

Excerpts From McNamara's Statement

Special to The New York Times

WASHINGTON, Feb. 20—Following are excerpts from a statement on the Gulf of Tonkin incidents presented today by Defense Secretary Robert S. McNamara at a closed session of the Senate Foreign Relations Committee and released later by the Pentagon:

On 6 Aug. 1964, I appeared before this committee and testified concerning the attacks in the Tonkin Gulf on the destroyers U.S.S. Maddox and U.S.S. Turner Joy, and our response to those attacks.

Over three and one-half years have passed since that time. However, even with the advantage of hindsight, I find that the essential facts of the two attacks appear today as they did then, when they were fully explored with this committee and other members of the Congress.

The relevant events, and their significance, were the subject of intensive debate in the House and Senate. Both my testimony and that of other officials of the Government reported the evidence that established conclusively the occurrence of these attacks on U.S. naval vessels operating in international waters. This evidence was available to us at the time of the decision to make a carefully tailored response to the attacks. In my testimony, I noted that, while sonar and radar readings may be subject to interpretation and argument because of sea and atmospheric conditions, we had intelligence reports of a highly classified and unimpeachable nature which established, without question, that the attacks took place on both Aug. 2 and Aug. 4.

Also fully explored at the time was the question whether the attacks on the Maddox and Turner Joy were in any way provoked by or related to certain South Vietnamese naval activity which occurred in the period from July 30 to Aug. 4. As I stated then, and repeat now, our naval vessels played absolutely no part in and were not associated with this activity. There was then, and there is now, no question but that the United States Government knew, and that I knew personally, the general nature of some countermeasures being taken by the South Vietnamese in response to North Vietnam's aggression. As I informed Congress, the boats utilized by the South Vietnamese were financed by the United States. But I said then, and I repeat today, that the Maddox and the Turner Joy did not participate in the South Vietnamese activities, that they had no knowledge of the details of these operations and that in no sense of the word could they be considered to have back-stopped the effort.



United Press International

ATTEND SENATE HEARING: Robert S. McNamara, Secretary of Defense, and Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, arriving yesterday for Foreign Relations Committee session. The committee is investigating incidents in Gulf of Tonkin.

WEDNESDAY, FEBRUARY 21, 1968

on Tonkin Incidents

No Role in Forays

As the chairman noted in the Senate debates, he was informed that "our boats did not convoy or support or back up any South Vietnamese naval vessels" and that they were "entirely unconnected or unassociated with any coastal forays the South Vietnamese themselves may have conducted." He was so informed and the information was completely accurate. When the South Vietnamese conducted the first of their two naval operations against North Vietnamese targets during this period, the Maddox patrol had not even begun and the ship was at least 130 miles to the southeast.

The attack on the Maddox on Aug. 2 took place 63 hours after completion of this South Vietnamese naval operation. When the South Vietnamese boats conducted their second foray, the Maddox and the Turner Joy were at least 70 nautical miles to the northeast. The attack made against them on Aug. 4 was almost a full day after this second South Vietnamese operation.

The facts thus show today, as they showed three and one-half years ago, that attacks occurred against our ships both on Aug. 2 and Aug. 4, that we had available to us incontrovertible evi-

dence of these attacks when the decision was made to make our limited and measured response, and that these attacks were in no sense provoked or justified by any participation or association of our ships with South Vietnamese naval operations.

The questions that appear now to be raised are the same as those considered and settled at the time:

[1]

Was the patrol in fact for legitimate purposes?

Patrols of the nature of those carried on by the Maddox and Turner Joy were initiated in the Western Pacific in 1962. They were carried out in international waters along the coastlines of Communist countries in that area. They were open patrols and no hostile actions were ever taken by the United States forces involved. Provocative actions were avoided. The purpose was to learn what we could of military activity and environmental conditions in these parts of the world, operating in waters where we had every legal right to be.

The primary purpose of the Maddox was to observe North Vietnamese naval activity in those waters, in view of the evidence we had of infiltration by sea by North Vietnam into South Vietnam. Other

I have heard it suggested that the patrol provoked the attacks by intruding into the territorial waters of North Vietnam. The facts are these: Prior to the first attack, on 2 August, the Maddox had been engaged on its patrol since 31 July. At no time during the conduct of this patrol did the Maddox depart from international waters. It had been instructed to approach the North Vietnamese coastline no closer than 8 nautical miles and any off-shore island no closer than 4 nautical miles.

The Maddox adhered scrupulously to these instructions. When the patrol resumed with the Maddox and the Turner Joy, the ships were instructed to remain at least 11 miles from the coast. These instructions also were followed. The United States recognizes no claim of a territorial sea in excess of 3 miles. This consistent position of the United States was re-emphasized at the close of the 1960 convention on law of the sea in Geneva.

There have, however, been statements reported in the press that the Maddox entered into waters claimed by North Vietnam as territorial. Such statements have no basis in fact. At no time prior to the August, 1964, Tonkin Gulf incidents did the North Vietnamese Government claim a width of territorial sea in excess of 3 miles.

