

# Reconnaissance Flights Over Vietnam

There is a dangerous "deja vu" quality about reports that the U.S. is carrying out unarmed reconnaissance flights over North Vietnam to assist the South Vietnamese in resisting the current Communist push.

It is dangerous because it could involve the U.S. once more in the Vietnam aerial war just as similar reconnaissance flights, following the ambiguous secret agreement on the bombing halt in 1968, led to "protective reaction strikes" and then large-scale attacks by American warplanes against North Vietnam.

Options available to the Ford administration in helping out the beleaguered Saigon regime without violating the congressional ban on any new U.S. military action in Vietnam are extremely limited. But recourse to the option of renewed overflights of North Vietnam could have disastrous consequences.

The Pentagon virtually confirms the overflights without specifying whether they are along North Vietnam's land or sea borders or deep inside. Defense officials also acknowledge such air surveillance over South Vietnam and Cambodia.

Past history suggests, however, that the North Vietnamese are quite likely to fire at American planes. It is conceivable that their SAM batteries may hit even the high-flying SR-71s. If other planes are used too—there are only so many SR-71s available—the chances of shoot-downs are greater still.

If American pilots are lost, the administration may again invoke the need to protect U.S. lives by assigning armed escorts and, as one step leads to another, order "protective" hits at North Vietnamese anti-aircraft emplacements. This, in effect, would bring us back into the war.

The same danger applies to reconnaissance flights over Communist-held areas of South Vietnam.

From a legal viewpoint, all U.S. air reconnaissance activities over North Vietnam constitute a violation of the 1973 peace agreements and the private assurances Henry Kissinger made to Hanoi. This is spelled out in a secret State Department document on the "Interpretation of the Agreement on Ending the War and Restoring Peace in Vietnam." The pertinent passages read as follows:

"North Vietnam. Reconnaissance by the U.S. or the GVN (Government of Vietnam) is prohibited by Article 2 of the Agreement.

"With respect to reconnaissance activities over North Vietnam, we have assured the DRV (Democratic Republic of Vietnam) that such activity will 'cease completely and definitely.' With respect to GVN reconnaissance over South Vietnam, the DRV told us that the PRG (Provisional Revolutionary Government) will not tolerate reconnaissance over areas controlled by the PRG and will fire at any GVN aircraft overflying such areas. We have responded that we would consider such firing a violation of the ceasefire.

"South Vietnam. Unarmed reconnaissance throughout South Vietnam is not prohibited by the Agreement, and the U.S. made clear to the DRV that we intended to continue reconnaissance during the 60-day period while our troops remain in the South."

This week the administration formally informed Hanoi that Communist violations of the 1973 agreement no longer bind the U.S. to its observance.

In any event, the practical question is no longer whether the U.S. has the right to fly over Vietnam (though some experts may challenge this, too) but whether this is a wise course of action.

The record shows that the North Vietnamese fired at U.S. reconnaissance aircraft when overflights of the North were resumed in 1969. The State De-

partment's interpretation of the Paris agreement emphasizes that the Viet Cong will fire at South Vietnamese planes over the areas they control.

By logical extension, this would clearly apply as well to American planes that Pentagon officials tell us are now engaged in reconnaissance in the South.

In short, all seems to indicate that major risks are taken in resuming U.S. flights over the two Vietnams. The immediate problem facing the administration is whether it can tolerate air losses over Vietnam without moving to a modality of the "protective reaction strike." And if it does so respond, what are the perils of further escalation?

It is no secret in Washington that the administration is so concerned with the battlefield situation that, in the words of a senior official, it is prepared to "pull out all the stops" to help Saigon without breaking the law.

We already know that it plans to demand from a reluctant Congress the authority to rush emergency shipments of arms, ammunition and fuel to the hard-pressed South Vietnamese. The administration also feels pressed to warn Hanoi to stay within acceptable bounds in its military operations in the South unless it wishes to trigger a major crisis.

The reported attempt by Secretary Kissinger to dispatch a carrier task force off North Vietnam may have been such a warning to the Communists although the State Department denies that he ever entertained this notion.

The new reconnaissance flights seem to take matters a long step farther. Perhaps someone in the administration had the idea that the Congress will allow "protective reaction strikes" when the safety of Americans is at stake. But this is a highly dangerous way of dealing with the the Vietnamese situation. History should have taught us this lesson.