Mr. YOUNG of Texas. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 389 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 389

Resolved, That during the consideration of the bill (H.R. 7447) making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes, all points of order against said bill for failure to comply with the provisions of clause 2 and clause 5 of rule XXI are hereby waived.

Mr. Speaker, I urge adoption of House Resolution 389 in order that we may discuss and debate H.R. 7447.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Iowa (Mr. Gross).

Mr. Gross. Mr. Speaker, I almost had to pinch myself to wonder whether I was in the land of the living when I picked up this rule and found that all points of order to this omnibus deficiency appropriation bill are to be waived. It is my understanding that there are some 100 provisions in this bill that would be subject, in the absence of this rule, to points of order. I simply do not understand what has come over the House of Representatives that they
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Mr. ANDERSON of Illinois. I thank the gentleman from Texas for that clarifying explanation.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman recall in his time in the House a waiver of the rules that covered more items in an appropriation bill than this?

Mr. ANDERSON of Illinois. I am not sure about precedents. I think the gentleman probably is correct. In my memory—and I have been here a dozen years—this is an unusually large number of individual instances.

I should be pleased to yield to the chairman of the Committee on Appropriations, if he has actual information as far as precedents.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I give the gentleman from Iowa the floor.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am sufficiently long to state the objections that I have to the provisions of this bill which are set forth on page 122 of the House Rules: namely, clauses 2 and 5 of rule XXI would be violated if this rule had not specifically waived points of order in each of those instances.

I can give the gentleman from Iowa the explanation that was presented in the Committee on Appropriations by the distinguished chairman of the Committee on Appropriations as to why this request was made. The gentleman explained that it is not unusual for a supplemental bill, particularly one that reaches the floor shortly before the conclusion of a fiscal year—and we are, of course, less than 3 months from the conclusion of the current fiscal year—to require appropriations either where there is no authorization or to require appropriations in excess of the ceilings. So we do have a situation in which we have unexpended balances in one account and deficiencies in another. Therefore, it was the argument of the Committee on Appropriations that it did make very good fiscal sense to permit the transfer of funds from one account to another to make up these deficiencies rather than simply appropriate the funds. Many of the deficiencies in this bill, as I understand it, are due to unbudgeted pay raises which have since taken effect.

One other example that we were furnished is the general provision section of the Department of Defense supplemental in which there is an excess in the procurement account and deficiencies in personnel and operation and maintenance accounts due to the increased food prices and increased activities in Southeast Asia above the levels that had originally been programmed. Those are the reasons, in short, why we close in on the Committee on Rules were inclined to go along and grant the request of the chairman of the Committee on Appropriations for the waiver.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I give the gentleman from Iowa the floor.

Mr. MAHON. Mr. Speaker, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am sufficiently long to state the objections that I have to the provisions of this bill which are set forth on page 122 of the House Rules.
Long). I think it offers a reasonable approach to expressing the conscience of this Congress as being in opposition to air warfare or bombing in Cambodia. This is not a position to which I have come without a great deal of reflection. I have not only studied the matter but I have also carefully reviewed the statements of the Secretary of State and of our Secretary of Defense and the so-called legal brief that was issued by the Department of State in defense of our Cambodian bombing policy. I can report and it is very painful for me to be obliged to characterize that brief as one that small minds and narrow vision fail to perceive that we must in this instance prove our manhood, our determination to support our legal briefs which have not been submitted to the Congress for ratification, but that somehow we must do this because we are interested in the larger goal, the bigger picture of producing detente and building a new and emerging structure of peace.

My friends, this is clearly an adaptation of the "means justifies the end" argument. Recently we have done some very serious national soul searching on that particular doctrine. I would have thought that we would have realized by now the world leaders have said, "The means we use are the ends themselves in the making." Mr. Speaker, I would submit that we cannot create the conditions for an emerging structure of peace based on falling bombs.

That will come only as we see a world that is willing to turn to the rule of law as a substitute for violence. I do not find the example that we are given very encouraging with respect to the emergence of that basic principle as the foundation of what we ought to do to see an emerging structure of peace in the world. Therefore, I hope the gentleman from Maryland will offer his amendment. It will have my support for the reasons already mentioned. I think the other amendment is unwise in the restrictions it would place upon the Department of Defense. It is a blunderbuss rather than a scalpel, which we need at this moment to attack the specific issue that confronts the Congress this afternoon.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Texas (Mr. MAHON).

Mr. MAHON. Mr. Speaker, the answer to the question is that part of the funds in this bill will of course, help meet the requirements which the gentleman has pointed out. Without the passage of this legislation, they would be in a very severe position, so this will meet the requirements considerably.

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Speaker, with regard to devaluation, what we are actually doing here today is appropriating millions upon millions of dollars with absolutely no authority. I do not believe the gentleman from Illinois presently in the well of the House likes to be taken for granted.

Mr. ANDERSON of Illinois. No, indeed.

Mr. GROSS. What is happening here and what we will be doing by approving this appropriation bill and the millions to make up the shortfall in the devaluation of the dollar is further approving the delegation of power to the executive branch of Government. For the law on the statute books today says that only by virtue of authorization on the part of Congress may an appropriation be made for the shortfall in devaluation.

Yet before this day is over, Members will have yielded to what amounts to one-man power, for devaluation of the dollar is already in effect by action of the President and without sanction of Congress. In this posture we do not scream about delegation of power to the executive branch of Government, if you vote for this bill here today.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Hawaii (Mrs. MINK).

Mrs. MINK. Mr. Speaker, I rise in opposition to the rule for the purpose of asking the House to vote down the previous question in order that an amendment to H.R. 7447 can be offered, which will correct a grievous error which was made in the urgent supplemental which restricted the allocation of funds under impact aid for category B children to the rate of 54 percent.

The rule which we are now considering, which waives the 109 points of order, did not offer us this same opportunity to present this amendment to the House to permit the House to work its will.
The amendment to which I refer will simply change the 54-percent limitation on category B children to 58 percent, which reflects accurately the amount of money we appropriated for impact aid in the continuing resolution. My amendment does not seek to add one single dollar to that which this House has already agreed to for impact aid. The $635 million will remain as a firm figure.

In the urgent supplemental, to which we agreed the day before the Easter recess, we increased the funding for category A children to 100 percent in areas that are 25-percent impacted or over, but we also set an arbitrary limitation of 54 percent on category B. If that accurately reflected the amount of money we appropriated for impact aid in the continuing resolution, that would be fine, but inadvertently whoever made the calculations failed to realize if they imposed a 54-percent limitation on category B this would leave $66 million unexpended, which this House and the other body agreed was necessary for the basic funding of impact aid.

Mr. LEGGETT. Mr. Speaker, will the gentlewoman yield? Mrs. MINK. I yield to the gentleman from California.

Mr. LEGGETT. I want to commend the Representative from Hawaii for discovering the discrepancy in our appropriations. I believe the record is unimpeached that we did appropriate by our continuing resolution $635 million for impact aid; did we not? Mrs. MINK. Yes.

Mr. LEGGETT. Rather by happenstance we cut this item down by some $50 or $60 million almost without debate a few weeks ago. The gentlewoman seeks to offer an amendment to reverse that situation, to allow the OMB and the Office of Education at least to have some flexibility to spend the appropriated funds in the event they find it pragmatic to do it: is that correct? Mrs. MINK. That is absolutely correct. I thank the gentleman for his contribution.

Mr. DAVIS of South Carolina. Mr. Speaker, will the gentlewoman yield? Mrs. MINK. I yield to the gentleman from South Carolina.

Mr. DAVIS of South Carolina. I should like also to commend the gentlewoman from Hawaii for what she has brought to the attention of the House. I should like to associate myself with her remarks.

I urge my colleagues to vote “no” on the previous question and, if we are successful, so that the amendment can be offered, to vote affirmatively for the amendment. I thank the gentlewoman.

Mrs. MINE. Mr. Speaker, I thank the gentlewoman for her remarks.

Mr. MOSS. Mr. Speaker, will the gentlewoman yield? Mrs. MINK. I yield to the gentleman from California.

Mr. MOSS. Mr. Speaker, I want to indicate my support for the proposed amendment that the gentlewoman from Hawaii is urging upon this House. It is necessary that we once again very clearly make these funds available. We have a strong moral commitment, and it should not be shunted aside under any other plea for consideration.

Mr. Speaker, I think we ought to act with our full support of the amendment which will be proposed. Mrs. MINK. Mr. Speaker, I thank the gentleman for his remarks.

Mr. KAZEN. Mr. Speaker, will the gentlewoman yield? Mrs. MINK. I yield to the gentleman from Texas.

Mr. KAZEN. Mr. Speaker, I wish to commend the gentlewoman in the well for the remarks she just made, and I wish to associate myself with them and urge the Members of this House to vote down the previous question and vote for the amendment which will be offered by the gentlewoman from Hawaii.

Mrs. MINK. Mr. Speaker, I want to restate and make absolutely clear that the intent is not to ask for one single extra dollar for the impact aid program. This will simply permit the funding of category B in accordance with what the Congress has already said is an appropriate amount. It will simply permit the Department to allocate the necessary funds for category B.

Mr. Speaker, I ask that the Members vote down the previous question. Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. GILMAN).

Mr. GILMAN. Mr. Speaker, I rise in opposition to the rule. I urge my colleagues to give their full support to the gentle lady from Hawaii’s amendment raising the level of funding for B students in impacted areas from 54 to 58 percent. It is important that we note that this level of funding is fully in line with budgetary limits and would not necessitate an appropriation.

Mr. Speaker, funding for impacted school districts is a matter of congressional responsibility. We have established military bases in communities throughout our country. But as these military installations within our communities, I do not believe that Congress intended to unduly burden the taxpayers by requiring them to absorb the financial burdens of educating military affiliated students.

Permit me to call our attention to the problems confronting one of my school districts in the town of Highland Falls which houses our renowned Military Academy at West Point. The U.S. Military Academy occupies 80 percent of the town’s land, all tax free. Of the 21,000 acres of land within the school district of Highland Falls, only 1,700 acres are taxable, leaving that township with an extremely narrow tax base. As a matter of fact, this tax base is so limited that the employment of but a single additional teacher causes the local tax rate to jump by $1 per thousand dollars of assessed valuation. In light of the severe burdens that school taxes are placing on homeowners throughout the Nation, this additional burden being placed on our local government as a result of a military installation is not only unjust, but is also discriminatory.

Mr. Speaker, we must not shirk our congressional responsibility by tossing the burden right back to the local school districts. Throughout the past few months the adversely Federal regulations of impact funds has caused severe fiscal distress to all school officials affected by impact aid funds. Our inaction has resulted in an undue burden on these school administrators. We have decided, considered, set funding levels and reset funding levels to the point where we are now, a late appropriation with an inadequate funding level.

Cries of Federal mishandling of programs is epitomized in our decisions on impact aid. With the school year rapidly coming to a close and local school officials desperately trying to balance a budget, we still debate an issue which should be promptly resolved. I urge my colleagues to join the gentle lady from Hawaii in voting down the previous question.

Mr. DON H. CLAUSEN. Will the gentlewoman yield? Mr. GILMAN. I yield to the gentleman from California (Mr. DON H. CLAUSEN asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Texas. Mr. Speaker, I yield 1 minute to the distinguished gentle woman from Missouri (Mr. RANDALL).

Mr. RANDALL. I thank the gentlewoman for her yielding.

Mr. Speaker, I commend the gentlewoman from Hawaii and the gentleman from New York for their efforts for the children of school age in category B or those military dependents living in the school district but whose parents do not live on military lands.

Mr. Speaker, I think it would be worthwhile to share with the committee a letter which I received from the Belton School District No. 124 which is a district just to the south of Richards Gebaur Air Force Base. The school board of that district adopted a policy on April 26 of this year that they cannot continue to offer school service on a tuition-free basis each year unless the Federal Government reimburses the district to the rate of 100 percent for category B pupils and 100 percent for category C pupils for military dependents as provided in Public Law 874.

The interesting part of the communication, which also contained a resolution by the board of education, was that they felt a sincere concern for the welfare of the 3,365 students residing in the school district and the 1,159 students residing on Federal land.

However, the superintendent of the school district, James N. Shannahan, indicated in a letter that—while that school district was somewhat more affluent than other districts—the board had indicated that they would continue to provide school services, even if the Federal Government failed to make its so-called impact aid, for one and only one school year
following the failure of the Government to provide 100-percent assistance for both category A and category B.

The Belton School District, however, was quite straightforward in their presentation when they announced that they had adopted a policy of having to deny attendance of military pupils at their school. They did so only after a full and careful analysis of their financial condition and only after a careful survey of all possible alternatives including an increase in the local tax levy by approximately 33 percent.

Mr. Speaker, at the appropriate time put all of the resolution and supporting facts of the plight of a typical district impacted by military dependents in the record for the information and guidance of my colleagues who may be now or become similarly situated.

For the time being, what we are talking about, as we consider the amendment of the gentleman from North Carolina (Mr. Bosun) and urge my colleagues to vote in opposition to the rule.

Mr. YOUNG of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New York (Mr. Addabbo). Mr. ADDABBO. I thank the gentleman for yielding to me.

Mr. Speaker, I just rise for a point of clarification. I will leave the full details for discussion when I speak in general debate.

The gentleman from Illinois (Mr. Anderson) said that the money in the grant is needed for education purposes. We do not want to hurt them, he said, and I agree with him. We do not want to hurt them in any way. In the hearings, through all of the hearings, they stated that they have the money. They have still not utilized the full $430 million in transfer authority which we gave them. They did not come before the Defense Appropriations Subcommittee to limit it. So all they are requesting and the key to the whole thing is the letter of the Director of the Office of Management and Budget, Roy Ash, wherein he says that, 'I have the right of flexibility. If you only limit it, then you lack flexibility. Can you give the fund of $430 million and you say none of that $430 million can be used for Cambodia, then they cannot use any part of that $430 million for Cambodia.'

Mr. ANDERSON of Illinois. Will the gentleman yield?

Mr. ADDABBO. I will in just 1 minute.

But any other money which they still have on hand to which they testified before our committee had on hand would then be freed up to be used for Cambodia.

That is why I say we must strike the entire question of additional right of flexibility. They have $430 million on which they have the right of flexibility. We gave them that right when we had troops in Southeast Asia and when we were trying to get our prisoners of war back. Now all of those things have occurred and there is no further need for that right. If they want additional money and have other programs they would like to use it on, then let them come back to the Congress and just do it, and tell us where this money is going to be used. If they need $170 million or $175 million, then they can tell us where.

This is where we need it, and this is a function of the Congress.

Now, I yield to the distinguished gentleman from Illinois (Mr. Anderson).

Mr. ANDERSON of Illinois. Mr. Speaker, I am always in favor of the gentleman from New York (Mr. Addabbo), but I propose that there is a far clearer way of reaching this issue, and that is simply by means of a motion to strike the entire question of additional right of flexibility and expressing the sense of the Congress as being opposed to the use of these funds for the bombing of Cambodia. I cannot see why the gentleman from New York did not do the exact thing before, to throw the baby out with the bath water and get into areas that deal with things other than Cambodia.

Mr. ADDABBO. The gentleman from Illinois has answered the argument himself as to the way we propose limiting these funds. Not to give them the right of continued flexibility.

Mr. YOUNG of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. Long). Mr. LONG of Maryland asked and was given permission to revise and extend his remarks.

Mr. LONG of Maryland. Mr. Speaker, I have an amendment which I am going to offer either as a perfecting amendment or as a follow-on amendment. The words approximate these: Provided that none of the funds herein authorized to be transferred by the Department of Defense shall be expended to support directly or indirectly combat activities in or from the U.S. or from the other shores of Cambodia by the United States forces.

I feel that the proposed amendment to be offered by the gentleman from New York (Mr. Addabbo) in an amendment if that is all we can get, but I think that would be a much more precise instrument, and I feel that any amendment more precise because it is a clear message from the Congress to the President that all bombing in Cambodia must stop. It is an explicit, not merely an implicit message. My amendment does not bar transfer of funds into areas such as the Middle East, essential to our national defense. My amendment does not, in short, limit the flexibility of our defense in other sectors. It does not prevent our continued aid in the form of weapons and economic support for the non-Communist Cambodians.

Therefore, Mr. Speaker, I hope that my amendment, when it is offered, will be accepted, because I think this is a clear and definite message to the President, and to the world, that Congress does not want any more activity involving U.S. combat personnel in Cambodia.

Mr. YOUNG of Texas. Mr. Speaker, I yield such time as he may consume to the gentleman from Maryland (Mr. Miford).

Mr. MIFORD asked and was given permission to revise and extend his remarks.

Mr. MIFORD. Mr. Speaker, I rise in support of the amendment.

A school superintendent in my district described the need for these funds to me very clearly. He said: "In this day and age, we cannot afford to pay private tuition under conditions of present day inflation."

Mr. Speaker, I strongly urge a no vote on this previous question to permit this parliamentary procedure to be perfected in order that military dependents all across America will be denied the privilege of an education. That will happen because the school districts will not accept them, and I think we should face the facts and look the situation squarely in the face, to realize that our enlisted men cannot afford to pay private tuition under conditions of present-day inflation.

Mr. Speaker, that is why it is so important that we vote down the previous question. This will permit our friend from Hawaii to amend the rule which would make it possible for an amendment increasing assistance in category B pupils from 54 percent to 68 percent. This sort of parliamentary procedure is necessary because without the amendment any amendment offered to H.R. 7447 would be subject to a point of order as being legislation in an appropriation bill.

Mr. Speaker, I strongly urge a no vote on the previous question to permit this parliamentary procedure to be perfected in order that military dependents all across America may not be denied an education equal to those peers who may not be dependents of those serving in the Armed Forces of our country.

Mr. YOUNG of Texas. Mr. Speaker, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. Bosun).

Mr. ROSE. Mr. Speaker, I rise in support of the comments that have been made by my distinguished colleagues concerning important issues that rely heavily on impact aid to education. The largest county in my district receives some $2 million a year in type B impact aid.

I wish to associate myself with the fine remarks my colleagues have made here today concerning the defeat of this rule and urge my colleagues to vote in opposition to the rule.
fore, I ask my colleagues to vote against the rule.

Mr. YOUNG of Texas. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. Flood).

Mr. FLOOD asked and was given permission to revise and extend his remarks.

Mr. FLOOD. Mr. Speaker, I hope that the Members of the House will listen to the few words that I am going to say now in connection with this impact aid business. There are very few people who have been through this impact aid battle more often than have I. That all the Members know. So you should listen when I come down here in the well at this time to urge the Members not to upset the present fiscal 1973 funding plans for impacted area aid which the members of the Labor-HRD Subcommitte agreed to in the conference on the urgent supplemental appropriation bill. I have been friends of this program, from its first day right up to the present moment, and we certainly intend to continue our support of it in the 1974 appropriation bill.

Now, for heaven's sake—and I address myself directly at this point to those who represent school districts with children in the A category who do not touch this thing, this is loaded. If you reopen the impacted area aid question in order to increase payments for "B" children, you may find that you have, in effect, reduced payments for "A" children.

Now, for heaven's sake, if you want to encumber what we have done, go ahead, but the agreement we reached in the conference on the urgent supplemental appropriation bill resulted in the release of $85.5 million for impacted area aid over the amount which the administration was willing to allocate up to that point. We went from $483 million to $568.6 million. What we did permit the payments for "A" children to reach 90 percent of full entitlement, and 100 percent of full entitlement in the heavily impacted areas. Now the available entitlement constitutes more than 25 percent of total enrollment.

So as it now stands, it is 90 or 100 percent for the A's, and it is 54 percent for the B's. When the President's budget came up here, there was not a dime in it for the B's, except for those from military families. As it stands now, we will receive 54 percent of full entitlement. Now out of an abundance of caution, do not rock this boat; do not upset this thing. If you do, no one knows what will happen. It will be in fiscal 1974 in a very short time. Stand by the committee. I do not blame the advocates of this amendment. We can all imagine why: Newspaper editorials and letters from back home. But listen to me. This goes far beyond that. We are dealing here with something we should not touch at this time under any circumstances. We worked on this program; we funded it. Now, be very careful—you may undo what we have accomplished.

I urge the Members to support the committee and to vote against the previous question.

Mr. YOUNG of Texas. Mr. Speaker, I understand there are further requests for time by the minority. For the purpose of debate I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield to the gentleman from Illinois (Mr. Flood).

(Mr. FLOOD asked and was given permission to revise and extend his remarks.)

Mr. FLOOD. Mr. Speaker, I realize it may be difficult to get time when the bill itself is being debated, and for that reason I appreciate the time extended to me by the gentleman from Illinois (Mr. Anderson).

Mr. Speaker, the decisions the House makes today on Cambodia will have consequences reaching far beyond the immediate issue: that is, the actual bombing of Cambodia by U.S. planes.

In fact, in my opinion, what we decide will be a significant part of the legislative history of war-making in Vietnam and likely establish an important precedent which will add or detract from the influence of the Congress in future use of our military forces in hostilities.

I cite first of all the interpretation already given by Secretary of Defense Richardson. He was quoted in the Washington Evening Star—News of May 8, as stating to the Senate Foreign Relations Committee: If an amendment so bar use of transfer authority for bombing were offered and defeated "we would then be justified in viewing that rejection . . . as a vote at least to acquiesce in" the policy of bombing Cambodia.

Just to make sure that this was a reasonable interpretation of the administration view, I had the question placed to the staff in Mr. Richardson's office.

Mr. Robert Murray, a member of Mr. Richardson's personal staff said he was authorized to comment on the Star-News report.

He made this statement: If Congress says nothing on Cambodia, since there is no money for Cambodia in the bill, the Administration cannot draw support for bombing Cambodia from support for the bill. If, however, an amendment is proposed to prohibit the transfer of funds for the war in Cambodia, the amendment to the Administration will interpret this as part of the legislative history, that the Congress has ratified or rejected the Administration's policy in Cambodia, particularly in the bombing of Cambodia.

I cite also the committee print of the Senate Foreign Relations Committee of April 1973, prepared by the Foreign Affairs Division of the Congressional Research Service of the Library of Congress on "Congress and the Termination of the Vietnam War."

On page 11, the report states: In view of the fact that the executive branch has generally taken the position that it does not need Congressional authorization to become involved in the Vietnam war, action by Congress terminating the suspension by the President, who, if he were to continue to get appropriations, could resume the war.

On page 9, the report states: While no one can reasonably hold that the Congressional actions necessary to give sanction to the war (such as continued authorizations and appropriations) constitute an implied declaration of war in the constitutional sense, it is difficult to avoid that inference.

Therefore, how we vote today could have large meaning in giving congressional sanction to the President in the sequences of the Administration in the eyes of Federal courts, and in broader terms of constitutional history.

It is fair to say that those who vote against the amendment to bar bombing in effect cast their vote to sanction the bombing. Those who vote for these amendments vote against such sanction.

The decisions today have another vital dimension. They will help to settle an usual, if not completely unique doctrine of reserve war powers of the President as Commander in Chief.

Very plainly the administration argues that it has the authority to use military measures in Cambodia because the Paris Peace Agreement has been broken.

The rupture of that agreement so the argument goes, gives the President the authority, as well as the responsibility to punish enemy forces through bombing in Cambodia.

But mind that the Tonkin Gulf resolution has been rescinded. Bear in mind that the Paris Peace Agreement was not a treaty. It was an Executive agreement, in which the Congress was not involved in any way.

The effect of this argument—if it is accepted—is to establish another reserve war power of the President as Commander in Chief. In addition to the reserve power to defend the United States and its forces and to use military power to rescue its citizens, without specific prior authorization of Congress, the President now wishes to establish the doctrine that he can use military force to punish nations which break peace agreements made wholly by Executive authority.

In my view this is an untenable and dangerous doctrine that must be swiftly and clearly rejected by the Congress by its negative vote against the amendment to bar funds for bombing.

Before the day is over you will have a chance to vote for an amendment to bar funds for bombing.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. Hogan).

(Mr. Hogan asked and was given permission to revise and extend his remarks.)

Mr. Hogan. Mr. Speaker, I would like to return to the subject of impact aid and urge a vote against the previous question so that an amendment can be offered to increase the amount of money being given for category B aid impact aid.

I am not going to re-plow the ground which has already been covered by those who talked in favor of impact aid, arguing how important it is to relieve the financial stress that is placed upon our
Mr. Speaker, I ask that the gentleman from Texas yield to me for a question.

Mr. MAHON. I yield to the gentleman from Texas (Mr. Young).

Mr. YOUNG of Texas. Mr. Speaker, I would like to ask the gentleman a question for the purpose of clarifying the situation.

Is it not true that the issue of Cambodian matters, as here it be pro or con, is properly raised under this rule, and has nothing to do with whether or not the rule is adopted or not adopted?

Mr. MAHON. Mr. Speaker, I appreciate the fact that the gentleman has raised this question.

There are Members who have spoken in regard to the Cambodian matter because they wanted to make their expression before the House, but the rule accommodates these amendments and this debate, and there is no concern about whether or not amendments will be in order with respect to Cambodia and the defense transfer system, so that is not the issue involved here.

The serious aspect of this matter is that if we vote down the previous question, there is no going control of the bill and all manner of amendments might be in order. One would think, listening to the arguments here, that this is the only issue, namely, what are we going to do with the so-called impacted area aid program.

That is just one issue which might be brought up. There might be unlimited other amendments which could be in order if we vote down the previous question.

So, if it was highly dangerous, it would seem to me, for us to vote down the previous question and open up this bill for every kind of amendment. I think it would be a very dangerous thing.

Mr. Speaker, if it were absolutely clear that the question was confined only to the single issue of impacted aid, that would be one thing, but that is not the extent of the situation.

All of us are sympathetic toward this matter of impacted aid. We have done the best we could to retain what money we could for the program.

The fact is that it was just prior to consideration by the House of the urgent supplemental on April 12, that the administration announced the release of $415 million for impacted area aid. That was far short of the $635 million made available under the conditions of the continuing resolution.

In the final version of the recently enacted urgent supplemental, as a result of the Senate amendment, we took action making available an additional amount of $85 million for class A students. There seems to be no doubt but that that money would be spent.

Under ordinary circumstances this amendment might not be too bad except that it jeopardizes what we have already done and could very well nullify our efforts to raise additional money for class A students.

Mr. Speaker, I hope that the previous question will prevail.

Mr. Speaker, another thing about the matter is that if the previous question does fall and the rule is not agreed to,
then all of those various provisos in this bill which are of great interest to the Members of the House, as many as a hundred of them will be subject to a point of order because they provide for transfer of funds or otherwise are technically contrary to the rules.  

If one part of a paragraph is held subject to a point of order, the whole paragraph will go out. We would have a riddled bill, which would make the House look ridiculous.

All one has to do is to turn to the bill. The paragraph with respect to the Environmental Protection Agency could go out. The paragraph with respect to watershed and flood prevention operations under the Department of Agriculture could go out.

Emergency conservation measures could go out.

Firefighting money under the Forest Service could go out.

Money for other items, such as the Federal Communications money, could go out.

The health services and mental health money could go out, if any Member made the point of order.

The paragraph for additional parking could go out.

The bill would become a shambles.

The pay for Federal employees throughout the Government could go out if a point of order were made on any of the paragraphs containing transfer authority.

There is just no end to the catastrophic results which could ensue if we vote down the previous question. Let us proceed in an orderly way for consideration of this measure.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to my friend from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

That would be only because the House of Representatives had not previously done its own homework, would it not?

Mr. MAHON. No, I would not say so. We are trying to save money by providing transfer authority. We are handling some of the increased pay costs by transfer authority rather than by providing new money.

Mr. LEGGETT. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. LEGGETT. The chairman does not seriously believe we are going to totally eliminate all the provisos in this bill merely by opening up the rule for one small amendment to restore what the committee previously did. Is it not a fact that the committee did come back with a continuing resolution that did appropriate $635 million for the impact aid program? Is that not true?

