

CHALLENGE LIKELY FOR KENNEDY POST

Strong Bid Expected From
Byrd of West Virginia to
Become Senate Whip

NOV 12 1970

By JOHN W. KINNEY

Special to The New York Times

WASHINGTON, Nov. 11—Senator Edward M. Kennedy is approaching another major test in his political career—this time over holding his job as Democratic whip of the Senate.

When the new Congress convenes in January, it appears likely that Senator Robert F. Byrd of West Virginia, a Conservative Democrat, will challenge Senator Kennedy for the post of assistant party leader.

Some Kennedy associates are fearful that, if such a fight occurs, the Massachusetts Democrat could lose the post he wrested from a Southern Democrat in 1969. His victory then was regarded as a bold political coup that established Senator Kennedy as a national political figure.

Senator Kennedy has made no secret of his desire to keep the post and thus retain his party leadership standing.

In his letters of congratula-

Continued on Page 33, Column 1

Continued From Page 1, Col. 3

tions to elected Democratic Senators, for example, he has made the point that he was looking forward to continuing as assistant to Senator Mike Mansfield of Montana, the majority leader.

As whip, Senator Kennedy is included in the leadership councils of the Democratic party in the Senate. But one of the complaints against him is that, while he has enjoyed the prestige of the job, he has neglected its practical duties, such as filling in for the majority leader in his absence, making nose counts on legislation, and making sure that Democrats are present on crucial votes.

Senator Byrd, who as secretary of the Senate Democratic Conference holds the No. 3 spot, is keeping his counsel for the moment but, significantly, is not ruling out a challenge to Senator Kennedy.

Premature to Speculate

Through a spokesman, Senator Byrd indicated that it was premature to speculate on whether he would seek to be whip until after Congress completes its post-election session beginning next Monday.

However some of his colleagues believe that Senator Byrd, who is regarded as a shrewd nose-counter in the Senate, will make the race if he thinks he can win.

If he won, Senator Byrd would establish himself as heir-apparent to 67-year-old Senator Mansfield, who has just been elected to what will probably be his final term in the Senate and who may step down as Democratic leader after the 1972 Presidential election.

Senator Kennedy's political strength has diminished since he ousted Senator Russell B. Long of Louisiana as whip in 1969 by a 31-to-26 vote.

Now that he has renounced his Presidential ambitions for 1972, Senator Kennedy can no longer command the support that flows to a likely Presidential candidate.

Since the accident at Chappaquiddick in June, 1969, he has also lost some of his ability to promise political support to Senate colleagues, who are up for re-election.

Senator Kennedy has also lost four supporters who will not be in the new Senate—Albert Gore of Tennessee and Joseph D. Tydings of Maryland, defeated in last week's elections; Ralph W. Yarborough of Texas, defeated in a primary election, and Stephen M. Young of Ohio, who retired.

These losses have been partly offset by the election of John V. Tunney in California and Adlai E. Stevenson 3d in Illinois, both of whom replaced Republican Senators and who can be expected to vote for Senator Kennedy as whip.

In a recent interview, Kennedy

can probably count on the vote of Hubert H. Humphrey, who is replacing Senator Eugene J. McCarthy of Minnesota. In the 1969 Democratic caucus, Senator McCarthy voted for Senator Long to be whip.

Mr. Humphrey, who served as Democratic whip from 1961 to 1965, when he became Vice President, said in an interview that, in returning to the Senate, he was "not aspiring" to an elected leadership post and was ready to support Senator Kennedy as whip.

But when informed that a Kennedy-Byrd contest was impending, Mr. Humphrey tempered his commitment by laughingly observing, "Maybe they need a compromise candidate."

On the basis of past allegations, therefore, Senator Kennedy should be able to count on 30 votes, or more than enough to win in a new Senate of 54 Democrats. But the concern of his associates is that there may be some defections in the ranks of past Kennedy supporters.

Criticism of Kennedy

Among some of his liberal and moderate supporters, there is grumbling that Senator Kennedy has not fulfilled his responsibilities as whip in rounding up Senators on crucial votes or in protecting the interests of the moderate-liberal coalition in the Senate.

For the last year or so, Senator Kennedy's appearances on the floor have been infrequent. On many occasions it was Senator Byrd, rather than Senator Kennedy, who served as the acting majority leader during an absence of Senator Mansfield.

Senator Kennedy is aware of the complaints and has pledged that, if re-elected, he would take a more active role as whip. He also has been handicapped by a deterioration in his staff, which he is trying to rebuild.

One of the Senator's problems, as his associates acknowledge, is that he has been preoccupied first with the accident at Chappaquiddick in which Mary Jo Kopechne, a secretary, drowned, and then with winning re-election by a decisive margin.

After intensive campaigning, he won re-election, obtaining 62 per cent of the vote. But now, as he returns to the Senate, he is confronted with a personal political irony.

He had wanted to win by a large margin in Massachusetts to secure a vindication from the voters after the Chappaquiddick accident. But, in concentrating on Massachusetts, he may have lost the vindication that he wanted from his Senate colleagues.

If there are any defections in the Kennedy ranks, Senator Byrd is in a good position to exploit them. Senator Byrd has built up goodwill among his col-

leagues by doing favors for them, such as protecting their interests on legislation called up on the floor.

In the process he may have accumulated some personal political debts that he could call upon in a race for the whip post.

Kennedy backers also suspect that Senator Byrd may attempt to pick up a few decisive votes by entering into an arrangement with one of the liberal Democrats, such as Birch Bayh of Indiana or Harold E. Hughes of Iowa, who have Presidential ambitions.

Thus, in return for support for the whip job, Senator Byrd might offer one of the Democratic Liberals support for the post of secretary of the Democratic Conference—a post that could potentially be used to gain national attention.

As a Democrat who has supported the Nixon Administration's foreign policy and opposed many of the social welfare programs advocated by Democratic liberals, Senator Byrd can count on the support of Southern Democrats. But if the race takes on an ideological tone, this could be Senator Byrd's biggest handicap.

Both as an individual Senator and as acting floor leader, Senator Byrd has worked at cross-purposes at times with the program of the Senate Democratic leadership. In the process he has engendered some personal mistrust among his Democratic colleagues.