Senator Kennedy. Let us just say, for instance, it as for humanitarian purposes medical aid, or something like that.

Mr. Rives. We would have to ask the AID Administrator, but I am sure it would be favorably considered if we had the means to provide it.

Mr. Murphy. I can comment concerning that, Mr. Chairman. We would have to have the request first, but if we get the request, such as you described, and if we had funds to do it, which I expect that we would have then we would probably approve.

**MILITARY AID TO THE PATHET LAO**

Senator Kennedy. What if it was military assistance to the Pathet Lao?

Mr. Rives. Until the formation of the Government of National Union, we would have been forbidden by Congressional law.

Senator Kennedy. But you have a Government of National Union.

Mr. Rives. Again, I suspect we would have to take that into consideration. I do not really think we have a policy on that, because I do not think we expect it, unless the forces are both united. And then, it would be up to the U.S. Government to see where they would apply.

Senator Kennedy. Is it not really, no matter how you call it or what you say, but the prime minister has decided to use American assistance in areas only under the control of the former Royal Lao Government? Can you not really call a spade a spade, and say that they understand that if they are going to get the aid, they have got to use it there, if they expect to get any assistance?

Mr. Rives. No, that is not correct, Mr. Chairman.

Senator Kennedy. Why do you think he uses it just in the one area, and refuses to spend even $1 in another area not under his control? What could possibly be the rationale or justification? Are the needs for those people so much less than the needs of the people in the area controlled by the Royal Lao?

Mr. Rives. We have discussed this with some of the Pathet Lao ministers—economic aid in their zone—and they have indicated they hoped our assistance would continue to Laos as a whole, but—

Senator Kennedy. We told them it will continue as long as they do not spend any of it in their area?

Mr. Rives. No, that is not true. As far as economic aid is concerned, they have asked us to continue our programs as they are now, while they themselves are beginning to study plans for aid in Laos, and they have specifically asked us to continue our programs as they are.

Senator Kennedy. So the only programs being supported are those which were already in existence?

Mr. Rives. That is right.

Senator Kennedy. There are no new programs?

Mr. Rives. I would have to let AID address that.

Mr. Murphy. That is right.

**UNHCR PROGRAM IN LAOS AND OTHER AREAS**

Senator Kennedy. What about the program of the United Nations High Commissioner for Refugees?
Mr. Rives. We just had a meeting with Mr. Mace last week, or 2 weeks ago, and they are considering a program in Laos in which we would be giving our support.

Senator Kennedy. Are we supporting that?

Mr. Rives. As far as I understand.

Mr. Murphy. I might interject, Mr. Chairman, to say that Mr. Mace came in with a $12.5 million estimated program for the entire peninsula.

Senator Kennedy. How much was that?

Mr. Murphy. It was $12.5 million. This, he admitted, was a very rough program at that point, in need of considerable refining; and he indicated at that point he would like the support of the U.S. Government for approximately one-third of the cost. We encouraged them to go back and refine the program, and bring it back; which historically, as I understand it, Senator, has been our posture with these multilateral agencies. If they will come in with the program, we will be responsive and there has been no attempt to hold back on them at any point along the line. The problem has been to get them to put together programs, and bring them in.

SUFFICIENT SUPPORT TO U.N. AGENCIES?

Senator Kennedy. Do I understand, then, from your testimony that there has been neither reluctance, unwillingness, or inertia in our support of the various United Nations specialized agencies in moving into this area?

Mr. Murphy. As I understand it—and my colleagues are probably better able to answer this question than I, but—as I understand it, there have been a large number of indications of willingness on their part to mount programs, but a failure to actually mount them. In other words, they say they are interested. They want to participate. But we cannot seem to get them to come forward with the programs.

Now, when they do, we have a consistent record of providing funds. But it is a slow process, and I would like to turn it around, and say that there has been no foot-dragging on the part of the executive in terms of funding the proposals of the agencies.

Senator Kennedy. There certainly has not been much initiative on the part of the administration in this area.

I mean, we have been dropping bombs over there for upteen years, and had our military forces there, and I can understand a certain amount of reluctance by these various agencies to get involved. They understand there is a continuing military struggle, and with the involvement of the United States in such a very heavy way, there may be no room for them.

We have a responsibility to be willing to support and fund the programs of these international agencies. We ought to be a reaching out to these agencies to urge them to get involved in humanitarian relief efforts. I would be interested if you would review with me what specific initiatives have been taken by any Administration people, say over the period of this year, and where they have sought out the United Nations agencies in New York, and requested that they develop programs, and what reactions you have received.
Mr. Murphy. I will ask Mr. Zimmerly to comment.

Senator Kennedy. I would be very interested. Because I will instruct my staff to inquire of these agencies to see what requests they have had from the administration; what requests have been made of them, what meetings they have been invited to, what urgings they have had by the administration or Department of State people in trying to respond to humanitarian needs in Indochina. We will find out if there is a passiveness by the administration, or whether there has really been a serious effort to involve international agencies.

INVOLVEMENT OF INTERNATIONAL AGENCIES

Mr. Zimmerly. In 1973, at about the time we anticipated the signing of the peace agreement, we had a number of contacts with the United Nations, with the Secretary General’s office. At that time, we encouraged them to begin thinking about programs in Indochina. We asked them to come and consult with us as they developed these programs, and we had several meetings with members of the Secretary General’s office. As an outgrowth of those meetings, we have had repeated contacts with U.N. agencies. We have recently held discussions with UNICEF, both in New York and Washington, and we have indicated that we are prepared to assist them with a program they are getting ready to mount this coming year.

RED CROSS

With regard to the ICRC, the Indochina operations group, I would like to point out that in early 1973, they made a special appeal. They formed the Indochina Operational Group of the Red Cross, to staff and carry out programs of relief assistance in Vietnam, Cambodia, and Laos. In response to their appeals for funds, they raised $18.1 million in cash and kind. Japan gave $4 million, Sweden $2 million, Denmark, Norway, and Canada each over $1 million. The U.S. Government pledged $2 million to that program, and during the course of the past fiscal year made those funds available. We have also indicated to the Indochina Operational Group that we would make an additional $2 million grant to the IOG from our fiscal year 1975 appropriations, as a part of their $6 million requirement.

UNICEF

Going back to UNICEF, we have had a number of discussions with their representatives. They have expanded their activities. They have posted new officers in South Vietnam, Cambodia, and Laos. We have been talking with them about a program they hope to mount in Indochina, including operations in the DRV and PRG areas; and we have indicated to them that we would be prepared to make a grant in FY 1975 of some $3 million to assist them in carrying out this program, subject to working out the details.

WHO

We have also been working very closely with the World Health Organization, particularly in Vietnam and also in Laos. In Vietnam,
they work very closely with the Minister of Health and in special training programs. They have also been actively taking over the malaria program there since about 1972, and we have worked very closely with them on this.

We find that on each occasion when we have discussed programs with the U.N. agencies, the first discussions are very general about some of the activities they feel they could mount, and that they could get support for. But I believe if you closely examine the record together with your staff, you would find that where we have been presented with a proposal, we have responded. I took part in meetings with UNHCR Deputy Commissioner Charles Mace last week here in Washington. He and members of his staff came and we sat down for three hours, and discussed their proposals at great length. They had representatives visit in Vietnam, North and South Vietnam, and in Laos. They have, as was mentioned by Mr. Murphy, a rough outline of a program. They came, sat down and talked with us. We gave them encouragement. They said they would be back shortly, and we would talk further. They could help. They can make a very substantial contribution.

So, I think the record will show that we have made efforts, and we have responded to requests from these various organizations.

LEVEL OF U.S. AID TO INTERNATIONAL AGENCIES

Senator Kennedy. If you will excuse the comment, but this is the same kind of language that I read in the record this morning—that we have heard from Mr. Nooter and, even earlier, from Mr. Colby, and other representatives of AID, about how talks are continuing, how discussions are going on, and how we are working closely with the U.N. And yet, when we review the record and see total amount that has actually been expended by the Administration through the specialized agencies, it is terribly small. What figure could you give us?

Mr. Zimmerly. I just gave a figure for our assistance to IOG this past year of $2 million, and this was $2 million against their total program of $18.1 million: Japan providing $4 million, Sweden, $2 million, Denmark, Norway, Canada each $1 million dollars.

Senator Kennedy. We gave the same amount as Sweden?

Mr. Zimmerly. Yes, Sweden gave $2 million.

Senator Kennedy. We gave the same?

Mr. Zimmerly. That is right. They gave two and we gave two.

