic Treaty as it was when the treaty was signed, but the condition of our European allies, both economically and militarily, has appreciably improved since large contingents of forces were deployed; and

Whereas the means and capacity of all members of the North Atlantic Treaty Organization to provide forces to resist aggression has significantly improved since the original United States deployment; and

Whereas the commitment by all members of the North Atlantic Treaty is based upon the full cooperation of all treaty partners in contributing materials and men on a fair and equitable basis, but such contributions have not been forthcoming from all other members of the organization; and

Whereas relations between Eastern Europe and Western Europe were tense when the large contingents of United States forces were deployed in Europe but this situation has now undergone substantial change and relations between the two parts of Europe are now characterized by an increasing two-way flow of trade, people, and other peaceful exchange; and

Whereas the present policy of maintaining large contingents of United States forces and their dependents on the European Continent also contributes further to the fiscal and monetary problems of the United States; Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that, with changes and improvements in the techniques of modern warfare and because of the vast increase in capacity of the United States to wage war and to move military forces and equipment by air, a substantial reduction of United States forces permanently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty;

(2) S. Res. 99, adopted in the Senate, April 4, 1951, is amended to contain the provisions of this resolution and, where the resolutions may conflict, the present resolution is controlling as to the sense of the Senate.
COMMENTS

(Inasmuch as the Department of State comments, requested on December 4, had not been received when this publication went to press, a statement by Senator Mansfield on Jan. 24, 1970 is reproduced.)

SENATE RESOLUTION 292—U.S. FORCES IN EUROPE.

Mr. MANSFIELD. Mr. President, in the New York Times of January 21, 1970, on page 4, there is published an excerpt from a speech by Under Secretary of State Richardson in Chicago, telling us how the European countries, our allies, especially Germany, are hoping to offset the balance-of-payments drain on our military deployment in Europe and how we are exploring ways and means of making this arrangement more adequate.

In that same issue of the New York Times, on page 64, an article states that Germany has just cashed in prematurely a billion marks' worth of U.S. Treasury bonds purchased in 1968 to offset the drain caused by the stationing of American troops in West Germany.

Mr. President, I ask unanimous consent to have the article entitled “Germany recalls Bonds of United States Early” printed in the Record.

(There being no objection, the article was ordered to be printed in the Record, as follows:)

GERMANY RECALLS BONDS OF UNITED STATES EARLY

FRANKFURT, WEST GERMANY, January 20.—The Bundesbank disclosed today that it has prematurely recalled a billion marks of United States Treasury Bonds purchased in 1968 to offset the dollar drain caused by the stationing of American troops in West Germany.

Under the 1968 offset agreement with the United States Government, West Germany had acquired $500-million worth of 4½-year Treasury bonds for 2 billion marks.

The premature recall was made to help increase the West German Central Bank’s own liquidity in foreign currency, a Bundesbank official explained.

Because of the inflow of dollars resulting from the transaction, West German foreign currency reserves increased 536,400,000 marks to 5,928,891,000 marks on balance in the week ended Jan. 15, Bundesbank reported.

Mr. MANSFIELD. Mr. President, on yesterday, the President of the United States delivered his state of the Union message to a joint session of the Congress.

It was a fine message. It was a message with a lot of merit to it. Certainly the meat will be there when the specifics are forthcoming to cope with the recommendations and goals, which President Nixon has outlined.

During the course of that speech he said, speaking of foreign policy:

"Today, let me describe the directions of our new policies.

"We have based our policies on an evaluation of the world as it is, rather than as it was twenty-five years ago at the end of World War II. Many of the policies which were necessary and right then are obsolete today.

"Then, because of America’s overwhelming military and economic strength, the weakness of other major free world powers and the inability of scores of newly independent nations to defend—let alone govern—their own freedom, America had to assume the major burden for the defense of freedom in the world.

"In two wars, first in Korea and then in Vietnam, we furnished most of the money, most of the arms and most of the men to help others defend their freedom.

"Today the great industrial nations of Europe, as well as Japan, have regained their economic strength, and the nations of Latin America—and many of the nations that acquired their freedom from colonialism after World War II in Asia and Africa—have a new sense of pride and dignity, and a determination to assume the responsibility for their own defense.

"That is the basis of the doctrine I announced at Guam.

