

Test on Antiwar Measure Set in Senate Tomorrow

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WASHINGTON, May 14—The Congressional debate over end-the-war legislation is turning into a dispute over whether an internationally supervised cease-fire—such as proposed by President Nixon—should be made a condition for withdrawal of American forces from Vietnam.

By introducing the cease-fire issue, the Administration has apparently gained the upper hand over Congressional doves, who are again seeking legislation requiring the withdrawal of American troops by a specific deadline.

At the moment the focus is on the Senate, which has under consideration the amendment to a State Department budget bill co-sponsored by Senators Clifford P. Case, Republican of New Jersey, and Frank Church, Democrat of Idaho. The amendment would cut off funds for further American military action in Indochina four months after the conclusion of an agreement on the release of American prisoners of war.

A crucial test of this amendment will come in the Senate on Tuesday.

Move by Byrd at Issue

At one point early last week the Case-Church amendment appeared to command at least a slim majority in the Senate. It was endorsed by the Senate Democratic caucus by a vote 35 to 8, and, despite Administration opposition, there was a shift of a crucial number of Republicans toward the amendment.

But on the same day that the Democratic caucus endorsed the amendment, Senator Robert C. Byrd of West Virginia, the Democratic whip, who often works at cross-purposes with the doves, suggested that the amendment be modified. He proposed making the fund cut-off conditional not only upon an agreement to release prisoners of war, but also upon the establishment of an internationally supervised cease-fire in Indochina.

Two years ago, Senator Byrd added language that weakened an amendment seeking to bar the introduction of American ground troops in Cambodia and Laos.

The current Byrd move has the full support of the Administration, which has stopped trying to defeat the Case-Church amendment directly and started trying to modify it.

The Administration argument being advanced now is that the Byrd modification would bring the Case-Church amendment more in line with the President's offer last week to withdraw all forces from Vietnam within four months after the release of American prisoners of war and the establishment of an internationally supervised cease-fire throughout Indochina.

At one point, when his amendment appeared headed for adoption, Senator Church was prepared to accept the Byrd modification on the grounds that this would have the effect of giving "credibility" to the President's peace proposal. But then Senator Church reunited with Senator Case in opposition to the Byrd language.

In a letter to their colleagues, the two Senators protested that the cease-fire requirement "raises the prospect of American troops and air power re-

maining indefinitely in South Vietnam." They argued that with the military tide now running in the favor of North Vietnam, it was unlikely that Hanoi would accept a cease-fire, and the President thus would have "implicit Congressional endorsement to continue indefinitely American participation in the war."

Furthermore, they argued, the cease-fire requirement, which would have to be accepted by South Vietnam, would in effect give Saigon "veto power over American withdrawal."

The Byrd modification will come to a vote on Tuesday afternoon, and the common view around the Senate is that it is likely to be adopted.

The crucial margin is expected to be provided by a small group of Republican moderates—such as Senators Charles H. Percy of Illinois, Lowell P. Weicker Jr. of Connecticut, Robert I. Stafford of Vermont, and James B. Pearson

of Kansas—who would like to support the Administration on the cease-fire issue but still vote for end-the-war legislation.

Senator Hugh Scott, the Republican leader, predicts that the amendment, even with the incorporation of the cease-fire requirement, will be "unacceptable" to the White House so long as it provides for a fund cut-off.

At the same time, Senator Scott concedes that the modified amendment is likely to be passed by the Senate.

There is some speculation, meantime, about whether the Senate doves will turn around and try to kill the amendment entirely if the Byrd modification is added to it.

The same cease-fire issue is likely to arise in the House Foreign Affairs Committee, which this week will hold hearings on a proposed bill that would require the withdrawal of all American forces from Indochina by Oct. 1, subject only to the release of prisoners and the safe withdrawal of United States troops.

The bill has already been endorsed by the Democratic membership of the House committee. But in the full committee an attempt is expected to insert a cease-fire condition.

Senate Inclined to Wait

In the Senate there is a growing disposition to postpone final action on any end-the-war legislation until after the President returns late this month from his talks in Moscow.

There remains considerable resentment among Senators, both doves and hawks, because the President did not consult even with the Congressional leadership before reaching his decision to mine North Vietnamese harbors. In the Senate cloak room these days a commonly heard joke runs something like this: "You know why it took the Russians so long to react? Because they are ruled by a committee and we by one man."

After the Case-Church amendment, a likely focus for the Senate will be the supplemental appropriations request that the Defense Department has stated it will submit in the next few weeks. These funds are to pay for the increased bombardment of North Vietnam.