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**Senator Edmund S. Muskie Interviewed by Marvin Kalb About
Publication of Government Documents on Vietnam**

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IMMEDIATELY

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The following is the transcript of an interview with Senator Edmund S. Muskie (D-Maine) and CBS correspondent Marvin Kalb on the issue of the publication of government documents on Vietnam obtained by the New York Times.

KALB: What is your position on the right of the government to try to stop the New York Times from publishing these documents?

MUSKIE: Well, I think my instincts are on the side of the freedom of the press. I recognize that there is a very difficult and complicated constitutional question involved and I don't think I am in a position to try to answer that question. The question of whether or not the government's own evaluation of the country's national security interest should predominate over the First Amendment right of the freedom of the press -- I don't think that this has been tried before in the history of the country. I think that the effort to stop the print of the newspaper is a question of serious concern to all of us and if it should be limited or restricted as a result of this case, I have serious concern about the implications of it. So my own instincts are that in a country such as ours, our country's security and really the credibility and the integrity of our system of government is strengthened and enhanced by freedom of information for our people. After all, it is a government that rests upon the consent of the governed and if the governed let it be asked to consent, they ought to be fully informed and that is a very fundamental right.

KALB: I gather, then, that you do feel uncomfortable about this whole process of the government moving in to stop the Times?

MUSKIE: Very much so. Without trying to answer the constitutional question, I am very much concerned about it. I guess what I am saying is that I would feel much better with a decision that was unfavorable to the government on this question.

KALB: How did you feel coming upon these articles yourself as a Senator who served in the Senate during the years '64 and '65?

MUSKIE: Well, I haven't had an opportunity to fully digest the disclosures, but it is clear that we are now being told a lot of things that we were not told at the time that many of the key decisions in which the Congress was asked to participate were made. It is also clear that decisions were made in which the Congress was not asked to participate which, if they had been made public, might have had a different kind of an impact upon Congressional reaction to our policies in Southeast Asia and to the war. That is a serious question. What disturbs me now is that we have been told part of the story and the question is, should we be told all of the story. I have no doubt at all on that question.

KALB: That we should be?

MUSKIE: I think we should be told the whole story. I think to leave the American people hanging on part of the story, to leave the Congress hanging on part of the story, would be to undermine further the credibility of our institutions about policy making mechanisms and arrangements. And I don't think the country can take that kind of a shock to its political system. So I think part of the story having been told it should be fully disclosed.

KALB: How do you do that?

MUSKIE: Well, I would support, and vigorously support, the suggestion of Senator Mansfield that the Congress conduct hearings investigating every aspect of these events.

KALB: That would mean calling in some of the leaders of the Kennedy and Johnson administrations.

MUSKIE: Yes, I think the whole story ought to be told. Not only primarily because of the country's interest in having the whole story told, but also to give those whose participation in these events have been made suspect an opportunity to tell their side of the story, I think until we have all of it, no one's interests are advanced. It will be painful. It will be embarrassing, I am sure. It will be inconvenient and uncomfortable. But those adjectives describe something other than national security, from my point of view.

KALB: Do you summon an ex-President to appear before the Congress to explain policy?

MUSKIE: Well, I suppose you invite him. Beyond that, it's a difficult question to answer at this point. But whether or not that should be done is a question to be decided. But certainly there is a great deal of the story to be told in addition to that.

KALB: Do you feel any sense of disappointment in your party?

MUSKIE: Well, I feel a sense of disappointment in the system because what we have seen developing here is a greater and greater inclination to withhold information on the part of key policymakers -- a greater and greater inclination to erode the checks and balances that are representative of the relationships of the Executive and the Congress in this field. An increasing inclination to leave the Congress outside of the policymaking arena. All of these are dangerous in our system of government. And they may still be going on. There is an inclination now in this Administration to bypass the Congress. So it isn't a partisan disappointment that I feel, although I am disappointed that these events should have taken place when my party controlled the administration. But what is more serious than that are the implications for the integrity of our system -- and more than that, the confidence of our people that their's is a government which responds to their voice, to their will and to their interest. That their's is a system of government which takes the people into its confidence, asks its people to share in the great decisions. Now public confidence in this concept of our system is shaken by these events. It ought to be restored and it must be restored. And only by telling the full story can we hope to do that.

KALB: Senator, you knew a lot of the people who have been named in some of the documents in there named. Do you feel a personal sense of betrayal, if that is the right term, in these leaders following one course of action at the same time as they were telling the American people they were following another course of action?

MUSKIE: Well, now you are asking me to pass judgment on particular individuals even though you don't name them -- without having the full story or without having the opportunity to fully digest the documents which bear upon the actions of the particular people. The result I deplore. The way in which the policymaking was handled I deplore. But I am not in a position at this point to judge the actions of particular people.

KALB: So many people have the sense of having been misled in a very, very serious way.

MUSKIE: Well, I had that sense -- but it is not personalized around particular people at this point until I have had an opportunity to fully study the record, including that which has not been disclosed at all.

KALB: What about the political implications of these disclosures? Do you see them having any immediate effect on this campaign?

MUSKIE: I think it is a little early to say that; I think it is a little early. I doubt very much that anybody -- and especially the public in the mass -- have fully digested, fully understand, or fully absorbed the implications of these papers. And until the public has a chance to react, it would be very difficult to predict the politics of it.

KALB: One other point. I gather you would prefer that the Times have the right to publish the rest of the story as it sees fit.

MUSKIE: Yes. It is conceivable, I suppose, that in some of these documents there may be material bearing upon the safety of our troops. I am not posing that this is the fact, but it is conceivable there may be some material that would still be classifiable as top secret in terms of the real security interests of our troops, our forces in South Vietnam, and so I can't judge that. But, as a principle, I would favor a full disclosure.

KALB: At the time in '64 and '65 you yourself did not know or were briefed on any of these contingency plans?

MUSKIE: No. These 46 or 47 documents are a complete surprise to me.

KALB: Thank you very much.

MUSKIE: Thank you.