

Ford Offers Assurances On Vessels for Evacuation

By JOHN HERBERS
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PALM SPRINGS, Calif., March 30—The Ford Administration gave elaborate assurances today that the United States naval ships to be stationed off South Vietnam near Da Nang would not become involved in hostilities.

"Our vessels will not enter the combat areas or participate in any hostilities," Ron Nessen, the President's press secretary, said today. "This humanitarian effort is not designed to become involved in hostilities."

United States officials in Saigon said that the ships would arrive within two days.

[American officials in Saigon tentatively identified the Navy ships as the transport dock Dubuque, the amphibious command vessel Blue-ridge, the landing ship Frederick and the cargo ship Durham, The Associated Press reported.]

President Ford announced before leaving Washington last night that American naval transports and contract vessels had been ordered to assist in the evacuation of refugees from

coastal seaports. The United States Military Sea Command is operating several charter ships for the refugee evacuation.

A White House spokesman said last night that the ships would be positioned well out from the Vietnam coast and would probably be out of range of North Vietnamese guns. He said that refugees would be ferried out to the vessels.

Calls Da Nang 'Tragedy'

But a Pentagon spokesman, Capt. Sidney Wright, of the Navy, said: "If there are 1,000 people gathered on a beach and if one of these ships could come in and take them off, well, right now I don't know."

This afternoon Mr. Nessen issued on behalf of the President the following statement on the Saigon Government's loss of Da Nang:

"The President considers the fall of Da Nang as immense human tragedy. It has cruelly trapped many hundreds of thousand of South Vietnam ref-

Continued on Page 14, Column 7

EVACUATION SHIPS TO AVOID COMBAT

Continued From Page 1, Col. 7

ugees who tried until the last moment to escape the North Vietnamese armies. It should be deeply disturbing to all civilized mankind."

Mr. Ford arrived here late last night for an Easter vacation after announcing from the White House that he would sign the tax-cut bill approved by Congress despite reservations and after announcing the use of American ships for "humanitarian purposes" in South Vietnam.

There had been no assurance in his brief statement last night that the ships would not become involved in the fighting.

Mr. Nessen, speaking on behalf of the President aboard the Presidential jet last night and again today here, made a lengthy defense of the use of the ships. He said that appropriate members of Congress had been notified but that it was not necessary that they be consulted before.

Cites Two Laws

Mr. Nessen said that Section 3 of the War Powers Act "requires that members of Congress be consulted only when U.S. forces are introduced into situations involving hostilities or where hostilities are imminent. "And that is not the case with this evacuation" he continued, "Nevertheless, the White House is informing members of the Congress in keeping with the spirit of the War Powers Act."

"Involvement of hostilities will be avoided," he said. Mr. Nessen said that another law might also be applicable to the situation. Enacted in August, 1973, it prohibits United States

military forces in Indochina. But Mr. Nessen said that the President's action "does not violate that law either" because "this humanitarian effort is not designed to become involved in hostilities."

Nor does the President's move violate the Vietnam peace accords signed in Paris in 1973, he said.

"These refugees were created by violations by the North Vietnamese, and the United States is not bound to refrain from humanitarian efforts by the Paris peace accords."

Discussed With Kissinger

Mr. Nessen would not say who initiated the idea of using American ships for the evacuation. But he mentioned that Mr. Ford had discussed the matter earlier in the week with Secretary of State Kissinger and Secretary of Defense James R. Schlesinger.

Mr. Nessen was asked if his statement about the President's reaction to the fall of Da Nang meant that execution efforts had failed.

"It is not possible to say that from here," he replied. He said that no Americans were left in Da Nang and that the President was receiving only "very slim information" from that area.

While in Palm Springs the Fords are staying at the home of Fred Wilson, an insurance executive and friend. The President and Mrs. Ford attended St. Margaret's Episcopal Church in nearby Paim Desert this morning. This afternoon Mr. Ford played golf with friends at La Quinta golf course.

Tomorrow, the President will inspect the Elk Hills naval oil field. Thursday he is to hold a news conference in San Diego, and on Friday he will deliver a speech on economics, in San Francisco. He plans to return to Washington on April 7.

4 APR