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FLOOR STATEMENT BY U. S. SENATOR BOB DOLE  
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#### THE CASE AGAINST THE "END THE WAR" AMENDMENT

It is with a sense of "haven't we been through this before?" that I have noted the resurrection of the so-called "amendment to end the war" in Congress. Last year it seemed that the fate of this dubious exercise had been settled for good, but it has now been revived and we are called upon to deal with it again.

#### Unprecedented Lobbying Effort

I am sure most members of the House and Senate recall the events subsequent to the May 12, 1970, appearance of several senators on network television. By playing upon the sympathies and anxieties of a war-weary American people they used that television production to solicit more than half a million dollars and thereby financed an unprecedented barrage of publicity and vigorous lobbying activities against their fellow members of Congress.

The money they raised went for newspaper advertisements across the country, television and radio spot commercials on some 60 stations, and a sizeable volume of publications directed at stimulating public pressure on members of Congress to support the so-called "Amendment to end the War."

This television production and the activities which followed it raised a number of still unresolved questions regarding the propriety of such conduct by members of Congress. But evidently the amendment's sponsors and proponents have not been troubled by these questions, for press accounts indicate they have planned to spend upwards of \$100,000 on another media blitz to stimulate lobbying activities against their colleagues this year.

On September 1, 1970, the Senate administered a resounding defeat to the "end the war amendment" -- or as I prefer to call it, the "lose the peace amendment". Most of us, I believe felt the Senate's action put to a final rest the matter of "end the war" legislation -- but evidently such expectations were overly optimistic, and we are again confronted by the prospect of another round of the tired slogans and weary rhetoric we heard so often last year. It appears that the same old arguments and tiresome themes have been rewarmed and resuscitated for this year's effort.

In any event, the feeling of dreary repetition hangs heavy over the revival of the "end the war" legislation, and perhaps only the hope of quick dispatch gives grounds for optimism to those members of Congress who believe our time should be more profitably spent than in beating last year's dead horses.

Looking ahead to this year's "end the war" exercise, it would be appropriate to discuss some of the history of the "end the war amendments" in the 91st Congress and look at some of the results of American policy in Southeast Asia since these proposals were first put forth.

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The Ever-Changing Amendment

I specifically spoke of "end the war amendments", plural. This point should not be lost on the American people, for it casts an interesting light on the whole end the war campaign.

If there has been one overriding characteristic displayed by "the" amendment to end the war it has been a rather pronounced tendency to change. In the course of the 21 months since the proposal was first introduced, it has changed in regard to dates, numbers, terms, conditions, and intent. As a matter of fact, the Senate was presented with not one, but six, separate versions of "the end the war amendment" before it finally came to a vote in the 91st Congress. These different amendments displayed substantial variation, and it was difficult for the Senate, much less the public, to tell from one day to the next exactly which proposal was being referred to by sponsors and supporters.

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To clarify the record, I would like to take a moment to sketch the meanderings and metamorphoses of "the" end the war amendment.

### Six Versions In The 91st Congress

The whole process started with the pioneer version, a bill introduced by a former senator from New York on October 7, 1969. It was followed on October 8, 1969, with a second version by the junior senator from South Dakota and others. Then, on April 30, 1970, the third version was introduced by the junior senator from South Dakota and the senior senator from Oregon. That version was followed by the fourth edition on May 5, 1970, introduced by the junior senator from South Dakota and others. The fifth version was never printed as an amendment; however, it did appear in the record during the week of August 16, 1970, with an indication that it would perhaps be the final version. The sixth and the last version was introduced on August 26, 1970, by the junior senator from South Dakota and the senior senator from Oregon.

### Two Versions In The 92nd Congress

We now have a new year and a new congress, but "the" amendment is still with us -- and still up to its old tricks.

