

# Russell's Proxy Kept Byrd in the Race

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WASHINGTON, Jan. 21— Through favors, promises and shrewd politicking, Senator Robert C. Byrd of West Virginia had been planning for weeks to try to unseat Senator Edward M. Kennedy as majority whip of the Senate. But what finally led to his successful coup was word that Senator Richard B. Russell was still alive.

Senator Byrd walked into the Democratic caucus this morning still uncertain whether to challenge Senator Kennedy for the No. 2 post in the party leadership. He thought he had enough votes, but that depended upon whether Senator Russell was still alive and his proxy vote for Senator Byrd could be counted.

When word was relayed to him that Senator Russell was still alive, Senator Byrd made the challenge and won by a 31-to-24 vote, three more than he had expected.

Four hours after the vote, Senator Russell died at Walter Reed Army Hospital. Had the Georgian died before the caucus began, Senator Kennedy would probably still be the whip, or assistant majority leader.

Senator Byrd told reporters after the caucus, and before Mr. Russell died, "If Senator Russell had not been alive, I would not have run."

Mr. Byrd, one of the shrewder politicians of the Senate, went into the caucus believing he had 28 "hard commitments," just a bare majority among the 55 Democrats. But that one-vote margin depended upon Senator Russell's proxy.

From the time he arrived in his Senate office around 6 A.M. until the caucus began at 10 A.M., Mr. Byrd spent much of his time seeking to determine whether Senator Russell was still alive.

One of his first early morn-

## RUSSELL'S PROXY PUT BYRD IN POST

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ing calls, he told reporters, was to Senator Russell's Georgia colleague, Senator Herman E. Talmadge. Mr. Talmadge agreed to check and inform Senator Byrd shortly before the caucus about the status of Mr. Russell.

But, according to Senator Byrd, Senator Talmadge called 10 minutes before the caucus began to say that he had not been able to find out from Mr. Russell's office whether the Senator was still alive.

As the caucus began, Senator Byrd, as secretary of the Democratic conference, or caucus, was kept in the presiding chair while the Democrats re-elected Senator Mike Mansfield of Montana as majority leader. With that duty fulfilled and nominations for whip about to begin, Mr. Byrd slipped out the door of the conference room just off the Senate chamber.

There, a Russell or Talmadge aide — Senator Byrd could not recall which — informed him that Senator Russell's condition had not changed.

With this information, Senator Byrd went back into the caucus and gave a prearranged nod to his West Virginia colleague, Senator Jennings W. Randolph, to place his name in nomination for the post of whip.

As three freshman Senators completed counting the secret ballot, it became apparent that Senator Byrd had proved to be a better nose-counter and vote-getter than Senator Kennedy, who two years ago surprised the Senate establishment by wresting the whip post away from Senator Russell B. Long of Louisiana, 31 to 26.

As recently as late yesterday, as he walked into Senator Mansfield's office for a conference, Senator Kennedy was

confidently telling reporters, "I got it."

Starting with a base of 17 Southern Democrats, Senator Byrd, according to his colleagues, used a combination of political tactics to switch votes away from Senator Kennedy and build up a winning margin.

In part, Presidential politics and jealousies played a role in the Byrd strategy. According to one Democratic Senator, Mr. Byrd told his colleagues that it would be a "disaster" if Senator Kennedy were given the 1972 Presidential nomination and that now was "the time to cut him down."

But all of Senator Kennedy's potential rivals for the Presidential nomination — Senators Edmund S. Muskie of Maine, Birch Bayh of Indiana, Harold E. Hughes of Iowa and George S. McGovern of South Dakota — issued statements emphasizing that they had voted for Senator Kennedy.

### Proxy by Magnuson

The one possible exception was Senator Henry M. Jackson of Washington. In some Senate circles it was suspected that Senator Byrd had cited Mr. Kennedy's votes against the supersonic transport plane to win over Senator Jackson and Senator Warren G. Magnuson. Senator Magnuson was absent from the caucus but cast a proxy vote. The two Washington Democrats declined to say how they had voted.

Senator Byrd also used his considerable powers as chairman of the Appropriations subcommittee that handles the supplemental appropriations bills, which are frequently used to slip in money items that have been reected in other bills. According to a colleague, Senator Byrd used this subcommittee power, with all its potential for individual favors to Senators, "right up to the hilt."

But in some ways, in the view of many of his colleagues, including his supporters, Senator Kennedy lost by default.

Particularly since the accident at Chappaquiddick in July, 1969, Senator Kennedy, in the

eyes of many of his colleagues, has failed to fulfill his role as whip or to re-establish his personal stature in the Senate.

Senator Byrd emphasized to Senators that, as secretary of the conference, he had always been diligent in attending to the Senate's business, in which process, he also built up many personal favors.

Senator Kennedy, who took a vacation in Jamaica during the recess, also failed to campaign as intensively as Senator Byrd. At least one Democratic freshman, Lawton Chiles of Florida, was not contacted by Senator Kennedy.

Some of his supporters also believe that Senator Kennedy was misled by overconfidence, particularly in concluding he had commitments where none existed. "He was not told the truth by some of his colleagues," one supporter said.

### Doubt About Ribicoff

"If all the Senators who said they voted for Kennedy actually did, he would still be whip," this Senator observed.

Which potential Kennedy supporters had switched to Senator Byrd was uncertain. Despite their disclaimers doubt centered on one or two Presidential hopefuls. Senator Abraham A. Ribicoff of Connecticut, whose name was also mentioned, said he had voted for Senator Kennedy. Senators J. W. Fulbright of Arkansas, John O. Pastore of Rhode Island and Stuart Symington of Missouri all refused to say how they had voted.

After the caucus, Senator Kennedy, his suntanned face bearing a solemn smile, attributed his defeat at least in part to a "recognition" among his colleagues that Senator Byrd had been "extremely attendant to the details of the floor."

As for his own personal plans now that he no longer has Senate leadership responsibilities, Senator Kennedy said he would "devote more of my energies and interests to the issues I am interested in."

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