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Hanoi Cable to Times Discusses P.O.W.'s

By BERNARD GWERTZMAN

Special to The New York Times

WASHINGTON, Jan. 20 —

North Vietnam has reiterated, in a message to The New York Times, its apparent position that American prisoners will not be released until the Nixon Administration agrees both to withdraw all its forces from South Vietnam and to end its support of the Government of President Nguyen Van Thieu.

The statement was virtually identical to comments made by spokesmen for Hanoi in recent weeks and to declarations in the news media. It was sent last Sunday to A. M. Rosenthal, managing editor of The Times, in reply to eight questions cabled by Mr. Rosenthal to Premier Pham Van Dong of North Vietnam on Jan. 4.

The Times had sought clarification of Hanoi's negotiating position, specifically whether the prisoners would be released in return for a firm withdrawal date. Critics of the Administration's policy believe the setting of such a date would result in the release of the prisoners. The Administration has maintained that Hanoi also wants Washington to end its support of the Saigon Government as part of a seven-point "all or nothing" negotiating position.

Nixon's Statement

In a television interview on Jan. 2, Mr. Nixon said that the possibility of a total troop withdrawal in exchange for the release of the prisoners had been discussed with the North Vietnamese at the Paris peace talks but that Hanoi had "totally rejected" such an approach.

Senator George McGovern, Democrat of South Dakota, charged next day that Mr. Nixon had deceived the public. Mr. McGovern, who met with North Vietnamese officials in Paris last summer, has insisted that Hanoi will recognize an announcement of a firm withdrawal date as a sign that support for Saigon has ended and will release the nearly 400 prisoners.

The Times in its cable asked,

"in view of the conflicting accounts" about Hanoi's position, "if the United States set a firm troop withdrawal date, would you agree to the release of American prisoners in your control?"

Mr. Dong was also asked: "Would you negotiate on military withdrawals and the release of prisoners completely separate from questions pertaining to the political future of Vietnam?"

There were also such questions as what constituted an American withdrawal and what constituted the end of political support of Saigon.

On Jan. 6, before The Times had received a reply to its questions, the North Vietnamese spokesman in Paris, Xuan Thuy, said publicly that if the United States wanted to disengage from the war and to repatriate its prisoners, it should

"give up aggression, stop the Vietnamization of the war, pull out from South Vietnam all the troops, stop backing the Nguyen Van Thieu bellicose puppet group."

Mr. Thuy's remarks were printed on the front page of The Times on Jan. 7.

Hanoi's answer to The Times signed by Ngo Dien, director of the Press and Information Department, was sent through the North Vietnamese mission in Paris on Jan. 15. Without answering any of the questions directly, Mr. Dien repeated Hanoi's attack on the Nixon Administration.

"At the present time, placed in the obligation of carrying out a gradual withdrawal of United States troops, President Nixon has nonetheless not resigned himself to putting an end to his war of aggression," he said. "Putting into effect his policy of Vietnamization, he means to continue it through the intermediary of the clique of Nguyen Van Thieu."

Mr. Dien added that "by raising at the same time the

'prisoners' question and the withdrawal of United States troops without renouncing all engagement and support in favor of the Nguyen Van Thieu puppet clique, President Nixon aims not to bring a solution to the aforementioned fundamental problem, but simply to allay the legitimate demands of the American people."

U. S. Summarizes Exchange

On Monday Mr. Rosenthal thanked Mr. Dien by cable for his reply but said that The Times, after much consideration, had decided not to publish the material "since its content is identical to previous statements made by your Government and subsequently printed by The New York Times."

The Times decided to report the exchange after it learned that the United States Government had obtained Hanoi's reply to the paper as well as the paper's questions and that a brief summary of the exchange was included in a weekly report distributed for Government use by the Foreign Broadcast Information Service, a bureau of the Central Intelligence Agency. The report is made available to newsmen covering the State Department.

The report said that the Vietnamese Communist media had so far not mentioned Mr. Rosenthal's communication to Mr. Dong.

The Government summary said:

"The Vietnamese news agency's service channel to Paris on the 15th carried Rosenthal's questions along with a message from Ngo Dien. Ignoring Rosenthal's specific questions, Dien implied that Point I, on United States withdrawal and prisoner release, could not be separated from Point II, on a political settlement in South Vietnam."

...The Episode of 'The Times Papers'

NY Post 1/22/72 30:1

On January 4 (it is now disclosed), A. M. Rosenthal, managing editor of the New York Times, sent a cable to Premier Phan Van Dong of North Vietnam embodying eight questions about Hanoi's negotiating position. A response, signed by Ngo Diem, director of the Press and Information Dept., was transmitted through the North Vietnamese mission in Paris on January 15. Two days later, Rosenthal cabled Diem his newspaper's thanks for the response but said it had decided not to publish it "since its content is identical to previous statements made by your government and subsequently printed by The Times."

The episode has come to light because U. S. government agents apparently obtained copies of the exchange and excerpts from it were included in a report distributed for government use by a bureau of the CIA. It was interpreted in that report as confirming the U. S. position that Hanoi has insisted upon linking release of the prisoners of war with a "political settlement"—rather than with merely fixing a dead-

line for U. S. withdrawal. After learning of the government summary, The Times yesterday printed its own version of the story, which appears to sustain the CIA interpretation.

