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November 8, 1965

Honorable Bob Dole
House of Representatives
Washington, D. C.

Dear Bob,

In our Sunday School lesson last Sunday, the discussion became quite interesting concerning the newspaper reports of the objectors to our participation in Viet-Nam. One lady demanded to be told the difference, if any, between our Viet-Nam participation and our Korea Action.

She claimed that if this was a police action as Korea was called then, she argued, that the boys had a right to refuse to go. She agreed that if this was a war, then it was everyone's duty to participate in a way to bring about an early termination of hostilities.

Our discussion, then became a discussion of definitions. We all believe that the United States should try to confine this war, but we also believe that we should go to the source of trouble and not say "You are across this line--we won't bother you, whatever you may do". We do not believe in creating sheltered pockets which can haunt us or become a base of operations for the enemy and which by our own promise we can not dispose of.

Of course, we only know what is released to the newspapers, but there are also people in our class with relatives in this war, and we hope that some of the decisions that have been publicized are wrong. We do not believe the war can be contained and we think that since there are hostilities and bloodshed, then benefits would be derived by naming this an actual war and attempting to clear the air of the whole rotten mess.

Again I repeat, we do not know backgrounds for decisions, terrain of battles, nature of the people, and other factors and facets of the problem. We only think in terms of our personalities and standards.

I would like for you to give some definitions as you see it, because I know we are living with this problem and it will surely come up for discussion again.

Sincerely,

Quinter, Kansas 67752

*10 days on
report mentioned*

BOB DOLE

1ST DISTRICT, KANSAS

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Congress of the United States
House of Representatives
Washington, D.C. 20515
November 24, 1965

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[REDACTED]
Quinter, Kansas

Dear [REDACTED]

This will acknowledge your letter of November 8 concerning U.S. participation in Viet Nam.

I am fully aware there are many who do not agree with our reasons for being involved in Viet Nam, but the hard cold facts remain that we are at grips with an enemy which has not renounced its intention to completely destroy our way of life. I fear many who clamor for our withdrawal from Viet Nam refuse to accept the awful realities, and seem to think it better to avoid as long as possible a confrontation with this deadly enemy.

Enclosing some material including my remarks in a Veterans' Day address at Garden City which I hope may furnish you some basis on which to argue this issue, and if additional material is needed, please do not hesitate to let me know.

Sincerely yours,

BOB DOLE, M. C.

BD:rak

Enclosures

120-7
Viet Nam

Senate convening at 12 noon tomorrow, the Senate adjourn, upon the completion of business today, until 11:30 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR COOK TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the prayer and the disposition of the reading of the journal tomorrow, the distinguished Senator from Kentucky (Mr. Cook) be recognized for not to exceed 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE FOREIGN MILITARY SALES ACT

The Senate continued with the consideration of the bill (H.R. 15628) to amend the Foreign Military Sales Act.

Mr. DOLE. Mr. President, will the Senator from Idaho yield?

Mr. CHURCH. I am happy to yield for questions.

Mr. DOLE. Mr. President, on Tuesday of this week, the junior Senator from Kansas submitted an amendment which I may offer as substitute language for the so-called Church-Cooper amendment. At that time I said, and repeat today, that I applaud the sincere efforts, of the Senator from Idaho, the Senator from Kentucky, and other sponsors of the Church-Cooper amendment; but I also share the concerns of others in this Chamber regarding the right of any President to protect American troops.

I am wondering whether the Senator from Idaho has had on opportunity to study the proposed amendment that I submitted on Tuesday. It reads:

In line with the expressed intention of the President of the United States, no funds authorized or appropriated pursuant to this Act or any other law shall be used to finance the introduction of American ground combat troops into Laos, Thailand, or Cambodia without the prior consent of the Congress, except to the extent that the introduction of such troops is required, as determined by the President and reported promptly to the Congress, to protect the lives of American troops remaining within South Vietnam.

This was commonly known in the other body as the Findley amendment. It was adopted by the other body and later dropped from the Military Sales Act.

It occurs to me this language does, in essence, what the authors of the Church-Cooper amendment intends to do or proposes to do. At the same time, it does give the President that right, the right which he might have in any event, to protect American troops remaining in South Vietnam.

I take this opportunity to exchange my views with those of the Senator from Idaho, if he has any comment to make.

Mr. CHURCH. I would say, first of all, to the Senator that the substitute he proposes would, in my judgment, render the Cooper-Church effort meaningless. If this language is adopted, the Senate will merely be making an idle gesture.