Senator Kennedy. Who are the other countries and what did they give?

Mr. Zimmerly. Denmark, Norway, and Canada each gave $1 million; Japan gave $4 million.

Senator Kennedy. So we gave half of what Japan gave?

Mr. Zimmerly. Yes, sir.

Senator Kennedy. And do you call this “strong support” for this kind of an international humanitarian program?

Mr. Zimmerly. Yes, we would classify it as strong support, yes.

Senator Kennedy. How many troops did Japan have there in Indochina?
Mr. Zimmerly. As I am aware, in the most recent conflict they had none there. In the spring of 1974, again at the IOG appeal for $6 million to continue their program, we pledged an additional $2 million. Those funds will be released in the very near future.

Senator Kennedy. They have not been released?

Mr. Zimmerly. Not at this stage.

Senator Kennedy. Who made up the rest of the $6 million?

Mr. Zimmerly. We do not know all of the details. Japan has pledged $2 million and we understand that IOG will ask other donors for the remaining two million.

Senator Kennedy. Those have not been made available yet?

Mr. Zimmerly. Sir?

Senator Kennedy. It has not been made available yet, the $2 million?

Mr. Zimmerly. Not to our knowledge.

Senator Kennedy. You would know if you made the $2 million available, wouldn't you? I am talking about the $2 million this spring to the IOG.

Mr. Zimmerly. For us?

Senator Kennedy. Yes.

Mr. Zimmerly. As I have stated earlier, we have not made them available yet. They would come out of the fiscal year 1975 appropriations.

Senator Kennedy. What has been the reaction within UNICEF on the conditions which have been placed on our contributions—about how money would be disbursed and in what areas and programs it would be disbursed?

Mr. Zimmerly. I think the reaction has been that they will set up a separate fund outside of normal UNICEF program, and it is to this fund they have asked we make a contribution. We are seriously considering at this time a contribution of funds to the new program they are proposing to mount.

Poor Record of Support of U.N. Agencies

Senator Kennedy. Well, if this is your record on supporting international programs in Indochina, I must say it is not very impressive. In terms of the IOG in Indochina, we provided $2 million out of $18 million—half of what Japan contributed, equal to what Sweden did, and twice as much as what tiny Denmark contributed—and a $2 million request this spring which has not even been obligated yet—pledged but not spent.

And then you say you have had "conversations" with UNICEF, and that you are prepared to consider doing something more, I must say, I fail to see how this, and the other points you made, really amount to much of a record.

If there is more to the story, I give you whatever opportunity you need to make whatever additional comments you might. But how can you possibly draw from this record the warm sense of encouragement, of working with the agencies, of a constant kind of communication, and continued support for their efforts to meet humanitarian needs, that you say you have done. I find that the facts belie the rather general warm expressions of support which we have been listening to
for over three years here and which have been made by administration spokesmen. They have failed to materialize.

I want to be fair about it. But I just do not see how you can make the case about "strong support" for these specialized agencies, and about the willingness of the administration to really develop some kind of programming there, when it is measured against the testimony we have seen in this committee, both this morning, as well as from my own personal contacts with the agency people. Granted it was probably 5 years ago, at the time of the conflict when I talked with U.N. people, versus what Dr. French and Mr. Klein saw and the conversations that they had with U.N. people out in the field. I do feel that just saying that we are prepared to respond when they come to us with some kind of a request, really is not sufficient to indicate the kind of support for these various agencies which has been suggested in the testimony this morning.

This is just a personal observation, but it is one which I think would stand up to the facts on this.

UNHCR PROPOSAL

As I understand, the U.N. High Commissioner for Refugees has a proposal—you are working on some agreement with him?

Mr. Zimmerly. He was in town last week, and a number of us, including myself, met with him. He at that time outlined what he considered and called a rather rough proposal which would call for assistance to the Democratic Republic of Vietnam, to the Provisional Revolutionary Government-controlled areas in South Vietnam, to the South Vietnamese Government, and to the government of Laos.

He was talking about a program of approximately $12.5 million. He asked us for comments. We gave him our comments. We encouraged him to refine his program and come back to us. We asked him what he had in mind as a general range for assistance from the U.S. Government to this new program he proposed to mount, and he said approximately one-third of the total amount.

We asked him to, at his earliest convenience, to come back with a firm proposal and we would react. We left the impression that we would react very favorably. The meeting took place in Washington last week.

UNHCR IN PRG AREAS?

Senator Kennedy. Would his proposal also concern itself with displaced people in areas controlled by the PRG?

Mr. Zimmerly. As you are probably aware, they have been assisting with the Cambodian refugee problem in South Vietnam. Approximately 30,000 displaced Cambodian persons have been assisted in South Vietnam now in the past few years. The High Commission staff visited Vietnam, visited those camps, and some number of months ago committed $170,000, I believe it was, as assistance to that program.

They also indicated they would be prepared to provide additional assistance. During Mr. Mace's recent visit to South Vietnam he was reminded, as he told us, by the South Vietnamese government that they were waiting for the second check, which had not come.

38-862—74—5
The annual cost of maintaining those people in those camps is approximately $2 million a year, and during our meeting Mr. Mace said he had assured the South Vietnamese Government that his office, the office of the UNHCR, would be responsive would provide additional assistance in a very timely manner.

Senator Kennedy. As I understand it, you are aware that the U.N. High Commissioner signed agreements with the North Vietnamese, are you not?

Mr. Zimmerly. Yes, sir.

Senator Kennedy. And he is going to use at least some of this money to work out those programs he has signed with the North Vietnamese.

Mr. Zimmerly. He is proposing a program of roughly $4 million in the Republic of South Vietnam, something in the range of $3 million in Laos, approximately $3 million in the Democratic Republic of Vietnam, and about $2.5 million in PRG territories. Now, there may be some adjustments in these amounts as he refines his program, but that is roughly $12.5 million.

Senator Kennedy. Will one-third of our money be used in the $2.5 million he is going to use in the PRG areas?

Mr. Zimmerly. There has been no agreement on that point, sir. As you are aware, we have indicated that we would not make funds available for programs in North Vietnam without having brought those programs to the appropriate Committees of Congress to explain those programs.

Senator Kennedy. What does that mean—that you are not going to support the U.N. High Commissioner until you explain to the appropriate Committees of Congress that this is a part of his proposal and get some kind of instruction from the Congress?

What is the next step?

As I understand it, he has signed these agreements. You have asked him to go out to refine them. He has already put down that this is what he intends to do. Now you tell me we will not agree to it until you notify the Congress. He has indicated that this is what he is going to do and he wants to come back here and get the resources and funding for it.

Are you going to support it or are you not?

Are you going to notify the Congress, and if you are, when are you going to do it? Why wait?

Mr. Wenzel. May I comment on that, gentlemen?

Mr. Chairman, I think with regard to aid to the PRG-controlled areas, we have had two general concerns that we have imparted to the U.N. High Commissioner for Refugees and to other U.N. agencies such as UNICEF. We would hope very much in carrying out these programs the Agency would seek not to accord enhancement of the political status of the PRG.

The second principle that we have voiced to these organizations is that we would hope the allocation of resources would be reasonably based on a population or a similar reasonable basis. These are the two general concerns we have talked about.

Senator Kennedy. In his agreement, as I understand it, the program of the U.N. High Commissioner is in no way meant to imply
any legal or political status to areas where he is called upon to pro-
vide assistance. So he has met the first objection. Now, if he can
meet the second criteria on the basis of population, and their hu-
manitarian needs, why not, then, do you intend to support it?
Mr. Wenzel. I think, having discussed this and voiced these con-
cerns, we do have a meeting of the minds with these organizations. I
do not think these concerns preclude our assistance.

POLICY TOWARDS HUMANITARIAN AID TO PRG AREAS

Senator Kennedy. We are trying to find out about what the policy
is. It has been evidenced in terms of the kind of restrictions which
have been made regarding UNICEF, and now we have another
U.N. proposal here, and I would just like to know whether you are
going to draw the line in terms of support for any U.N. agency which
is trying to provide humanitarian assistance to children or other
people who happen to be on the other side of the boundary.
I think we ought to know. It is a policy decision. You people
must have made it, and if you have made it, we want to know about
it. Maybe the President believes in that strongly and that is going
to be the guide. But certainly, we ought to know about it before we
are asked to support any kind of a program.
Mr. Wenzel. Our policy certainly does not preclude such assist-
ance. I think we do have these political concerns we have discussed.
But I think, as can be seen from our support of UNICEF and IOG,
we are carrying out a policy of assistance. I would like to add a
note on North Vietnam. I think we would want to assure ourselves
that any assistance we might give would be in keeping with legisla-
tion already on the books.
I am not prepared to address this today, but I would wish that
our lawyers review what bills are on the books to determine that any
aid we might give, for example through the UNHCR, which might be
in part for North Vietnam, that that aid would in fact be in keeping
with legislation on the books. We would have to assure ourselves of
that.