The North Vietnamese Government succeeded the French Government, which adhered to the 3-mile limit. Under the rules of international law, no claim by North Vietnam in excess of 3 miles would be assumed unless specifically made and published.

Broadcast from Hanoi

It should be noted that Cambodia, a sister successor state, publicly adopted the French 3-mile rule on achieving independence. Later, it proclaimed a 5-mile limit. South Vietnam claims 3 miles.

The first statement of North Vietnam which approaches a "claim" in excess of 3 miles occurred well after the attacks on 1 September 1964 in the form of a broadcast from Radio Hanoi in which it was stated, "The Democratic Republic of Vietnam declared that the territorial sea is 12 miles." No official documentary confirmation of the claim asserted in this broadcast is known to exist.

In short, at no time during the patrol did either of the destroyers leave the high seas and enter areas claimed by the North Vietnamese or recognized by the United States as national waters.

The question might be asked, however: Should not we as a practical matter have assumed a claim of 12 miles since this is the uniform position of the Communist countries? The simple answer is that Communist countries do not have such a uniform position: Cuba and Poland each adhere to the traditional 3-mile limit, while

Yugoslavia and Albania claim 10 miles.

Another point relating to "provocation" was discussed and disposed of during the debates on the Tonkin Gulf resolution and the hearings prior thereto but, of late, it seems to have been resurrected. It is the suggestion that our patrol was in some way connected with certain reconnaissance and bombardment activities of South Vietnamese patrol craft against North Vietnam.

I informed members of this committee of these activities of the South Vietnamese in an informal meeting on 3 August 1964, after the attack on the Maddox. The subject was again raised in lesser detail in my testimony before this committee on 6 August 1964. I pointed out that these raids were a legitimate attempt by the South Vietnamese to counter and retaliate against the systematic infiltration of their country by sea which had been carried out by North Vietnam for the previous 2½ years. I described the scope of that infiltration—i.e., 140 known incidents between July and December, 1961, an estimated 1,400 infiltrators having been landed in South Vietnam during that time.

With respect to the legitimacy of those South Vietnamese operations, you, Mr. Chairman, stated during the Tonkin Gulf floor debates:

"The boats that may have struck at the coastal areas of North Vietnam may have been supplied by us. We have been helping South Vietnam arm itself. I do not know about the specific boats.

"I personally think this is a perfectly legitimate and proper way to defend oneself from the kind of aggression South Vietnam has been subjected to for years."

Two Operations Distinct

Senator [Wayne] Morse, at the hearing on Aug. 6, specifically raised the question of a connection between our patrol and the South Vietnamese bombardment of two North Vietnamese islands which had occurred some 2½ days prior to the attack on Maddox, and I responded that there was no connection. The two operations were separate and distinct. I informed you that our destroyers took no part whatsoever in the South Vietnamese operation. They did not convoy, support or back up the South Vietnamese boats in any way. As I stated during the hearing:

"As I reported to you earlier this week, we understand that the South Vietnamese sea force carried out patrol action around these islands and actually shelled the points they felt were associated with this infiltration.

"Our ships had absolutely no knowledge of it, were not connected with it; in no sense of the word can be considered to have backstopped the effort."

That statement remains entirely accurate. I can confirm today that neither the ship commanders nor the

secondary purposes were area familiarization and observation by visual and electronic means of any other activity of military interest. We had the undisputed right to do this. In view of our assistance to South Vietnam, such observations were needed.

The suggestion has appeared incidentally that because the Maddox, prior to commencement of its patrol, took aboard certain communications equipment, with personnel to operate this equipment, its patrol had some different and presumably more sinister purpose than others which had preceded it. This is simply not true.

The mission of observation which I have outlined was to be fulfilled with the regularly installed equipment of the ships. The extra equipment brought aboard the Maddox consisted in essence of standard shipboard radio receivers added to the ship's normal complement of such receivers in order to give an added capability for detecting indications of a possible hostile attack on the patrol.

The Congress, at the time of the debates on the Tonkin Gulf Resolution, was aware that visual and electronic surveillance of the area was one of the purposes served by the De Soto (code name) patrol. Any suggestion now that the installation of "passive" radio receiving equipment changed the essential nature of the patrol is unwarranted.

I might add that virtually all of the De Soto patrols, since their commencement in 1962, had been outfitted with similar equipment for the same primarily defensive purposes.

[2]

Were the attacks unprovoked?

embarked task group commander had any knowledge of the South Vietnamese action against the two islands or of any other specific South Vietnamese operations against the North.

Higher naval commands were made aware of the operations by Commander U. S. Military Assistance Command, Vietnam, in order to avoid mutual interference or confusion between our patrols and those operations.

Throughout the patrol conducted first by the Maddox alone and later by the Maddox and the Turner Joy, the U. S. destroyers were directed to remain in waters which would keep them from becoming operationally involved with the South Vietnamese activity. The restrictions this imposed on the patrol were such that, at one time, consideration was given to its abandonment.

The task group commander knew only that certain South Vietnamese naval operations were periodically carried on in the area. He had no detailed knowledge of their type or of where or when they would be conducted. Indeed, his lack of knowledge was such that he mistakenly identified the South Vietnamese craft returning from their operation of July 31st as Soviet P-6 class boats.