"If I may interpolate there, the Guam declaration formed the basis of the Nixon doctrine, which I wholeheartedly endorse and which I was pleased to see the President announce yesterday applied not only to Asia but to the rest of the world as well.

Continuing the President's remarks:

"Neither the defense nor the development of other nations can be exclusively or primarily an American undertaking;"

"The nations of each part of the world should assume the primary responsibility for their own well-being; and they themselves should determine the terms of that well-being.

"To insist that other nations play a role is not a retreat from responsibility, but a sharing of responsibility.

"We shall be faithful to our treaty commitments, but we shall reduce our involvement and our presence in other nations' affairs."

Mr. President, to that I say, Amen.

Mr. President, on January 20, the Under Secretary of State, the Honorable Elliot L. Richardson, examined U.S. relations with Western Europe, in general, and the question of U.S. force levels in Europe, in particular, in an address before the Chicago Council on Foreign Relations. At the beginning of his speech, Mr. Richardson referred to the resolution I submitted to the Senate on December 1, Senate Resolution 292, which calls for "a substantial reduction of U.S. forces permanently stationed in Europe."

In introducing that resolution on December 1, I made a statement on the floor of the Senate setting forth the reasons that I thought justified a downward adjustment of the level of our forces in Europe. I pointed to the enormous costs involved in maintaining a Military Establishment of 3.5 million men under arms with 1.2 million men outside the United States and over 300,000 of these—together with 235,000 dependents and 14,000 U.S. civilian employees—in Western Europe. I pointed to the fact that our net foreign exchange gap with Germany is running at about $965 million a year, and I should note parenthetically that Mr. Richardson reminded his Chicago audience that—"The balance-of-payments drain of our military deployment in Europe is currently about $1.5 billion a year."

I also pointed to the need to reduce our military budget from its present level of somewhere between $75 and $80 billion.

Mr. Richardson has now given the administration's arguments for maintaining the status quo, as far as our force levels in Europe are concerned. There are, of course, two sides to every argument. I presented one side on the Senate floor on December 1. The Under Secretary of State presented the other in Chicago on January 20. I hope that my colleagues in the Senate, those in the other body, and members of the public will examine the two sides of the argument closely.

In this connection, and in order to avoid repeating what I have already said on the floor of the Senate, I ask unanimous consent that the full text of Mr. Richardson's speech, and the full text of my December 1 statement, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. Cranston in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. MANSEF. Mr. President, I consider it necessary to make a few comments today, on Mr. Richardson's speech, in order to make my position clear:

First of all, Mr. Richardson referred to Senate Resolution 292 as an expression of the "tendency by some to say that NATO has done its job so why not bring those troops home?" May I point out that Senate Resolution 292 is not an expression of a belief that "NATO has done its job" but, on the contrary, of a belief that the United States has been doing a disproportionate share of NATO's job and that the other 14 members of NATO are in a position to do more and should do so. Nor does Senate Resolution 292 urge that all U.S. troops be brought home but only that there be a "substantial reduction of U.S. forces permanently stationed in Europe."

Second, Mr. Richardson states that the effectiveness of the strategy of flexible responses "rests perforce on the conviction in both parts of Europe that the United States will fulfill its determined role." Mr. Richardson added that "the U.S. military presence in Europe, whether we like it or not, continues to be taken as tangible evidence of our commitment" and that "any sudden or dramatic reduction" of that presence would have "unpleasant consequences."

I would like to emphasize that Senate Resolution 292 neither states nor implies that we will not fulfill our NATO obligations. On the contrary, it affirms specifically that a substantial reduction of U.S. forces permanently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty. Furthermore, the resolution does not urge, and I have not urged, that such a substantial reduction be

Omitted in part.
either sudden or dramatic. Mr. Richardson did not argue against a sudden or
dramatic reduction but against any reduction at all, for only a few para-
graphs later he referred to the administration's having "pledged to maintain
our present troop strength in Europe through fiscal year 1971."

Third, Mr. Richardson stated that if all of our forces in Europe were brought
home and stationed in this country, little or no savings would appear in our
defense budget. As I noted in my December 1 statement, however, it has always
been argued that bringing a substantial number of forces back from Europe will
not affect our defense budget because we cannot reduce the number of men under
arms. But it is also argued that it is impossible to reduce the number of men
under arms, among other reasons because of the need to maintain present force
levels in Europe, I contended then, and I do so again now, that this endless circle,
which will lead to the end to fiscal exhaustion, can and must be broken.

Fourth, Mr. Richardson referred to the possibility of negotiating with the
Soviet Union and the countries of Eastern Europe mutual and balanced force
reductions and said that the other reason the administration opposes Senate
Resolution 292 is the firm belief that it would weaken our bargaining position.

Mr. President, NATO has been studying mutual and balanced forced reductions
for years and has still not arrived at an agreed proposal. Even when such a pro-
posal is formulated, there is no reason to assume that negotiations will begin for
it is my understanding that there has been no indication that the Soviet Union is
interested in such negotiations. And what if that continues to be the situation?
Will we then be locked into maintaining our present force levels in Europe in
perpetuity regardless of the costs involved or the wisdom of doing so in the light of
our national interests?

In fact, the Soviets may not be willing to reduce the military presence in East-
ern Europe no matter what the United States does or does not do because the
level of that presence may well be dictated by political considerations within
Eastern Europe. On the other hand, if that is not so, then U.S. reductions may be the
most effective way to bring about Soviet reductions because the Soviet Union
could no longer justify the presence of hundreds of thousands of Soviet troops in
Eastern Europe on the ground that there were hundreds of thousands of American
troops in Western Europe.

Fifth, Mr. Richardson stated that "the bulk of any substantial reduction in U.S.
forces will have to be made up by West Germany, the most populous and wealthy
of our allies." He went on to say that the German people and the Soviet Union
do not favor a larger German military establishment and that such a develop-
ment "would give pause even to some of Germany's allies."

I am not arguing that there should be a larger German military establishment
than has been agreed to before but only that the West Germans meet their pre-
determined NATO commitments as we have met ours. I might say, parentheti-
cally, that the same comment pertains to other NATO countries as well. The fact
is that in terms of the percentage of armed forces to men of military age, in
many NATO countries that percentage is not only below the 8.7 percent found
in the United States but also below the 4-percent figure which applies to West
Germany. And in all of the NATO countries that have compulsory military serv-
ices—except Greece, Portugal, and Turkey—the period of service is shorter than
in the United States but also below the 4-percent figure which applies to West
Kingdom, there is

Finally, it is all very well to talk about the "strength, closeness, trust, realism,
and flexibility" of NATO, as Mr. Richardson did in his concluding paragraph.
But it seems to me that there is a contrast between these words and the fact
that the 260 million people of Western Europe, with tremendous industrial re-
ources and long military experience, are unable to organize an effective military
colition to defend themselves against 200 million Russians, who are contending
at the same time with 800 million Chinese, but must continue after 20 years to
depend on 200 million Americans for their defense. The status quo has been
safe and comfortable for our European allies. But, as I observed on December 1,
it has made the Europeans less interested in their own defense, has distorted the
relationship between Europe and the United States, and has resulted in a
drain on our resources which has adversely affected our ability to deal with the
urgent problems we face at home.
EXHIBIT 1

ADDRESS BY HON. ELLIOT L. RICHARDSON, UNDER SECRETARY OF STATE, BEFORE THE CHICAGO COUNCIL ON FOREIGN RELATIONS, CHICAGO, ILL.

I would like today to examine one of the most fundamental of our foreign policy concerns, and one which in some ways is too much taken for granted, if not overlooked—the United States relationship to Western Europe and Western European security.

In a reverse twist on the early days of the Republic when George Washington used to preach against yielding to "the insidious wiles" of Europe's influence, our basic ties to Western Europe are now so firmly established that commentary on the subject is regarded as a tiresome reaffirmation of the obvious.

Whereas President Washington warned that European controversies were "essentially foreign to our concerns" President Nixon was moved to observe on NATO's birthday last spring that many people now find NATO "quaint and familiar and a bit old fashioned."

To much of the public the purposes of NATO have the character of a cliche. The very climate of security which NATO has fostered has, perversely, seemed to permit many to discard it or to think it obsolete. In the wake of the re-examination of foreign commitments occasioned by the Viet-Nam war, there is a tendency by some to say that NATO has done its job, so why not bring those troops home? In the U.S. Senate this feeling has taken concrete political expression in the form of a resolution introduced by Senator Mansfield, one of the most thoughtful students of America's role in world affairs. His resolution calls for "substantial reductions" of U.S. forces in Europe.

Meanwhile, Western Europe itself, prosperous, mostly democratic, stable, and probably more secure than at any time in its modern history, has been preoccupied with the inevitable problems that are the by-product of affluence and rapid economic growth. These concerns seem to have caused it to drift somewhat from the lofty goals of a Unified Europe and Atlantic partnership which gave a sense of mission to its leadership two decades ago.

On both sides of the Atlantic then, there are feelings of complacency and a restless anticipation of new events. The memory of Czechoslovakia is fading, the Brezhnev Doctrine is dimmer, and a reduced sense of danger merges with the feeling that new initiatives are both called for and inevitable. Perhaps in response to this atmosphere the Warsaw Pact nations, led by the Soviet Union, have called for the convocation of a European Security Conference. Although ironically—their suggested agenda would not even touch the basic issues of European security.

In this situation, it is, I think, worthwhile to take a fresh look at the suppositions on which our European policy rests, to examine its continuing validity, and to appraise frankly and realistically the proposals being made for change and adjustment.

Two World Wars have led the American people to perceive with great clarity that the security of the United States is directly linked to the security of Western Europe.

Pursuant to this belief, which was formalized in the North Atlantic Treaty of 1949, the United States has maintained a major military establishment on European soil since the early 1950's. U.S. nuclear power as well as conventional forces are available in support of this treaty commitment. Although Europe is now incomparably stronger than it was when this arrangement was first contracted, its ultimate security, like our own, continues to be linked to our power and nuclear deterrence. Because of this, one of President Nixon's first acts upon taking office was to reaffirm the American commitment to NATO and to promise close and continuing consultation within the Alliance.

Deterrence is a subtle concept. Its reality takes form largely in the minds of those who might be contemplating aggression. It is effective only when they conclude that any possible advantages of aggression would be offset by its predictable costs.

NATO's strategy of flexible response is calculated to ensure that any potential aggressor would come to just this conclusion. Our conventional forces are maintained in position in Europe to resist possible attack by Warsaw Pact formations. They are meant also to deter piecemeal aggression which an enemy might be tempted to conclude he could get away with if the only alternative to our capitulation were the unleashing of nuclear war.
These forces are supported by a broad arsenal of tactical nuclear weapons, available for use if the intensity of the aggression rises.

The entire effectiveness of the flexible response strategy rests on the conviction in both parts of Europe that the United States will fulfill its determined role. And the United States military presence in Europe, whether we like it or not, continues to be taken as tangible evidence of our commitment.

We must face the fact, therefore, that any sudden or dramatic reduction in the United States military presence in Europe would have unpleasant consequences of two kinds.

First, as a practical military matter, NATO's conventional defenses would be significantly weakened. Other NATO members might be tempted to follow suit and cut forces further. In the event of aggression, a less powerful NATO Alliance might be driven to resort more quickly to nuclear weapons.

Secondly, and of probably greater consequence, any sudden or major withdrawal of American forces would have a distinctly destabilizing affect on the European scene.

The structure of the Alliance, as indeed the entire structure of world order which we have helped erect since the war, rests in the final analysis on the shared confidence that we shall honor our commitments.

If that confidence is eroded a rapid deterioration can occur—a deterioration not unlike that which can send prices on the stock market plummeting. And for this reason it is doubly necessary that we not lightly or hastily make moves that might undermine confidence in the strength of our support. It is for this reason that we have pledged to maintain our present troop strength in Europe through Fiscal Year 1971.

Let it be clear that none of this suggests that U.S. troops will have to remain in Europe at present strength forever and ever. Certainly we hope that future conditions will allow modifications of our role. Our current force level in Europe of 310,000 men already, in fact, represents a considerable drop from the peak of 408,000 in 1962 during the Soviet war of nerves on Berlin. We are also continually studying and trying to improve the means by which troops stationed in the United States can be rapidly returned to Europe in case of crisis. The Mansfield Resolution urges that greater use be made of this redeployment option.

Our studies show, however, that under present conditions front-line forces hastily returned to Europe in time of crisis could not carry out their mission with the same effectiveness as forces already in place. Although rapid redeployment of limited forces is feasible, large-scale efforts of this sort expose these forces to hazards and potential confusion.

