

SENATE BACKS A VIETNAM PULLOUT
IN 9 MONTHS IF P.O.W.'S ARE FREED

AM PULLOUT ARE FREED

VOTE IS 57 TO 42

Amendment Is Defeat
for Administration—
Goes to House

JUN 23 1971

Text of Mansfield amendment
will be found on Page 10.

By JOHN W. FINNEY
Special to The New York Times

WASHINGTON, June 22 —

The Senate adopted today an amendment calling for the withdrawal of all American forces from Indochina within nine months if American prisoners of war are released.

Over Administration opposition, the Senate by a vote of 57 to 42 accepted the troop-withdrawal amendment to the Selective Service Bill that was offered by Senator Mike Mansfield of Montana, the Senate Majority Leader.

The Mansfield Amendment must still be passed upon by the House once the Senate completes action on the bill extending Selective Service for two more years. Whether the amendment would be accepted by the more hawkish House was questionable.

Opposition Is Certain

In a House-Senate conference, the amendment was certain to be opposed by conferees from the House Armed Services Committee. But a shift of some Southern conservatives in the Senate to support the Mansfield Amendment raised the possibility that in a floor fight a similar shift might occur in the House.

The White House press secretary, Ronald L. Ziegler, said that the amendment was not binding and that President Nixon would continue his present policy. Mr. Ziegler added, "It states what 57 Senators think our policy should be. It is not the view of the Congress as a whole."

Adoption of the Mansfield Amendment represented the first major victory of critics of the Vietnam War in months of attempting to find some legislative formula to end the war.

The amendment would establish the policy that the United States should "terminate at the earliest practicable date all military operations" in Indochina and undertake "prompt and orderly withdrawal" of all American forces within nine months after enactment of the amendment. The withdrawal would be made conditional upon the release of all American prisoners of war held by North Vietnam.

In line with this policy, the amendment calls upon the President to establish a final date for troop withdrawal, to negotiate an immediate cease-fire with North Vietnam to be followed by "phased and rapid" withdrawal of American forces in return for phased release of American prisoners of war.

No Fund Cut-off Date

Unlike other troop-withdrawal amendments that have been rejected by the Senate, the Mansfield Amendment would not cut off the funds to require a withdrawal by a certain date. In a Senate reluctant to use the Congressional power over appropriations to impose a withdrawal schedule on the President, this feature of the Mansfield Amendment was influential in persuading 11 Senators, largely from the South, who last week had opposed the McGovern-Hatfield Amendment, which would have required withdrawal by the end of the year.

The Mansfield Amendment,

Continued on Page 11, Column 1

Continued From Page 1, Col. 8

however, is more binding upon the President than a sense-of-the-Senate resolution in that it establishes a policy of withdrawal within nine months, subject only to release of the prisoners.

As interpreted by Mr. Mansfield, the amendment would fill the policy void created, by the repeal last year of the 1964 Tonkin Gulf resolution, which gave approval to all necessary steps taken by the President to repel Communist aggression in Southeast Asia.

Since the repeal of the Tonkin resolution, President Nixon has been relying upon his inherent powers as Commander in Chief to take all necessary steps to insure the safety of American troops as they are withdrawn from Vietnam. Should the Mansfield Amendment be adopted by the House and then the legislation signed into law by the President, Mr. Nixon, it is argued by Senator Mansfield, would then in effect have accepted the policy of withdrawal laid down by Congress and his authority would be limited to withdrawing the troops, subject only to the release of the prisoners of war.

At least in principle, the pace of withdrawal could no longer be linked to the ability of the Saigon Government to survive—one of the factors in the Administration's present withdrawal schedule, along with the release of prisoners. The amendment would also establish a definite deadline for withdrawal, something the Administration has opposed on the ground that such a step would undercut the peace negotiations with North Vietnam.