With all deference to the Senator, the exception he recommends provides a loophole big enough to drive the Pentagon through.

If we are to make a serious effort, within the constitutional powers of Congress, to establish the outer perimeters on American penetration into Cambodia, it will be necessary, then, to adopt the language that the committee approved, or something very close to it.

The proposed substitute offered by the distinguished Senator from Kansas is unacceptable. It would gut the amendment, rendering it meaningless.

Mr. DOLE. Let me say to the Senator from Idaho that that is not the intent of the Senator from Kansas. I am wondering, with reference to the Senator's amendment, would he concede, notwithstanding the language in the amendment, that the President has the constitutional power and the constitutional right and obligation to take any action he felt necessary to protect American troops.

Mr. CHURCH. I would say to the Senator that Senator Cooper and I have drafted our amendment in such a way as not to challenge the rights the President may have, under the Constitution, to act as Commander in Chief. We have also taken great pains to draft the amendment in such fashion as to assert powers that we believe are vested by the Constitution to the U.S. Congress. We have merely provided that the money appropriated by Congress shall not be available for the purpose of retaining American troops in Cambodia, or for the purpose of setting up an escalating military assistance program that could lead to an entangling alliance with the new Cambodian regime. These are the objectives of the amendment. They clearly fall within the power of Congress. They simply hold the President within the limits of his declared policy but, if he should decide later that these limits need to be exceeded, that the United States should extend its occupation of Cambodia, or enter into an obligation to come to the military assistance and defense of the Cambodian Government, then he would have to come back to Congress, present his case, and ask Congress to lift the limitations.

That kind of procedure reasserts the responsibilities the Constitution vests in Congress, powers which Congress should have been asserting down through the years.

With all deference to the distinguished Senator from Kansas, if we were to substitute his amendment in place of this amendment, we would merely be making an empty gesture.

Mr. DOLE. Mr. President, let me say and make it very clear that I share some of the reservations of the distinguished Senator from Idaho, and so stated at the outset publicly, that I hope our efforts in Cambodia were to protect American troops, and to keep the Vietnamization program on schedule, not an effort to shore up the Lon Nol government. Thus, I share the concern of the Senator from Idaho, the Senator from Kentucky, and others who have joined as cosponsors; but the point is that, notwithstanding the language in the Senator's amend-

ment, or consistent with the language in the Senator's amendment, does the Senator from Idaho agree or disagree that the President, as Commander in Chief, notwithstanding the passage of the amendment and the enactment of the amendment as part of the Military Sales Act, would still have the power, under the Constitution, to go back into Cambodia or any country to protect American troops?

Mr. CHURCH. Whatever authority the President has under the Constitution, Congress cannot take from him. That is, however, only one side of the coin. The other side has to do with the authority of Congress, as vested in it by the Constitution. The Cooper-Church amendment is designed to assert that authority in such a way as to keep the present Cambodian operation within the limits declared by the President as his objective. It is idle for us to write language regarding the President's own constitutional authority. That is why we have avoided any reference to the President or to his responsibilities as Commander in Chief. We have confined our amendment to that authority which belongs to Congress—determining how and where public money can be spent.

Further, the Senator mentioned, in connection with his proposed amendment, that the Senate had earlier passed an amendment, which became law, limiting the expenditure of funds in regard to the introduction of American ground combat troops into either Laos or Thailand.

That amendment passed this body on December 15, 1969. It reads as follows:

In line with the expressed intention of the President of the United States, none of the funds appropriated by this act shall be used to finance the introduction of American ground combat troops into Laos or Thailand.

We did not then go on to say—

... except to the extent that the introduction of such troops is required, as determined by the President and reported promptly to the Congress, to protect the lives of American troops remaining within South Vietnam.

It was not thought necessary, then, to say that. It is not necessary now. Whatever power the President has under the Constitution we cannot take from him. But we can establish limits on the expenditure of public money, so that, if he wants to exceed those limits, he must then come back to Congress, present his case, and ask us to lift the limitations.

Mr. SYMINGTON. Mr. President, will the Senator from Idaho yield?

Mr. DOLE. Mr. President, will the Senator from Idaho yield further?

Mr. CHURCH. I promised to yield to the Senator from Missouri. I shall then be happy to yield further to the Senator from Kansas.

Mr. SYMINGTON. Mr. President, for personal reasons, it was not possible for me to be on the Senate floor on December 15 last. I am interested in an article from the newspapers on that day, which pointed out that the White House endorsed the amendment with respect to Laos and Thailand as being consistent with administration policy in Southeast Asia. The article quoted the minority leader as saying: