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(2) In addition to the action directed in (1) above, and as constitutionally authorized and specifically approved by the President, take such additional punitive action as may be necessary and appropriate.

Paragraphs 1 and 2-a of NSC 5604 should be redrafted to read as follows:

1. Subject to paragraphs 2 and 3 below, in the event of unprovoked Communist armed attack against U. S. aircraft outside Communist territory, those U. S. aircraft attacked or located in the immediate area of the attack may take against the Communist attacking force during the course of the attack immediate and aggressive protective measures, including if necessary and feasible "hot pursuit" immediate pursuit of the Communist attacking force into hostile air space.

2. . . .

a. "Hot pursuit" Such pursuit will not include prolonged pursuit deep into hostile air space.

It should be emphasized that these changes in language are in no way intended to alter or modify the policy expressed in NSC 5429/5, paragraph 5-g, and NSC 5604.

/s/ Robert Dechert
General Counsel

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