In a statement issued immediately after the vote, Senator George S. McGovern, Democrat of South Dakota, said that the adoption of the Mansfield Amendment was "a clear statement in favor of the basic McGovern-Hatfield amendment—establishment of a date certain for the withdrawal of all American ground and air forces from Indochina conditional only upon release of all U.S. prisoners of war."

The Senate action, he said, was "a clear repudiation of the Administration's so-called 'Vietnamization' formula" for withdrawing. "It serves notice on the President," he said, "that if he continues to pursue that course, he will do so in defiance of a strong majority in the Senate."

Senator Mark Hatfield, Republican of Oregon, hailed adoption of the Mansfield Amendment as "an historic action after years of opposition to our involvement in Vietnam."

Senator Hatfield said that while much remained to be done, a first step has been taken "that assures us that our policy can be changed by the will of the people."

By a 55-to-42 vote, the Senate last week defeated the amendment cosponsored by Senator McGovern and Senator Hatfield that would have cut off funds for deployment of troops in Indochina by the end of this year.

But today, several Senators who normally support the Administration's Vietnam policy switched to support the Mansfield amendment. These included Lloyd M. Bentsen of Texas, Robert F. Byrd of West Virginia,

David H. Gambrell of Georgia, Ernest F. Hollings of South Carolina, Len B. Jordan of Idaho, John L. McClellan of Arkansas, William B. Spong Jr. of Virginia, and Herman E. Talmadge of Georgia.

The Mansfield amendment was adopted after Administration forces, through considerable parliamentary maneuvering, succeeded in narrowly defeating an amendment that would have required withdrawal of all troops within nine months, with the provision that the withdrawal deadline would be suspended if North Vietnam within 60 days did not give a "firm commitment" to release

all American prisoners of war.

The amendment was cosponsored by Senators Marlow W. Cook of Kentucky and Ted Stevens of Alaska, both of whom are Republicans. In an attempt to block the Cook-Stevens amendment, Senator John Stennis of Mississippi, chairman of the Senate Armed Services Committee, proposed that the provision of a "firm commitment" by North Vietnam be replaced by "release" of the prisoners. Senator Cook protested that the effect of the Stennis amendment was to "gut" his amendment by setting up an impossible condition.

The Stennis amendment was first rejected by a 51-to-48 vote. But then in a series of three close votes, the Senate reconsidered and finally adopted the Stennis amendment by a 50-to-49 vote.

In the votes, Senator B. Everett Jordan, Democrat of North Carolina, switched his position to assure adoption of the Stennis amendment. Afterward, Senator Jordan, who last week voted for the McGovern-Hatfield amendment, explained that he had misunderstood the import of the Stennis amendment on the first vote. He insisted that Senator Stennis had not talked to him between the votes.

Senate Roll-Call Vote On Pullout Amendment

WASHINGTON, June 22 (UPI) — Following is the roll-call vote by which the Senate, 57 to 42, adopted an amendment to the draft extension bill sponsored by Senator Mike Mansfield stating as United States policy a staged withdrawal of American troops from Indochina coupled with the return of prisoners over a nine-month period:

FOR THE AMENDMENT—57

Democrats—45

- | | |
|-------------------|-------------------|
| Anderson (N.M.) | Magnuson (Wash.) |
| Bayh (Ind.) | Mansfield (Mont.) |
| Bentsen (Tex.) | McClellan (Ark.) |
| Bible (Nev.) | McGovern (S.D.) |
| Burdick (N.D.) | McIntyre (N.H.) |
| Byrd (W. Va.) | Metcalf (Mont.) |
| Cannon (Nev.) | Mondale (Minn.) |
| Chiles (Fla.) | Montoya (N.M.) |
| Church (Idaho) | Moss (Utah) |
| Cranston (Calif.) | Muskie (Maine) |
| Eagleton (Mo.) | Nelson (Wis.) |
| Fulbright (Ark.) | Pastore (R.I.) |
| Gambrell (Ga.) | Pell (R.I.) |
| Gravel (Alaska) | Proxmire (Wis.) |
| Harris (Okla.) | Randolph (W. Va.) |
| Hart (Mich.) | Ribicoff (Conn.) |
| Hartke (Ind.) | Spone (Va.) |
| Hollings (S.C.) | Stevenson (Ill.) |
| Hughes (Iowa) | Symington (Mo.) |
| Humphrey (Minn.) | Tarmadge (Ga.) |
| Inouye (Hawaii) | Tunney (Calif.) |
| Jordan (N.C.) | Williams (N.J.) |
| Kennedy (Mas.) | |

