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THE PRESIDENT HAS SEEN *it*.

THE WHITE HOUSE

WASHINGTON

April 15, 1975

MEMORANDUM FOR THE PRESIDENT

THROUGH: DON RUMSFELD
 JACK MARSH *John by m. 7.*

FROM: MAX FRIEDERSDORF *M.F.*

SUBJECT: Senate Foreign Relations Committee

ARMY

The Senate Foreign Relations Committee is working on a draft of a bill entitled Viet Nam Emergency Act of 1975.

They worked on the draft this morning and will resume at 2 P.M. today with the expectation of concluding the draft this afternoon and presenting it to you for your consideration.

Although the details are not final the legislation would be operative when the number of Americans in South Viet Nam was reduced to 1200.

It would empower you to remove Americans and their dependents and use military force if necessary.

It would authorize for this purpose from \$200 to \$250 million in addition to the humanitarian request.

It would give you the authority to determine when the armed forces are necessary but if you took this action you would be required to submit a report under provisions of the War Powers Act, and also certify that at the time you took the action there existed a direct and imminent threat to the lives of American citizens in Viet Nam and their dependents.

The authority would also apply to the South Vietnamese with certain restrictions. You would have to determine if there was a direct and imminent jeopardy to their lives, withdrawal of South Vietnamese would involve no additional U.S. forces other than those employed in evacuating Americans, and would involve no extension of hostilities, and the rescue of these foreign nationals would be incidental to removal of U.S. citizens.

I received this report from Senator Hugh Scott and he said there may be some additional changes during this afternoon's closed session, but it is the intention of Senators Sparkman and Case to ask that you review this draft bill personally and give them your opinion.

Senators Baker and Griffin insisted that because of your spirit of cooperation yesterday the committee should present you this draft before final action.

Jack Marsh and I visited with Mel Price on the House side and Mel agreed to do his best to delay a vote today in the House Armed Services Committee.

We also visited the Senate Armed Services Committee and there will be no vote this afternoon following Secretary Schlesinger's testimony.