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Congressional Record S. 7589 - 'The Cooper-Church Amendment'

Mike Mansfield 1903-2001
Mr. MANSFIELD. Mr. President, a few days ago there was a public report, later confirmed by the Secretary of Defense, that South Vietnamese troops had gone into Laos and had been accompanied by American advisers. It was brought out that that was not the first time a venture of that sort into that country had been undertaken. It was stated that very likely it would not be the last time.

This morning, the radio carried a report that 217 Americans had been killed in the week ending last Saturday. That brings the total, if my figures are correct, to 42,118 Americans killed in combat. With respect to those who were killed in Southeast Asia not as a result of action by hostile forces since January 1, 1961—but dead, anyway—the total number I have as of a week ago Saturday is 7,852, for a total of 49,970 Americans dead. But still the war is being expanded and extended back into North Vietnam, as it was a week or so ago; now into Cambodia, into Laos, and who knows where else before we are through.

I have noticed some other things, which I intend to discuss briefly at a later time, to which I think this Government and our people and this Congress should give the most serious consideration.

First, I have noted that there are reports—persistent, it seems—that there will be extended debate until after June 30, 1970, with respect to the Cooper-Church amendment. It is somehow thought that if only the Senate would put off acting until after June 30, the questions raised would disappear or be rendered moot. To put off this vote will be such a waste of time; a waste of time, because the full thrust and effect of the Cooper-Church amendment occurs after July 1, 1970.

Just let me say that anyone with the
most limited legislative experience would realize that this measure could not become law prior to July 1, 1970, in any event. The measure must return to the House—go to conference—return to each body for approval of the conference report, and then be forwarded to the President for signature within 10 days. To think that the process could be accomplished before July 1, 1970, or that there will be some point in evading a vote until that date is to dream the impossible dream.

The full thrust of the Cooper-Church amendment is prospective and should be seen in perspective. It cements into law and, therefore, adds weight to the President’s commitment to the American people that U.S. forces will not reenter Cambodia without the concurrence of Congress, after they are once brought out prior to July 1, 1970.

May I say, Mr. President, that I agree with the distinguished minority leader who stated yesterday that “in my opinion, the President of the United States will have all U.S. forces out before July 1, 1970.” But, if the Cooper-Church amendment is enacted, no appointed adviser to the President—military of civilian—will include in the future the option of giving the President, a recommendation for a U.S. invasion of Cambodia—for exposing U.S. soldiers to that added risk—without noting, too, that the action requires prior action in accordance with constitutional processes by an elected Congress.

In short, this amendment strengthens the President’s hand in adhering to his stated policy in the future. Insofar as I am concerned, the Senate ought to be prepared to face up to the issue today, tomorrow, next week, or next month. The issue will not go away on June 30. It will not go away, period.

I might add that the present Military Sales Act has no authority for continued operations.

This bill authorizes funds for those operations from July 1, 1970, to July 1, 1971—the next fiscal year. If we do not get to a vote on this bill before June 30, there will be no authorization for this program and if it is not enacted, no continuing funding authority for this program should be permitted.

I was most disturbed to note General Ky’s remarks in this morning’s press. “A silly argument of silly people” is the way he put it. “We will not let anyone tie our hands” in prosecuting the war in Cambodia.” Mr. Ky is Vice President of the Republic of South Vietnam. He certainly is not remiss in telling us what to do, in indicating how to act, and in stating to us what he and his government intends to do in Cambodia, in Laos, and elsewhere.

These are only the latest threats he has hurled at this Nation. Let him make his threats about expanding the war in Indochina without American men, without American supplies, without American advisers. Let him make his threats after U.S. troops leave Vietnam.

All I can say is that I am confident the Senate of the United States will not yield to or be cowed in doing what must be done for the well-being of this Nation by the taunts of one of the chief ad-

ministrators of the government that for so long has been protected by the money of the American people and the blood of American men.

I would hope that the Senate will face its responsibilities and vote on this issue without prolonged delay rather than neglect its constitutional obligations.