Senator Kennedy. That would be obvious. As I understand the
record, in terms of our aid in the immediate post World War II
period in terms of some of the Communist countries, it was absolutely
superb, as I remember. I would have to get the particular references,
but I think we tried to help relief programs on all sides.
Now, if today you are making the decision that you will not
support any specialized UN agency aid, humanitarian assistance,
on one side versus another, and maybe that is the administration's
position, but we ought to know about it. All we are trying to do is
find out whether it is or is not our policy, and I would like to see
if we could get that clarified.
[Subsequent to the hearing, the following information was pro-
vided:]

INTERNATIONAL ORGANIZATION ASSISTANCE IN VIETNAM

The USG is not opposed to international organizations providing humanitar-
ian assistance to the Democratic Republic of Viet-Nam (DRV) or the self-
styled Provisional Revolutionary Government of South Viet-Nam (PRG). On
the contrary, an important element of our policy since the January 27, 1973, ceasefire has been to encourage such organizations to take a more active role in meeting the humanitarian needs of the people of Indochina. We have hoped the activities of these international organizations would help reduce tensions in the area while permitting the United States to assume a more balanced share of the overall humanitarian assistance effort.

Our policy, of course, has been carried out within the relevant statutory framework. The statutory prohibitions against assistance to North Viet-Nam, such as Section 37 of the Foreign Assistance Act of 1978 and Section 111 of the Foreign Assistance and Related Programs Appropriations Act, 1974, prevent direct U.S. contributions to the USG to North Viet-Nam and, where the U.S. contributes to a special multilateral Indochina activity which includes assistance to North Viet-Nam, use in North Viet-Nam of the U.S. contribution is also excluded. We do not, however, believe that the statutory prohibitions preclude our regular contributions to international organizations whose general programs may include humanitarian assistance to North Viet-Nam.

It is also our policy not to give assistance to the PRG. We do not regard the PRG as a legitimate government, and it is continuing its high level of violations of the Ceasefire Agreement and its hostile acts against the Government of the Republic of Viet-Nam, which we recognize as the legal government of South Viet-Nam. We do not, however, wish to deny humanitarian aid to the people in PRG-controlled areas and have not precluded such aid in our grants to international organizations for Indochina relief, if such aid can be channeled to the people in some other manner than to or through the PRG. Present PRG policy, however, apparently does not permit international aid other than through its own channels.

Since the ceasefire, three major international humanitarian organizations have begun or are expected to begin relief programs in Viet-Nam, including the communist-controlled areas, and elsewhere in Indochina. These are the United Nations Children’s Fund (UNICEF), the United Nations High Commissioner for Refugees (UNHCR), and the International Committee of the Red Cross (ICRC), acting through the Indochina Operational Group (IOG) it established jointly with the League of Red Cross Societies. All of these groups have received or are expected to receive U.S. financial contributions to their programs. To date, these programs have been financed primarily through special appeals rather than from the operating budgets of the organizations.

As a major contributor, we have expressed to the representatives of these organizations certain concerns regarding the implementation of what we regard as the most sensitive portion of their Viet-Nam programs—that proposed for the DRV and PRG. First, we have urged that the assistance activities carried out in the areas under PRG control do not imply recognition of the PRG, which we do not regard as a legitimate government. For this reason we have asked that aid to the PRG be channeled through an organization such as the IOG—a body specifically established for humanitarian aid in Indochina—rather than directly by a UN or governmental agency.

Second, we have also asked that the proposed allocation of funds by these organizations for the communist-controlled areas of Viet-Nam, as compared to that allocated for areas controlled by the Republic of Viet-Nam, be reasonably in proportion to the needs of those areas. We believe it is important that the amount of aid extended bear some relationship to the number of those in need in any given area.

Third, in view of the legislative restrictions referred to above, we have pointed out to these organizations that U.S. financial contributions to special assistance projects in Viet-Nam can only be used to support activities in the Republic of Viet-Nam. As stated above, we do not object to humanitarian aid going to distressed people in areas under the control of the PRG but our aid cannot go to or through that body.

In conclusion, we wish to emphasize that the United States has a deep and continuing concern for the people of Viet-Nam. This is evidenced by our consistent and well-known record of providing substantial humanitarian and economic assistance to that country over the past decade. We very much welcome the increased involvement of international organizations in assisting the Vietnamese people through the difficult post-war period of reconstruction and rehabilitation and believe that such efforts by international organizations can contribute toward healing the wounds of war.
U.S. AID AND BROADER POLICY OBJECTIVES

Mr. WENZEL. If I may continue, Mr. Chairman, I would like briefly to talk about our proposed economic program and try to relate this to our broader policy objectives. We have said this many times, but it bears repeating. Humanitarian assistance, we believe, cannot be considered in isolation from the overall economic assistance program and the policy goals we are seeking to achieve through that proposal. The whole economic aid package we are requesting, we believe, is necessary to maintain equilibrium and the balance of power which made the Paris agreement possible and to promote full progress toward a stable peace.

We believe that the instability, the political and military instability which would result from an economic collapse in South Vietnam would create increasing numbers of war victims as the Communist forces inevitably moved in to exploit the situation. We believe that such instability in Indochina would also jeopardize our efforts to move toward great power detente and to build a worldwide structure of peace. There has indeed been some economic deterioration in Indochina, particularly Vietnam, over the last few years. We believe it is necessary to try to reverse this trend and to bring progress, particularly in the direction of increasing economic self-sufficiency, because economic deterioration can only mean more human misery, more unemployment, more hunger, which we feel would not be offset by the proposed humanitarian aid inputs taken alone.

What we are proposing with this total economic package, with a considerable developmental component therein, is to get the Vietnamese people particularly off the dole which they are on now, to give them some hope for achieving self-support, self-reliance in the next few years. In sum, through these very key components of our policy which are the military and economic aid programs, we hope and we believe we can move further toward these objectives, the objective that North Vietnam will continue to be deterred from launching an all-out offensive, that further reductions in the level of violence will gradually be achieved, that these countries will move toward self-reliance and self-sufficiency, and that over the long run there will be indeed an evolution toward a peaceful accommodation among peoples of the area.

These conclude my remarks, Mr. Chairman. I would be very pleased to try to answer questions.

Senator KENNEDY. Mr. Murphy?

STATEMENT OF MR. MURPHY

Mr. MURPHY. I have a short statement, Mr. Chairman, which I propose to read with your permission.

Mr. Chairman and members of the committee, I appreciate the opportunity to meet with you and discuss the developments subsequent to the appearance by Assistant Administrator Nooter before your subcommittee last year and to outline plans for the future. Mr. Nooter could not be here because he is currently on an
official trip to the Middle East, but I have with me Mr. Zimmerly, Deputy Assistant Administrator, Supporting Assistance Bureau; Dr. William D. Oldham, Assistant Director for Public Health, USAID-Saigon; and Mr. Donald L. Goodwin, Director, Office of Technical Development, Supporting Assistance Bureau.

As the committee is aware, I have only recently rejoined AID and I am still in the process of becoming familiar with our program. I assume it will be acceptable for me to call on my staff to assist in responding to questions the committee may raise.

With considerable support and encouragement from the Congress, we have been able in fiscal year 1974 to provide assistance through the Governments of Laos, Cambodia and Vietnam to more than 1,679,000 refugees and to facilitate the resettlement and return to village of about 678,000 displaced persons. An expanded program of child care has been initiated in Vietnam. The role and programs of voluntary agencies and international organizations in humanitarian assistance have increased in these countries, and AID provided $20 million in grants in fiscal year 1974.

We have presented to the Congress for fiscal year 1975 a program which will continue to expand our efforts on these activities and encourage the participation of others.

Yet, we must again say in all candor that we are faced with a situation which is even more drastic than that of 1 year ago. In his prepared remarks before this committee on October 1, 1973, Mr. Wells Klein pointed out that humanitarian assistance to Vietnam cannot be considered in the abstract; it must be tied to the overall economic assistance program. I think his statement supports our basic economic and humanitarian assistance policy.

Programs to reduce human suffering must be inextricably interwoven into the economic fabric. Merely sustaining refugees in a society that cannot provide jobs, raise crops, and support programs for education, health, and meet other needs of the people is not a sound policy. In the longer term, it is not conducive to improving the lives of the refugees.

Our proposal to the Congress for fiscal year 1975 for Laos, Cambodia, and Vietnam is nearly $943.3 million, with $170 million of these funds used directly for refugee and other humanitarian assistance programs. The other funds are to support the economy of these countries and to support reconstruction and development projects and programs, which are essential to achieve the fuller rehabilitation and self-sufficiency of the people of Indochina.

This committee has shown particular concern with the plight of the people who have been gravely affected by adverse conditions in their country. From our own continuing reviews and assessments, we are aware of the needs in Indochina and share this committee's concern and sense of urgency in particular about the needs of refugees and other war-afflicted people. Because of this concern, we look forward to receiving and having an opportunity to carefully consider the GAO reports recently completed, as well as the Klein-French findings.

We have now heard the summary statements by the committee's study team and will certainly review their reports with our Missions
and the Governments of Vietnam, Laos and Cambodia. However, at this time I do want to invite your particular attention to our program of expanded humanitarian assistance in fiscal year 1974 and our proposal for additional expansion in fiscal year 1975, as shown in the fiscal year 1975 Congressional Presentation for Indochina.

We trust that this committee will be helpful in explaining to the Congress and the nation that the solution of the orphan situation in Vietnam is not in mass intercountry adoption but in increasing the ability of the Vietnamese institutions to care for these children and that adoption is only an alternative for relatively few.

We are aware that the committee and other Members of the Congress have been informed by Dr. Howard Rusk of the World Relief Foundation of the significant increase in the Government of Vietnam’s ability to provide prosthetic and orthotic devices. The committee should also be aware that we have called for a thorough review, in close cooperation with the Ministry of Health and interested international organizations and voluntary agencies, of the health and rehabilitation needs in Vietnam and the capacity of the government and private medical personnel and facilities to address those needs.

We trust that the committee has been fully informed of the dynamic work of voluntary groups and the international agencies in humanitarian assistance programs in these countries. In Cambodia, they and the small USAID staff in Phnom Penh have performed in a Herculean fashion in most difficult circumstances.

Although the Klein-French team did not visit Laos, we would have welcomed their visit to observe at first-hand conditions now being addressed by the coalition government, with the USAID continuing to provide necessary support and standing ready, along with the International Red Cross and other organizations, to provide necessary assistance.

Mr. Chairman and members of the committee: We have seen considerable progress in the past few years, and we are continuing to assist these governments to carry out their plans to achieve additional progress in their humanitarian programs. We request your support for the AID program to relieve human misery and to permit these nations and their people to meet their basic needs and to develop their countries.

Thank you, Mr. Chairman.

Senator Kennedy. You will get that support, Mr. Murphy, if that is the thrust and purpose of your program—to meet basic needs. But let me say that I am not very much encouraged with what I have heard here.

**PROSTHETIC DEVICES**

Let me ask you about prosthetic devices. It has been something I have been very interested in over a long period of time. You talk about it at the bottom of page 3.

Dr. Rusk talks about the “significant increase in the Government of Vietnam’s ability to provide prosthetic and orthotic devices.”

Now, this is what GAO said June 10 in its report to the subcommittee:

In the previous years, as much as 9 years elapsed between prosthetic requirements and artificial limb production. USAID said prosthetic production
and repair has increased, from 8,169 devices in 1971 to an estimated 10,000 in 1973. Through August 1973 a total of 7,081 devices were produced or repaired. Because of plant capacity, the Institute cannot increase annual output beyond 10,000 units, so many amputees will probably continue waiting extended periods of time without these devices.

How long are they waiting now?

Mr. Murphy. Mr. Chairman, in an attempt to improve that situation, we have included in our fiscal year 1975 program a project for around $4.7 million for rehabilitation of the disabled, and this project has several objectives. It is to reassess the total rehabilitation needs and service delivery systems, provide the mobility for vocational training for the blind and the deaf, and to provide support and technical training to the National Rehabilitation Training Institute and expand its geographic coverage, to improve facilities in medical care for the paraplegic, and to provide vocational training to stabilize patients.

To date, the Institute, the National Rehabilitation Institute—

LAG TIME FOR PROSTHETIC DEVICES

Senator Kennedy. That's part of your congressional presentation. Give me an answer to how long people are waiting to get prosthetic devices now.

Mr. Murphy. I do not have the answer to that. Do you, Mr. Zimmerly or Dr. Oldham?

Dr. Oldham. The average wait, Senator, is no more than several months at the most at a peak time. One of our major problems in the rehabilitation program is getting the people in for the services. At the present time we are developing ancillary services at 10 provisional hospitals to try to spread out the services so we can get to the people. One of the major problems is getting them in to get the services. Now, we do have a backlog, and the project that he is describing is what we are asking Congress for more money so that we can establish more base production centers, too.

Senator Kennedy. Are you up to date, then, with regards to the people in need of help?

Dr. Oldham. No. We have many people who have not gotten their limbs.

Senator Kennedy. Say at the center itself, do you have a waiting list?

Dr. Oldham. The last time I checked it was no more than 2 weeks wait from when the person would come in. I think Dr. French—it was when he was there.

It was the last time I visited the center when we were there a few weeks ago, and at that time they estimated no more than 2 weeks a patient had to wait. It is getting them in there for the services that has been our major problem.

REHABILITATION CENTERS

Senator Kennedy. You only have that one center, is that right?

Dr. Oldham. No, sir. We have four centers, the major unit in Saigon, one in DaNang, one at Quang Ngai, one at Can Tho. These
are branch centers. We would like to develop, in our proposal, develop three more branch centers. They have about one-third of the productive capability of the main center in Saigon. So, we have four centers at the present time. We are proposing three more production centers and the development of these 10 rehab centers in provincial hospitals to try to increase production.

One of our problems, too, any time you get into prosthetic devices, approximately every 2 years you have to rebuild the limb, so that you have a steamrolling backlog effect, too.

Senator Kennedy. How many have been changed, upgraded?

Dr. Oldham. At the present time, I think about 50 percent.

Senator Kennedy. Can you give me those figures?

Dr. Oldham. Surely.

[The following information was provided subsequent to the hearing:]

PROSTHETIC DEVICES AND REHABILITATION ACTIVITIES

1. During calendar year 1973, before the introduction of provincial “satellite centers,” total production of prosthetic devices in South Vietnam was some 15,000. Replacements and major repairs accounted for about one-third of this total. Devices for children must be refitted every eight months to one year; those for adults every one to two years.

2. At present, the National Rehabilitation Institute has three regional centers and ten provincial “satellite” centers. Renovation work is complete in six of these “satellite” centers; work on two more should be complete in September and work on the final two complete in December. With this complement of centers in full operation, total production capacity will be some 30,000 devices a year, or approximately double that for 1973 as noted above.

3. The World Rehabilitation Fund estimates that 70,000 people, of whom perhaps 20,000 are children, need prosthetic devices. At present there is no waiting period for admission to the National Rehabilitation Institute or one of its branches. It does take some two weeks for construction and fitting of the prosthetic device.

4. A survey team to evaluate the conditions and requirements of disabled persons in Vietnam is currently being arranged. The report of this team will clarify actual needs for rehabilitation and provide sound guidelines on which to build a comprehensive rehabilitation program for the disabled.

Senator Kennedy. I would be interested in the waiting time in each of these areas, what are you doing in terms of outreach, to try to reach them, and to the extent that you can, break it down into age, because obviously children have to have these changed more frequently—how many have returned, what kind of procedures do you follow to try to stay after children.

No one underestimates the complexities of the problem. But it is something I am interested in.

Mr. Zimmerly. May I add one additional point on this?

This project which we propose to expand is projected for a 5 year period of time with an approximate cost of roughly $10 million U.S. dollars.

INTERNATIONALIZED HUMANITARIAN ASSISTANCE

Senator Kennedy. Mr. Murphy, at the top of page 2 you talk about the “international organizations in humanitarian assistance.” I think we have a disagreement on this.

I do not think that the record shows the type of increase in international organizations in humanitarian assistance that this testimony would suggest. I think we should lay it out for the record, and
I want you to feel completely free to provide for us, in detail, the basis for your statement on that increase and what you anticipate for the future, so that we can put that in an appropriate place in the record and let the record speak for itself.

The other point you made: "We presented to Congress in 1975 a program which will continue to expand our efforts on these activities and encourage the participation of others."

REDUCTION IN HUMANITARIAN AID?

