

policy, but it strikes me as being pretty unusual that this kind of a thing, signed by a military man, purports to represent the composite instruction in a memorandum which has been sent by the Department of State, which we haven't got any reference to here at all.

It goes from General Harkins to the military advisory personnel in South Vietnam, and it is sent by the Embassy, officially transmitted by the Embassy back to the Department of State.

Mr. HILSMAN. Sir, the way these things happen is that when General Harkins speaks to the people that work for him or when the United States—let's say when the U.S. Government speaks to the people who work for General Harkins on matters that are much broader than narrow military subjects, they speak to them through General Harkins.

BASIS FOR HARKINS' MEMO

Mr. HARDY. I understand that, and I don't have any problem with that.

General Harkins is speaking here to the U.S. military advisory personnel, which is entirely appropriate. But I haven't found a foundation for what General Harkins had to say.

Now the only thing I see here is that actually General Harkins may have enunciated a policy which should have come from the Department of State.

Mr. HILSMAN. No, sir. His letter was prepared on the basis of instructions and in consultation with the Ambassador, in accordance with the policies laid down in Washington.

Mr. HARDY. Well, I don't know where he got those policy guidelines. We haven't anything here to indicate where they came from.

Mr. FASCELL. Right here.

Mr. HARDY. We have got that cablegram, but certainly he didn't get these policy statements from that cablegram.

Mr. FASCELL. Why not?

Mr. HILSMAN. They are consistent with it, sir.

Mr. FASCELL. Why not?

Mr. HARDY. Maybe you read it that way. I didn't.

Mr. FASCELL. I just asked the question.

Mr. HILSMAN. In a very real sense this is the interpretation that the field had of the guidelines we had given, including the cable, and they are consistent with it.

Mr. HARDY. And that is the interpretation which General Harkins placed upon this cablegram that we have been talking about.

Mr. FASCELL. Wait until you hear mine.

Mr. HILSMAN. And that the Ambassador did, sir.

Mr. HARDY. Well, let me raise just one other point and I am through. The cablegram itself carries a point which we have been discussing right much here a minute ago, about the part which American military personnel are playing in the fighting. It objects to stories indicating that Americans conduct and give the orders in combat operations.

Mr. HILSMAN. Because they are not conducting or ordering combat missions, sir.

Mr. HARDY. That may very well be, and I certainly am not going to take issue with it.

I would certainly agree that that is perhaps what the situation ought to be, and it certainly ought to be what we insist on happening.