

58 to 37 Vote in The Senate

SEChronicle
New York Times

Washington

The Senate, moving to reassert the war powers of Congress, approved legislation yesterday that would limit the President in undertaking future military operations in Cambodia.

After 34 days of debate over the division of war-making powers between the presidency and congress, the senate, by a vote of 58 to 37, adopted the Cooper-Church amendment to a foreign military sales bill.

The legislation now returns to the House, where considerable resistance is expected to the amendment, co-sponsored by Senators John Sherman Cooper (Rep-Ky.) and Frank Church (Dem-Idaho).

FUNDS

The amendment would preclude the President—in the absence of congressional consent—from spending any funds after July 1 for "retaining" American forces in Cambodia, for sending military advisers to instruct Cambodian forces, for providing financial assistance to advisers or troops of third countries going to the assistance of Cambodia, or for providing air combat support to Cambodian forces.

The restrictions in the amendment presumably would not apply to South Vietnamese troops so long as the Saigon government did not demand extra pay for its troops operating in Cambodia.

As the protracted and confused debate drew to a climax, the Senate beat back an attempt to modify the amendment so that the United States could provide additional pay to foreign troops, such as those of Thailand, going to Cambodia's assistance.

It took four roll call votes, however, to defeat the modification, offered by assistant Republican leader Robert P. Griffin of Michigan at the specific request of the White House.

PROVIDE

One provision in the Cooper-Church amendment would prohibit the President from entering into any arrangements to provide military instructors or troops to support Cambodian forces.

To the sponsors of the amendment, this was the "anti-mercenary" provision designed to prevent the administration, without the con-

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sent and knowledge of Congress from following the example set in South Vietnam, where the United States has given extra pay allowances to Thai, South Korean and Philippine troops assigned there.

Griffin proposed to modify the restriction so that it would apply only to "U.S. personnel." His argument was that the restriction was so loosely worded that it would interfere with the implementation of the President's Guam doctrine, which holds that non-tropical Asian countries should be responsible for their own defense.

The Cooper-Church forces replied that nothing in the amendment would prevent the United States from supplying military assistance to land-country forces going to the aid of Cambodia, and that the restriction was only designed to prevent the United States from "hiring" troops to fight in Cambodia.

The Griffin amendment had prevailed by a 47-46 vote in what initially appeared to be an administration victory.

But then through a series of parliamentary tactics, the side was turned as the Cooper-Church forces maneuvered for time and a reconsideration of the vote.

On the succeeding votes, Stuart Symington (Dem-Mo.) switched his position and voted against the Griffin modification after J. William Fulbright (Dem-Ark.), chairman of the Senate Foreign Relations committee, hurriedly conferred with him in the back of the Senate chamber.

REPEAL

Symington's previous vote to repeal the modification, also he had joined with Shelby M. Jackson (Dem-Wash.), a supporter of the administration move, caused gasps in the senate chamber. It was the investigation of mercenary arrangements in Thailand and Laos by Senate Foreign Relations subcommittee headed by Symington that had led to the prohibition of the Cooper-Church amendment.

The Griffin modification eventually was defeated on the fourth vote by a 58 to 45 vote.

The Democrats, as had been their habit since the debate began on May 10, succeeded in preventing a vote on the Cooper-Church amendment until the President announced the withdrawal of all American forces from Cambodia.

MEAN

With the troops withdrawn, Griffin promptly declared the amendment to be legally meaningless — an opinion not shared by the Cooper-Church forces, who have always maintained that the amendment was aimed at preventing a future military involvement in Cambodia.

For all their delaying tactics, however, the Republicans failed to prevent the Senate from voting to place legislative restrictions on the President as commander-in-chief for the first time during a war — although this war is unended.

With the Cooper-Church amendment finally adopted after 235 speeches, the Senate went on to pass the Foreign Military Sales bill by a 75 to 23 vote. The bill authorizes \$1.2 billion in credit sales of surplus in the current and next fiscal years, as well as imposing new restrictions, approved by the Pentagon, on the disposal of surplus weapons to other countries.

WIT

The Constitutional debate now shifts to a Senate-House conference committee — composed of members of the Senate Foreign Relations and

the House Foreign Affairs committees — to reconcile differences in the House and Senate versions of the Military Sales Bill.

Whether the Senate's Cambodian restrictions will be accepted by the House is unclear.

From the start, the Administration has planned to rely upon the more hawkish House to defeat the Cooper-Church amendment if it was adopted by the Senate.

But as Senator Church suggested, the Senate conferees will have one bargaining lever at their disposal, namely the desire of the Administration to obtain the Foreign Military Sales Bill. The clear implication in Church's comments was that the Senate conferees might be prepared to see the legislation die if the House conferees were unwilling to accept some variation of the Cooper-Church amendment.

During the long debate, the four operative sections in the amendment remained basically unchanged. The only change was made yesterday when the prohibition against American air activity was reworded to make clear that it only applied to "direct" support of Cambodian forces.

The insertion of the word "direct" was proposed by Senator Jackson and accepted by a 67 to 27 vote after Senator Church said this was in line with the objectives of the amendment.

At least by implication, the Administration would be free to provide air support to Thai or South Vietnamese forces operating in Cambodia. But it would be prohibited under the amendment from providing air support to Cambodian forces, as both Administration and Cambodian officials have suggested was being contemplated in recent days.

Senate Roll Call

Washington

Here is the 58-37 roll call by which the Senate adopted the Cooper-Church amendment to restrict future United States military operations in Cambodia.

For the amendment 58.

Democrats for (42):

Anderson of N.M., Bayh of Ind.,
Borah of Nev., Burdick of N.D., Byrd
of W. Va.

Cannon of Nev., Church of Idaho,
Cannon of Calif., Eagleton of Mo.,
Fullbright of Ark.

Gore of Tenn., Gravel of Alaska,
Harris of Ohio, Hart of Mich., Hartke
of Ind.

Hollings of S.C., Hughes of Iowa,
Inoué of Hawaii, Jackson of Wash.,
Jordan of N.C.

Keimig of Mass., Magnuson of
Wash., Mansfield of Mont., McCarthy
of Minn., McGovern of S.D.

Mohr of N.H., Metcalf of Mont.,
Moss of Utah

Muskie of Maine, Pastore of R.I.,
Pell of R.I., Proxmire of Wis., Ran-
dolph of Va.

Roberts of Conn., Spong of Va.,
Symington of Mo., Tydings of Md.,
Wicker of N.J.

Carbo,ough of Tex., Young of Ohio.

Republicans for (16):

Aiken of Vt., Brooke of Mass., Case
of N.J., Cooper of Ky., Dole of Kan.,
Coddell of N.Y., Hatfield of Ore.,
Javorski of Pa., Mathis of Md., Back-
wood of Ore.

McGowan of Kan., Percy of Ill.,
Saxton of Ohio, Schweiker of Pa.,
Trotter of Ill.

Stevens of Alaska.

Against the amendment—37.

Democrats against (11):

Allen of Ala., Byrd of Va., Eastland
of Miss., Ellender of La., Ervin of
S.C.

Holland of Fla., McClellan of Ark.,
Mills of Wyo., Sparkman of Ala.,
Stennis of Miss.

Talmadge of Ga.

Republicans against (26):

Adair of Colo., Baker of Tenn.,
Bellmon of Okla., Bennett of Utah,
Casper of Del.

Cook of Ky., Cotton of N.H., Curtis
of Neb., Donnick of Colo., Fannin of
Ariz.

Griffin of Hawaii, Goldwater of Ariz.,
Griffin of Mich., Gurney of Fla., Han-
sen of Va.

Hruska of Neb., Jordan of Idaho,
Killebrew of Iowa, Murphy of Calif.,
Proulx of Vt.

Scott of Pa., Smith of Maine, Thur-
mond of S.C., Tower of Tex., Wil-
liams of Del.

Young of N.D.

Not voting but announced as
present (pairs are used to denote the
pairs of positions of senators when
one or both are absent): Nelson
of W. Va., Long, (Dem-La.),
Carter.

Associated Press