Actually, as I understand it, the program proposal reduces the percentage of humanitarian aid from 21 percent of the total program in 1974 to 18 percent in 1975. [see figure 4]

VIETNAM ECONOMIC AID: PROGRAM SUMMARY

Mr. Murphy. That is correct on a percentage basis, Mr. Chairman. But the base on which these percentages is calculated is substantially larger. The 18 percent for 1975 works out to about $135 million, but the 21 percent for 1974 works out to only $85 million. So you have a 60 percent increase on an $85 million base that is proposed by the administration for 1975.

Senator Kennedy. What kind of increase do you have in total economic aid?

Mr. Murphy. Approximately a 100 percent increase. No, slightly less. I think the figure is really closer to $400 million, and you have a $350 million increase proposed. So it is a very substantial overall increase, and as you can see from your chart, a big portion, 30 percent of the total, is planned for developing activity.

Senator Kennedy. Who got the 3 percent?
What programs were higher priority in your judgment for these dollars?

Mr. Murphy. The big increase in percentage here, Mr. Chairman, is in the development assistance portion.

Senator Kennedy. That is the commercial import program?

Mr. Murphy. No, this is the actual attempt to provide a basis for the economy to start to grow, and the 80 percent as shown on your chart there, I believe that is the figure, as compared to 4 percent in 1975. Again, the bases are substantially different.

Senator Kennedy. Have all of those funds for 1974 been expended—the humanitarian portion—has all of that been expended?

Mr. Murphy. It has been obligated Mr. Chairman, but not all expended yet.

Senator Kennedy. Well, you have reconstruction development projects, rural credit, you have canal dredging, you have low-lift pumps, you have salt water intrusion, you have industrial credits, you have export processing zone—are those projects commercial imports or foreign exchange support?

Mr. Murphy. Can you answer that, Mr. Zimmerly?

Mr. Zimmerly. Yes, sir. They are not all commercial imports in the sense I believe the word is being used. For instance, one of the major activities, as you properly identify it, is the urea plant, which would require some several years to complete, and at the point of completion would help relieve South Vietnam of having to import annually $100 to $120 million worth of fertilizer to meet their requirements. That is an example of the kind of thing we are talking about, and it is not the normal commercial import as we usually refer to it.

The salt water intrusion project is designed primarily for the delta, and the salt water that annually intrudes into the delta production area has a definite impact on rice production in that area. If it can be controlled it will improve and enhance the opportunity for additional production of rice in South Vietnam.

FURTHER INFORMATION FOR THE RECORD

Senator Kennedy. That bell, as the gentlemen know, is a vote. So I have to go to the floor to vote.

We have some other areas of inquiry and I want to make sure that the record is complete. I have talked to Senator Fong and with his understanding and agreement I have some questions here that I will ask the staff to get your responses to. I would like to get them on the record here today and I will ask Dorothy Parker to ask what questions she might have for Senator Fong, and Dale deHaan to review my areas of concern.

I want to thank you gentlemen very much for your appearance here, and I think you are very much aware of our interest. I am hopeful that we can work with you in this U.N. effort. We are really talking about peanuts in terms of total costs—yet it is something I think is of great importance. Seeing the work the U.N. agencies have done in different places of the world, I think they have been first-rate. They have some problems, but I am just hopeful that we can
provide some leadership in this area and some assistance to them to increase their humanitarian efforts in Indochina. We are going after it.

I think the interest of the Congress in this is significant and I am hopeful that we can really expand this type of program.

Again I want to thank you very much for coming.

Mr. Murphy. May I say in closing, we appreciate this opportunity for a dialog with the committee, and we are sure that as time goes by we will further develop our ability to work toward the same objective.

Senator Kennedy. Thank you very much, and the subcommittee counsel will continue the questioning.

PROJECTS THAT CAN BE INTERNATIONALIZED

Mr. de Haan. Just to follow up on that reconstruction and development area—you mentioned the canal dredging and the salt water intrusion projects.

Aren't these two projects that could really be put into some international framework, such as the Asian Development Bank or the UNDP or something of this kind? The two projects are $21 million. But they seem to be examples of the kinds of things which the United States should not necessarily have to do on its own, and which could be put into an international framework with support from Japan, Australia, or other countries.

Mr. Zimmerly. The answer is obviously yes. These two projects, the canal dredging project and the low-lift irrigation and drainage, and the salt water intrusion project, are projects which have been in a pre-feasibility study stage for some time. I am quite confident that if other donors indicated an interest in these projects, that the South Vietnamese would be very pleased to respond. They have repeatedly asked the Asian Development Bank and other donors to assist them with projects of this kind, and on the whole, have gotten some very good responses.

Mr. de Haan. Have we done anything to try to get other countries involved, such as the Japanese? Based on your testimony, why is this in here as an American project?

There is apparently some potential for putting some of these projects under international auspices or through an international channel.

Mr. Zimmerly. As you are aware, we have a staff in Saigon in repeated contact with all of the various donors in that country, and of course we in Washington are in very frequent contact with other donors assisting South Vietnam. They visit Washington and we discuss these various projects. It is just that these particular projects we have listed here have been on the shelf for some time and other donors have not indicated a direct interest in them.

It may be that in Saigon today they may be discussing one of these particular projects.

Mr. de Haan. But do you foresee that over the next fiscal year such things as a salt water intrusion and canal dredging project—and there are others in the presentation, but I point to just those
two—will be put under some kind of international auspices, which could reduce the amount of the Administration's pending request?

Mr. ZIMMERLY. Yes. In fiscal year 1974 other donors contributed for both humanitarian programs and also for specific project activities of this kind approximately $150 million. This was roughly double the amount which had been made available in the previous year.

There obviously is an increased level of interest on the part of the Asian Development Bank, the Japanese, the Germans, the French and other donors.

OTHER GOVERNMENTS READY TO CONTRIBUTE

Mr. de HAAN. The Chairman has mentioned this earlier—but last year, when the Study Mission was traveling, some of us went to Tokyo, Bonn, The Hague, and other capitals. Without fail, most of these governments had already earmarked funds for humanitarian purposes to be put through international channels. They had also earmarked certain other funds for general development purposes.

Now, to the best of my knowledge, those funds—and there may be some exceptions—the bulk of those funds were never used in South Vietnam and other parts of Indochina. Part of the reason, apparently, was the lack of any appropriate international channel or arrangement.

Which raises the question—and we will not go over this all again—but this raises the question as to why more hasn't been done in terms of developing the international channels which we keep talking about here? But it was our impression last year that a lot of governments had earmarked funds in a range far greater than present international programs, and they were hoping for a green light, but they never got it. And I am just wondering whether they have it now, so that these funds could be used in Indochina.

Mr. ZIMMERLY. I hope they have a green light, too, because we have had, as I have mentioned earlier, many conversations with representatives from these various countries and we gave green lights and we will continue to give those green lights.

Mr. de HAAN. Well, I am suggesting that what the U.S. does and an American contribution sometimes makes a very great difference, and it seems to me it would make a great difference in Indochina.

Very recently, for example, the Chairman recommended a Presidential determination of up to $5 million for UNRWA in the Middle East, and there was a big discussion about this, including the view that we do not have the sole responsibility for Palestinian refugees and making up UNRWA's deficit.

As a result of the U.S. contribution of $4.2 million, however, the EEC contributed at least $7.9 million. The $7.9 probably would not have been contributed if the United States had not agreed to put in $4.2 million.

But the fact of the matter is, these two contributions made up UNRWA's 1974 deficit. The U.S. contribution was a small amount. But getting back to what the chairman was talking about, initially,
maybe these kinds of initiatives, in terms of UNHCR or UNICEF in Indochina, would be helpful in generating interest and support on the part of other governments for international cooperation in meeting rehabilitation needs.

PUBLIC LAW 480 FOOD FOR "COMMON DEFENSE"

The Foreign Aid Act of last year contains a ban on the use of local currencies for common defense purposes, including internal security, unless it is specifically authorized by legislation. The effective date of the ban was July 1, 1974—the beginning of fiscal year 1975.

In looking over some of the agreements that have recently been made under title I, Public Law 480, we found that the latest agreement with Cambodia apparently was made on July 25, 1973. According to records which we have, this agreement was amended for the 11th time on May 24, 1974.

According to this amendment, up to 80 percent of the currency use payment is a grant for common defense. The latest agreement with Vietnam was apparently made on January 21, 1974. The agreement covered some $55 million worth of rice, and the agreement states that 100 percent of "all currency use payments made to the government of the exporting country, shall be granted to the government of the importing country for common defense purposes under Section 104(c) of Public Law 480."