Mr. MAHON. The committee has supported additional funds for impact aid. We want to do the best we can for impact aid. We feel that this is perhaps the best that can be done for impact aid.

Mr. LEGGETT. The committee did.

Mr. MAHON. If I might go further, if we do not have the rule and points of order raised, then the money for higher education could go out, because there is language in that paragraph which is subject to a point.

We would riddle, emasculate, and destroy the effectiveness of the operation of the House of Representatives on this bill. If we really want to act in the most responsible way in this, we will vote to order the previous question despite our feelings about impacted aid.

Mr. Young of Texas. Mr. Speaker, I move the previous question on the resolution.

Mr. GONZALEZ. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Texas. (Mr. GONZALEZ asked and was given permission to revise and extend his remarks.)

Mr. GONZALEZ addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

Mr. Young of Texas. Mr. Speaker, I move the previous question on the resolution.

The SPEAKER. The question is on ordering the previous question.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mrs. MINK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 184, nays 222, not voting 27, as follows:

[Roll No. 135]

AYS—184

[Legislators' names]

NAYS—222

[Legislators' names]
So the previous question was not ordered.

The Speaker announced the following pairs:
Mr. Teague of Texas with Mr. Price of Texas.
Mr. Booney of New York with Mr. Frelinghuysen.
Mrs. Green of Oregon with Mr. Brown of Ohio.
Mr. Blatnik with Mr. Dingell.
Mr. Stubblefield with Mr. Carter.
Mr. Gray with Mr. Sandman.
Mr. Jones of Tennessee with Mr. Vander Jagt.
Mr. McSpadden with Mr. Biaggi.
Mr. GROSS with Mr. Crane.
Mr. Price with Mr. Vander Jagt.
Mr. Blackburn with Mr. Biaggi.
Mr. Dingell with Mr. King.
The amendment that I seek to have made in order at the time we consider the supplemental today does not alter one iota the $635 million which this House and this Congress has otherwise appropriated for impact aid. All I seek to do is to remove that 34-percent limitation on category B. It does nothing whatsoever to the category A funding of 100 percent in these areas where the impact is 25 percent and greater.
Mr. MAHON. Mr. Speaker, will the gentlewoman yield?
Mr. MAHON. Mr. Speaker, I would like to join with the gentlewoman from Hawaii in undertaking to explain the situation before us. I think we can handle this matter quickly.
The House has demonstrated by its previous vote that it understands and considers voting in a way that hopefully more money would be available for impact aid. Do I understand from the gentlewoman that this is the only amendment that she wants to offer?
Mr. MAHON. Yes.
Mr. MAHON. And the gentlewoman will not yield for any other amendments?
Mr. MAHON. I will not yield for any other amendments.
Mr. MAHON. If there is only one amendment and this is the amendment, it seems to me the House has indicated its will. If the gentlewoman does not yield for any other amendments, the rule is in order otherwise and the bill is not subject to any points of order as a result of various items that are contained in this legislation, will she then be willing to move forward with the consideration of the bill?
Mr. MAHON. Precisely.
Mr. MAHON. It seems to me a foregone conclusion that the amendment of the gentlewoman from Hawaii to the rule will be adopted, so I suggest that we might get on with the business and complete the legislation.
Mr. MAHON. Mr. Speaker, I move the previous question on my amendment and on the resolution.

The Senate placed into the urgent supplemental appropriation bill an amendment on the floor which not only permitted the funding of category A under impact aid at 100 percent for those districts that were 25 percent impacted, and 90 percent for all other "A" category areas, but it also placed a limitation on funding for category B under impact aid at 54 percent. That might have been done in the Senate in the false assumption that that was all the money that this Congress had appropriated in the continuing resolution.

We all recall that the fiscal year 1973 HEW budget was vetoed and that entire Department's budget is now being funded under a continuing resolution, based upon actions taken with respect to the bill that passed the Senate, whichever is the lower figure. The lower figure for impact aid is $635 million.

The amendment that I seek to have made in order at the time we consider the supplemental today does not alter one iota the $635 million which this House and this Congress has otherwise appropriated for impact aid. All I seek to do is to remove that 34-percent limitation on category B. It does nothing whatsoever to the category A funding of 100 percent in these areas where the impact is 25 percent and greater.
Mr. MAHON. Mr. Speaker, will the gentlewoman yield?
Mr. MAHON. I yield to the gentleman from Texas (Mr. MAHON) for purposes of debate only.
Mr. MAHON. Mr. Speaker, I would like to join with the gentlewoman from Hawaii in undertaking to explain the situation before us. I think we can handle this matter quickly.
The House has demonstrated by its previous vote that it understands and considers voting in a way that hopefully more money would be available for impact aid. Do I understand from the gentlewoman that this is the only amendment that she wants to offer?
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Mr. MAHON. Precisely.
Mr. MAHON. It seems to me a foregone conclusion that the amendment of the gentlewoman from Hawaii to the rule will be adopted, so I suggest that we might get on with the business and complete the legislation.

The Speaker. The question is on the amendment offered by the gentlewoman from Hawaii (Mrs. MINK). The previous question has been ordered. The question is on the resolution, as amended.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused. So the resolution as amended, was agreed to.

APPOINTMENT OF CONFEREES ON S. 38, AIRPORT DEVELOPMENT ACCELERATION ACT OF 1973

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 38) to amend the Airport and Airway Development Act of 1970, as amended, to increase the U.S. share of allowable project costs under such act, and to prohibit certain State taxation of persons in air commerce, and for other purposes, and a House amendment thereto, insist on the amendment of the House and agree to the conference asked by the Senate.
May 10, 1973

The SPEAKER. Is there objection to the request of the gentleman from West Virginia? The Chair hears none, and appoints the following conferences: Messrs. STAGGERS, JARMAJ, DINGELL, KUYKENDALL, and SHOOP.

PERSONAL ANNOUNCEMENT

Mr. MADDEN, Mr. Speaker, on roll-call No. 132, yesterday, I was present and voted "No." I ask unanimous consent that the permanent record be corrected accordingly.

The SPEAKER. The Chair is without authority in that regard. The gentleman's statement will appear in the Record.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1973

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 7447) making supplemental appropriations for the fiscal year ending June 30, 1973, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate by 1 hour and 10 minutes be equally divided and controlled by the gentleman from Texas (Mr. CEDERBERG) and myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the bill H.R. 7447, with Mr. Brooks in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Texas (Mr. MAHON) will be recognized for 1 hour, and the gentleman from Michigan (Mr. CEDERBERG) will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas.

Mr. MAHON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the bill before us today touches almost every Federal department and agency, as well as the District of Columbia. It is the last large general supplemental appropriation bill for fiscal year 1973.

However, certain additional transmitals from the Executive are anticipated. As Members know, the President, on February 12, took the action of devaluating the dollar by 10 percent. By virtue of this action, we expect to receive, in the relatively near future, a request for appropriations totaling some $2.2 billion to maintain the U.S. pro rata subscription to five international financial institutions.

An additional supplemental request is anticipated to provide funds for the several flood and disaster relief programs of the Federal Government. This will be in response to the critical flood conditions prevalent in large sections of the country.

But the bill before us today is the last comprehensive supplemental for the fiscal year ending June 30. The committee held extensive hearings on the items in the bill. There are three volumes of testimony and related material available to Members totaling 2,700 pages.

The grand total of the bill is some $2.8 billion, which represents a net decrease of $300 million below the various budget estimates considered in connection with the bill.

Further, the bill contains transfers of some $350 million between appropriations. In several cases where transfers were proposed from appropriations included in the bill, the committee has not granted such transfers but has provided new money. In other instances, in lieu of providing new budget authority, the committee has recommended transfers from accounts in which there is surplus. It is customary for the Congress to provide for greater authority particularly for pay act costs in order to minimize the granting of new obligations to and to facilitate to the maximum extent the absorption of increased pay costs within current appropriations.

BILL HIGHLIGHTS

About 86 percent of the $2.8 billion contained in the bill is for programs that are totally or virtually uncontrollable at this point in time. Another $226 million, or 8 percent of the bill, is for higher education items which were not handled in the urgent supplemental bill, which cleared the House on April 12 and became law on April 26.

Among the major programs which are totally or virtually uncontrollable at this point in time are:

- $800,801,000 for pay costs.
- $14,066,000 for grants to States for public assistance.
- $370,248,000 for flood and disaster relief programs.
- $196,900,000 for payment to the Civil Service Retirement Fund.
- $87,000,000 for retired military pay.
- $57,588,000 for firefighting costs.
- $25,000,000 for Federal workmen's compensation benefits.
- $35,683,059 for various claims and judgments against the Government inclusive of Vietnam prisoner of war claims.
- $32,700,000 for military mail privileges and postal costs.

REDUCTIONS IN APPROPRIATIONS

The $300 million in reductions is a net figure. There are increases in a few items in the bill approximating $80 million, the great majority of which is associated with flood relief programs of the Corps of Engineers and Soil Conservation Service. As indicated, additional requests are anticipated for purposes of this nature.

Reductions in the bill include:
- $116 million, net, in pay increase costs.
- $75 million in the deficiency request for naval personnel.

$15 million in various defense operation and maintenance requests for postal and related purposes.

$21,000,000, net, in higher education programs.

$56 million in the elderly nutrition program, because of the timing of the approval.

$74 million in advances to extended unemployment account, and

$8.5 million in the Federal payment to the District of Columbia.

In referring to the $300 million reduction in requests considered in the bill, it must be taken into consideration that the committee has not recommended reduction in various appropriations as requested by the executive branch in the sum of about $383 million. This action of not recommending such rescissions has the effect of reflecting congressional action on the budget as an increase of $383 million in fiscal year 1973. Thus, the $300 million reduction in this bill is offset by not recommending the requested rescissions.

CONGRESSIONAL ACTION ON APPROPRIATION BILLS FOR 1973

In each and every of the last 20 years, the Committee on Appropriations has recommended and the Congress has enacted reductions in total budget authority requested by the Executive. Excluding amounts in the accompanying bill, the Congress has to date considered budget authority for appropriation bill items for fiscal year 1973 totaling about $178.3 billion. In its action on such appropriation bills, the House has reduced requests for new budget authority by about $5.1 billion. Senate action on the appropriation bills it has considered thus far has resulted in decreases amounting to about $2.3 million in budget authority.

In final actions in connection with these appropriation bills, the Congress had reduced requests by an amount aggregating some $8.5 billion. These amounts include inaction on some $8.5 billion net downward amendments for fiscal 1973 contained in the bill submitted January 29, 1973.

In connection with the figures which I have just cited, I again recommend for Members' attention the so-called scorekeeping report published periodically by the Joint Committee on Reduction of Federal Expenditures. This report represents the only comprehensive accounting of congressional actions and inactions affecting the Federal budget. The report is objective and has gained widespread acceptance in Congress and in and out of Government generally. The report this year incorporates new material and efforts continue to make the reports more informative and understandable.

CONGRESSIONAL ACTION ON NONAPPROPRIATION BILLS

Mr. Chairman, in considering congressional action on appropriation bills it should also be taken into account that congressional actions on certain nonappropriation bills also authorize new budget authority and result in outlays by the Government. The estimated net effect of all final congressional actions to date on nonappropriation bills affect-
ing fiscal 1973 has been to increase new budget authority by about $15 billion and to increase outlays by about $7.8 billion.

Over the last 5 years, in appropriation bills handled by the Appropriations Committee, Congress has reduced appropriations below the requests by about $30 billion (or deeper, during this period Congress has offset that reduction by adding about $30 billion in bills which are not handled by the Appropriations Committee. It has been virtually a stand-off in this respect.

Had Congress for the last 5 years given the executive branch precisely what had been requested — no more, no less — the fiscal posture of the Government would be about the same. In this span, Congress has provided about what the executive branch has requested in total spending authority, although making reductions in the regular appropriation bills, and allowing increases in so-called backdoor spending and other legislative bills.

**COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL**

**SUMMARY**

<table>
<thead>
<tr>
<th>Title</th>
<th>Budget Estimates</th>
<th>Recommended in Bill</th>
<th>Bill Compared with Estimates</th>
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**CONGRESSIONAL RECORD—HOUSE**

May 10, 1973

Mr. MAHON. At this time it would perhaps be appropriate to take a moment to talk about the major item of controversy, which is associated with Southeast Asia. As all of us know, there have been hundreds of millions of dollars spent in Southeast Asia by the U.S. Government, beginning at least as far back as the early 1950's. We have had a war going on for almost 10 years. The 200th shipload of aid to Vietnam arrived in Southeast Asia in 1952. It has been a long story.

A cease-fire agreement has now been achieved. It became effective at midnight on January 27. The cease-fire has now been agreed to but has not been fully implemented. The President is desperately trying to get full stabilization of the cease-fire. He has had from January 27 to date, just over 3 months, to make this shift and stabilize the cease-fire. In the context of the long contest in Southeast Asia, that is only a very short period of time and I, for one, am not in favor of giving him a bit more time.

Mr. Chairman, we gave 6 years plus for the actual fighting of the war. In an emotional moment, I am not in favor of trying to curtail the President's authority to move in the direction of peace. Plenty of time remains for such action if we wish to pursue it. Of course, we all favor, and our constituents favor, an early and rapid end to the fighting in Southeast Asia.

Mr. MAHON. Mr. Chairman, the cease-fire was announced on January 27. At that time we still had extensive forces in Southeast Asia. As we know, there has been a long story.

Mr. YATES. What constitutional authority did he have?

Mr. MAHON. Mr. Chairman. the gentleman has spoken about his feeling that he would not want to cut off the President's authority. What congressional or constitutional authority has he had for bombing in Southeast Asia? that is only a very short period of time and I, for one, am not in favor of giving him a bit more time.

Mr. YATES. Mr. Chairman, will the gentleman yield for a question?

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Mr. MAHON. I yield to the gentleman from Wyoming.

Mr. CEDERBERG. Will the gentleman yield to me?

Mr. MAHON. I yield to the gentleman from Wyoming.

Mr. CEDERBERG. Setting forth the case for the President...

Mr. MAHON. I was glad to yield to the gentleman.

My conclusion is that there is no authority for the President to drop bombs anywhere in Indochina, but that does not mean that he does not have the right to protect American lives wherever they may be.

However, the longer we debate this the less likely we are to come to any conclusion. This is a predetermined and should be voted on.

I thank you very much for yielding to me.

Mr. MAHON. I was glad to yield.

Mr. YATES. I yield to the gentleman from Wyoming.

Mr. CEDERBERG. The same authority he had before.

Mr. MAHON. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I thank the distinguished chairman for yielding.

No one has greater sympathy for those missing in action. There is not one Member of this body who is unsympathetic to them. The fact of the matter is, however, that absent any constitutional authority to continue the bombing and with all due regard for those who are missing in action, the inevitable result of the continuation of the bombing is going to be increased casualties and an increased number of missing in action, and this has to stop.

I thank the chairman for yielding.

Mr. RONCALIO of Wyoming. Will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wyoming.

Mr. RONCALIO of Wyoming. I thank the chairman for graciously yielding to me a second time in order to make this observation.

We understand that as mature lawmakers and many of us lawyers are discussing the constitutionality of acts of aggression, and recently we know in most of the leading papers of America there appeared an excellent legal treatise prepared by able constitutional lawyers setting forth the case for the President and against the President.

Most of us have our minds made up if we are able to read and draw conclusions and I have no reason to doubt up and I know which way I will vote, but I respect the fact that it will be different from the gentleman from Texas and the gentleman from Florida (Mr. Sunes) for whom I have tremendous respect.

The amounts which are included here are for use in the school year which begins next fall. Included in the total is $125,000,000 for language and area studies under title VI of the National Defense Education Act. This is $10 million above the budget request. The administration proposed to cut this program rather radically and we have included funds in the bill to keep it alive at least for another year. We are also recommending some reductions in the budget request for special services in college and strengthening developing institutions, where the administration was proposing rather large increases over the current level.

Another major item in our chapter is $50 million for the nutrition program for the elderly. An appropriation of $100 million for this program was included in both the Labor-HEW appropriation bills for fiscal year 1973 which were approved by the Congress but vetoed by the President. Because this is a new program, no funds were set aside under the terms of the fiscal year 1973 continuing resolution. In view of the fact that most of the fiscal year has gone by, we are recommending an appropriation of $50 million to remain available throughout the first 6 months of fiscal year 1974.

The bill also includes $77,207,000 for reimbursement to the social security trust funds for costs incurred in the administration of the new Federal supplemental security income program authorized by the Social Security Amendment of 1972. The new program replaces the existing grant-in-aid program for the aged, blind, and disabled which are administered by the States and localities.

None of the funds included in this bill are for benefit payments. This appropriation is entirely for administrative cases which the social security administration is incurring in order to be in a position to put the program into effect on January 1, 1974.

Some of the other items included in this bill are $26,300,000 for Federal workmen's compensation benefits resulting from an increase in our demands; $12,000,000 to permit completion of the new Children's Hospital National Medical Center in the District of Columbia; and $17,983,000 for payments to lenders for federally insured and reinsured student loans which are in default. This last item is one about which the subcommittee is very concerned and which we have discussed at considerable length in our hearings on both the 1973 estimates and the 1974 budget estimates. We have urged the Office of Education to take all possible steps to collect these defaulted loans.

The biggest reduction from the budget estimate recommended by the subcommittee was $74 million for advances to the Medicaid uncompensated account. Based on the information which we received in the hearing, we concluded that this money was needed back in August of 1972. Now that so much time has elapsed the appropriation is no longer necessary.

I should also mention that the administration requested rescission of appropriations totaling $392,928,000 of which $342,928,000 fell within the bailiwick of the Labor-HEW subcommittee.
We recommend disapproval of all of these proposed rescissions as indicated on page 3 of the report. The largest single item involved in the rescission is an appropriation of $239,000,000 which was appropriated for the neighborhood youth corps summer program. It is our definite intent that there should be a summer youth program just as there was last summer, and we hope, of course, we cannot guarantee that the funds will be spent for that purpose.

Those are highlights of chapter 7 of this bill, and everything is explained in greater detail in the report.

Mr. EVINS of Tennessee. Mr. Chairman, there are three items in chapter 9 of this bill handled by the Subcommittee on Public Works Appropriations. These concern supplemental appropriations for the U.S. Corps of Engineers for further disaster relief to the flooded areas of the Mississippi Valley, one item for the Federal Power Commission, and a request for supplemental funds for the Water Resources Council.

Of the several of requests, the replenishing of the Emergency Fund of the Corps of Engineers to assist areas ravaged by floods is, of course, the most important and of the greatest magnitude.

We all recognize the necessity for providing needed disaster relief to those areas where more than 11,000,000 acres of farmlands have been flooded and inundated.

We are recommending in the bill $70,500,000 as an additional appropriation for emergency disaster relief—the budget request was $208,600,000, so our request is $45,000,000 above the budget request to replenish the depleted emergency fund.

And, may I say, this request was made several weeks ago, and it is evident to the committee that recent floods in the Lower Mississippi Valley have caused extensive damage—but due to the magnitude of the disaster, it will be some time before an accurate assessment of damage can be made.

It should be pointed out that flood control measures prevented an estimated $5 billion 879.1 million rather than the estimated $208.6 million.

Present funding in my opinion will be inadequate to provide the full necessary disaster relief. Certainly the additional $25 million over the budget request is urgently required and needed at this time.

For the Federal Power Commission our committee is recommending the full supplemental budget request of $100,000.

This additional funding is necessitated by a court ruling—Green County Planning Board v. Federal Power Commission. Mr. Gross, the FPC prepares its own environmental impact statements to accompany every request for construction, operation and maintenance of electric and natural gas pipeline facilities.

This ruling has caused a substantial increase in the workload of the Commission and the $100,000 in additional funding is required to finance the studies required by the court order.

We recommend disapproval of the additional $239,000,000 proposed for the neighborhood youth corps summer program. The FPC has no objections to a summer youth program, but it must be understood that this is not the program established last year and that the fiscal year is about to close.

The committee has deferred, without prejudice, a request by the Water Resources Council for an additional $500,000 for the national and regional water resource assessment program.

Since the Council has not convened in more than a year and since the Council Director recently left the Council, our committee sees no special urgency in this request for additional funds which—of request—recommend be deferred without prejudice. Needed funding can be considered in the regular annual appropriation bill.

Appropriate consideration will be given to funding requests for the Water Resources Council when the committee considers the regular 1974 appropriations bill.

Mr. CEDERBERG. Mr. Chairman and Members of the Congress, I am not going to take any time during the general debate process on this matter. I think everyone knows what is included in the various sections. Mr. Mahon, the chairman from Texas (Mr. MAHON) has alluded to the figures that are involved.

Mr. Chairman, I have very few requests for time. However, at this time I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. Mr. Chairman, I would like to address a few questions to the distinguished gentleman from Texas (Mr. MAHON) concerning this bill.

For instance, how did the Sergeant at Arms' office get so much money that it could be transferred over all the place in the legislative branch as it applied to this body?

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will be glad to yield to anyone who can give me an answer to my questions.

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Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?
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try, leads me to be somewhat inquisitive about what the money is being spent for around this place.

Mr. CASEY of Texas, Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. CASEY of Texas. With reference to the million dollars in the contingent fund, this House voted an additional $20,000 per clerk hire. The gentleman will recall this and the fact that the million dollars is an estimate of what might be used. The gentleman may not use it, and I may not use it, but it is there for those Members who do make the request for the additional $20,000.

Mr. GROSS. This is not a reflection on the gentleman from Texas (Mr. Casey) who is a pretty good conservative in my book, but some people apparently could not wait for the regular appropriation bill; it has to be rushed in here, how in the world can the deficiency bill so that some Members could get their hands on the additional $20,000 immediately.

Mr. CASEY of Texas. It will not be spent unless the Members themselves make the request.

Mr. GROSS. I understand that perfectly. I am not going to spend any of it.

Mr. CASEY of Texas. This resolution was adopted by the House this year. This money is for the current fiscal year ending June 30. The regular legislative bill for next fiscal year, fiscal year 1974, has already been approved by the House.

Mr. GROSS. The hook is dangled, and the goose hangs high. I thank the gentleman.

Mr. MAHON. Mr. Chairman, I yield 5 minutes to the gentleman from New York (Mr. Addabbo).

(Mr. ADDABBO asked and was given permission to revise and extend his remarks.)

Mr. ADDABBO. Mr. Chairman, as you undoubtedly know, I will later offer an amendment to strike from the bill $430 million; the Air Force is accounts to its general operational fund. Frankly, we believe that $80 million, which at best is three times more than what Mr. Richardson has indicated. Frankly, we believe that $80 million is not munitions less important than the congressional attitude toward the administration's bombing of Cambodia.

The Secretary's computations would suggest that since the only area of combat in Southeast Asia today is Cambodia, the minimal estimate of money to go for Cambodia operations is $80 million. Frankly, I believe that $80 million is not munitions less important than the congressional attitude toward the administration's bombing of Cambodia.

As Air Force Secretary Robert C. Seamans, Jr., told the committee earlier this week, the $25 million would perhaps pay for the gasoline used in flying the planes.

The Secretary neglected to mention that the costs for personnel, bombs, support facilities and personnel, replacement parts and losses of aircraft and crews during the bombing raids is $560 million; the per-sortie cost of a B-52 is $3000. During the period from January 27 to March 30 of this year, this Nation has sent 12,136 sorties over Cambodia.

Again, Secretary Seamans indicated the true cost of sustaining the Cambodia raids during the last 60 days of fiscal year 1973 would be closer to $170 million than the $25 million mentioned by Secretary Richardson.

I would like to bring the attention of my colleagues part of the dialogue which occurred during the Defense Appropriations Subcommittee hearings on May 8 when General Crow was asked to clarify the basis for estimating the cost of military operations in Cambodia for May and June 1973:

Mr. ADDABBO. If the air operation in Cambodia continued in an unaltered fashion, what will be the cost of operations in May and June?

General Crow. The $26 million figure that I used, Mr. Addabbo, would be the out-of-pocket costs. That was not munitions consumed, for example.

Mr. ADDABBO. Does that take into consideration personnel costs, maintenance of bases, and so on?

General Crow. No, sir, it does not.

Mr. ADDABBO. It is just for the gas being used for the planes. Is that correct?

General Crow. And some miscellaneous support.

That marks the end of the quotation. It is abundantly clear, I believe, that the $25 million figure cited by Secretary Richardson has no connection with the reality of the Cambodia situation.

The various cost estimates for Cambodia operations become even less reliable when viewed against the history and experience of military spending during the first 4 months of 1973. During the same hearings in response to a question from Chairman Mahon, Lt. Gen. Duward L. Crow, Controller of the Air Force, told the subcommittee that in the sense of total consumption, our utilization of munitions and costing, if you will, since the end of January through April 30, has been about $160 million.

At a minimum that experience indicates at least a cost of $40 million per month or at least $80 million for the 2-month period remaining until the end of the current fiscal year.

We would like to emphasize that large as these amounts are, the money figure is less important than the congressional attitude toward the administration's bombing of Cambodia.

I say we would like to emphasize that large as these amounts are, the money figure is less important than the congressional attitude toward the administration's bombing of Cambodia.

The Secretary is totally aware, as were the many military witnesses who came before the committee, of the effect approval of the transfer request would have for the Cambodian policies: It would be congressional approval of the bombing at the very least and, at its most extreme, could be used as the rationale to introduce ground troops into Southeast Asia.

We do not seek to imply that the President has any intention of introducing ground troops into Southeast Asia. But we do strongly contend that the Congress, having learned the lesson of the Gulf of Tonkin Resolution, must not give the President a blank check to wage war without the express approval of the Congress.

Secretary Richardson has repeatedly stated, and you will hear it repeated on the floor, that to deny this transfer request would cause serious consequences for all aspects of the military, and would seriously weaken this Nation's defense posture during the months of May and June. But military witnesses before the subcommittee, perhaps more acquainted with bookkeeping procedures, have debunked that statement entirely. With some minor budget shifting, the military could function until the end of the fiscal year.

And so we are left with the question of Cambodia. And a very sticky question it is.

On March 28, President Nixon sent his request to the House for the transfer authority, and with it came a letter from Roy Ash, Director of the Office of Management and Budget.

In his letter, Mr. Ash stated:
This increase in transfer authority is necessary to provide the flexibility to transfer funds to meet requirements as they arise during the balance of the year.

On May 1, Mr. Ash appeared before our subcommittee, and I asked him if his letter meant that transfer funds could "be used by the President for introduction of ground troops in further expansion of the war in Vietnam." His answer was, and I quote directly:

"I am afraid as to that one that I will have to go back and do more homework before I can answer that. It sounds like fairly broad language as you have stated it."

I consider the request far more than "fairly broad language." I consider it a dangerous, unlimited request for authority all too reminiscent of the Gulf of Tonkin Resolution. It is most important at this particular time in our history that the Congress establish clear limits on Presidential authority to repeat the mistakes we have made in Cambodia or anywhere else in the world.

We perhaps cannot stop the bombing, it is true, by adopting this amendment. The Pentagon has adequate funds available for that purpose. But we can express the intent of Congress to stop the bombing and stop the loss of American lives. We perhaps cannot stop the bombing, it is true, by adopting this amendment. But we can express the intent of Congress to stop the bombing and stop the loss of American lives..

Mr. LONG of Maryland. Mr. Chairman, I support the Addabbo amendment. After action on the Addabbo amendment, whether it succeeds or fails, I intend to offer an amendment which will explicitly deal with the question of U.S. combat forces fighting in Cambodia. I feel that the Addabbo amendment deals with this implicitly, and I believe it should be dealt with explicitly.