Moreover, financial savings would be negligible. If, for example, all of our current forces in Europe were brought home and stationed in this country, little or no savings would appear in our defense budget. We might even have to spend a bit more, because we would lose significant financial advantages.

In Germany, the Federal Government makes land, housing, facilities and services available to our forces at no cost, or at reduced costs. Duplicating such facilities and support in the United States would involve a heavy and continuing expense—one roughly cancelling out savings in shortened supply lines and transportation costs to Europe.

The balance-of-payments drain of our military deployment in Europe is currently about $1.5 billion a year. This is unquestionably a large figure, and if our forces were returned to this country, many of those dollars would stay at home. The problem is partially neutralized, however, by offset arrangements with the European countries, particularly Germany and we are exploring means of making these arrangements more adequate. In addition, withdrawal of our forces from Europe would be likely to evoke prompt countervailing effects, notably in reduced sales of military equipment to our Allies and in general exports to those countries.

If we have not neglected the consideration of means by which our presence in Europe could be streamlined or modified without damaging the essential structure of the Alliance, neither have we ignored the opportunities which the era of negotiation we have now entered may hold for the future. In this area we must also make meticulous and balanced judgments, taking care not to allow our efforts to bring about agreements with the Soviet Union to undermine our relations with our friends in Western Europe.

We must have a proper regard for the always latent fear that agreements will be reached detrimental to European interests. We cannot, of course, allow the existence of this fear to deter us from seeking to lower tensions. Ironically, in fact, there exists among a younger generation of Europeans the converse sus-
picion that the United States and the USSR are collaborators in the defense of the status quo. But we intend to do everything possible to allay such fears and suspicions by sticking strictly to our pledge to consult closely with our allies and take their interests into account as talks go forward. Only by such close consultation can we quiet the Cassandras who see every effort at US-Soviet rapprochement or even minor moves to adjust force levels as evidence of betrayal.

During the past year, in-depth consultations have been held on a wide range of subjects, including the question of strategic arms limitations. The Deputy Foreign Ministers of the NATO governments, at President Nixon’s suggestion, held the first of what we expect to be periodic reviews of major, long-range problems before the Alliance.

It is particularly important that there be the fullest consultations on the SALT talks. The very fact that these talks are going on has stimulated some uneasiness in Europe. It is well understood that the talks imply changing strategic relationships and that their success could further affect the situation. As President Nixon put it last spring: “The West does not have the massive nuclear predominance today that it once had, and any sort of broad-based arms agreement with the Soviets would codify the present balance.”

Given the European sensitivities on SALT and nervousness about changing military relationships, it would seem wise not to compound anxieties at this time by any moves to reduce our troop strength on the continent.

While attempting to keep our allies abreast of our own negotiating activities, we are welcoming and encouraging their own efforts, particularly those of West Germany, to improve relations with the Soviet Union and the countries of Eastern Europe. One of the most promising areas of potential progress with the Eastern European nations lies, we believe, in reaching agreement on mutual and balanced East-West force reductions.

We are now working with our allies to develop models which could form the basis for such an agreement. The NATO countries Foreign Ministers, meeting last December, said in their Declaration that despite the fact that there had been no response on earlier suggestions, the Allies “will continue their studies in order to prepare a realistic basis for active exploration at an early date.” They concluded their studies on the subject had already progressed sufficiently to permit the establishment of criteria which reductions should meet. They directed that further consideration also go forward on related measures such as advance notification of military movements or maneuvers, the exchange of observers at maneuvers, and the establishment of observation posts. This, we are convinced, is a constructive approach much more specifically directed at a concrete issue generating tension than the Warsaw Pact’s vague proposal for a European Security Conference.

We hope the Warsaw Pact nations will respond. Realism, however, suggests that they will be less likely to respond if a unilateral reduction of U.S. forces appears in the offing anyway. The firm belief that it would weaken our bargaining position on balanced force reduction is thus another reason why the Administration opposes the Mansfield Resolution.

Among the questions raised by those who favor an immediate and substantial reduction of our forces in Europe is whether the burden of NATO defense is now fairly allocated. The prosperous Europeans should, they feel carry a much larger share of the defense of their own continent.

