

Statement on Church-Case Vietnam fund cut-off amendment

Senator Hiram L. Fong Papers

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Statement on Church-Case Vietnam Fund Cut-Off Amendment
By U. S. Senator Hiram L. Fong (R-Hawaii)
For Delivery in the Senate
May 10, 1972

Mr. President, the amendment offered yesterday by the senior Senator from Idaho (Mr. Church) and the senior Senator from New Jersey (Mr. Case), amendment number 1186, has two fatal defects.

As proposed, the amendment would read as follows:

TITLE VII. TERMINATION OF HOSTILITIES
IN INDOCHINA

Sec. 701. Notwithstanding any other provision of law, none of the funds authorized or appropriated in this or any other Act may be expended or obligated for the purpose of maintaining, supporting, or engaging United States forces, land, sea, or air, in hostilities in Indochina, four months after reaching an agreement for the release of all prisoners of war held by the Government of North Vietnam and forces allied with such Government and an accounting for all Americans missing in action who have been held by or known to such Government or such forces.

The first fatal defect is that the amendment would cut off all funds for U.S. forces in Indochina, not four months after release

of all prisoners of war held by North Vietnam, but four months after "reaching an agreement for the release" of all prisoners.

Suppose an agreement is reached for the release of all prisoners of war. The Church-Case time limit of four months would then begin to run, from the time the agreement is reached. The North Vietnamese could stall and stall and stall and four months could go by without their releasing even one of our prisoners of war. Yet the sponsors of this amendment would prohibit the United States Government from using any funds whatsoever -- not a dime, not a cent -- to try to enforce the agreement and to obtain the release of our prisoners of the Indochina War.

Mr. President, despite the differences in views in the Senate of the United States, I have been under the impression that all Senators and all Members of the House of Representatives want to see all American prisoners of war returned in safety to their homes and families.

If my impression is correct, then this amendment should be rejected out of hand, unanimously. For this amendment would endanger the return of American prisoners of war. It would not make it easier to obtain their return.

On the contrary, it may very well mean our prisoners of war will continue to be held hostage by the North Vietnamese.

Our best hope for obtaining the release of these prisoners is to make total U. S. withdrawal from Vietnam contingent on release of the prisoners of war.

If the American people knew what this amendment entails, they would be outraged.

For the American people know full well the record of the North Vietnam Communists when it comes to agreements -- whether they be understandings like the 1968 understandings to stop shelling South Vietnam's towns and cities in exchange for our cessation of bombing military targets in North Vietnam -- or whether they be agreements like the Geneva Agreements of 1954, which North Vietnam has violated over and over again.

The American people are too realistic to be taken in by a proposal that would require U. S. withdrawal from Vietnam, based solely on an "agreement" for the release of U. S. prisoners.

The American people want the men released.

To say -- as this amendment does -- that America cannot spend a nickel or a dime or even a penny four months after an agreement for release is obtained even to enforce that agreement or to ensure the safety of these men is sheer folly. It is downright dangerous. It plays into the hands of Hanoi.

The Senate should reject this amendment out of hand.

The second fatal defect of the Church-Case amendment is that it fails to require any cease-fire as a condition to the cut-off of funds for U. S. forces in Indochina.

Let me just draw a picture of what could happen when no cease-fire is required.

After an agreement is reached for the release of all prisoners of war, North Vietnam could continue its invasion of South Vietnam. Suppose the battle situation at the end of four months after the POW agreement -- when the fund cut-off would apply -- is such that U. S. forces could not be safely withdrawn. This amendment would prohibit use of any funds in behalf of U.S. forces in Indochina. Any men left -- not only in Vietnam, but anywhere in Indochina -- would have to be abandoned.

Under the Church-Case amendment, the President as Commander-in-Chief would be prohibited from using any funds whatsoever to try to ensure the safety of those men still in Indochina four months after an agreement is reached for release of all prisoners of war.

So, Mr. President, we could find ourselves in the pretty pickle of neither having obtained the release of our prisoners of war nor of being able to ensure the safe withdrawal of American forces in Indochina.

If the American people knew what this amendment could do, I do not believe they would stand for it. I believe there would be such an outcry throughout the length and breadth of this land that the amendment would be withdrawn.

I hope the news media will cooperate in educating the people of this country of the booby-traps built into this amendment.

This amendment as it now stands would give the enemy the upper hand. It would encourage him to stall past the expiration date of the four-month cut off. It would encourage him to prolong the battle and the bloodshed after agreement on the prisoners of war is reached, so that our 60,000 American men still in Vietnam could well be faced with a Dunkirk disaster.

Now, Mr. President, an amendment to the Church-Case amendment was offered yesterday by the distinguished Majority Whip (Mr. Robert C. Byrd) in an effort to make the Church-Case amendment more palatable.

The Byrd amendment number 1187 would make the fund cut-off effective four months after "an internationally supervised ceasefire" and an agreement for the release of all prisoners of war.

Mr. President, even if the term "cease-fire" is interpreted to mean a genuine cease-fire with no further shooting by any party in Vietnam, the Byrd amendment does not remedy the Church-

Case amendment defect which fails to ensure the return of our prisoners of war.

I believe what the American people want -- and the least we should insist upon -- is the actual return of our prisoners of war and an internationally supervised cease-fire, a real cease-fire, where South Vietnam will be left alone and where there would be no more fighting between North and South Vietnam.

Mr. President, at this very crucial time when the President of the United States has offered to withdraw all U.S. forces four months after an internationally supervised cease-fire and release of all prisoners of war, the Senate should not jeopardize the chances for peace by approving these amendments pending before us.

North Vietnam has not even responded to the President's offer. Yet the Senate by this amendment would be injecting a new offer to North Vietnam.

I have already indicated some ominous consequences that could very well result from the Church-Case amendment even if amended by the Byrd amendment.

Why should the Senate risk encouraging Hanoi to wait and see whether the Senate will undercut our President?

Why should the Senate risk giving Hanoi the upper hand in the present serious situation?

I urge the sponsors of the Church-Case amendment to withdraw their amendment at this very crucial time. If they do not, then I urge the Senate to reject it decisively.

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for the release of all prisoners of war. *And that is today the one that has been modified "an internationally supervised cease fire"*

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