Now the question is, first of all, what are common defense purposes in the context of these agreements?

Mr. ZIMMERLY. I do not have the details of those two items. I will provide it for the record.

I will say that you are referring to the requirement established in section 40 of the legislation of 1973, and we are meeting all of the requirements of section 40. But I would like to provide a response to that question in detail.

Mr. DE HAAN. It brings up interesting questions.

First of all, what are common defense purposes? And second, and perhaps all of these questions could be answered subsequent to the hearing—second, in view of Congressional intent, even though the ban did not occur until fiscal year 1975, why were these agreements made after passage of the Foreign Aid bill?

It raises a question over carrying out the spirit, if not the letter, of the Foreign Aid legislation. And, of course, it is generally accepted that agreements, in effect, are not affected by the ban, which raises an interesting question—how many times are we going to amend the 1973 agreement with Cambodia, or the January 1974 agreement with South Vietnam?

If the theory holds that these agreements are not covered by the ban, you could go on endlessly with these amendments, and we know that the agreement with Cambodia has had that experience. So, it is just a question of what does this ban mean in terms of how AID carries out Public Law 480, title I agreements.

Mr. ZIMMERLY. As you are aware, there is a tremendous amount of detail involved in responding to those series of questions and we would like to provide the full answer for the record.
[Subsequent to the hearing, the following information was provided:]

"COMMON DEFENSE"—CAMBODIA AND VIETNAM

"Common Defense" is the phrase used in Sec. 104(c) of PL 480 authorizing the use of local currency proceeds from the sale of PL 480 Title I commodities. In the case of Cambodia and Vietnam, this meant use for support of military budgets.

Sec. 40 of the Foreign Assistance Act of 1973, approved December 17, 1973, reads:

"Effective July 1, 1974, no amount of any foreign currency (including principal and interest from loan repayments) which accrues in connection with any sale for foreign currency under any provision of law may be used under any agreement entered into after the date of the enactment of this Act, or any revision or extension entered into after such date of any prior or subsequent agreement, to provide any assistance to any foreign country to procure equipment, materials, facilities, or services for the common defense, including internal security, unless such agreement is specifically authorized by legislation enacted after such date."

CAMBODIA

The July 25, 1973 PL 480 agreement with the Khmer Republic was amended for the tenth time on May 16, 1974 to provide 20,000 tons of rice and for the eleventh time on May 24, 1974 to provide 5,000 tons of feed grains because Cambodia needed rice and feed grains at the time. None of the local currency generated from these amendments will be used for Section 104(c) purposes.

VIETNAM

In Vietnam, a number of PL 480 Title I Agreements have been signed since the enactment of Sec. 40. However, as in Cambodia, effective July 1, 1974, no PL 480 generated piasters will be made available for GVN military budget support unless such currencies were obligated by project agreement on or before December 17, 1973.

Mr. DE HAAN. I have the agreements here. They are very clear. But I think it would be very useful if that was made available for the record, because these two agreements raise, I think, some very serious questions about carrying out congressional intent.

POLITICAL PRISONERS IN SOUTH VIETNAM?

The question of political prisoners has not been raised today, but in light of the Department of State's response in May regarding the subcommittee's report of January, we understand that both Ambassador Martin and the Department of State flatly deny that there are political prisoners in South Vietnam.

And I was just wondering, Mr. Wenzel, if you could elaborate on that?

Mr. WENZEL. This has been addressed, I think, in the exchange of correspondence between the Chairman and the Secretary. I do not think there is a great deal to be added to that statement the Secretary made.

I can restate our views on this. There is, as I believe you know, a very basic difficult problem of definition here, as to what a political prisoner is. I think there is a problem of definition.

For example, I think this problem of definition came forth in the congressional deliberations on section 32 late last year. I would say this. The common charge that seems to be voiced by a number of
sources is that there are a huge number, frequently the figure 200,000 is used, huge numbers of political prisoners in South Vietnam.

Our embassy has done—

Mr. De Haan. Of course you understand that the Chairman of this committee has never made a statement of that kind.

Mr. Wenzel. That is my understanding, sir.

Our embassy has done a very thorough study of this. I believe a copy of that study was submitted along with the Secretary's letter.

The embassy's conclusions—

Mr. De Haan. Wasn't that a study on Father Chan Tin's list?

Mr. Wenzel. That is correct.

The embassy concluded that the total number of civilian prisoners in-country was something on the order of 35,000. We accept this analysis and report by the embassy, which certainly refutes the allegations that there are numbers approaching 200,000.

The embassy then looked at this prison population figure and explained that it was made up of all types of prisoners for all offenses, including a substantial number of what we would call common criminals. It also established to its satisfaction that there was no prisoner in jail who had not been charged or convicted under a specific law.

In other words, if one defines political prisoners as arbitrary imprisonment for simple opposition to a government, our conclusions, the embassy's conclusions, which we share, are that there are no such people in that category incarcerated in South Vietnam.

I think that would sum up its findings.

Mr. De Haan. Well, why has there been a 180° turn from last year to this year? Last year the State Department, in response to an inquiry by Senator Kennedy, talked about political prisoners. We recognize, incidentally, that there are two kinds of prisoners. There are prisoners covered by the Paris agreements, and that is one set of prisoners. There is another set of prisoners, some of whom are apparently political prisoners, as that term is generally understood, and who are not covered by the Paris agreement because they are non-Communist dissidents—or that is what the department called them last year.

Last year, in a letter on August 2, to Senator Kennedy, with which you are probably familiar, the Department says this:

"The number of non-Communist civilians detained for political dissent, i.e., political prisoners, is a small portion of the prison population."

Our Embassy in Saigon, according to the letter and some previous correspondence, suggested that maybe between 500 and 1,000 detainees were in this category. Then, in another place in the letter, it says "there are political prisoners in South Vietnamese jails and incidents of abuse and mistreatment do occur. These problems have been exaggerated in the current public debate," and the letter goes on. But the fact remains that a year ago the Department recognized that there were so-called political prisoners in South Vietnamese jails, non-Communist dissidents. These were students and other kinds of people.
Suddenly, this year there are no political prisoners in South Vietnam.

Now either people's terms of reference have changed, or something else has changed. But what happened over last year to change the judgment of the Department? Some of the same people who were in prison last year would appear to be there now.

REAPPRAISAL OF THE POLITICAL PRISONER ISSUE

Mr. Wenzel. I am familiar with this letter. I would submit that the present statement by the Secretary on this matter is a more thorough and considered appraisal of that situation than was the one which was done by one of the officers of the Embassy in the early part of 1973, as I recall.

I think you must look at the language of the first letter. The officer who wrote it did make an estimate of the number of what he termed "non-Communist dissidents." The analysis does not go beyond that, as I recall, to suggest that even that category of people could well mean, as we now believe, those charged with or convicted of a violation of law which is the basic position we have today.

Again, we are getting into definitional problems here.

Mr. de Haan. Are you suggesting, then, that the definition of a political prisoner has changed in the last year, or have detainees just been shifted from one category to another, as in fact has happened?

Mr. Wenzel. I am suggesting that our more recent analysis is the better and more considered analysis of the situation.

Mr. de Haan. Could we have that analysis? Based on the record and earlier communications to the Chairman, we have some problems in accepting flat statements saying there are no political prisoners in Vietnam.

Mr. Wenzel. You have that report.

Mr. de Haan. How do you reach the conclusion that there are no political prisoners in Vietnam?

Mr. Wenzel. It is the report on Father Tin which was submitted to you plus the Secretary's commentary. That is our basic position.

Mr. de Haan. So the Department categorically denies that there are any political prisoners in South Vietnam along the definition which you used last year?

Mr. Wenzel. We did not use that phraseology.

NO POLITICAL PRISONERS?

Mr. de Haan. Let me just read it to you because I think that is what in fact it says.

"The Department of State cannot agree with the Study Mission's assertion that the record is clear that political prisoners exist in South Vietnam."

Mr. Wenzel. That is correct.

Mr. de Haan. Now that is a categorical denial, is it not, that there are no political prisoners in South Vietnam?

Mr. Wenzel. The words are yours.
Mr. de Haan. But doesn't the Department conclude that there are none?

Mr. Wenzel. That means that the definitions which we have established in our minds in making these analyses, tell us that we are not aware of any civilian detainees who have not been charged or convicted of a specific provision of Vietnamese law.

Mr. de Haan. It appears that most political prisoners are not political offenses but a violation of an I.D. card, or something like that. Could you supply anything more for the record than what appears in the Department's response to the subcommittee's report?

