

# Congress Resists U.S. Aid In Evacuating Vietnamese

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WASHINGTON, April 11—Congressional resistance developed today against President Ford's request for authority to use American troops, if necessary, to protect the evacuation of South Vietnamese citizens.

The Senate majority leader, Mike Mansfield, predicted that Congress would show "great reluctance" to give the President the authority that he requested in his foreign-policy speech last night.

In addition to seeking clarification of his authority to use troops in evacuating American citizens from Saigon, Mr. Ford asked permission to use troops to protect the evacuation of "those Vietnamese to whom we have a special obligation and whose lives may be endangered, should the worst come to pass."

Senator Robert C. Byrd of West Virginia, the Senate Democratic whip, who has taken the lead in drafting the necessary legislation, said he was flatly opposed to using American troops to help evacuate Vietnamese. Such a step, he said in an interview, would be "impractical and dangerous."

"If we started that, we would

just be getting back into the war," he said.

The two Democratic leaders suggested that the United States quietly begin evacuating American citizens from Saigon to avert the possibility of using American troops to rescue them. A similar suggestion was made by Senator Frank Church, Democrat of Idaho, who said in a statement that leaving the Americans in Saigon "exposes them to the imminent danger of direct attack, possibly from within as well as from without the city."

In the House, a "sense-of-Congress" resolution urging the President to evacuate all Americans from South Vietnam within seven days picked up considerable support at a meeting of freshman members.

"We're saying that by this resolution that he knows Congress is not going to approve that military aid, so he should get those people out of there and stop playing political games with them," said Representative Bob Carr, Democrat of Michigan, and one of the

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sponsors of the resolution.

Opposition continued to mount in Congress to the President's request for \$722-million in emergency military aid for the Saigon Government—a request that Administration officials linked to plans to evacuate all Americans and tens of thousands of South Vietnamese citizens from South Vietnam.

One of the principal justifications advanced by the Administration officials, in amplifying on the President's speech, was that the additional military aid might create a stabilized situa-

tion permitting withdrawal of the Americans and South Vietnamese whose lives might be endangered in a Communist take-over.

**Ford 'Hopeful,' Nessen Says**  
The President also asked last night for \$250-million in economic and humanitarian aid for Saigon, and while Congress may approve at least a portion of this, there was a nearly unanimous opinion among legislators that Congress would reject any additional military assistance.

At the White House, however, the Presidential press secretary, Ron Nessen, described the President as "hopeful" that Congress would provide the additional funds.

Mr. Nessen acknowledged that telegrams received by the White House were running strongly against the request, with about 1,125 expressing opposition and 443 supporting the President's speech. Of telephone calls, he reported, 342 were opposed, and 290 in favor.

## Choices Are Difficult

As privately acknowledged by officials, the Administration is in somewhat of a dilemma over what to do about the Americans remaining in Saigon. It is reluctant to announce even a partial evacuation for fear of a demoralizing effect on the Saigon Government; at the same time, as was evidenced in the President's speech, the Administration realizes that it must begin making plans for evacuation in the light of the increasing likelihood that the Saigon Government will collapse.

According to State Department officials, there are still about 5,400 Americans in South Vietnam, although the officials say that they do not have precise figures. In recent weeks, several hundred Americans have been encouraged to leave "voluntarily." An Administration official said last night that the American embassy had been ordered to evacuate all "nonessential" employees.

Graham A. Martin, the United States Ambassador in Saigon, reportedly resisted, to the last, any partial evacuation of the embassy staff on the grounds that it was unnecessary and also potentially demoralizing to the Saigon Government. Officials reported growing impatience at high levels within the Administration over this independent stance taken by Mr. Martin. They said further that the Ambassador finally was ordered to begin a quiet, partial evacuation so as to reduce the size of the American contingent that would have to be rescued if it appeared that Saigon was about to fall.

As appraised in Administration and Congressional circles, the number of South Vietnamese citizens to be evacuated under American protection may depend directly upon the number of Americans left in Sai-

gon. The relationship develops out of the legal complications involved in giving the President the authority to use troops in an evacuation.

## Ford's Authority Debated

Legal opinion is divided over whether the President, under the War Powers Act, and legislation prohibiting American military involvement in Indochina, has the authority.

Senator Jacob K. Javits, Republican of New York and one of the authors of the War Powers Act, contended today that under the legislation the President, as Commander in Chief, has limited authority to use troops to evacuate American citizens. But this is disputed by Senator Byrd and Senator Thomas F. Eagleton, Democrat of Missouri, who see a "dangerous precedent" in letting the President use his inherent powers as Commander in Chief to introduce troops into South Vietnam for an evacuation.

A draft bill being circulated on Capitol Hill would provide that for the evacuation of Vietnamese citizens, American troops could be used only within the areas necessarily controlled by United States forces for evacuation of American citizens.

## It May Be a Model

The effect of such a stipulation—a likely formula for any legislation—would be to restrict the evacuation of South Vietnamese to the Saigon area, and to provide American protection only as long as there were Americans to be taken out.

An Administration official talked last night in terms of evacuating 150,000 to 200,000 South Vietnamese, with a substantial number ultimately coming to the United States as refugees.

Five United States Navy Ships—the carrier Hancock, with a marine helicopter squadron aboard, and four amphibious vessels—are standing by in the South China Sea for possible evacuation duty in South Vietnam. Pentagon officials acknowledged that a much larger force would be needed to evacuate the "tens of thousands" of South Vietnamese that Mr. Ford referred to in his speech.