

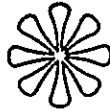
45
~~TOP SECRET~~

ITEMS SPECIFIED IN THE SPECIAL APPENDIX
FILED ON JUNE 21, 1971 WITH THE
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

- I. Portions of Exhibits 7 and 7A the disclosure of which would present increased risks to the safety of U.S. forces

VOL V, B. 4, pages 313-320 - Contains a special national intelligence estimate and refer to other pertinent estimates reflecting intelligence community data on the situation.

Section I, Item 6



UNITED STATES - VIETNAM RELATIONS

1945 - 1967

V.B.4.

U.S. INVOLVEMENT IN THE WAR
- INTERNAL DOCUMENTS -

The Kennedy Administration:
January 1961 - November 1963

BOOK I

and of 4,000 in the past three months. While only 10-20% of this strength consists of cadres infiltrated from North VN, the remaining 80-90% includes remnants of the approximately 10,000 stay-behind personnel who went underground during the 1954-1955 regroupment and evacuation of Vietnamese communist army units following the Indo-China War. Though some weapons and equipment have been infiltrated into South VN, there has been no positive identification of Communist Bloc-manufactured military equipment in South VN. SNIE 53-2-61, 5 October 1961.....

291

31. The JCS feel the time is now past when actions short of intervention by outside forces can reverse the rapidly worsening situation in Southeast Asia. They consider the execution of or a suitable variation thereof, to be the military minimum commensurate with the situation. JCS Memorandum for Secretary of Defense, JCSM 704-61, 5 October 1961.....

295

32. It is the opinion of the JCS that the use of SEATO forces at the greatest possible number of entry points along the whole South VN border, i.e., over several hundred miles, is not feasible. Further, the alternative of using SEATO forces to cover solely the 17th parallel is militarily unsound. "What is needed is not the spreading out of our forces throughout SEA, but rather a consolidated effort in Laos where a firm stand can be taken..." A limited interim course of action is provided herewith in the event is considered politically unacceptable. JCS Memorandum for Secretary of Defense, JCSM 716-61, 9 October 1961.....

297

33. "For what one man's feel is worth, mine -- based on very close touch with Indo-China in the 1954 war and civil war afterwards until Diem took hold -- is that it is really now or never if we are to arrest the gains being made by the Vietcong." Bundy suggests that an early, hard-hitting operation has a 70% chance of success. "The 30% is that we would wind up like the French in 1954; white men can't win this kind of fight. On a 70-30 basis, I would, myself, favor going in." Bundy memorandum for Secretary McNamara, 10 October 1961.....

312

34. It is estimated that the Communist Bloc would not commit North Vietnamese or Chinese Communist forces to a large-scale military attack against South VN or Laos in response to an assumed SEATO action to patrol the GVN coast

- and secure the border involving about 25,000 men. Neutralist governments in SEA would be most concerned at the increased tension and danger of general hostilities. Nationalist China would be elated with the SEATO action. SNIE 10-3-6, 10 October 1961..... 313
35. At a meeting with President Kennedy, the following actions were agreed upon: (1) the Defense Department is authorized to send the Air Force Jungle Jim Squadron to VN; (2) General Maxwell Taylor will leave for SVN on a Presidential mission; and (3) the State Department will pursue specific political actions, i.e., protest to the ICC on North VN support of the VC; table a White Paper at the UN; and consult with our SEATO allies regarding support in VN. Gilpatric Memorandum for Record, 11 October 1961..... 322
36. "With respect to training the Vietnamese Army for the 'wrong war', it seems clear that in recent months the insurgency in South Vietnam has developed far beyond the capacity of police control. All of the Vietnamese Army successes this past summer have met Viet Cong opposition in organized battalion strength...This change in the situation has not been fully understood by many U.S. officials. In this regard, there is some concern that the Thompson Mission may try to sell the Malayan concept of police control without making a sufficiently careful evaluation of conditions in South Vietnam." JCS Memorandum for General Taylor, CM-390-61, 12 October 1961..... 324
37. The President requests that General Taylor proceed to Saigon to appraise the situation in South Vietnam and to report his views on the courses of action which the U.S. might take to avoid further deterioration in the situation and eventually to eliminate the threat to the independence of South Vietnam. President Kennedy letter to General Taylor, 13 October 1961..... 327
38. The President directs the following actions be taken: (1) make preparations for the publication of the White Paper on North Vietnamese aggression; (2) develop plans for presentation of the VN case in the UN; (3) introduce the Jungle Jim Squadron into SVN for the purpose of training Vietnamese forces. He indicates that General Taylor should undertake a mission to Saigon. NSAM 104, 13 October 1961..... 328
39. It is the conclusion of the DoD General Counsel that the proposed introduction of U.S. combat and logistic forces into VN would constitute violations of Articles 16 and 17 of the

10 October 1961

SUBJECT: SNIE 10-3-61: PROBABLE COMMUNIST REACTIONS TO
CERTAIN SEATO UNDERTAKINGS IN
SOUTH VIETNAM

THE PROBLEM

To estimate probable Communist reactions to the use of SEATO forces in South Vietnam to prevent Communist incursions or infiltration from North Vietnam.^{1/}

^{1/} Other National Estimates pertinent to this problem are SNIE 10-2-61, "Likelihood of Major Communist Military Intervention in Mainland Southeast Asia," dated 27 June 1961; SNIE 58-2-61, "Probable Reactions to Certain Courses of Action Concerning Laos," dated 5 July 1961; NIE 14.3/53-61, "Prospects for North and South Vietnam," dated 15 August 1961; and SNIE 53-2-61, "Bloc Support of the Communist Effort Against the Government of Vietnam," dated 5 October 1961.

THE ASSUMPTION

For the purpose of this estimate it is assumed that in response to an appeal from the Government of Vietnam (GVN), SEATO ground, naval, and air forces numbering about 25,000 are committed to patrol the GVN coast and to secure the GVN-Laotian border against incursions or infiltration from the Communist Democratic Republic of Vietnam (DRV) in North Vietnam. The SEATO objective, which will be publicly announced, is to stop external Communist assistance to the Viet Cong Communist guerrillas, while avoiding direct engagement by these troops in the conflict within South Vietnam.

THE ESTIMATE

1. We believe that the Communist Bloc would not commit North Vietnamese or Chinese Communist forces to a large-scale military attack against South Vietnam or Laos in response to the assumed SEATO action. The DRV would probably seek to avoid having its regular units enter into a direct military engagement with SEATO, and in particular US, forces. Hanoi,

Peiping, and Moscow^{2/} would almost certainly be concerned over the increased risks for each of them of broadened hostilities involving US forces. Moreover, they are generally confident that their current low risk tactics of local subversion and supporting "national liberation" struggles will continue to be successful in Southeast Asia.

2. Nevertheless, Peiping and Hanoi in particular would be highly concerned as to the intentions of the SEATO forces, particularly during the initial deployment. The presence of SEATO forces so near its border would be a source of constant unease to the DRV. Moreover, both Hanoi and Peiping would consider it a particularly urgent matter to prevent any invigoration or strengthening of SEATO which could result from

2/ The Communist guerrilla organizations in both Laos and South Vietnam (the Pathet Lao and the Viet Cong) are under the control of the Communist Party of North Vietnam and look to Hanoi for guidance and support. We believe that Hanoi exercises considerable local tactical latitude in conducting the Communist struggle in both countries. When the struggle is elevated to the international level, as is now the case with Laos, the major Bloc partners play an increasingly important leadership role. It is also likely that the USSR exercises considerable restraint on DRV or Chinese Communist decisions which would risk the broadening of hostilities and raise the issue of USSR or US participation.

a successful SEATO operation. Both would seek by political means and by military means short of major overt attack, to frustrate the SEATO effort.

3. In the situation assumed, we believe that the DRV would seek at first to test the seriousness and effectiveness of the SEATO effort by subjecting the SEATO forces and their land lines of communication to harassment, ambush, and guerrilla attack. The Communists could not be expected to recognize the announced intention of the SEATO forces to avoid involvement in the internal struggle in South Vietnam. They would probably estimate that by using their Viet Cong apparatus in South Vietnam, by committing additional experienced guerrilla forces from North Vietnam^{3/} to operations in territory long familiar to them, and by exploiting the opportunities offered by the sizable junk traffic in coastal waters, they

^{3/} Approximately 90,000 Vietnamese Communist troops, most of them from south and central Vietnam, were evacuated to North Vietnam in the regroupment of forces following the Indochina War. The DRV has maintained relatively intact a large part of this pool of manpower experienced in guerrilla operations in South Vietnam, drawing upon it for cadres to reinforce the Viet Cong.

could harass the SEATO land forces and infiltrate the SEATO blockade. The Communists would expect worthwhile political and psychological rewards if their harassment and guerrilla operations against SEATO forces were successful, including lowered GVN morale and increased tensions among some of the SEATO members. While seeking to test the SEATO forces, the DRV would not relax its Viet Cong campaign against the GVN.