Mr. Wenzel. All I can say is that is a very considered statement which was submitted. I do not know that there is anything further that can be said on this.

Mr. de Haan. You see, last year there were political prisoners; this year there are not.

Now either these people have been released or they have been shifted to other categories. Something has happened between August of 1973 and July of 1974, and we are just trying to find out what happened to change the Department's views.

Mr. Wenzel. I do not accept that there has been a major revision of our view.

As I said before, there has been a more careful and considered study and analysis.

Mr. de Haan. Are you suggesting that last year the Department's letter was in error?

Mr. Wenzel. I think if we had to rewrite it, we would have phrased it more carefully than we did.

Mr. de Haan. Again, could you supply additional information?

Mr. Wenzel. I am reluctant to agree to this because we have exhaustively written on the subject, and I think, if possible, we shall. But I think the Secretary's statement, his communication with the chairman, is a very considered piece and I do not know of any new information or ideas that would assist you.

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

Additional Statement—"Political Prisoners"

The Department of State's statement that "there may be between 500 and 1,000" persons detained in the Republic of Vietnam for political dissent, made in a letter to Senator Kennedy on August 2, 1973, was an estimate made earlier that year by personnel of our Embassy in Saigon at a time when the "political prisoner" issue in Vietnam was just beginning to gain a considerable public airing. Embassy personnel then working in this area had not yet investigated this matter thoroughly and systematically. The Department's August 2 letter noted that the Department was "by no means certain" that the estimate was accurate.

Following his arrival in Saigon in late July 1973, Ambassador Graham Martin directed that all necessary resources of the U.S. Embassy be employed to review the prisoner issue. The work was to be thorough; no guesswork was to be permitted. The report of this investigation was completed in late December 1973. It concluded that the total prison population of the Republic of Vietnam in mid-1973 was about 35,000. Subsequent Embassy investigation has confirmed this finding and confirmed the conclusion that reports of widespread political imprisonment are without foundation.

In addition, the Embassy has investigated a considerable number of individual cases of alleged political imprisonment. In every case it has found that
the individuals named have been released, turned over to the other side under the Paris Agreement, or charged with or convicted of specific violations of public statutes. Neither the Department nor the Embassy in Saigon asserts that there are no "political prisoners" in the Republic of Vietnam. What we do say is that our mission in Saigon, having exhaustively examined the matter, has yet to find any cases of actual political imprisonment involving detention of persons solely because of their political beliefs or disagreement with the Government.

Mr. de Haan. So today, dissidents are charged with ordinary crimes, and last year they were political prisoners.

Is that what has happened?

Mr. Wenzel. I submit again that I do not think that there is a basic change in the situation this year versus last year. We have done a more considered study and analysis on this, and we stand on this most recent analysis.

I might add, if I could, we have had a great deal of correspondence on the subject, as you probably know, from the Congress, from individuals, from people abroad. Much of this correspondence takes the form of inquiring about individual prisoners. We obviously do not have the resources and cannot get into looking at all of these. But the embassy has, on a selective basis, looked into individual cases.

There was recently a study commission of the other House which was

Mr. de Haan. What study commission?

Mr. Wenzel. A Congressional staff visit to Vietnam some weeks ago. They submitted some names to the Embassy and the Embassy did its very best to have these looked into and satisfied itself in every case.

I think there were about half a dozen cases, and the Embassy determined that the charges that the six were "political prisoners" were untrue. This is an example of the testing that we have made to be satisfied with the findings of our analysis.

Mr. de Haan. I do not think anyone is trying to exaggerate the problem; but I think, comparing the correspondence last year with the correspondence this year, there appears to be some need for perspective on this issue. Mr. Klein, I think, discussed the issue with some of the people in Saigon.

Do you want to put something on the record?

POLITICAL PRISONERS: THE VIEW FROM SAIGON

Mr. Klein. I can only add that Dr. French and I asked about the political prisoner question with Ambassador Martin, and the Ambassador told us emphatically, and categorically, that there were no political prisoners in South Vietnam. He indicated that he had requested the Embassy's entire intelligence operation to do an exhaustive investigation of the political prisoner question, and that they reported, and his conclusion was, that there were no political prisoners in South Vietnam.

Interestingly, at the suggestion of the Vietnamese Government—stimulated by a query to the South Vietnamese Embassy here—we were invited to meet with Vietnamese Government representatives on
the subject of political prisoners. The official who guided the discussion was a representative of the Ministry of Information. I think he was selected in part because his English was excellent, which facilitated our discussion. We could understand each other's nuances. There were also representatives, I think, from the Ministry of Interior, police, prisons administration, and one or two others—all were five Vietnamese officials in all. It was a useful discussion, I thought.

In essence, the discussion finally came down to a suggestion on their part—and certainly not rejected on our part—that perhaps the core problem was definitional.

In other words, what was one man’s “political prisoner” was another man’s “common criminal.” We could not, obviously, get into a detailed comparison of legal codes or definitions of criminality. But I think we left with the feeling that the South Vietnamese Government officials we met were saying that, on their terms, there were no political prisoners under their statutes and their interpretation of Vietnamese law. However, they recognized that we might well review, if we were able to, the same allegations of criminality and come to a different conclusion on the basis of the same data, that there were indeed political prisoners.

The term they kept using was that it was a question of “semantics.”

I would like to offer an opinion. It is difficult for me to believe that there are no political prisoners in South Vietnam in our frame of reference—given the fact of war, the nature of government in the Far East, and the intense degree of hostility between the respective sides in the Vietnam conflict. I would certainly expect that there are political prisoners, using the same definition, on the other side, as well. But I think it is important that we recognize, in our humanitarian concerns, that the problem of political prisoners is a real problem. Imprisonment for political reasons is totally inconsistent with a “free and open society,” as Ambassador Martin frequently calls South Vietnam. We must insure that our aid does not support a government which uses imprisonment as a political weapon.

M.I.A. ISSUE

Mr. DE HAAN. There are just two other areas I wanted to ask about in behalf of the Chairman. One of them relates to the MIA issue.

Where do we stand on that issue today?

Mr. WENZEL. Mr. de Haan, I am very disappointed and disheartened at the lack of progress which we have seen on the MIA issue. I think I can sum up our feelings on this: that there has been virtually no progress in the year or year and a half since the cease fire agreement.

The one minor accomplishment, really, of the North Vietnamese is they did agree and have returned the bodies of, I believe, 23 American servicemen who died in captivity. This was after many months of wrangling and negotiating with them. We knew about this months ago and it was finally accomplished only in recent months.

Beyond that, I think it is fair to say that progress has been nil. The
North Vietnamese and the PRG have shown no desire to cooperate with us on this issue to provide the information, much of which we believe they have, which would settle these outstanding cases.

This is not due to a lack of effort on our part. We have made persistent efforts. The Communist parties have treated it, very frankly, as a political rather than a humanitarian issue. They seek to relate this issue to other issues. They seek concessions by the South Vietnamese government before they will agree to cooperate on this issue.

So, frankly, we are at what might be termed an impasse. We shall keep trying. It is important. We know that it is. There is a great amount of interest in the United States on this issue. We are trying very hard but the prospects at the moment are not good.

**M.I.A. IN LAOS**

Mr. De Haan. Does that apply to the PGNU in Laos as well?

Mr. Wenzel. I would like Mr. Rives to comment on that, if he would.

Mr. Rives. In Laos we actually have one POW still in Pathet Lao hands.

Mr. De Haan. Mr. Kay?

Mr. Rives. Mr. Kay. We were hopeful before the PRG was formed that he might be released. However, he has not been released despite Ambassador Whitehouse’s efforts, those of every minister in town and the Soviet ambassador who transmits his feeling to this Pathet Lao and other friendly governments, efforts on our behalf, there seems to be no move whatsoever.¹

As far as the missing in action go, there, too, it seems to be at a standstill. There are some indications, whether sincere or not, that the Pathet Lao would consider moving ahead both on Mr. Kay on the missing in action once, what they term, the final settlement is reached.

Mr. De Haan. Does that refer to the administrative unity of the country, or what?

Mr. Rives. We do not know what they mean by that. It could be an excuse to put things off indefinitely or they may release Mr. Kay at any moment.

We just do not know.

**MIA’S—DIPLOMATIC AND HUMANITARIAN PROBLEM**

Mr. De Haan. The whole question of MIA’s poses sort of a diplomatic problem as well as a humanitarian problem. I know that the Chairman wanted to refer to the Secretary’s letter to him on March 25. One of the areas he had inquired about was recent diplomatic initiatives, involving the United States, aimed at a reduction of violence in Indochina and a greater measure of normalization in the area.