My amendment, which will be read at that time, says:

"Provided that none of the funds herein authorized to be transferred by such Section 735 by the Department of Defense shall be expended to support directly or indirectly combat activities in, over or from off the shores of Cambodia by United States forces."

I feel this sharpens up the effect of the Addabbo amendment. My amendment will constitute a clear message from the Congress to the President that all bombing in Cambodia must stop. This will bring to an end this business that somehow our fighting in Southeast Asia has been justified by appropriating funds there.

My amendment will then be a somewhat more precise instrument and will give greater precision to and sharpen up somewhat the impact of the Addabbo amendment. I therefore plan to offer it at that time.

I might point out that my amendment would not prevent our continued aid in the form of weapons or economic support for the non-Communist Cambodians. It would merely forbid the use of U.S. combat forces. That was the whole intent, we all thought, of the treaty Mr. Kissinger worked out; that is, there would be no more U.S. combat troops fighting and dying, but we would still be helping with weapons and economic aid to our allies over there.

We have tried. I believe, to adhere to the letter of this in South Vietnam, but in Cambodia we are violating it.

It is our duty to the Congress to tell the President he is no longer authorized, implicitly or explicitly.

I will offer my amendment after the Addabbo amendment has been dealt with.

Mr. MAHON, Mr. Chairman, I yield such time as he may consume to the gentleman from Missouri (Mr. BURRISON).
(Mr. BURLISON of Missouri asked and was given permission to revise and extend his remarks.)

Mr. BURLISON of Missouri. Mr. Chairman, my 4 1/2 years voting record in the House clearly reflected support for the U.S. conduct of the Vietnam war in Southeast Asia. That position was reached before coming to the House, when our national leadership proclaimed that we were not going to win the Vietnam war and that we were not there to win.

My votes today on the Addabbo and other amendments to the Second Supplemental Appropriations for Fiscal Year 1973 bill exclude $8.5 million for defense preparedness. The Federal payment to the District of Columbia may establish a questionable relationship between revenue sharing and the appropriation of funds for defense purposes. If these funds can cover the Federal payments, this precedent ignores both the congressional intent behind the revenue sharing act and the special nature of the Federal payments. This has particularity if other special revenue sharing measures are adopted. I, therefore, urge that this matter be reexamined in light of both the congressional intent and fiscal soundness of this action.

Mr. EDWARDS of California. Mr. Chairman, today we are being asked to vote in favor of an appropriation which would give the Defense Department, and hence the President, our express consent for the continued bombing of Cambodia by American military forces. There are at least three compelling reasons for the House to refuse to grant this authority and to pass the Flynt-Addabbo-Giaimo amendment.

First, through the long and protracted experience of the war in Vietnam, we have learned the bitter lesson that such authority placed in the hands of the President becomes a tool that can build a full-scale conflict without a formal declaration of war by the Congress. While the approval of a particular provision of an appropriations bill may seem far different from a delegation of war-making powers, we know only too well that the real ability of the military to continue to conduct its bombing missions is dependent on their fiscal resources. The destruction we are wreaking in Cambodia, in approximately 240 bombing raids a day for the last month, is as far different from a delegation of war-making authority and to pass the Flynt-Addabbo-Giaimo amendment.

Second, there is no legal justification for our military involvement in Cambodia. As our formal commitments to Vietnam became increasingly hazy, our continued presence there was justified in terms of insuring the safe withdrawal of our troops. We were shoulders to bear the costs of the war in Vietnam. It was an overwhelming endorsement of efforts to extricate the United States from our entanglements in Southeast Asia, not a blank check for further activities.

I believe that it is imperative that we act now, in support of the Flynt-Addabbo-Giaimo amendment, rather than contributing to the expenditure of supplemental appropriations for the bombing of Cambodia, to prevent repeating and compounding the tragic errors of the Vietnam War.

Mr. RARICK. Mr. Chairman, I have always been an outspoken supporter of a strong national security and an advocate of military preparedness. I have, as a Congressman, always supported the President in Vietnam, not necessarily because I felt his every decision was correct. Rather, I felt an obligation to stand beside American fighting men committed in the field.

There are no longer any American men in Cambodia. And I, for one, shall not vote for any blank check legislation that would risk the possibility of U.S. men being used to maintain the military buildup for a political chess match.

To allow the transfer of funds by the Department of Defense for military operations in Cambodia, the Congress should set the stage for such an escalation.

If this country is to reinvolve its military in armed conflict, it should be in a declared war with the goal of complete victory over the enemy. For the Congress to consider allowing further involvement in no-win conflicts is a violation of our oaths and the trust our people placed in us.

I support my country. I do not believe in just "going along" with the President.

In our Republic, if the people are to retain their voice in government, their voice must be heard. History is useless unless lessons we profit from its lessons, and the lessons are evident from our involvement in Korea and in Vietnam. Continued involvement in Cambodia would compound error. Three wrongs, twice as bad, or one wrong, doubled, make a right.

If the President insists on gaining the power to wage war, then he has the right to attempt to amend the U.S. Constitution. However, if he be re-elected by the people, he must obtain any declaration of war from this body. Any such change should represent the voice of the people of this country.

Mr. Chairman, there is war-powers legislation pending in the House that would limit the President's assumed ability to commit American men and arms. I support this. It is the Congress at whose feet the President is accountable, and whose judgment on the necessity at this late date, the House today set a historic precedent by voting
I stood fast then because I thought that we were engaged at a sensitive point of negotiations and the Congress should not at that point tie the hands of the President or those of Henry Kissinger.

But on January 27, he, the President, and we, the Congress, all of us—found a way out of the Vietnam morass that was, as it was put, by peace with honor.

Well, maybe we did not achieve complete peace and have not yet, but the cease-fire did furnish us the vehicle to get out with honor.

We released our prisoners of war or at least many of them. The cease-fire enabled us to remove all of our ground forces. The last of our ground forces have long since left Vietnam soil.

It seems to me it would serve a useful purpose to pause for a moment and consider the potential consequences of the defeat of this amendment just as much as to ponder what would happen if the amendment should be adopted.

To begin with the State Department and the Pentagon justify the bombing not only on the grounds that the President is Commander-in-Chief of the Armed Forces but that he is also empowered to make treaties. What is wrong with that argument?

Is that the argument put to me by the students in my district. We have said that we believe the war, for us, is over.

All of us are deeply thankful that our ground troops have been withdrawn from Indochina. We miss that our prisoners of war, at long last, have been freed and returned to their homes. Yet, our aircraft and the men who fly them remain engaged in combat. U.S. planes continue to drop bombs in Indochina.

When I was at home during the Easter recess, Mr. Chairman, I visited among diverse student groups—of all age levels, from elementary school to university—in my district. And unfailingly, they all asked me the same question:

I thought the war was over, why are we still dropping bombs?

To me, the tragic event of the entire Vietnam war has been that there has never been a sufficiently clear answer to such questions. Certainly, there has never been a clear and straightforward mandate from Congress, the branch of government in which our Constitution vests the power to make war.

But on this historic day, thanks in large measure to your courageous leadership, Mr. Chairman, the House of Representatives today, by a vote of 263 to 146 and, I pray it may also be with finality—on the question of U.S. involvement in the Indochina war.

Mr. Chairman, I have heretofore been one Member who supported the military activity in Vietnam all the way until I thought we were done. On January 27, 1973. This year and in the years to follow, I shall continue to support a strong national defense and an adequate defense budget.

But now the issue today is that if we reject this amendment we vote for a new war. The real issue when all surplusages have been stripped away is that we should be determined not to start all over again.

Mr. CHAPPELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman will state his point of order.

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Mr. CHAPPELL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman will state his point of order.
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point of order against the language set
forth in lines 10, 11, and 12, on page 6.
Article I, section 8, of the Constitution of
the United States says:

The Congress shall have the power to de-
declare war.

Congress has not declared war against
Cambodia or Laos or against any other
country in Southeast Asia for that mat-
ter. Congress has not given the President
any authority under which American Armed
Forces in Cambodia and Laos. Neverthe-
less, on order of President Nixon, Ameri-
can military planes are bombing in both
those countries. The appropriation con-
tained in the transfer authority includes
funds to continue the bombing of Cam-
bodia and Laos. That appears in the re-
port of the committee and in the testi-
mony of the committee. This has been
conceded by witnesses appearing before
the committee, and Secretary of De-
fense Richardson again stated to the
press yesterday that whether in Con-
gress approved the transfer authority,
the bombing would continue.

Mr. Chairman, until April of 1973,
when some American troops and prisoner-
ners of war were still in Vietnam, it was
argued by the administration that PresI-
nent Nixon, as Commander in Chief of
the Armed Forces, had the duty and the
authority to take those measures that
might be necessary to protect them. By
April 1, 1973, the last American prisoner
of war and the last of the American
troops were out of Vietnam, and after
that date, any spokesman for the Presi-
dent had for his actions in making
war in Vietnam or in Laos disappeared.

The Gulf of Tonkin resolution, upon
which President Johnson relied for his
constitutional authority to send our
forces to Vietnam, has long been re-
pelled by the Congress. Today our Armed
Forces are not being attacked in Cam-
bodia and Laos, and yet American planes
continue the bombing in Cambodia and
Laos, although President Nixon has no
constitutional authority from the Con-
gress to do so.

Now, my argument, Mr. Chairman, will
not relate to an interpretation by the
Chair of the Constitution. I want to make
that clear at this point.

Rule XXI, paragraph 2, of the Rules
of the House says:

No appropriation shall be reported in any
general appropriation bill for any expendi-
ture not previously authorized by law.

Mr. Chairman, under that rule it is
not enough that there be ordinary legi-
sislative authority which is required for
other appropriations. It is not enough
that there be ordinary legislative au-
thority which is required for an appro-
piation for American Armed Forces to
engage in war.

There must be constitutional author-
ity for appropriations as well, namely,
there must be congressional approval
for American forces to engage in a war.

Both authorizations are essential for that
kind of appropriation.

Mr. Chairman, I am contending that
there are two forms of legislative au-
thorization that are essential for military
appropriations which are to be used to
carry on a war, as the bombing is in
Cambodia and Laos. One is the ordinary
legislative authority, and the other,
which is necessary, also, is a following
of the constitutional mandate as well.

It will be argued, Mr. Chairman, what
difference does that make? Points of or-
der have been waived by rule approved by
the House and granted by the Commit-
tee on Rules. That argument might be
appropriate with respect to the need for
ordinary legislation; it is not appropriate
for the use of that transfer of author-
ity, but, as I pointed out, we have two
forms of legislation. While that waiver
of points of order might apply to ordinary
legislation, it cannot apply to a waiver of
the constitutional provisions, because the
Committee on Rules cannot waive any
constitutional provisions. The provisions
of the Constitution cannot be waived by
the Committee on Rules, because to hold
otherwise would be to authorize any un-
constitutional action by the House. This
House cannot pass any rule of procedure
that would violate any provision of the
Constitution.

For example, the House could not, un-
der its power to make its own rules, pass
one which eliminated the power of the
President to make war and grant it to
the President.

In adopting the rule the House cannot
accept any action which results in abridg-
ing any prohibition in the Constitution
because we will be violating our oath to
support and defend the Constitution.

Mr. Chairman, article VI of the Con-
stitution says that the Constitution and
the laws of the United States which shall
be made in pursuance thereof shall be the
supreme law of the land.

That provision must control our ac-
tions. We cannot consider any language
in a bill which appropriates funds for a
purpose which violates a section of the
Constitution.

Oh, I suppose we can say, Mr. Chair-
man, that if Congressman Timothy
Campbell to President Cleveland when
the President refused to sign a bill when
he thought it was unconstitutional, he
said:

But, Mr. President, what is the Constitu-
tion between friends?

Mr. Chairman, I say the rule granted
by the Committee on Rules can waive
points of order where lesser legislative
actions are involved, but it cannot waive
the mandated provisions of the Constitu-
tion.

So I repeat, Mr. Chairman—and I will
make it perfectly clear—we have our
dues under the Constitution. We must
not vote funds for making war if in fact
we have not approved the making of war.

I am asking the Chair for its ruling on
the constitutional authority, and the Chair to rule
with respect to military appropriations which provide funds for American Armed
Forces to engage in war under rule XXI,
section 735 of the Appropriations Act, the
Chair to rule on the point of order as to the
appropriations bill. I am not asking the Chair to rule
that the requirements in article XI, sec-
tion 3, cannot be waived by any rule of
the Committee on Rules.

Mr. Chairman, with your ruling, if
favorable, the language authorizing the transfer authority need not be included.

Mr. CHAIRMAN (Mr. BROOKS). Be-
fore the Chair will rule on this he will
ask the Clerk to read the section on
which the point of order was raised. The
paragraph begins on page 728.

The Clerk reads as follows:

Section 735 of the Department of Defense
Appropriation Act, 1973, is amended by de-
bleting "$75,00,000,000" and inserting "$1,180,
000,000" in lieu thereof.

Mr. MAHON, Mr. Chairman, I have
listened, as I know the Chair has, to the
point of order which has been extensively
argued by the gentleman from Illinois.
The Chair has just had the Clerk read to
us the language of which the gentleman
from Illinois complains which simply says:

Section 735 of the Department of Defense
Appropriation Act, 1973, is amended by de-
bleting "$75,00,000,000" and inserting "$1,180,000,000" in lieu thereof.

It is not unconstitutional, certainly, to
transfer funds. And if we pass a bill providing for
the transfer of funds. There has been no
determination by the Supreme Court or
any other body that this law providing for
transfers is unconstitutional. Therefore I
would insist that the point of order
raised by the gentleman from Illinois
(Mr. YARNS) is inappropriate, and inap-
licable, and should be overruled.

Mr. ECKHARDT. Mr. Chairman, I de-
clare the point of order and that the
language
be stricken.

Mr. Chairman, I should like to speak
briefly in behalf of the point of order.
As I see the question, rule XXI, clause
2 is linked with the constitutional re-
quirement of the legislative positive ac-
tion in order to sustain or to create a
situation of war. Now, I believe that it
would be the hollowest of sham to merely
say the rule
would be the hollowest sham to merely
say the rule

During the hearings on this matter, it was
testified that the Department of Defense
had estimated that $6.2 billion would be re-
quired for support of the war in Southeast
Asia in fiscal year 1973.

Now, recognizing, of course, that the
Committee on Rules may waive points
of order based solely on rule XXI, clause
2, I am not arguing here that ultimately
a court would decide the legislation is
unconstitutional. I am not arguing the
substantive constitutional point. I am
arguing in procedural constitutional re-
quirements that is, the requirement of
the Constitution that legislation accom-
plishing this objective be specific, and it
cannot be so in an appropriations bill.

I do not believe that the Committee on
Rules can extricate those two points and for this reason I rise in support of the point of order raised by the gentleman from Illinois (Mr. YATES).

The CHAIRMAN. Does the gentleman from Arizona (Mr. RHODES) desire to be heard on the point of order raised by the gentleman from Illinois (Mr. YATES)?

MR. RHODES. I do very briefly, Mr. Chairman, referring to the language of the specific section of the amendment. There is no indication on the face of this language that this money can be spent for any other than the purposes of section 6 and clause 5 of rule XXI.

I submit to the Chair that the preceding of the House do not provide for the Chair or for any other Member to assume illegality when none appears on the face of the legislation under consideration, and therefore I ask that the Chair overrule the point of order.

The CHAIRMAN (Mr. Brookes). The Chair is ready to rule.

The Chair has read the resolution, and the resolution adopted by the House under which this legislation is being considered says that:

All points of order against said bill for failure to comply with the provisions of clause 3 and clause 5 of rule XXI are hereby waived.

Under clause 3, which the Chair has read, the pending paragraph would be subject to a ruling of the Chair, as legislation, were it not for this rule.

The Chair is not in a position, nor is it proper for the Chair to rule on the constitutionality of the language, or on the constitutionality or other effect of the action of the House in adopting the resolution of the Committee on Rules. In the head notes in the precedents of the House it very clearly states that it is not the duty of a chairman to construe the Constitution as it may affect proposed legislation, or to interpret the legality or effect of language; and the Chair therefore overrule the point of order raised by the gentleman from Illinois (Mr. YATES).

MR. YATES. Mr. Chairman, I want to make some comments on the ruling of the Chair with the thought that I may appeal from the ruling of the Chair.

The CHAIRMAN. The Chair has ruled.

The gentleman is perfectly within his right to move to strike the last word, and he may proceed.

MR. YATES. Mr. Chairman, I want to make some comments on the ruling of the Chair with the thought that I may appeal from the ruling of the Chair.

The CHAIRMAN. The Chair believes that is correct in that the committee may later vote on the provision.

MR. YATES. Mr. Chairman, while I believe the ruling Mr. Brookes made I made I accept the ruling of the Chair. Let the House vote on the amendment which will be offered.

AMENDMENT OFFERED BY MR. ADDABBO

MR. ADDABBO. Mr. Chairman, I offer an amendment.

The Clerk reads as follows:

Amendment offered by Mr. ADDABBO: On page 6, strike out lines 8 through 12.

(Mr. ADDABBO asked and was given permission to revise and extend his remarks.)

MR. ADDABBO. Mr. Chairman, the import of my amendment is simple and has received wide discussion, so I shall not use all the time allotted to me.

But I would like to discuss once more, in the most basic terms possible, just how important the vote on this amendment is to the House.

The Defense Department, in asking for this transfer request, is seeking to have the Congress put the stamp of authority on its bombing raids in Cambodia. Nothing in the bill says this explicitly as you will undoubtedly hear as debate continues, but the message is there.

Secretary Richardson says that if we fail to pass my amendment, the meaning, insofar as the administration is concerned, is that the House of Representatives "acquiesces in the action being taken."

And the Secretary has also said that if we approve this amendment, then we will cripple our national defense posture, and cut off funds for all segments of the military establishment.

You have the right to believe what the Secretary says in the newspapers, or you have the right to believe conflicting testimony that was given in numerous appearances by the military before the Defense Appropriations Subcommittee hearings.

But, if you are willing to believe that the Pentagon will be out of money because we agree that we do not have the right to believe that Army jeeps in Europe will be out of gas, or that jet planes in Southeast Asia cannot fly, or that enlisted men would not receive their pay checks, then you deserve to be fooled.

It is abundantly clear that the military has enough available funds to last out the remaining 51 days of the fiscal year without any serious cutbacks in spending.

The Pentagon, therefore, is not asking for money as much as it asks our approval of military actions, and the flexibility to transfer money from one account to another as it desires.

We gave them $750 million in transfer authority when they had a reasonable need for it earlier this year—to withdraw our troops from Vietnam and return our prisoners of war. That period has passed. What the military now asks for is authority to spend money wherever and however they want in relationship to Cambodia. And that is where I and other members of this House have declared that the House of Representatives must not be made sponsors of a military action we did not authorize, nor have any control over.

We do not want to give the President a free hand to order military action without express approval of Congress. We do not want another American life lost in or over Cambodia; we do not want another Gulf of Tonkin. We do not wish to appear to be condoning an action that could escalate America in to still another Southeast Asia quagmire for political gain.

I ask each Member here to seriously reflect on whether his constituents back home really want this Nation involved in another war in Southeast Asia. I think the answer is that they do not want that, and I do not think the House of Representatives wants it, as encouraging any move in that direction.

It is time, I believe, that Congress send a message downtown to the White House. The message should be pure and simple and easy to understand. The message I would send would say, if you want to bomb Cambodia, you come to Congress and detail just why you feel impelled to do so. You tell us how you would spend the money, and where, and what that you will accomplish by it. Then the House will decide yes or no on that explicit request. But there will be no more covert going-along, no hiding of war funds disguised as innocent budget transfers. The House of Representatives is reasserting itself as a coequal branch of Government.

Now, as discussion of this issue has progressed, there have been numerous suggestions on just how best to attack it. There have been numerous amendments suggested, and some of them will be offered later today, should the House decide to reject this amendment.

After an intensive study, we have decided this is the best possible way to make the issue clear cut. It would eliminate the flexibility needed by the Pentagon to carry on the money shuffling necessary to the Cameron operations. Other amendments sound more explicit than this one, but have the disadvantage of leaving loopholes for our military budget manipulators. I would therefore ask that any such amendments be withheld until the vote has been taken on my amendment.

I ask you to support my amendment striking out the entire section, any part of which would give right and consent to flexibility. We have the choice today to assert the authority of Congress as a coequal branch of Government, or we can back away from the ideal and lose the critical question of war and peace solely up to the President. I urge you to assert the authority of Congress by supporting my amendment.

Mr. Chairman, my amendment is simple. It strikes out the right of flexibility without future consent of Congress.

Why do I ask your support of my amendment?

Because Secretary Richardson said if we do not pass it: "it acquiesces in the action being taken."

Because Secretary Richardson said they have funds to continue their operations.

Because General Ryan said Cambodia is not strategic to the defense of the United States;

Because General Crow and Secretary of the Air Force have said they need this extension of flexibility;

Because the reason for this original flexibility has passed; our troops have been withdrawn from Vietnam, and the W's are back;

Because Director of the Office of Management and Budget Roy Ash admitted that this language in his letter of transmission was as to this provision sound quite broad;

Because we do not want another American life lost in or over Cambodia or...
Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. BELL. Mr. Chairman, I do not know about the future in Vietnam and some of the problems. I do not know what the future may be, but I know that one thing that has occurred is different this year from last year. We have a peace agreement today. For better or for worse, we have a peace agreement. We have nothing to agree to. We are now and have just completed a peace agreement between the warring factions in Laos. They have agreed. We have now of course been working on, and have been working on, the possibility of some kind of agreement between the different factions in Cambodia.

There have been some shooting obviously. The North Vietnamese have become involved, and so on. But I would like to point out one thing. Last December President Nixon involved us in some bombing in North Vietnam, and he said at that time that we will bring these nations to the peace table, the North Vietnamese group. This was successful. We did bring them to the peace table and we had a peace signed on January 27, 1973. The bombing there was much tougher than it is in Cambodia but we brought them to the peace table.

The Nixon-Kissinger concept was correct. It worked. I think it is correct again.

We are on the verge of possibly developing a peace agreement now in Vietnam. We are having trouble with it. It has gone askew in places and we are having some difficulty, but right at this particular time I say it is the wrong time to pull the rug out from under our peace negotiations. Right today Mr. Kissinger has just been in Russia, talking to them about the possibility of perhaps twisting some arms to bring about some kind of peace agreement between the North Vietnamese and the Cambodians. He is very shortly going to go to Paris where he is going to meet with Le Duc Tho. This is the time for us to pull the rug out and to quit, to walk away. I do not think if we had a choice between walking away from Vietnam with no peace at all or not, but I do think it is the right time for us to pull the rug out and to quit, to walk away.

Mr. MATSUNAGA. Mr. Chairman, I believe we can agree with the gentleman that we would not want in any way to thwart the President's efforts at peace, but if the President wants to enforce a peace treaty by going to war, why can he not abide the provisions of our Federal Constitution and come to the Congress and ask the Congress to declare war first? If his cause is just, certainly the Congress will support him.

Mr. BELL. Mr. Chairman, the answer to the question the gentleman asks is obvious. This is a continuing situation that occurred and has been going on since the Tonkin Gulf Resolution. I recognize also that the Tonkin Gulf Resolution has been repealed, but the same basis upon which we have conducted the operation in Vietnam is continuing. The President is suggesting something that I think we have to recognize. We have to give the peace of South Vietnam a little opportunity to work. Dr. Kissinger said he would be in Paris now, or very soon will be. I think it would be a sad moment for us to pull the rug out.

Mr. GIAMOTO asked and was given permission to revise and extend his remarks.

Mr. GIAMOTO, Mr. Chairman, I move to strike the last word.

Mr. Chairman, I just listened attentively to the debate, and it reminds me of an old song I have known so many years: "It seems to me I have heard that song before."

Remember how many times we have heard:

"The light at the end of the tunnel."
"Don't disturb the situation. We are in a very critical moment right now in Paris, Moscow and so forth."

Mr. Chairman, you do not have an old dove talking here in the well right now. I supported this war in Vietnam. I have supported it for years, to my sorrow, because at long last realized it was a mistake. At long last I finally recognized the utter futility of it.

We got out finally, thanks to the great efforts of the Pentagon. We have no ground troops there fighting in Vietnam, or combat aerial forces.

Now, suddenly we are involved in bombing Cambodia, 12,609 sorties to date. We are bombing in a nation where I deny anyone in this Chamber to even describe to me the nature and characteristics and beliefs of the competing forces in Cambodia. We can hardly pronounce the name of the capital of Cambodia.

Yet, we say, "Oh, yes, but, the other side is backed by the Communists and armed by them."

Sure, they are. And the other group is being backed and armed by the United States, so where are we? We have gotten out of Southeast Asia; let us stay out.

But there is something much more important, and that is whether this Congress is going to reassess its prerogatives and exercise the functions and the duties which it owes to the American people. Do the Members know what is involved in this simple little three-sentence language? It does not mention Cambodia, although the hearings will tell you that $150 million of this money has already been spent for bombing in

Southeast Asia having lost several since January:

Because we do not want another Gulf of Tonkin resolution.

Because we do not want to give a backdoor stamp of approval in what this administration is doing and may wish to do in Cambodia and any other part of Southeast Asia.

Because we must assert direct congressional authority and again assume our role as spokesman of the American people and they want no more.

For these reasons I ask for your support for the amendment striking the entire section, any part of which would give right and consent to flexibility needed by the Pentagon to carry on the money shuffling necessary to continue Cambodia operations.

Mr. BELL. Mr. Chairman, I rise in opposition to the amendment.

Mr. BELL asked and was given permission to revise and extend his remarks.

Mr. BELL. Mr. Chairman, I think we have to recognize that in foreign policy we as a nation have to deal through strength. We cannot deal through weakness and make it work, and we cannot deal through weakness and be respected as a nation. which will be able to deal with Russia and with Red China and with all the problems in this world. We have to deal through strength.

Second, I think we have to give our Executive a certain amount of flexibility. If we do not, it becomes obvious that the 535 Members of the House and Senate cannot possibly run our foreign policy. We have to give a certain amount of lee-way to the Executive. I would like to point out one other thing. Israel is probably, of the little nations, one of the most highly regarded and respected nations in the world today. Why is that? Because she demands respect; she deals through strength. She deals through her executives who have a certain amount of flexibility and ability to move with rapidity.

This is the kind of thing which has made Israel demand from the world the respect she has today.

The best example: She makes those agreements lived up to. Lebanon today is fighting the Palestinians and trying to bring order to them. Why? Because Israel has made it clear that they must do this in order to live up to agreements.

My friends, if we think of the important things we must remember is that we are not dealing with a positon to bring peace to South East Asia. I think it would be, by a little additional pressure, be a sad mistake, Mr. Chairman, for us at this particular time to pull the rug out from under negotiators.

Mr. MATSUNAGA. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Hawaii (Mr. Matsunaga).
We have to get our hands on the control of many of these executive branch agencies which have been playing fast and loose with congressional mandates. Today is one of the most critical opportunities to vote for a reassertion of congressional power, congressional privilege and congressional prerogatives in areas which are rightfully the concern and jurisdiction of the Congress.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Illinois.

Mr. YATES. The attitude of the framers of the Constitution on this point were expressed by Thomas Jefferson in a letter to James Madison, in which he wrote: We have already given... one effective check to the Dog of war by transferring the power of letting him loose from the Executive to the Legislative body, from those who are to spend to those who are to pay.

It was Congress, not the Executive, which was to determine the question of war or peace.

Mr. GIAIMO. I plead with the Members to compel the executive branch to come up before the Congress and at least tell us what they need the money for and where they plan to use it. I am sure we will exercise prudence and see that the American people do not suffer. Do not, please do not, give up any more of Congress' power. We have done so to a great degree already.

Do not give up the little power that we have left and just rubberstamp their actions. Vote down the Defense Department's request for this additional transfer authority.