4. It is expected that the SEATO action would cause the DRV to try to gain "compensation" in some manner, such as possibly declaring the 1954 Geneva Agreements, or certain articles of the Agreements, abrogated. It might also begin to receive increasing military assistance from the Soviet Union and Communist China openly and in unconcealed violation of the Agreements, and to buildup an air force which would include jets. The Bloc would attempt to encourage and instigate Laos and Cambodia to protest to the UN if any SEATO forces crossed the South Vietnam border.

5. If no agreement on Laos had been reached at Geneva prior to the assumed SEATO action, we believe that the Communists would take steps to hasten their takeover of Laos. They would intensify their efforts to achieve political control, and they would step up military pressures against the

.. Laotian Army. Communist strength in south Laos would probably be increased by forces from North Vietnam to guard against an effort to partition Laos or an attack against the Pathet Lao forces. The Soviet airlift would probably be increased with a heavier flow of military supply into south Laos, and the Communists would probably intensify their efforts to establish a secure route for motor traffic into the south. On the other hand, if the SEATO action took place after the establishment of a coalition government in Laos under Souvanna Phouma and the conclusion of an agreement at Geneva, the Communists would probably emphasize political rather than military measures to win control of the country. In either case, the scale of Communist infiltration of men and equipment from North to South Vietnam through Laos would probably not be significantly affected.

6. If the SEATO action appeared to be proving effective in reducing the present scale of infiltration the Communists probably would increase their use of the mountain trail system through Cambodia. This is a longer and more difficult route but its use could keep at least minimum support flowing to the Viet Cong. At the same time, in order to reduce the apparent success of the SEATO action, they could intensify small unit

attacks, assassinations, and local terrorism in South Vietnam; they could also commit more DRV irregular personnel for the harassment of the SEATO forces. It would probably be part of Communist tactics to play upon possible SEATO weariness over maintaining substantial forces and accepting losses in South Vietnam over a long period of time.

7. With the introduction of SEATO troops into South Vietnam, Communist China might increase its ground and air forces in South China and strengthen its military posture opposite Taiwan. It might also announce various types of military assistance to the DRV "to meet the imperialist threat" from South Vietnam, possibly including the stationing of Chinese Communist air units in North Vietnam. Nevertheless, we do not believe Peiping would consider assignment of SEATO forces to South Vietnam as an immediate and direct threat to its own national security.

8. At the same time, the Communist powers would immediately launch a major propaganda and political campaign designed to label the SEATO action as aggression, as a threat to the peace in the Far East, and as a disguised US effort to re-establish colonial rule over Indochina. To increase the fears of war in the Far East, Hanoi and Peiping

would charge that the US, through SEATO, was preparing to attack the DRV and Communist China. The USSR would probably remind the world of its defense commitments to both Peiping and Hanoi.

9. The reaction to the assumed SEATO action among concerned non-Communist governments would vary widely. The Asian members of SEATO would find renewed confidence in the organization and the US, if the plan were to go well. If, on the other hand, the SEATO action were to become costly, prolonged, or to involve heavy casualties, the Asian members

10. The neutralist governments in the area would be most concerned at the increased tension and danger of general hostilities. They would denounce the SEATO action and call for a peaceful solution. None of them, however, would be

without some secret sympathy for the SEATO action for they all have fears of Communist subversion and expansion. For example, Sihanouk has become increasingly fearful of and disillusioned with the DRV's subversive and guerrilla organizations in Laos and South Vietnam, both of whom have violated Cambodia's borders. He has no desire to see Laos or South Vietnam under Communist domination. Despite his genuine and justifiable fear of Communist China and North Vietnam, Sihanouk might cooperate, covertly, with the SEATO action.

11. Moscow and Peiping would bring strong pressures against Japan. Although the Japanese Government would be under strong leftist internal pressure, it would probably tolerate US logistic activities and would not officially oppose the SEATO effort. Nationalist China would be elated with the SEATO action: