

5. Casualties—killed or wounded:
 - (a) United States;
 - (b) Laotian;
 - (c) Other friendly;
 - (d) Enemy.
6. Incursions into Laos from South Vietnam or Cambodia:
 - (a) Purpose, date and number of U.S. and foreign personnel involved in each incursion.
7. Please provide copies of any contracts or agreements entered into during the month between the United States and other countries or private parties relating to military operations in Laos.
8. Estimated number of U.S. prisoners held in Laos.

North Vietnam

1. U.S. air operations over North Vietnam:
 - (a) Number of reconnaissance flights flown;
 - (b) Number of escort sorties flown;
 - (c) Number of helicopters or other manned aircraft sorties flown;
 - (d) Number of drone flights.
2. Enemy actions and U.S. losses:
 - (a) Number of times U.S. aircraft were fired upon while over North Vietnam;
 - (b) Number of times U.S. aircraft were fired upon from North Vietnam while over Laos;
 - (c) Number of U.S. aircraft lost (by type) over North Vietnam due to enemy fire;
 - (d) Number of U.S. aircraft lost over North Vietnam (by type) not as a result of enemy fire;
 - (e) U.S. personnel losses.
3. Retaliatory action taken:
 - (a) Number of times North Vietnam targets were attacked:
 1. Number of aircraft involved in retaliatory actions;
 2. Quantities of munitions used in retaliatory action.
4. Description of actions by South Vietnamese or other forces in North Vietnam.
5. Estimated number of U.S. prisoners held in North Vietnam.

ASSISTANT SECRETARY OF DEFENSE,
INTERNATIONAL SECURITY AFFAIRS,
Washington, D.C., April 14, 1971.

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

DEAR MR. CHAIRMAN: Secretary Laird has asked me to respond to your letter of 27 January in which you requested that the Senate Committee on Foreign Relations be furnished, on a continuing basis, a detailed monthly report on military operations in Southeast Asia.

I regret that we are unable to comply with your request in this instance. Deputy Secretary Packard's letter to Senator Symington of 11 June 1970, a copy of which Senator Symington forwarded to you, pointed out that it would not be at all appropriate to discuss or disclose outside the Executive Branch highly sensitive information on military combat operations of the kind which your questions would elicit if answers were to be provided.

Sincerely,

G. WARREN NUTTER.

THE DEPUTY SECRETARY OF DEFENSE,
Washington, D.C., June 11, 1970.

Hon. STUART SYMINGTON,
Chairman, Subcommittee on U.S. Security Agreements and Commitments Abroad, Senate Committee on Foreign Relations, Washington, D.C.

DEAR SENATOR SYMINGTON: I understand that when Generals Burchinal and Polk appeared as witnesses before your Subcommittee in late May, they were requested to make available to the Subcommittee copies of written instructions they had received both in connection with the European trip of staff members Pincus and Paul and with reference to their testimony before your Subcommittee.

I am sure you will appreciate that those instructions, by definition, were documents intended solely for internal use within the Department of Defense and I would hope that you would agree with me that such documents should not be distributed outside the Executive Branch.

From your personal experience as a former Secretary of the Air Force, you are well acquainted with the fact that, on the basis of custom, tradition, usage and precedent, the Legislative and Executive Branches have come to accept and recognize that there are certain matters which, for varying reasons, are not normally discussed outside the Executive Branch. The instructions in question contained topics meeting that general description for the most part and included such items as military contingency plans, National Security Council documents, Inspector-General Reports of Investigations, matters still in the planning, proposal stage upon which no decision has been reached, operation procedures and methods involving the risk of life or safety of military personnel and so forth.

Early in the Subcommittee hearings, a misunderstanding apparently developed in connection with the handling or manner of treatment of information on nuclear weapons, a misunderstanding which, as I understand it, has been resolved by the briefing given to the Senate Committee on Foreign Relations on 27 May 1970.

These categories of information are those which have become widely accepted and generally recognized as topics which in the national interest, should be strictly limited in either dissemination or discussion. Be assured that any prohibitions against discussing such topics apply to all testimony and were not, of course, restrictive solely to witnesses appearing before your Subcommittee.

Secretary Laird asked me to convey his apology for the delay in responding to your request, a delay which was occasioned by the urgency of preparing for his trip to Europe.

I trust that you will find this responsive to your Subcommittee's interest in this matter.

Sincerely,

DAVID PACKARD.

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
April 20, 1971.

Hon. G. WARREN NUTTER,
Assistant Secretary for International Security Affairs, Department of Defense, Washington, D.C.

DEAR MR. NUTTER: I wish to acknowledge your letter of April 10 in reply to the Committee's request for a monthly report on certain developments in Cambodia and Laos.

You state that the information requested would involve "highly sensitive information on military combat operations" which would not be "appropriate to discuss or disclose outside the Executive Branch." Would you please provide the Committee with a list of the items requested which you consider to be in this category. In order to avoid further delay and without passing on the merits of the Department's position on those items, I would appreciate your providing the Committee with monthly reports on the other items not in this category.

Sincerely yours,

J. W. FULBRIGHT, Chairman.

ASSISTANT SECRETARY OF DEFENSE,
INTERNATIONAL SECURITY AFFAIRS,
Washington, D.C., May 5, 1971.

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

DEAR MR. CHAIRMAN: This will acknowledge the receipt of your letter of April 20, 1971, relative to our exchange of correspondence in connection with the request of the Senate Committee on Foreign Relations to be provided a monthly report on a continuing basis of certain military combat operations conducted by U.S. forces and the indigenous forces of the governments of Laos and Cambodia.

The information required to respond to questions concerning the size and combat readiness of indigenous armed forces, their air and ground combat operations, the enemy forces they encounter and the casualties they inflict and sustain, etc., is normally provided through U.S. military personnel acting in a military advisory assistance role who accompany the host country forces on combat operations. However, the Geneva Accords, the so-called Cooper-Church Amendment and certain other restrictions imposed by the Congress in enacting the Defense Authorization Bill have, in combination, prohibited by law the presence of U.S. military advisory personnel in Laos and Cambodia which, in turn, effectively precludes reliable reporting to the Department of Defense of information of that nature.