

# The Indochina Bombing Cutoff

On May 10 [1973] the House voted 219 to 188 to stop the U.S. bombing of Cambodia... doves were adamant... The President was just as firm... So high were the stakes, said presidential adviser Melvin Laird, that Nixon would veto every bill that came to him with an immediate Cambodia bombing cutoff provision...

The President blinked first. He let it be known that he would accept a cutoff if it was pushed back to August 15... The battle was joined on the afternoon of June 29. Over the protests of holdout doves, the House accepted the compromise. But what neither opponents or supporters realized at the time was that the amendment adopted went further than the administration had intended or than the doves had demanded.

*This article is excerpted, with permission, from Mr. Rapoport's new book, "Inside the House," published by Follett Publishing Co.*

The House had tacked on to the supplemental appropriation bill an amendment that would bar U.S. combat activities over not only Cambodia and Laos but over North and South Vietnam as well. The press and most members paid scant attention to this last minute addition of Vietnam. Cambodia was the location where the fighting was taking place, not Vietnam, where a ceasefire had been proclaimed. It was U.S. bombing of Cambodia that Congress was trying to stop.

Administration officials, however, took note of the change and reacted with alarm. From the point of view of Nixon policy, their shock was understandable. It was one thing for the President to sign away his claimed constitutional right to unilaterally intervene in Cambodia or Laos. It was another thing entirely to give up on South Vietnam. To accept legislation prohibiting him from immediately responding to a Communist military move in the South would, in the rhetoric of the administration, be inviting aggression from the North. It would run counter to everything Nixon had been saying and doing in Vietnam over the past four years. Yet that is precisely what he agreed to. That agreement was not willingly given. Nixon did not realize the full implications of what was taking place on the House floor until it was too late to do any-

*Repeatedly President Ford and other administration officials have contended that United States policy in Vietnam was hindered in part by the action of Congress in 1973 in taking away presidential authority to meet North Vietnamese violations of the Paris Accords with force. Here is an account, based on the testimony of then-House Republican leader Ford, of how Congress took that action and of the role played in it by President Nixon and, not least, by Mr. Ford himself.*

thing about it. Lapses of that sort were uncharacteristic of Nixon. In retrospect, it might be explained by his growing preoccupation with Watergate...

One of the principal participants in the events that led to enactment of the Vietnam prohibition was Nixon's successor. House GOP Leader Gerald Ford served as the administration's spokesman during the House debate. It was he who shuttled back and forth between the House floor and a phone booth in the House Republican cloakroom where he spoke with Nixon, White House Chief of Staff Alexander Haig and presidential adviser Melvin Laird at San Clemente. At one point Ford was forced to call Nixon and get personal assurances from the President that he regarded August 15 as a hard, fast and legal deadline, an assurance he relayed to the House. What Ford did not convey to his colleagues was his discovery that Nixon and some of his aides were less concerned about the date than they were about the inclusion of Vietnam in the prohibition. A week afterwards, sitting in his Capitol office, Ford confided how spontaneous and unplanned—as well as contrary to the President's position—that concession was.

"On the night before the Cambodia vote, I wrote down three points I was going to make. Number one, Nixon would accept August 15 as a bombing deadline. Number two, the ban on U.S. military activities would apply to all of Southeast Asia. And number three, the President would veto any legislative deadline earlier than August 15.

"Two members of the White House staff, one from Department of Defense, were here and I read the three points to them the night before. I read to them what I was going to say. The next morning they were here very early—eight, eight-thirty, I don't know, something like that—I reread it to them because I wanted specific reconfirmation. I had the feeling they didn't quite understand the significance of the words 'all of Southeast Asia' but I had written it down on a piece of paper which is now in my scrapbook.

"I made my floor speech, following

Appropriation's Committee Chairman George Mahon's speech. At that point, White House lobbyist Max Friedersdorf, Pentagon legislative chief Jack Marsh and somebody else from the White House got me off the floor and said, 'Oh, Jerry, you can't say Southeast Asia, you've got to limit it to Cambodia.' I said to them, 'I have said it on the floor, you confirmed it and reconfirmed it and there's no way to go back on it. Sorry, that's it, period.' They said, 'It can't be that way.' I said, 'I'm sorry.'

"So I went back to the floor and the debate went on and on and on. My colloquies on the floor (on whether Ford's proposed compromise had presidential sanction) took place. I said, 'No, I didn't talk to the President but to White House sources.' And at that point there was some laughter or booing or whatever it was. Apparently Friedersdorf and his associates were in the gallery and they felt that things were deteriorating a bit. Maybe they were. So they called Timmons. Timmons called the White House (in San Clemente) and the President then called me. I took the call in the Republican cloakroom off the House floor. I talked to the President for about ten minutes. I read to him the three points I made on the House floor and he said, 'That's fine.' Then I went back on the floor and I reconfirmed what I had previously said and told the House that the President approved of it.

"Five minutes later or so I got a call from Al Haig. He said, 'Oh, you can't do that. The President won't accept it.' I said, 'Al, it's done. That's it. I'm sorry but there's no way I can erase what I said. It is my understanding that this is what the President approved in his conversation with me.' Al was obviously disappointed. He said, 'I was sitting in the room with the President when you talked to the President. What you have said was apparently not what the President understood you to have said.' I said, 'I'm sorry, Al, but that's the way it has to be.' About five minutes later, maybe ten minutes, I got a call from Mel Laird, out at San Clemente. Mel said, 'Everything's okay. Don't worry about it.' That's it. I never asked Mel. But I can't help but believe that the Presi-

dent called Mel in and Mel and the President and Al Haig talked about it. It was my impression that the three of them then decided that what I had said on the floor had their approval. Because in the meantime there was a big hassle on the Senate side as to whether it should be limited to Cambodia or broadened to include Southeast Asia. Apparently my comment on the floor of the House resolved that problem in the Senate. That's what I'm told.

"I wrote down what I thought had to be said to win. In retrospect they say they didn't understand what I was saying. I thought it was pretty clear. Without it I think we might have gotten through. But it would have been a hard fight and I'm not sure the Senate would have taken just Cambodia. I think we might have won in the House.

"I don't like to put it on the basis of win or lose but I thought we made a very successful compromise. It was not all we wanted, but enough to give Henry Kissinger a chance to achieve what they thought could be accomplished in Cambodia. And I really, in retrospect, honestly believe that if we hadn't put in Southeast Asia the end result would have been chaos. The Cambodian provision was a rider to an appropriation bill that involved funding for a lot of agencies of the federal government. We could have had a very, very difficult situation if the bill had been vetoed."