Mr. SIKES. Mr. Chairman, I rise in opposition to the amendment.

By unanimous consent, Mr. Sikes was allowed to proceed for 3 additional minutes.

(Mr. Sikes asked and was given permission to revise and extend his remarks.)

Mr. SIKES. Mr. Chairman, I shall support the Stratton amendment if it is offered. I oppose all others.

Everyone wants us out of Indochina. There is nothing new about that. The significant thing is the first administration in 10 years which has made real progress toward getting us out of Indochina. This is a plus in the eyes of the American people, and do not over-emphasize this fact.

We are getting out of Indochina. This appropriation will help to complete the job. That is what it is for—to help complete the job of getting us out of Indochina. It does not mean we are getting involved in another ground war there. There are no U.S. troops there to get involved. None are being sent back.

If the Communists have respected the agreement on a cease-fire, there would be no need for this transfer authority. The Communists are testing; testing us in Cambodia—another invitation to the Communists to help themselves.

We are getting out of Indochina. This appropriation will help to complete the job.

If the Communists have respected the agreement on a cease-fire, there would be no need for this transfer authority. The Communists are testing us; testing us in Cambodia—another invitation to the Communists to help themselves.
would like to read just a portion from the Evans and Novak column that appeared this morning in the Washington Post:

Cambodian independence from Hanoi is maintained only by U.S. bombing, which Congress now threatens to end.

This is a report from Phnom Penh:

Turning Cambodia into a satellite of North Vietnam would threaten all the blood and treasure invested by the United States in South Vietnam.

And one third quotation:

Cambodia’s civil war is a Hanoi export; no true political insurgency had taken root among the easy-going Cambodians.

Mr. Chairman, I have talked to a number of Members on the floor today and yesterday in connection with this legislation. There are a lot of Members who are troubled about it. They read the papers and say “Is this not a new Gulf of Tonkin resolution and likely to get us into a new war and then into another Vietnam?”

There is a very simple answer to that question. I think most Members are aware of, but perhaps some of the new Members are not. Cambodia is not another new war; this is the same old war. We are not on the verge of starting a new war. We are trying to wind up the old war in Laos and Cambodia and try to avoid the new one.

The fact of the matter is that what is going on in Cambodia today is an attempt to achieve a cease-fire in Cambodia just as we succeeded in achieving one in Laos over which we had some control and giving control over South Vietnam.

Mr. Chairman, I think it would be appropriate at this time to review some of these activities that have taken place in this country since World War II.

I have had the opportunity to serve in this body under four great Presidents, two Republicans and two Democrats. I came here just as he was leaving office. But I think we can all recall that after World War II we were faced with a very serious situation in the free world. We were being pressured by the Soviet Union at that time, and this Congress in its wisdom adopted the Marshall plan, which provided a stabilized Europe, to the credit of the Congress of the United States and that President.

Then, after that, we were pressed again by the Soviet Union, in Berlin, and you will recall that President Truman met the issue with the Berlin airlift, and he was supported by the Members of the Congress.

Then the Members will recall the disastrous situation between South Korea and North Korea, who were supported by the Chinese and the Russians, and President Truman took some right action under the guidance of the United Nations to correct that situation.

I wonder what would have happened if a forthright and courageous President had not taken these actions.

I came to the Congress at the time President Eisenhower took office and there were several actions taken during that time. I recall waking up one morning when our troops had landed in Lebanon. There was no time to discuss it with the Congress. They were there for 2 days, and that situation was cleared up, and the people got the message.

All of these activities were to the credit of a great President.

Then came President John F. Kennedy, and you will recall the Cuban missile crisis when he stood up to Mr. Khrushchev, and to his great credit, met that challenge.

I recall being at the residence of the Ambassador in Vienna a year or so ago, and in that residence there is a plaque where President John F. Kennedy met with Premier Khrushchev, and he did not back down one bit. This is what the Communists have understood over the years.

Then came President Johnson. He had some very trying and difficult times, and it is tragic to say that so many of those times were caused by some of the people on this side of the aisle. I recall very well his decision to take our troops into the Dominican Republic. That did not last long either, but we can see what the results could have been if some of those strong actions had not been taken.

Then I recall so well—and I have stood in this well myself as a member of the opposition party—supporting President Johnson in his desire to bring about peace in Vietnam. I have never served with a President of either party who did not have a firm and committed dedication to bringing about the kind of a peace that he thought possible. It was a tragedy for me to see him leave as a broken man because of some of the activities that took place in this country and
Mr. Chairman, this reminds us very much of the Gulf of Tonkin resolution that this House and the other body adopted a great many years ago, which laid the predicate and the foundation and the groundwork for the most tragic war in this Nation’s history.

Like all of us who were here then, I voted for the Tonkin Gulf resolution, and I have regretted it almost since the very day that I voted for it.

When I faced the Supreme Judge of the Universe, I shall ask Him for mercy and to forgive me for voting for the Tonkin Gulf resolution, I hope that the spirits of the 59,000 Americans who have been killed in Southeast Asia will not serve on the jury which tries that case.

Mr. Chairman, this is a blank check authority. The language amounts to a request for a congressional approval and granting of the authority to the administration to continue this war and to come back and ask for more money in the future if they think that it is necessary to do it.

Like many other Members, I was very much in hopes that the peace treaty of the 27th of January would bring an end to the war in Southeast Asia. I think that by the action of adopting this amendment which we are discussing now, we can bring this war to a close.

I think that to reject this amendment would be to start the war all over again.

Already, we have had four U.S. aircraft shot down, and this is not classified information. If it were given in a public hearing before our subcommittee, there has been one OV 10 plane shot down, one Air Force plane shot down, one A-7 shot down, and one EC 77 shot down.

Those four planes were manned by crews aggregating 11 U.S. Air Force servicemen. Of those 11, nine are believed to have been killed in action and two are believed to be missing in action. We do not know where they are.

Mr. Chairman, the law of averages dictates that if this combat flying and aerial operations in Cambodia continues, there will be more U.S. aircraft shot down. Eventually, some of these crewsmen who successfully eke from some of these aircraft are going to be captured. Whether they are captured by Cambodian Communists or whether they are captured by North Vietnamese Communists makes very little difference, because if they are captured, the POW issue starts all over again.

Mr. Chairman, once the POW issue is raised again because we have American prisoners of war in Cambodian prison camps, the only alternative that this country is going to have is to reintroduce ground troops to rescue them as we did before.

Mr. Chairman, God forbid that that might happen again. I somehow feel that the question here is very clear. I have an idea, whether this resolution is passed back or not, there may be other amendments offered subsequent to that time. But, let here be no mistakes about the issue on this one. The issue is the time is whether we want to stop or whether we want to continue and renew military operations in combat in and over Southeast Asia.
This whole thing has been going on since the Air Force operations over Cambodia started. Reviewing our own experiences in the last 10 years, the tragic history of the last 10 years when Congress, in effect, gave blind approval or support to the executive branch to conduct combat operations in a war which Americans did not want and which they have demonstrated time and again they did not want and do not want.

Mr. Chairman, in addition to that it is a time when the Congress can, if it will regain some congressional control over the future and the destiny of the United States. I feel very strongly that in order to do this, in order to prevent a reopening not only of air warfare but of ground warfare as well, that it is necessary for this House this afternoon to adopt the amendment to strike.

Mr. Chairman, I think that I can give to the House the assurance which I believe very strongly that I can give assurance that that amendment prevails today and if this language is struck and the House of Representatives rejects granting the President the authority to continue the war in Southeast Asia, then upon a request from the Committee on Appropriations and the House, which will subsequently be given to the President all of the transfer authority that he needs in order to carry out every purpose contained in that request, except that for continuing or renewing the war in Southeast Asia.

Mr. WYMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. WYMAN asked and was given permission to revise and extend his remarks.

Mr. WYMAN. Mr. Chairman, as one member of the Defense Subcommittee who has taken a turn full fold on this question and reluctantly rises in opposition to the amendable, I thought it might help in this discussion to outline briefly a few of the reasons I oppose the amendment.

There is no question that a portion of the funds for which transfer authority is sought will be applied to U.S. military operations in Cambodia. Whether the figure is $50 or $75 million or $400 million, the problem of implied congressional sanction is directly before us.

The current fiscal year ends the last day of next month and it is only until the last day of next month to which the requested transfer authority is applicable.

Meanwhile, negotiations are presently underway with the North Vietnamese, seeking to implement the general commitments of the cease-fire agreement. These included specifically the undertaking by North Vietnam to disengage from Cambodia, which it has not done.

Implicit in the current situation a military and diplomatic opinion that without U.S. air support, Communist forces would overthrow a friendly Cambodian Government and oust West Vietnamese forces from the rest of Cambodia. The purpose of the undertaking by North Vietnam to disengage and that the United States is prohibited from military response. The effect of such a congressional pronouncement on the negotiations and to protect those who support this cutoff at this time. If the negotiations succeed—our hope and prayer they will—then they will have no chance to succeed if Congress today directs that U.S. military hands are tied, with or without an agreement. For this reason, then, it can fairly be concluded that this is not the right time to vote such a cutoff.

We are all aware of the increasing concern of the United States that the situation in Southeast Asia has dragged on and on and appears to be a morass into which continued U.S. military involvement only brings down in muck and muddling. The risks of reincarnation of a prisoner-of-war issue are inherent in every U.S. overflight. The disenchantment of the American people and that of Congress, by which I am one, with continued U.S. military involvement in Southeast Asia is patent and understandable.

Should the present negotiations fail, the question of continued U.S. involvement will recur on July 1 at that time it is possible that a majority of the Congress will then expressly prohibit further U.S. involvement. Surely the opportunity will be afforded. But, for the next few weeks, that decision should be deferred in view of the chance and the hope that negotiations to end the fighting in Cambodia will be successful.

With due respect and considerable personal affinity for the position of those of my colleagues who long to stop U.S. military action in Southeast Asia by unilateral completion of the Congress, I respectfully urge that this decision be deferred until after the 1st of July. If this transfer authority is voted with that condition, I sincerely believe it to be in the overall best interests of the United States.

Mr. Chairman, I urge the defeat of the pending amendment. If transfer authority is voted with the explicit understanding that a cut-off is possible after July 1, I sincerely believe that it will be in the overall best interest of the United States.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. WYMAN. I yield further if I have time.

Mr. EVANS of Colorado. Mr. Chairman, the gentleman has stated that he is in favor of hanging on for a few more weeks, so apparently he would have us wait until July 1, but I would be impressed by a few more weeks' involvement by this country, and I cannot accept the logic of that.

Mr. WYMAN. Mr. Chairman, if the gentleman implies that the Congress should cut military assistance off on July 1, I have stated that is a possibility. Perhaps we ought not to now say that will happen, and I am not saying that at this time, because it would be self-defeating at the negotiating table.

But there is no question that it is a distinct possibility. Our involvement in Southeast Asia must be ended at some point. The question is when is it in our best interests to do this? I do not believe this moment is opportune.

Mr. LEGGERT. Mr. Chairman, I move to strike the last word.

(Mr. LEGGERT asked and was given permission to revise and extend his remarks.)

Mr. LEGGERT. Mr. Chairman, I move in support of the Gasmio-Addabbo-Flynt amendment.

I think that this is a Gulf of Tonkin-type resolution, because we have found in the past that the courts have determined that this Congress, while having the power to declare war, can declare war in a manner that authorizes funds for clandestine operations around the world, and that is exactly what happened in Southeast Asia.

Now, here we are on a new issue, that of Cambodia, and I think that we have to understand a little bit just exactly what is involved in the fighting over there, and with that in mind, we have had before my committee, the Committee on Armed Services, a 19-question inquiry which addressed itself to exactly what was the level of activity over there and what was being accomplished and what was and what is the order of battle in that little country near Vietnam.

Mr. Chairman, the information we got was rather surprising because we found out that although the casualty level in this little country has been about a thousand of the enemy being killed in the 3-month period both before and after the peace settlement January 27, and, therefore, relatively static, the sorties have increased from 2,985 in the 3 months before the peace to 16,200...
in the 3 months after the negotiated peace with honor subsequent to that
time, but the casualty level remains exactly the same.

We find that instead of the 15,000 tons of
bombs dropped in the 3 months from
October until the peace at the end of
January, there have been dropped more
than 82,927 tons of bombs since the peace
was negotiated out there.

Now, in case these numbers seem be-
fuddling, just keep this in mind: The
KIA, the death casualty rate in Cam-
bodia, today is about 7 to 10 a day. The
number of 250-pound bombs that the De-
partment of Defense has indicated
are dropping in Vietnam between 3,500
and 4,000 bombs per day. These are 250-
 pound bombs.

Now, if the Members think this kind
of an operation makes sense, why, I think
we will just have to reexamine our method
of conducting warfare.

Ironically, we bomb in Cambodia where
a few people a day are casualties, yet in
Vietnam where theoretically a peace pre-
vels, the loss rate is over 100 a day and
we see no results.

You can talk about respect for agree-
ments and respect for the Executive and
about pulling the rug out from under
Dr. Kissinger, but I think they know pretty
well what is going on. The De-
partment of Defense told us there are
only 8,000 North Vietnamese and Viet-
cong combat advisers in Cambodia today,
and in the area where all of the activity is
going on around Pnomh Penh there are
only 1,300 North Vietnamese and Com-
munist advisers. This huge force is sup-
porting 35,000 indigenous Cambodian
Communists who are opposed by 180,000
soldiers of the Lon Nol government.
We have spent a quarter of a billion dollars
in 3 months or at a rate of $1 billion a year,
let me say these are the figures
of conducting warfare.

Mr. Chairman, every day that I pick up the newspaper and read of our con-
tinuing involvement
in Cambodia, today, and
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We have spent a quarter of a billion dollars
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of conducting warfare.

That is the way it is started. That is the
way Vietnam started. This is not a trail-
ing down on the floor of the tunnel but
really is the start of a new and, I think
that article I, section 8 means what it says,
that the Congress has the power to de-
clare war, then I think we have to show
some guts in Cambodia, we have to go
ahead and declare ourselves.

I salute the gentlemen on the sub-
committee for picking up this issue. This
is just exactly the way we get sucked into
ternational conflicts.

There has been some testimony and
talk about the fact that we need to pro-
vide for our fleet in the Mediterranean
and you cannot vote for the Admiral
amendment lest we destroy the Navy.
Well, Mel Laird said the reason why
our Navy is destroyed today, the reason
why it is second best is because of the
fact that we have spent just too much
money in Vietnam today.

Mr. Chairman, every day that I pick
up the newspaper and read of our con-
tinuing involvement in Indochina, I get
this sickening feeling that I have seen
this all before.

About 10 years ago we were told that
our intervention was necessary in order
in Asia; a few years after that the justi-
fication changed to the protection of
South Vietnam's right of self-determi-
nation; and then we were told that we
had to stay in Cambodia so we can protect
our POW's and the withdrawal of our
troops.

Well, our troops have been withdrawn
and the POW's have been returned, yet
the fighting continues.

Secretary of Defense, Elliot Richard-
lson, tells us that the bombing of Cam-
bodia is necessary in order to clean up
a "messy corner of the world." I agree
with him: Cambodia is a "messy corner
of the world" that needs to be cleaned up—but not by us. We have given the
Lon Nol regime all that anyone could
reasonably expect over the last 2 years.
If after all of our aid his regime still
needs 60 B-52 raids and 180 fighter-
hopper sorties a day to stay alive, then
I have serious doubt whether the Lon Nol
government will ever be able to stand on
its own two feet without massive U.S.
support.

Eighteen years ago the United States
unnecessarily intervened in the internal
affairs of Southeast Asia. Today, after
10 years of direct U.S. military involve-
ment, and the loss of more than 55,000
American lives, we are on the verge
of yet another unnecessary and potentially
costly intervention in Indochina.

During the month of April two staff
members of the Senate Subcommittee
on U.S. Security Agreements and Com-
mitments Abroad reviewed the war situa-
tion in Cambodia and reported, contrary
to the pronouncements of the White House
and the State Department, that a cease-
fire is not imminent in Cambodia, and
that the massive bombing of Vietnam
during the war there has been trans-
ferrered to Cambodia in a mad effort to do
for the Cambodians what they cannot
do for themselves.

Several points in this report are note-
worthy:

First, the Foreign Relations Com-
mittee staff reported that—

During the first two and one-half weeks
in April, the distribution of air strikes was
no longer as concentrated on the
North Vietnamese and their lines of supply into South
Vietnam and 20 percent against the Khmer insurgent govern-
tment troops but close to the reverse as far as B-52 strikes were concerned with a heavy
preponderance of tactical air strikes also
devoted to helping Cambodian forces rather
than to attacking North Vietnamese and
Viet Cong units and supply routes.

Second, the U.S. Embassy in Phnom
Penh, in an apparent violation of con-
gressionally passed amendments that
limit American personnel involvement in
Cambodia, has played an important role
in air operations over Cambodia.

Mr. James Lowenstein and Mr. Richard
Moore of the committee reported that the
Embassy is used as a communica-
tions relay point, as an on-the-spot coordi-
nation of forward
armed planes and strike aircraft, and as a
screener of Cambodian and 7th Air
Force requests for strikes except in
eastern Cambodia. These findings have
been corroborated by the Defense De-
partment in hearings before my House
Armed Services Committee.

Third, the maps bombed by the
U.S. Embassy in bombing air strikes
were several years old and the Embassy
did not have current photography on pro-
posed target areas which would permit
bombers to avoid destruction of new or relocated
villages.

Fourth, the committee staff found,
"widespread doubt on the part of ex-
perienced observers in Phnom Penh that
continued American air support and a
reorganization of the Lon Nol govern-
ment to include opposition leaders
would arrest the government's decline.

In general, the impression that most Cam-
bodians felt that it was not beyond the
government's ability to do more than set
out of the war and that, indeed, they
had no other choice. There was
however, no indication that the Khmer
insurgents—as they are now called in
official U.S. terminology—and their
North Vietnamese supporters were in-
terested in a cease-fire. In fact, it was
not even clear to American or Cambodian officials, with which individ-
uals on the other side a cease-fire could
be discussed or on what conditions the
insurgents would insist.

Mr. Chairman, the report of the Sen-
ate Foreign Relations Committee is very
discouraging, for it indicates how very
little we have learned in the last 10
years. Here we are, 18 years after the
signing of the Geneva Accords, 10 years
after the assassination of Diem, 8 years
after the Gulf of Tonkin resolution, 5
years after the My Lai massacre, and 3
years after the Cambodian "incur-
sion"—bombing again in Cambodia.

This time the administration is going to
be hard-pressed to sell the American
public a justification for the latest es-
calation. This is not to say that they
have not tried.

Secretary of State William Rogers has
alleged that the justification for the
bombing in Cambodia lies in article 30
of the January 27 peace agreement, that
article required the withdrawal of all
foreign armed forces from Laos and
Cambodia, and obligated the parties to
refrain from using the territory of Cam-
bodia and Laos to encroach on the sov-
erignty and security of other countries,
respect the neutrality of Cambodia and
Laos and to avoid any interference in the
internal affairs of those two

countries.

It is true that the North Vietnamese
have combat troops and advisers in Cam-
bodia, but it is not true that this in-
volved amounts to a violation of the January 27 peace agreement. In a brief-
ly note entitled to explain the Agree-
ment on Ending the War and
Storing Peace in Vietnam," the State
Department argued that foreign combat ac-

tivities, ours as well as that of the North
Vietnamese, are not
violated the war and that, indeed, they
have no other choice. There was
however, no indication that the Khmer
insurgents—as they are now called in
official U.S. terminology—and their
North Vietnamese supporters were in-
terested in a cease-fire. In fact, it was
not even clear to American or Cambodian officials, with which individ-
uals on the other side a cease-fire could
be discussed or on what conditions the
insurgents would insist.

The State Department briefing further
argued that article 30 was undraft-
ed, however, to avoid stating a time
or period of time for the implementa-
tion of these obligations, and it was
clearly understood that they would be
implemented as soon as cease-fire and
troop withdrawal agreements could be
worked out in Laos and Cambodia."
The obligation to withdraw foreign forces from Laos and Cambodia is stated in article 20 of the Treaty. However, by the State Department's own admission, "this obligation constitutes an agreement in principle and no time is stated for it to become an effective obligation."

The State Department paper concludes its discussion of article 20 and states that—

"The provisions of Article 20(b) should be understood as agreements in principle which the United States and the DRV would endeavor to see included in cease-fire or other settlements. Such agreements are understood to be negotiations of North Vietnamese supply, the support of Cambodian forces, and Cambodia had undergone a dramatic shift in its foreign policy."

The Professor, then, is engaged in a massive bombing campaign, costing the taxpayers nearly $3 billion per day and endangering the lives of American service men, without any legal authority to do so.

The Defense Department states, of course, that the bombing is needed in order to relieve the cease-fire. If things continue as they are we could be hastening a cease-fire in Cambodia for years to come. The fact of the matter is that the Khmer insurgents have Lou Nol on the ropes. They are not expected to sign a cease-fire or end hostilities against the Khmer government before the end of the dry season, if ever.

Secretary Rogers' statement that, "U.S. air strikes do not constitute a commitment by the United States to the defense of Cambodia..." simply does not square with the findings of the Senate committee. The bombing in Cambodia has undergone a dramatic shift over the last few months, from the interdiction of North Vietnamese supply routes leading into South Vietnam to the support of Cambodian forces in and around Phnom Penh. This shift can only be interpreted as an effort by the administration to relieve pressure on the tonkin Gulf resolution, which has become the focus of American foreign policy."

The article follows:

**CONGRESS AND THE WAR: A CHOICE**

It is strange that Congress may now be making its most important moves on the Indochina war, three months after the President announced it was over.

For a decade, Congress did nothing about the war but talk. Legislation, the House all but ignored it. The Senate passed some vague resolutions of opposition. Nothing that was enacted had the clear-cut force of law.

The President paid no attention to anything said on the Hill, dismissed the resolution as meaningless and declared that if anything forecast the future, he would veto it. Officially, the leadership of both houses wrung their hands and moaned, "What can we do?"

During this entire period, however, it was apparent that there was one power the President could not overlook to appropriate war-making funds. If Congress didn't vote the money, the President couldn't fight the war.

But when asked why they didn't use this power, congressional leaders responded that they couldn't because the war in Indochina or abandon our POW's in North Vietnam. Well, there are now no more American boys in Indochina and the POW's are home.

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But when asked why they didn't use this power, congressional leaders responded that they couldn't because the war in Indochina or abandon our POW's in North Vietnam. Well, there are now no more American boys in Indochina and the POW's are home.

The war, however, goes on. In Cambodia, American bombers continue to drop bombs on a nation's ابوor by a corrupt government. And the President emits ominous warnings that we might return to Vietnam itself.
I think it is another Tonkin Gulf resolution.

Mr. HUBERT. Mr. Chairman, I move to strike the requisite number of words.
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Mr. HÉBERT. I am delighted that the gentleman from New York read the quotations from the testimony at which I was not privileged to be present. The gentleman will note that the word "shot" was used by a member of the committee and not in the testimony of General Ryan.

Mr. ADDABBO. But it was not refuted by General Ryan.

Mr. HÉBERT. But the words were put in his mouth, the gentleman knows as well as I know that when one has a witness he can twist the witness around. The gentleman knows that as well as I do. I say there is no evidence at all, and the people who scream the loudest cannot now show me where one member of the military or of the Defense Department has said there was a plane shot down.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. Mr. Chairman, it has been pointed out by the general that two men were killed. Are they any less dead because the general said it or the interrogating Member of Congress said it?

Mr. HÉBERT. The gentleman has served with me on the committee. Any interrogator, honest as he may be, but also diligent as he is, can put words in the mouth of the witness, and if that witness believes it, the interrogator, honest as he may be, can shake his head or nod his head and not play on the semantics of the moment. The gentleman knows that as well as I do. I believe I have answered the position, so I just want to say this. I return to what I originally said when I stood here in the presence of the Members, physically and vocally, voicing what I know to be the majority opinion of the Committee on Armed Services of this body, and it will vote against the amendment and will stand by the effort to end this meaningless, senseless war which has gone on far too long. And with that I agree.

(Mr. RHODES asked and was given permission to revise and extend his remarks.)

Mr. RHODES. Mr. Chairman, I move to strike the requisite number of words. Mr. Chairman, believe it or not I do not intend to talk very much about Cambodia because I do not think Cambodia is the issue in this amendment. I think it will be the issue in the amendment which the gentleman from Maryland will oppose and I will oppose that amendment too. The issue here is whether or not we will allow the Department of Defense to transfer $500 million, which was originally appropriated in the last regular appropriation bill, from procurement accounts to the operation and maintenance and military personnel accounts.

If the President in his wisdom decides not to authorize such a transfer, then the effects will be:

It will be necessary for the Secretary of Defense to immediately begin to balance his accounts and those accounts will be balanced by the end of the fiscal year. He has admittedly been spending at a deficiency rate, $250 million of the money which he seeks to transfer has already been obligated.

There is no necessity to obligate because of the fact that we have had devaluation of the dollar; and because of the fact that we have had an increase in the cost of living which has been reflected in the subsistence account of the Armed Services. Those are the facts.

This amendment, which would strike the whole transfer authority, would cause the Secretary of Defense to begin immediately to spend at a much lower rate than he now is.

What would be the effect? Possibly, there would be some reduction of effort in the Cambodian area; possibly not. Very likely, if Cambodian operations are as high in priority as I think they are, they would continue.

When would the effect be felt? It would be felt in the steering time of the Sixth Fleet; it would be felt in the hours of the Air Force around the world; it would be felt in the recruitment of the Armed Services to take the places of those who are leaving. It would be felt in the transfers of military personnel. As a matter of fact, it would result in a general stand down of the armed services of the United States around the world for the next 6 weeks.

This is no way to operate. I can imagine people who feel strongly about Cambodia voting for the amendment of the gentleman from Maryland. I will not do so, because I feel that the President of the United States is asking only for 6 weeks vote of confidence, and therefore we should give it to him.

Later, if it is necessary for the Congress to end this engagement, we should do so with an effective vehicle; not with one which is defective such as this one is. However, that is not the case here.

The gentleman from New York, my good friend, has in my opinion offered an amendment which completely gut the armed services of the United States. With all due respect to him, I ask that the Members of the House vote down overwhelmingly the Addabbo amendment.

Cambodia is not the issue. The issue is the efficacy, the efficiency of the armed services of the United States.

(Mr. MOSS asked and was given permission to revise and extend his remarks.)

Mr. MOSS. Mr. Chairman, I rise to stake the requisite number of words.

Mr. Chairman, I have listened with a sense of disbelief. I have just heard again the statement that what we do here, or what we intend in the event of adoption of this amendment, means nothing.

In other words, we are told, we are given a warning that the President of the United States would in utter and complete disregard of the expressed will of Congress act contrary to that will. We are without voice or effect. If that is a fact, it is a shocking indictment of this body as a House of Representatives of a free people.

We have, as one Member indicated in his earlier support, "the same old war
around." He said it goes back 10 years. It is the same old war that has been around as a remnant of World War II. Unless we act decisively to stop it, we will have that same old war around in another decade.

Mark my word, what I say is true and every Member of this House who has taken the time to study the facts of this involvement knows that has been the truth.

This war is not new. The faces are not new. The issues are not new. We are dealing with what is in every sense a continuing civil conflict between hostile people, hostile between themselves.

In many ways we are dealing in a family affair, and I believe that involvement by an outsider in family affairs rarely if ever settles the dispute.

It is time that we speak out clearly, taking the first opportunity to arise to say, "No, we are not again ready to start on another circle of futility.

That is what we are being invited into, the launching of another trip around the circle.

