

2nd Repeal Of Tonkin Resolution

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In a spirit of lively anti-climax, the Senate repealed the Gulf of Tonkin Resolution yesterday for the second time in 16 days.

Passage of the repeater, 57-5, helped define the significance of a similar, 81-10 vote on the six-year-old Vietnam war resolution on June 24.

But again, despite the wide vote margin, the precise meaning of repeal was in dispute, and the far more sweeping constitutional issue over the war powers of the President and Congress remained unresolved.

The vote came one day after the House rejected the Cooper-Church amendment prohibiting the President from committing American ground troops to further large scale combat in Cambodia without congressional approval.

DEBATE

The Senate adopted that measure last week as part of a foreign military sales bill after seven weeks of debate over presidential powers to conduct the Asian war as he sees fit.

Senate majority leader Mike Mansfield told reporters yesterday that the House's 237-153 defeat of the Cooper-Church measure could result in the collapse of the whole foreign arms sales program. The White House has actively pushed the early approval of the sales bill, which would authorize military shipments — including jet planes for Israel — to United States allies. But Mansfield said it now "looks extremely doubtful" that House-Senate conferees on the arms sales bill will be able to reach agreement.

He said Senate conferees will be adamant about the Cooper-Church amendment to the point that the sales bill may never leave conference.

STEP

Senator Charles Mathias Jr. (Rep-Md.) who proposed yesterday's repeal measure, told the Senate that its action was only "a first step" in a larger process of reasserting the Senate's long neglected war powers.

President Nixon, he said, has "moved away" from the

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kin enactment. Now, he said, the Senate should propose its own "plan for withdrawal and peace in Asia."

Senator Jacob Javits (Rep-N.Y.) called the measure "an admitted, unprejudicial assertion of our authority." Referring to the proposed McGovern-Hatfield amendment "to end the war" up for Senate debate this month, he declared that "this action is the end-of-the-war resolution."

SUPPORT

Pushed through Congress on Aug. 7, 1964, by President Johnson, the Tonkin resolution declared that "the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression."

President Johnson later used the resolution as a broad justification for his commitment of hundreds of thousands of American ground troops to the Asian conflict.

Senator J. William Fulbright (Dem--Ark), who floor managed the Tonkin resolution and later regretted it, voted for the repeal measure yesterday but not before he was chided by Senator John Stennis (Dem-Miss.) for having "repudiated" his own offspring.

Fulbright rose to object. "Lyndon Johnson was the father" of the Tonkin measure, he said. "I was the midwife of an illegitimate child. I repudiate any suggestion that I was the father."

Stennis joined Fulbright in voting for repeal. Senators Sam J. Ervin Jr. (Dem-N.C.), Russell B. Long (Dem-La.), John L. McClellan (Dem-Ark.), Spessard Holland (Dem-Fla.) and James B. Allen (Dem-La.) voted no.