We agree—up to a point. The United States believes that our European allies can and should do more. We have told them often that if they increase their own efforts, it would help us to maintain ours. So even though they actually have increased their defense budgets to cover improvements in their forces, while our own defense budget has been declining, we have and are continuing to press them to assume a larger share of Europe’s defense responsibilities.

A precipitate reduction of United States forces in Europe would, however, not only fail to stimulate additional European effort, it would probably produce the contrary effect. The bulk of any substantial reductions in U.S. forces would have to be made up by West Germany, the most populous and wealthiest of our NATO allies. But the German people do not relish an enlargement of their country’s military establishment. Nor certainly does a Soviet Union still highly emotional and 20 million World War II dead and enormously sensitive on the subject of German “revanchism.” Indeed, it would give pause even to some of Germany’s allies.

Any insignificant rise in the German defense effort could thus destroy Chancellor Brandt’s constructive efforts to improve relationships with the Federal
Republic's Eastern neighbors and thereby halt the attempts to lay the foundation for a settlement of the issues still dividing Europe.

I spoke earlier of the fact that we did not want to suggest that the present number of U.S. troops in Europe was inviolate and could or would never be changed. We hope that conditions will eventually come about which will render their presence altogether unnecessary. But when such conditions do come, I feel certain they will be the result of hard and patient bargaining.

Back in 1948, when the Cold War was very cold indeed, Belgian Foreign Minister Paul Henri Spaak, addressing himself to the Soviets' Andre Vyshinsky at a UN Security Council session, said: "The basis of our policy today in Europe is fear. We are afraid of you. We are afraid of your government and we are afraid of the policies which you are pursuing."

Twenty-two years later tensions are lower and East and West are engaged in substantive discussions aimed at lowering them further. But the basic cement holding together the Alliance is still the threat from the East. The United States does not control the Alliance. When France chose to withdraw from NATO we could not prevent it from doing so. Unlike the Warsaw Pact which rests on an ideological base guarded and sanctified by the Soviet Union, NATO has no dogmatic underpinnings. There is no Western version of the Brezhnev Doctrine. When there is no more threat to the security of the nations of Western Europe, there will be no more need for NATO. And only when the confrontation in Europe truly ends and a genuine peace replaces the always precarious peace of mutual deterrence will the role of our troops be finally accomplished.

On another front, in response to the President's initiative, the Alliance has taken on a new dimension by creating a permanent Committee on the Challenges of Modern Society to help deal constructively with some of the most pressing problems common to all of its members—the problems of the environment.

The United States, meanwhile, continues to support the goal of a politically and economically integrated Europe. Despite the recent signs of drift economic integration has come far, and there are indications that new moves forward may be developing. The most ambitious of the European regional arrangements—the European Community of the Six—has already gone beyond the earlier conception of international cooperation to a new form of relationship among nation states.

Since the EEC was established in 1958 its members have abolished tariffs among themselves, agreed upon important measures of the harmonization, instituted an ambitious common agricultural policy and removed most barriers to the free movement of capital and labor. As a group the Six have enjoyed significantly higher rates of economic activity, trade and growth than before 1958. Inter-Community trade has almost quadrupled. Since 1957 Community trade with the outside world has exceeded that of the United States.

The recent Summit Conference of the Six at the Hague and the success of the Council of Ministers of the Community in agreeing on a far-reaching plan for financing their common agricultural policy presage moves to perfect the economic union and extend it to new members in the next year or two. On the latter point, the interests of the United States are very much engaged, not only economically but militarily, for enlargement of the European communities to admit countries not committed to the defense of the West raises questions about the possibilities of political unity, and the underlying strength of the NATO Alliance itself.

The United States sees no conflict between the goal of European integration and the efforts now going forward to end the dangerous and increasingly anachronistic division of the Continent. We welcome the indication that dissatisfaction over the fronting gulf between the two halves of Europe is growing in the East as well. Stronger relationships in Western Europe itself can, we believe, facilitate the building of stronger relationship with the East.

"I believe we must build an Alliance," the President has said, "strong enough to deter those who would threaten war; close enough to provide for continuous and far-reaching consultation; trusting enough to accept diversity of views; realistic enough to deal with the world as it is; flexible enough to explore new channels of constructive cooperation."