And the answer to that particular area of inquiry suggests that since the beginning of the cease-fire the United States has been in

¹ Subsequently, Mr. Kay was released by the Pathet Lao on September 18, 1974.
constant touch with the interested parties, including those outside of the Indochina area.

It goes on here: "We can assure the Congress that we have used every means at our disposal. We believe these measures have had some success."

Could you elaborate on any of this in terms of the MIA issue and the general situation in Indochina?

Mr. Wenzel. Again, Mr. de Haan, I can assure you that, as was said in the letter, a lot of effort and a lot of time was put into it. Our reply was extremely well considered and extremely well researched. I cannot elaborate, particularly on that statement.

Much of this area, you will appreciate, is very sensitive. I would restate that we are indeed and in fact in constant liaison on these issues with all parties, including the parties of the Communist side. We have a means of communicating with them, and we are using that means.

Details of these deliberations I cannot get into, but I can repeat the Secretary's assurances that the effort has been made and will be made to stay in very serious communication.

Mr. de Haan. At what level are these communications being made?

Mr. Wenzel. I would say at all levels, at various levels.

Mr. de Haan. There was a rumor a couple of months ago that the Secretary was going to meet with Le Duc Tho in June. As I say, it was a rumor. It was reported in the press.

I assumed that that never occurred.

Mr. Wenzel. That is correct.

We have heard this rumor in recent weeks on a number of occasions. I will say that I know of no plans for such a meeting in the near future.

DIPLOMATIC PRIORITY OF INDOCHINA

Mr. de Haan. The Chairman has expressed his view on the importance of continuing diplomacy.

Could you comment on where the issue of Indochina, or diplomacy in Indochina, stands these days, in terms of diplomatic priorities?

Mr. Wenzel. In terms of diplomatic priorities?

Mr. de Haan. Yes. Some people have suggested it stands on the back burner at times; but just where does it stand? How important is it diplomatically—the policy to encourage a lessening of violence and perhaps some form of understanding, accommodation, normalization, and so forth?

Mr. Wenzel. From my own personal observation, I think it is standing quite high.

Mr. de Haan. Could you give us some evidence of that?

Mr. Wenzel. Again, it is difficult to get into specifics, much of which are quite sensitive. I would say that having achieved the peace agreement of January 1973, we were not about to walk away from Indochina as a completed job. We might have wished to do this; it was not possible. And we are not doing this. The administration remains extremely committed to pursuing our goals out there, which I have explained earlier. It remains a high priority objective of this Administration.
Mr. de Haan. Mrs. Parker, do you have any questions?

Mrs. Parker. Yes, I do. Due to the hour, I will keep them very short.

We have explored at great length what has not been accomplished in Indochina. I think we would be interested in what is the present status of the various humanitarian programs in Vietnam, Cambodia and Laos.

Do you want to address yourselves to that now, or do you want to submit that for the record?

Mr. Zimmerly. There is a great deal of detail available which we had hoped to make available during the course of the hearing today. I particularly think we should acknowledge the fact that we have discussed, during the course of the day, the very dynamic effort that has been made by the voluntary agencies, with our help and the help of the Vietnamese, Laotian and the Cambodian Governments, in working with the child care and refugee programs. We have said nothing about which voluntary agencies were involved; yet, for example, there are eight different agencies working in Vietnam.

As the hour is getting late, I would like to provide the details of that information for the record.

BREAKDOWN OF INTERNATIONAL AID

Mrs. Parker. Fine. We would like to have that and also some idea of the amount of aid from the United States and other sources going to these areas now; and either a percentage breakdown or a figure breakdown as to how the United States' humanitarian assistance shapes up against that of the other countries. Could we have those figures?

Mr. Zimmerly. We would be very pleased to provide that for the record. Thank you.

[The information referred to follows:]

STATUS REPORT ON HUMANITARIAN PROGRAMS IN VIETNAM, CAMBODIA, AND LAOS

The status of the various humanitarian programs, United States Government support and other donor assistance in Vietnam, Cambodia and Laos is provided below.

VIETNAM

Refugee Relief and Other Donor Assistance

The United States Government has been assisting the Government of Vietnam to care for and re-establish refugees since 1954, when an estimated 900,000 North Vietnamese left their home areas to resettle in South Vietnam under the free movement provisions of the Geneva Accords. Major U.S. attention and financial support began to be focused on the refugee problem with the establishment of the USAID Office of Refugee Coordination in October 1965. That unit, with much the same duties for more than eight years, went through a number of name and organizational changes to emerge as of February 1, 1973, as the USAID Associate Directorate for Relief and Rehabilitation.

While there has never been a nationwide census of refugees, it has been estimated that some eight million Vietnamese have been displaced from their homes at some time from 1964 to the present. Of these, about five million have participated in the emergency and/or long-range relief programs of the GVN.

The Ministry of Social Welfare (MSW) has long been the major GVN agency in this field. The Directorate-General for Land Development and
Hamlet Building (LDHB) was chartered in March of 1971 and began to play a role in resettlement in 1972. The two were joined in February 1974 under the leadership of Dr. Phan Quang Dan, Deputy Prime Minister.

The overall goals of the GVN relief and rehabilitation effort are to provide for the welfare of refugees and other victims of the war and to restore them to a normal, productive role in society. Toward these aims, four broad programs have evolved over the years:

1. *Temporary Relief*, designed to provide food, shelter, and other necessities at official GVN temporary sites established wherever necessary throughout the country when refugees are forced from their homes.

2. *Return to Village (RTV)*, an opportunity for displaced persons to return to their home areas and receive a number of special government allowances that give them a much-needed first step toward becoming self-sufficient. They receive funds to construct new houses, food allowances to help them survive while new crops are being planted, and development benefits (such as the construction of schools, dispensaries, roads, markets or wells) to assist in the formation of viable communities.

3. *Resettlement*, an opportunity for those who cannot return home to own land in secure areas elsewhere, establish new homes, and once again become self-sufficient. Allowances are similar to those provided through the RTV program.

4. *In-Place War Victims*, a program to assist people who suffered house damage or the death or injury of a family member as a result of military action, yet were forced to leave home for only a short time, if at all.

Events and priorities in the relief and rehabilitation field over the past few years are sharply divided by the enemy offensive which began in late March 1972. In the couple of years prior to the offensive, major emphasis was placed on helping refugees re-establish themselves in their home areas or, if that was not possible, assisting them to resettle. In all of 1971, fewer than 136,000 new refugees were generated, and only 20,000 more joined their ranks in the first quarter of 1972.

Then came the offensive, abruptly interrupting and reversing this encouraging return to normal life and productivity. Nearly 1.3 million people from 28 provinces fied their homes in the last nine months of 1972. At the peak, 758,000 people were taking refuge at official GVN temporary camps, 35 percent of them in the Danang area alone. Some 675,000 people were still in camps on December 31, 1972. Through major RTV and resettlement programs, the camp population was reduced to 234,000 by the end of 1973 and to 41,800 by July 24, 1974. About 26,000 of those were Cambodians or ethnic Vietnamese from Cambodia.

The GVN reaction to 1972’s massive influx of refugees was commendable. Government officials and innumerable Vietnamese private groups and individuals, religious organizations and business groups provided food, clothing and a wide variety of services. Through the GVN, the U.S. Government provided funds and surplus commodities for refugee relief. A special GVN tax was raised to aid refugees, and many other countries and voluntary agencies also contributed both commodities and funds.

With the ceasefire, and despite continuing military activity which created large numbers of new war victims, the GVN turned refugee emphasis once again to RTV and resettlement programs. About 350,000 people, the great majority of them displaced during 1972, returned home in 1973 and received at least a portion of the allowances to which they are entitled. Now that the majority of people able to return to their secure home areas have already done so, the 1974 program is much smaller. About 8,300 people had RTV’d as of May 31.

One of 1973’s largest and most successful RTV programs involved the return of some 80,000 people to the southern districts of Quang Tri Province. Only a very few houses or buildings in all of Quang Tri Province escaped destruction during the massive fighting there in 1972; fields and villages were littered with the refuse of the war. Yet the refugees were anxious to go back and start the cleanup work. Now, thanks to their industriousness and to the on-the-spot assistance provided by the Interministerial Committee for the Relief, Resettlement and RTV of War Victims; GVN military units, which worked on land clearing, road repair, construction, and many other activities of benefit to the community in addition to providing security; Rural Development cadre; and