Someone has already said, "What about our missing in action?" I gather, inferentially, we ought to keep forces there until all MIA's are accounted for. Then, in the process, we could start generating some more prisoners of war. Then, in response to the demands of our conscience, we are going to have to act to extricate the new POW's. Then we will be back in an involvement which is not ended. There is no promise of it ending.

The only way it will be brought to a termination is for this House to exercise its responsibility. The framers of our Constitution acted with great wisdom in giving to the Congress the sole and exclusive power to declare war, hoping that through the process of debate—debate that does not go on in the privacy of the executive department—we would examine all facets, we would know fully what we were doing, and what the extent of the commitment of the Nation was.

Here we are, a nation deeply divided, a nation examining critical needs for supplies of raw materials rapidly becoming a "have not" nation, a nation with great imbalance in trade because we have committed our resources to nonproductive activities. These forces do exist, and they indict every one of us who has simply sat here and voted for continuation on the plan that this is not the moment to disturb things.

Let me say this is the moment for this House to act.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

Mr. CHAPPELL. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Florida.

(MR. CHAPPELL asked and was given permission to revise and extend his remarks.)

Mr. CHAPPELL. Mr. Chairman, I rise in opposition to the gentleman's amendment.

This body today faces a vote of critical importance to U.S. efforts to bring about a cease fire and reasonable peace in Southeast Asia. But of even more importance, this vote today will be a signal to the Kremlin, Peking, and Hanoi as to whether or not the Congress of the United States intends to demand compliance with treaty agreements reached with these nations.

Opponents of the transfer authority under consideration would have us believe we are voting giving the President blanket authority to conduct war at any time and at any place he sees fit. Nothing could be further from the truth.

This President already has the authority to take such actions as are necessary to bring about a cease fire in Southeast Asia. At one time it appeared that concentrated bombing had achieved that goal. Following the bombing last December, the Communists began to talk in earnest and the Paris Accord was signed.

Article 20 of that accord called for all parties to remove combat troops from Laos and Cambodia and cease all military operations in those countries. The United States complied. The Communists did not. Instead, they launched a country-wide military operation clearly aimed at capturing the government and enslaving the people of Cambodia. At that point, the United States again resumed bombing but limited to military targets in Cambodia, Laos, and South Vietnam.

The matter under consideration before this Congress will have no impact on the present Cambodian situation. Regardless of the vote today, the United States will continue to stand by the Paris Accord provisions.

But the vote is critical in that it is being interpreted by some as a test on whether this Congress will back the President in his desire for a cease-fire in Cambodia such as that already achieved in Laos and South Vietnam.

The fact is, this vote has a bearing on military positions in Asia, but it has greater impact on our military posture elsewhere in the world. Denial of the transfer authority will bring about a curtailment of military forces, reductions in procurement and training, a sharp reduction in required patrols by the Air Force and Navy, and it will result in a dangerously low level of readiness for at least some of our forces.

Opponents of this measure say little of that. Instead they insist we are voting here on what amounts to another Tonkin Gulf Resolution. This is an injustice to the Congress, but having said it so many times the opponents now have forced us to deal with the transfer authority on those terms.

So be it. The fact is, we are trying desperately to bring about a cease fire in Cambodia. Dr. Kissinger later this month will meet with the North Vietnamese to discuss the future of Cambodia, by virtue of this vote, tells the Communists the President has no backing and that Dr. Kissinger is speaking from a position of strenuous chances of reaching an accord are greatly diminished.

Let us not undermine this final effort to bring about cease fire by casting a vote against this measure. It will have no impact on what takes place in Cambodia. It will only be a clear signal to our enemies that we do not really care what they do in the world and that agreements they reach with us really do not have to be carried out.

This would be a disastrous course for the Congress to suggest. I cannot believe there are responsible Members of this body who want that message delivered to the Communist world.

I intend to vote in support of the transfer authority request as my way of telling friend and foe alike that America's word is good and that we are taking the last mile in efforts to gain peace, to abide by our agreements, and to insist that other countries abide by the terms of agreements we make.

Mr. MAHON, Mr. Chairman, rarely have I seen the House sit for so long at rapt attention and listen to debate. This highly complimentary of the House of Representatives, in my judgment.

I believe, however, that now we have about exhausted the issues. I shall undertake, if Members will permit me to do so, as Chairman of the Appropriations Committees, to speak not length, perhaps beyond 5 minutes, and I shall then try to move toward shutting off debate and voting on the amendment. It will occur to me that the number of people who have stayed on the floor, that perhaps a few Members may not be quite certain as to how they may vote on this issue.

This is understandable. Unlike some of my colleagues, I cannot be absolutely sure of what to do about the situation in Southeast Asia. There are those among us who know precisely, apparently, what should be done, although I have perhaps listened to more testimony on the subject than anybody in this House, I have some doubt and some skepticism. But I want to make sure that I have done the right thing insofar as I know the right.

Mr. Chairman, some of my colleagues have expressed regret about their admitted mistakes of the past. I am not ready to say that this great Nation has made monumental mistakes, certainly not any mistake of the heart. I am not interested in talking about the possibility of mistakes of the past. What concerns me now is that we not make a mistake today. If we have made mistakes in the past we do not want to compound the situation by adding another mistake today. That would be tragic indeed.

So I am before to discuss this matter in a low-key, unemotional way. That is my approach to this situation.

Mr. Chairman, I think there may be some misunderstanding as to what the issues are here. In our bill providing for defense for this fiscal year we had expected to provide about $76 billion, and about $6 billion of it was for operation and maintenance activities of the Air Force. The Air Force had these funds; they were planned for certain operational and maintenance purposes. The Air Force dipped into those funds more than officials had expected to do for the massive bombing of Vietnam in late December which apparently brought the ceasefire.

There have been other cost increases related to the evaluation of our dollar. Additional funds were required for these purposes, to a greater degree than was anticipated, hazardous duty pay was required for
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forces in Vietnam. So the Air Force, and the other services too, have been using funds at a faster rate than had been anticipated.

We gave them in the defense appropriations bill $750 million in transfer authority; they said they needed $500 million in additional transfer authority. Department witnesses testified that if the additional authority was not granted they would have to slow down some operations elsewhere, thus diminishing the readiness of the U.S. Armed Forces for an emergency.

Mr. Chairman, they can continue the bombing of Cambodia without it, of course. With what remains of the $6 billion, they certainly could do so. So the point is:

Should we give them this transfer authority?

It is a mistake to say, as some who have addressed us have said, or to assume, without full understanding of this amendment, then we will have just slain Goliath."

Well, we will not have accomplished a miracle, but we will have made it more difficult for the Department to operate. We will have reduced our readiness and we will have made it difficult to meet some of our commitments in the Mediterranean and elsewhere, but we will not have stopped the bombing in Cambodia.

The CHAIRMAN. The time of the gentleman from Texas (Mr. MAHON) has expired.

(By unanimous consent, Mr. MAHON was allowed to proceed for 5 additional minutes.)

Mr. MAHON. So, Mr. Chairman, is that the situation here. We are not ending the fighting in Cambodia. If this House wants to end the war or to bring back troops from Western Europe or to bring them all back from Southeast Asia, we have a way by which we can do it. We could consider legislation in the appropriate legislative committees, and we have had no choice but to do it.

We cannot do it in this bill, and we should not work a hardship on our servicemen or on those dependent on other funds to do a bill by taking this approach to the problem. We will have to consider that among the very important aspects here.

Yes, our patience has been worn a bit threadbare, but, after all, there was a ceasefire at midnight on the 27th day of January this year. It has not been an intolerably long time since then. If we were willing in the past to give 7 or 8 years of time for the war to be concluded, why do we get so impatient at this time, when only a few weeks have transpired? Do we want to rush in today and bring about a collapse that might place our country in a bad position and subject us to just criticism? Do we want to give the executive further opportunity to bring the conflict to a conclusion? Why not give him a little more time?

You know, I was reading today in the Good Book, which says, “Join not the multitude to do evil.” My colleagues who are supporting the amendment seem to be very strong and in considerable number. I would like to join with them, but the admonition “join not the multitude to do evil” remains me. How can I be sure that we are not doing evil if we rush in and pull the rug out from under the bombing and precipitate an immediate crisis and perhaps the instant collapse of Cambodia? Would that be some­thing we are willing to bring about to our grandchildren?

I do not think so. I think we ought to give the President more time. He has, after all, made some progress in international matters and did get the cease-fire agreement. I am willing to give him a little more time and give him the responsibility along with that time rather than rush in today and slam the door shut on his further efforts.

Why should we undertake now to manage this war? Why do we not give the President a little more time? I do not want to precipitate a collapse in Cambodia and a collapse of our negotiations, perhaps, with the North Vietnamese and with Moscow. I cannot believe in the country, as I know you do. I do not think Stephen Decatur was altogether wrong when he said, “My country, in its intercourse with foreign nations, may she always be right, but my country right or wrong.”

I want to give my Commander in Chief a little more time here, my friends. I do not have any problem in appealing to my folks at home for my efforts in behalf of peace. I think our country will look better a year from now and thereafter if we show a little patience. Impatience does not benefit a great and mighty nation.

My colleagues, in this low-keyed way and without emotion let me say that I think you will feel more comfortable today and tomorrow and especially next year if you vote down this amendment denying funds to the United States Armed Forces, and which does not, by the biggest stretch of the imagination, end the conflict in Southeast Asia. That is another matter and there are other ways to do that.

Thank you.

Mr. GUDE. Mr. Chairman, I rise in support of the amendment.

(Mr. GUDE asked and was given permission to revise and extend his remarks.)

Mr. GUDE. Mr. Chairman, the House of Representatives is today presented with another opportunity to reverse the course of escalations from the Congress to the executive branch. By passing the Addabbo amendment, which would delete the $430 million transfer authority in the proposed budget appropriation for 73, the House of Representatives will be putting the Executive and the Nation on notice that we will not extend a military commitment to the Government of Cambodia. We have no commitment, moral or legal, to the Lon Nol Government, and the bombing that has been carried out, either by the chief, entirely without legal or constitutional basis. The assertion that the President of the United States has the authority, by virtue of his Commander in Chief, to bomb any nation, whoever he decides, is repugnant to our Constitution and all our democratic traditions. Prior justifications offered for expanding or prolonging the conflict in Southeast Asia—continuing the withdrawal of U.S. troops, obtaining the repatriation of American prisoners of war, and achieving a cease-fire in Vietnam—do not pertain to the present situation in Cambodia. The Gulf of Tonkin resolution which I worked to repeal in 1970, and the SEATO agreements likewise provide no justification.

We in Congress are today squarely faced with the proposition, affirmed by Defense Secretary Richardson on May 8, that if we fail to cut off the funds for the bombing of Cambodia, we will be giving our support for the continuation of this bombing. As absurd as this position appears to be on the surface, we must take it with deadly seriousness. A recent study by the Senate Foreign Relations Committee—Congress and the Termination of the Vietnam War—April 1973—found that the ruling of the courts tends to substantiate the view that any withdrawal would leave those funds in Cambodia. Since some substantial portions of the transfer authority is requested to cover the cost of bombing raids for the period January 1 to March 8, I am asking Congress to ratify the Defense Department’s past actions, as well as to legit­imize the current and future bombing of Cambodia.

Many of us were not in Congress when this Nation first began its slide into the Vietnam quagmire. Others who were here did not understand that by their cooperation they were leading this Nation into the most wasteful, futile, self-destructive war in its history. Today, however, we do not wear blinders. Today, the wool can not be pulled over our eyes as it was when the Gulf of Tonkin resolution was passed.

If we are to extricate this Nation once and for all from the endless Indochina conflict, we can do so only by denying the funds for military activities there. Any other effort will be ignored with impunity. Only the purse strings now give authority to the voice of Congress.

Mr. Chairman, the debates over the Indochina war that have been conducted in this Chamber over the past decade have nearly exhausted the topic just as our people are exhausted and fed up with the war itself. Today, in this Nation we have a multitude of domestic reasons to deter us from further military adventures. We have long since honored whatever commitment we had to South Vietnam. Let us not begin a new commitment to that shaky dictatorship in Phnom Penh.

I urge my colleagues to support the Addabbo amendment and put this Congress on record that there be no further support for bombing Cambodia and make a firm move to end their sad involvement in Southeast Asia.

Mr. PASSMAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from New York (Mr. ADDARBO).

(Mr. PASSMAN asked and was given permission to revise and extend his remarks.)

Mr. PASSMAN. Mr. Chairman, this is
a delayed report from the firing line. I shall read it to you.

On behalf of more than 1.8 million members of the Veterans of Foreign Wars of the United States, I call upon you to grant the President's request and the authority he requires at this juncture to deal with the difficult and complex situation in Cambodia.

The President needs the unqualified support of a united America with respect to his policy in Indochina, and all close ranks behind him on this issue.

Signed by Patrick E. Carr, commander in chief, Veterans of Foreign Wars of the United States.

Mr. MAHON, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair will recognize the gentleman from California, Mr. DELLUMS.

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman, our long involvement in Indochina has seen many perversions of language. Words like "pacification" and "protective reaction strike" are legacy of the war.

The best one, however, was saved for the end—or the end was supposed to refer to the bombing of Cambodia as "cease-fire activities."

This is more than a bad joke. We were told Tuesday at the Armed Services Committee hearings that the Paris agreement was entered for three-quarters of a minute each.

The CHAIRMAN. The Chair recognizes the gentleman from California, Mr. DELLUMS.

(Mr. DELLUMS asked and was given permission to revise and extend his remarks.)

Mr. DELLUMS. Mr. Chairman, our long involvement in Indochina has seen many perversions of language. Words like "pacification" and "protective reaction strike" are legacy of the war.

Yet we are told that this agreement commits us to a war—war that is bound to our foreign policy in Southeast Asia.

The CHAIRMAN. The gentleman from Illinois, Mr. FINDELEY.

(Mr. FINDELEY asked and was given permission to revise and extend his remarks.)

Mr. FINDELEY. Mr. Chairman, I take this moment just to remind my colleagues of the interpretation placed on this vote by the President's chief military officer in the Cabinet, Secretary of Defense. The Secretary of Defense has said that a vote against this amendment will be interpreted by the administration as a vote to ratify or acquiesce—by the policy of bombing Cambodia.

I urge my colleagues to vote against these funds, and return some sanity and some humanity to our foreign policy in Southeast Asia.

Mr. Speaker, there is no justification to continue bombing the people of Cambodia. We can still be a great country even if we are not bombing someone.

The CHAIRMAN. The gentleman from Indiana, Mr. DENNIS.

(Mr. FINDELEY asked and was given permission to revise and extend his remarks.)

Mr. DENNIS. Mr. Chairman, our long involvement in Southeast Asia has seen many perversions of language which should weigh heavily with each Member as he or she votes on the amendment before us:

I have no illusion that any decision by this Congress can have power by itself. If this Congress is wise and timely in meeting its problems, a crisis which challenges the President equally, or perhaps primarily, challenges Congress.

Mr. Speaker, there is no justification to continue bombing the people of Cambodia. We can still be a great country even if we are not bombing someone.

The CHAIRMAN. The gentleman from Hawaii, Mr. MATSUNAGA.

(Mr. MATSUNAGA asked and was given permission to revise and extend his remarks.)

By unanimous consent, Mr. LEIGHTON yielded his time to Mr. MATSUNAGA.

Mr. MATSUNAGA. Mr. Chairman, the real issue before us is which the Addabbo amendment raises is not whether or not we support the President of the United States in his efforts in Southeast Asia.

The President today has engaged this Nation in warfare in Southeast Asia without any declaration of war by the Congress. I believe we can all agree that this Congress has not declared any war on any nation in Southeast Asia. Where, then, does the President find his authority to carry on warfare in Southeast Asia?

I need not have to remind my distinguished colleagues that in the next breath we say we are fighting for Cambodian "independence." Do we not know what we mean anymore? Any country that needs massive outside help to preserve their independence has already lost their independence.

I also admire the nerve, if nothing else, of the President and the men who have trotted out the old "delicate negotiations" trick again. During this war, every time Congress looked like it was going to make a decision, it was told it must not—there was always some delicate negotiations or another going on. If we fail for that trick again, we might as well really admit we have nothing to say about the matter and go home.

It would also clear the air if the administration publicly admitted that "peace with honor" is a failure. If we signed an agreement in January that accomplished all our major political aims—and the administration tells us twice a day what a great achievement it is to have our troops out of Cambodia. If we have reason to be in Cambodia, then a decade of bombing North Vietnam accomplished exactly nothing. Which is it?

Mr. Speaker, there is no justification to continue bombing the people of Cambodia. We can still be a great country even if we are not bombing someone.

The CHAIRMAN. The gentleman from Maryland, Mr. LONG.

(Mr. LONG of Maryland asked and was given permission to revise and extend his remarks.)

Mr. LONG of Maryland. Mr. Chairman, I rise in support of the Addabbo amendment. I want to point out that whether the Addabbo amendment passes or fails, I shall ask to be recognized to introduce an amendment which will forbid the use of any funds under this bill to be used for further combat operations by U.S. troops over Cambodia—in either event whether it passes or fails.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield for an unanimous-consent request?

Mr. LONG of Maryland. I yield to the gentleman from New York.

Mr. BINGHAM asked and was given permission to revise and extend his remarks.
we can all agree that the framers of our Constitution did not intend to put meaningless language into that great document.

If the President, as Commander in Chief of our Armed Forces, wishes to engage this Nation in warfare, let him come to the Congress and ask for a declaration of war. The President's cause is just; certainly the Congress will support him. Is this not the procedure which the framers of our Constitution intended?

Regarding what the President does, let us not forget that he who constitutes the Congress upholds the Constitution as we swore we would do. We can do this today by supporting the Addabbo amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. Kemp).

Mr. Kemp. Mr. Chairman, I rise in support of the amendment. Defense Secretary Richardson, during his brief tenure in that office, stressed the need to continue bombing Cambodia in order to preserve the independence of its Government. He presumably meant independence from Hanoi, and dependence on us. Unsustained by the reassuring words of our Allies, the Lao Nol regime, he said, who among us would seriously contend Lao Nol to be the wave of the future in Cambodia? The Defense Department's own figures show the burden of the fighting in opposition to that regime to be borne by the Cambodian insurgents—Khmer Rouge—as well as the followers of Sihanouk. It is true that Sihanouk accepted the hospitality of the United States, but the same must be said for President Nixon. In sum, there is very little way for us to predict, much less manage, the outcome of that complex struggle. Indeed, if we have learned anything from our involvement in that part of the world, it is that we lack the power, much less the wisdom to ordain what will happen there, to provide any solution to the Asian-Asian riddle. Those troubles rest on cultural, racial, and religious rifts and memories whose roots antedate by more than a thousand years the first European footfall on the American continent. "Win," "lose," or "draw," no matter how those terms may be defined, the ocean of Asian history will close over our brief time there sooner than the rust will form on our abandoned equipment. This being so, is it not time to respond to such a clear lesson, not only of history, but of our own involvement in that part of the world? And should this response be paralyzed or delayed by every new dispatch of negotiators, every conversation that might or might not occur between Dr. Kissinger and Le Duc Tho—gentlemen who must be expected to have long lives ahead of them? No, we fought for the past decade for reasons that seemed good and just—sanctuaries for the displaced refugees of the area. Let us now stop fighting for reasons that seem even better and more sufficient. There is no need to destroy Cambodia to save Laos and Cambodia cannot be separated from the hostilities in Vietnam. In fact, much of the progress in Vietnam toward a peaceful settlement was due to the success of the allied operations against the enemy sanctuaries in Cambodia in the spring of 1970. The difficult decision to clean out the sanctuaries in Cambodia proved correct, American casualties after Cambodia were half the rate they were before Cambodia and we were able to continue the withdrawal of our troops on scheduled dates.

There cannot be peace in Vietnam if Cambodia and Laos remain at war, and if North Vietnamese forces remain in those countries using their territory to support activities in South Vietnam which threaten the right of self determination of the South Vietnamese people which is guaranteed by the agreement.

Since the Communist forces have not observed the unilateral cease-fire proclaimed by the Cambodian Government on January 20, but on the contrary are engaged in serious offensive military operations, U.S. air strikes—undertaken at the request of the Cambodian Government—continue to be defended in order to help our outnumbered forces against Communist offensive operations, until the terms of the Paris agreements endorsed by the 12 nation international conference are fully implemented. These U.S. tactical and B-52 strikes are carefully targeted and rigorously controlled to avoid civilian casualties.

The United States is not committed to any person or any form of government in Cambodia—our government seeks only to bring about the cease-fire and withdrawal of all foreign troops as agreed to in the Paris agreements.

Our only desire, as stated by the President many times, is to ensure that the political future of the peoples of Southeast Asia, who have fought for the past decade for the liberation of their countries from the control of the 400 year old French colonial power, is determined by and is that of their own choosing.

Since the recent American tactical operations have been completed and our POW's returned, there are some who question the President's authority to continue air strikes in Cambodia. According to Secretary of Defense Richardson:

The Agreement on ending the war and restoring peace in Vietnam signed on January 27, 1973, pronounced a termination of the conflict to which the parties agreed. The actual termination of the conflict must occur, in particular with respect to the provisions of Article 20 as they relate to Cambodia. Consequently the conflict in that portion of the battlefield would end. It follows that the President's authority to use military, political and diplomatic means to fully terminate this conflict must also continue. The mere signing of the Paris Agreement on a plan for terminating the conflict would not in itself terminate such authority.

It has also been stated that the constitutional authority of the President to direct these air strikes is included in his responsibility as Commander in Chief of the Armed Forces and Chief Executive. It is realized there are some who sincerely believe that we should cease our involvement in Southeast Asia regardless of the consequences. Now that our POW's have returned and the last U.S. troops have left, it is tempting to withdraw from our commitments and to look inward to our own needs. The growth of such a new isolationism can be directly related to war propaganda and adventurism and involvement in world affairs.

By cutting off funds the Congress announces that we are quitting regardless
of how flagrantly the enemy violates the peace agreement, we would be removing the enemy's strongest incentive to live up to the hard won Vietnam peace agreement.

If the Congress does not support the President at this crucial point in time, it must also be willing to accept the responsibility for the undermining of the central achievement of the January agreement and for the prolonging of hostilities in Southeast Asia.

American involvement in Southeast Asia was undertaken by the U.S. Government through the constitutional process and with the joint authority and efforts of Congress and the Executive. The conduct of the conflict, from initial buildup through Vietmanization and withdrawal to the negotiation of a final settlement, has been carried out at every step with the joint participation and authority of Congress and the President.

Although the Congress has enacted several provisions with specific reference to Cambodia, the relevant policies have continually been fully in compliance with these provisions.

The Congress has consistently rejected proposals by the numbers behind congressional participation and authority by cutting off appropriations and I sincerely hope that now when our final goal of a just and lasting peace throughout Southeast Asia is within our grasp that we will not fail in our resolve.

We are today discussing the means by which to achieve a peace not just in Southeast Asia but a peaceable peace throughout the world. The implications of what we do here today have broad repercussions and certainly in global terms those implications will last for years to come.

We are being counseled today as to the best way to achieve peace. I would remind my colleagues that some of those who are counseling us today to vote for this amendment are the same people who were wrong about Vietnam, wrong about Cambodia, wrong about the bombing of Hanoi and Haiphong.

I believe this to be an appropriate time to look back briefly at the entire tragi-comic episode from this historical perspective. I would like to point out today some of the numerous errors that have been made by those who counsel us to tie the President's hands.

First, about President Diem and his overthrow, those who are counseling us today to vote against the President were very wrong about the overthrow of President Diem. The conventional wisdom at that time assured us that by throwing him out and getting someone else, that we would take a long step toward solving the Vietnamese situation. However, the result was just the opposite. The Communists nearly won the war in 1964 and by early 1965 President Johnson was faced with the choice of either accepting a Communist victory or introducing American combat troops. He chose to introduce troops but to do so without telling the American people why or without giving up any of the domestic programs which became so costly along with the war.

The conventional wisdom during the Tet offensive during 1968 told us that from that moment on the war became immoral and had been wrong from the start, even though, of course, all of those experiencing the war had supported the war from the beginning. They told us that it was lost and that the Tet offensive proved that it was a hopeless and unwinnable cause. But in retrospect, conventional wisdom was wrong. The Communists did not win the victory that they had claimed they needed; and their forces, especially the Vietcong, truly indigenious to South Vietnam, never recovered from their losses during Tet.

After 1968, the conventional wisdom was that a Communist victory was inevitable. And when President Nixon took office and Vietnamized the war, conventional wisdom held that it would never work but again they were wrong.

They were wrong about the 1969 Cambodian incursion when they said it would provoke Red China into World War III. The Communists were prevented from using their Cambodian sanctuaries as well as from using the port of Sihanouville.

A conventional wisdom was wrong about the mining of the harbors around Haiphong. Our counselors at that time said Russia would call off the trip of the President, that world war III again was imminent and, of course, we know different.

Finally, they were wrong about the bombing of Hanoi and Haiphong. The conventional wisdom talked about terror bombing and carpet bombing, aimed at civilian populations; but Hanoi's own casualty list and their own claims strongly suggest that the bombing was rather carefully aimed at only military targets.

All in all they have been wrong at just about everything. They were wrong about Diem; they were wrong about Tet; wrong about Vietnamization; wrong about Cambodia, wrong about mining of Haiphong; wrong about bombing Hanoi, and I would suggest that they are as wrong today as they have ever been before.

I would also suggest that Mr. Nixon and Mr. Kissinger look better than any other policymakers as the record is reviewed. They set their goal, went out and accomplished much of what they attempted to do. Only time, of course, will tell whether they have achieved the minimum of an honorable withdrawal or a maximum of an independent, neutral Southeast Asia.

That is where I think this Congress has played and can play a strong role. There is no doubt that the cost of this war has been huge, greater than anyone ever imagined. But in the end there are gains to be counted as well as the potentially viable, non-Communist, independent Southeast Asia, in buying time to create a more stable Asia and, of course, a more peaceful world, as well as in contributing to the decision of the Communist parties for improved relations with China and the Soviet Union; new hope for continuing negotiations on arms limitations and the trimming of forces in Europe; increased promise of a settlement in the Middle East; and, of course, the long-hoped-for Vietnam peace agreement.

Our returning POW's have been almost unanimously in expressing their faith in their country and their President and because they believed their cause to be just, they did not regret their sufferings and years of imprisonment.

Air Force Col. James H. Ker, one of the POW's released by the Vietcong, stated upon his return to freedom:

"We went to Vietnam to do a job that had to be done. And we were willing to stay until our job was complete. We wanted to come home, but we wanted to come home with honor. President Nixon brought us home with honor . . . it is good to be home.

A young President not many years ago said something about such men as those serving in Vietnam: that they forget that they are in a war against a nation wanting the rest of the world to know that we were willing to pay any price, bear any burden to make what we stand for endure and prevail.

Are we in the Congress prepared today to tell these brave men through our votes that they were wrong in their beliefs, wrong to put their trust in us, and, in their sacrifices in vain?

Can we who have never known the loss of our freedom have less patience than these courageous men who have suffered so much on our behalf or those who gave their lives.

The President is not asking for a congressional carte blanche for action in Cambodia, he is only requesting funds until the end of this fiscal year. Funds that are vitally needed if Cambodian independence from Hanoi is to be maintained. I would like to insert at this point, Mr. Chairman; Mr. Wolland Evans and Robert Novak all attest the importance of making these moneys available.

THE NIXON DOCTRINE: A "DEAD LETTER" IN CAMBODIA

(By Howard Evans and Robert Novak)

PHNOM PENH, CAMBODIA.—The Nixon Doctrine, failing here in its most critical test, is the victim of crippling restrictions imposed by Congress and a bumbling hangover from the Vietnam war.