In the past year, I believe, we have strengthened the Alliance on each of these counts. Strength, closeness, trust, realism, flexibility—these will be useful assets as we move toward the new hopes and new possibilities of the "era of negotiation."
JOINT RESOLUTION To repeal legislation relating to the use of the Armed Forces of the United States in certain areas outside the United States and to express the sense of the Congress on certain matters relating to the war in Vietnam, and for other purposes

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (1) the joint resolution of January 29, 1955 (69 Stat. 7), relating to the protection of the security of Formosa and the Pescadores, (2) section 2 of Public Law 85-7 (71 Stat. 5), relating to the use of the Armed Forces of the United States under certain circumstances to maintain peace in the Middle East, (3) the joint resolution of Cuba of 1962, Public Law 87-733 (76 Stat. 697), expressing the determination of the United States in relation to Latin America, and (4) Public Law 88-408 (78 Stat. 384), relating to the maintenance of international peace and security in Southeast Asia, are repealed effective with the sine die adjournment of the Ninety-first Congress.

Sec. 2. (a) There is hereby established a joint committee of the Senate and the House of Representatives to be known as the Joint Committee on the Termination of the National Emergency (hereinafter in this section referred to as the "joint committee") consisting of twelve members, as follows:

(1) six Members of the Senate, to be designated by the President of the Senate, three of whom shall be members of the Committee on Foreign Relations of the Senate; and

(2) six Members of the House of Representatives, to be designated by the Speaker of the House of Representatives, three of whom shall be members of the Committee on Foreign Affairs of the House of Representatives. The joint committee shall select a chairman and vice chairman from among its members.

(b) Vacancies in the membership of the joint committee shall not affect the authority of the remaining members to execute the functions of the joint committee.

(c) A majority of the members of the joint committee shall constitute a quorum thereof for the transaction of business, except that the joint committee may fix a lesser number as a quorum for the purpose of taking testimony.

(d) No legislative measure shall be referred to the joint committee, and it shall have no authority to report any such measure to the Senate or the House.

(e) The joint committee shall cease to exist upon the sine die adjournment of the second session of the Ninety-first Congress.

(f) It shall be the function of the joint committee to conduct a study and investigation with respect to the matter of terminating the national emergency proclaimed by the President of the United States on December 16, 1950, and announced in Presidential Proclamation Numbered 2914, dated the same date. In carrying out such study and investigation the joint committee shall—

1 Senators Mathias and Mansfield, December 8, 1969.
(1) consult and confer with the President and his advisers regarding the most effective method of terminating such national emergency;

(2) consider the problems which may arise as the result of terminating such national emergency; and

(3) consider what administrative or legislative actions might be necessary or desirable as the result of terminating such national emergency.

(g) The joint committee shall submit a report to the Congress as soon as practicable after the date of enactment of this joint resolution, but in no event later than the end of the Ninety-first Congress, setting forth the results of its study and investigation together with such recommendations as it deems appropriate.

(h) In carrying out its duties under this section, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places; to take such testimony; to procure such printing and binding; and to make such expenditures as it deems advisable. The committee may make such rules respecting its organization and procedure as it deems necessary.

(i) The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman. The cost of stenographic service to report hearings shall not exceed the amounts fixed by law for reporting the hearings of standing committees of the Senate.

Sec. 3. The Congress hereby declares its support of the President's efforts to achieve a political solution in Vietnam and of his plan for the accelerated withdrawal of all United States forces from South Vietnam and strongly urges that, in carrying out such plan, the President take appropriate action to seek the creation of an international peacekeeping force under the United Nations or appropriate Asian auspices to prevent further hostilities in the Republic of South Vietnam and to prevent reprisals against any people of that country following the withdrawal of United States forces.

Sec. 4. The Congress hereby urges South Vietnamese leaders representative of all political, religious, and ethnic groups in South Vietnam to initiate serious discussions designed to lead to the creation of a government capable of gaining popular support and sustaining a durable political order after the departure of United States forces.

Sec. 5. Congress hereby urges the President, as soon as practicable, after the date of enactment of this joint resolution, to invite other nations to participate with the United States in the formulation of a plan for the reconstruction of war-ravaged areas in Southeast Asia through multilateral cooperation and to submit to the Congress as soon as possible recommendations for a United States contribution to such multilateral activity and to submit such proposals for legislation as may be necessary to implement such plan.

Department of State Comments

(As of the time this publication went to press, the comments of the Department of State, requested on Dec. 11, 1969, had not been received.)