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U.S. SAID TO PAY THAIS AIDING LAOS

Fulbright Says Financing of
4,800 Violates the Law

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WASHINGTON, May 21—

Senator J. W. Fulbright said today that 4,800 Thai troops, financed by the United States, were fighting in Laos in support of the Royal Laotian Government.

Mr. Fulbright, Chairman of the Senate Foreign Relations Committee, suggested that such support by Thai troops in Laos was "inconsistent with the spirit" of the "antimercenary" amendment that had been incorporated in the Defense appropriations bill at his suggestion.

The amendment provided that none of the defense funds could be used "to support Vietnamese or other free-world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos."

Among other aims, this provision was specifically designed to prevent the introduction of American-financed Thai troops into Laos or Cambodia.

But as part of the compromise leading to House and Administration acceptance of the Fulbright "antimercenary" amendment, a clause was included specifying that the amendment would not "prohibit support of actions required to insure the safe and orderly withdrawal or disengagement of United States forces from Southeast Asia or to aid in the release of Americans held as prisoners of war."

The State Department refused to confirm or deny the figure of 4,800. But its spokesman, Robert J. McCloskey, said the department had informed Senator Fulbright, an Arkansas Democrat, and Senator Clifford P. Case of New Jersey, a Republican member of the committee, that American support of Thai troops in Laos did not violate the "antimercenary" amendment.

There have been recurring reports of Thai battalions fighting the Communists in Laos, particularly in the north in support of an irregular army of mountain tribesmen financed by the Central Intelligence Agency.

However, Mr. Fulbright offered the first authoritative estimate of the size of the Thai contingent. He made his statement after the Foreign Relations Subcommittee on Foreign Commitments, headed by Senator Stuart Symington, Democrat of Missouri, had received a secret briefing from two committee staff members, James G. Lowenstein and Richard M. Moose, who recently returned from a 10-day inspection trip to Laos.

The State Department sent letters yesterday to Senators Case and Fulbright that clearly indicated that the Thai participation in the war in Laos was being supported financially by the Central Intelligence Agency.

Letters Classified Secret

The letters, responding to questions by the Senators about reports of Thai troops in Laos, were classified secret, and the State Department and the Senators therefore refused to make the texts public.

But department officials said that the letters had declared that the costs of supporting the Thai troops did not come within the State Department's jurisdiction, thus clearly pointing to the C.I.A. as the agency providing financial support.

The letters, department officials said, contended that financial support for Thai troops in Laos did not violate the "antimercenary" amendment.

The executive branch could argue — although the State Department did not in the letters — that the use of Thai troops in northern Laos was related to the withdrawal of American troops from South Vietnam and thus permissible under the Fulbright amendment.

But the Administration would be somewhat handicapped in advancing such an argument because of a statement made last month by William H. Sullivan, Deputy Assistant Secretary of State for East Asian and Pacific Affairs, before the Senate Refugee Subcommittee headed by Senator Edward M. Kennedy, Democrat of Massachusetts.

In his prepared testimony, Mr. Sullivan said that the "other war" in northern Laos "has nothing to do with military operations in South Vietnam or Cambodia."

Alternatively, the Administration could argue that the "antimercenary" amendment applied only to Defense Department appropriations and not to funds provided to the C.I.A.

In protesting yesterday on the Senate floor against the financing of Thai troops in Laos without the knowledge or approval of Congress, Mr. Case observed that "the money comes out of that vast treasure chest, which Congress has appropriated but never controlled, for discretionary military and intelligence purposes."

The agreement to provide financial support to the Thai troops apparently predates enactment of the Fulbright amendment last December.

According to reports from Vientiane, the Laotian administrative capital, the Thai battalions were first introduced about a year ago when the C.I.A.-supported army of mountain tribesmen, commanded by Maj. Gen. Vang Pao, was under severe pressure from the Communist forces.