The congressional prohibition against U.S. military advisers dooms the Cambodian army (PANEX) to inept leadership and steady deterioration. Waiting to maintain a low profile here has permitted a comic-opera Cambodian despotism with tragic consequences. Thus, as we reported earlier, Cambodian independence from Hanoi is maintained only by U.S. bombing, which Congress now threatens to end.

The decision that the Nixon Doctrine, pledging help to any country willing to fight for its survival, is a dead letter when a Communist neighbor expends its own resources, ironi- cally, while the memory of Vietnam bars a vigorous U.S. role here, turning Cambodia into a satellite of Hanoi, could threaten all the blood and treasure invested by the United States in South Vietnam.
The shackles were imposed by Congress shortly after the 1970 Cambodian incursion by U.S. troops. A ceiling of 300 U.S. officials in Cambodia was set up, and a carefully crafted strategy aimed at keeping a low profile was adopted. The U.S. ambassador to Cambodia, had never been vested with the proconsular authority of his office, and was isolated from both the people and the official U.S. advisers.

The reasons for this turn of events may be found in the historical context of the Vietnam War, which had left a lasting impact on the relationship between the United States and Vietnam. The political and military leaders of the United States were facing increasing pressure from Congress and the public to withdraw from the war, and the administration was struggling to find a way to end the conflict without suffering significant losses.

It is clear that the U.S. government had no clear mandate to engage in any significant military action in Cambodia, and the decision to do so was based on a series of misjudgments and miscommunications. The Cambodian incursion was seen as a way to limit North Vietnam's influence in the region, but it ultimately led to a series of unintended consequences and increased tensions with the North Vietnamese.

The consequences of this action were felt for years to come, as the U.S. government continued to grapple with the question of how to end the war in Southeast Asia. The debate over the role of Congress in the decision-making process continues to this day, as the United States seeks to find a way to address the legacy of the Vietnam War and its impact on the region.
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(Miss HOLTZMAN asked and was given permission to revise and extend her remarks.)

Miss HOLTZMAN. Mr. Chairman, I rise in wholehearted support of the Addabbo amendment which would deny the Nixon administration $500 million in additional funds to continue its massive and destructive bombing policies in Cambodia.

This is our first opportunity to pass upon the President's involvement in Cambodia. The issue now is simple. The answer is clearly determined. We want peace. Our troops are home. We have given permission to revise and extend her treaty obligation to the Lon Nol regime since it long ago denounced the SEATO pact.

We are confronted only with the question of whether we wish to approve further involvement in Cambodia.

At a time when vitally needed domestic programs are being dramatically under-funded, we cannot afford to spend up to $4 million a day to protect a dictatorial government riddled with corruption and incapable of winning the support of its own people.

We cannot continue to surrender our congressional prerogatives to the executive branch. This is not an institution which gives the power to declare war to the Congress, not the President. But the President has never come before us to seek approval for his Cambodian bombing. Indeed, this administration has expressed sheer contempt for this body. In his last official act as Secretary of Defense, Elliot Richardson told the Senate Appropriations Committee that if Congress did not vote funds for the Cambodian operation, the administration would find the money itself. We should take Mr. Richardson at his word and end this arrogance.

Our actions today will long be remembered. If we grant the President funds to continue the bombing we will have ratified the war as a fait accompli. It is for us to continue it. If this happens, we will simply repeat the tragic mistake of the Vietnam war.

At a time when the public's confidence in the executive branch has been so clearly shaken, it is urgent that we show that the people's branch of the Government, the House of Representatives, can reassess its control over critical policies and restore the faith of Americans in their Government.

Mr. Chairman, this is our prime opportunity to put an end to this unconstitutional war. I urge my colleagues to join with me in support of this amendment.

The CHAIRMAN. Mr. Chairman, from South Carolina (Mr. Dorn) is recognized.

Mr. DORN. Mr. Chairman, I simply rise in support of the distinguished chairman of the Appropriations Committee, the able gentleman from Texas. I say to the committee that through 25 years of association with the veteranistry committee and in the past day and half of discussion with them in Europe during World War II, I feel that this amendment must be rejected in the interests of peace.

Mr. Chairman, after every single war, this Congress has contributed to the next war by cutting the fleet in mothballs, cutting the Army, and refusing to modernize our Armed Forces. We would not build tanks or construct a modern air force. We invited World War II, the Korean war, and, yes, Vietnam. I hope we do not repeat that same mistake today. Strength is the only road to peace.

The CHAIRMAN. Mr. Chairman, from Missouri (Mr. Randolph) is recognized.

Mr. RANDALL. Mr. Chairman, under limitations of time, there is not much left but to ask permission to revise and extend my remarks. However, in the few brief moments allotted to me, I hope that I can follow the example of the distinguished chairman of the Appropriations Committee, the gentleman from Texas, and, as he put it, in low key and with unemotional attitude.

I have listened to every word of today's debate, and I suppose that I am one of the few remaining Members who is even at this late hour--is trying to make up my mind as to the true purpose of and the best course to take so far as the Addabbo amendment--also cosponsored by the gentleman from Connecticut (Mr. GIAIMO) and the gentleman from Georgia (Mr. Flynt) is concerned.

On page 6 of H.R. 4474, the bill to make supplemental appropriation for the fiscal year ending June 30, 1973, and for other purposes, the amendment, at that point, as I understand it, would have the effect of striking out the language contained on page 6 at line 10 which, as printed, deletes $756 million and inserts $1,180,000,000 in lieu thereof. If my arithmetic is correct, what the amendment really does, then, is to take section 735 of the Department of Defense Appropriations Act for 1973 and the amendatory language on page 6--of H.R. 4474--and reduces the figure from $1,180,000,000 back to $756 million, or a reduction of $430 million.

As I may have observed earlier, I have listened carefully to every word of the debate this afternoon. I recall it being said that the fiscal year 1973 appropriations for the Department of Defense are in the approximate $76 billion. I also have heard it recited here this afternoon that the amount for operation and maintenance of the Air Force is nearly $7 billion.

Well, we have heard from those who pride themselves on being proponents of a strong defense that this amendment would virtually paralyze the Department of Defense for the last 2 months of the fiscal year. We have heard such comments made as that it would limit the readiness or effectiveness of our entire defense establishment.

Let me suggest that if $430 million paralyzes our Defense Department which operates under a $76 billion budget and under an Air Force operation and maintenance account of some $7 billion, someone has been indulging in great exaggerations.

At this time in the remaining moments, under limitation of time, I would like to yield to the gentleman from New York (Mr. Addabbo) and ask him the following questions: Is my arithmetic correct, and is it true that the effect of this amendment would be to reduce the figures on lines 11 and 12 of page 6 of H.R. 4474 from $1,180,000,000 to $750 million? And if the answer to that question is yes, does it mean that the entire reduction amounts to $430 million?

Mr. ADDABBO. That is correct.

Mr. RANDALL. I appreciate the response of the gentleman from New York. It should clarify some misconceptions. It should clear away some of the mistaken notions that have been expressed here this afternoon.

Mr. KOCH. Mr. Chairman, I rise in support of the Flynt/Addabbo amendment striking from this bill the $430 million in new transfer authority requested by the Defense Department. The Defense Department has indicated that some of this money, possibly the entire amount, will be used to continue U.S. bombing operations in Cambodia and Southeast Asia. Approval of this transfer authority would bring the total cost of Indochina operations for fiscal year 1973 to at least $6.4 billion and would amount to a congressional abdication of its appropriations powers--in effect, what the administration would seize upon as a blank check of authority for military operations in Indochina.

While I have never accepted the administration's claim that military appropriation constitutes in itself a congressional authorization and approval of U.S. military involvement in Southeast Asia, I am aware that certain lower courts have ruled that the Vietnam war is not subject to court attack as long as Congress continues to fund it. For as long as I have been in Congress I have voted against military appropriations bills containing funds for U.S. military operations in Indochina.

The prior justifications given for our military presence in Indochina--covering the withdrawal of U.S. troops, the return of our POW's, the achievement of a cease-fire in Vietnam, and the existence, until its repeal in 1970, of the Gulf of Tonkin Resolution--have now expired. I believe that it is particularly important, now that there is no rational administration justification for our present actions in Indochina, that Congress refuse to provide the President with even the color of consent by permitting funds to be transferred for military activity in Cambodia. After Secretary Richardson stated recently that congressional defeat of the Flynt/Addabbo...
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bo/Giaimo amendment barring use of transfer authority funds for the air war in Cambodia would be viewed as "vote to at least acquiesce in that activity."

The bombing of Cambodia, in my view, serves no purpose related to the security of the United States, nor can I believe that it is likely to achieve peace in Indochina. Indeed, the continued destruction of the Cambodian countryside can only serve to make the process of reconciling the various factions of Cambodian society much more difficult one. Experience should have taught us by now that even the heaviest bombing raids on military and civilian areas in Vietnam cannot build the spirit of reconciliation that is essential for a meaningful and stable peace in that ravaged area of the world.

In terms of the human and money costs involved, the cost of our bombing operations already been more than enough. In the period between January 27, when the cease-fire went into effect and in Vietnam, the end of April the cost of our bombing Cambodia was reported by the Defense Department to be $180 million, with the cost of bombing in Laos during the same period as $100 million. In this time period the United States has lost three planes over Cambodia and one over Laos. No report has been made to Congress on these bombing operations, nor has any request been made for authorization of the bombing. Congress has been wholly shut out of its constitutional role by the President in the decision-making process of whether such destructive bombing should be allowed to continue and the question who should decide this issue. It is my view that the Congress should once and for all reject its constitutional powers and say "No" to further destruction in Indochina and to any threat of a broader American military involvement.

Mr. MILFORD. Mr. Chairman, I rise in support of the amendment. This has been a difficult decision for me. During my election campaign and my short tenure in the Congress, I have supported American actions in Indochina. Today, I can understand that there may be good reason for combat operations in Cambodia.

On the other side, though, I believe the time has come for this Nation to stop fighting wars by means of loopholes, maybe, speculations, privileged executive decision, or vague interpretations of obscure laws. We are a Nation of laws. Our laws are very specific with reference to war. I do not want to play a game of semantics as to whether or not this Cambodian adventure is a war. My own belief—a belief I think I share with the majority of American citizens—is that anytime an American serviceman is ordered into combat operation that is a war.

Under our Constitution, war can only be declared by the Congress. In the case of Vietnam, there can be no argument that Congress endorses the conflict when the Gulf of Tonkin resolution was enacted.

Military operations in South Vietnam were justified, I believe, during the withdrawal period to protect our departing troops and secure the release of our prisoners.

Our troops are withdrawn, and our prisoners are home.

So, at this time, I fail to find justification for combat operations on the part of the United States anywhere in the world.

This morning I was in the office early so that I would have time to read thoroughly the Secretary of Defense's response to House Resolution 379.

The response is impressive, and the legal discussion in the portion entitled "Presidential Authority To Continue Air Combat Operations in Cambodia" goes to considerable length to justify its title.

I did not make up my own mind until after I had read the document. I failed to find in the Secretary's response this morning a decisive argument to justify combat operations without approval of the Congress.

If this amendment were adopted, Congress will be on the record authorizing war—and there is no other word for it—by the back door again. It will be a striking parallel to the Gulf of Tonkin resolution.

There is another point I would like to make absolutely clear.

As a Congressman, I will never hesitate to grant authority for combat operations anywhere if I am convinced that it is necessary for the good of this Nation, or if it is necessary for our survival.

I believe there is a distinct probability that continued operations in Southeast Asia are necessary.

And once I am convinced this is the case, I will vote the funds necessary to continue operations.

But at this time, there is no way for me to know that this is a fact.

The President has not come to Congress and made the war illegal

This makes combat operations illegal at this time, to my way of thinking.

So, Mr. Chairman, I believe the Congress must decide whether to follow the Constitution and the laws of the land. And we have an issue before us today which requires that decision.

One other observation: I strongly believe that this Nation must deal from strength. Our adversaries do not operate in the kind of system which would tolerate the kind of debate we are having here today.

These adversaries know and understand brute strength.

We react to debate and reason. There are others in the world who react better to a fleet of B-52 bombers or a Navy armada.

I am on the record in support of the strongest possible national defense posture, and I use the use of that strength where it is necessary.

But I want it used legally.

Let the President come to us and explain why these combat operations are necessary. If we are convinced, let us vote all the funds necessary to kick the hell of whomever it is we are supposed to be fighting.

But let us not hide a war in the back pages of an appropriations bill. This is definitely dishonest and probably illegal.

If we are going to do it, let us do it right.

Mr. MARTIN of North Carolina. Mr. Chairman, the U.S. House of Representatives has today already acted to kick the proper foot under the efforts under­way to compel the North Vietnamese to adhere to their agreement. In the agreement ending the war and restoring peace in Vietnam signed at Paris on January 27, 1973, they agreed to withdraw from attacking their neighbors in Cambodia, with the understanding that if they violated this agreement we would resume bombing their positions in Cambodia. They have violated it without impunity and, the courage and determination and backbone of the United States Senate has gone on record as representing the United States to the world. No report has been made to Congress on these bombing operations, nor has any request been made for approval of the bombing. Congress has been wholly shut out of its constitutional role by the President in the decision-making process of whether such destructive bombing should be allowed to continue and the question who should decide this issue.

It is my view that the Congress should once and for all reject its constitutional powers and say "No" to further destruction in Indochina and to any threat of a broader American military involvement.

How has the courage and determination of the backbone of the House of Representatives met this test? By a vote of 219 to 188 the House of Representatives has hurled its cease-fire, bowed its back, flexed its muscles, and in a great display of precision teamwork has triggered its own quarterback.

Worse than that, the U.S. House of Representatives has gone on record as saying to the world that our majority does not particularly care whether communism overruns our allies around the world, that our majority does not particularly care whether the North Vietnamese adhere to the agreement, that our majority does not expect them to do so and does not feel any necessity to compel them to do so.

By voting to stop the bombing in Cambodia our majority has raised a torch that will signal for further violent outbreaks and violations all over Southeast Asia and elsewhere.

If we lose our commitment to our allies, we may, one way or another, have few allies left.

If we persist in turning our backs on our allies, we may, one way or another, have few allies left.

Mr. PRENZEL. Mr. Chairman, I support the amendment to prohibit transfer of funds for past or future bombing in Cambodia. It seems to me that we have heard the arguments against it many times before in our debates on Southeast Asia policy. But, while the basis for the committee position—or the administration position—is old, I believe the situation, and therefore the arguments against bombing in Cambodia, are new.

Our military forces have left South Vietnam. We have signed a cease-fire there. Our prisoners have been returned. We have repealed the Tonkin resolution. We have no special treaty obligations in Cambodia.

Our air operations in Cambodia seem to be legal. No attempt to bomb in Cambodia exists, other than the admini
istration's idea that it is useful to do so. It may be useful. It may even be necessary, although I doubt it. But, if so, the President should come to Congress for the authority to bomb in Cambodia. He has not done so. Since he has not given him authority to bomb, why would we want to give him money to bomb?

It is true that the North Vietnamese have not lived up to our agreement. Nevertheless, I strongly believe that no President of the United States should be unilaterally enforcing agreements by bombing without congressional authority. No nation can sometimes win on agreements, but it is a fact that many nations do not live up to their international commitments. We do not bomb people when they steal our tuna boats.

It can also be argued that Cambodia is not worth our frantic efforts to save the present government. Surely my interpretation of the Nixon doctrine, which I strongly support, includes a strong local willingness and capability for self-defense as a precondition for our aid. In Cambodia that willingness and capability are at least subject to question.

The United States, thanks to the strong Nixon leadership in achieving the cease-fire, finally seemed to be extricating itself from the tar pit of Indochina. I think the bombing is pushing our feet back into that tar pit. And I hope, most of all, that the Congress will not ratify that backward step.

Of all the arguments, for me the most persuasive is the constitutional one. I do not believe the President has the authority to bomb in Cambodia. I do not think Congress should give him that authority by the back-door approach of providing money for bombing. I intend to vote for the amendment. I urge its passage.

Mr. Johnson of Colorado. Mr. Chairman, I have never understood those who equate patriotism with a willingness to squander American lives and property in a useless, futile cause, for a temporary solution, that has any standard of criteria is only relevant to this, and all, with defense of American interests. It seems to me, however, that patriotism requires that American lives only be expended for causes that are clearly related to American defense.

The argument is made that loyalty to the country requires acquiescence to the policy that has been the decision of where and when to fight or bomb up to the President. I did not participate in making that decision—who did, who is present? For me, loyalty to the country requires respect for my own judgment, even as an elected official. Those who campaigned on a platform that called for expanding the war should honor those pledges. I know that I campaigned on a platform that called for disengagement from Southeast Asia, so I will work to honor my promise as a matter of loyalty to the country, as well as of personal integrity.

In my opinion, President Johnson was elected by his huge majority because he promised to keep us out of a war in Southeast Asia. I supported President Nixon was elected on his promise in 1968 to end the war and in 1972 because he was on the verge of achieving that promise. President Johnson was not given a mandate to do as he pleased, as he claimed, and President Nixon was not given a mandate to reinvolve us in the war at his discretion.

What do I know about the concept of limited, no-win war that is so appealing? Why can we not finally extricate ourselves from Southeast Asia? If we are not willing to invade North Vietnam and take the country and occupy it and, thankfully, we are not, why do we continue to allow American lives to be wasted in an area where we are not willing to make a total commitment?

American involvement in Southeast Asia will end only when we refuse to hear the siren song of just a little more. It has led us into the most catastrophic period in American history. We made the decision to set out—let's not look over our shoulder now. Let us finally and seriously engage from this disaster. I believe history will favor you for a vote to end our participation now.

Mr. COTTER. Mr. Chairman, the continued bombing in Cambodia presents the United States with almost the same situation we faced 10 years ago in Vietnam. At that time, too many of the crucial issues of our involvement were met with hesitation or seemingly small decisions whose cumulative effect was the most divisive war in our Nation's history. The momentum of those decisions swept the United States into a full-scale war, and we are now coming to terms with that commitment. I believe the bombing of Cambodia is another tragic decision that can lead to wider commitments. The Congress must face the growing crisis in Indochina and take a stand.

In April I informed the President that I intended to oppose any military funding which would be used to continue the war in Cambodia. I strongly supported action to amend the second supplemental appropriations bill to prevent the Defense Department from using any of those funds for bombing.

Every day these combat activities continue, we risk losing more American men to death and capture. On May 8 the Pentagon reported nine men killed and two missing in action, after the loss of three planes in Indochina since the cease-fire. The administration has not shown any legal or constitutional justification for this bombing. Our POW's are home and our troops are back from South Vietnam. Now is not the time to leave more children without their fathers, and more women without their husbands in order to continue this senseless bombing.

The people of this country have made overwhelming sacrifices in the past 10 years, but we cannot bear no more—and nor should we have to. The Congress can and must refuse to be lured into another Southeast Asia quagmire.

We can insure a true peace for America by showing our true opposition to the bombing in Cambodia. I will vote to end this bombing and to reassert congressional control over war policy. The President has exceeded his constitutional authority in continuing the combat. We have no treaty obligations with Cambodia. The President can no longer claim that this is being done to protect the lives of American men.

Last week, I joined the effort to obtain more public information on our military role in Cambodia. The American people, who are paying the price for the bombing, the number of U.S. personnel involved, and the cost to U.S. taxpayers. Things are so confused that we cannot be sure who the enemy is in Cambodia. The President claims that North Vietnam is violating the Paris Accords by not helping to bring about a cease-fire yet, Secretary of State Rogers admitted there were U.S. violations. Reports from Cambodia are very unclear if the North Vietnamese are doing the fighting or if it is local Cambodian guerrillas. In any event, the United States should be trying to control the politics of another Southeast Asian country. A U.S. military commitment to Cambodia is being made without constitutional basis. The necessary information being furnished to Congress or the American people. The whole situation reminds me too much of our involvement 10 years ago. We must not let history repeat itself. I vigorously support the Giaimo, Flynn, Addabbo amendment, and urge my colleagues to do so.

Mr. BOLAND. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York (Mr. ADDARDO).

It is long past time to stop giving blank checks to the Department of Defense approving combat activities. The Congress has not given its endorsement. As pointed out in the additional views that accompany the report on this bill, this is, indeed, an after-the-fact approval of combat activities where the sentiment of the Congress and the people of the Nation has been ignored. It is time that the Congress of the United States, the House and Senate, be in on the takes that have led this Nation into conflicts that are carried on by the executive department without sanction or vote of the Congress. The gentleman from New York, this is a solo venture of the administration. It has not asked for congressional approval as the Constitution requires. There is no present authority that gives the administration the power to wage war in Cambodia. There is absolutely no justification for shoring up the regime of the Lon Nol government of Cambodia.

Mr. Chairman, no national interest is served by the bombings in Cambodia. These activities only serve to prolong a war that should have been stopped years ago. They only serve to endanger our flyers leading to more prisoners of war and more casualties and to continue the agony that is heaped upon this Nation.

There are some who say that the adoption of this amendment is a little effect. I disagree, Mr. Chairman. If nothing more, it will, indeed, send a message to those who believe that Cambodia is an essential ingredient in the security of the United States. It will be a message, loud and clear, that the people of this country are sick and tired of war in Southeast Asia. It is not worth one more American life.

Mr. Chairman, the lead editorial of
the Washington Post in today's issue, May 10, puts the issue squarely. It states:

It is the first vote on the war issue in either House of Congress since the January cease-fire agreement. As such, it is exceptionally important as an indicator to the President whether he can continue to make war at his own discretion regardless of law, or whether Congress intends to try to hold him to a less capricious standard.

Mr. Chairman, I include the editorial with my remarks:

A "TONKIN RESOLUTION" ON CAMBODIA

The House is about to vote on Rep. Joseph Addabbo's proposal to block the use of defense funds for bombing Cambodia. It is the first vote on the war issue in either House of Congress since the January cease-fire agreement. As such, it is exceptionally important as an indicator to the President whether he can continue to make war at his own discretion regardless of law, or whether Congress intends to try to hold him to a less capricious standard.

The larger truth is that in Paris Mr. Nixon negotiated the best agreement he could get. But measured in relation to the extraordinary situation which it was, it was not a sound agreement because it could not be enforced in a way that would make good on the promises the President made in its name. It did not even pretend to serve the basic American purposes of giving Saigon a reasonable chance to endure on its own. But it did itself and helped to provide the further purpose of sealing South Vietnam's border with Cambodia. It was unnecessary and unwise for Mr. Nixon to put his agreement's achievements which could not conceivably be a part of it. Now that the shortfall is apparent it appears to fill all the gap with bombs. Fortunately, we emphasize, "success" by his terms in Cambodia is not essential to the American mission in South Vietnam—a mission which has already been accomplished and which will not necessarily be undone if one Cambodian faction rather than another comes to power in Phnom Penh.

The administration has stated that, whatever it intends to keep on bombing Cambodia anyway, this is a shocking aboyal, but it can be dealt with later. For the moment, legislators consider that the risk involved in cutting the funds is too high. And the Addabbo and Long Amendment is designed so that in supporting it they are serving the self-interest of the President in the cause of government by law, and the appropriate foreign policy interests of the United States. It may be that it is technologically impossible for the representatives of the people to restrain the President. But this does not mean that the Congress must repeat its supine performance at the time of the Gulf of Tonkin resolution in 1964. At the very least, there is a record to be made. The President should not insist on no precedent terms that if he continues his efforts to bomb Cambodia into acceptance of a cease-fire, for no purpose that can possibly justify the costs in lives and money and this country's good name, he will be doing so on his own.

Mr. CLEVELAND. Mr. Chairman, I rise in support of H.R. 7447, the second supplemental appropriations bill for 1973, while recognizing some of the concern over transfer authority for some $430 million in funds for the Department of Defense, of the $2.65 billion in the bill. Just to make my communications I have received on the subject, this is being interpreted in some quarters as a new Gulf of Tonkin resolution, a new continuing resolution of Congress to deal with the reality of an evolving conflict in Southeast Asia. In a sense, it is under self-imposed restrictions to the extent that limitations on his freedom to act are part of our policy of withdrawal and the compromises inherent in the framework of cease-fire agreements he negotiated.

Mr. CHAIRMAN. Mr. Chairman, I rise in support of H.R. 7447, the second supplemental appropriations bill for 1973, while recognizing some of the concern over transfer authority for some $430 million in funds for the Department of Defense, of the $2.65 billion in the bill. Just to make my communications I have received on the subject, this is being interpreted in some quarters as a new Gulf of Tonkin resolution, a new continuing resolution of Congress to deal with the reality of an evolving conflict in Southeast Asia. In a sense, it is under self-imposed restrictions to the extent that limitations on his freedom to act are part of our policy of withdrawal and the compromises inherent in the framework of cease-fire agreements he negotiated.
South, end military operations within their boundaries and withdraw all foreign troops. This must be scrupulously observed. The ceasefire provisions cannot be viewed singly, but as elements in a fragile balance. Without article 20, our failure to insist on withdrawal of all North Vietnamese troops would have been suicidal. Yet the North is infiltrating men and materials into and through Cambodia and Laos, and continued to send troops and supplies into South Vietnam. Communist forces have sought to cut lines of communications and isolate Phnom Penh and other population centers.

I repeat the President has pledged that no ground combat personnel will be committed in Cambodia, that military support will be strictly tailored to pressure from North Vietnam and the situation in the South, and in response to the requests from threatened governments which are internationally recognized—and that we have no intention of exercising a primary role.

Mr. Chairman, in most recent foreign policy message to the Congress on May 3, the President pleaded the Paris cease-fire 13 visit of Dr. Kissinger to Hanoi where the ceasefire provisions, including those involving Laos and Cambodia, were discussed.

Hanoi has two basic choices.

As the President said was made clear to the North Vietnamese:

The first is to exploit the Vietnam Agreement and press its objectives in Indochina. In this case it would continue to infiltrate men and materials into Vietnam, reopen its forces in Laos and Cambodia, and through pressures or outright attack renew its aggression against those countries. Such a course would endanger the hard-won gains for peace in Indochina. It would risk renewed confrontation with us.

These are the stakes then, in my judgment, as we vote here today. For one am unwilling to weaken the President's hand, particularly in view of the evidence that military aggression is largely curbed by military deterrent. I regret that the administration has chosen to violate its own agreement by dropping 82,837 tons of explosives in Cambodia between January 28, the date of the "cease-fire," and April 30. The bombing cost $235.6 million during this 92-day period, and at that rate the cost will exceed $1 billion by the end of the year.

Why should we waste $1 billion a year by bombing Cambodia? The administration has not consulted with Congress on the reasons for this but as usual is proceeding regardless of logic or legal merit. Administration spokesmen have arrogantly proclaimed that the bombing will continue regardless of what we do today.

Whether that is true or not, we are obligated to make this decision as part of our responsibility as Members of Congress to determine whether this Nation shall be at war or have peace. The bombing produces a de facto state of war. Thus, unless we adopt this amendment, we will acquiesce in the administration's decision to start a new war in Cambodia.

Congress should not reject the Paris agreement by granting consent to more war. Instead, we should insist through our vote that the administration honor its own agreement as understood by our people to mean an end to our participation in Indochina fighting.

Act at the administration's request, the House Committee on Appropriations has approved $430 million in additional transfer authority of which an unspecified amount will go toward Cambodian bombing. In good conscience, we cannot approve even the expenditure of $1 for this purpose. There are no more American troops in Indochina to "protect." There are no more prisoners of war we want, and what we cannot support military actions contemplated in our country's behalf or any more than I would support a policy of American combat troops "to enforce" portions of the cease-fire agreement which is being clearly violated in many areas—including Cambodia.

