

House Kills Viet Refugee Aid Measure

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The House yesterday killed, 246 to 162, the bill ratifying use of U.S. troops for the Saigon evacuation, despite President Ford's plea that the \$327 million it would authorize for refugee aid is "desperately needed" and his assurance that "I do not intend to send the armed forces back into Vietnamese territory."

The bill was killed by a combination of liberals who feared the troop authority and conservatives who feared some of the aid might help Communists.

The President, focusing on the bill's aid authority, called the vote "not worthy of a people which has lived by the philosophy symbolized in the Statue of Liberty." He urged quick approval of a new "humanitarian assistance" measure.

Chairman Thomas E. Morgan (D-Pa.) indicated that he will reconvene his Committee on International Relations quickly to write a new aid bill that omits any reference to use of troops.

Even though Tuesday's evacuation had rendered the troop provisions moot, Morgan had demanded yesterday's vote as the quickest way to provide money to care for the refugees and to seize this first opportunity to implement the 1973 War Powers Act by which Congress demanded a partnership with the President in deciding to commit troops to hostile or potentially hostile situations.

A leading opponent of the bill was House Majority Leader Thomas P. O'Neill (D-Mass.), who had opposed the use of troops all along and contended that approval of their use after the evacuation would "set a bad precedent."

"There is no reason in the world the Committee on International Relations can't bring in a clean bill next week" containing only humanitarian aid, said O'Neill.

Morgan insisted he wasn't

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angry at O'Neill, "But never before in my 30 years in Congress have I seen a majority leader oppose a committee chairman."

The bill permitting use of troops under restricted conditions to evacuate Americans and endangered South Vietnamese was approved in different forms by both houses last week in response to the President's request that Congress clarify his power to act. Congress has attached to several laws in the last two years prohibitions against use of U.S. troops in combat situations in Indochina.

House-Senate conferees agreed Friday on a final version which the Senate promptly approved. But the House did not schedule a vote until Tuesday. By then, Marine helicopters were in the final stages of taking out Americans and South Vietnamese. House action was deferred and Speaker Carl Albert talked of sending the bill back to conference to strike out the troop provisions as no longer needed.

But Morgan and other leading sponsors of the War Powers Act by which Congress sought to limit a President's power to wage undeclared war demanded a vote. They argued that Congress in passing the 1973 law was saying it wanted to be involved in decisions on committing armed forces overseas. In this first opportunity to do so, they said, Congress should act to legalize the President's action and set a precedent.

Rep. Donald Fraser (D-Minn.), longtime opponent of military involvement in Indochina, urged approval of the bill for that reason. He said he believed the President acted unlawfully in using armed forces to evacuate Vietnamese, and so "I want to leave a record for the future that we were working together to find a solution. It would be a very valuable precedent" under the War Powers Act.

President Ford sent a letter, which was read to the House, stating that the \$327 million authorized by the bill is "desperately needed for the care and transportation of homeless refugees." He said

total U.S. costs will "exceed \$400 million" but the \$327 million plus other money now available would meet "immediate needs."

The President also wrote: "The Congress may be assured that I do not intend to send the armed forces of the United States back into Vietnamese territory."

Rep. John Burton (D-Calif.) and others raised the possibility, however, that Mr. Ford might send troops back to bring out the few remaining Americans and thus risk involving the United States in a shooting situation.

His older brother, Rep. Phillip Burton (D-Calif.), chairman of the caucus of all House Democrats, said he considered President Ford an "honorable man." But he recalled 1964 when, he said, President Johnson, another honorable man, asked for the Gulf of Tonkin Resolution for limited purposes and used it as legal authority to send troops to war in Vietnam.

Minority Leader John J. Rhodes (R-Ariz.) urged members to "stop worrying today" about whether the money authorized in the pending bill is too much or how it is to be used or whether any of it can be given to Communists or administered by the United Nations. Any limitations can be argued when the money

is actually provided in an appropriation bill, he said.

Rep. L. H. Fountain (D-N.C.), a House conferee on the bill who signed the conference report last Friday, voted against it yesterday. "As a lawyer, I can't vote for a bill that is no longer needed," he said.

Morgan could ask for a new conference with the Senate or go back to committee and write a new bill. He indicated yesterday he will follow the latter course and will ask the administration for detailed information on what the money is needed for, and to add authorized funds to aid Cambodian refugees.

The Senate Foreign Relations Committee has approved a \$50 million authorization for Cambodian refugee aid, but has delayed reporting it to the Senate until it learned what the

House would do on Vietnam aid. The Senate committee could now wait for the House to approve another Vietnam aid bill or could add Vietnam aid to its Cambodia bill and move it along.

The House vote showed 72 Democrats and 90 Republicans supporting the bill and 200 Democrats and 46 Republicans opposing it. All Maryland members voted against it except Republican Gilbert Gude. The only Virginia members voting against the bill were Democrats Joseph L. Fisher and Herbert E. Harris.