On January 27, 1971, a bill, S. 376, bearing a close resemblance to the 91st Congress last "end the war" proposal was introduced by the junior senator from South Dakota and others. It has lain dormant since its introduction, but on June 4, it assumed a new incarnation in the form of Amendment No. 143 to H.R. 6531, the act to amend the Military Selective Service Act. This amendment differs from S. 376 in several respects, but it has been christened with the same old bottle as "the" end the war amendment.

So now we have the seventh and eighth in an indeterminate series of "the" amendment -- with who knows how many more to come.

I ask unanimous consent that all eight versions of the so-called "amendment-to-end-the-war" be printed in the record at the conclusion of my remarks. It is somewhat difficult to follow all the changes, and it would be well to have the eight versions presented in full.

### A Question Of Propriety

The principal question posed by this incessant shifting and juggling of the amendments is the propriety of raising money to promote one distinct and clearly specified proposal and then using that money to promote something entirely different.

Certainly those who donated money -- in response to the May 12, 1970 NBC television solicitation, many newspaper advertisements, and numerous spot commercials on radio and television -- did so in the belief that there was a plan to end the war. As events proceeded, however, many contributors must have discovered that the plan they thought they were supporting was not the one being considered by the Congress.

The original intent and representation was to end the war June 30, 1971, by ending our fighting on December 31, 1970, and withdrawing our troops 6 months later -- or so read the plan of the fund-raising amendment, the one discussed on May 12. At that time, on the basis of that amendment, the sponsors raised more than \$500,000.

But by the time the Senate voted on "the" amendment, it had been changed twice and provided for a troop level of 280,000 on April 30, 1971, and total withdrawal by December 31, 1971. To this observer, these changes are substantial and raise pertinent questions.

Why was the plan changed to provide for 280,000 troops on April 30, 1971, and to postpone withdrawal of all forces until December 31, 1971?

If the amendment's sponsors did not intend to press for an end of the war by June 30, 1971, why did they draft their amendment to promise that date and raise half a million dollars on the strength of that date?

If they did not mean June 30, 1971 did they mean December 31, 1971? Or do they now mean December 31, 1971, or March 1, 1972, or 1973, or 1974, or 1975?

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### The President's Record

The questionable value of "the" amendment to end the war and the tactics of its sponsors come into still clearer focus when the deadlines and requirements of these pieces of legislation are compared to the accomplishments of President Nixon over a comparable period.

At the time the first two versions of the end the war legislation were introduced, the President had been in office slightly more than 8 months. In this brief period he had already reversed the grim patterns of troop level escalation and combat casualty increases which were inherited from the previous Administration. Troop strength was below 500,000 -- down from a peak of 543,400, and combat fatalities were on their way down from more than 14,500 in 1968 to 9,414 in 1969.

Between the introduction of the first two proposals and the introduction of the third version, approximately 100,000 more troops were withdrawn.

Between the televised solicitation of the American people on behalf of the fourth version of the "end the war" proposal and the Senate defeat of the sixth version, nearly 40,000 more troops came home.

Between the defeat of the sixth version in the 91st Congress and the appearance of the seventh and now the eighth in the 92nd Congress, another 30,000 men have been withdrawn.

So, by rough calculations, while the sponsors and supporters of this so-called "end the war" legislation have been soliciting the public, inciting pressure on their colleagues in Congress and otherwise engaged in their causes, President Nixon, who bears the real responsibility for the protection of our fighting forces and for the future of peace, has made substantial progress toward ending the war by reducing the troop level by more than 220,000 men.

Altogether, in the first 2 1/2 years of his presidency Richard Nixon has brought more than 292,000 American fighting men home from Indochina and has reduced the casualty level by more than two thirds.

As a dramatic example of the President's success, figures announced this morning reveal that battle deaths for the past week were the lowest in 5 1/2 years. Not since October, 1965, have fewer than 19 Americans died in a week of combat. Of course, one American death is too many. But I believe that some Thursday in the very near future we will hear the long-awaited news -- no American battle deaths.