Mr. Chairman, I cannot help but feel that if one of our bombers or fighters were shot down in Cambodia, we might again face the dilemma of securing a return of our prisoners of war. Such a prospect is beyond any risk which I feel our Nation should now take. What the South Vietnamese forces may do, and what our military and economic aid to Cambodia and other countries may accomplish, I do not know. I amhappy, indeed, that our combat troops have in the meantime been withdrawn, and our prisoners of war have all been returned. I hope and pray for a lasting peace in Southeast Asia and elsewhere. However, I cannot support military actions contemplated in our behalf or any more than I would support a policy of American combat troops "to enforce" portions of the peace agreement which is being clearly violated in many areas—including Cambodia.

Mr. Chairman, I cannot help but feel that if one of our B-52s were shot down in Cambodia, we might again face the dilemma of securing a return of our prisoners of war. Such a prospect is beyond any risk which I feel our Nation should now take. What the South Vietnamese forces may do, and what our military and economic aid to Cambodia and other countries may accomplish, I do not know. I am happy, indeed, that our combat troops have all been withdrawn, and our prisoners of war have all been returned. I hope and pray for a lasting peace in Southeast Asia and elsewhere. However, I cannot support military actions contemplated in our behalf or any more than I would support a policy of American combat troops "to enforce" portions of the peace agreement which is being clearly violated in many areas—including Cambodia.

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Nation. Too many times we have failed to seize this moment. At issue today is not only the lives of thousands of innocent people now imperiled by our bombing of Cambodia, but also the basic constitutional question of whether the President or the Congress shall have the power to make war.

If Congress approves the proposed transfer authority, it will be giving the executive branch a blank check to wage war in Indochina at its pleasure, and this will mean that the senseless violence inflicted upon Indochina in our name—and all of the thousands of lives lost as a result of these actions—shall be continued.

The administration unashamedly points to congressional appropriations as a demonstration of congressional approval for bombing. Secretary of State Rogers stated, on April 30, 1973, that "our previous appropriations approved our air combat operations in Cambodia. This Congress has not amended...another Gulf of Tonkin resolution. Passage of this additional transfer authority will mean continued bombing and destruction in Indochina. What will this bombing mean? It will mean continued terror for the people of Indochina, more captured POW's and MIA's and more American dead.

I urge my colleagues to halt the bombing in Indochina by voting to deny the Pentagon the transfer authority they request to carry out this bombing.

Mr. ASHELEY. Mr. Chairman, I rise in support of the Addabbo amendment to the second supplemental appropriations bill to delete the requested $430 million in transfer authority for the Department of Defense, so that this money cannot be used for past and future bombing of Cambodia and possibly other parts of Indochina.

I believe that the bombing—which is costing taxpayers $4.5 million a day—is both bad foreign policy and an usurpation of Congress' war powers under the Constitution.

In terms of foreign policy, the administration's contention is that the bombing is necessary to prevent the immediate collapse of the Lon Nol regime, which would permit the North Vietnamese to prepare for a renewed assault on the Thieu government across the border. To justify this course of action, the administration has claimed that the North Vietnamese Government has failed to comply with its obligations under the Paris Accords to help bring about a cease-fire in Cambodia—although Secretary Rogers did qualify this contention yesterday, indicating that "we don't claim it is a literal violation of the agreement," but "it is clearly a violation of the understanding we had with the other side.

To be sure, North Vietnam's effort in this regard has been any thing but 100 percent. But what the administration is doing is responding to indemnity by the North Vietnamese with respect to an "understanding" with clear indemnity on our part to an article of the Paris Accords. Article 8 of the accords specifically states that both parties "are to respect the independence, sovereignty, unity, territorial integrity, and neutrality of Cambodia and Laos," Our present policy is in violation of the agreement and, in my view, represents a far greater threat to peace in Southeast Asia than anything the North Vietnamese are doing in Cambodia. My second objection to the present policy is that it is a literal violation of Article 8 of the accords specifically in regard to our air bombings in Cambodia. This accords specifically provides for in involving U.S. forces in Cambodia was the same as its rationale for U.S. involvement in South Vietnam: "The right of the President of the United States to protect the lives of American men." But these forces have been removed and so this justification must fall.

In recent days, the administration seems to have shifted its rationale from protection of American troops in South Vietnam to a "self-determination" protection right for all Indochina. If there is any constitutional justification for the carrying on of war in that rationale, I fail to see it.

Mr. Chairman, if the President truly believes that the Cambodian situation poses a threat to the area, then let him come to Congress and make his case. Then the Congress could exercise its proper constitutional authority if we determined that the Cambodian situation warranted the expenditure of more American money and lives. But I urge my colleagues not to surrender our constitutional rights and responsibilities by passing legislation that could turn out to be a backdoor Tonkin Bay resolution.

Mr. REID. Mr. Chairman, I rise in support of the Addabbo amendment, which would prohibit the transfer of funds for combat purposes in Cambodia.

Mr. Chairman, on January 27 of this year I joined my colleagues and virtually every citizen of this Nation in commending the President for the signing of the cease-fire and arm's-length procedures in Paris. After almost a decade of war in Indochina, our troops had returned home, and the President of the United States to send its secretary of Defense to testify before Congress. But the administration has used Cambodia and Laos to be protected.

After almost a decade of war in Indochina, our troops had returned home, and the President of the United States to send its secretary of Defense to testify before Congress. But the administration has used Cambodia and Laos to be protected.

While the President of course is the Commander in Chief of the Armed Forces, it is Congress which under the Constitution has the specific power to declare war.

While Congress has in the past granted the Executive authority to wage war, the Gulf of Tonkin resolution has been repealed, and nothing has replaced it.

While the President, of course, has authority to protect U.S. troops throughout the world, there are no U.S. troops in Cambodia or Laos to be protected.

There simply is no justification in the Constitution for this activity.

Furthermore, there are explicit statements in current law, passed by Congress and signed by the President, which indicate that the bombing is in disregard of congressional intent.

Public Law 92-570, the Department of Defense Appropriations Act for fiscal year 1972, states:

"Nothing in... this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos."

Section 7(b) of the Special Foreign Assistance Act of 1973, as amended, states that U.S. aid "shall not be construed as a commitment by the United States to Cambodia or Laos."

Such language is explicit in its specification of commitment to the Cambodian Government, yet the Executive sends its Secretary of Defense to testify
that termination of our bombing will result in the fall of Lon Nol and the present Government of Cambodia, and that we should thus continue our operations.  

Mr. Chair.  I wanted to let us not keep believing that the executive branch had indeed made progress toward a "lasting peace."  Now let us in the Congress insure that there will be peace.  Events in Washington in recent weeks have emphasized the vital need for honesty in our Government, both to ourselves and to the people of our country.  Let us now be honest: We have a duty to break this impasse.  Let us accept our responsibilities now, while we have the power to do so and before we risk yet another decade of involvement thousands of miles away and division here at home.  

The House of Representatives today can stand up to its responsibilities and take action which no President should ignore.  Divided government fails to represent peace-loving and government kind measure lack of respect abroad.  The American people want this war ended once and for all.  Hopefully the House will make this move.  

Mr. MINSHALL of Ohio.  Mr. Chairman, the House today faces a most critical vote in upholding the most hard-fought, hard-won peace agreement in American history.  

Most emphatically the issue is not whether our vote giving the Department of Defense transfer authority would constitute another Tonkin Gulf resolution.  It would not.  The issue is simply whether the United States intends to abide by and enforce the agreement on ending the war and restoring peace in Vietnam signed at Paris on January 27, 1973.  

The whole Nation applauded the signing of the agreement which heralded the return of our combat forces, the release of our prisoners of war, a national homecoming that marks the end of a decade of sacrifice by our Nation.  

But there are other requirements in that agreement: in addition to a cease-fire in Vietnam, the return of POWs and MIA remains, and the withdrawal of United States and allied armed forces from South Vietnam.  I would like to point out that article 20 was written just as clearly, in just as large print, as were these other widely celebrated provisions of the agreement.  Article 20 has its conditions, very explicitly spelled out, and we insisted at Paris on January 27 that there be no question in the minds of the North Vietnamese, that compliance with this article would have to be reciprocal.  If not, it was implicitly understood that Community forces continued to carry out attacks, then government forces, with the help of U.S. air forces, would take counter measures, including air strikes in Cambodia as needed until a cease-fire is brought into effect.  

Nothing could be easier to understand than the conditions laid down in article 20.  

The parties participating in the Paris Conference on Vietnam undertake to refrain from using the territory of Cambodia and the territory of Laos to encroach on the sovereignty and security of one another and of other countries.  Foreign countries shall maintain a cease-fire in Cambodia and Laos, totally withdraw from and refrain from reintroducing into the two countries all combat and miliary personnel, armaments, munitions and war material.  The internal affairs of Cambodia and Laos shall be determined by the people of each of these countries without foreign interference.  The problems existing between Cambodia and Laos shall be solved by the Indo-Chinese parties on the basis of respect for each other's independence, sovereignty, territorial integrity, and non-interference in each other's internal affairs.  

Negotiators at Paris included this article to underscore, to emphasize, the fact that Laos and Cambodia cannot be declared "off limits" in peace-keeping efforts.  Conflicts in these two nations have a long history of interrelation with the war in Vietnam, so much so as to be considered parts of the single conflict—and acknowledged as such in article 20.  

Article 20 has been repeatedly, flagrantly violated by the other side.  To maintain the total agreement, to prevent collapse of the structure of peace, so painfully built by negotiators at Paris, we must do more than just give up.  The cost to our Nation and others, it is absolutely essential that we enforce the provisions of article 20.  

The vote today is a test of our resolve to uphold the peace agreement as a whole.  We are at the wire.  This is no time to panic and jerk the rug.  It is no time to cop out or get out.  

Mr. BADILLO.  Mr. Chairman, this bill is our Gulf of Tonkin resolution.  The transfer authority it contains, permitting the Department of Defense to spend an additional $430 million on its unconstitutional and barbaric air war in Indochina is a blank check that will come back to haunt this Congress just as the 1964 resolution did.  I urge the adoption of the Flynt-Giallono-Addabbo amendment as a necessary first step in not only reasserting the congressional role in foreign and military policy, but also in terminating finally all aspects of our tragic military adventure in Southeast Asia.  

Let there be no doubt that Congress will have to go well beyond rejection of this transfer authority.  Defense Secretary Richardson has made it abundantly clear that the Nixon administration intends to continue the air war in Indochina and will find the funds to do so regardless of what action may be taken on this particular bill.  Such arrogance cannot go unchallenged.  

In the first place, Congress has an obligation to uphold the good on Richard Nixon's broken pledge to end the war in Indochina.  

In the second place, there simply is no constitutional basis for the continued prosecution of this war without specific congressional assent.  The Gulf of Tonkin resolution was repealed.  Mr. Nixon's claim that as Commander in Chief, he is going to pursue military actions to protect U.S. troops in Vietnam is no longer valid, since those troops have been withdrawn.  It is clear that the continued air war over Cambodia and Laos is purely punitive in nature—a careless and savage attempt to achieve militarily what could not be achieved politically.  

This air war is reckless—it is reckless.  It represents reckless disregard of the consequences of U.S. crews being shot down and captured, thus establishing a new POW dilemma.  It represents reckless disregard of the commitment to peace the American people thought they had been given by their President.  And with the daily return of some 800-900 and 160 fighter-bombers over Cambodia alone, it represents reckless disregard of the need for fiscal restraint, for reliable estimates put the cost of the air war at $5 million a day.  

It is long past time that we in Congress brought an end to this war by using the appropriations process.  Today's vote is just a beginning, but an important one.  

Mr. BIESTER.  Mr. Chairman, the House today is faced with a request to fund the continued U.S. bombing in Cambodia.  The Department of Defense Appropriations Committee has recommended a total of $410 million for this purpose.  This transfer authority would avoid a specific request for new appropriations.  

Transfer authority has been requested to cover costs related to the Vietnam cease-fire and peace treaty and to provide additional "flexibility" to meet "contingencies" which may arise.  One of the contingencies is the U.S. bombing in Cambodia.  The Department of Defense has already spent $150 million of the requested funds for military activities in Southeast Asia, including the bombing raids in Cambodia.  

Some of the transfer authority is justifiable and proper in order to meet certain obligations arising from the cease-fire, the dollar devaluation and, as Defense Secretary Richardson has said, the general across-the-board military preparedness.  It appears clear to me, however, and I believe to the American people as well, that unrestricted congressional approval of the transfer authority will be read as acceptance of the Cambodian bombing by this body and endorsement of its continuance.  

Secretary Richardson, during a Senate defense appropriations hearing earlier this week, stated that if the transfer authority were denied U.S. bombing would nevertheless continue.  Later he added that if the transfer authority were approved it would be regarded "as a vote to at least acquiesce" in the continued air war in Cambodia.  

It would be a serious mistake if Congress were to continue allowing the President to construe legislative approval of the continued bombing as congressional concurrence in whatever undisclosed future military activities may be planned by the Defense Department.  Congress must
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make its intentions clear by specifically disapproving the use of funds for the Cambodian operations.

The letter and intent of legislation passed by Congress in recent years is opposed to continued military involvement in Southeast Asia. The Gulf of Tonkin resolution has been rescinded. Air operations are no longer justifiable as protective support for U.S. ground troops. Yet, our Government continues to become more directly involved in sustaining the Lon Nol government without congressional approval or public support. Millions of dollars a day are being directed into operations with no real explanation of its purposes or assurances of how long it will continue. In the meantime, our pilots and crews run the risk of being shot down and creating a whole new chapter in the bargaining obstacles we encountered with POW/MIA's in Vietnam and Laos.

The Cambodian situation brings to mind our initial involvement in Vietnam back in the early 1960's and it creates some of those apprehensions: goals, purposes and commitments which are unclear, yet increasing military assistance and expenditures are the priorities of this administration: Mr. BROWN of California. Mr. Chairman, after the peace agreement was signed, and our prisoners returned, I would agree with administration defense policies after the fact shows a weakness in this country's resolve to maintain a lasting peace.

We have gone down this road before, and the American people are not interested in doing it again. By disapproving transfer authority for use in bombing or combat operations in Cambodia, the House can voice its strong opposition to renewed and increased military involvement in Southeast Asia.

Mr. DOMINICK V. DANIELS, Mr. Chairman, I rise in support of the amendment to delete from the second supplemental appropriation the authority of the Department of Defense to transfer $150 million in previously appropriated funds to pay for the continued bombing of Cambodia. I am not aware of any law, or does the Department of Defense even allege that we have a commitment to or are we at war in Cambodia.

The Secretary of Defense first merely alleged Cambodia was a "messy little corner" of the war in Vietnam. As I recall, the war in Vietnam also began as a "messy little corner" of the world. That little meez cost the United States over 50,000 lives and untold hundreds of billions of dollars for over a decade making it the longest war in American history.

The time has come to get out of Indochina. The bombing of Cambodia is costing the American taxpayer $4½ million per day. I fail to understand what perverse logic there is in this part of the world that demands so great a resource from the American taxpayer.

There is no claim by the administration that the bombing of Cambodia is in any way necessary or even remotely conducive to the defense or security of the United States. They have failed in any way to justify what the rest of the world views as madness: We are losing our credibility with the rest of the world at a time when the American dollar is weak and our balance of payments must be reversed. We are in effect sending dollars to Cambodia in bomb bays and scattering them over the Indochinese peninsula.

The Department of Defense, arguing out of both sides of its mouth, states that it needs this transfer authority to pay for the bombing. On the other hand, if military operations are not being supported, the Department of Defense has stated that the administration would nevertheless continue to bomb, using resources and funds that it otherwise had no need to use. Therefore, I think that to disapprove of administration military policies in Southeast Asia, I am not aware of nor does the Secretary of Defense first merely alleged Cambodia was a "messy little corner" of the war in Vietnam. As I recall, the war in Vietnam also began as a "messy little corner" of the world. That little meez cost the United States over 50,000 lives and untold hundreds of billions of dollars for over a decade making it the longest war in American history.

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What we are being asked to do today is ratify unauthorized action already completed, by appropriating money to pay for these actions. Rather than working jointly with the administration to formulate a responsible foreign and defense policy, Congress is being dragged along in the wake of administration prerogatives. Then we are asked to endorse and support their continuation. I think that within 3 months of the conclusion of that involvement, we could allow the tragic mistake of Vietnam to be repeated, is inconceivable.

Therefore, with continued great respect for the administration and all involved, I must nevertheless cast my vote in favor of the amendment barring the use of DOD transfer funds for continued military operations in Southeast Asia.

Mr. MOW of California. Mr. Chairman, after the peace agreement was signed, and our prisoners returned, I assumed, like most Americans, that a terrible chapter of our history, the Vietnamese war, was closed.
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For 10 years I made speeches attacking our involvement in Cambodia. For 10 years I was right about the subject. With the treaty signed I felt the chance had come to move beyond the issue and concentrate my energies on the task of rebuilding the broken lives of people in America.

When the peace began to fall apart, I hoped, like everyone else, that it was temporary. After all, reports were that cease-fire violations were decreasing, and treaties would soon be in effect.

But I had not counted on the continuation of the arrogant, and stupid thinking that has characterized our foreign policy in Southeast Asia since 1964.

Once again we are committing ourselves to a venal, autocratic, corrupt regime. This time our bulwark against communism is Lon Nol, and the country that must be saved is Cambodia. The fact that the government is crumbling within, and has no support is immaterial. The fact that Lon Nol is as out of touch with his own people as was the United States is of little concern. The country must be saved.

Oh, we have wised up a little. We are not letting American boys die anymore. That you cannot keep out of the newspapers. Instead we say we will keep the hell out of everything and everyone. As long as the color of the victims is yellow, this administration thinks no one will care.

I can only ask, "When will enough be enough? When will the body count be complete? Mr. Nixon, when are you going to listen to these people alone?"

The last question is not just for the President. It must also prey on the minds of every Member of this body. For as long as we give that man's money, he will do whatever he damn well pleases, and we are his accomplices.

For that reason it is essential that we pass the Flynt-Addabbo-Glaiso amendment to the second supplemental appropriation bill for fiscal year 1973 to ensure that no funds from this bill will be used in Cambodia for bombing.

Passage of this amendment will be proof to President Nixon that the Congress of the United States does not support his actions in Cambodia. We will be saying, "Mr. Nixon, the policy of armed, active American intervention in Southeast Asia is over. It is bankrupt, and you will have to do better."

If this amendment fails however, we are in serious trouble. Elliot Richardson has said the administration would be justified in regarding a rejection of the amendment as a vote to at least acquiesce in the bombing of Cambodia. These are the words of an administration moderate. From the words of an administration moderate it would be in-effective.

To President Nixon this could be his own version of a Gulf of Tonkin resolution.

We have seen ample evidence within the last few months of how strictly Mr. Nixon's aides feel they are answerable to the Nation. Not to be outdone, Mr. Nixon, with his one of executive privilege, seems to be saying, "What's good for Richard Nixon is the way it's going to be. Like it or else."

Frankly, I do not buy it. The policies of Richard Nixon should be subject to our scrutiny and approval, the same as any other President. It is our duty to make sure the President understands that.

I suppose I am an expert of sorts on voting against defense appropriations. If more of my colleagues had joined me in 1965 this whole idea of American action in Southeast Asia would be academic. From my experience I assure you that this time the vote is easy and the consequences are real.

Recent court decisions lead me to believe that this particular amendment will not stop the Government from continuing its policy. It is undoubtedly the most important vote to date in the 93rd Congress.

If the transfer of funds for the bombing operations are approved by the Congress, it will establish a record of, at least tacit, support for the bombing policy.

Recent court decisions lead me to believe that this tacit support is all that is necessary to establish the legality of the continued action.

At the present time, the record is clear. The Congress has never approved our military activities in Cambodia. The opposite is true. The Mansfield and Fulbright amendments clearly state that the Congress is opposed to a war in Cambodia.

I, together with other Members of Congress, have filed suit challenging the President's authority to commit American Forces to Cambodia. In my opinion, the weight of evidence is on our side. But, if the Congress accepts the President's action by voting him funds to continue it, then the legal basis for our suit could be eliminated.

This morning's Washington Post editorial referred to today's amendment as another "Tonkin Gulf." I do not believe this is overstating the case. Even more ominous is the Evans and Novak column which appeared in the same paper. In lambasting the United States for limiting the number of advisers the United States can maintain in Cambodia, the column goes on to say that less than 1,000 professional U.S. advisers—perhaps CIA paramilitary experts with experience in Laos—might have transformed the PANK-Cambodian Army—into irregular light infantry capable of confronting the Communist insurgents.

This kind of talk brings on a frightful sense of deja vu. The arguments are the same that were advanced in the 1963-65 period. We are developing a policy now that is no different. It has no better chance of success, than our policy of 10 years ago.

The question confronting the Congress today is this: Have we just emerged from a long and terrible tunnel and are we going to turn around and enter it again the other way?

We are fortunate in having Defense Department information on the extent of our military operations in Cambodia up to the present time—12,136 bombing sorties; $282,000,000 spent in bombs dropped; 20,000 American military personnel have been killed.

What will we do when the first of our pilots has been taken prisoner? How soon will that figure of 11 men killed grow to 100—1,000—or 10,000? How many more billions of dollars are we willing to commit to a losing cause? And, the question which is hardly ever raised—how many innocent Cambodian civilians have we killed up to now, and how many more are we going to kill in order to preserve their corrupt and incompetent government?

Our present policy borders on insanity. Not only must the Congress become a party to that policy, it must put an end to it now.

Mr. JONES of Oklahoma. Mr. Chairman, I will make my comments brief and to the point.

I cannot in good conscience support the additional transfer authority of $430 million. My objections focus on the issue of congressional responsibility to determine spending priorities.

I will not belabor the point made here and elsewhere—that the United States has no treaty obligation to Cambodia. Nor has there been congressional authorization for American military operations there. Military activity in Cambodia rests solely on executive decision.

I will not prejudice the need for American military activity there. It may be there are pressing reasons for it. If so, let the President come to Congress for the authority. That is the legal and constitutional argument. Congress has the clear responsibility under the Constitution to establish the priorities for the expenditure of public money, to set the commitment to law and order compels us to observe the Constitution in this regard. I do not doubt that if these operations are authorized, the Congress will concur. But Congress cannot concur without being informed.

The House is true of American people and their need and right to be informed. It is no longer possible to plead
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war as the excuse for the lack of full explanation. The President himself has proclaimed himself proud of the Vietnam war. There are no American ground forces in South Vietnam to be protected. There are no American prisoners of war in North Vietnam to be repatriated. So long as the Vietnam war continued, it was supported by the people of the First District of Oklahoma. They supported the policies of both Presidents Johnson and Nixon. More recently, they gave their unqualified support to President Nixon's efforts to achieve peace with honor.

But the citizens of the First District believe firmly in law. They want to see the Constitution observed in letter and spirit. They know that the legitimate authority of Congress to authorize expenditures is a barrier against excessive executive power. I believe that they want Congress to live up to its responsibilities.

Moreover, the people of the First District believe in government blank checks. But this appropriation is exactly that. The Department of Defense says that it needs this money to give the Department of Defense needed funds. The overwhelming majority of Oklahomans are firmly opposed to such a policy.

The argument has been made that we waste defense dollars here today since the Secretary of Defense has announced that the administration will continue the bombing of Cambodia whether or not the Congress approves the transfer authority. I am not impressed by that argument. It is no waste of time when the Congress stands up to its responsibilities under the Constitution.

In casting my vote to prohibit the free transfer of these Defense funds in Southeast Asia, I am carrying out one of my first responsibilities as a Congressman and that is to accurately represent the views of my district.

Through the responses to my recent questionnaire, through individual letters and through numerous personal visits back home, I feel my district has the following opinions: First strong opposition to diverting money to rebuild North Vietnam; second, strong opposition to a no win war or war of attrition; third, support for the proposition that future military activity should have the support of Congress after a fully informed hearing. I feel that my vote carries out those majority opinions of our district.

Mr. METCALFE. Mr. Chairman, as this body deliberates the proposed amendment to disallow funds to be spent by the Department of Defense in the aerial war over Cambodia and possibly other parts of Southeast Asia, I would like to comments in favor of the amendment and against the Defense Department's posture in Southeast Asia.

At the beginning of the 93d Congress the members of the Democratic Caucus agreed that the processing and return of the POW's and the end of the active hostilities in South Vietnam there would be no more support for any military activity in that area, including Cambodia, Laos, and Thailand. Now we are being asked by the House Appropriations Committee to approve a transfer of funds for the DOD so that they may continue the military activity in that area. We are also informed that some of the money has already been spent. Further, the Defense Department has spent funds for the bombing of Cambodia that were not allocated for that purpose.

It seems that the military does not care about the intentions of the Congress as evidenced by the recent testimony of Secretary Richardson before the Senate Appropriations Subcommittee on Defense. Mr. Richardson remarked that it must be emphasized that the denial of the requested authority will not impact on U.S. air operations in Cambodia, but across the board on our baseline forces.

Given this statement, it seems that the DOD sees itself as above the intentions of the Congress and the executive power. Whatever moral obligations that we feel toward the rest of the world, one of them cannot be to control or manipulate the lives and the destiny of any particular country or nation.

This is essentially what we are doing in Southeast Asia.

Three years ago this Government did something similar, and yet quite different, in Cambodia. We invaded the country. We were reminded, in a very painful way, that we were continuing a fruitless policy and, yet, we still have not learned from that tragic incident. Tragic not only because of what happened in Cambodia but, also, for what happened here, in the United States of America. It is, indeed, one of the last chapters in the history of the domestic aspect of the war. It is a part of the last chapter of the war and toward humanity. It is past the time that we should have started to reorder the priorities of this, our country. It is past the time, but it is not too late for us to do something about it. We must act now if we are to save our children a decent place in which to live.

Worst of all, Congress has not yet done what it is within its power to prevent it all from happening again. Remember Kent May 4.

The issue is now.

ARTHUR KRAUSER, On behalf of the parents of Sandra, Jorgay, and Stephanie.

This letter reflects, in part, what we are talking about here today: a country's morals and morality as reflected in its foreign policy and the ramifications of that policy at home. This is only a part of the tragedy that this country has suffered, but it is, indeed, one of the most tragic parts.

We have a situation before us today that would indicate that the Department of Defense will follow through on the intent of the law only if it conforms with the intentions of the DOD and their military objectives abroad: objectives which the military, the Department of Defense, would like to achieve. The rest of the world is free for the United States, objections of the other nation-states to the contrary, notwithstanding.

My last point as to why this body should not allow the DOD to transfer funds for the continuation of the bombing of Cambodia is a simple one of economy. Prescinding, of course, from the moral aspect which I have touched on above, why are we still wasting money trying to bomb a people into oblivion? This at a time when we are not able to feed, employ, house, and medically care for the people on the richest land on the face of the earth. If we are unable to take care of our own to some degree of completeness, then how are we able to afford the continued bombing of Cambodia?

To take this further, on April 25 of this year the Air Force announced that it was costing about $18 million per day for the continued bombing of Cambodia: that comes to something over $52 million per month or just under $625 million per year, if we were to let this action continue that long.

The money that could be saved here by stopping the bombing of Cambodia would pay for a large number of local health centers in those areas which are medically underserved; it would start a lot of homes for those Americans who are now homeless or in inadequate shelter; it would make a large dent in the number of people who are now starving to death across the country; it would train a lot of people for jobs that they otherwise would not be able to get; and it would be the first step toward making this country and Government away from war and toward humanity.

It is past the time that we should have started to reorder the priorities of this, our country. It is past the time, but it is not too late for us to do something about it. We must act now if we are to save our children a decent place in which to live.

I urge you to join in this effort and pass this amendment; a call for a responsive and responsible government.

MR. ROUSH. Mr. Chairman, today I have had the opportunity to cast my vote not once but twice in expression of my conviction about my opposition to
the current U.S. escalation of military support in Cambodia.

Both in the Democratic caucus this morning and on the floor of the House this afternoon I voted to oppose the transfer authority requested by the Department of Defense in the amount of $500 million and smaller amount recommended by the committee of whose restoration.

