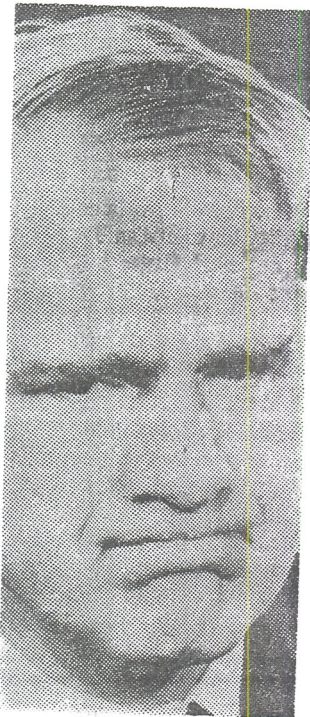


U.S. Unties Itself From Viet Treaty



AP Wirephoto

JAMES SCHLESINGER
A warning to Hanoi

Washington

The State Department said yesterday that the United States is free to breach the Vietnam cease-fire agreements because the North Vietnamese have violated them.

In response to repeated requests for confirmation that the United States has resumed reconnaissance flights over North Vietnam in open violation of the accords, the department spokesman, Robert Anderson, referred newsmen to a 1973 statement that international law permitted one party to breach an accord if the other side had already done so.

Defense Secretary James R. Schlesinger, at a news conference, virtually acknowledged the flights. When asked whether they

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were going on, he said. "The blatant failure of North Vietnam to live up to its commitment has created a set of circumstances different from those at the time of the signing of the Paris peace treaty."

On Monday, the U.S. made public a diplomatic note in which it accused North Vietnam of "flagrant violation" of the agreements in stepping up its military activity against the Saigon government. The note said Hanoi "must accept the full consequences of its actions."

That note, as well as the veiled justification yesterday of the reconnaissance flights, seemed part of a concerted administration effort to persuade Congress to allocate more military aid to Saigon. The campaign also appeared directed at bolstering the Saigon government and at cautioning North Vietnam against launching a big offensive.

Schlesinger seemed to warn Hanoi directly not to think that it could take advantage of the American law barring U.S. combat involvement in Indochina. He said:

"American opinion, indeed, is volatile. American opinion historically has reacted in anger to outright aggression, unprovoked massive attacks. Hanoi still recognizes that were a massive invasion of the type of 1972 to occur, that the President has the power to approach the Congress and the Congress under those circumstances might well authorize the use of American force."

Schlesinger said he supports an increase in military aid to Saigon — now under active administration study — because "it would be a serious error on the part of the

United States, and I believe, a serious moral lapse for us to contemplate the semi-abandonment of an ally by failure to provide them with the appropriate financial resources."

As to the military situation in Vietnam, Schlesinger said it does not appear that Hanoi is likely to launch a large, countrywide offensive. Rather, he said, North Vietnam seems to be trying to weaken Saigon's control of the countryside.

President Ford, in his State of the Union address today, is expected to cite the need for additional funds for Saigon.

Currently, Saigon is receiving \$700 million in military aid through June 30. The administration is thinking about seeking congressional approval of an additional \$300 million for the next six months, and about \$1.3 billion for the next fiscal year.

New York Times