Republicans—12

- | | |
|------------------|------------------|
| Alken (Vt.) | Mathias (Md.) |
| Brooke (Mass.) | Pearson (Kan.) |
| Case (N.J.) | Percy (Ill.) |
| Hathfield (Ore.) | Schweiker (Pa.) |
| Javits (N.Y.) | Stevens (Alaska) |
| Jordan (Idaho) | Young (N.D.) |

AGAINST THE AMENDMENT—42

Democrats—10

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|------------------|-----------------|
| Allen (Ala.) | Jackson (Wash.) |
| Byrd (Va.) | Long (La.) |
| Eastland (Miss.) | McGee (Wyo.) |
| Eltender (La.) | Sparkman (Ala.) |
| Ervin (N.C.) | Stennis (Miss.) |

Republicans—32

- | | |
|------------------|-------------------|
| Allott (Colo.) | Goldwater (Ariz.) |
| Baker (Tenn.) | Griffin (Mich.) |
| Beall (Md.) | Gurney (Fla.) |
| Bellmon (Okla.) | Hansen (Wyo.) |
| Bennett (Utah) | Hrushka (Ill.) |
| Boggs (Del.) | Miller (Iowa) |
| Brock (Tenn.) | Packwood (Ore.) |
| Buckley (N.Y.) | Prouty (Vt.) |
| Cook (Ky.) | Roth (Del.) |
| Cooper (Ky.) | Saxbe (Ohio) |
| Cotton (N.H.) | Scott (Pa.) |
| Curtis (Neb.) | Smith (Maine) |
| Dole (Kan.) | Taft (Ohio) |
| Dominick (Colo.) | Thurmond (S.C.) |
| Fannin (Ariz.) | Tower (Tex.) |
| Fong (Hawaii) | Wicker (Conn.) |

Absent: Mundt (S.D.)

Text of Mansfield's Pullout Amendment

Special to The New York Times

WASHINGTON, June 22 — Following is the text of the Mansfield amendment adopted today by the Senate calling for withdrawal of U.S. troops from Indochina within nine months subject to release of all prisoners of war.

It is hereby declared to be the policy of the United States to terminate at the earliest practicable date all military operations of the United States in Indochina, and to provide for the prompt and orderly withdrawal of all United States military forces not later than nine months after the date of enactment of this section subject to the release of all American prisoners of war held by the Government of

North Vietnam and forces allied with such Government. The Congress hereby urges and requests the President to implement the above expressed policy by initiating immediately the following actions:

1. Establishing a final date for the withdrawal from Indochina of all military forces of the United States contingent upon the release of all American prisoners of war held by the Government of North Vietnam and forces allied with such Government, such date to be not later than nine months after the date of enactment of this act.

2. Negotiate with the Government of North Vietnam for an immediate cease-fire

by all parties to the hostilities in Indochina.

3. Negotiate with the Government of North Vietnam for an agreement which would provide for a series of phased and rapid withdrawals of United States military forces from Indochina in exchange for a corresponding series of phased releases of American prisoners of war, and for the release of any remaining American prisoners of war concurrently with the withdrawal of all remaining military forces of the United States by not later than the date established by the President pursuant to Paragraph 1 hereof or by such earlier date as may be agreed upon by the negotiating parties.