At a time when the attempted suppression of relevant documents has stirred a major national debate—with The Times itself very honorably involved in that argument—the paper's initial decision to withhold publication of the exchange seems deeply questionable. Its position is not enhanced by its failure to publish the full text of the questions and answers when it finally reported the episode yesterday.

On the substantive issues real clarification could be achieved only if the U. S. explicitly offered to fix a date in return for release of the PWs—an offer we have so far refused to make. But wherever the chips may fall, we see no convincing justification for The Times' incomplete record.

In the context of the current national dispute over full disclosure, the episode can only provide grist for the secrecy mills.

Letters to the Editor

For the Record

It seems to me and others on The Times that your editorial of January 22 criticizing the initial decision of The Times not to print a reply from North Vietnam in response to some questions we asked concerning the prisoners of war was based on some misconceptions of a rather complicated chain of events involving a fairly simple journalistic principle. I believe that a chronology will set the record straight.

1. On January 2, President Nixon said that the possibility of a total troop withdrawal in exchange for the release of prisoners had been discussed with the North Vietnamese at the Paris peace talks but that Hanoi had totally rejected such an approach. The administration's position was that the North Vietnamese had made release of the prisoners conditional on American withdrawal of support from the South Vietnamese government.

2. On January 3, Senator McGovern said that Hanoi would recognize the announcement of a firm withdrawal date as representing the end of support for Saigon and would release the four hundred prisoners.

3. It seemed to us that there was a contradiction here that might be clarified by direct questions addressed to Hanoi.

We sent Hanoi a list of questions designed to find out whether the release of the prisoners was conditional only on the troop withdrawal date or was also linked to the political future of South Vietnam.

4. On January 6, before the

Times had received a reply to its questions, the North Vietnamese spokesman in Paris issued a statement making it clear that the release of the prisoners was not only linked to a withdrawal date, but to an end of backing the Thieu "belligerent puppet army."

5. These remarks were printed on the front page of the Times on January 7.

6. On January 15, the Times received a relatively brief reply from Hanoi that did not answer any of our questions directly, but made it quite clear again that North Vietnam believed that the release of the prisoners was linked to an end of support of the South Vietnam government.

7. There was a discussion among the editors and correspondents involved at The Times. They believed that the thrust of The Times' questions had in effect been answered on January 6 by the North Vietnamese, and printed in The New York Times on January 7, and that the reply from the North Vietnamese to The New York Times did not add anything to the situation that we had not already printed. Therefore the decision was taken not to print the North Vietnamese reply.

This decision was based on what seems to us to be a simple journalistic principle. Newspapermen ask lots of questions and receive lots of replies. They then have to decide whether the replies they receive present any new information.

If a newspaper took the position that every time it asked a question it was duty

bound to print every reply it received, it would no longer be a newspaper, but a mimeograph machine and a propaganda machine for anybody or any government to whom it addressed questions.

Obviously this would result in a situation in which a newspaper had the choice either of refraining from asking questions, or turning over the decision on what appeared in its news columns to the people or government which received the questions.

I dare say it happens every day on the New York Post that reporters ask questions, do not receive pertinent replies and make the decision not to print the replies they do receive.

On January 20, The Times learned that a brief summary of the exchange of questions and answers was included in a weekly report distributed for United States government use by the Foreign Broadcast Information Service, a bureau of the Central Intelligence Agency. This report is made available to newsmen covering the State Department.

We also heard incorrect rumors had been circulating in Washington, as the result of the brief government report, that the North Vietnamese reply to our questions contained information or views that were new or significant. To prevent these rumors from circulating and getting credence, and thus creating confusion about the issue, we decided to print the whole story of the exchange including the chronology, which we did on January 21.

A. M. ROSENTHAL
Managing Editor.

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Mr. James Reston
The New York Times
229 West 43rd Street
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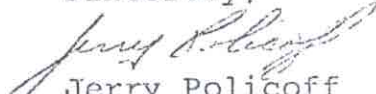
Dear Mr. Reston:

The Times received a deserved slap on the wrist from The New York Post last Saturday for its disclosure of correspondence between Hanoi and the Times on the POW issue, without printing the text of the eight questions sent by A.M. Rosenthal and the answers received from Xuan Thuy.

In view of President Nixon's representation of Hanoi's position presented over national television last night, it is hoped that the Times will now see fit to correct this oversight by publishing the entire text of the Rosenthal/Thuy exchange so that your readers can judge for themselves exactly what Hanoi's position is. There is no credible reason why your readers should accept on faith the Times' statement that Thuy's reply to your questions were "identical to previous statements made by your Government."

The Times recently received the John Peter Zenger Award for its dedication to the principle that the people have a "right to know." Disclosure of the aforementioned correspondence now would represent a fitting demonstration that the Times continues to subscribe to this philosophy.

Sincerely,


Jerry Policoff

cc: Senators Jacob Javits
George McGovern
Edward Kennedy
Birch Bayh
Edmund Muskie
J.W. Fullbright
Mike Gravel
Fred Harris
Vance Hartke
Hubert Humphrey
Representatives Shirley Chisholm
Paul McCloskey

Mayor John Lindsay