In point of fact, our patrols and the shore bombardments by South Vietnamese forces were separated in both time and space. When the South Vietnamese bombarded the islands of Hon Nieu and Hon Me on the night of 30-31 July, the Maddox had not even commenced her patrol, and was at least 130 miles to the southeast of the nearest of those islands. At the time of the attack on the Maddox on 2 August, the South Vietnamese boats had been back at their base in Danang for almost 53 hours.

Another Bombardment

I learned subsequent to my testimony of 6 August 1964 that another South Vietnamese bombardment took place on the night of 3-4 August. At the time of that action, the Maddox and the Turner Joy were at least 70 miles to the northeast. The North Vietnamese attack on the Maddox and the Turner Joy on the night of 4 August occurred some 22 hours later.

I think it important, too, in dealing with this issue, to recall that the President had announced publicly on 3 August that our patrol would continue and consist of two destroyers. It is difficult to believe, in the face of that announcement, and its obvious purpose of asserting our right to freedom of the seas, that even the North Vietnamese could connect the patrol of the Maddox and the Turner Joy with a South Vietnamese action taking place some 70 miles away.

[3]

Was there indeed a second attack?

I know of no claim that the attack on Maddox on Aug. 2 did not occur. As for the second attack, the incident occurred on a very dark, moonless, overcast night. As would be expected under these conditions, some uncertainty existed and to this day exists, about some of the precise details of the attack. But there should be no uncertainty about the fact that an attack took place.

In addition to the above [eyewitness accounts] intelligence reports received from a highly classified and unimpeachable source reported that North Vietnam was making preparations to attack our destroyers with two swatow boats and with one PT boat if the PT could be made ready in time. The same source reported, while the engagement was in progress on Aug. 4, that the attack was under way. Immediately after the attack ended, the source reported that the North Vietnamese lost two ships in the engagement.

No one within the Department of Defense has reviewed all of this information without arriving at the unqualified conclusion that a determined attack was made on

the Maddox and Turner Joy in the Tonkin Gulf on the night of 4 August 1964.

Vice Admiral Roy L. Johnson, U.S.N., commander of the U.S. Seventh Fleet at the time, stated in his review of the combined chronology and track charts submitted by the task group commander: "Commander, Seventh Fleet, is convinced beyond any doubt that Maddox and Turner Joy were subjected to an unprovoked surface torpedo attack on the night of 4 August 1964."

Admiral T. H. Moorer, then commander-in-chief, Pacific Fleet, concurred in that appraisal.

In Washington, the director of the joint staff, Lieut. Gen. David A. Burchinal, U.S.A.F., analyzed the incoming information from message traffic, with the assistance of the joint staff. He then gave his evaluation to the Secretary of Defense: "The actuality of the attack is confirmed."

In the face of this evidence, I can only conclude that many of the persistent questions as to whether or not an attack took place must have arisen from confusion between the Aug. 4 attack and another incident which occurred on the 18th of September, 1964, i.e., about 45 days later.

At that time, the U.S. destroyers Morton and Edwards were patrolling, at night, in the Gulf of Tonkin, and initially reported themselves under attack. While the ensuing situation reports indicated the probability of hostile craft in the area of the patrol, it was decided at both the Washington and field command levels that no credible evidence of an attack existed.

It should be noted that the intelligence source that confirmed the attacks of Aug. 2 and 4 provided no evidence of any enemy action on Sept. 18. In view of our unresolved doubts, no retaliatory action was taken. Many individuals who were not aware of all of the facts about all three incidents, i.e., 2 August, 4 August and 18 September, have made the mistaken assumption that descriptions of the 18 September incident were referring to the second Tonkin Gulf incident. Aware of the negative findings on 18 September, they have mistakenly assumed that there is serious doubt as to whether the "second" Tonkin Gulf attack in fact took place.

As a final point, I must address the suggestion that, in some way, the Government of the United States induced the incident on 4 August with the intent of providing an excuse to take the retaliatory action which we in fact took. I can only characterize such insinuations as monstrous.

The effective repulsion of the Aug. 2d attack on the Maddox with relatively high cost to the small North Vietnamese Navy, coupled with our protest which clearly and unequivocally warned of the serious consequences of a recurrence, made us confident that another attack was unlikely.

The published order of the President that the destroyers should continue to assert the right of the freedom of the seas in the Gulf of Tonkin, and setting forth the composition of the patrol, should have served to avoid any future misunderstanding.

As the patrol resumed the ships were ordered to remain 11 miles from the coastline in lieu of the 8 miles ordered on the previous patrols, hardly indicative of an intent to induce another attack. As a matter of fact, on their own initiative the two ships approached the coastline no closer than 16 miles during their patrol. But beyond that, I find it inconceivable that anyone even remotely familiar with our society and system of government could suspect the existence of a conspiracy which would include almost, if not all, the entire chain of military command in the Pacific, the Chairman of the Joint Chiefs of Staff, the Joint Chiefs, the Secretary of Defense, his chief civilian assistants, the Secretary of State, and the President of the United States.