

MEMORANDUM

NATIONAL SECURITY COUNCIL

June 9, 1971

MEMORANDUM FOR:

GENERAL HAIG

FROM:

J. F. LEHMAN

SUBJECT:

Talking Points for LIG Meeting,
2:00 p. m., June 9, 1971.

1. End the War Resolutions

--Short status report on the Senate
(BeLieu, Abshire)

--House:

--Status Report and probable schedule
(Cook)

--Decision on strategy to oppose all resolutions, or
to put forward a pro-Administration resolution.

--McClory Resolution (Tab A)

--NSC Draft (Tab B)

2. Radio Free Europe

--Status Report (Abshire, Maury)
(FYI: Fulbright refused to allow a vote yesterday; instead
he deferred action pending a study of RFE-RL by the Library
of Congress.)

--Alternative Options:

--Approach through other committees

ON-FILE NSC RELEASE
INSTRUCTIONS APPLY

-2-

--Return to Ellender and Mahon to request continuation of present funding (inter alia arguing we were double-crossed).

--Direct Presidential intervention

3. Symington Amendment -- \$200 million ceiling on Laos Aid

(FYI: Symington intends to introduce his amendment to the DoD Authorization Bill imposing a ceiling of \$200 million on both military and economic assistance. It is unclear what figures he is using, but he indicates that his estimate of present levels is about \$250 million.)

--Review of present funding breakdown and committee jurisdiction. (Maury)

--Strategy recommendations.

--Preparatory action required.

Status Reports

--Draft Bill (BeLieu)

--DoD package on Executive Privilege (Johnson)

--GAO/Berlin (Johnson)

--War Power (Abshire)

92D CONGRESS
1ST SESSION

H. CON. RES. 321

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 1971

Mr. McCLORY submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Whereas the President of the United States has determined that the war in Indochina is to be terminated at the earliest possible date; and

Whereas the President, in October of 1970, proposed an immediate cease-fire in Indochina; and

Whereas the President has made total withdrawal from South Vietnam contingent upon the release of American prisoners of war; and

Whereas Congress, under article I, section 8 of the Constitution of the United States must accept its full share of responsibility in matters involving the employment of the Armed Forces of the United States in foreign wars: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*

1 certain of November 30, 1971, should be established for the
2 withdrawal of all United States forces from South Vietnam,
3 provided that—

4 (1) a total cease-fire be established between the
5 parties involved, to commence no later than August 15,
6 1971, under the supervision of a United Nations military
7 observer group; and

8 (2) all prisoners of war held in Indochina are iden-
9 tified and exchanged no later than September 1, 1971,
10 under the supervision of the United Nations Commission
11 on Human Rights.

12 (3) the Government of North Vietnam and all other
13 governments with military forces in South Vietnam like-
14 wise commit themselves to withdrawing their forces by a
15 date certain of November 30, 1971, this mutual with-
16 drawal to be supervised by a United Nations military
17 observer group.

18 SEC. 2. It is further the sense of the Congress that im-
19 mediately upon the final exchange of all prisoners of war,
20 all United States forces in South Vietnam should withdraw
21 to the perimeters of those cities or military installations which
22 the President shall define, and shall not engage in any ground
23 action or ground reconnaissance thereafter.

24 SEC. 3. It is further the sense of the Congress that

1 should be referred to the United Nations Commission on
2 Human Rights and that the supervision of elections in the
3 Republic of Vietnam and the procedures for negotiating a
4 final peace settlement between the governments of North
5 and South Vietnam should be referred to the Security Coun-
6 cil of the United Nations in accordance with the provisions
7 of the Charter of the United Nations.

8 SEC. 4. No provision of this resolution shall be con-
9 strued in such a manner as would infringe upon the duties
10 and powers of the President of the United States as Com-
11 mander in Chief, nor upon his power to make treaties by
12 and with the advice and consent of the Senate pursuant to
13 article II, section 2, of the Constitution of the United States.

92^D CONGRESS
1ST SESSION

H. CON. RES. 321

CONCURRENT RESOLUTION

Expressing the sense of Congress with respect to the withdrawal of American troops from South Vietnam, and for other purposes.

By Mr. McCLOY

MAY 25, 1971

Referred to the Committee on Foreign Affairs

Lehman Draft

CONCURRENT RESOLUTION

Whereas the President of the United States has determined that the war in Indochina is to be terminated at the earliest possible date; and

Whereas the President, in October of 1970, proposed an immediate cease-fire in Indochina; and

Whereas the President has made total withdrawal from South Vietnam contingent among other things upon the release of American prisoners of war; and

Whereas Congress under Article I, Section 8 of the Constitution of the United States must accept its full share of responsibility in matters involving the Armed Forces of the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), that it is the sense of the Congress that in the 92nd Congress the Congress should work toward the achievement of conditions which will permit the people of the states of Indochina to determine their own future freely and without coercion. It is the sense of the Congress that the negotiation of an agreement fulfilling this purpose and securing the release of all prisoners of war would include an agreed timetable for the complete withdrawal of all U.S. armed forces from South Vietnam.

Resolved, further, that if negotiation of such an agreement proves impossible, the Congress should work to achieve the objectives of obtaining the full release of all American prisoners of war and of continuing withdrawal of U.S. armed forces from South Vietnam as the free nations of the area achieve the capability of defending themselves.

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Whereas the President, in October of 1970, proposed an immediate cease-fire in Indochina; and

Whereas the President has made total withdrawal from South Vietnam contingent among other things upon the release of American prisoners of war; and

Whereas Congress under Article I, Section 8 of the Constitution of the United States must accept its full share of responsibility in matters involving the Armed Forces of the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), that it is the sense of the Congress that a date certain of August 15, 1972 should be established for the withdrawal of all United States forces from South Vietnam, provided that --

(1) a total cease-fire be established between the parties involved, to commence no later than August 15, 1971, under the supervision of a United Nations military observer group or other mutually acceptable international commission; and

(2) all prisoners of war held in Indochina are identified and exchanged no later than September 1, 1971, under the supervision of the United Nations Commission on Human Rights, the International Red Cross, or other appropriate international organization.

(3) the Government of North Vietnam and all other external governments with forces in South Vietnam likewise commit themselves to withdrawing their forces by a date certain of August 15, 1972, this mutual withdrawal to be supervised by a United Nations military observer group or other mutually acceptable international commission.

Sec. 2. It is further the sense of the Congress that immediately upon the final exchange of all prisoners of war, all United States forces in South Vietnam should, in concert with all other external military forces, begin to execute the mutual supervised withdrawal as agreed upon.

Sec. 3. It is further the sense of the Congress that matters concerning the placement of refugees in Indochina should be referred to the United Nations Commission on Human Rights, the International Red Cross, or other appropriate international organization; and that the supervision of elections in the Republic of Vietnam and the negotiation of a final political settlement between the governments of North and South Vietnam be referred

to the United Nations Security Council or other international group acceptable to the governments of North and South Vietnam.

Sec. 4. No provision of this resolution shall be construed in such a manner as would infringe upon the duties and powers of the President of the United States as Commander in Chief, nor upon his power to make treaties by and with the advice and consent of the Senate pursuant to article II, section 2, of the Constitution of the United States.