I oppose this transfer authority, first because we have had assurances before that the United States was not becoming involved in Cambodia's internal difficulties and would not become so involved and these assurances evidently have become inoperative. In May of 1970 Secretary of State William P. Rogers assured us that—

We don't intend to become involved militarily in the support of the Lon Nol government, or any other (Cambodian) government.

Three years later he is telling us that—

"The choice before us today is whether to allow a military takeover of Cambodia by North Vietnam soldiers or withdraw on a negotiated Peace."

Is the negotiated peace, then, to become the ground for a new round of U.S. fighting in Southeast Asia? The rhetoric sounds all too familiar: stuff involving foreign forces, the need for U.S. assistance to temporarily shore up the government forces.

It was with the same kind of logic, or lack of logic, that we became bogged down in Vietnam for more than a decade with the loss of thousands of lives. I do not intend to be a party to the same eroding process by which the American people are carried down the garden path to an extended military engagement for reasons unknown and with justifications undemonstrated. So I have voted against the transfer of funds sought by the Department of Defense.

Can it be argued that we are committed there by treaty? The answer is "no." Neither the SEATO pact nor the new revolution in Cambodia requires our presence in Cambodia. Nor can the argument that we are protecting American troops and POW's justify the additional military engagement.

When U.S. forces were withdrawn from Cambodia after the 1970 attack on Communist sanctuaries there the President said:

"The only remaining American activity in Cambodia after July 1 will be air missions to interdict the movement of enemy troops and material where I find that this is necessary to protect the lives and security of our forces in South Vietnam."

The administration tells us now that this action in Cambodia is a winding down of the Vietnam involvement. What, then, has happened to the peace with honor the President described back in January? And how can increased air sorties over Cambodia in the past months described as "winding down"?

Second, I oppose the transfer authority by any stretch of the imagination be to the Department of Defense because I believe we must have a clear statement of congressional intent regarding Cambodia. Secretary of Defense Richardson has already told the Congress that a "no" vote will not defacto the administration's present policies of massive bombing over Cambodia. On that we shall wait and see. However, a vote to withhold the transfer authority will produce a clear record of congressional opposition to this increasing involvement of the United States in Cambodia. A "yes" vote will be used by the administration, as it has been before, to justify their actions and to indicate congressional cooperation, approval.

The American people do not want another Southeast Asian war to drain off American lives and resources and I will not vote for funds that clearly violate the expressed convictions of the American people, convictions I fully share. If the administration will prosecute this military escapade in Cambodia, let them do it without our approval and without any semblance of congressional support.

Besides objecting to the transfer of funds which may reveal any semblance of congressional authorization for the Cambodian intervention when this intervention is neither necessary nor desirable, I object to the fact that it appears that the Department of Defense has already executed a transfer and that they simply want our stamp of approval. Has the balance of power come to this? $150 million of the transfer is for expenditures in excess of budgeted amounts in support of military activities in Southeast Asia during January, February and March of this year.

Moreover, according to the committee report accompanying this bill, the funds to be transferred will come from excess balances of appropriations provided to the Department of Defense in previous fiscal years, primarily in the procurement accounts. How come the Department of Defense so miscalculated earlier budgets as to come up with a surplus? And at a time of severe fiscal restraint, can we justify rewarding such miscalculations with the authority to transfer these funds elsewhere, even if we approved of where they were going? I think not.

Of primary importance to me is the fact that the Congress had not expressed its will regarding war and peace since the peace negotiations of January. It is time that we revived the constitutional prerogative of the Congress and through it the American people, to decide on when and where and if we go to war. That should not be the decision of the Department of Defense or the President alone. I cast my votes with that in mind.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Addabbo).

Mr. ADDABBO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—yes 219, noes 188, not voting 26, as follows:

[Roll No. 136]

[AYES—219]

Grasso Pepper
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Griffiths
Pike
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Pilsen
Guile
Pleiser
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Taylor, Ala.
Javits
Taylor, Nev.
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Taylor, Tex.
Johnson, Calif.
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Johnson, N. Y.
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Thornberry
Jones, Calif.
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Junior
Tompkins
Thurmond, S. C.
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Tigges
Tower
Trammell
Trompeter
Truman
Truhlar
Tunney
Twarog
Tưv
Urban
Uihlein
Hickel
Van DeBldn
Vogel
Van Doze
Voelker
Vandenberg
Warren
Vandenberg, N. Y.
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Vanderbilt
Warrington
Vandiver
Washburn
Vanderpool
Watkins
Van Dorn
Watson
Van Dorn, Mich.
Waxman
Van DeBldn
Wayne
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Mr. LONG of Maryland. Mr. Chairman, the purpose of this amendment is to make loud and clear the point which we have tried to make in passing the amendment offered by the gentleman from New York (Mr. Amracro). My amendment makes it perfectly clear for many people, who were genuinely and honestly disturbed about aspects of the Addabbo amendment, to support it. There were problems in the Addabbo amendment for many—for me—but there were for many people because they felt that this would hamper the administration and the Defense Department and for the world, too, its hands and hinder its freedom of action. That is why many Members voted against the Addabbo amendment even though they were genuinely disturbed about Cambodia, and wanted to make it clear that we ought to get out of there.

Now, if it is the point, as I think it is, that the Addabbo amendment wants us not to campaign U.S. combat operations in Cambodia, then now is the time under my amendment to express that explicitly rather than merely implicitly. I keep in mind that my amendment merely addresses itself to U.S. armed combat forces. It is still possible to help in many other ways. My amendment does not address itself to that one way or the other. But if we pass this amendment today we will put a double lock on the door.

On the other hand, if we vote down this amendment—which says that none of the funds herein appropriated to the Department of Defense under this act shall be expended to support directly or indirectly combat activities in, over, or off from the shores of Cambodia by United States forces—if we vote this down, then certainly the President is entitled to be confused as to what the Congress intended when it agreed to the Addabbo amendment. So I hope that the House will vote for my amendment.

Mr. FOLEY. Mr. Chairman, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman from Illinois.

Mr. FOLEY. Mr. Chairman, I rise in strong support of the gentleman's amendment.

Mr. LEIGHTON. Mr. Chairman, will the gentleman yield?

Mr. LONG of Maryland. I yield to the gentleman from California.

Mr. LEIGHTON. Does the gentleman's amendment affect the military assistance program to the Lon Nol government?

Mr. LONG of Maryland. In no way. It merely attempts to prohibit the use of U.S. combat forces. Mr. LEIGHTON. So that Lon Nol can go ahead and fight his war, and we can just address ourselves to American forces there?

Mr. LONG of Maryland. Yes, just the same as we intend to do in South Vietnam.

Mr. Chairman, I yield back the balance of my time.

Mr. GERARD R. FORD. Mr. Chairman, I move to strike the requisite number of words.

Mr. GERARD R. FORD asked and was given permission to revise and extend his remarks.

Mr. LONG of Maryland. Mr. Chairman, I have lost before, and I probably will lose in the future, but it does not affect me personally because that is part of the ball game. I cannot help but say that I think this is a very, very sad day in the House of Representatives. I respect the Members' views. I respectfully disagree with some of them. I happen to believe, as I have said to those of us on our side of the aisle, that the personal days are that this issue is not on the previous amendment and the one now up had far greater ramifications than appeared on the surface. I think that it is appropriate to say that in the last 5½ years, because of the strength of the House of Representatives, a majority of them, we have been able to withdraw 940,000 U.S. military personnel from Vietnam.

Because of the strength of the majority, both Democrats and Republicans in the House, we have been able to get back all of our POW's, approximately 550, American prisoners of war. And because the majority of the House had faith in the policies that were being pursued to end the war, we now have teams in Vietnam to identify whether or not the listed missing in action are really missing in action, or whether there is a hope that they will turn up. Because of a coalition in the House, that type of people who were strong in the face of adversity in the last 3 years, we achieved a peace agreement. We have a cease-fire in Vietnam, and we have a cease-fire in Laos.

This group on both sides of the aisle did not bow down and capitulate to the mobs that stormed the steps of the Capitol, and we did not listen to the prophets of doom. Of course, he was dead wrong then, and I refer to a comment made by my friend, the gentleman from California, when the President had taken firm action for the bombing in the North and the blockading of the harbor in North Vietnam.

The distinguished majority leader, the gentleman from Massachusetts (Mr. O'NEILL) at that time said: The White House will have to show tremendous diplomatic skills in the next 3 days or we could be in World War III.

Of course, he was dead wrong then, except that the administration apparently exhibited those extraordinary diplomatic skills that resulted in the averting of world war III and the end of that war in Southeast Asia.

A policy of strength for America is good for us and a policy, that I interpret as one of weakness, is not good for America. The best illustration of how strength programs results is the strength and the character and resolve of the Israelis in the Middle East. They are faced with some 50 or 60 million Arabs on the one hand and they have 6 million people in Israel itself. Because they are strong militarily and because they have strength of character and resoluteness, the country is moving ahead and the opposition is on the defensive.

At no time in the history of this country have we achieved results by standing still or backing off. My interpretation of this long amendment on how one person or another voted on the vote that was just taken, is that an affirmative vote for the Addabbo or Long amendment is a backing off from a responsibility that could lead to dire and serious consequences not only in Southeast Asia but the world as a whole. It amazes me as it disappoints me that the House of Representatives, that has a track record of strength and firmness, is now crumbling and crumbling. I am disappointed and I am sad.
AMENDMENT OFFERED BY MR. STRATTON TO THE AMENDMENT OFFERED BY MR. LONG OF MARYLAND

Mr. STRATTON. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Maryland (Mr. Long)
The Clerk read as follows:

Amendment offered by Mr. Stratton to the amendment offered by Mr. Long of Maryland: At the end of the amendment, strike out the period. insert a semicolon, and add the following words: "Except that no such limitation shall take effect until after the period of time during which the meeting between Dr. Kissinger and Le Duc Tho looking toward improved cease-fire compliance has been held and a full report on its results made to the Congress; or if such a meeting is not held, until the President has reported fully to the Congress the reasons therefore; but in no event shall such delay continue for more than 3 months.

The CHAIRMAN. The gentleman from New York (Mr. Stratton) is recognized in support of his amendment.

Mr. STRATTON. Mr. Chairman, I would like to explain what I attempted to say in this amendment.

Mr. LONG of Maryland. Mr. Chairman, I object to the amendment. I object to the fact that the amendment is vague and out of order because it is vague. It refers to people such as Kissinger and Le Duc Tho and it is not the type of language that fits in with the legislative action we are taking. In addition, it is legislation on an inappropriate bill.

Mr. STRATTON. Mr. Chairman, will the gentleman from Maryland withdraw his point of order until I have had a chance to speak on the amendment. I did not yield to the gentleman from Maryland, Mr. Chairman.

The CHAIRMAN. Will the gentleman from Maryland reserve his point of order until the gentleman from New York has explained his amendment?

Mr. LONG of Maryland. Yes. Mr. Chairman.

Mr. STRATTON. Mr. Chairman, I would like to explain what I attempted to say in this amendment.

Mr. LONG of Maryland. Will the gentleman from Maryland reserve his point of order until the gentleman from New York has explained his amendment?

Mr. STRATTON. Mr. Chairman, I would like to explain what I attempted to say in this amendment. This matter has already been debated in full. I shall not take my full 5 minutes in explaining this amendment.

Mr. STRATTON. Mr. Chairman, will the gentleman from Maryland withhold his point of order until I have a chance to speak on the amendment. I did not yield to the gentleman from Maryland, Mr. Chairman.

The CHAIRMAN. Will the gentleman from Maryland reserve his point of order until the gentleman from New York has explained his amendment?

Mr. STRATTON. Mr. Chairman, I would like to explain what I attempted to say in this amendment.

Mr. LONG of Maryland. Will the gentleman from Maryland reserve his point of order until the gentleman from New York has explained his amendment?

Mr. STRATTON. Mr. Chairman, I would like to explain what I attempted to say in this amendment.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. The gentleman will have the floor. I make a point of order against the gentleman's amendment on the ground that it is legislation on an appropriation bill, and it is legislation because it imposes additional duties on the President. Therefore, it is out of order.

The CHAIRMAN. Does the gentleman from Maryland insist on his point of order?

Mr. LONG of Maryland. I do. Mr. Chairman.

Mr. STRATTON. I would like to explain this amendment. The amendment simply defines a precise time limit for that limitation. In no event, however, will this limitation persist more than 3 months. Perhaps we ought to make it less than 3 months, but we ought at least to give an opportunity for these negotiations to go forward before we clamp down on any possibility of a cease-fire in Cambodia.

Mr. SIKES. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Florida (Mr. Sikes).

Mr. SIKES. Mr. Chairman, as I understand the amendment, the gentleman from New York is simply to restate the desire of the Congress for a negotiated settlement of the conflict in Cambodia. It simply states exactly what limitations on the President we may have taken to preclude our desire for a negotiated ending of the war. In other words, it would approve the forthcoming negotiations.

Mr. STRATTON. The gentleman is exactly correct. I do not think we in this House really want to take on the responsibility of having done something which people might later on say. "This was an action of the Congress that made it impossible for us to get a cease-fire in Cambodia, which virtually assured that the cease-fire in Cambodia would not be effective either."

Mr. SEIBERLING. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from Ohio (Mr. Seiberling).

Mr. SEIBERLING. Mr. Chairman, is it not true that the January agreement provides that no outside party shall conduct any military operations in or over Cambodia?

Mr. STRATTON. The same agreement provides that all foreign forces shall be withdrawn from Laos and Cambodia. Yet the North Vietnamese have not so far withdrawn their forces.

There was an understanding with the North Vietnamese and with the Russians that they would not enter Cambodia. I had the privilege of being at the White House the day after the cease-fire announcement was made. It was made very clear by Dr. Kissinger and by the President, that we would not continue to conduct operations in Laos until there was a cease-fire agreement there, and both sides would also continue to conduct operations in Cambodia until there was a cease-fire there.

We finally got a cease-fire in Laos. Dr. Kissinger at the time indicated, however, that it would be more complicated to get a cease-fire in Cambodia and might take a little longer.

POIIN OF ORDER

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. STRATTON. Yes, Mr. Chairman. I do wish to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. STRATTON. Mr. Chairman, the amendment of the gentleman from Maryland imposes a limitation on the expenditure of funds contained in the bill from the Committee on Appropriations. My amendment simply defines a precise time limit for that limitation. It imposes no obligation on anyone else. It simply states what is precisely and specifically required of the President.

Mr. BROOKS. The Chair is prepared to rule.

The amendment offered by the gentleman from Maryland is a limitation on expenditures. The amendment offered by the gentleman from New York is a time limitation, but it also is legislation, in that it would require additional responsibilities and duties. It would require individuals to report, and finally the President to report. It would be legislation.

Therefore, the Chair sustains the point of order.

Mr. HANNA. Mr. Chairman, I rise in support of the amendment.

I would not have asked for this recognition had I not been sitting in the Chamber when the distinguished minority leader made the statement which he
made and which I accepted with respect for the sincerity with which he spoke. I believe there is something more significant in the decisionmaking going on in this House right now than many who are sitting in this Chamber would realize. I have watched these forces rolling to this point for some time.

I draw attention to this historical perspective. Without any showing of cause or blame on the part of anybody, or any partisans throughout this history, I should like to remind the members that since the beginning of this century, starting with World War I, this country has had to take a position in history of being concerned about security and being involved in military conflict or the threat of military conflict. In that concern and in that history we have had to place at the front end of our policy decisionmaking, and it has been the responsibility of the House throughout all of that to put in front of our policy decisionmaking—making security considerations dominating, forcing the decisionmaking of this House.

During that history the economy of this country has been in a tandem position with our military and security forces, and the Government and politics has simply been the servant to that. We are at a point of change in this world and in this House. It is in the future the role of the military to be in the third position rather than the first. And it is not going to help, in fact that there is going to be a change as to who is going to be in charge of the decisionmaking in this House, and the military and Armed Forces are not going to be as powerful.

The thing we are saying now is that the country must accept and face up to the responsibility of this country's power not being used, not just in the economies, with the Government and politics in tandem with the economies, in trying to solve the problems of the world instead of destroying the people of the world.

I believe this is the thrust of history which lies before us. We should not be afraid to accept it.

The words of the amendments we have voted on today point us in that direction of history, and I believe they should be supported.

PARLIAMENTARY INQUIRY

Mr. COLLIER. Mr. Chairman, I have a parliamentary inquiry, and I will make a point of order, if it is in order.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. COLLIER. The parliamentary inquiry is this: Did we not waive points of order against this House? If we did, how, then, is a point of order in order when points of order have been waived?

The CHAIRMAN. The rule only waived points of order against provisions of the bill. The amendments offered from the floor to that legislation.

Mr. COLLIER. Mr. Chairman, would not the amendment offered by the gentleman from Maryland (Mr. Long), be in and of itself under that waiver, and therefore, any subsequent point of order on an amendment thereto would be equally out of order?

The CHAIRMAN. Any amendment offered on the floor could be subject to a point of order raised on a point of order against the amendment offered by the gentleman from Maryland (Mr. Long). A point of order was raised against an amendment to that amendment. It is sustained. That is the situation existing at this time.

Mr. COLLIER. I thank the Chairman.

AMENDMENT OFFERED BY MR. STRATTON TO THE AMENDMENT OFFERED BY MR. LONG OF MARYLAND

Mr. STRATTON. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Maryland (Mr. Long).

The Clerk reads as follows:

Amendment offered by Mr. Stratton to the amendment offered by Mr. Long of Maryland:

At the end of line 1, strike out the period, insert a semicolon, and add the following word:

"Except that no limitation shall take effect for 2 months."

Mr. STRATTON. Mr. Chairman, this amendment has been revised from the previous form to make it consistent with the point of order raised by the gentleman from Maryland (Mr. Long). I have conferred with the Parliamentarian, and believe there is no point of order that could now be properly lodged against this amendment. This new amendment basically accomplishes the same thing as the one previously ruled out of order. It gives us 2 months to see what these new diplomatic conversations will produce, before the boom falls. If this House wants to act responsibly, then we should add this amendment of mine to the amendment offered by the gentleman from Maryland (Mr. Long).

Mr. LONG of Maryland. Mr. Chairman, I make a point of order that the amendment is out of order.

The CHAIRMAN. The gentleman from Maryland (Mr. Long) is making his point of order.

Mr. SPENCE. Mr. Chairman, I move to strike the last word.

Mr. SPENCE asked and was given permission to revise and extend his remarks.

Mr. SPENCE. Mr. Chairman, as most of you know, I have not taken the floor on too many occasions since I have been serving in Congress.

But today I find many in the same position as the fellow was one time when he was in church and the preacher asked for a call of all those present who wanted to go to heaven, and everybody stood up except my friend down there in the front pew who was sound asleep. Then the preacher asked if anybody wanted to go to hell. He said it so loud and made such fuss that it woke the old fellow up, and he jumped right straight up in the air, looked all around and got embarrassed, and he said, "Pastor, do not think we are voting on it, but it looks like me and you are the only two that are in favor of it."

Mr. Chairman, I think we are in that position today. Really I think we have been asleep. I really cannot believe that this has happened on the floor of the Congress of the United States, and I believe that history will look back in the future and will show that Cambodia and Laos and the other countries in Southeast Asia fell to communism, and people, millions of them, lost their freedoms because we just plain sold them out. I cannot conceive of it.

We have been a leader in this world for years and years, and for the first time we have ducked our heads and gone home and told the rest of the world "to the devil."

"We cannot care for yourselves." I cannot believe it.

Mr. Chairman, I would ask my colleagues here today to imagine such a debate as ours occurring in Russia or Red China. Would it be permitted in North Vietnam? What if the Communist forces in Cambodia, half of which are North Vietnamese, are successful in taking over the legal government there? Would any criticism of their policy be allowed?

These questions answer themselves. Mr. Chairman, and those answers should seem to remind us that real enemy of freedom lies. Unfortunately, however, while most of us would agree that life under communism would be highly unpleasant and that many individuals seem to think that is not their problem. They have their freedom here in America, and they refuse to acknowledge communism's threats to us.

One of my favorite figures of South Carolina history was a young man whose name goes unrecorded, but whose actions have special significance for us today. He left his home and family and traveled all the way to Texas "to fight for my country." Like the rest who fought at the Alamo, he died a hero. Of course, Texas was not even a part of his country at that time, but he could see the threat.

As leaders of the free world, we have an obligation to help small nations resist the threat. In addition to the moral responsibilities we have, we should be able to consider our own self interests. Either we fight now or we fight later. Personally, I would rather fight communism in faraway Southeast Asia than right here in Washington. I would rather be responsible for the fighting now than to leave it with my children to worry about in years to come.

Those who keep introducing or voting for resolutions which seek to hamper our efforts in Southeast Asia must admit one of two things. Either they believe that left alone, communism will cease its aggression, which is naive in the extreme, or that they just do not care whether those countries go Communist or not. However, they create their concern for the poor, the downtrodden, and those who cannot take care of themselves, and still be willing to abandon an entire people to communism. They urge that we spend billions to build schools and hospitals overseas, and then turn around and shout "No" when we are asked to help a country in danger. They urge that we spend billions to save those who are sitting in prison and told the rest of the world "to hell with you."
I urge the defeat of the Stratton amendment.

Mr. PICKLE. Mr. Chairman, I move to strike the requisite number of words. (Mr. PICKLE asked and was given permission to revise and extend his remarks.)

Mr. PICKLE. Mr. Chairman, the problem which torments and plagues us is the fact that we have continued bombing in Cambodia. We have announced to the world that we have ceased the fighting. Our troops have come home, and I think that the whole world cries for peace and for a complete cessation of bombing and fighting. The nerve spot now is Cambodia.

I do not think the people can understand how we can have peace and march toward a conclusion of this controversy by having continued bombing.

Mr. Chairman, the amendment we have just passed went much further than I would have liked. I would have hoped that we could have had a chance to vote on the Long amendment first, which limits this to Cambodia.

It is the President's judgment that the best way to bring a conclusion to these hostilities is by a continuation of the use of force. I respect his position, but remember that history is made where something occurs. We want to stop this Cambodia bombing. We would hope that he may be right. Each of us has to try to do what is the best thing to really conclude this. The President is going to keep up the bombing or he is going to take the responsibility. History thinks he is his prerogative. He has that right, and we can all hope whatever he does is the right thing for us.

I do not disagree with that. I do, though, hesitate to say that we the Congress want to try to be the generals on the floor. I do not prefer an amendment that said there would be no combat activity in any part of Indochina, though I supported the previous amendment with heavy heart. What we want to do is stop the fighting and bombing in Cambodia. I think the President ought to have troops off the coast and ought to have the right to have troops in Thailand or other nations there. I think he has a right to have the right of action in any place in the world that he thinks is best at the time where something occurs. I do not want to strap him and tie his hands, but the vote we just took is an expression to the American people and to the this Cambodia bombing. I do not interpret the Addabbo amendment as an attempt to make the generals. It was a vote of protest against further bombing in Cambodia.

We want to stop this Cambodia bombing, and the thing that I think we can do most properly right now is to express a transfer of funds that allows bombing in Cambodia. For this reason I support the gentleman's amendment. I think it is in the best position which I hope we do not, whatever ends up in the final approach in the Congress, take a step that unduly ties the hands of the President.

Mr. Chairman, I would state that I think the gentleman from New York (Mr. STRATTON) is unnecessary in that a 2-month limitation, as the gentleman is attempting to put over, has no meaning whatsoever? Two months from when?

Mr. PICKLE. Mr. Chairman, I would state that I think the gentleman from New York could probably better express himself as to his amendment. I think this bomb- ing will go on for the next 69 days; anyway they will take funds from other sources and will go on to it, the only thing it does is to extend the time pending further negotiations.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent that all debate on the amendment offered by the gentleman from New York (Mr. STRATTON) be stricken.

Mr. MAHON. Mr. Chairman, I move to strike the requisite number of words. The Long amendment says that none of the funds herein appropriated to the Department of Defense under this act shall be expended directly or indirectly for combat activity in Cambodia, and so forth.

Well, Mr. Chairman, there is not a
great deal of money in this bill that relates to the fighting in Cambodia. There was $6 billion in Air Force operation and maintenance funds in the regular Defense Appropriation bill for the current year which was $7.6 billion. In all probability, only a very limited amount of money in this bill would be required for the remainder of this fiscal year in connection with the operations in Cambodia.

Frankly, I do not know what the interpretation of the Defense Department may be with respect to the amendment. But I think the arguments which many of the Members made against the Addabbo amendment would be a considerable extent apply to this amendment, and I would hope that the amendment will not be approved.

The House of Representatives has placed itself on record today as being in favor of stopping the bombing in Cambodia. That has been very clearly stated in the Addabbo amendment is that we should stop the bombing in Cambodia. So, as an expression of the will of the House I think that that has been made very clear and, clearer. Is not that clear enough to go at this time in expressing the sense of the House of Representatives? Having adopted the Addabbo amendment, I would hope we could stop there and give the President some flexibility, bearing in mind the will of the House of Representatives, to proceed without carrying his hands tied too tightly at this critical period in trying to wind down the war.

I do not think we should undertake to manage the war to the extent that the amendment of the gentleman from Maryland proposes. We made crystal clear what the majority view of the House is. Let us stop it there and not for the moment restrict the Commander in Chief further in his efforts to wind down the war and bring it to the most successful conclusion that may be possible. How successful it may be cannot be determined at this time. No one can guarantee that it will happen. As I said earlier, Mr. Chairman, to act in haste, to act in a moment of emotion, is not necessarily befitting this great Nation. It is not that we should give a little time here. Many times in the history of this world great mistakes have been made because people and nations have, under the stress of emotion and haste, taken actions which they later regretted. Perhaps we and the President can live with the Addabbo amendment; but it seems quite difficult to interpret the amendment in such a way as to give the President the flexibility that he might need to try to wind down the war, toward which a great deal of progress has been made. About 40,000 troops have been removed from South Vietnam. The President has obtained a cease-fire in Vietnam and in Laos. Give him the opportunity to finish the job in Cambodia.

The CHAIRMAN. Members standing at the time the unanimous-consent agreement was entered will be recognized for 2 minutes each.

The gentleman from Maryland (Mr. Long) is recognized.

Mr. LONG of Maryland. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from California (Mr. Moss) is recognized.

Mr. MOSS. Mr. Chairman, I find that it is rather difficult to determine what the amendment we have adopted does, because we are told on the one hand that it does absolutely nothing, and on the other hand we are told that it fashions the handcuffs for the President, takes away all flexibility, and renders it impossible to adequately discharge whatever duties are envisioned in this legislation. Obviously we cannot have both situations arising as a result of the adoption of the amendment. I believe we did right in adopting the Flynt-Addabbo-Giaimo amendment. But in order that we really create confusion, I would urge that we not adopt the Stratton amendment.

I think the others we can understand and live with.

Mr. MOSS. Mr. Chairman, I rise in support of the Long amendment and in opposition to the Stratton amendment. I do not think the 60 days are either going to get us anywhere or any more reason in this configuration. As I understand the Long amendment, the real intent here is to gain back the power of the Congress under article I, section 8. That is the war power. We have been seduced into a war by indignation, authorizations, and appropriations for 10 or 15 years. Now we are getting out of the bombing program by the previous amendment, and I would hope that we could go ahead and pass the Long amendment.

If we determine that we want to engage in those operations in Thailand or in Cambodia or in Vietnam, at some other time let the President make his request and bring it to the Committee on Armed Services.

Let us consider it, and let us not have this half-baked, half-hearted war by induction, as we have had for the past 10 or 15 years, but I am not going to argue that now. I think the gentleman's amendment is well taken.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. STRATTON) to the amendment offered by the gentleman from Maryland (Mr. LONG).