The facts show that President Nixon is doing something about the war: he is ending it. And no advocate of so-called "end the war" legislation can match his record in terms of real progress, responsible programs or credible fulfillment of his promises.

### CREDIBILITY COMPARED

Credibility has become a prominent catchword in Washington, and it is important to recognize that President Nixon's credibility on ending the war and winning the peace is unimpeachable.

Just look at the record. He took office in January 1969, with more than half a million Americans fighting a war commenced and expanded by two previous administrations. In June, September, and December of that year he announced troop withdrawals of 25,000, 35,000 and 50,000 men. The on time completion of this phase of withdrawals was in large measure due to the successful U.S.-South Vietnamese operations into sanctuary areas in Cambodia. In April, 1970 a further withdrawal of 150,000 men was announced and by the first of this month the total of United States Forces had been cut to less than half the all time high reached in early 1969. By December 1 of this year troop strength will be only 1/3 what it was when the President took office.

President Nixon has not equivocated over dates or numbers; he has made clear, reasonable commitments, and he has kept each and every one of them. When the President speaks of numbers and dates, there is no question of those numbers or those dates.

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The Presidents' record offers a marked contrast to that of the so-called "end the war" legislation. It started out having all American forces out of Vietnam on December 1, 1970. Later, it said December 31. Then it said June 30, 1971. Then it said we would have 200,000 men in Vietnam on April 30, 1971 and all of them would be out by December 31, 1971. Now it says have everyone out by December 31, 1971 -- or sixty days later if our prisoners are not released -- or if Congress authorizes "further action" -- or who knows what additions or changes the sponsors might make tomorrow?

#### Changes Paise Questions

I cannot believe the "end the war" amendment, the "lose-the-peace" amendment, could have been introduced with the expectation that it would ever become law. Any observer of national affairs knows that the Senate and House would never pass it, and certainly no President, Democrat or Republican, would ever sign it. But, since it has been advocated so vigorously and at such expense and with such intense efforts to lobby and pressure Members of Congress, the American people are entitled to know why it was introduced and why it has been subjected to such fundamental continuing, and substantial alteration.

When the amendments' alterations and modifications are set up beside programs and accomplishments of the President, they raise the question of whether they do not actually constitute an endorsement of the President's policies and an effort on the part of their well-intentioned sponsors to associate themselves with the President's success.

If so, then these changes are to be applauded and welcomed.

Perhaps answers to these questions will not be forthcoming, but they are questions many Americans are asking -- especially in the light of President Nixon's progress in ending the war.

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### A NEW PLAY ON EMOTIONS

This year's chapter of "the selling of the amendments" has revealed a new element in the publicity for these proposals. Since the President's withdrawal program and his schedule for future withdrawals have taken that issue away from the amendment's sponsors, they are turning to another source of emotion and anguish with the American people in efforts to promote their latest proposal. This year they are playing on the public's concern for the 1,600 men who are being held prisoners of war or are missing in action in Southeast Asia. Having been bested by the President in securing the withdrawal of our forces, they have moved to another issue and are now saying that a definite date for complete withdrawal is the only way to insure the release of our captured men.

They would have us abandon the last remaining element of flexibility in our disengagement policy -- the open-ended feature of our withdrawal timetable-- in the belief that such action would facilitate the release of our prisoners. They urge us to make this concession unilaterally, without any assurances from the North Vietnamese that any action would be taken on the prisoner issue.

But their approach is wrong. It evidences a fundamental error in judgement, and it discloses a distorted sense of perspective in regard to the war and the North Vietnamese.

In the same breath that they berate President Nixon for actions which amount to matching or exceeding the very requirements of their earlier proposals, they now attack the President for being unable to surmount a difficulty over which he cannot reasonably be expected to have any control. The adamant recalcitrance of the North Vietnamese.

The North Vietnamese have refused to agree to a cease fire; they have refused to join in an Indochina peace conference; they have refused to agree to a political settlement involving the NLF; and they refuse to agree to any proposal for prisoner release. Failure to negotiate the release of our prisoners and missing men is not due to any shortcomings or spared effort by the United States on the diplomatic front. Publicly and privately, directly and through intermediaries, the United States has left no avenue unexplored in attempts to provide for the release of all prisoners -- or at least for the internment in a neutral country.

### NORTH VIETNAMESE OBSTRUCTION

The difficulty is simple, and the obstacle is clear. The North Vietnamese have repeatedly refused to agree to any arrangement whereby a date for termination of United States operations will be met by a concurrent agreement to release our prisoners. They say only that in the event of a deadline set by the United States, they will "discuss" prisoners. But the experiences of the French with regard to their men who were captured and missing, and the experiences of the Johnson Administration in reaction to the "understanding" accompanying the bombing halt have shown that a promise by the North Vietnamese to "discuss" a subject means nothing.

"Discussion" to the North Vietnamese means only more stalling, more propaganda and more delay. Only when they are firmly and clearly committed to specific actions can there be any expectation that they will proceed on a substantive basis on any subject. They have not evidenced any willingness to commit themselves on the release of our prisoners, and until they do make a commitment the President will not be taken in by their offers to "discuss" the fate of our men.

Remarks of North Vietnam's chief Paris negotiator, Xuan Thuy, quoted in yesterday's Washington Post removed the last doubt as to North Vietnam's intentions regarding our prisoners. Thuy reiterated the North Vietnamese position that release of any U.S. prisoners would not come before complete cessation of all military and economic assistance to South Vietnam.

But in the face of a clear record of North Vietnamese refusal to make the slightest move toward agreeing on release of prisoners, the end the war advocates continue to persist in urging the President to relinquish whatever leverage and influence he still possesses on behalf of our captured and missing men through the indefinite presence of our armed forces in South Vietnam.



### PERILOUS COURSE

This stance is fraught with peril. It endangers the chances for negotiating release of our prisoners and by singular emphasis on "prisoners" it also jeopardizes the fate of more than 1,000 missing men, at least 90 of whom are known to have been captives. Since the enemy disclaims any knowledge of these 1,000 missing men, an agreement restricted only to acknowledged POWS would seal the fates of any who might be held secretly.

Fortunately this year's end the war scheme has even slimmer chances for passage than before. Nonetheless, the intense publicity and lobbying campaign which has been launched in its behalf still poses the risk that some members of the American public will be distracted from the record of progress the Nixon Administration has compiled in ending our country's involvement in the Indochina conflict. This publicity campaign also raises a substantial danger that the North Vietnamese and others will mistake the attitude of the American people and come to think we really do not care about the nearly 1500 missing and captive men in North Vietnam, South Vietnam, Laos, and Cambodia.

I, for one, would not want to be a party to any activity which might jeopardize the present safety and future chances for release of so many brave Americans.

### REVEALING LISTS OF SUPPORTERS

I have seen some of the publicity of the groups and organizations supporting this legislation. Their rosters read like a Who's Who of "has-beens", "would-bes", professional second guessers, and apologists for the policies which lead us into this tragic conflict in the first place. Their rolls tell far more about the "Lose the Peace" amendment than all their TV commercials, press releases and publicity stunts put together.

If these people wish to salve their consciences for errors committed while they were entrusted with the responsibility of leading this nation, they should do so in private comisseration with each other. If these people are seeking to relive the glories of past high office, they should repair to their scrapbooks and press clippings. If these people are attempting to construct the foundations of future careers in public life, they would do well to choose other building blocks than the fate of American prisoners in far-off lands and the emotions of a people who are sick of war and yearning peace.

### CONCLUSION

Mr. President, the Senate has more important issues to consider than the artificial agitations of this so-called "End The War" amendment and its attendant publicity. Many of the President's domestic and international programs are awaiting action, important appropriations bills are pending, and other work of Congress demands our attention.

I urge that the Senate quickly and decisively reject this proposal and move on the completion of action on extension of the draft and other pressing business which awaits us.